

86506 Operation Without a License

(a)

An unlicensed facility as defined in Section 86501(u), is in violation of Health and Safety Code Section 1503.5 or 1508 unless exempted from licensure pursuant to Section 86507.

(b)

If the facility is alleged to be in violation of Health and Safety Code Section 1503.5 or 1508, the Department shall conduct a site visit or evaluation of the facility pursuant to Health and Safety Code Section 1538.

(c)

If the facility is operating without a license, the Department shall issue a notice of operation in violation of law and shall refer the case for criminal prosecution or civil proceedings or both.

(d)

The Department shall have the authority to issue an immediate civil penalty pursuant to Section 86558, Unlicensed Facility Penalties, and Health and Safety Code Section 1547.

(e)

Section 86506(c) and (d) shall be applied pursuant to Health and Safety Code Section 1549.

(f)

The Department shall notify the appropriate protective service agency if either of the following conditions exist: (1) There is an immediate threat to childrens' health and safety. (2) The unlicensed operator does not submit an application for licensure within 15 calendar days of being served a notice of operation in violation of the law.

(1)

There is an immediate threat to childrens' health and safety.

(2)

The unlicensed operator does not submit an application for licensure within 15 calendar days of being served a notice of operation in violation of the law.