

CHAPTER 113: FOOD HANDLING ESTABLISHMENTS

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§ 113.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

EATING AND FOOD HANDLING ESTABLISHMENTS. Restaurant, coffee shop, cafeteria, short order café, luncheonette, tavern, sandwich stand, soda fountain and all other eating or drinking establishments, permanent or temporary, as well as food stores, meat markets, kitchens or other places in which food or drink is prepared for sale elsewhere.

HEALTH OFFICER. The City Health Officer or his or her authorized representative.

(1981 Code, § 9.50)

§ 113.02 PERMIT REQUIREMENTS.

It shall be unlawful for any person to operate an eating establishment in the city who does not possess an unrevoked permit from the Health Officer, the permit being obtained by applying to the City Secretary, and the paying of a \$5 fee; the permit being signed by the Health Officer and the City Secretary; a renewal of the permit to be obtained once each year.

(1981 Code, § 9.51) (Ord. passed 6-8-1982) Penalty, see § 113.99

§ 113.03 EXAMINATION AND CONDEMNATION.

Samples of food, drink and other substances may be taken and examined by the Health Officer as often as may be necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn and forbid the sale of, or cause to be removed or be destroyed any food or drink which is unwholesome or adulterated.

(1981 Code, § 9.52)

§ 113.04 INSPECTIONS.

(A) At least once every two months, the Health Officer shall inspect every eating and food handling establishment located within the city.

(B) In case the Health Officer discovers the violation of any item of sanitation, he or she shall call the violation to the attention of the person operating the eating establishment; he or she shall make a second inspection after the lapse of the time as he or she deems necessary for the defect to be remedied, and the second inspection shall be used to determine compliance with the requirements of this chapter. Any violation of the same item of this chapter on the second inspection shall call for immediate suspension of permit and taking of further action.

(C) The person operating the eating and food handling establishment upon request of the Health Officer shall permit copying any or all records of food purchases.

(1981 Code, § 9.53)

§ 113.05 SANITATION REQUIREMENTS.

All eating and food handling establishments shall comply with all of the following items of sanitation.

(A) The floors, walls and ceilings of all rooms in which food or drink is stored, prepared or served or in which utensils are washed, shall be of construction as to be easily cleaned, and shall be kept clean and in good repair.

(B) When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

(C) All rooms in which food or drink is stored, prepared or served, or in which utensils are washed, shall be well lighted and ventilated.

(D) Every eating and food handling establishment shall be provided with adequate and conveniently located toilet facilities for its employees, conforming

with this city code. In eating and food handling establishments hereafter constructed, toilet rooms shall not open directly into any room in which food, drink or utensils are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair and well lighted and ventilated. Hand washing signs shall be posted in each toilet room used by employees.

(E) It is essential that running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply must be adequate and of a safe, sanitary quality.

(F) All employees shall keep their hands clean at all times, and adequate and convenient hand-washing facilities shall be provided, including hot and cold running water, soap and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet without first washing his or her hands. The use of tobacco in any form in rooms where food is prepared is prohibited.

(G) All multi-use utensils and all show and display cases, counters, shelves, tables, stoves, refrigerating equipment, sinks and other equipment or utensils used in connection with the operation of an eating or food handling establishment shall be so constructed as to be easily cleaned and shall be kept in good repair and free from dirt and insects. All clothes worn and cloths used by waiters, chefs and other employees shall be clean.

(1) The statutes of the state pertaining to sterilization of dishes and utensils shall apply; immersed three minutes at 170°F in clear water, or two minutes at 180°F, or two minutes in an approved chlorine rinse.

(2) No article, polish or other substance containing cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils.

(H) All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in a manner so as not to become a nuisance.

(I) All readily perishable food and drink shall be kept at or below 50°F, except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

(J) All food and drink shall be clean, wholesome, free from spoilage and so prepared as to be safe for human consumption and handled in a sanitary manner. All milk, fluid milk products, ice cream and other frozen desserts served shall be from an approved dispensing device. This requirement shall not apply to cream which may be served from the original bottle or from a dispenser approved for the service.

(K) All food and drink shall be stored, displayed and served as to be protected from dust, flies, vermin, depreciation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches and rodents shall be used.

(L) The premises of all eating and food handling establishments shall be kept clean and free of litter or rubbish.

(1981 Code, § 9.54) (Ord. passed 12-8-1981) Penalty, see § 113.99

§ 113.06 HEALTH CERTIFICATES.

The present ordinances of the city pertaining to health certificates shall apply as follows.

(A) All persons operating eating and food handling establishments and their employees shall have periodic physical examinations, including Wasserman blood tests at intervals of not more than 12 months or at the discretion of the Health Officer.

(B) No person who is infected with any disease in a communicable form or is a carrier of the disease shall work in eating and food handling establishment, and no eating and food handling establishment shall employ any person, or any person suspected of being affected with any disease in a communicable form or of being a carrier of the disease. If the eating and food handling establishment manager suspects that any employee has contracted any disease in communicable form or has become a carrier of the disease, he or she shall notify the Health Officer immediately. A placard containing this section shall be posted in toilet rooms.

(1981 Code, § 9.55) (Ord. passed 12-8-1981) Penalty, see § 113.99

§ 113.07 SUSPICION OF INFECTION.

When suspicion arises as to the possibility of transmission of infection from any eating and food handling establishment employee, the Health Officer is authorized to require any and all of the following measures:

(A) The immediate exclusion of the employee from all eating and food handling establishments;

(B) The immediate closing of the eating and food handling establishment concerned until no further danger of disease outbreak exists in the opinion of the Health Officer; and/or

(C) Adequate medical examination of the employee and his or her associates, including lab- oratory examination.

(1981 Code, § 9.56) (Ord. passed 12-8-1981)

§ 113.08 ENFORCEMENT.

This chapter shall be enforced by the Health Officer in accordance with the interpretations thereof contained in the latest edition of the U.S. Public Health Service Code Regulating Eating and Drinking Establishments, a certified copy of which shall be on file at the office of the City Secretary.

(1981 Code, § 9.57) (Ord. passed 12-8-1951)

§ 113.99 PENALTY.

Any person who violates any provisions of this chapter shall be fined not more than \$200 at the discretion of the court having jurisdiction. Each and every violation of the provisions of this chapter shall constitute a separate offense.

(1981 Code, § 9.58) (Ord. passed 12-8-1981)