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ORDINANCE NO. \_\_\_\_\_

An ordinance defining restaurant, itinerant restaurant, employee, utensils, health officer, etc., requiring permits for the operation of such establishments, prohibiting the sale of adulterated, unwholesome or misbranded food or drink, regulating the inspection of such establishments, the enforcement of this ordinance, and the fixing of penalties.

Be it ordained by the City Council of the city of Urbana, Illinois, as follows:

Section 1. Definitions.--The following definitions shall apply in the interpretation and the enforcement of this ordinance:

A. Restaurant.--The term "restaurant" shall mean *itinerant restaurant*, restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere.

B. Itinerant restaurant.--The term "itinerant restaurant" shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition, *athletic events*, or other similar gathering.

C. Employee.--The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served.

D. Utensils.--"Utensils", shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

E. Health Officer.--The term "Health Officer" shall mean the Public Health Officer of the Champaign-Urbana Public Health District or his authorized representative.

F. Person.--The word "person" shall mean person, firm, corporation or association.

Section 2. Permits--It shall be unlawful for any person to operate a restaurant in the city of Urbana, Illinois who does not possess an unrevoked permit from the health officer.

Such permit shall be posted in a conspicuous place. Only persons who comply with the requirements of this ordinance shall be entitled to receive and retain such a permit. A person conducting an itinerant restaurant shall also be required to secure a permit.

Such a permit may be temporarily suspended by the health officer upon the violation by the holder of any of the terms of this ordinance, or revoked after an opportunity for a hearing by the health officer upon serious or repeated violation.

Section 3. Examination and condemnation of unwholesome or adulterated food or drink.---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 destroyed, any food or drink which is unwholesome or adulterated.

Section 4. Inspection of restaurants. At least once every 6 months the health officer shall inspect every restaurant located within the city of Urbana, Illinois. In case the health officer discovers the violation of any item of sanitation, he shall make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied, and the second inspection shall be used in determining compliance with the requirements of this ordinance. Any violation of the same item of this ordinance on such second inspection shall call for immediate suspension of permit.

One copy of the inspection report shall be posted by the health officer upon an inside wall of the restaurant, and said inspection report shall not be defaced or removed by any person except the health officer. Another copy of the inspection report shall be filed with the records of the health department.

The person operating the restaurant shall upon request of the health officer permit access to all parts of the establishment and shall permit copying any or all records of food purchased.

Section 5. Sanitation requirements for restaurants.---All restaurants shall comply with all of the following items of sanitation.

Item 1. Floors.--The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

Item 2. Walls and ceilings.--Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

Item 3. Doors and windows.--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.

Item 4. Lighting.--All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.

Item 5. Ventilation.--All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.

Item 6. Toilet facilities.--Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees, conforming with the ordinances of the city of Urbana, Illinois. In restaurants 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.

Item 7. Water supply.--Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate, and of a safe, sanitary quality.

Item 8. Lavatory facilities.--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 room without first washing his hands.

Item 9. Construction of utensils and equipment.--All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair. Utensils containing or plated with cadmium or lead shall not be used provided that solder containing lead may be used for jointing.

Item 10. Cleaning and bactericidal treatment of utensils and equipment.--All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single-service containers shall be used only once.

All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of utensils.

Item 11. Storage and handling of utensils and equipment.--After bactericidal treatment utensils shall be stored in a clean, dry place protected from flies, dust, and other contamination, and shall be handled in such a manner as to prevent contamination as

far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.

Item 12. Disposal of wastes.--All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.

Item 13. Refrigeration.--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.

Item 14. Wholesomeness of food and drink.--All food and drink shall be clean, wholesome, free from spoilage, and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from approved sources. Milk and fluid milk products shall be served in the individual original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device: Provided, That this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams, and mussels shall be from approved sources, and if shucked shall be kept until used in the containers in which they were placed at the shucking plant.

Item 15. Storage, display, and serving of food and drink.--All food and drink shall be so stored, displayed, and served as to be protected from dust, flies, vermin, depredation, and pollution by rodents, unnecessary handling, droplet infection, over-head 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.

Item 16. Cleanliness of employees.--All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment.

Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared.

Item 17. Miscellaneous.--The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

Itinerant restaurants.--Itinerant restaurants shall be constructed and operated in an approved manner.

Section 6. Restaurants which may operate.--From and after the date on which this ordinance takes effect no restaurant shall be operated within the city of Urbana, Illinois, or its police jurisdiction, unless it conforms with the requirements of this ordinance: Provided, That when any restaurant fails to qualify the health officer is authorized to suspend the permit.

Section 7. Reinstatement of permit.--Any restaurant, the permit of which has been suspended may at any time make application for the reinstatement of the permit.

Within one week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated provision or provisions of this ordinance have been conformed with, the health officer shall make a reinspection, and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with the requirements, and, in case the findings indicate compliance, shall reinstate the permit.

Section 8. Disease control.--No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. If the restaurant manager suspects that any

employee has contracted any disease in a communicable form or has become a carrier of such disease he shall notify the health officer immediately. A placard containing this section shall be posted in all toilet rooms.

Section 9. Procedure when infection suspected.-- When suspicion arises as to the possibility of transmission of infection from any restaurant employee the health officer is authorized to require any or all of the following measures: (1) the immediate exclusion of the employee from all restaurants; (2) the immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the health officer; (3) adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

Section 10. Enforcement interpretation.--This ordinance shall be enforced by the health officer in accordance with the interpretations thereof contained in the 1943 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 City Clerk's office.

Section 11. License.--Every person, firm or corporation *and in compliance with all ordinances applicable thereto,* operating or conducting a restaurant as herein defined, shall pay annually to the City Clerk of the City of Urbana, Illinois, a fee of Ten Dollars, for which the City Clerk shall issue a license for a period of one fiscal year. All licenses shall expire on April 30th of each year.

Section 12. Penalties.--Any person who violates any provision of this ordinance shall be fined not more than two Hundred Dollars (\$200.00) at the discretion of the court having jurisdiction. Each and every violation of the provisions of this ordinance shall constitute a separate offense.

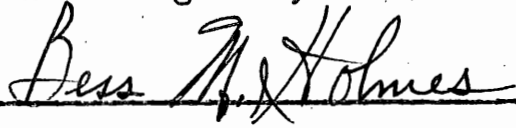
Section 13. Repeal and date of effect.--All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect immediately upon its adoption and its publication as provided by law.

An ordinance entitled "An Ordinance to regulate Sanitary Conditions in Restaurants and other Eating Places", adopted September 21, 1936, approved September 21, 1936 and published in pamphlet form October 29, 1936, is hereby specifically repealed.

Section 14. Unconstitutionality clause. --Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

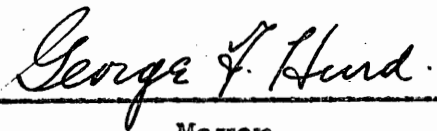
Section 15. Publication . -- This ordinance shall be printed and published in pamphlet form in lieu of all other publications.

Adopted by the City Council August 4, 1947.



City Clerk

Approved by the Mayor August 4, 1947.



Mayor



City Clerk's Certificate

a  
new copy

State of Illinois  
Champaign County ss.  
City of Urbana

I, Bess M. Holmes, City Clerk and ex-officio keeper of the records, files and seal of said City do hereby certify that the above and foregoing is a true and exact copy of an ordinance, ~~entitled, "An Ordinance defining restaurant, itinerant restaurant, employee, utensils, health officer, etc., requiring permits for the operation of such establishments, prohibiting the sale of adulterated, unwholesome or misbranded food or drink, regulating the inspection of such establishments, the enforcement of this ordinance, and the fixing of penalties," adopted by the City Council of the City of Urbana, Illinois, on August 4, 1947, and was approved by the Mayor, who signed the same on August 4, 1947, and that the original ordinance is on file in my office as City Clerk.~~ And I do further certify that the original ordinance is now on file in my office as said Clerk, and that the same is published and printed in book or pamphlet form under the direction and by authority of the City Council of said city.

<sup>and</sup> In Witness whereof, I have hereunto set my hand/affixed the corporate seal of said city this 12th. day of August, A. D. 1947.

CORPORATE SEAL

Bess M. Holmes  
City Clerk

Published by Authority of the City Council of the  
City of Urbana, Illinois

August 19, 1947