

**WOODFORD COUNTY
FOOD SANITATION ORDINANCE**

DEFINITIONS

Adulterated shall mean the condition of any food:

1. if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health.
2. if it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation or in excess of such tolerance if one has been established.
3. if it consists in whole or in part of any filthy, putrid or decomposed substance or it is otherwise unfit for human consumption.
4. if it has been processed, prepared, packed, or held under unsanitary conditions whereby it may have been contaminated with filth or whereby it may have been rendered injurious to health.
5. if it is in whole or in part the product of a diseased animal or animal which has died otherwise than by slaughter.
6. if its containers are composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

Approved or approval shall mean accepted or acceptable by the Health Department in accordance with applicable rules and regulations stated herein.

Authorized Representative shall mean the legally designated Administrator of the Woodford County Health Department, Board of Health President of the Woodford County Health Department, or County Board Chairperson and shall include those persons designated by the authorized representative to enforce the provisions of this Ordinance.

Bed and Breakfast Establishment shall mean an operator-occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms for rent, in operation for more than ten (10) nights in a twelve month period; breakfast may be provided to the guests only; this term shall not include motels, hotels, boarding houses or food service establishments.

"Beverage" means a liquid for drinking, including water.

Board of Health shall mean the Woodford County Board of Health or its authorized representative.

Building shall mean a structure built, erected and framed of component structural parts designed for the housing, work, recreation, shelter, enclosure, or support of persons, animals, or property of any kind.

Category I Facility means a food establishment that presents a high relative risk of causing food-borne illness, based on the large number of food handling operations typically implicated in food-borne outbreaks and/or the type of population served by the facility. Category I facilities include those where the following operations occur:

1. Time/Temperature Control for Safety Food are cooled, as part of the food handling operation at the facility;
2. Time/Temperature Control for Safety Food are prepared hot or cold and held hot or cold for more than 12 hours before serving;
3. Time/Temperature Control for Safety Food cooked and cooled foods must be reheated;
4. Complex preparation of foods or extensive handling of raw ingredients with hand contact for ready-to-eat foods occurs as part of the food handling operations at the facility;
5. Vacuum packaging, other forms of reduced oxygen packaging, or other special processes that require an HACCP plan; or
6. Immunocompromised individuals, such as the elderly, young children under age four and pregnant women are served, in a facility in which these individuals compose the majority of the consuming population.

Category II facility means a food establishment that presents a medium relative risk of causing food-borne illness, based upon few food handling operations typically implicated in food-borne illness outbreaks. Category II facilities include those where the following operations occur:

1. Hot or cold foods are held at required temperatures for no more than 12 hours and are restricted to same-day services;
2. Foods are prepared from raw ingredients, using only minimal assembly; and
3. Foods that require complex preparation (whether canned, frozen or fresh prepared) are obtained from approved food-processing plants, high-risk food service establishments or retail food stores.

Category III facility means a food establishment that presents a low relative risk of causing food-borne illness, based upon few or no food handling operations typically implicated in food-borne illness outbreaks.

1. Category III facilities include those where the following operations occur:
2. Only Time/Temperature Control for Safety Food commercially pre-packaged in an approved processing plant are available or served at the facility;
3. Only limited preparation of non-Time/Temperature Control for Safety Food and beverages, such as snack foods and carbonated beverages, occurs at the facility; or
4. Only beverages (alcoholic and non-alcoholic) are served at the facility.

Certified Laboratory shall mean a clinical laboratory given certification approval by the Illinois Department of Public Health Division of Laboratories for the processing of official samples of milk and water.

Code shall mean IL Food Code.

Core Item

1. "Core item" means a provision in the Code that is not designated as a priority item or a priority foundation item.
2. "Core item" includes an item that usually relates to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), facilities or structures, equipment design, or general maintenance.

Cottage Food Operation means a person who produces or packages non- Time/Temperature Control for Safety Food in compliance with the Food Handling Regulation Enforcement Act.

Critical control point means a point or procedure in a specific food system where loss of control may result in an unacceptable health risk.

Critical limit means the maximum or minimum value to which a physical, biological, or chemical parameter must be controlled at a critical control point to minimize the risk that the identified food safety hazard may occur.

"Food" means a raw, cooked, or processed edible substance, ice, BEVERAGE, or ingredient used or intended for use or for sale in whole or in part for human consumption, or chewing gum.

Food Establishment means an operation that:

1. Stores, prepares, packages, serves, vends Time/Temperature Control for Safety Food directly to the consumer, or otherwise provides food for human consumption, such as a restaurant, satellite or catered feeding location, catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people, market, vending location, conveyance used to transport people, institution or food pantry; and
2. Relinquishes possession of food to a consumer directly, or indirectly, through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by

common carriers.

Food establishment includes:

1. an element of the operation, such as a transportation vehicle or a central preparation facility, that supplies a vending location or satellite feeding location, unless the vending or feeding location is permitted by the regulatory authority; and
2. an operation that is conducted in a mobile, stationary, temporary or permanent facility or location. This inclusion applies regardless of whether consumption is on or off the premises and whether there is a charge for the food.

Food establishment does not include:

1. an establishment that offers only prepackaged foods that are not time/temperature controlled for safety;
2. a produce stand that only offers whole, uncut fresh fruits and vegetables;
3. a food processing plant, including those that are located on the premises of a food establishment;
4. a kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act that prepares and offers food to guests;
5. a private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or
6. a cottage food operation.
7. a home kitchen operation

Hazard Analysis Critical Control Point or "HACCP" means a food safety management system to identify, evaluate and control food safety hazards.

Health Department shall mean the Woodford County Health Department.

Home Kitchen Operation means a person who produces or packages non- Time/Temperature Control for Safety Food baked goods in a kitchen in compliance with Section 4 of the Food Handling Regulation Enforcement Act.

Imminent Health Hazard means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that cannot be controlled by immediate corrective action and requires cessation of operation to prevent injury based on:

1. The number of potential injuries, and
2. The nature, severity, and duration of the anticipated injury. Examples of Imminent Health Hazards include, but are not limited to:
 - a. Fire
 - b. Flood
 - c. Extended interruption of electrical
 - d. Extended interruption of water service
 - e. Sewage backup
 - f. Contaminated water supply
 - g. Misuse of poisonous or toxic materials
 - h. Onset of an apparent foodborne illness outbreak
 - i. Persons with disease or infection which can be transmitted by food or drink are not restricted to prevent food contamination within the food service establishment.
 - j. Gross unsanitary conditions
 - k. Other conditions deemed prejudicial to public health

Label shall mean a written, printed or graphic matter upon the immediate container of an article.

Misbranded shall mean the presence of any written, printed, or graphic matter upon or accompanying food or containers of food which is false or misleading.

Non-Community Public Water Supply shall mean a public supply which is not a community water supply, that has at least fifteen (15) service connections used by non-residents, or regularly serves twenty-five (25) or more resident individuals daily for at least sixty (60) days per year.

Permit shall mean written authorization issued by the Health Department or its authorized representative.

Permit holder means the entity that is legally responsible for the operation of the food establishment such as the owner, the owner's agent, or other person; and possesses a valid permit to operate a food establishment.

"Person in charge" means the individual present at a FOOD ESTABLISHMENT who is responsible for the operation at the time of inspection.

Potentially hazardous food-"Potentially hazardous food" means time/temperature control for food safety.

Potluck event. A Potluck Event means an event where people are gathered to share food in compliance with Food Handling Regulation Enforcement Act.

Premise shall-mean: A building or part of a building, or tract of land including its buildings, or a building together with its grounds or other appurtenances.

Priority Item.

1. "Priority item" means a provision in the Code whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard.
2. "Priority item" includes items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, handwashing; and
3. "Priority item" is an item that is denoted in the Code with a superscript P

Priority Foundation Item.

1. "Priority foundation item" means a provision in the Code whose application supports, facilitates or enables one or more priority items.
2. "Priority foundation item" includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling; and
3. Priority foundation item" is an item that is denoted in the Code with a superscript Pf

Shall means mandatory, must be provided or complied with

Time/Temperature Control for Safety Food" means a FOOD that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation. **"Time/Temperature Control for Safety Food"** includes: An animal FOOD that is raw or heat-treated; a plant FOOD that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation, or garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation;

Vending Machine shall mean any self-service device which upon insertion of a coin, coins, or tokens or other similar means, dispenses unit servings of Time/Temperature Control for Safety Food either in bulk or in packages without the necessity of replenishing the device between each vending operation.

All other definitions as stated in the rules and regulations as adopted by reference herein are hereby in effect.

SECTION A, GOAL:

The goals of this Ordinance are to assist management in the operation of a food service establishment and to educate the Person-In Charge (PIC) or operator and the public regarding the reduction or elimination of the risk of transmission of communicable disease in the food service operation.

SECTION B, SCOPE:

In the achievement of this goal, the Woodford County Food Sanitation Ordinance shall focus on the identification, reduction, and whenever possible, the elimination of factors in the food service operation which are critical to the creation of foodborne illness. The implementation of the Food Sanitation Ordinance shall include defining and regulating food establishments, retail food stores, temporary food establishments, the operation of such establishments and equipment, and requiring the permitting of such establishments within the limits of Woodford County.

SECTION C, ADOPTION BY REFERENCE:

In addition to those provisions set forth herein, this Ordinance hereby adopts by reference the provisions set forth in the "State of Illinois, Department of Public Health, Division of Food, Drug, and Dairies, Food Handling Regulation Enforcement Act, FDA Food Code and any subsequent amendments or revisions thereto, one copy of each shall be on file at the Woodford County Health Department.

SECTION D, PERMITS:

It shall be unlawful for any person or persons to operate a food- establishment, retail food store or temporary food establishment, within the County of Woodford, State of Illinois, who does not possess a valid permit issued by the Woodford County Health Department. Only a person who complies with the requirements of this Ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable from one person to another person nor shall said permit be applicable to any location, building, or place other than that for which it was issued. A valid permit shall be posted in every food establishment so as to be clearly visible to all customers.

1. Term.

- a. **Annual Food Permit.** Food establishments that operate in Woodford County must hold a valid annual food permit. The annual permit term shall be January 1 through December 31 of each calendar year; Mobile food service establishments that operate at multiple locations and/or events throughout Woodford County within a calendar year must obtain an Annual Food Permit from the Health Department prior to beginning operation each year. The mobile food permit term shall be January 1 through December 31 of each calendar year. Mobile food establishments must provide a list of locations where they will be operating to allow for inspection. Mobile Food establishments will be inspected and charged based on their Risk Categorization.
- b. **Temporary Food Permit -** Establishments that operate for a period of up to 14 days must apply for a permit prior to the start of each temporary event. When serving food to the public, a permit is required at private clubs or other nonprofit associations of a religious, philanthropic, civic improvement, social, political, or educational nature. May also include: town festivals, steak fry's, cook-outs, fish fry's, spaghetti suppers, and other occasions where food and/or drink is served to the public. The permits are issued as follows:
 - 1)Single Use Permit – are valid for a period of up to 14 days for one event, and expire at midnight on the last day of the event.
 - 2)Multiple Use Permit – are valid from January 1 through December 31. Must apply for a permit prior to the start of the first event. This permit is valid for one or more events.
 - 3)Concession Stands that operate at an event must apply for a permit prior to the start of the first event. This permit will be valid from the date of issuance through December 31 of each calendar year.
- c. **Other Food Service Operations.**
 - 1)**Cottage Food Operations.** Cottage Food Operations must operate in accordance with the Food Handling Regulation Enforcement Act and register annually with the Health Department. Annual registrations expire December 31st of each calendar year.
 - 2)**Home Kitchen Operations.** Home Kitchen operations must operate in accordance with the Food Handling Regulation Enforcement Act to be exempt from permitting requirements. This statement is not intended to authorize the operation of Home Kitchen Operations.
 - 3)**Potluck Events.** Potluck Events must operate in accordance with the Food Handling Regulation Enforcement Act to be exempt from permitting requirements.

2. Fees. Permit fees shall be determined, and assessed by the Woodford County Board of Health and for each permitted

food establishment and collected by the Health Department. Permit fees shall be based on the risk classification of the establishment.

- a. Provisions for permit fees shall not apply to:
 - Units of local government
 - Public or private schools
 - Non for profit
 - b. Permit fees will be non-refundable for newly-opened establishments and/or establishments with a change of ownership.
 - c. **Late Payment Penalty.** All permit fees for the annual renewal of permits are due prior to the permit expiration date. Establishments failing to submit the appropriate fee and renewal application prior to the permit expiration date shall be assessed a late payment penalty fee determined by the Woodford County Board of Health in addition to the appropriate permit fee. Failure to submit the total fee required will result in an expired permit and a request for cessation of food establishment operations. A permit which has expired shall be removed from the establishment by the authorized representative. Food establishments that change ownership or open prior to issuance of permit shall be subject to the same late fees.
 - d. If the Woodford County Health Department has not received a food establishment permit application and fee by January 15th, the authorized representative has authority by law to shut the food establishment down or collect the fees associated with permits onsite.
 - e. All outstanding fees shall be paid within 30 days. No annual permits and/or temporary permits will be issued by the Health Department until all outstanding fees are paid to the Health Department.
3. **Issuance of Permits.** Any person desiring to operate a food service establishment, retail food store, or temporary food establishment shall make written application for a permit on forms provided by the Health Department.
4. **Classification of Establishments.** For every establishment operating in Woodford County, the Woodford County Health Department shall assess the relative risks of causing a foodborne illness. This classification shall result in the facility being placed into a risk category as it relates to food safety. These "risk" categories are not meant to imply that any given criteria will be utilized to classify facilities within Woodford County.

The Health Department may reclassify based upon its experience with the facility (e.g., inspection history, number and frequency of violations, etc.) if in the opinion of the authorized representative, a health hazard will not result from such reclassification.

5. **Permit Renewal.** Annual renewal of permits shall be required for continued operation of the food establishment. Any permit holder desiring to renew permit shall make proper application on renewal forms provided by the Health Department and pay the appropriate annual fee. The application and fee shall be received or postmarked no later than January 1 of the permit year. A late fee shall be charged for every day late per Health Department policy. The late fee must be paid at the time of the permit fee. Seasonal establishments not in operation on date the permit application shall not be considered late. No late fee shall be charged to any school, religious, voluntary, or non-profit making community organizations and institutions.
6. **Permit Suspension.** At any time the authorized representative determines that a permit holder or operator is not in compliance with the provisions of this Ordinance, he/she shall issue a notice under the provisions of this Ordinance to the permit holder or operator. Said notice shall state the nature of the violation, and a reasonable time in which corrective action must be taken.
- a. In the event that such violation constitutes an immediate hazard to the public health, the aforesaid notice may also require the immediate suspension of the entire operation of the establishment or portions thereof. Any person to whom such a notice is issued shall comply immediately therewith.
 - b. Any person whose permit has been suspended may make application for a re-inspection for the purpose of reinstatement of the permit. Within ten (10) days following receipt of the written request, including a signed statement by the permit holder that in his/her opinion the conditions causing suspension of the permit have been corrected, the authorized representative shall make a re-

inspection.

If the permit holder is found to be in compliance with this Ordinance, the permit shall be reinstated.

7. **Revocation.** For repeated violations of those provisions of this Ordinance which in the opinion of the authorized representative creates the possibility of a direct health hazard to the public or for interference with the authorized representative in the performance of his/her duties, the permit may be permanently revoked. Prior to such action, the authorized representative shall notify the permit holder that the permit is subject to revocation and advise that the permit shall be permanently revoked at the end of ten (10) days following service of such notice via certified mail unless a request for a hearing is filed in accordance with provisions within this Ordinance within said ten (10) day period.
8. **Hearing.** The process for requesting a hearing in Woodford County shall be as follows:
 - a. Hearing may be requested by either the Health Department or the food establishment following an initial conference at the health department.
 - b. The hearing must be requested in writing. All conversations will be taped and transcribed.
 - c. The hearing will be attended by an Authorized Representative and food establishment owner.
 - d. The hearing will be presided by an Authorized Representative. Party may have an attorney present, but must notify the Health Department in advance.
 - e. The food establishment owner does not have the right to appeal the Authorized Representative decision to the Board of Health who will make the final decision.
 - f. The food establishment will remain closed until corrections are made.
 - g. The Authorized Representative shall make a final finding based upon the complete hearing record and shall sustain, modify or rescind any notice or order considered in the hearing.
 - h. A written report of the hearing decision shall be furnished to the holder of the permit by the Authorized Representative.
9. **Cessation of Operations.** Permits for all establishments shall automatically be revoked should the permit holder or operator fail to apply for a re-inspection after revocation of permit within thirty (30) consecutive days of cessation of operation or suspension of permit. The permit holder must then make application for a new permit in accordance with the provisions of this Ordinance.
10. **Exemptions.** The following shall be exempt from the provisions of this Ordinance.
 - a. Establishments which have only non-perishable and/or commercially pre-packaged non-potentially hazardous food and whose principle order of business is not to sell food for human consumption.
 - b. Roadside stands operated primarily for the sale of unwashed, uncut agricultural products.
 - c. Establishments which have only non-perishable, commercially pre-packaged non- Time/Temperature Control for Safety Food dispensed by vending machines.

SECTION E, INSPECTIONS

1. The Health Department shall conduct onsite inspections for each operational food service establishment, retail food store, mobile food establishment, vending machine, and within the County of Woodford, Illinois at least as often as outlined by the following schedule:
 - a. Category I facilities shall receive at least three (3) inspections per year. The Health Department has the option to substitute one (1) consultation and/or training for one of the required annual inspections. The Health Department can conduct two (2) annual routine inspections, if a Certified Food Protection Manager (CFPM) is present at all times when food establishment is in operation.
 - b. Category II facilities shall receive at least one (1) inspection per year.
 - c. Category III facilities shall receive at least one (1) inspection every two years.
2. The Health Department shall provide consultation/phone interview, off-site, or on-site inspections for each temporary food establishment, concession stand food establishment, a minimum of one (1) time for each

permit issued and shall make additional inspections or re-inspections that are necessary for the enforcement of this Ordinance.

3. **Right of Entry.** The Authorized Representative, after proper identification shall be permitted to enter at any reasonable time, any food service establishment, retail food store, or temporary food establishment in the County of Woodford, Illinois, for the purpose of making inspections to determine compliance with this Ordinance. Reasonable time for the purposes of this section shall mean at all times the establishment is open to the public. Failure to allow Health Department access is grounds for immediate permit suspension.
4. **Report.** Whenever an inspection of an establishment is made, the findings shall be recorded on an inspection report. One copy, paper or email, of the inspection report form shall be furnished to the person in charge of the establishment. In the case that violations of this Ordinance are found, this inspection report shall serve as official notice to the permit holder or operator that the establishment is in violation of the provisions of this Ordinance. Refusal to sign the inspection will not affect the permit holder's obligation to correct the violations noted in the inspection report within the time frames specified.
5. **Correction of Violations.** Enforcement Procedures for the correction of violations of this Ordinance shall be carried out in accordance with procedures established by the Health Department.
 - a. **Priority Items.** All Priority item violations noted on the inspection report will require immediate or seventy-two (72) hour correction and follow-up inspections will be conducted within three (3) working days.
 - b. **Priority Foundation Items.** All Priority Foundation Item violations noted on the inspection report will require correction within 10 days and follow-up inspections will be conducted within ten days.
 - c. **Certified Food Protection Manager.** All Certified Food Protection Manager violations noted on the inspection report will require correction within the timeline required by the Code.
 - d. **Core violations.** All core violations noted on the inspection report will be corrected within 90 days or according to a compliance schedule as determined by the Authorized Representative and the permit holder.
 - e. **Alternative Timeline for Corrections.** In the event that the correction of the violation would require the installation of new equipment or structural changes, the owner can request an alternative timeline for correction. The request for the alternative timeline for correction shall be in writing and received prior to the expiration of the initial timeline for correction. The request shall include:
 - 1) Date of proposed violation correction,
 - 2) Explanation of why original timeline for correction cannot be met,
 - 3) Documentation on how the public health will be protected during the alternative correction timeline.

The Authorized Representative shall review each request for alternative correction timelines to insure that the public health is being protected and notify the requestor in writing as to whether the alternative timeline for correction has been approved or denied.

6. **Food Establishments and Retail Food Stores** constructed prior to the original effective date of this Ordinance and holding a valid food service permit shall **NOT** be exempt from the provisions of this Ordinance regarding construction of physical facilities provided such physical facilities function in a manner not prejudicial to the public health. This does remain in effect for those Food Establishments and Retail Food Stores constructed prior to the effective date of this Ordinance that undergo a change of ownership. If the Food Establishment fails to function in a manner that is not prejudicial to public health, substantially remodels or changes their food preparation practices, additional equipment or structural changes may be required to comply with the Ordinance and Code.
7. **Additional Requirements.** If necessary to protect against public health hazards or nuisances, the Health Department Authorized Representative may impose specific requirements in addition to the requirements contained in the Code that are authorized by law. The Authorized Representative shall document the conditions that necessitate the imposition of additional requirements and the underlying public health

rationale. The documentation shall be provided to the establishment and a copy shall be maintained in file for the food establishment.

SECTION F, EXAMINATION AND CONDEMNATION OF FOOD AND/OR EQUIPMENT:

1. Food may be examined or sampled by the Authorized Representative to determine freedom from adulteration or misbranding. The Authorized Representative may, upon written notice to the permit holder, condemn or embargo any food which he/she determines or has probable cause to believe to be unwholesome or otherwise adulterated or misbranded. Condemned or embargoed food may be permitted to be suitably stored unless storage is not possible without risk to the public health; in which case immediate destruction shall be ordered and accomplished. It shall be unlawful for any person to remove or alter a condemnation or embargo order, notice or tag placed on food/or food containers by the Authorized Representative, and neither such food nor containers thereof shall be relabeled, replaced, reprocessed, altered, disposed of or destroyed without the permission of the Authorized Representative, except on order by a Court of competent jurisdiction. If the permit holder requests a hearing as provided within the provisions of this Ordinance, and on the basis of evidence produced at such hearing, the Authorized Representative may vacate the condemnation or embargoed order.
2. Any Time/Temperature Control for Safety Food found to be in the optimal temperature range of 41 to 135 degrees Fahrenheit for the growth of pathogenic foodborne bacteria by the Authorized Representative during an inspection of an establishment will be subject to immediate condemnation (4 hours or more). The condemned food shall be held under embargo until it has been proved satisfactory for human consumption by a certified laboratory at the expense of the permit holder if the food product is not voluntarily destroyed immediately.
3. Where equipment used in the preparation of food products is found to be in a state of disrepair, unsafe, unsanitary, or unsuitable for use in the preparation, display or service of food, such equipment shall be taken out of use and a hold order placed on said equipment by the Authorized Representative. It shall be unlawful for any person to remove or alter a hold order, notice, or tag placed on equipment by the Authorized Representative. Such equipment will not be altered, disposed of, or destroyed without permission of the Authorized Representative except on an order of a Court of competent jurisdiction.
4. The Authorized Representative shall be permitted to examine the invoices of the establishment to obtain pertinent information pertaining to food and supplies purchased, received, or used for the purpose of conducting inspections and/or investigations.
5. **Imminent Health Hazards and Food Protection.** In the event of a fire, flood (including sewage backup), power outage, misuse of poisonous or toxic materials, foodborne illness outbreak, or similar event that might result in the contamination of food, or that might prevent Time/Temperature Control for Safety Food from being held at required temperatures, the permit holder or person in charge shall cease operations and contact the Health Department. Upon receiving notice of this occurrence, the Authorized Representative shall take whatever action it deems necessary to protect the public health. If operations are ceased, the establishment must get approval from the Health Department to reopen. A permit holder is not required to discontinue operations in an area of an establishment that is unaffected by the imminent health hazard.

SECTION G, ADULTERATED FOOD:

No food service establishment, retail food store, or temporary food establishment shall offer for sale or keep for the purpose of selling or offering for sale, any food of any kind intended for human consumption which is adulterated for any reason, or violate any rule or regulation as provided herein.

SECTION H, EMPLOYEE HEALTH:

When the Health Department has reasonable cause to suspect the possibility of disease transmission by any food

service establishment, retail food store, temporary food establishment or an employee thereof, the Authorized Representative shall make such investigations as may be indicated, including morbidity history of suspected employees and take appropriate action. The Authorized Representative may require any or all of the following measures:

1. The immediate exclusion of the employee from any food handling activities.
2. Restriction of the employee service to some area of the establishment where there will be no danger of transmitting disease.
3. Adequate medical and laboratory examinations of the employee (at employee expense), as well as his/her bodily discharges. If deemed necessary, other employees shall be obligated to comply.
4. No employee shall be allowed to return to work in the food establishment until the Authorized Representative certifies that the employee no longer presents a health hazard.

Any person to whom such an order is issued shall comply immediately therewith, failure to comply with such an order shall entitle the Authorized Representative to petition the Circuit Court for an order seeking compliance with any or all of the above measures. The Authorized Representative shall be permitted to examine employee records to obtain pertinent information require to prevent the possibility of disease transmission and the health department will abide by HIPAA regulations.

SECTION I, FOOD OUTSIDE JURISDICTION:

Food from establishments outside the jurisdiction of the Woodford County, Illinois, may be sold in the County if said establishments conform to the provisions of this Ordinance or to substantially equivalent provisions. To determine extent of compliance with such provisions, the Health Department may accept reports from responsible authorities and other jurisdictions where said food establishments are located.

SECTION J, PLAN REVIEW:

1. **General.** Whenever a food establishment, or retail food store is hereafter constructed or remodeled or whenever an existing structure is converted to use as a food service establishment, or retail store, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the Health Department for review and approval before construction, remodeling, or conversion may begin. The plans and specifications shall indicate the proposed menu, proposed layout, arrangement, mechanical plans and construction materials of work areas; and the model of proposed fixed equipment and facilities. The Authorized Representative shall approve the plan and specifications, if they meet the requirements of this Ordinance. No food establishment, or retail food store shall be constructed, remodeled, or converted except in accordance with plans and specifications approved by the Authorized Representative.
2. **Minimum Requirements.** At a minimum, a food establishment that is constructed or re-modeled shall have the following:
 - a. A ware washing sink with three compartments. Each compartment shall be sized to allow for the immersion of the largest piece of equipment washed. The ware washing sink shall include integral drain boards. A three compartment sink is required as a back-up ware washing option for those facilities that have automatic ware washing machines.
 - b. A food preparation sink for rinsing of produce, thawing of food products, etc.
 - c. A utility/mop sink or service sink
 - d. Handwashing sink in each food preparation and ware-washing area

Establishments that upgrade their operations to higher risk categories after opening may be required to install additional sinks/equipment.

3. **Pre-Opening Inspections.** Whenever plans and specifications are required by provisions of this Ordinance

to be submitted to the Health Department, the Authorized Representative shall inspect the food establishment, or retail food store prior to the beginning or resumption of operations to determine compliance with the approved plans and specifications and with the requirements of this Ordinance prior to the issuance of a permit to operate.

SECTION K, AMENDMENTS TO ORDINANCE:

This Ordinance can be changed by action of the Woodford County Board at any meeting provided all appropriate notice and hearing requirements have been met.

SECTION L, VARIANCES:

The Authorized Representative may grant a variance, modifying or waiving requirements of the Ordinance if in the opinion of the Authorized Representative a health hazard or condition will not result from the variance. If a variance is granted, the Health Department shall retain the information in its records for the food establishment. Variances are not transferable to new owners or locations.

SECTION M, CONFLICT OF ORDINANCE

1. In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, health ordinance, or code of Woodford County or the State of Illinois existing on the effective date of this Ordinance, the provision which, in judgment of the Authorized Representative establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail in any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance or code of Woodford County or the State of Illinois existing on the effective date of this Ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Ordinance shall be deemed to prevail, and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.
2. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and, to this end, the provisions of this Ordinance and are hereby declared to be severable.

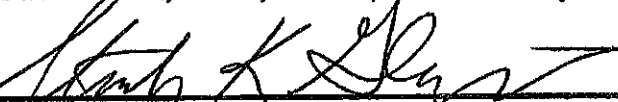
SECTION N, EFFECTIVE DATE

This Ordinance shall be in full force and effective immediately upon its adoption as provided by law.

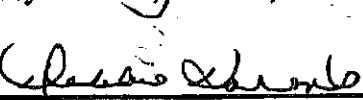
The above and foregoing Ordinance was adopted on June 19, 2018.



Dr. Bernard Bucher, D.M.D., President, Woodford County Board of Health



Stanley K. Glazier, Chairman, Woodford County Board,



Debbie Harms, County Clerk, Woodford County Board,