

These are Village Code 6-1 revisions to amend the Food Service Sanitation Code

Review Notes Guide

- **Highlighting** are new words/numbers to be added or changed from existing.
- *Enlarged Italic Texts are used for explanation* – not part of final ordinance
- **Red Line-outs** are deleted text not needed (~~abedefg~~) and will be removed from final edition

CHAPTER 1 HEALTH CODE

SECTION

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6-1-1: ADMINISTRATIVE GENERAL PROVISIONS:

6-1-1-1: PURPOSE:

It is the purpose of this code to enhance public protection by targeting for education and enforcement those issues which are most commonly associated with the occurrence of foodborne illness.

6-1-1-2: POWERS:

The Health Inspector shall be given specific power to make inspections and for that purpose may enter buildings, structures and premises to enforce the environmental health laws of the Village and to that end shall make such orders, requirements, decisions and determinations as are necessary to the enforcement of the environmental health laws.

6-1-1-3: RULES AND REGULATIONS:

The current and subsequent editions of the Food Service Sanitation Code, as amended from time to time and promulgated by the Illinois Department of Public Health, are hereby adopted by reference. The (FDA) ~~2013~~ 2017 Food Code Chapters as referenced in the July 29, 2016 Food Service Sanitation Code are adopted by reference. Three (3) copies of the Illinois Department of Public Health Food Service Sanitation Code (77 Ill. Adm. Code 750) and ~~2013~~ 2017 Food Code shall be on file for public use, and have been for more than thirty (30) days prior to the passage of this section.

6-1-1-4: AMENDMENTS TO 77 ILL. ADM. CODE 750:

The below listed Sections and Sub-sections are amended in the following respects:

1) Section 4-201.11 of the ~~2013~~ 2017 Food Code is amended to add at the end of the section: Food service equipment needs to be commercial grade and meet the standards regarding safe design, non-toxic materials, intended use, and workmanship established by one of the recognized accredited agencies for food service equipment unless otherwise approved by the Health Inspector upon inspection. These agencies include the National Sanitation Foundation International (NSF), Environmental Testing Laboratory (ETL), Underwriters Laboratories (UL-SAN), or Canadian Standards Association International (CSA). The trademark seal of one of these agencies is an indicator that the equipment is approved. Existing non-conforming equipment shall be replaced with conforming equipment when found in disrepair.

2) Section 6-501.111 of the ~~2013~~ 2017 Food Code is amended to add the following at the end of the section "All food service establishments in the Village of Orland Park must have a licensed Pest Control Service monthly."

3) Where said rules and regulations make any reference to plumbing facilities, The Plumbing Code of the Village, as amended, shall be applicable.

4) To the extent that when any ordinance of the Village sets forth a more stringent requirement than said rules and regulations, the more stringent requirement shall be applicable.

5) Section 6-501.115 of the ~~2013~~ 2017 Food Code is amended to add the following at the end of the section:

Pet dogs are allowed at the exterior areas in outdoor dining areas of food facilities if the following requirements are met:

- A) A separate entrance must be present where pets do not enter through the food establishment to reach the outdoor dining area.
- B) Warning signs must be posted at all entrances of the outdoor eating area identifying the patio as a "Dog Friendly Area."
- C) No food preparation shall be allowed at the outdoor dining area including dispensing/mixing of drinks.
- D) Pets shall not be allowed on tables or chairs.
- E) Pets shall remain on leashes.
- F) Food for the pets will not be permitted in the outdoor eating area.
- G) Water must be served in a single use disposable bowl by their owners.
- H) All surfaces of the patio must be cleaned and sanitized daily.
- I) Table tops and arms of chairs must be sanitized between each seating of patrons.
- J) In cases where excrement or other bodily fluids (urine, saliva, vomit) are deposited, an employee shall immediately clean and sanitize the affected areas
- K) Pets must not come in contact with multi-use or reusable utensils such as plates, silverware, glasses and bowls. Those items shall not be stored, displayed or preset at the outdoor dining area.
- L) Restaurant employees are prohibited from touching or petting dogs while working.
- M) Hand sanitizer or disposable towelettes will be present on table tops for patrons to use after handling their pets.
- N) Entrances into the restaurant from the outdoor eating area must remain closed immediately after employees and customer enter and exit the area. The use of air curtains instead of physical separation will not be allowed.
- O) Pets in poor health and exhibiting aggressive behavior must be excluded from the premises.

Food service facilities that do not adhere to the above listed requirements upon inspection will be restricted from allowing pets on their premises.

The Illinois Retail Food Code has adopted the FDA 2017 Food Code to replace the 2013 Food Code.

6-1-1-5: AMENDMENTS TO THE ILLINOIS PLUMBING CODE (77 ILL. ADM. CODE 890):

This section has been repealed.

(Ord. 4801, 3-4-13; Amd. Ord. 5131, 10-3-16)

6-1-1-6: INSPECTION FREQUENCY; RIGHT OF ENTRY; FEES:

~~—The Health Inspector, after proper identification, shall be permitted to enter any retail food store at any time when food handling occurs for the purpose of making inspections to determine compliance with this Title.~~

Category I facilities shall have at least three contacts with a minimum of two of those contacts a routine inspection. Category II facilities shall have two contacts with a minimum of one inspection a routine inspection. Category III and Seasonal Food Service facilities shall have one routine inspection. In addition, follow-up inspections will occur as often as deemed necessary by the Health Inspector to ensure compliance with all codes and ordinances. The category types are defined in Section 750.10 of the Illinois Food Service Sanitation Code.

Inspection fees shall be as provided in Subsection 5-2-7-9 and 7-2-6 (Village Code), Health Inspection Fees.

(Ord. 4801, 3-4-13)

77 Ill. Adm. Code 750 Section 750.120, Inspections and Inspection Report, has been amended to state “All food service establishments are subject to inspection at all times.”

7-2-6 of the Village Code was added to reference business license inspection fees.

6-1-1-7: INSPECTION OF RECORDS:

The Health Inspector, after displaying proper identification, shall be permitted to examine the records of the food establishment to obtain information pertaining to pest control services rendered, employee certifications, and food and supplies purchased, received or used.

(Ord. 4801, 3-4-13)

6-1-1-8: INSPECTION REPORTS:

Whenever a routine inspection of a food establishment is made, the findings will be recorded on the Food Establishment Inspection Report Form provided by the Health Inspector. Inspectional remarks shall be written and shall state the correction to be made. ~~The Illinois Uniform Grading~~

~~system will be used to assign a rating for the food service facility. The ratings will be awarded as Pass, Pass with Conditions, or Fail. Pass ratings will be awarded to food service facilities with three or less (3) Foodborne Illness Risk Factors violations as determined on the Food Establishment Inspection Report form and five or less (5) repeat violations from the previous audit. Pass with Conditions ratings will be awarded to food service facilities with four or five (4-5) Foodborne Illness Risk Factors violations and/or six to ten (6-10) repeat violations. Fail ratings will be awarded to food service facilities with six or more (6) Foodborne Illness Risk Factors violations and/or eleven or more (11) repeated violations.~~ The completed Food Service Establishment Inspection Report Form is a public document that shall be made available to public disclosure to any person who requests it according to law.

The FDA 2017 Food Code was revised to eliminate the scoring system.

(Ord. 4801, 3-4-13; Amd.Ord. 5131, 10-3-16)

6-1-1-9: CORRECTION OF VIOLATIONS:

- A. All PRIORITY and PRIORITY FOUNDATION violations as defined in Preface X of the ~~2013~~ 2017 Food Code shall be corrected as soon as possible and if not immediately corrected will be given a time limit for correction as determined by the Health Inspector to prevent significant threat to health.
- B. All CORE violations as defined in Preface X of the ~~2013~~ 2017 Food Code shall be corrected within a specified period of time or as soon as possible, but in any event, by the time of the next routine inspection.
- ~~C. When a fail rating is awarded, the establishment shall initiate corrective action on all identified violations within forty-eight (48) hours, unless otherwise specified. One or more follow-up inspections will be conducted at reasonable time intervals to assure correction.~~

(Ord. 4801, 3-4-13; Amd. Ord. 5131, 10-3-16)

The FDA 2017 Food Code was revised to eliminate the scoring system.

6-1-1-10: PROCEDURES WHEN INFECTION IS SUSPECTED:

When the Health Inspector has reasonable cause to suspect possible disease transmission from any food service facility employee, it may secure a morbidity history of the suspected employee, or make any other investigation as indicated and shall take appropriate action. The Health Inspector may require any or all of the following measures:

- A. EMPLOYEE: The immediate exclusion of the employee from employment in food service establishments;
- B. LICENSE SUSPENSION: The immediate closing of the food service facility concerned until the Health Inspector determines that no further danger of disease outbreak exists;

C. **EMPLOYEE RESTRICTION:** Restriction of the employee's services to some area of the facility where there could be no danger of transmitting disease;

D. **MEDICAL EXAMINATION:** Adequate medical and laboratory examination of the employee, of other employees, and of the body discharges of such employees;

E. **EDUCATION:** Require additional foodborne illness prevention education. Provide guidelines to help minimize the extent and number of occurrences of foodborne illness outbreaks.

(Ord. 4801, 3-4-13)

6-1-1-11: SUSPENSION, REVOCATION AND APPEAL:

The Health Inspector may, without warning, notice or hearing, suspend any license authorized by this Title if the operator does not comply with the requirements of this Title, and the operation of the establishment constitutes an imminent hazard to public health. Whenever a license is suspended, retail food operations shall immediately cease. The suspension will be lifted once the required corrections are made as determined by a follow-up inspection to be provided within a reasonable time period not to exceed eight (8) days.

License revocation and the process to appeal are referenced in Section 7-1-16 of the Village Code.

(Ord. 4801, 3-4-13)

6-1-1-12: PENALTIES:

Any person, firm, corporation or entity who violates, disobeys, omits, neglects, refuses to comply with or who resists enforcement of any of the provisions of this Chapter, shall upon conviction be fined according to the fine schedule located in [Appendix B](#) for each offense.

(Ord. 4801, 3-4-13; Amd. Ord. 5103, 6-6-16; Amd. Ord. 5224, 10-2-17)

6-1-1-13: EXTERIOR REFUSE ENCLOSURES:

Exterior refuse enclosures for food service establishments are required to be of adequate volume and size and shall comply with the Property Maintenance Code (Village Code [5-7-5](#), item 19). Newly constructed food service facilities shall comply with the Village Land Development Code Section 6-302 D for the enclosure design and materials used for Dumpster and Trash Handling Areas.

(Ord. 4801, 3-4-13)

6-1-2: DEFINITIONS:

For purposes of following regulations, words shall have the meanings assigned to them in Title 7, Chapter 2, Section [7-2-1](#) of the Village Code with the addition of the following:

Health Inspector: The person meeting the qualifications of a Licensed Environmental Health Practitioner as defined by the Illinois Department of Professional Regulations and designated by

the Director of Development Services to enforce health regulations pursuant to the Codes and Ordinances of the Village.

Contact: A routine food service sanitation inspection with a scored report, ~~or~~ an in-service educational presentation, a re-inspection, an emergency inspection, a requested inspection, a foodborne illness investigation or a licensure inspection performed by the Health Inspector or under the supervision of the Health Inspector.

Employee: Any person working on the premises of a food service establishment who engages in management, supervision, food preparation, cleaning or service.

Imminent Health Hazard: Any hazard to the public health when the evidence is sufficient to show a product or practice posing or contributing to a significant threat of danger to health, creates or may create a public health situation (1) that should be corrected immediately to prevent injury or illness and (2) that should not be permitted to continue (i.e. flooding (including sewer backup), fire, no potable water available under pressure, no electricity, no natural gas, suspected disease transmission from employee(s), operating without a business license).

(Ord. 4801, 3-4-13; Amd. Ord. 5131, 10-3-16)

The list of contact inspections was expanded to include all interactions where food safety is discussed.