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AN ORDINANCE REGULATING EATING AND DRINKING
ESTABLISHMENTS

An ordinance defining restaurant, employee, eating, drinking, and cooking utensils, health officer, person, unwholesome food, etc., regulating the inspection, grading, regrading and placarding of such establishments, the enforcement of this ordinance, and the fixing of penalties.

Be it ordained by the Board of Supervisors of Russell County, Virginia as follows:

Section 1. Definitions:

A. Restaurant. The term "restaurant" shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, hotel dining room, tavern, sandwich shop, soda fountain, and all other eating and drinking establishments.

B. Employees.-- 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 at any time in a room in which food or drink is stored, prepared or served.

C. Eating, Drinking and Cooking Utensils.-- "Eating, drinking and cooking utensils" shall include any kitchenware, tableware, cutlery, containers, or other equipment with which food or drink comes in contact during storage, preparation or serving.

D. Health Officer.-- The term "Health Officer" shall mean the director of health activities of Russell County or his authorized representative.

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

F. Unwholesome Food.-- "Unwholesome food" shall mean any food or drink not fit for human consumption.

Section 2. Permits. It shall be unlawful for any person to operate a restaurant in the county of Russell who does not possess an unrevoked permit from the health officer and in whose place of business such permit is not posted in a conspicuous place; and no license to operate a restaurant shall be issued by any officer or official of Russell County until a health department is presented by the operator or proprietor. Persons who meet the requirements of this ordinance shall be entitled to receive and retain such permit or to secure a license to operate.

It shall be unlawful for any person to work in a restaurant without first securing a permit from the health officer. To obtain such permit the employee shall furnish such information and laboratory specimens and submit to such physical examinations as the health officer may require, and receive instructions on personal hygiene and an explanation of the items of the ordinance. Each permit shall remain in force until revoked for cause.

Section 3. Placarding or Public Display of Grade Notice.

Every restaurant shall display at all times in a conspicuous place approved by the health officer a placard furnished by the health department stating the grade of the restaurant.

Section 4. Examination and condemnation of Unwholesome Food or Drink. Samples of food and drink may be taken and examined by the health officer as often as he deems necessary

for the detection of unwholesomeness. The health officer may condemn, remove and destroy any food or drink which he deems unwholesome.

Section 5. Food Handlers School. The proprietors or managers and all employees of restaurants shall attend any and all schools or lectures conducted by the County Health Department for the edification of food handlers.

Section 6. Inspection of Restaurants. The local health officer is hereby made responsible for the enforcement of this ordinance. Inspection shall be made as frequently as deemed necessary by the health officer.

One copy of the inspection report shall be retained by the establishment; another copy shall be filed with the records of the health department.

In case the health officer discovers the violation of any items of sanitation required for the grade then held, he shall make a second inspection after the lapse of such time as he deems necessary for the defect to be remedied. If upon the second inspection the same item of sanitation is found to be violated, the restaurant shall be required to display immediately a grade notice based upon the second inspection.

Section 7. The Grading of Restaurants. The grading of all restaurants shall be based upon the following standards:

Grade A Restaurants. Grade A. Restaurants are those which comply with all of the following items of sanitation:

Item 1. Floors. The floors of all restaurants 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 restaurants shall be kept clean and in good repair; finished in a light color, and have a smooth, washable surface.

Item 3. Lighting. If lighting or window space be less than 10 per cent of the floor area, its equivalent in artificial light shall be provided.

Item 4. Ventilation. All restaurants shall be well ventilated. Exhaust fans and metal hoods over ranges, equipped with ventilators, must be provided when necessary to prevent odors and condensation and to promote cleanliness.

Item 5. Toilets. Adequate, approved toilet facilities must be provided for employees. Toilets must be constructed and maintained in accordance with the rules and regulations of the State Health Department.

Toilets must be entirely separate and apart from any room used for the manufacture, storage or handling of food products. Flush toilets used in any restaurant must be provided with tight, self-closing doors, and all new construction must be vestibuled, and toilet room must be ventilated by means of window or flue leading to the outside. All flush toilets must be connected to an approved sewer system or provided with properly constructed septic tank.

Walls, floors, seats and commodes must be clean, and a supply of toilet paper must be provided.

Handwashing signs shall be posted in such toilet room used by employees.

Item 6. Water Supply. Any water supply used at a restaurant

shall be running water under pressure, properly located, constructed and operated, adequate and of a safe sanitary quality.

Item 7. Handwashing Facilities. All employees must observe a high standard of personal cleanliness, and they must be constantly supervised in this respect by the employer. The hands of all employees must be washed thoroughly with soap and water after visiting the toilet. Employees, such as clerks, waiters, cooks, etc., must keep their hands away from the mouth and nose and wash their hands immediately with soap and water should they become contaminated with oral or nasal secretions. Employees must keep fingernails clean.

Adequate handwashing facilities include running hot and cold water, soap, and a clean individual towel for each employee.

Item 8. Screening. All openings to the outer air shall be effectively screened and doors shall be self-closing and opening outward, unless other effective means are provided to prevent the entrance of flies.

Item 9. Construction of Utensils and Equipment. All eating and cooking 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 clean and in good repair.

Item 10. Dishwashing equipment. Adequate facilities shall be provided and maintained for the washing, rinsing and bactericidal treatment of all eating and drinking utensils each to be a

separate and distinct operation requiring a minimum of a three compartment sink. Adequate facilities for supplying running hot water for cleaning must be provided. An approved washing powder must be used. A sufficient number of approved dish baskets must be provided.

In establisements where only beverages and icecream are served, cold water washing of glassware and silver may be approved if thorough and effective.

Provided that nothing contained under this item shall be construed as disbarring any other equipment which has been demonstrated as of at least equal efficiency and is approved by the health officer.

Item 11. Methods of Bactericidal Treatment Recommended.

One of the following methods must be used: Hot water or chlorine chemicals. Utensils must be submerged in hot water at 170 F., or more, for at least two minutes; or submerged in a chlorine solution containing not less than fifty parts per million of residual chlorine for at least two minutes. (A solution containing one hundred parts per million or more, is recommended.)

The practice of drying eating and drinking utensils with a towel shall not be permitted.

Provided that nothing contained under this item shall be construed as disbarring any other process which has been demonstrated as of at least equal efficiency and is approved by the health officer.

The above requirements apply to manual dishwashing methods,

Where dishwashing machines are used, the operation of the machine, temperature of wash and rinse waters, and retention period of dishes in the machine must meet the approval of the health officer.

Item 12. Storage and Handling of Utensils and Equipment.

After bactericidal treatment no utensil shall be stored except in a clean, dry place protected from flies, dust, or other contamination, and no utensil shall be handled except in such a manner as to prevent contamination as far as practicable. Single service utensils shall be purchased only in sanitary containers and shall be stored therein in a clean dry place until used.

Item 13. Disposal of wastes. All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable covered receptacles, in such a manner as not to become a nuisance.

Drain and waste pipes from floors, wash sinks, soda fountains, ice boxes, etc. must be of sufficient size, well trapped and in good state of repair.

Item 14. Refrigeration. Refrigerators, iceboxes, etc.

shall be of adequate size to store all perishable food, constructed of materials that will permit thorough cleaning, shall be properly drained and ventilated, shall be equipped with thermometer and kept at a temperature of 50 degree F., or lower, at all times, except during periods of defrosting. Floors, walls, ceiling, racks, hooks, pipes, etc. shall be kept clean. Drain from ice boxes shall not be connected directly to a sewer but shall drain into an open fixture.

Item 15. Milk and Cream. Only graded milk or cream shall be used or served in any restaurant. Official placards, stating the grade of milk served, whether pasteurized or raw, must be displayed in a place designated by the health officer. All milk must be served in the original container in which it was bottled at the plant.

Item 16. Storage and Display of Food and Drink. All food and drink shall be so stored and displayed as to be protected from dust, flies, vermin, 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 shall be used.

Item 17. 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.

Item 18. Miscellaneous. The surroundings 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 for domestic purposes. Adequate lockers or dressing rooms shall be provided for employees clothing. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

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

Item 19. Tables, Shelves, etc. All tables must be properly

constructed of material that can be thoroughly and easily cleaned. All table tops must be of non absorbent material when deemed necessary by the health officer. Table tops must be free of unnecessary articles. Table covers, napkins, etc. must be clean and all shelves shall be clean, free of unnecessary articles and neatly arranged. All napkins shall be discarded or laundered after each usage.

Item 20. Vermin and Rodent Control Methods. Methods used for the control of vermin and rodents must be effective at all restaurants.

Grade B Restaurants. Grade B. restaurants are those which have been found, on two successive inspections, to have violated the same one of any of the following items of sanitation required for Grade A Restaurants: 1, 2, 3, 4, 18.

Grade C. Restaurants. Grade C. Restaurants are those which have been found, on two successive inspections, to have violated the same one of the following items of sanitation required for Grade A restaurants: 5,6,7,8,9,10,11,12,13,14,15,16,17,19, 20; except that no Grade C. restaurant shall be allowed to operate for a longer period than 30 consecutive days, or in emergencies, such longer periods as the health officer may deem necessary.

SECTION 8. Examination and Condemnation of Unwholesome Food or Drink. Samples of food and drink may be taken and examined by the health officer as often as he deems necessary for the detection of unwholesomeness. The health officer may condemn, remove and destroy any food or drink which he deems unwholesome.

SECTION 9. Notification of Disease. Notice shall be sent to the health officer immediately by the owner or manager of the restaurant, or by the employee concerned if the manager or any employee or any member of his or her respective household contacts any infections, contagious or communicable disease, or has a fever, a skin lesion or eruption, a cough lasting more than 3 weeks, or any other suspicious symptom. It shall be the duty of any such employee to notify the owner or manager of the restaurant immediately when any of said conditions exist, and if neither the manager nor the employee concerned notified the health officer immediately when any of said conditions occur, they shall be held jointly and severally to have violated this section.

SECTION 10. Procedure when Infection Suspected. When suspicion arises as to the possibility of transmission of infection from restaurant employees, 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 11. Repeal. All ordinances and parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION 12. Unconstitutionality Clause. Should any section, paragraph, 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 13. Penalties. Any person who is convicted of violation of any provision of this ordinance shall be fined not more than \$25.00 at the discretion of the court having jurisdiction. Each and every violation of the provisions of this ordinance shall constitute a separate offense.

This ordinance shall become effective from passage.