

Ordinance No. 92087

AN ORDINANCE relating to and regulating the storage, sale and serving of foods in food-service establishments and similar facilities, requiring permits, defining offenses, prescribing penalties and repealing Ordinance 74360 and other ordinances insofar as in conflict herewith.

*6/10/69 - Pass*

FILE NO. 232327  
Council Bill No. 81487

INTRODUCED: <u>JUN 8 1964</u>	BY: <i>Public Safety</i>
REFERRED: <u>JUN 8 1964</u>	TO: <i>Public Safety</i>
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10/27

Ord 94524 - Misc. Dairy Prod.

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#263870 - Rules & Regulations for Operating Patisseries.

CF-267916 - RULES & REGS FOR TEMPORARY FOOD SERVICE ESTABLISHMENT.

CF-267917 - RULES & REGS FOR FOOD DEMONSTRATIONS.

CF-267918 - RULES & REGS GOVERNING MOBILE RESTAURANTS.

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ORD 99992 - AMENDING SEC. 6 TO PERMIT LEASHED GUARD DOGS ACCOMPANYING LICENSES MERCHANT PATROLMEN ON ARMORED CAR ROUTES IN CERTAIN AREAS OF FOOD SERVICE ESTABLISHMENTS.

CF-275717 - RULES & REGULATIONS GOVERNING FOOD CARTS.

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ORDINANCE 92987

AN ORDINANCE relating to and regulating the storage, sale and serving of foods in food-service establishments and similar facilities, requiring permits, defining offenses, prescribing penalties and repealing Ordinance 74360 and other ordinances insofar as in conflict herewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The following words and phrases as used herein shall mean as follows:

1. ADULTERATED: The condition of a food (a) if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; (b) 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; (c) if it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human consumption; (d) if it has been processed, prepared, packed or held under insanitary conditions, whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; (e) if it is in whole or in part the product of a diseased animal, or an animal which has died otherwise than by slaughter; or (f) if its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

2. APPROVED: Acceptable to the health officer based on his determination as to conformance with appropriate standards and good public health practice.

3. CLOSED: Fitted together snugly leaving no openings large enough to permit the entrance of vermin.

4. CORROSION-RESISTANT MATERIAL: A material which maintains its original surface characteristics under prolonged influence of the food, cleaning compounds and sanitizing solutions which may contact it.

5. EASILY CLEANABLE: Readily accessible and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

6. EMPLOYEE: Any person working in a food-service establishment who transports food or food containers, who engages in food preparation or service, or who comes in contact with any food utensils or equipment.

7. EQUIPMENT: All stoves, ranges, hoods, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steam-tables, and similar items, other than utensils, used in the operation of a food-service establishment.

8. FOOD: Any raw, cooked, or processed edible substance, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

9. FOOD CONTACT SURFACES: Those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces with which food may come in contact and drain back onto surfaces normally in contact with food.

10. FOOD DEMONSTRATION: Serving without charge, any sample or small portion of food, drink or food product for consumption within a food-service establishment or in an area within a food-service establishment where food is not routinely served for consumption on the premises.

11. FOOD-PROCESSING ESTABLISHMENT: A commercial establishment in which food is processed or otherwise prepared and packaged for human consumption.

12. FOOD-SERVICE ESTABLISHMENT: Any fixed or mobile restaurant, coffeeshop; cafeteria; short-order cafe; luncheonette; grill, tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; night club; roadside stand; industrial-feeding establishment; retail grocery; retail food market; retail bakery; private, public, or non-profit organization or institution routinely serving food; catering kitchen; food processing establishment; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other establishment or operation where food is served or provided for

the public with or without charge. Meat, poultry, rabbit or milk establishments governed by other ordinances of the city shall not be included within the provisions of this ordinance.

13. HEALTH OFFICER: The Director of Public Health of the municipality of Seattle or his designated representative.

14. KITCHENWARE: All multi-use utensils other than tableware used in the storage, preparation, conveying, or serving of food.

15. MISBRANDED: The presence of any written, printed, or graphic matter, upon or accompanying food or containers of food, which is false or misleading, or which violates any applicable State or local labeling requirements.

16. PERISHABLE FOOD: Any food of such type or in such condition as may spoil.

17. PERSON: Any individual, or a firm, partnership, company, corporation, trustee, association, or any public or private entity.

18. POTENTIALLY HAZARDOUS FOOD: Any perishable food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, or other ingredients capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms.

19. SAFE TEMPERATURES, as applied to potentially hazardous food, shall mean temperatures of 45° F. or below, and 140° F. or above.

20. SANITIZE: Effective bactericidal treatment of clean surfaces of equipment and utensils by a process which has been approved by the health officer as being effective in destroying micro-organisms, including pathogens.

21. SEALED: Free of cracks or other openings which permit the entry or passage of moisture.

22. SINGLE SERVICE ARTICLES: Cups, containers, lids, or closures; plates, knives, forks, spoons, stirrers, paddles, straws, place mats, napkins, doilies, wrapping material; and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil,

wood, plastic, synthetic, or other readily destructible materials, and which are intended by the manufacturers and generally recognized by the public as for one usage only, then to be discarded.

23. TABLEWARE: All multi-use eating and drinking utensils, including flatware (knives, forks, and spoons).

24. TEMPORARY FOOD SERVICE ESTABLISHMENT: Any food-service establishment which operates at a fixed location for a temporary period of time, not to exceed two weeks, in connection with a fair, carnival, circus, or public exhibition.

25. UTENSIL: Any tableware and kitchenware used in the storage, preparation, conveying, or serving of food.

26. WHOLESOME: In sound condition, clean, free from adulteration, and otherwise suitable for use as human food.

Section 2. 1. FOOD SUPPLIES: All food in food-service establishments shall be from sources approved or considered satisfactory by the health officer and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding, and safe for human consumption. No hermetically sealed, non-acid and low-acid food which has been processed in a place other than a commercial food-processing establishment shall be used.

2. FOOD PROTECTION: All food while being stored, prepared, displayed, served, or sold at food-service establishments, or during transportation between such establishments, shall be protected from contamination. No food shall be prepared in a mobile food-service establishment. All perishable food shall be stored at such temperatures as will protect against spoilage. All potentially hazardous food shall be maintained at safe temperatures (45°F. or below, or 140°F. or above), except during necessary periods of preparation and service. Raw fruits and vegetables shall be washed before use. Stuffing, poultry, stuffed meats and poultry, and pork and pork products shall be thoroughly cooked before being served. Individual portions of food once served to the customer shall not be served again: PROVIDED, That wrapped food which

has not been unwrapped and which is wholesome may be re-served.

Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitization purposes may be used or stored in food-service establishments: PROVIDED, That retail grocery stores may be exempted from this requirement when such products are handled in a manner acceptable to the health officer. Poisonous and toxic materials shall be identified, and shall be used and stored only in such manner and under such conditions as will not contaminate food or constitute a hazard to employees or customers.

Section 3. 1. PERSONNEL HEALTH AND DISEASE CONTROL: No person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a food-service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to other individuals; and no person known or suspected of being affected with any such disease or condition shall be employed in such an area or capacity. If the manager or person in charge of the establishment has reason to suspect 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. It shall be the responsibility of anyone operating a food-service establishment to see that all employees have valid Food and Beverage Service Workers Permits issued under Chapter 197, Laws of 1957, and the Rules and Regulations of the State Board of Health. It shall be unlawful for anyone to work in a food-service establishment without a valid Food and Beverage Service Workers Permit. Such permits shall be issued by the Seattle-King County Department of Public Health and signed by the local health officer or his authorized representative and all applicants for such a permit or renewal thereof, shall pay to such department a fee in the sum of two dollars (\$2.00).

2. CLEANLINESS: All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic

practices while on duty. They shall wash their hands thoroughly in an approved hand-washing facility before starting work, and as often as may be necessary to remove soil and contamination. No employe shall resume work after visiting the toilet room without first washing his hands.

Section 4. 1. EQUIPMENT AND UTENSILS: All equipment and utensils shall be so designed and of such material and workmanship as to be smooth, easily cleanable and durable, and shall be in good repair; and the food-contact surfaces of such equipment and utensils shall, in addition, be easily accessible for cleaning, non-toxic, corrosion resistant and relatively non-absorbent: PROVIDED, That, when approved by the Health Officer, exceptions may be made to the above material requirements for equipment such as cutting boards, blocks, and bakers' tables.

All equipment shall be so installed and maintained as to facilitate the cleaning thereof, and of all adjacent areas.

Equipment in use at the time of adoption of this ordinance which does not meet fully the above requirements, may be continued in use if it is in good repair, capable of being maintained in a sanitary condition and the food-contact surfaces are non-toxic.

Single-service articles shall be made from non-toxic materials.

2. CLEANLINESS OF EQUIPMENT AND UTENSILS: All eating and drinking utensils shall be thoroughly cleaned and sanitized after each usage.

All kitchenware and food-contact surfaces of equipment, exclusive of cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food-storage utensils, shall be thoroughly cleaned after each use. Cooking surfaces of equipment shall be cleaned at least once a day. All utensils and food-contact surfaces of equipment used in the preparation, service, display, or storage of potentially hazardous food shall be thoroughly cleaned and sanitized prior to such use. Non-food-contact surfaces of equipment shall be cleaned at such

intervals as to keep them in a clean and sanitary condition.

After cleaning and until use, all food-contact surfaces of equipment and utensils shall be so stored and handled as to be protected from contamination.

All single-service articles shall be stored, handled and dispensed in a sanitary manner, and shall be used only once.

Food service establishments which do not have adequate and effective facilities for cleaning and sanitizing utensils shall use single-service articles.

Section 5. 1. WATER SUPPLY: The water supply shall be adequate, of a safe, sanitary quality and from an approved source. Hot and cold running water under pressure shall be provided in all areas where food is prepared, or equipment, utensils, or containers are washed; provided that hot and cold running water under pressure may not be required for mobile food-service establishments when the food offered for sale from such establishments is prepared and packaged in individual portions at a fixed food-service establishment operating under valid permit.

Water, if not piped into the establishment, shall be transported and stored in approved containers and shall be handled and dispensed in a sanitary manner.

Ice used for any purpose shall be made from water which comes from an approved source, and shall be used only if it has been manufactured, stored, transported, and handled in a sanitary manner.

2. SEWAGE DISPOSAL: All sewage shall be disposed of in a public sewerage system, or, in the absence thereof, in a manner approved by the health officer.

3. PLUMBING: Plumbing shall be so sized, installed and maintained as to carry adequate quantities of water to required locations throughout the establishment; as to prevent contamination of the water supply; as to properly convey sewage and liquid wastes from the establishment to the sewerage or sewage-disposal system; and so that it does

not constitute a source of contamination of food, equipment, or utensils, or create an insanitary condition or nuisance.

4. TOILET FACILITIES: Each food-service establishment shall be provided with adequate, conveniently located toilet facilities for its employees; provided that adequate and convenient toilet facilities may not be required for employees of a mobile food-service establishment when the food offered for sale from such establishments is prepared and packaged in individual portions at a fixed food-service establishment operating under valid permit. Toilet fixtures shall be of sanitary design and readily cleanable. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair. The doors of all toilet rooms shall be self-closing. Toilet tissue shall be provided. Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered. Where the use of non-water-carried sewage disposal facilities have been approved by the health officer, such facilities shall be separate from the establishment. When toilet facilities are provided for patrons, such facilities shall meet the requirements of this sub-section and sub-section 5.

5. HAND-WASHING FACILITIES: Each food-service establishment, with the exception of a mobile food-service establishment when the food offered for sale from such establishments is prepared and packaged in individual portions at a fixed food-service establishment operating under valid permit, shall be provided with adequate, conveniently located hand-washing facilities for its employees, including a lavatory or lavatories equipped with hot and cold or tempered running water, hand-cleansing soap or detergent, and approved sanitary towels or other approved hand-drying devices. Such facilities shall be kept clean and in good repair.

6. GARBAGE AND RUBBISH DISPOSAL: All garbage and rubbish containing food wastes shall, prior to disposal, be kept in leak-proof, non-absorbent containers which shall be kept covered with tight-fitting lids

when filled or stored, or not in continuous use: PROVIDED, That such containers need not be covered when stored in a special vermin-proofed room or enclosure, or in a food-waste refrigerator. All other rubbish shall be stored in containers, rooms or areas in an approved manner. The rooms, enclosures, areas and containers used shall be adequate for the storage of all food wastes and rubbish accumulating on the premises. Adequate cleaning facilities shall be provided, and each container, room, or area shall be thoroughly cleaned after the emptying or removal of garbage and rubbish. Food waste grinders, if used, shall be installed in compliance with State and local standards and shall be of suitable construction. All garbage and rubbish shall be disposed of with sufficient frequency and in such a manner as to prevent a nuisance.

7. VERMIN CONTROL: Effective measures shall be taken to protect against the entrance into the establishment and the breeding or presence on the premises of vermin.

AMENDED-0981  
99992 Section 6. 1. FLOORS, WALLS AND CEILINGS: The floor surfaces in kitchens, in all other rooms and areas in which food is stored or prepared and in which utensils are washed and in walk-in refrigerators, dressing or locker rooms and toilet rooms, shall be of smooth, non-absorbent materials, and so constructed as to be easily cleanable: PROVIDED, That the floors of non-refrigerated, dry-food-storage areas need not be non-absorbent. All floors shall be kept clean and in good repair. Floor drains shall be provided in all rooms where floors are subjected to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor. All exterior areas where food is served shall be kept clean and properly drained, and surfaces in such areas shall be finished so as to facilitate maintenance and minimize dust.

The walls and ceilings of all rooms shall be kept clean and in good repair. All walls of rooms or areas in which food is prepared, or utensils or hands are washed, shall be easily cleanable, smooth and

light-colored, and shall have washable surfaces up to the highest level reached by splash or spray.

2. LIGHTING: All areas in which food is prepared or stored or utensils are washed, hand-washing areas, dressing or locker rooms, toilet rooms, and garbage and rubbish storage areas shall be well lighted. During all clean-up activities, adequate light shall be provided in the area being cleaned, and upon or around equipment being cleaned.

3. VENTILATION: All rooms in which food is prepared or served or utensils are washed, dressing or locker rooms, toilet rooms, and garbage and rubbish storage areas shall be well ventilated. Ventilation hoods and devices shall be designed to prevent grease or condensate from dripping into food or onto food preparation surfaces. Filters, where used, shall be readily removable for cleaning or replacement. Ventilation systems shall comply with applicable State and local fire-prevention requirements and shall, when vented to the outside air, discharge in such manner as not to create a nuisance.

4. DRESSING ROOMS AND LOCKERS: Adequate facilities shall be provided for the orderly storage of employees' clothing and personal belongings. Where employees routinely change clothes within the establishment, one or more dressing rooms or designated areas shall be provided for this purpose. Such designated areas shall be located outside of the food preparation, storage, and serving areas, and the utensil-washing and storage areas: PROVIDED, That when approved by the health officer, such an area may be located in a storage room where only completely packaged food is stored. Designated areas shall be equipped with adequate lockers, and lockers or other suitable facilities shall be provided in dressing rooms. Dressing rooms and lockers shall be kept clean.

5. HOUSEKEEPING: All parts of the establishment and its premises shall be kept neat, clean, and free of litter and rubbish. Cleaning operations shall be conducted in such a manner as to minimize contamination of food and food-contact surfaces. None of the operations connected with a food-service establishment shall be conducted in any room used as

living or sleeping quarters. Soiled linens, coats, and aprons shall be kept in suitable containers until removed for laundering. No live bird or animals shall be allowed in any area used for the conduct of food-service establishment operations: PROVIDED, That guide dogs accompanying blind persons may be permitted in dining area.

Section 7. Temporary Food-Service Establishments, Food Demonstrations, and specific food-service establishments, including mobile restaurant, retail grocery, retail food market, and retail bakery, shall comply with all provisions of this ordinance which are applicable to their operation: PROVIDED, That the health officer may augment such requirements when needed to assure the service of safe food, may prohibit the sale of certain potentially hazardous food and may modify specific requirements for physical facilities when in his opinion no imminent health hazard will result and may establish rules and regulations governing such operations.

Section 8. PERMIT: It shall be unlawful for anyone to operate a food-service establishment without a valid permit so to do issued to him by the health officer. Only a person who complies with the requirements of this ordinance and rules and regulations of the health officer shall be entitled to receive and retain such a permit. Permits shall not be transferable and shall be valid only for the person and place for which issued. It shall be valid for one year from date of issue. Said permit shall be posted conspicuously in the food-service establishment for which issued. Permits for temporary food-service establishments may be issued for a period of time not to exceed 14 days.

Issuance of Permits: Any person desiring to operate a food-service establishment shall make written application for a permit on a form to be provided by the health officer. Such application shall include the applicant's full name and post office address and whether such applicant is an individual, firm, or corporation, and, if a partnership, the names and addresses of the partners, the location and type of the proposed

food-service establishment; and the signature of the applicant or applicants. If the application is for a temporary food-service establishment, it shall also include the inclusive dates of the proposed operation.

The health officer shall make an inspection of the proposed food-service establishment to determine compliance with the provisions of this ordinance. When inspection reveals that the applicable requirements of this ordinance have been met a permit shall be issued to the applicant by the health officer.

Section 9. Suspension of Permits: Any permit may be suspended temporarily by the health officer for failure of the holder to comply with the requirements of this ordinance.

Whenever a permit holder or operator has failed to comply with any notice issued under the provisions of this ordinance, the permit holder or operator shall be served with a notice that, effective upon such service, his permit is suspended. Such notice shall advise that a hearing on such suspension will be provided if a written request for a hearing is filed with the health officer by the permit holder.

Notwithstanding any other provisions of this ordinance, whenever the health officer finds that a violation of this ordinance has created or is creating an insanitary or other condition in a food-service establishment which in his judgment constitutes so serious a hazard to the public health as to require the immediate closure of the establishment, he may without warning, notice or hearing, suspend its permit effective immediately and all food service operations shall cease immediately. If in the health officer's opinion immediate closure is not required he may issue a written notice to the permit holder or operator citing the ordinance violations creating the insanitary conditions, specifying the corrective action to be taken, and the time period within which such action shall be taken. Any person to whom such an order is issued or whose permit is suspended under this section shall comply immediately with the order of the health officer but upon written petition to the

health officer shall be afforded a hearing as soon as possible.

Reinstatement of Suspended Permits: Any person whose permit has been suspended, may at any time make application for a reinspection for the purpose of reinstatement of the permit. Within ten days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the permit have been corrected, the health officer shall make a reinspection. If the applicant is complying with the requirements of this ordinance, the permit shall be reinstated.

Section 10. Revocation of Permits: For serious or repeated violations of any of the requirements of this ordinance, or for interference with any health officer in the performance of his duties, or for failure to comply with any notice properly given under this ordinance, the health officer may permanently revoke any permit. Before revoking any permit the health officer shall notify the permit holder in writing of the reasons for which the permit is subject to revocation and advising that the permit shall be permanently revoked at the end of five days following service of such notice, unless a request for a hearing is filed with the health officer by the permit holder within such five-day period. A permit may be suspended for cause pending its revocation or a hearing relative thereto.

Hearing: Hearings on suspensions or revocation of permits shall be conducted by the Director of Public Health, or by a person designated by him at such time and place as he shall designate. At such hearing the permittee may appear with or without counsel and may testify, call witnesses and cross examine. The person conducting the hearing shall make a finding and shall sustain, modify or rescind any official notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the permit holder by the health officer.

Section 11. INSPECTION OF FOOD-SERVICE ESTABLISHMENTS: The health officer shall inspect each food-service establishment as often as

is necessary for the enforcement of this ordinance.

Access to Establishments: A health officer exhibiting proper identification shall be permitted to enter, at any reasonable time, any food-service establishment for the purpose of making inspections to determine compliance with this ordinance. He shall be permitted to examine the records of the establishment pertaining to food and supplies purchased, received, or used, and persons employed.

Section 12. Inspection Records: Whenever the health officer makes an inspection of a food-service establishment, he shall record his findings on an Inspection Report Form prepared by the Director of Public Health who shall be guided in the preparation thereof by PHS Form 4006. The health officer making such inspection shall furnish the original of such inspection report form to the permit holder or operator. Such form shall summarize the requirements of Sections 2 through 7 of this ordinance and shall set forth demerit point values to be charged any such permittee for violation of any of such requirements. Upon completion of an inspection, the health officer shall total the demerit point values for all requirements in violation, such total becoming the Demerit Score of the establishment.

The health officer making such inspection shall notify the permit holder or operator of all violations he may find by delivering to him a properly filled out inspection report form or other written notice. In such notification, the health officer shall set forth the specific violations found, together with the Demerit Score of the establishment. When a Demerit Score is 20 or less, all violations of 2 or 4 demerit points must be corrected by the time of the next routine inspection; or when the Demerit Score is more than 20 but not more than 40, all items of 2 or 4 demerit points must be corrected within 30 days; or when one or more 6 demerit point items are in violation, regardless of demerit score all such items must be corrected within 10 days. When the Demerit Score is more than 40, the Health Officer shall immediately suspend the permit.

All violations in temporary food-service establishments must be corrected within 24 hours of notice thereof. Failure to comply with such notice shall result in immediate suspension of the permit.

The inspection report form shall state that an opportunity for appeal from any notice or inspection findings will be provided if a written request for a hearing is filed with the health officer within the time established in the notice for correction.

Service of Notices: Notices provided for under this ordinance shall be deemed served when delivered personally to the permit holder or person in charge of the activity licensed or when sent by registered or certified mail, return receipt requested, to the last known address of the permit holder. A copy of such notice shall be filed with the records of the health officer.

Section 13. EXAMINATION AND CONDEMNATION OF FOOD: Food may be examined or sampled by the health officer as often as may be necessary to determine freedom from adulteration or misbranding. The health officer may, upon written notice to the owner or person in charge, place a hold order on any food which he determines or has probable cause to believe to be unwholesome or otherwise adulterated, or misbranded. Under a hold order, food shall be permitted to be suitably stored. It shall be unlawful for any person to remove or alter a hold order, notice or tag placed on food by the health officer, and neither such food nor the containers thereof shall be relabeled, repacked, reprocessed, altered, disposed of, or destroyed without permission of the health officer, except on order by a court of competent jurisdiction. The owner or person in charge may demand a hearing such as is provided for in Section 10 hereof and on the basis of evidence produced at such hearing, or on the basis of his examination in the event a written request for a hearing is not received within 10 days, the health officer may vacate the hold order, or may by written order, direct the owner or person in charge of the food which was placed under the hold order to denature or destroy such food or to bring it into compliance with the provisions of this ordinance: PROVIDED, That such order of the health officer to denature or destroy such food

or bring it into compliance with the provisions of this ordinance shall be stayed if the order is appealed to a court of competent jurisdiction within three (3) days.

Section 14. Food from food-service establishments outside the city may be sold within the city if such food-service establishments conform to the provisions of this ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the health officer may accept reports from responsible authorities in other jurisdictions where such food-service establishments are located.

Section 15. PLAN REVIEW OF FUTURE CONSTRUCTION: When a food-service establishment is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a food-service establishment, properly prepared plans and specifications for such construction, remodeling, or alteration, showing layout, arrangement, and construction materials of work areas, and the location, size and type of fixed equipment and facilities, shall be submitted to the health officer for approval before such work is begun.

Section 16. PROCEDURE WHEN INFECTION IS SUSPECTED: When the health officer has reasonable cause to suspect possibility of disease transmission from any food-service establishment employee, the health officer shall secure a morbidity history of the suspected employee, or make such other investigations as may be indicated, and take appropriate action. The health officer may require any or all of the following measures: (a) the immediate exclusion of the employee from all food-service establishments; (b) the immediate closure of the food-service establishment concerned until, in the opinion of the health officer, no further danger of disease outbreak exists; (c) restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease; and (d) adequate medical and laboratory examinations of the employee, of other employees, and of his and

their body discharges.

*See Back Cover*  
Section 17. ENFORCEMENT INTERPRETATION: This ordinance shall be enforced by the Director of Public Health in accordance with the compliance provisions of the 1962 Edition of the "United States Public Health Service Food-Service Sanitation Ordinance and Code", a copy of which is on file in the Comptroller's Office. The health officer is also authorized to make rules and regulations not inconsistent with the provisions of this ordinance for the purpose of enforcing and carrying out its provisions.

Section 18. Anyone violating or failing to comply with any of the provisions of this ordinance upon conviction thereof shall be punished by a fine of not to exceed Three Hundred Dollars (\$300.00), or by imprisonment in the City Jail for a term not to exceed ninety (90) days, or by both such fine and imprisonment, and each day that anyone shall continue to so violate or fail to comply shall be considered a separate offense.

Section 19. Should any section, subsection or part of this ordinance be declared unconstitutional or invalid for any reason, such shall not affect the validity of the remaining portions.

Section 20. Ordinance No. 74360, as amended, and Section 2 of Ordinance No. 87022, and all ordinances insofar as in conflict herewith are hereby repealed.

(To be used for all Ordinances except Emergency.)

Section 27. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 15 day of June, 1964, and signed by me in open session in authentication of its passage this 15 day of June, 1964.

*Clarence Massart*

President of the City Council.

Approved by me this 16 day of June, 1964.

*J. D. Brannon*  
Mayor.

Filed by me this 16 day of June, 1964.

*C. H. Glandford*  
Attest: City Comptroller and City Clerk.

(SEAL)

Published JUL 11 1964

By *W. A. Levine*  
Deputy Clerk.

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THE CITY OF SEATTLE  
LAW DEPARTMENT

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SECRETARY  
FAYE FORDE  
CLAIM AGENT  
JOHN F. COOPER

June 12, 1964

Re: C. F. 250327 - Council Bill 84487.

Public Safety Committee  
City Council  
Seattle

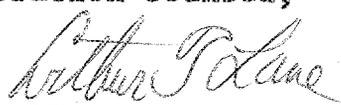
Honorable Members:

Pursuant to your request of June 11, 1964 we transmit herewith a new page 5 to be substituted for the present page 5 of Council Bill 84487 containing the addition requested in your letter.

C. F. 250327 and Council Bill 84487 which accompanied your request are returned herewith.

Yours very truly,

A. L. NEWBOULD,  
Corporation Counsel,

  
BY: ARTHUR T. LANE,  
Assistant.

ATL:GC  
ENC. 3

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

JUN 15 1964

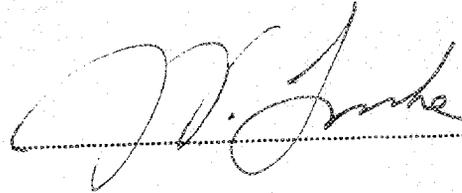
Your Committee on PUBLIC SAFETY  
to which was referred C.B. No. 84487

relating to and regulating the storage, sale, and serving of foods in food-serving establishments and similar facilities, requiring permits, defining offenses, prescribing penalties and repealing Ordinance 74360 and other ordinances insofar as in conflict herewith

RECOMMENDS THAT THE SAME DO PASS.

(File No. 250327)

..... Chairman



..... Chairman

..... Committee

..... Committee

ORDINANCE NO. 92987

AN ORDINANCE relating to and regulating the storage, sale and serving of foods in food-service establishments and similar facilities...

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The following words and phrases as used herein shall mean as follows:

1. ADULTERATED: The condition of a food (a) if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health...

2. APPROVED: Acceptable to the health officer based on his determination as to conformance with appropriate standards and good public health practice.

3. CLOSED: Fitted together snugly leaving no openings large enough to permit the entrance of vermin.

4. CORROSION-RESISTANT MATERIAL: A material which maintains its original surface characteristics under prolonged influence of the food, cleaning compounds and sanitizing solutions which may contact it.

5. EASILY CLEANABLE: Readily accessible and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

6. EMPLOYED: Any person working in a food-service establishment who transports food or food containers, who engages in food preparation or service, or who comes in contact with any food utensils or equipment.

7. EQUIPMENT: All stoves, ranges, hoods, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steamtables, and similar items, other than utensils used in the operation of a food-service establishment.

8. INTENDED FOR USE FOR SALE IN WHOLE OR IN PART FOR HUMAN CONSUMPTION.

9. FOOD CONTACT SURFACES: Those surfaces of equipment and utensils with which food normally comes in contact and those surfaces with which food may come in contact and drain back onto surfaces normally in contact with food.

10. FOOD DEMONSTRATION: Serving without charge, any sample or small portion of food, drink or food product for consumption within a food-service establishment or in an area within a food-service establishment where food is not routinely served for consumption on the premises.

11. FOOD PROCESSING ESTABLISHMENT: A commercial establishment in which food is processed or otherwise prepared and packaged for human consumption...

teration and misbranding, and safe for human consumption. No hermatically sealed, non-acid and low-acid food which has been processed in a place other than a commercial food-processing establishment shall be used.

2. FOOD PROTECTION: All food while being stored, prepared, displayed, served, or sold at food-service establishments, or during transportation between such establishments, shall be protected from contamination. No food shall be prepared in a mobile food-service establishment...

3. PERSONNEL HEALTH AND DISEASE CONTROL: No person while afflicted with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a food-service establishment...

4. CLEANLINESS: All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty. They shall wash their hands thoroughly in an approved hand-washing facility before starting work, and as often as may be necessary to remove soil and contamination.

5. EQUIPMENT AND UTENSILS: All equipment and utensils shall be so designed and of such material and workmanship as to be smooth, easily cleaned, and resistant to corrosion...

6. TOILET FACILITIES: Adequate and convenient toilet facilities may not be required for employees of a mobile food-service establishment when the food offered for sale from such establishments is prepared and packaged in individual portions at a fixed food-service establishment...

7. HAND-WASHING FACILITIES: Each food-service establishment with the exception of a mobile food-service establishment shall have hand-washing facilities for its employees, including a lavatory or lavatories equipped with hot and cold or tempered running water, hand-cleaning soap or detergent, and approved sanitary towels or other approved hand-drying devices.

8. GARBAGE AND RUBBISH DISPOSAL: All garbage and rubbish containing food wastes shall, prior to disposal, be kept in leak-proof, non-sharper containers which shall be kept covered with tight-fitting lids when filled or stored, or not in continuous use.

9. VERMIN CONTROL: Effective measures shall be taken to protect against the entrance into the establishment and the breeding or presence on the premises of vermin.

10. FLOORS, WALLS AND CEILINGS: The floor surfaces in kitchens, in all other rooms and areas in which food is stored or prepared and in which utensils are washed and in walk-in refrigerators, dressing or locker rooms and toilet rooms shall be of smooth, non-absorbent material and so constructed as to be easily cleaned.

11. PERMITS: Any person desiring to operate a food-service establishment shall make written application for a permit on a form to be provided by the health officer.

12. ISSUANCE OF PERMITS: Any person desiring to operate a food-service establishment shall make written application for a permit on a form to be provided by the health officer.

13. SUSPENSION OF PERMITS: Any permit may be suspended temporarily by the health officer for failure of the holder to comply with the requirements of this ordinance.

14. REINSTATEMENT OF SUSPENDED PERMITS: Any person whose permit has been suspended may at any time make application for a reinstatement of the permit.

15. REVOCATION OF PERMITS: For serious or repeated violations of any of the requirements of this ordinance, or for interference with any health officer in the performance of his duties, or for failure to comply with any notice properly served under this ordinance, the health officer shall be authorized to revoke the permit.

16. APPEALS: Any person aggrieved by any action of the health officer under this ordinance may appeal to the Board of Health.

17. SEVERABILITY: If any provision of this ordinance is held to be invalid, the remainder shall remain in full force and effect.

18. EFFECTIVE DATE: This ordinance shall take effect on the date of its passage.

19. SHORT TITLE: This ordinance may be cited as the Food Service Ordinance.

20. AMENDMENTS: Any amendments to this ordinance shall be made by ordinance of the City of Seattle.