

ORDINANCE NO. 112 N.S.

AN ORDINANCE PROVIDING FOR THE CONTROL OF FOOD AND DRINK ESTABLISHMENTS IN THE CITY OF EL PASO DE ROBLES AND PROVIDING PENALTIES FOR THE VIOLATION OF SUCH ORDINANCE.

BE IT ORDAINED by the Council of the City of El Paso de Robles as follows:

SECTION 1. It shall be unlawful for any person, firm, or corporation to sell, offer for sale, distribute, or have in possession for sale or distribution any food or drink intended for human consumption in any Food or Drink Establishment in the City of El Paso de Robles, California, unless possessing a permit to be obtained in the manner provided by this ordinance.

SECTION 2. For the purpose of this ordinance a Food and Drink Establishment is any building, room, or portion thereof, where food or drink intended for human consumption is cooked, mixed, prepared, served, sold, offered for sale, or given away at a fixed place or location.

SECTION 3. Every applicant for such a permit shall file with the Health Department of the City of El Paso de Robles, before opening for business, a written application for a permit to conduct such business. The Health Department shall investigate and issue such permit when the place of business conforms to the laws of the State of California and the provisions of this ordinance. Such permits shall be in force for the calendar year in which issued unless revoked for cause and shall be issued without charge. Renewal of permits shall be applied for and acted upon in the same manner.

SECTION 4. The Health Officer of the City of El Paso de Robles, with the approval of the City Council, may establish such rules or regulations as may be necessary for the proper and orderly administration of this ordinance.

SECTION 5. Permits shall be refused or suspended by the City Health Department upon the finding that any provision of any law of the State of California, or any of the provisions of this ordinance have been violated.

SECTION 6. No business license shall be issued for any

Food or Drink Establishment by the City of El Paso de Robles until such person, firm, or corporation, or agent, or employee of such person, firm, corporation can show possession of a permit from the City Health Department for which the business license is required.

SECTION 7. (a) The floors of every Food and Drink Establishment shall be of smooth cement, smooth-surfaced wood or other impermeable surface, so laid and constructed as to be even and free from cracks and holes. The side walls and ceilings shall be well-constructed of smooth-finished cleanable material without cracks or crevices therein or shall be well plastered, and finished with a smooth, light-colored surface.

(b) If, for sanitary reasons, the Health Officer shall deem it necessary, the walls and ceilings shall be painted with a light-colored paint at least once each year.

(c) All floors, walls, ceilings and entrances shall be so designed, constructed and maintained as to exclude rats, mice, vermin, flies and other insects.

(d) Every building, room or portion thereof used as, or for a Food or Drink Establishment shall be well ventilated by means of windows, or sky lights with louvers, or mechanical ventilation effectively used and operated. Every Food and Drink Establishment shall be adequately lighted by natural or artificial light so that all parts of such establishment may be readily seen. No person shall sleep in any room used for the preparation, storage, or serving of food.

(e) Every hood over a kitchen range shall be of metal equipped with a grease lip and ventilated with an approved ventilator or ventilating flue, so arranged, constructed and maintained as to carry off all odors to the outside air, and kitchens shall be so ventilated as to insure good ventilation therefor, and freedom from any obnoxious, objectionable or offensive odors.

(f) No wooden sinks, or wooden sinks lined with metal, shall be used in any Food and Drink Establishment. All sinks shall be at least two-compartments, made of metal or porcelain and with

attached metal drainboards. All sinks used for dish and glass washing in any Food and Drink Establishment shall be supplied with hot and cold running water. All meat markets, bars, and all other food producing or distribution establishments shall be supplied with hot and cold running water.

(g) Refuse trays in all restaurants and eating establishments shall be made of metal or other impervious materials, (and drain pipes from such trays shall be of metal and shall be kept in a clean and sanitary condition.)

(h) No parrots, dogs, cats or other animals shall be kept or permitted in any establishment where the foods herein mentioned are kept, sold or dispensed.

SECTION 8. (a) Every food and Drink Establishment shall be provided with adequate watercloset facilities, for each sex in separate compartments, well-lighted and ventilated to the outside air. Floors of watercloset compartments shall be of smooth-finish cement, tile or other impervious material. No watercloset compartment shall have direct communication with any kitchen, room, or any place where food or drink is prepared, stored, or served, unless it shall be separated therefrom by means of a properly lighted vestibule with ceiling height partitions and a full-length, solid-panel, self-closing doors. All water closet fixtures, compartments, and vestibules shall be kept in good order and repair and free from any accumulation of rubbish, waste matter or other material, and shall not be used as a storeroom for foodstuffs.

(b) Every establishment shall be provided with suitable washbasins or lavatories with an adequate supply of running hot and cold water, soap and clean, individual towels, and shall be conveniently located in the dressing rooms or adjacent to the waterclosets.

(c) Every establishment shall be provided with suitable, well-lighted dressing rooms, for the employees or other persons working therein, for the changing and/or hanging of wearing apparel. Dressing rooms shall be separated from the kitchen, dining or storeroom by ceiling-height partitions.

SECTION 9. (a) Protection of Foods Against Contamination.

... or material in such a manner as to prevent the handling of any such article or articles of food by any person or persons other than the person or persons selling or offering or exposing for sale, and to prevent any such article or articles of food from coming in contact with any flies, insects, vermin, or other deleterious, unwholesome or unhealthy substance or commodities.

(b) No owner, operator, or employee of any Food or Drink Establishment shall use or permit the use of any sugar container designed for use of patrons of any such establishment which is not so enclosed as to make it impossible to insert a spoon or other item of tableware therein: provided, however, that nothing herein contained shall apply to the use of cube or lump sugar where the same is wrapped in paper or cellophane or other protective covering.

(c) Resale of Partly Consumed Foods Forbidden. It shall be unlawful for any person, firm, or corporation owning, conducting, operating or maintaining any Food or Drink Establishment in the City of El Paso de Robles to sell or offer for sale or to serve, or to cause or permit to be served for food, to or for any person, or which has been returned from the table, except the following: Unbroken rolls, muffins, buns, crackers, undamaged fruits, olives, pickles, sugar syrup, condiments, and like articles necessary for general service on restaurant or lunch stand, table or counter.

(d) All custard and cream filled pastries refrigerated at all times at a temperature of 40 degrees Fahrenheit, except when actual sale of such pastries is being made, each

Vegetables, fruits or other products kept at least 18 inches above the floor. No articles shall be longer than is absolutely necessary.

SECTION 10. (a) All Floors, walls, ceilings, stairs, shelves, furniture, equipment, utensils, foods, areaways, yards, alleys, waterclosets, dressing rooms, plumbing and fixtures in or in connection with any Food or Drink Establishment shall be kept in good order and repair, and be maintained in a clean, sanitary condition and free from all kinds of vermin, rubbish, debris, or filth.

(b) No article or utensil shall be used in the preparation of any food that has been previously used for any unclean purpose, nor shall any chipped, cracked or broken cups, saucers, plates, or glasses be used in the serving of patrons of any food or drink establishments.

(c) No napkin, table cloth, or other dining room linens shall be used for the purpose of cleaning or drying dishes, table or cooking utensils or counters, or for any purpose or use except by the patrons.

(d) Ice boxes or refrigerators shall be scrubbed with hot water and some cleaning agent at least once each week and shall be kept in good order and repair, clean and sanitary at all times, and shall be properly drained.

(e) Metal receptacles with tight-fitting metal covers for garbage and rubbish shall be provided. The contents shall be removed regularly and they shall be kept in good order and repair, and thoroughly cleaned after emptying.

(f) No food shall be prepared or stored in any article or material that has been used for food or drink.

(g) No food or food articles intended for human consumption shall be kept or prepared in any room or place where any drugs or chemicals are mixed, prepared, compounded, or used, or kept in unsealed, open or broken containers or receptacles.

(h) Sterilization of dishes, utensils, glasses, etc. In every place where food or drink is prepared, sold or offered for sale all eating or drinking utensils such as knives, forks, spoons, cups, saucers, plates, bowls, and glasses shall, after being used, be cleaned and sterilized by:

1. First removing all particles of food or foreign substance.
2. Then shall be thoroughly washed in clean, hot water to which has been added a sufficient amount of soap or other cleansing agent.
3. Then rinsed in hot water near the boiling point.

Washing and Sterilizing of Drinking Glasses:

1. Empty the unconsumed liquids or "dregs" into a separate slop-hopper or sink.
2. Thoroughly wash glass in warm water to which has been added a sufficient amount of cleansing detergent to dissolve and remove all grease, lipstick, and foreign matter.
3. Immerse the glass in a clean solution of water to which has been added an amount of chlorine to equal at least 200 parts per million at all times.
4. Do not rinse glasses with clear water after once sterilizing in chlorine solution. It is not permissible to place glasses, dishes, utensils, or similar articles on towels.

(i) Refrigerator pipes and suspended pipes shall be properly protected so as to prevent condensation from dropping into or on any foodstuffs or any receptacle or apparatus used in the preparation of food.

SECTION II. Diseased employees. No employer shall require, permit or suffer any person to work, nor shall any person work in any building, room, basement, cellar, place or vehicle, occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution or transportation of food, who is afflicted or affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow

fever, tuberculosis, consumption, bubonic plague, Asiatic cholera, leprosy, trachoma, typhoid fever, epidemic dysentery, measles, mumps, German measles, whooping cough, chickenpox, or any other infectious of contagious disease.

SECTION 12. The Health Officer, with the approval of the City Council, is hereby authorized to order the immediate closing of any food or drink establishment when in his opinion such action is necessary for the protection of the public health.

SECTION 13. Exemptions from the requirements of this ordinance may be made when in the opinion of the Health Officer and the City Council the application of any particular section of this ordinance would be impractical and unnecessary.

SECTION 14. Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 15. Any person, firm or corporation operating without a permit shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500.00, or by imprisonment in the County Jail for a period of not more than six (6) months or by both such fine and imprisonment.

SECTION 16. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared invalid.

PASSED AND ADOPTED by the City Council this 4th day of ~~May~~ June 1945.

*J. D. Bailey*  
\_\_\_\_\_  
MAYOR

Attest:  
  
*J. S. [Signature]*  
\_\_\_\_\_  
City Clerk.

STATE OF CALIFORNIA  
COUNTY OF SAN LUIS OBISPO  
CITY OF EL PASO DE ROBLES

SS.

I, S. S. Tucker, City Clerk of the City of

El Paso de Robles, California, do hereby certify that the foregoing Ordinance

No. 112 N.S. was duly and regularly adopted, passed, and approved by the City

Council of the City of El Paso de Robles, California, at a regular meeting of said City

Council held at the regular meeting place thereof, on the 4th day, of June

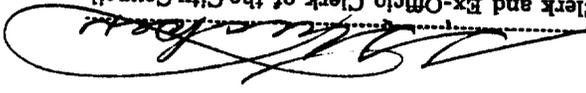
19 45, by the following vote:

AYES: Councilmen Bailey, Hirschler, McCrabb, Turner and Wilmar

NOES: Councilmen None

ABSENT: Councilmen None

Dated this 4th day of June, 19 45

  
City Clerk and Ex-Officio Clerk of the City Council,  
City of El Paso de Robles, State of California.