

An Ordinance

REPEALING SECTION 1, CHAPTER 4, TITLE 8 OF THE CITY CODE OF THE CITY OF PAYETTE, IDAHO RELATING TO THE ADOPTION OF UNITED STATES PUBLIC HEALTH SERVICE ORDINANCE AND AN ORDINANCE DEFINING FOOD, POTENTIALLY HAZARDOUS FOOD, ADULTERATED, MIS-BRANDED, FOOD-SERVICE ESTABLISHMENT, TEMPORARY FOOD-SERVICE ESTABLISHMENT, HEALTH AUTHORITY, UTENSILS, EQUIPMENT, ETC.; PROVIDING FOR THE SALE OF ONLY UNADULTERATED, WHOLESOME, PROPERLY BRANDED FOOD; REGULATING THE SOURCES OF FOOD; ESTABLISHING SANITATION STANDARDS FOR FOOD, FOOD PROTECTION, FOOD-SERVICE PERSONNEL, FOOD-SERVICE OPERATIONS, FOOD EQUIPMENT AND UTENSILS, SANITARY FACILITIES AND CONTROLS, AND OTHER FACILITIES; REQUIRING PERMITS FOR THE OPERATION OF FOOD-SERVICE ESTABLISHMENTS; REGULATING THE INSPECTION OF SUCH ESTABLISHMENTS; PROVIDING FOR INCORPORATION BY REFERENCE OF THE 1962 EDITION OF THE "UNITED STATES PUBLIC HEALTH SERVICE FOOD SERVICE SANITATION ORDINANCE AND CODE"; AND PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE, AND THE FIXING OF PENALTIES.

Be it ordained by the Mayor and Council of the municipality of the City of Payette, Idaho as follows:

8-4-1 The definitions; the inspection of food-service establishments; the issuance, suspension and revocation of permits to operate food-service establishments; the prohibiting of the sale of adulterated or misbranded food or drink; and the enforcement of this ordinance shall, except where provisions in this ordinance conflict, be regulated in accordance with the unabridged form of the 1962 Edition of the "United States Public Health Service Food Service Sanitation Ordinance and Code", three copies of which shall be on file in the office of the municipal clerk: Provided, That the words "municipality of \_\_\_\_\_" in said unabridged form shall be understood to refer to the City of Payette of the State of Idaho: Provided further, That in said ordinance all parenthetical phrases referring to grading and subsection H. 2. e. shall be understood to be deleted: and provided further, That subsections H. 7. and H. 8. shall be understood to be deleted.

8-4-2 Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$300.00 and/or be imprisoned for a period not to exceed 30 days. In addition thereto, such persons may be enjoined from continuing such violations. Each day upon which such a violation occurs constitutes a separate violation.

8-4-3 This ordinance shall be in full force and effect January 1, 1971 and after publication as provided by law; and, at that time, all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

8-4-4 The Clerk of the City of Payette shall be the health authority and before issuing a permit to an applicant desiring to operate a food service establishment the sum of \$10.00 shall be paid to the health authority, and the applicant shall have already secured a permit to operate a food service establishment from the Department of Health of the State of Idaho; the permit issued by the health authority shall expire on the date of the expiration of the permit issued by the Department of Health of the State of Idaho.

1970.

PASSED AND APPROVED By the Mayor and Council this 15<sup>th</sup> day of June

Wesley O. Rocks  
Mayor of the City of Payette, Idaho