

CHAPTER 15

FOOD AND FOOD ESTABLISHMENTS

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ARTICLE I. IN GENERAL

Sec. 15-01. Unwholesome food.

- (a) No person shall sell, expose or offer for sale, within the City, any sick or diseased animal, poultry or fish; or the flesh of any diseased animal, fowl or fish: or any tainted or spoiled meat, or unsound and unwholesome provisions whatever, to be used or eaten for human food. Any Police Officer or the Health Officer, may seize take and destroy any such meat, food or drink, so exposed or offered for sale.
- (b) No person shall, within the City, sell, expose or offer for sale any adulterated or unwholesome food.
- (c) Any Police Officer and the Health Officer shall enforce the provisions of this section. For that purpose, they shall have power and authority to enter all places where any food or drink may be sold or offered for sale, and to take samples thereof, and cause the same to be analyzed or otherwise tested. (Code 1965, Sec. 11.07)

*Cross reference--Alcoholic beverages, Sec 4-1 et seq.; building and building regulations, Sec. 8-1 et seq.; license for coin-operated soft drink machines, Sec. 11-11 et seq.; health, Sec. 18-1 et seq.

State law references--Authority of municipalities to regulate sale of food and beverages, Ill. Rev. Stat. Ch. 24, Sec. 11-20-2; authority of municipalities to regulate places for eating, Ch. 24, Sec. 11-42-5; foods generally, Ch. 56 1/2, Sec. 14 et seq.

Sec. 15-02. License for sellers of farm produce from car load lots - Required.

No person shall receive by carload lots, or in other bulk quantity or quantities, fruits, vegetables and or other farm produce, and sell, barter or dispose of the same from the cars or in quantities taken from the original consignment without first obtaining a license therefor. (Code 1965, Sec. 32.01)

Cross reference - Licenses generally, Sec. 21-1 et seq.

Sec. 15-03. Fee for licenses generally.

The license fee for a license required by Section 15.2 shall as described in Chapter 21 Section 21.04 of this Municipal Code. (Code 1965, Sec. 32.01; Ord 04-24, Sec 5)

Sec. 15-04. License for milk dealers.

- (a) Required. No person shall operate as a milk dealer without a license therefore.
- (b) Annual fee. The annual license fee for a milk dealer is as described in Chapter 21 Section 21.04 of this Municipal Code. (Ord. No. 84-7, Sec. 1, 4-3-84; Ord 04-24, Sec 6)

Editor's Note - Having not expressly amended the Code, the provisions of Sec. 1 of Ord. No. 84-7, adopted April 3, 1984, have been codified as Sec. 15-4 at the editor's discretion.

Sec. 15-05 -- 15-10 Reserved.

ARTICLE II. FOOD-SERVICE ESTABLISHMENTS

Sec. 15-11. Adoption of certain provisions of the United States Public Health Service, Food Service Sanitation Ordinance and Code.

The provisions for definitions; the inspection of food service establishment; 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 these provisions shall 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 (3) certified copies of which shall be on file in the office of the City Clerk. The words "municipality of..." in the unabridged form of such ordinance and Code shall be understood to refer to the City. All parenthetical phrases referring to grading and subsection H.2.e. shall be understood to be deleted and provided further, that subsection H.7 and H.8 shall be understood to be deleted. (Ord. of 8-19-68, Sec. 1)

State law reference - Authority of municipalities to adopt technical codes by reference, Ill. Rev. Stat. Ch. 24, Sec. 1-3-1 et seq. and Ch. 85, Sec. 1001 et seq.

Sec. 15-12. Violations.

Any person who violates any of the provisions of the ordinance and code adopted by this article shall be guilty of an offense and, upon conviction thereof, shall be punished as provided by the general penalty of this Code. In addition thereto, such persons may be enjoined from continuing such violations. (Ord. of 8-19-68, Sec. 1)

Sec. 15-13--15-25. Reserved.

ARTICLE III. ICE CREAM CARTS

DIVISION I. GENERALLY

Sec. 15-26. Carts not to interfere with traffic or pedestrians.

Each ice cream cart or other cart for which a license is required by this article shall be of such a size and shall be so moved upon the streets and sidewalks as not to interfere with pedestrians or vehicular traffic. (Code 1965, Sec. 32.03)

Sec. 15-27--15-31. Reserved.

DIVISION 2. LICENSE

Sec. 15-32. License Required.

No person shall vend ice cream, ice milk or snow cones from bicycle carts or pushcarts on the streets or sidewalks in the City without a license therefor. (Code 1965, Sec. 32.03)

Sec. 15-33. Application, license stickers.

In addition to the requirement for an application under the general licensing provisions of this Code, the applicant for a license under this division shall state the number of cart applied for, and the City shall issue to him a license sticker for each cart, which shall be attached in a conspicuous spot on the cart when in use on the streets. (Code 1965, Sec. 32.03)

Cross reference - Licenses generally, Sec. 21-1 et seq.

Sec. 15-34 Fee.

The license fee for a license required by this division shall be as described in Chapter 21 Section 21.04 of this Municipal Code. (Code 1965, Sec. 32.03; Ord 04-24, Sec 6)

Sec. 15-35--15-44. Reserved.

ARTICLE IV. RETAIL BEVERAGE DEALERS

DIVISION 1. GENERALLY

Sec. 15-45. Compliance required.

Persons keeping for sale or selling beverages to the general public shall comply with the sanitary rules and regulations of this article. (Code 1965, 32.07)

Sec. 15-46. Lining and draining requirements for refrigerators.

Refrigerators, coolers and iceboxes used for the sale of beverages to the general public shall be lined with impervious nonabsorbent material and shall be adequately drained. (Code 1965, Sec. 32.07)

Sec. 15-47. Maintenance of coolers, iceboxes, etc.

All coolers, iceboxes and other receptacles used for the storage of containers, bottles containing drinks, or the ingredients from which drinks are made prior to sale to the general public, shall be so constructed as to be readily cleaned, shall be free from rust and crust and shall be washed regularly once each week with a solution which will sterilize without being harmful to human beings. (Code 1965, Sec. 32.07)

Sec. 15-48. Maintenance of container and drinking utensils.

All containers in which beverages are kept for sale to the general public, or in which the ingredients are kept, from which drinks are prepared, concocted or mixed, shall be kept scrupulously clean. Glasses, cups and other drinking utensils which are used more than once shall be washed and cleansed in clean water after each use thereof by a patron. (Code 1965, Sec. 32.07)

Sec. 15-49. Tops off bottles not to be submerged.

Where bottled beverages or drinks in other containers are stored for sale to the general public in water or ice, the tops of the bottles or containers shall be so stored that they will not be submerged. (Code 1965, Sec. 32.07)

Sec. 15-50. Changing of water and ice required.

All water or ice in which bottled beverage or drinks in other containers are stored for sale to the general public, shall be kept clean and free of any harmful, unsanitary or impure material, and shall be changed as often as may be necessary to keep it free from harmful bacteria, colon bacilli or other harmful matter. (Code 1965, Sec. 32.07)

Sec. 15-51. Requirements for ice.

Where containers of drinks used for sale to the general public come into contact with ice, such ice shall not contain more than fifty (50) bacteria per cubic centimeter growing on a standard agar at thirty seven (37) degrees Centigrade every forty-eight (48) hours, and shall be free of colon bacilli in portions of ten (10) cubic centimeters and shall contain not more than nine one-thousandths of one part of free ammonia and nine one-thousandths of one part of albuminoid ammonia in every one hundred thousandths parts. (Code 1965, Sec. 32.07)

Sec. 15-52. Requirements for bottles, jars, etc.

Bottles, jars, receptacles or other containers in which beverage to be used for sale to the general public are kept, shall be so constructed, capped or covered that there will be no infiltration of extraneous liquids, matter or other material into same. (Code 1986, Sec. 32.07)

Sec. 15-53. Sale of drinks with harmful substances prohibited.

No person shall sell any article or drink or beverage for human consumption which contains any harmful, decayed, unwholesome or impure substance or material. (Code 1965, Sec. 32.07)

Sec. 15-54--15-58. Reserved.

DIVISION 2. LICENSE

Cross Reference -- License generally, Sec. 21-1 et seq.

Sec. 15-59. Reserved.

Sec. 15-60. Reserved.

Sec. 15-59 and Sec. 15-60 have been deleted by Ord. No. 96-11 - repealing the fee for over-the-counter pop. Code 1965, Sec 32.07

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