

CHAMPAIGN COUNTY BOARD OF HEALTH

Brookens Administrative Center
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Champaign County Board of Health

**Tuesday, August 21, 2018
5:30 PM**

**Location: Champaign-Urbana Public Health District
201 W. Kenyon, Champaign, IL**

Main Conference Room

(Park & Enter On North Side Of Facility – Middle Door)

AGENDA

<u>ITEM</u>	<u>PAGE NO.</u>
A. Call to Order	
B. Roll Call	
C. Approval of Agenda/Addenda	
D. Approval of Minutes	
1. June 19, 2018	1-3
2. July 10, 2018	4-5
E. Public Participation on Agenda Items Only	
F. Other Business	
1. Updated version of the Budget	6-14
2. Dental Proposal	15
3. Champaign County Teen Pregnancy and STD Prevention Education	16
4. Approval of Proposed SmileHealthy Budget Request for FY2019	17-19
5. Approval of Proposed County Board of Health Budget for FY2019	
G. Correspondence and Communications	
H. Adjournment	

Joint Study Session Agenda

Champaign-Urbana Public Health District Board of Health

- A. Call to Order**
- B. Roll Call**
- C. Approval of Agenda/Addenda**
- D. Public Participation of Agenda Items Only**

**Champaign County BOH Meeting Agenda
Page 2**

E. Joint Study Session Agenda:

1. Amending the Food Ordinance for CUPHD and Champaign County
2. Intergovernmental Agreement between CUPHD and Champaign County

F. Adjournment

AGENDA

A Call to Order

B. Roll Call

C. Approval of Agenda/Addenda

D. Public Participation on Agenda Items Only

E. SmileHealthy

1. Monthly Report – May 2018 20-22

F. CUPHD

1. Approval of CUPHD Invoice for May 2018 Services 23
2. Approval of CUPHD Invoice for June 2018 Services 24
3. Approval of the Renewal of the Intergovernmental Agreement between the Champaign-Urbana Public Health District (CUPHD) and the County of Champaign and the Champaign County Health Department for the Provision of Public Health Services by the CUPHD
4. CUPHD Reportable Diseases:
http://www.c-uphd.org/comm_dis/display-data.php
5. CUPHD Performance Management:
<http://www.c-uphd.org/pmts/index.php?s=1>

H. Public Participation on Non-Agenda Items Only

I. Next Meeting

1. November 27, 2018 at 5:30 PM

J. Adjournment

CHAMPAIGN COUNTY BOARD OF HEALTH

Tuesday, June 19, 2018

Call to Order

The Champaign County Board of Health held a meeting on June 19, 2018 at the Champaign-Urbana Public Health District office, 201 W. Kenyon Road, Champaign. The meeting was called to order at 5:32 PM by President, Dr. Krista Jones.

Roll Call

Upon roll call, the following Board members were found to be present: Dr. Krista Jones, President, Dr. Julie Kumar, Vice President, Dr. John Peterson, Secretary/Treasurer, Dr. Kyle Fleming, Mr. Bradley Clemmons, County Board Liaison, Mr. David King, and Dr. Dorothy Vura-Weis. Mr. David Thies was absent.

Also present were: Ms. Julie Pryde, CUPHD Administrator, Mr. Jim Roberts, CUPHD Director of Environmental Health, Ms. Amanda Knight, CUPHD Director of Finance, and Michael Flanagan, Environment Health Program Coordinator.

Approval of Agenda/Addendum

Dr. Jones made a motion to add an amendment, changing the date of the November 2018 Champaign County Board of Health meeting, at the end of the June 19, 2018 agenda. Dr. Fleming seconded the motion. With all in favor, the motion carried.

Approval of Minutes

Dr. Peterson made a motion to approve meeting minutes from March 20, 2018. Dr. Vura-Weis seconded the motion. With all in favor, the motion carried.

Public Participation on Agenda Items Only

None

Correspondence and Communications

Dr. Vura-Weis has reported that she had contacted Nancy Greenwalt to request that "Smile Healthy" start providing more focused reports. She would like to see County kids receiving services. Dr. Vura-Weis will be following up at future meetings.

Smile Healthy

Dr. Kumar made a motion to receive and place on file the monthly reports for February, March, and April 2018. Mr. King seconded the motion. With all in favor, the motion carried.

56
57 **CUPHD**
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59 Dr. Peterson made a motion to approve the CUPHD invoices for January,
60 February, March and April 2018 services. Dr. Kumar seconded the motion. With all in
61 favor, the motion carried.
62

63 Mr. Jim Roberts reported he has a draft of the revised Intergovernmental
64 Agreement. The draft is currently with the CUPHD Attorney. Once Mr. Roberts
65 receives the draft back, it will go to the States Attorney's Office. There are few changes
66 other than the length of the agreement.
67

68 Ms. Julie Pryde shared information from Ms. Tami Ogden at the County. Ms.
69 Ogden said we will need prior clarification regarding spending contingency fund. Dr.
70 Peterson said a spending contingency fund could be looked upon as a fund where we
71 write in a new line item. Ms. Pryde asked Director of Finance, Ms. Amanda Knight, to
72 call Ms. Ogden and get this process clarified.
73

74 Reportable diseases and performance management reports are available on-line
75 for review. Dr. Peterson suggested that CUPHD reports do not need to be placed on
76 file.
77

78 **Old Business**
79

80 There was no new information presented for amending the Chapter 5 Food
81 Sanitation and Applicable Definitions of the Health Ordinance of Champaign County and
82 a Corresponding Enforcement Policy. Mr. Roberts shared a memorandum from Illinois
83 Department of Public Health regarding Retail Food Program Rule Update and
84 Reminders.
85

86 Mr. Roberts suggested a joint study session regarding Amending the Food
87 Ordinances for CUPHD and Champaign County and Intergovernmental Agreement
88 between CUPHD and Champaign County.
89

90 **Other Business**
91

92 Mr. King made a motion to nominate the current slate of Officers, Dr. Krista
93 Jones, President, Dr. Julie Kumar, Vice President and Dr. John Peterson,
94 Secretary/Treasurer for another term. Dr. Fleming seconded this motion. With all in
95 favor, the motion carried.
96

97 Dr. Peterson suggested adding a meeting to go over the Budget. A meeting has
98 been scheduled for July 10, 2018, at 5:30pm.
99

100 A joint study session has been planned for August 21, 2018, at 5:30 pm to go
101 over amending the Food Ordinances for CUPHD and Champaign County, also the
102 Intergovernmental Agreement between CUPHD and Champaign County.
103
104

105 *Board of Health Minute*
106 *June 19, 2018*
107 *Page 3*

108
109 The Board agreed to move the November 2018 Champaign County Board of
110 Health Meeting from the 13th to the 27th at 5:30p.m.

111
112 **Public Participation on Non-Agenda Items Only**

113
114 None

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116 **Next Meeting**

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118 The next meeting is a special meeting to discuss the budget scheduled for July
119 10, 2018 at 5:30 PM.

120
121 **Adjournment**

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123 With no further business to be discussed, Dr. Vura-Weis made a motion to
124 adjourn the meeting at 6:04 PM. Dr. Fleming seconded the motion. With all in favor, the
125 motion carried.

CHAMPAIGN COUNTY BOARD OF HEALTH

Tuesday, July 10, 2018

Call to Order

The Champaign County Board of Health held a Special Meeting on July 10, 2018 at the Champaign-Urbana Public Health District office, 201 W. Kenyon Road, Champaign. The meeting was called to order at 5:34 PM by President, Dr. Krista Jones.

Roll Call

Upon roll call, the following Board members were found to be present: Dr. Krista Jones, President, Dr. John Peterson, Secretary/Treasurer, Mr. Bradley Clemmons, County Board Liaison, Mr. David King, Dr. Dorothy Vura-Weis, and Mr. David Thies. Dr. Julie Kumar and Dr. Kyle Fleming were absent.

Also present were: Mr. Jim Roberts, CUPHD Director of Environmental Health, Ms. Amanda Knight, CUPHD Director of Finance, and Ms. Candi Crause, CUPHD Director of Infectious Disease.

Approval of Agenda/Addendum

Dr. Vura-Weis made a motion to approve the July 10, 2018 agenda. Mr. David Thies seconded the motion. With all in favor, the motion carried.

Public Participation on Agenda Items Only

None

Correspondence and Communications

None

New Business

Ms. Knight said the budget narrative that was distributed is a draft only. The major decrease represents the tobacco grant in that this grant was not received. The levy for property tax went up 4%, which will bring the fund balance to 55.9%. Our goal is 25% and at 55.9% we are well over that.

Dr. Jones asked if we should be putting more money in preventative services. Ms. Crause said CUPHD is getting money through the local health protection grant. School curriculums have been severely cut over the past few years.

52 Board of Health Minutes
53 July 10, 2018
54 Page 2

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The Board collectively authorized Ms. Knight to add two new items to the budget to request approval from the Champaign County Board. First, we will request \$15,000.00 emergency fund to be used only for emergency services outside the scope of the contract.

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Second, the Board would like to create funds to be used for additional preventative services. We will use the remaining surplus of the FY2019 budget of approximately \$9,000.00 plus a one-time use transfer from the fund balance to bring this total to \$25,000.00. Requested Ms. Pryde to bring recommendations of needs to benefit county residents to the next meeting for review and selection.

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Public Participation on Non-Agenda Items Only

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None

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Next Meeting

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The next meeting is scheduled for August 21, 2018 at 5:30 PM.

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77

Adjournment

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With no vote at this time and no further business to be discussed, Mr. Theis made a motion to adjourn the meeting at 6:45 PM. Dr. Peterson seconded the motion. With all in favor, the motion carried.

Summary of Budget Changes following the County Board of Health Meeting July 10, 2018

Per the request of the County Board of Health, and with additional insight provided by from Tami Ogden, Deputy County Administrator, the Property Tax Revenue was reallocated to pay as much as possible for the Preventative Services and use the Fund Balance for any remainder. Additional information was received, which were also incorporated. Details are provided below.

Fee for Service – Preventative Services

Revenue			
Property Taxes		\$25,000	
Expenses			
Total Personnel	\$21,332		
Total Supplies	510		
Total Contractual	<u>3,158</u>		
Total Expenses		\$25,000	

Fee for Service – Emergency Non-Contract items Approved by CBOH Chair

Revenue			
Property Taxes		\$ 1,232	
Transfer from Fund Balance		<u>13,768</u>	
Total Revenue & Fund Balance Transfer			\$15,000
Expenses			
Emergencies Only <= \$15,000		<u>\$15,000</u>	
Total Other Contractual Expenses			\$15,000

Other changes based on current data increased revenue by a total of \$7,103 and expenses for a total of \$1,413.

- IDPH – The FY19 (July 2018 – June 2019) grant award was increased \$3,340 from the normal \$200.
 - Expenses to provide services were also added.
- IDPH Body Art & Tanning Grant was awarded for \$1,213.
 - Expenses to provide services were also added.
- Other Income for Water increased \$200 to \$1,250. This is a grant covering FY17 – FY20 averaged unspent funds.
- County Admin budgeted – Other Income \$1,600 and was added to the column for Admin revenue. (No change to total)
- County Admin budgeted – Interest Income was increased \$2,350 from \$200 previously budgeted. This revenue was added to the column for Admin column.

BOARD OF HEALTH

Fund 089-049

The Champaign County Board of Health is established by 55 ILCS 5/5-20 and consists of nine members, appointed by the County Board Chair to three-year, staggered terms. The Board is responsible for disease control and the physical and environmental health of County residents. This Board is supported through the Health Fund property tax levy; federal, state and local grants; and fees. The maximum rate for the Health Fund levy is \$0.10/\$100 assessed valuation. The current rate for the total Health levy is \$0.0298/\$100 assessed valuation.

MISSION STATEMENT

The mission of the Champaign County Public Health Department is to promote health, prevent disease, and lessen the impact of illness through the effective use of community resources.

BUDGET HIGHLIGHTS

The Board of Health budget is dependent upon property taxes, permits, and federal and state grants for specific public health services. The property tax increases by approximately 3.4% from FY2018 to FY2019 (this increase is calculated without any additional property tax revenue associated with the hospital property tax exemption case explained in the next paragraph). The increase is estimated at this time because the total levy is not split between Champaign-Urbana Public Health District (CUPHD) and the Board of Health (BOH) until the County Clerk's Office provides the equalized assessed values (EAV) in May of the subsequent year. Since at least FY2011, the split reflected an increase in the percentage of the levy allocated to the BOH; however, in FY2017 that trend reversed and CUPHD experienced greater growth in its levy due to an increase in the percentage of the equalized assessed value (EAV) attributed to the areas within CUPHD. This trend is expected to continue in FY2019.

As it has for past two fiscal years, in FY2019 the County will approve its levy to capture new growth in the event of a favorable ruling in the hospital property tax exemption case. In FY2019, there is an additional \$36,456 budgeted in property tax revenue and professional services expenditure.

The Board of Health enters into a contract with the CUPHD to provide public health services throughout the County. The Board of Health has annually awarded a grant in the amount of \$45,000 to the Smile Healthy child dental access program. Allocation of the \$45,000 is included in this budget in the child dental access program line item. The Board of Health anticipates approving funding for the grant in FY2019 during its August meeting.

In FY2018, both budgeted revenues and expenditures increased in anticipation of an increase in the Tobacco Free Grant from the Illinois Department of Public Health (IDPH). This grant was discontinued and was not budgeted in FY2019.

The Board of Health has requested two additional items as added to the FY2019 budget, with approval of the County Board. Both items will be paid on a reimbursement basis only.

- **Preventative Services** - The Board would like to continue to provide services where previous grants have been discontinued or a county community health need exists. The Board of Health will evaluate and select services to be provided based upon a list of recommendations from the Public Health Administrator. These services will be funded by any surplus budget beyond core services up

to \$25,000. The existence of the Preventative Fund, services to be provided, and amount will be evaluated annually.

- Emergency Fund - The Board of Health recognizes there may be occasions where they request CUPHD to provide services above and beyond the scope of the contract. This appropriation would be established to ensure funds are readily available and payment to CUPHD is guaranteed. Any request for emergency services covered by this fund would require authorization of the County Board of Health's Chair. The Board of Health has determined \$15,000 is an appropriate amount to be set aside for this purpose.

FINANCIAL

FUND BALANCE

FY2017 Actual	FY2018 Projected	FY2019 Budgeted
\$491,047	\$522,338	\$507,571

The Fund Balance reflects \$33,165 of funds associated with TIF surplus revenue, which is being held in reserve to offset any potential liability in a ruling related to the hospital property tax exemption case. The actual liability in the case of an unfavorable ruling is estimated to be \$91,000.

A fund balance of 25% of the expenditure budget has been established by the County Board of Health to ensure an appropriate balance to address cash flow requirements and reserve funding for public health emergencies.

EXPENSE PER CAPITA (IN ACTUAL DOLLARS)

FY2015	FY2016	FY2017	FY2018	FY2019 Budgeted
\$10.46	\$10.85	\$10.82	\$12.57	\$12.61

ALIGNMENT to STRATEGIC PLAN

County Board Goal 3 – Champaign County promotes a safe, just and healthy community

- To promote and participate in planning initiatives for the maintenance and improvement in delivery of public health services
- To provide public health programming and services to promote and enable a healthy community throughout Champaign County

County Board Goal 4 – Champaign County is a county that supports balanced, planned growth to balance economic growth with preservation of our natural resources

- To provide appropriate oversight for planned growth in the areas of licensed food services facilities, private sewer, and well water systems
- To anticipate and plan for impact of demographic and population changes on potential health hazards to be managed through public health

OBJECTIVES

- To prevent the transmission of food borne diseases attributable to licensed food service facilities in Champaign County

FY2019 Budget
Champaign County, Illinois

300

Board of Health
Fund 089-049

2. To prevent the transmission of enteric disease in Champaign County attributed to improper sewage disposal or unsafe private water supplies
3. To initiate investigation and surveillance within twenty-four hours of notification of 100% of reported diseases that could be spread through the environment
4. To conduct inspections of 100% of private sewage disposal systems and 100% of private water wells installed under permit to assure that all state and local requirements are met
5. To conduct inspections and obtain compliance for all programs carried out by the department through grant/contractual agreements as agents for the Illinois Department of Public Health in order to protect the safety and well-being of Champaign County residents

PERFORMANCE INDICATORS

Performance Indicators	FY2016	FY2017	FY2018	FY2019
	Actual	Actual	Projected	Budgeted
Number of Foodborne/Waterborne Outbreaks (confirmed/probable)	1	1	5	5
Number of Foodborne/Waterborne Illness Complaints Investigated	14	3	50	50
Number of Reportable Communicable Disease Cases (Classes 1 & 2)	58	109	75	75
Number of Sexually Transmitted Disease Tests (Syphilis)	213	166	300	300
Number of Sexually Transmitted Disease Tests (Gonorrhea)	254	237	300	300
Number of Sexually Transmitted Disease Tests (Chlamydia)	254	237	300	300
Number of Tuberculosis (TB) Direct Observed Therapy Cases (Active & Latent)	2	3	3	3
Number of Food Establishment Inspections	410	409	490	426
Number of Temporary Permits Issued	237	253	245	245
Number of Food Establishment Complaints Investigated	41	37	50	45
Number of Food Establishment Food Safety Education Presentations	19	50	150	100
Number of Sewage Construction Permits Issued	94	89	90	90
Number of Sewage Construction Inspections	112	129	180	180
Number of Private Sewage Complaints Investigated	28	27	20	25
Number of Water well Construction Permits Issued	82	69	60	55
Number of Water Well Construction Inspections	81	67	90	82
Number of Abandoned Water Wells Sealed	28	19	30	20

Appendix B
Cuyahoga County Budget Proposal 6/1/19 to 12/31/19 for the
Champlain County Board of Health

Description	Cuyahoga County				Champlain County								Fee Based Reimbursement Only					
	Total	Grant	Grant Embodiment		Total	UMPG	UMPG	UMPG	UMPG	UMPG	UMPG	UMPG	Total	Fee for Service	Fee for Service	Fee for Service	Fee for Service	
			Emergency	Vertical														At Grants
Revenue	544,197.00																	
Property Taxes	112,253.00																	
Temporary Food Permits	11,700.00																	
Private Sewage Permits	13,437.00																	
Water Testing Fees	2,500.00																	
Water Permits	2,149.00																	
Plan Review Fees	1,500.00																	
UDPH Fee - Food Preparation Grant	63,808.00				63,808.00													
UDPH - Local Health Protection Grant	131,858.00																	
UDPH Summer Food Program	3,540.00																	
UDPH WVU Vector Control Grant	37,912.00				37,912.00													
UDPH1 Tobacco Free Grant	25,500.00				25,500.00													
UDPH1 Tobacco Free Grant	2,231.00																	
UDPH Body Fat Training Grant	7,463.00																	
Other Income	1,600.00																	
County Admin Budgeted - Other Income	2,600.00																	
County Admin Budgeted - Interest Income	2,600.00																	
GENERAL REVENUE	941,813.00																	
Transfer from Fund Balance	13,768.00																	
Transfer from Fund Balance	13,768.00																	
TRANSFER FROM FUND BALANCE TO BUDGET	27,536.00																	
TOTAL REVENUE FROM TRANSFER	969,351.00																	
Expenses																		
Professional Services	532,284.00	14,978.00	37,210.00	11,170.00	63,808.00	112,088.00	37,901.00	48,284.00	49,855.00	131,070.00	38,464.00	47,299.00	462,811.00	2,338.00	1,570.00	819.00	14,818.00	
Life Insurance	277.00		19.00	6.00	32.00	58.00	19.00	24.00	25.00	84.00	20.00	34.00	278.00	1.00	1.00		7.00	
ACA & Medicare	40,391.00	1,090.00	2,733.00	815.00	4,638.00	8,312.00	2,767.00	3,516.00	3,540.00	9,856.00	2,837.00	3,489.00	34,297.00	115.00	115.00	60.00	1,090.00	
AMT	47,912.00	1,200.00	3,238.00	965.00	5,513.00	9,848.00	3,775.00	4,172.00	4,300.00	11,648.00	3,357.00	4,131.00	40,593.00	215.00	145.00	75.00	1,315.00	
Unemployment Insurance	7,412.00	200.00	505.00	150.00	855.00	1,502.00	508.00	647.00	668.00	1,707.00	520.00	640.00	6,794.00	31.00	21.00	11.00	200.00	
Employer Share Group Health Insurance	110,647.00	2,986.00	7,541.00	2,734.00	12,647.00	22,418.00	7,580.00	9,659.00	9,973.00	27,007.00	7,773.00	9,569.00	99,848.00	448.00	312.00	164.00	2,946.00	
Market Compensation	70,110.00	262.00	377.00	557.00	1,205.00	560.00	1,855.00	1,950.00	2,493.00	6,751.00	1,943.00	2,350.00	12,982.00	117.00	78.00	41.00	346.00	
State Personnel	700,312.00	26,270.00	52,164.00	15,889.00	82,313.00	154,491.00	53,945.00	68,272.00	70,972.00	192,171.00	55,313.00	64,028.00	643,201.00	3,241.00	2,248.00	1,170.00	12,312.00	
Stationery and Printing	1,006.00	110.00	5.00	7.00	127.00	20.00	30.00	195.00	10.00	364.00	4.00	140.00	759.00	5.00	7.00	3.00	110.00	
Office Supplies	2,154.00	200.00	1,810.00	36.00	238.00	810.00	60.00	80.00	31.00	650.00	20.00	25.00	1,704.00	70.00	70.00		110.00	
Operational Supplies	4,119.00		1,810.00	1,100.00	2,910.00	244.00	40.00	110.00	10.00	700.00	700.00	70.00	900.00	184.00	105.00	10.00	200.00	
Postage	2,457.00	700.00	34.00	10.00	244.00	60.00	40.00	600.00	800.00	875.00	700.00	150.00	1,545.00	10.00	48.00	10.00	200.00	
Medical Supplies	1,700.00		300.00		300.00								1,400.00					
Books, Periodicals																		
Other Supplies	665.00		215.00		325.00	40.00				120.00			210.00					
Total Supplies	12,107.00	810.00	2,444.00	1,153.00	41,622.00	980.00	1,980.00	983.00	851.00	2,335.00	784.00	1,063.00	21,000.00	898.00	880.00	113.00	1,888.00	
Advertising	4,991.00		460.00		5,451.00													
Professional Services	2,000.00		760.00		2,760.00													
Fellowships	2,310.00		540.00		2,850.00													
Other Travel	7,350.00		100.00		7,450.00													
Other Contractual Services	1,570.00		300.00		1,870.00													
Address Labels & Envelopes	1,200.00		200.00		1,400.00													
Supplies	23,151.00		1,100.00		24,251.00													
Travel																		
Hotel Conference Fees																		
Per Diem Care and Client Assistance	6,675.00		2,495.00		9,170.00													
Salaries & Wages and Maintenance	2,200.00		200.00		2,400.00													
Chairs and Tables	775.00				775.00													
Contingent Expenses																		
Miscellaneous Expenses	120.00				120.00													

CUPHD FY2019 Budget Proposal 1/1/19 to 12/31/19 to the
Champaign County Board of Health

Name - Description	Grant Reimbursement			CUPHD Grant							Fee Based Reimbursement Only							
	Fed	Grant	Grant	Total	HWG	IHWG	UHWG	LHWG	SHWG	IHWG	Total	Fee for Service Grant County Summer Food Program Trailer 2018-2019	Water Well Body All B 2018-2019	Fee for Service	Fee for Service			
Employee Leave Reimbursement																		
Fatal Carpal Tunnel	53,511.00	4,230.00	9,200.00	840.00	14,780.00	6,954.00	110.00	1,000.00	3,072.00	16,915.00	2,600.00	6,145.00	31,968.00	75.00	30.00	3,758.00		
Medical Equipment																		
Equipment under \$500	2,000.00										2,000.00							
Capital Outlay																		
Furniture and Office Equipment																		
Total Equipment	2,000.00										2,000.00							
Indirect Cost (Occupant, Materials, Technology, etc.)	49,209.00																	
Other Indirect Cost	49,209.00																	
EXPENSES ONLY - \$515,000	15,000.00																	
EXPENSES ONLY - \$515,000	15,000.00																	
TOTAL EXPENSES PLUS EMERGENCY ONLY FUNG	911,951.00	25,500.00	61,808.00	17,912.00	107,220.00	161,455.00	59,281.00	76,657.00	81,588.00	211,208.00	63,280.00	83,650.00	797,478.00	3,248.00	1,213.00	25,800.00	15,000.00	
TOTAL EXPENSES with Smoke Healthy	936,951.00																	
ANNUALLY ENTER FY19 Current: 12 months	500,196.00	76,500.00	61,808.00	17,912.00	107,220.00	161,455.00	59,093.00	75,347.00	80,652.00	211,020.00	63,979.00	83,850.00	756,318.00	3,540.00	1,213.00	25,000.00	15,000.00	
ANNUALLY ENTER FY18 Current: 12 months	855,319.00	105,750.00	61,808.00	17,912.00	187,450.00	166,450.00	59,518.00	68,805.00	60,702.00	226,792.00	51,877.00	67,702.00	706,211.00	18.00	122.00			
% CHANGE	1.4%	-75.9%	0.0%	0.0%	-42.8%	-3.0%	-0.7%	8.9%	32.9%	-7.8%	23.4%	20.3%	8.6%	0.0%	1949.3%	100.0%	100.0%	

Champion County Board of Health
Compensation Template
\$72019 Budget Proposal Submitted by CUPHD

% Increase 1.04

Name and Title	Hourly Rate	Months	Annual Compensation Total	FTE	Total	Grant - Tobacco	Grant - 1310	Grant - 1315	Grant - 7310	Total
						FTE	FTE	FTE	FTE	FTE
Baker, Emily (National Administrator)	19.59	12	2,080.00	0.1000	71,531.64					
Baker, Emily (Specialist I)	16.32	12	1,620.00	0.3000	46,678.46					
Baker, Stephen (Program Coordinator)	20.24	12	2,080.00	0.2500	37,718.03					
Barker, Stephen (Director and Support)	30.73	12	2,080.00	0.1000	65,447.52					
Chen, Jennifer (Public Health Nurse)	10.41	12	1,080.00	0.5400	44,716.00					
Chen, Jennifer (Director of Infection Disease)	44.92	12	2,080.00	0.0200	95,648.82					
Cull, Amber (Public Health Nurse)	19.60	12	2,080.00	0.2000	63,040.50					
Davis, Robert (Emergency Preparedness Planner)	15.07	12	1,827.00	0.1400	46,718.93					
Flanagan, Michael (Program Coordinator)	33.70	12	2,080.00	0.0800	62,801.30					
Gen, Jonathan (Program Coordinator)	43.42	12	2,080.00	0.0100	92,472.18					
Gen, Jonathan (Program Coordinator)	27.76	12	2,080.00	0.1800	59,127.14					
Gen, Jonathan (Program Coordinator)	31.83	12	2,080.00	0.1051	67,799.22					
Genest, Moore, Tiana (Public Health Nurse I)	22.42	12	2,080.00	0.1051	47,749.22					
Henderson, Tammy	27.19	12	2,080.00	0.1051	57,968.17					
Idem, Sheron (Administrative Assistant)	20.13	12	1,827.00	0.0200	37,511.04					
Idem, Sheron (Director of Finance)	45.52	12	2,080.00	0.1000	96,544.64					
Idem, Sheron (Director of Finance)	24.76	12	1,827.00	0.5105	45,279.42					
Idem, Sheron (Environmental Health Specialist)	29.12	12	1,957.50	0.2802	40,172.60					
Idem, Sheron (Environmental Health Specialist)	16.43	12	1,957.50	0.2708	32,804.96					
Idem, Sheron (Public Health Nurse I)	37.54	12	1,827.00	0.2419	63,817.29					
Idem, Sheron (Public Health Nurse I)	12.00	12	1,500.00	0.1800	42,840.00					
Idem, Sheron (Program Coordinator)	25.85	12	1,827.00	0.2520	44,172.51					
Idem, Sheron (Program Coordinator)	30.78	12	1,827.00	0.2950	57,355.76					
Idem, Sheron (Program Coordinator)	35.07	12	2,080.00	0.0560	51,979.08					
Idem, Sheron (Public Health Nurse II)	27.02	12	2,080.00	0.1134	151,345.12					
Idem, Sheron (Public Health Nurse II)	27.32	12	2,080.00	0.1100	58,185.04					
Idem, Sheron (Public Health Nurse II)	47.11	12	2,080.00	0.4970	100,372.59					
Idem, Sheron (Director of Environmental Health)	46.31	12	2,080.00	0.1000	96,671.78					
Idem, Sheron (Director of Environmental Health)	21.79	12	1,827.00	0.2150	44,313.62					
Idem, Sheron (Environmental Health Specialist)	24.78	12	1,827.00	0.2190	45,109.48					
Idem, Sheron (Environmental Health Specialist)	14.10	12	1,827.00	0.1834	45,153.57					
Idem, Sheron (Administrative Assistant)	17.96	12	2,080.00	0.9460	76,175.91					
Idem, Sheron (Administrative Assistant)	22.56	12	2,080.00	0.2100	38,550.49					
Idem, Sheron (Administrative Assistant)	17.96	12	1,827.00	0.3134	42,641.45					
Idem, Sheron (Administrative Assistant)	32.24	12	2,080.00	0.2200	18,150.49					
Idem, Sheron (Administrative Assistant)	29.68	12	2,080.00	0.0870	53,755.14					
Idem, Sheron (Administrative Assistant)	22.78	12	1,557.50	0.4260	59,639.90					
Idem, Sheron (Administrative Assistant)	43.41	12	2,080.00	0.0400	92,515.93					
Idem, Sheron (Administrative Assistant)	22.51	12	2,080.00	0.2900	47,981.49					
Idem, Sheron (Administrative Assistant)	28.49	12	2,080.00	0.2900	58,749.96					
Idem, Sheron (Administrative Assistant)	28.49	12	2,080.00	0.0700	35,129.96					
Idem, Sheron (Administrative Assistant)	28.49	12	2,080.00	0.0700	35,129.96					

**Champaign-Urbana Public Health District
Children & Teens Dental Program
Proposal to provide dental care to Champaign County children**

Cost per dental visit per child based on Fiscal Year 18	
Personnel	+\$80.04
Fringe	+\$26.81
Supplies	+\$6.25
Printing	+\$.25
TOTAL DIRECT COSTS:	=\$113.35
TOTAL INDIRECT COSTS:	+\$34.81
<i>Less Medicaid average reimbursable per visit</i>	-\$87.09
TOTAL:	=\$61.07 unreimbursed cost per dental visit per child
\$25,000 would provide a dental home for 205 county children, based on 2 visits annually	

Work Plan

CUPHD Dental Program will provide a Dental Home for Medicaid/MCO eligible children age 0-18 living in Savoy, IL, and Medicaid/MCO eligible Champaign County children of families actively enrolled in the MCH/WIC program. Services to be provided are diagnostic, preventative and restorative. The CUPHD Dental Program will also provide:

- Continuing care recalls to schedule children for preventive care 2X each year
- Dental treatment care coordination with specialists and with caregivers to schedule follow-up restorative care
- Individual oral health instruction and school classroom oral health presentations upon request
- Access to a stable dental home with scheduled appointments available Monday through Friday 7:30 am -4:30 pm and 9:00 am ~ 1:00 pm on the 3rd Saturday of each month.
- Access to emergency dental care within 24 hours Monday through Friday

Budget Narrative

Personnel: \$80.04 per patient visit

- A team of three FT dentists, two PT dentists, five FT dental hygienists and three expanded function dental assistants will provide direct dental care
- One treatment coordinator, two continuing care coordinators and one program coordinator call patients to schedule dental appointments and assist in referrals to specialty dentists

Fringe: \$26.81 per patient visit

- All full time employees are entitled to FICA, IMRF, health, dental, life and unemployment insurance, and workers' compensations (group insurance). Actual fringe benefits are based on cost per patient per visit

Supplies: \$6.25 per patient visit

- Refers to dental materials and patient supplies to be used during patient appointments

Printing: \$.25 per patient visit

- Refers to printing needed for patient care: Health Histories, Consents, Proof of Exam Forms, Oral Care Instructions, Walk-out Slips, Referral Forms, Rx. Slips, Excused Absence Slips, Postcards and Letters

Indirect Costs: \$34.81

- Includes building maintenance, utilities, phones, administration, finance, janitorial, liability insurance

Champaign County Teen Pregnancy & STD Prevention Education

Personnel	\$4,090.11
Fringe	\$1,534.52
Travel	\$1,500
Copies	\$3
Supplies	\$250
TOTAL DIRECT COSTS:	\$7,377.63
Total Indirect Costs: Rate: 33.5% Base: \$7,377.63	\$2,471.51
TOTAL:	\$9,849.14

Work Plan

CUPHD health education staff will provide teen pregnancy and STD prevention education services to youth in select Champaign County schools. Health educators will contact local schools to assess need and interest for the program. An appropriate number of lessons will be scheduled based on the needs of the school. This education will provide youth with:

- Increased knowledge about prevention of HIV, other STDs and pregnancy
- More positive attitudes/beliefs about birth control and condom use
- Increased confidence in their ability to negotiate safer sex and to use condoms correctly
- Stronger intentions to use birth control and condoms if they have sex
- A lower incidence on HIV/STD risk-associated sexual behavior
- A stronger sense of pride and responsibility in making a difference in their lives

Budget Narrative

- ❖ Personnel: \$4,090.11
 - Two FT health educators will each spend 3% of their time contacting schools, scheduling lessons and facilitating curriculum. One FT Program Coordinator will spend 3% of their time contacting schools, scheduling lessons and monitoring the budget.
- ❖ Fringe: \$1,534.52
 - All full time employees are entitled to FICA, IMRF, health insurance, life insurance, unemployment insurance, and workers' compensations (group insurance). Actual fringe benefits are based on time of personnel working on program.
- ❖ Travel: \$1,500
 - Staff will travel to and from county schools to meet with teachers and implement lessons.
- ❖ Copies: \$3
 - Staff will print off handouts, reports, activities and rosters.
- ❖ Supplies: \$250
 - Staff will purchase classroom teaching materials and regular office supplies.

**SmileHealthy, a Program of Promise Healthcare
Child Dental Access Program
Champaign County Board of Health
Fiscal Year 2019 Program Narrative and Budget**

In Fiscal Year 2019, SmileHealthy will provide comprehensive dental care for income eligible county children in a number of different ways to maximize the number of children we can reach:

- mobile dental exam, hygiene and sealant clinics
- mobile restorative care clinics
- dental home through our dental center
- education programs from individual and family counseling to day care providers to full school assemblies.
- comprehensive specialty care for children

In Fiscal Year 2019 with the Board of Health Grant we expect to serve over 1000 low income county children unique to this grant. Plus we will reach at least 2000 additional county residents through our education and outreach efforts.

SmileHealthy is proposing a program for the coming year that can accomplish significant care and prevention within the Champaign County Board of Health's Budget. We are requesting \$45,000.

Programs and services listed below may be possible only through the support of Board of Health funding, providing services to county children that might otherwise go without.

Child Dental Access Program – Dental Center Staff & Volunteer Dentists

SmileHealthy will offer clinic days each month to income eligible children with our staff and volunteer providers throughout the county and at our dental center to create a dental home for those who might otherwise go without. 500 dental visits

Sealant Dental Clinic Program – Staff and Volunteer Providers

This program provides comprehensive preventive services to children of all grades through high school at school during the school day. The program in addition to providing an important public health service to the children served, assists schools with state requirements to have a dental exam on all kindergarteners, second graders and sixth graders. 150 children seen

The Sealant program is regulated by the Illinois Department of Public Health Division of Oral Health and the Illinois Department of Healthcare and Family Services.

Champaign County Board of Health sites in the next school year will include
Heritage Elementary School District - Homer
Ludlow Elementary School
Mahomet Schools

Prairieview-Ogden Elementary North - Royal
Prairieview-Ogden Elementary South – Ogden
St. Joseph-Ogden Grade and Middle Schools – St. Joseph
Thomasboro Grade School – Thomasboro
Unity East – Philo
Unity West – Tolono
Unity Junior and Senior High Schools – Tolono

Dental Health Education

Educational programs include offering and coordinating full school assemblies on oral health care, speaking in classrooms, organizing an educational outreach program to day care providers and small groups like girl scouts, individual and family counseling, media events, community fairs and festivals and the ADA's Give Kids a Smile with the Illini Dental Society & C-UPHD.

We provide a new toothbrush to everyone seen in all of our programs including most educational events. Usually we provide a kit that includes a toothbrush, toothpaste and floss. These kits are very popular and may be the only dental supplies some children receive. We have repeatedly heard of children in homes with no toothbrushes or only one old one to share. This is an important part of our public health mission to improve oral health care.

In 2018 we are on track to have over 7,500 contacts through our education program. We can project to provide dental health education to over 2000 county children in 2019 as part of the Champaign County Board of Health funding.

**SmileHealthy
Child Dental Access Program
Champaign County Board of Health
Fiscal Year 2019 Budget Proposal**

	Fiscal Year 2019
Personnel (Dentist, Hygiene, Asst., Office)	30,000
Fringe (FY19 @ .22 of wages)	6,600
Personnel Subtotal	36,600
Telephone	800
Dental Supplies (treatments & education)	6,550
Printing/Copies	800
Postage	250
Operations Sub-total	8,400
Total	45,000

SmileHealthy will serve additional patients outside the Board of Health Grant through our Head Start Dental Clinic and Sealant and Mobile Restorative Dental Clinics at sites like Presence Covenant Medical Center, Prairie Center and area food pantries.

Thank you to the Board of Health and County Board for your continued support and commitment to the oral health for low-income children in Champaign County. Should you have any questions or need additional information, don't hesitate to contact me at the office (217) 403-5401, mobile 390-5365 or ngreenwalt@smilehealthy.org.

Information Memorandum

To: Champaign-Urbana Public Health District Board of Health
From: Jim Roberts, Director of Environmental Health
Subject: Joint Study Session
Date: August 20, 2018

Background

In July 2016, the Illinois Department of Public Health (IDPH) adopted a new Illinois Food Code (Food Code) that incorporated the United States Food and Drug Administration's (FDA) 2013 Model Food Code (Definitions and Chapters 1-7) and a few sections of the former Illinois Food Service Sanitation Code (77 Ill. Adm. Code 750). The Food Code is available at <http://dph.illinois.gov/topics-services/food-safety/retail-food>. IDPH is in the process of adopting FDA's 2017 Model Food Code (the code is updated every 4 years) and expects it to be effective on January 1, 2019. IDPH's implementation due date for adopting and enforcing the new Food Code by local health agencies is also January 1, 2019 (previous due date was July 1, 2018).

In addition to key changes in definitions and food rules that affect food establishments, there are key changes that affect a local health agency's compliance and enforcement. Rather than trying to extensively modify any existing ordinance and enforcement policy, it was best to propose a new ordinance and enforcement policy. Some key changes include:

- Changing the Food Establishment Inspection Report.
- Eliminating the terms of "critical" and "non-critical" violations.
- Eliminating the rating score or in our jurisdictions, the adjusted score.
- Eliminating enforcement actions triggered by a rating score.
- Using an Ordinance and an Enforcement Policy that were modeled from the FDA's 1976 Food Service Sanitation Manual rather than from the 2013 FDA Model Food Code.
- Requiring timely correction for newly defined and assigned "Priority", "Priority Foundation" and "Core" violations.
- Adding some local agency ordinance clarifications/requirements: Change of Ownership (Section 2-5 (E)), Hold Order for Equipment (Section 3-8 (E)),

Menu Limitation (Section 3-15), Temporary Food Permit Frequency (Section 4-2 (C)), and Temporary Food Permit Mandatory Education (Section 4-2 (D)).

- Creating a no rating score based, more comprehensive, and progressive enforcement policy.

The purpose of the joint boards of health study session is to determine if there can be uniform and consistent compliance and enforcement of the Food Code in both jurisdictions. The goals of each health agency's proposed ordinance and enforcement policy are to:

- Incorporate the Illinois Food Code,
- Create an ordinance and enforcement policy modeled from Chapter 8 (Compliance and Enforcement) of the 2013 FDA Model Food Code (<https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374275.htm>),
- Create a regulatory foundation consistent with Standard #1 of the FDA's Voluntary National Retail Food Regulatory Program Standards (January 2017) (<https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/ProgramStandards/UCM372416.pdf>),
- Provide for timely correction of Priority and Priority Foundation violations and
- Create a progressive enforcement policy especially for Repeat Violations.

In addition to thanking Fred Grosser, CUPHD attorney, and Donna Davies, Champaign County Assistant State's Attorney, for their reviews and comments, I would like to thank Warren Lavey (Adjunct Assistant Professor, in the School of Law at UIUC) for coordinating law students Jessica Diedrich (J.D. Candidate, Class of 2018) and Blair Engerman (J.D. Candidate, Class of 2020) for assisting me to create and format a draft ordinance and a draft enforcement policy

- F. Report to the Department of Public Health as possible during normal business hours, but within 7 days, any of the diseases listed in Section 690.100(c) of the *Control of Communicable Diseases Code* (77 Ill. Adm. Code 690.100(c)).

4.4 PROGRAM ADMINISTRATION

4.4.1 Administration Generally

In addition to or in conjunction with any program administration requirements contained in the regulations cited in Section 4.2, the BOARD OF HEALTH and HEALTH OFFICER shall administer the programs provided pursuant to Section 4.3 in accord with the requirements of the *Local Health Protection Grant Rules* (77 Ill. Adm. Code 615) and Chapter 8 of this Ordinance.

4.4.2 Specific Requirements

The BOARD OF HEALTH shall:

- A. Establish a goal, in conjunction with the Illinois Department of Public Health every five years, for a maximum incidence per 10,000 people for each Class I or Class II disease listed in Section 690.100 of the *Control of Communicable Diseases Code* (77 Ill. Adm. Code 690.100).
- B. Account monthly for biologics provided by the Illinois Department of Public Health;
- C. Implement procedures to assure that the amount of State-supplied vaccine unaccounted for or wasted annually is less than three percent;
- D. Ensure that qualified persons are available to conduct activities provided for in this Chapter in accord with Subparagraph 615.300(c) (15) of the *Local Health Protection Grant Rules* (77 Ill. Adm. Code 615.300(c) (15)); and
- E. Document activities conducted pursuant to this Chapter as required by Paragraph 615.300(f) of the *Local Health Protection Grant Rules* (77 Ill. Adm. Code 615.300(f)).

CHAPTER 5. Retail FOOD SANITATION

5.1 ~~ACTS PROHIBITED~~

- 5.1.1 ~~No PERSON shall store, process, prepare, sell or serve any food except in compliance with the terms of this Ordinance.~~
- 5.1.2 ~~No PERSON shall operate a FOOD SERVICE except in compliance with the terms of this Ordinance.~~
- 5.1.3 ~~No PERSON shall manufacture, sell, deliver, hold or receive any ADULTERATED or MISBRANDED food or ADULTERATE or MISBRAND any food.~~

5.2 STANDARDS AND REGULATIONS

5.2.1 State Regulations Incorporated

~~FOOD SERVICE ESTABLISHMENTS shall be constructed, operated and maintained in accord with the Illinois Food Service Sanitation Code (77 Ill. Adm. Code 750), as amended November 20, 2014 which is hereby incorporated by reference together with any regulations or standards therein incorporated subject to the provisions of Section 3.2.~~

5.2.2 Application of Pesticides

~~Any pesticides applied in any FOOD SERVICE ESTABLISHMENT shall be applied only by LICENSED PEST CONTROL PERSONNEL.~~

5.3 FACILITY AND OPERATING PLANS

5.3.1 When Required.

~~The OWNER shall submit to the HEALTH OFFICER plans and specifications prepared in accord with the provisions of Subsection 5.3.2 for review and approval before:~~

- ~~A. The construction of a FOOD SERVICE ESTABLISHMENT or a RETAIL FOOD ESTABLISHMENT;~~
- ~~B. The conversion of an existing structure for use as a FOOD SERVICE ESTABLISHMENT;~~
- ~~C. The remodeling of a FOOD SERVICE ESTABLISHMENT or a RETAIL FOOD ESTABLISHMENT or a change of type of FOOD SERVICE ESTABLISHMENT; or~~
- ~~D. The transfer of ownership of an existing permitted establishment.~~

5.3.2 Contents of the Plans and Specifications

~~The plans and specifications for a FOOD SERVICE ESTABLISHMENT shall include, based on the type of operation, type of food preparation, and foods prepared, the following information to demonstrate conformance with the provisions of this Ordinance:~~

- ~~A. Intended menu;~~
- ~~B. Proposed layout, mechanical schematics, construction materials, and finish schedules; and~~
- ~~C. Proposed equipment types, manufacturers, model numbers, locations, dimensions, performance capacities, and installation specifications.~~

5.3.3 Pre-operational Construction Inspection and Approval

~~The HEALTH OFFICER shall conduct one or more pre-operational inspections to verify that the FOOD SERVICE ESTABLISHMENT is constructed and equipped in accordance with the APPROVED plans and APPROVED modifications of those plans and is in compliance with law and this Ordinance.~~

~~5.4 OPERATING PERMITS~~

~~5.4.1 Operating Permit Required~~

~~No PERSON shall operate a FOOD SERVICE without a valid OPERATING PERMIT issued by the HEALTH OFFICER.~~

~~5.4.2 Submission of Application: Timing~~

~~The OWNER shall submit an application for an OPERATING PERMIT at least 30 calendar days before:~~

- ~~A. The date planned for opening a FOOD SERVICE ESTABLISHMENT;~~
- ~~B. The expiration date of the current OPERATING PERMIT for an existing permitted establishment;~~
- ~~C. The date of remodeling of an existing establishment;~~
- ~~D. The date of changing the type of establishment; or~~
- ~~E. The date of transfer of ownership of an existing permitted establishment.~~

~~5.4.3 Submission of Application: Form~~

~~A PERSON desiring to operate a FOOD SERVICE ESTABLISHMENT shall submit to the HEALTH OFFICER a written application for an OPERATING PERMIT on a form provided by or approved by the HEALTH OFFICER.~~

~~5.4.4 Submission of Application: Conditions~~

~~No application for an OPERATING PERMIT shall be accepted unless:~~

- ~~A. The OPERATING PERMIT application is signed by the OWNER, or officer of the legal ownership, of the FOOD SERVICE ESTABLISHMENT. Such signature shall evidence:
 - ~~1. If signed by the OWNER'S agent, a representation by the applicant that he or she is authorized to act on behalf of the OWNER and to obligate the OWNER to all responsibilities imposed by this Ordinance;~~
 - ~~2. The agreement of the OWNER to comply with the requirements of this Ordinance; and~~
 - ~~3. The agreement of the OWNER to allow access to the FOOD SERVICE ESTABLISHMENT and to provide all required information as specified under Sections 5.6 and 9.1;~~~~
- ~~B. All information required by Subsection 5.4.5 is submitted; and~~
- ~~C. The applicable OPERATING PERMIT fee is submitted.~~

~~5.4.5 Submission of Application: Contents~~

~~The application shall include:~~

- ~~A. The name, mailing address, telephone number, and signature of the person applying for the OPERATING PERMIT and the name, mailing address, and location of the FOOD SERVICE ESTABLISHMENT and indication of whether he or she is the OWNER or the OWNER's agent;~~
- ~~B. Information specifying whether the FOOD SERVICE ESTABLISHMENT is owned by an association, corporation, individual, partnership, or other legal entity;~~
- ~~C. A statement specifying whether the food establishment is mobile or stationary and temporary or permanent;~~
- ~~D. The name, title, address, and telephone number of the certified food service sanitation manager directly responsible for the FOOD SERVICE ESTABLISHMENT as provided in Section 750.540 of the Food Service Sanitation Code (77 Ill. Adm. Code 750.540);~~
- ~~E. The names, titles, and addresses and telephone numbers of:~~
- ~~1. The OWNERS or officers of the legal ownership as specified under Paragraph B, and~~
 - ~~2. The local registered agent if one is required based on the type of legal ownership;~~
- ~~F. The name, address and telephone number of the owner of the premises where the establishment is located if different from the OWNER;~~
- ~~G. A statement signed by the applicant that:~~
- ~~1. Attests to the accuracy of the information provided in the application, and~~
 - ~~2. Affirms that the OWNER will:~~
 - ~~a. Comply with this Ordinance, and~~
 - ~~b. Allow the HEALTH OFFICER access to the establishment and to records as provided in Sections 5.6 and 9.1; and~~
- ~~H. The fee specified by the BOARD OF HEALTH.~~

~~5.4.6 Classification of Food Service Establishment - Frequency of Inspection~~

- ~~A. Upon submission of a complete application, the HEALTH OFFICER shall categorize the FOOD SERVICE ESTABLISHMENT as a Class I, Class II or Class III facility pursuant to Paragraph 615.310(b) of The Illinois Local Health Protection Grant Rules (77 Ill. Adm. Code 615.310(b)). This categorization shall apply to the establishment until the OPERATING PERMIT is renewed or the HEALTH OFFICER determines that changes in the operation warrant reclassification of the establishment.~~
- ~~B. Based upon the categorization of the food establishment, the HEALTH OFFICER shall specify in the OPERATING PERMIT the minimum inspection frequency for the facility in accord with the provisions of Subparagraph 615.310(b)(4) of The Illinois Local Health Protection Grant Rules (77 Ill. Adm. Code 615.310(b)(4)).~~

~~5.4.7 Issuance of Operating Permit - New, Converted, or Remodel Establishments and Change of Ownership~~

- A. ~~The HEALTH OFFICER shall issue OPERATING PERMITS for FOOD SERVICE ESTABLISHMENTS or issue an OPERATING PERMIT to new OWNERS of existing establishments that are required to submit plans under Subsection 5.3.1 when and only when:~~
1. ~~A properly completed application is submitted;~~
 2. ~~The required fee is submitted;~~
 3. ~~The required plans, specifications, and information are reviewed and approved; and~~
 4. ~~A pre operational inspection shows that the establishment is built or remodeled in accordance with the APPROVED plans and specifications, and that the establishment is in compliance with this Ordinance.~~
- B. ~~OPERATING PERMITS shall be issued only in the name of the OWNER.~~

5.4.8 ~~Operating Permit Renewal~~

~~The HEALTH OFFICER may renew an OPERATING PERMIT for an existing FOOD SERVICE ESTABLISHMENT only after a properly completed application is submitted, reviewed, and approved, the fees are paid, and an inspection shows that the establishment is in compliance with this Ordinance.~~

5.4.9 ~~Term of Operating Permit~~

- A. ~~OPERATING PERMITS shall expire on the 30th day of November except in the case of OPERATING PERMITS for TEMPORARY FOOD SERVICE ESTABLISHMENTS, in which case the OPERATING PERMIT shall be valid only for the period specified in it.~~
- B. ~~The provisions of Paragraph A notwithstanding OPERATING PERMITS shall expire upon the occurrence of any event specified in Subsection 5.4.2.~~
- C. ~~The OWNER shall apply for renewal of the OPERATING PERMIT no less than 30 days prior to the date of expiration or cease operation of the food establishment upon expiration of the OPERATING PERMIT.~~

5.4.10 ~~Conditions of Operating Permit Retention—Notice to Owner~~

- A. ~~At the time an OPERATING PERMIT is first issued, the HEALTH OFFICER shall provide to the OWNER a copy of this Ordinance, as it is published in pamphlet form, so that the OWNER is notified of the compliance requirements, and the conditions of retention, specified under Subsection 5.4.11, that are applicable to the OPERATING PERMIT.~~
- B. ~~Issuance of the OPERATING PERMIT alone shall be deemed notice to the OWNER of the requirements for retaining the OPERATING PERMIT, the provisions of Paragraph A notwithstanding. The failure of HEALTH OFFICER to provide the information specified in Paragraph A of this section does not prevent the HEALTH OFFICER from taking authorized action or seeking remedies if the OWNER fails to comply with this Ordinance or an order, warning, or directive of the HEALTH OFFICER.~~

~~5.4.11 Conditions of Operating Permit Retention—Responsibilities of the Owner~~

~~Upon acceptance of the OPERATING PERMIT issued by the HEALTH OFFICER, the OWNER, in order to retain the OPERATING PERMIT, shall:~~

- ~~A. Post the OPERATING PERMIT in a location in the food establishment that is conspicuous to consumers;~~
- ~~B. Immediately discontinue operations and notify the HEALTH OFFICER if an IMMINENT HEALTH HAZARD may exist as specified under Subsection 5.8.1;~~
- ~~C. Allow representatives of the HEALTH OFFICER access to the food establishment as specified under Section 5.6;~~
- ~~D. Replace existing facilities and equipment with facilities and equipment that comply with this Ordinance if:
 - ~~1. The HEALTH OFFICER directs the replacement because the facilities and equipment constitute a public health hazard or nuisance or no longer comply with the criteria upon which the facilities and equipment were APPROVED;~~
 - ~~2. The HEALTH OFFICER directs the replacement of the facilities and equipment because of a change of ownership; or~~
 - ~~3. The facilities and equipment are replaced in the normal course of operation.~~~~
- ~~E. Comply with the directives of the HEALTH OFFICER including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the HEALTH OFFICER in regard to the OWNER'S food establishment or in response to community emergencies;~~
- ~~F. Accept notices issued and served by the HEALTH OFFICER according to law;~~
- ~~G. Be subject to the administrative, civil, injunctive, and criminal remedies authorized in law for failure to comply with this Ordinance or a directive of the HEALTH OFFICER, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives; and~~
- ~~H. Apply for renewal or change of the OPERATING PERMIT in timely manner as specified in Subparagraph A.2 of Subsection 5.4.2.~~

~~5.4.12 Operating Permits Not Transferable~~

~~An OPERATING PERMIT may not be transferred from one PERSON to another PERSON, from one FOOD SERVICE ESTABLISHMENT to another, or from one type of operation to another, if the food operation changes from the type of operation specified in the application under Subsection 5.4.5 and the change in operation is not APPROVED.~~

~~5.4.13 Denial of Application for an Operating Permit~~

~~If an application for an OPERATING PERMIT is denied, the HEALTH OFFICER shall provide the applicant with a notice that includes:~~

- ~~A. The specific reasons for the denial, including citations to this Ordinance and, if applicable, to specific standards incorporated herein;~~

- ~~B. The actions, if any, that the OWNER must take to qualify for an OPERATING PERMIT; and~~
- ~~C. Advisement of the OWNER's right of Appeal and the process and time frames for Appeal that are provided in Section 10.1.~~

~~5.5 INSPECTIONS AND CORRECTIONS OF VIOLATIONS~~

~~5.5.1 Minimum Inspection Interval~~

- ~~A. Except as specified in Paragraph B of this Section, the HEALTH OFFICER shall inspect a food establishment at least as often as specified by Subparagraph 615.310(b)(4) of the Illinois Local Health Protection Grant Rules (77 Ill. Adm. Code 615.310(b)(4)) based upon the minimum inspection frequency established pursuant to Paragraph B of Section 5.4.6.~~
- ~~B. The HEALTH OFFICER shall periodically inspect throughout its OPERATING PERMIT period a TEMPORARY FOOD ESTABLISHMENT that prepares, sells, or serves unpackaged potentially hazardous food.~~

~~5.6 ACCESS~~

~~5.6.1 Access Required~~

~~The PERSON IN CHARGE of any FOOD SERVICE ESTABLISHMENT shall permit the HEALTH OFFICER access to the PREMISES for purposes of conducting inspections and access to any records necessary for establishing compliance with this Ordinance as provided in Section 9.1.~~

~~5.6.2 Refusal, Notification of Right to Access, and Final Request for Access~~

~~If the PERSON IN CHARGE denies access to the HEALTH OFFICER, the HEALTH OFFICER shall:~~

- ~~A. Inform the PERSON IN CHARGE that:
 - ~~1. The OWNER is required to allow access to the HEALTH OFFICER as specified under Subsection 5.6.1 of this Ordinance;~~
 - ~~2. Access is a condition of the acceptance and retention of a food establishment OPERATING PERMIT as specified under Paragraph 5.4.11.C, and;~~
 - ~~3. If access is denied, an order issued by the Circuit Court may be obtained;~~~~
- ~~B. Make a final request for access.~~

~~5.6.3 Refusal, Reporting~~

~~The HEALTH OFFICER shall provide details of the denial of access on an inspection report form if the PERSON IN CHARGE continues to refuse access, after the HEALTH OFFICER presents credentials and provides notice as specified under Section 9.1 and takes the actions provided for in Subsection 5.6.2.~~

~~5.7 REPORT OF FINDINGS~~

~~5.7.1 Documenting Information and Observations~~

~~The HEALTH OFFICER shall document on an inspection report form:~~

- ~~A. Administrative information about the food establishment's legal identity, street and mailing addresses, type of establishment and operation as specified under Subsection 5.4.5, inspection date, and other information such as type of water supply and SEWAGE disposal, status of the OPERATING PERMIT, and personnel certificates that may be required; and~~
- ~~B. Specific factual observations of conditions that violate or deviate from any provisions of this Ordinance that require correction by the OWNER including:~~
 - ~~1. Nonconformance with critical items of this Ordinance;~~
 - ~~2. Failure of the appropriate food employees to demonstrate their knowledge of, and ability to perform in accordance with, the procedural, monitoring, verification, and corrective action practices required by the HEALTH OFFICER;~~
 - ~~3. Failure of the PERSON IN CHARGE to provide records required by the HEALTH OFFICER for determining conformance with this Ordinance.~~

~~5.7.2 Specifying Time Frame for Corrections~~

~~The HEALTH OFFICER shall specify on the inspection report form the time frame for correction of the violations as specified under Subsections 5.8.1, and Sections 5.9 and 5.10.~~

~~5.7.3 Issuing Report and Obtaining Acknowledgement of Receipt~~

~~At the conclusion of the inspection the HEALTH OFFICER shall provide a copy of the completed inspection report and the notice to correct violations to the OWNER or to the PERSON IN CHARGE, and request a signed acknowledgement of receipt.~~

~~5.7.4 Refusal to Sign Acknowledgement~~

~~The HEALTH OFFICER shall:~~

- ~~A. Inform the OWNER or PERSON IN CHARGE who declines to sign an acknowledgement of receipt of inspection findings as specified in Subsection 5.7.3 that:~~
 - ~~1. An acknowledgement of receipt is not an agreement with findings,~~
 - ~~2. Refusal to sign an acknowledgement of receipt will not affect the OWNER's obligation to correct the violations noted in the inspection report within the time frames specified, and~~
 - ~~3. A refusal to sign an acknowledgement of receipt is noted in the inspection report and conveyed to the HEALTH DEPARTMENT'S historical record for the food establishment; and~~

~~B. Make a final request that the OWNER or PERSON IN CHARGE sign an acknowledgement of receipt of inspection findings.~~

~~5.8 IMMINENT HEALTH HAZARD~~

~~5.8.1 Ceasing Operations and Reporting~~

~~The OWNER or PERSON IN CHARGE shall immediately discontinue operations and notify the HEALTH OFFICER if an IMMINENT HEALTH HAZARD may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, SEWAGE backup, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, violations of 77 Ill. Adm. Code 750, or other circumstance that may endanger public health.~~

~~5.8.2 Resumption of Operations~~

~~If operations are discontinued as specified under Subsection 5.8.1 or otherwise according to law, the OWNER shall obtain approval from the HEALTH OFFICER before resuming operations.~~

~~5.9 CORRECTION OF VIOLATIONS~~

~~5.9.1 Critical Violations~~

~~A. Except as specified in Paragraph B of this Subsection, the OWNER shall at the time of inspection correct a CRITICAL VIOLATION of this Ordinance. After observing at the time of inspection a correction of a CRITICAL VIOLATION or deviation, the HEALTH OFFICER shall enter the violation and information about the corrective action on the inspection report.~~

~~B. Considering the nature of the potential hazard involved and the complexity of the corrective action needed, the HEALTH OFFICER may agree to or specify a longer time frame to correct the CRITICAL VIOLATION, not to exceed 10 calendar days after the inspection. After receiving notification that the OWNER has corrected a CRITICAL VIOLATION, or at the end of the specified period of time, the HEALTH OFFICER shall verify correction of the violation, document the information on an inspection report, and enter the report in the HEALTH DEPARTMENTS records.~~

~~5.9.2 Non-critical Violations~~

~~The OWNER shall correct noncritical violations by a date and time agreed to or specified by the HEALTH OFFICER.~~

~~5.10 PREVENTION OF FOODBORNE DISEASE TRANSMISSION BY EMPLOYEES~~

5.10.1 ~~Obtaining Personal Information~~

- ~~A. The HEALTH OFFICER shall act when she or he has reasonable cause to believe that a food employee:~~
- ~~1. Has possibly transmitted disease;~~
 - ~~2. May be infected with a disease in a communicable form that is transmissible through food;~~
 - ~~3. May be a carrier of infectious agents that cause a disease that is transmissible through food;~~
 - ~~4. Is affected with a boil, an infected wound, or acute respiratory infection;~~
 - ~~5. Has violated any provision of 77 Ill. Adm. Code 750 of the Food Sanitation Code.~~
- ~~B. Such action may include:~~
- ~~1. Securing a confidential medical history of the employee suspected of transmitting disease or making other investigations as deemed appropriate; and~~
 - ~~2. Reporting appropriate medical examinations, including collection of specimens for laboratory analysis, of a suspected employee and other employees.~~

5.10.2 ~~Restriction or Exclusion of Food Employee~~

~~Based on the findings of an investigation related to an employee who is suspected of being infected or diseased, the HEALTH OFFICER may issue an order to the suspected employee or OWNER instituting one or more of the following control measures:~~

- ~~A. Restricting the employee's services to specific areas and tasks in a food establishment that present no risk of transmitting the disease;~~
- ~~B. Excluding the employee from a food establishment; or~~
- ~~C. Closing the food establishment by summarily suspending an OPERATING PERMIT in accordance with law.~~

5.10.3 ~~Restriction or Exclusion Order~~

~~Based on the findings of the investigation as specified in Subsection 5.10.1 and to control disease transmission, the HEALTH OFFICER may issue an order of restriction or exclusion to a suspected employee or the OWNER without prior warning, notice of a hearing, or a hearing if the order:~~

- ~~A. States the reasons for the restriction or exclusion that is ordered;~~
- ~~B. States the evidence that the employee or OWNER shall provide in order to demonstrate that the reasons for the restriction or exclusion are eliminated;~~
- ~~C. States that the suspected employee or the OWNER may request an Appeal hearing by submitting a timely request as provided in Section 10.1; and~~
- ~~D. Provides the name and address of the HEALTH DEPARTMENT representative to whom a request for an Appeal hearing may be made.~~

5.10.4 ~~Release of Employee from Restriction or Exclusion~~

~~The HEALTH OFFICER shall release an employee from restriction or exclusion according to law upon determining that the employee no longer presents a risk of transmitting a foodborne disease and shall document the basis of making such a determination.~~

~~5.11 EMBARGO AND DETENTION OF ADULTERATED OR MISBRANDED FOOD~~

~~5.11.1 Examination of Food Items~~

~~Any item of food, food container, LABEL, or food contact equipment may be examined or sample by the HEALTH OFFICER at reasonable times as often as may be necessary to determine that the food is not ADULTERATED or MISBRANDED or that the equipment does not create a health hazard.~~

~~5.11.2 Hold Order~~

~~The HEALTH OFFICER may, upon written notice to the OWNER or PERSON IN CHARGE, place a hold order on any food item or food contact equipment which he or she has probable cause to believe to be unwholesome, ADULTERATED, MISBRANDED, or to otherwise create a health hazard or violate a provision of this Ordinance.~~

~~5.11.3 Hold Order Tagging and Marking~~

~~If the HEALTH OFFICER shall issue a hold order, he or she shall affix to the subject food article or food contact equipment a tag or other appropriate marking giving notice that the food article or food contact equipment is or is suspected of being ADULTERATED or MISBRANDED or otherwise in violation of this Ordinance and has been detained or embargoed. The tag or marking shall also warn all PERSONS not to use, remove or dispose of such food article or food contact equipment by sale until permission for removal or disposal is given by the HEALTH OFFICER or by court having jurisdiction.~~

~~5.11.4 Effect of Hold Order~~

~~Any food item or food contact equipment subject to a hold order shall be suitably stored. It shall be unlawful for any PERSON to remove, or alter a tag or marking placed on any food or food contact equipment, as provided in Subsection 5.11.3. Neither such food nor the container thereof shall be relabeled, repacked, reprocessed, altered, disposed of, or destroyed without the permission of the HEALTH OFFICER, except on order of a court of competent jurisdiction.~~

~~5.11.5 Condemnation of Embargoed or Detained Food or Equipment~~

~~Upon embargo or detention of any food or equipment, the HEALTH OFFICER shall determine whether the food is in fact ADULTERATED or MISBRANDED, and shall:~~

- ~~A. Upon determining that such food is ADULTERATED or MISBRANDED petition the Circuit Court for a libel for condemnation and take such other action as is provided in Section 6 of the Illinois Food, Drug and Cosmetic Act (410 ILCS 620/6); or~~
- ~~B. Upon determining that such food is not ADULTERATED or MISBRANDED shall vacate the hold order and remove the tag or marking attached under Subsection 5.11.3.~~

CHAPTER 6. PRIVATE SEWAGE DISPOSAL SYSTEMS

6.1 ACTS PROHIBITED

6.1.1 No PERSON shall discharge DOMESTIC SEWAGE or WASTEWATER to the environment except by means of a PUBLIC SEWER SYSTEM or by a PRIVATE SEWAGE DISPOSAL SYSTEM permitted, constructed, operated and maintained in accordance with the requirements of this Ordinance.

6.1.2 No PERSON shall construct, install, repair or modify a PRIVATE SEWAGE DISPOSAL SYSTEM except in compliance with the terms of this Ordinance.

6.1.3 No PERSON shall offer for sale, deliver or install a PRIVATE SEWAGE DISPOSAL SYSTEM that does not conform to all applicable requirements of this Ordinance.

6.1.4 No PERSON shall operate, maintain or fail to maintain a permitted PRIVATE SEWAGE DISPOSAL SYSTEM in a manner that contravenes any provision of this Ordinance.

6.1.5 No PERSON shall service or clean a PRIVATE SEWAGE DISPOSAL SYSTEM or collect, transport or dispose of SEPTAGE except in compliance with the terms of this Ordinance.

6.1.6 No PERSON shall construct, occupy, use or make available to another for occupancy or use by any means, a premises for the purpose of human occupancy served by a PRIVATE SEWAGE DISPOSAL SYSTEM, except in compliance with the terms of this Ordinance.

6.2 STANDARDS AND REGULATIONS

6.2.1 Illinois *Private Sewage Disposal Code* Incorporated

The discharge of DOMESTIC SEWAGE and WASTEWATER, the sale, construction, installation, repair, maintenance, modification, cleaning and servicing of PRIVATE

Ordinance No. ____-__-__

Champaign County Public Health Department Retail Food Program Ordinance

Whereas the Board of Health of the Champaign County Public Health Department deems it desirable and necessary to conduct a comprehensive retail food protection program to protect the citizens within its jurisdiction from contracting foodborne diseases and to prevent disease transmission,

Now, therefore, be it ordained by the Champaign County Board as follows:

SECTION 1: GENERAL PROVISIONS

1-01: Short Title

This Ordinance shall be known as the "Retail Food Ordinance."

1-1: Purpose

The purpose of this Ordinance is to prevent foodborne illness, to promote safe food handling and hygienic practices, and to protect consumers.

1-2: Scope

This Ordinance provides requirements for the issuance, suspension, and revocation of PERMITS, inspections, review of plans, prohibiting the sale of unsound or mislabeled food, employee restrictions, and enforcement of this Ordinance by the Champaign County Public Health Department. Definitions and standards for management, personnel, food operations, equipment, and facilities are also included in this Ordinance.

1-3: Application

This Ordinance applies to retail FOOD ESTABLISHMENTS that are required to have PERMITS and that are issued by the HEALTH AUTHORITY.

1-4: Adoption by Reference

In addition to the provisions set forth herein, this Ordinance hereby adopts by reference and incorporates the current provisions and subsequent revisions of the "Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750.

In addition, FOOD ESTABLISHMENTS are also subject to all other applicable ordinances of the HEALTH AUTHORITY.

1-5: Definitions

In addition to the definitions contained in the laws, rules, and regulations referenced in 1-4, the following definitions shall apply in the interpretation and enforcement of this Ordinance:

APPLICANT: Any PERSON making application to the HEALTH AUTHORITY for a PERMIT.

APPROVED: Accepted by the HEALTH AUTHORITY based on its determination as to conformance with principles, practices, and generally recognized standards that protect public health.

AUTHORIZED REPRESENTATIVE: Those PERSONS designated by the HEALTH AUTHORITY to enforce the provisions of this Ordinance.

BOARD: The Board of Health of the HEALTH DEPARTMENT.

BUSINESS DAYS: Monday through Friday from 8:00 a.m. to 4:00 p.m., excluding HEALTH DEPARTMENT observed holidays.

CATEGORY: A classification based on the Illinois Department of Public Health's local health protection grant standards for conducting a food protection program. Each FOOD ESTABLISHMENT will be assessed to determine the relative risks of causing foodborne illness. The minimum number of routine inspections per year is determined by the FOOD ESTABLISHMENT's risk classification.

CEASE AND DESIST ORDER: A written order issued by the HEALTH AUTHORITY which directs the responsible PERSON to immediately stop doing or allowing a specific action to occur. A CEASE AND DESIST ORDER may or may not include a direction to completely cease operations at a FOOD ESTABLISHMENT. A CEASE AND DESIST ORDER may include a timeframe to achieve compliance as long as there is not an IMMEDIATE HEALTH HAZARD.

CHANGE OF OWNERSHIP: A change in the permit holder. This means that the entity that is legally responsible for the operation of the FOOD ESTABLISHMENT, such as the owner or other PERSON, has changed.

CONTINENTAL BREAKFAST: A meal limited to only coffee, tea, and/or commercially prepared juice and commercially prepared sweet baked goods.

COTTAGE FOOD OPERATION: A business operated by an individual who produces or packages non-time/temperature control for safety food in a kitchen located in the person's primary domestic residence or another approximately equipped residential or commercial-style kitchen on that property.

EMPLOYEE: Includes the permit holder, PERSON IN CHARGE, a food employee, a PERSON having supervisory or management duties, a PERSON on the payroll, a family member, a volunteer, a PERSON performing work under contractual agreement, or other PERSON working in a FOOD ESTABLISHMENT.

ENFORCEMENT POLICY: A separate document that will serve as a guide for enforcing violations set out in this Ordinance.

FOOD CODE: "Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750.

FOOD ESTABLISHMENT: An operation that stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food pantry and relinquishes possession of food to a consumer, directly or indirectly, through a delivery service such as home delivery of grocery orders, restaurant takeout orders, or a delivery service that is provided by common carriers.

FOOD ESTABLISHMENT includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the **HEALTH AUTHORITY**. It also includes an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.

FOOD ESTABLISHMENT does not include an establishment that offers only prepackaged foods that are not time/temperature control for safety; a produce stand that only offers whole, uncut fresh fruits and vegetables; a food processing plant including those that are located on the **PREMISES** of a **FOOD ESTABLISHMENT**; a kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act (50 ILCS 820) that prepares and offers food to guests; a private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or a **COTTAGE FOOD OPERATION**.

FOOD PREPARATION: The handling, processing, and/or serving of foods.

HAZARD ANALYSIS and CRITICAL CONTROL POINT (HACCP): A systematic approach to identifying, evaluating, and controlling food safety hazards. Food safety hazards are biological, chemical, or physical agents that are reasonably likely to cause illness or injury in the absence of their control.

HEALTH AUTHORITY: The **PUBLIC HEALTH ADMINISTRATOR** of the **HEALTH DEPARTMENT** or his/her **AUTHORIZED REPRESENTATIVE**.

HEALTH DEPARTMENT: The Champaign County Public Health Department.

HOLD ORDER: An order issued by the **HEALTH AUTHORITY** that acts as a temporary isolation or quarantine of food or equipment that the **HEALTH AUTHORITY** believes or has reason to believe is in violation of this Ordinance.

IMMINENT HEALTH HAZARD: Significant threat or danger to health that exists when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury, based on:

- a) The number of potential injuries.
- b) The nature, severity, and duration of the anticipated injury.

MENU LIMITATION: A modification or constraint imposed by the HEALTH AUTHORITY on a FOOD ESTABLISHMENT's FOOD PREPARATION based on the type of operation, menu items, or available equipment.

MOBILE FOOD ESTABLISHMENT: A FOOD ESTABLISHMENT that is operated from a movable, motor-driven, or propelled vehicle, a portable structure, or watercraft that can change location.

OUTDOOR COOKING OPERATION: A cooking operation that is operated in conjunction with a FOOD ESTABLISHMENT with a PERMIT, but is not located within the fully enclosed permanent structure of the FOOD ESTABLISHMENT or within a MOBILE FOOD ESTABLISHMENT.

OPERATOR: A PERSON who has been approved by the permit holder to perform and/or oversee the day-to-day food operation of the FOOD ESTABLISHMENT.

PERMIT: The document issued by the HEALTH AUTHORITY that authorizes a PERSON to operate a FOOD ESTABLISHMENT.

PERSON: An association, corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.

PERSON IN CHARGE: The individual present at a FOOD ESTABLISHMENT who is responsible for the operation at the time of inspection.

PLAN REVIEW: An evaluation process conducted by the HEALTH AUTHORITY to determine whether minimum standards are met for the sanitary design, facility layout, operational and product flow, menu processes and food handling procedures, construction, operation and maintenance of a FOOD ESTABLISHMENT and its PREMISES.

PREMISES: The physical structure, its contents, and the contiguous land or property under the control of the permit holder.

PRIORITY FOUNDATION ITEM: Includes those items that require the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HAZARD ANALYSIS CRITICAL CONTROL POINT plans, documentation or record keeping, and labeling.

PRIORITY FOUNDATION ITEM VIOLATION: A violation of a provision in this Ordinance whose application supports, facilitates, or enables one or more PRIORITY FOUNDATION ITEMS.

PRIORITY ITEM: Includes those items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, and/or handwashing.

PRIORITY ITEM VIOLATION: A violation of a provision in this Ordinance whose application contributes directly to the elimination, prevention, or reduction to an acceptable level, of hazards associated with foodborne illness or injury and for which there is no other provision that more directly controls the hazard.

PUBLIC EVENT: Any event open to the public where food is prepared or served. An event open to the public that is advertised with fliers, banners, newspaper articles, radio or television announcements, Internet postings, social media, or by other means is a PUBLIC EVENT and subject to regulation under this Ordinance. Any event that is not a PUBLIC EVENT shall be treated as private. Any determination of whether an event shall be regulated as a PUBLIC EVENT is at the sole discretion of the HEALTH AUTHORITY.

REMODEL: The repair, construction, alteration or installation of new equipment, modification of existing equipment or fixtures, changes in floor plan layout, the addition of more seating and/or toilet rooms, extensive changes in surface finishes or lighting, expansion to new space, or significant changes to use of space or equipment.

Generally, a REMODEL does not include redecorating; cosmetic refurbishing; cleaning surfaces; altering seating design; minimal repairs of finish surfaces; "like-for-like" equipment exchanges; equipment or infrastructure minimal repair, service or maintenance; additions of equipment that require no installation or modification of existing fixtures (such as countertop "plug-in" equipment); or a "like-for-like" menu item exchange or addition utilizing the same existing equipment and same food handling processes.

A REMODEL requires a PLAN REVIEW when one or more of the following criteria, at the sole discretion of the HEALTH AUTHORITY, are met:

- a. Requires a permit from the building authority having jurisdiction.
- b. Menu item exchange or additions with the need for different process, preparation method, equipment or service.
- c. Extensive equipment changes.
- d. Extensive utility changes or repairs.
- e. Extensive repairs after an incident, e.g. fire or flood.
- f. Conversion of a building/space/operation from a non-FOOD ESTABLISHMENT to a FOOD ESTABLISHMENT.
- g. Equipment changes that alter capacity or location that may result in a reduction of the FOOD ESTABLISHMENT's capabilities.

REPEAT VIOLATION: A violation noted on the previous inspection report that is observed again on the next routine inspection on the same piece of equipment, same area of the facility, or same practice.

SPECIAL EVENT: A unique PUBLIC EVENT at a particular location, such as a celebration, festival, or fundraiser.

TEMPORARY FOOD ESTABLISHMENT: A FOOD ESTABLISHMENT that operates at a fixed location for a period of time that is not more than fourteen (14) consecutive days in conjunction with a SPECIAL EVENT.

VALID PERMIT: A PERMIT that is not suspended, revoked, or expired.

VARIANCE: A written document issued by the HEALTH AUTHORITY that authorizes a modification or waiver of one or more requirements of this Ordinance. Any such modification or wavier is at the sole discretion of the HEALTH AUTHORITY.

WHOLESOME: In sound condition, clean, free from adulteration or contamination, and otherwise suitable for human consumption.

SECTION 2: ADMINISTRATION

2-1: General Permit Requirements

It shall be unlawful for any PERSON to operate a FOOD ESTABLISHMENT within the jurisdiction of the HEALTH DEPARTMENT who does not possess a Valid Permit issued to that PERSON. Only a PERSON who complies with the requirements of this Ordinance shall be entitled to receive and retain such a PERMIT.

PERMITS shall not be transferable from one PERSON to another PERSON. PERMITS shall not be applicable to any location, building, place, or menu other than that for which the PERMIT was issued.

Changes may occur after a FOOD ESTABLISHMENT is permitted. The changes that invalidate a PERMIT include a CHANGE OF OWNERSHIP of the permit holder, a change in the physical location of the establishment, a change in the type of operation, a change in menu that requires the addition of equipment and/or structural modifications of the FOOD ESTABLISHMENT, a change of menu that requires a FOOD PREPARATION process that did not occur when the PERMIT was issued, or a change in menu where raw animal food is to be served raw or undercooked.

The HEALTH AUTHORITY shall solely determine if a change invalidates a VALID PERMIT.

2-2: Permit Terms

- A. **All Permits:** All PERMITS shall be valid from December 1 through November 30 each year unless otherwise noted in this Ordinance.
- B. **Permits for Temporary Food Establishments:** PERMITS issued to TEMPORARY FOOD ESTABLISHMENTS shall be valid for the dates stated on the PERMIT and shall expire not more than fourteen (14) consecutive days after the start date.

2-3: Permit Categories

The HEALTH AUTHORITY shall assess the risks of a foodborne illness for every FOOD ESTABLISHMENT operating within the jurisdiction of the HEALTH DEPARTMENT. The HEALTH AUTHORITY shall use this assessment in classifying a FOOD ESTABLISHMENT for purposes of a CATEGORY.

The HEALTH AUTHORITY shall apply the criteria in the Food Code to determine the CATEGORY for a FOOD ESTABLISHMENT. If a health hazard will not result from reclassification or if reclassification will provide better protection for the public, the HEALTH AUTHORITY may reclassify a FOOD ESTABLISHMENT based upon inspection history, the number, frequency and severity of violations, and corrective action. The basis for this decision shall be documented, and a copy will be retained in the FOOD ESTABLISHMENT's file.

2-4: Permit Posting

Every FOOD ESTABLISHMENT shall prominently and conspicuously post a VALID PERMIT for public view.

2-5: Issuance

Any PERSON desiring to operate a FOOD ESTABLISHMENT or to renew an expired PERMIT within the jurisdiction shall make written application for a PERMIT on forms provided by the HEALTH DEPARTMENT, accompanied by a PERMIT fee, if required, in the amount provided in the HEALTH DEPARTMENT fee schedule.

- A. **When Plans are Required:** A PERMIT APPLICANT or permit holder shall submit to the HEALTH AUTHORITY properly prepared plans and specifications for review and approval before any of the following occur:
 - 1. The construction of a FOOD ESTABLISHMENT.
 - 2. The conversion of an existing structure for use as a FOOD ESTABLISHMENT.
 - 3. The REMODELING of a FOOD ESTABLISHMENT.
 - 4. A change of type of FOOD ESTABLISHMENT or food operation if the HEALTH AUTHORITY determines that plans and specifications are necessary to ensure compliance with this Ordinance.

- B. **Application for Permit:** After APPROVAL of the plans proposed for a PERMIT by a FOOD ESTABLISHMENT, the HEALTH AUTHORITY shall conduct an inspection of the PREMISES. If the HEALTH AUTHORITY finds the FOOD ESTABLISHMENT in compliance with the provisions of this Ordinance and upon receipt of a completed application for a PERMIT, the HEALTH AUTHORITY shall issue a PERMIT authorizing the FOOD ESTABLISHMENT to operate.

- C. **Annual Renewal of Permits:** For continued operation of the FOOD ESTABLISHMENT, annual renewal of the PERMIT is required. Any permit holder desiring to renew a PERMIT shall apply on renewal forms provided by the HEALTH DEPARTMENT and pay all money due, i.e. fees and taxes, to the HEALTH DEPARTMENT including, but not limited to, PERMIT renewal fee, late fees, reinstatement fees, re-inspection fees, insufficient funds charges, and all fines assessed for any purpose. If a permit holder is delinquent on any money due the HEALTH DEPARTMENT, the annual renewal PERMIT shall be denied and shall not be issued until such time as the permit holder pays in full.

- D. **Denial of Application for Permit:** If an application for a PERMIT to operate is denied, the HEALTH AUTHORITY shall provide the APPLICANT with a notice that includes:
 - 1. The specific reasons and code citations for the PERMIT denial.
 - 2. The actions, if any, that the APPLICANT must take to qualify for a PERMIT.
 - 3. The advisement of any appeal process.

- E. **Change of Ownership:** If a PERSON is purchasing an existing FOOD ESTABLISHMENT, a CHANGE OF OWNERSHIP plan review is required prior to issuing a new PERMIT. For any determination of what constitutes a change in permit holder, consult the HEALTH AUTHORITY. To assist in the transition of business, the HEALTH AUTHORITY will allow an open and operating FOOD ESTABLISHMENT to change ownership without interruption of business provided that the following are satisfied:

1. A PLAN REVIEW application for the new PERMIT is submitted within thirty (30) BUSINESS DAYS of the execution of the change of owner documents, such as a deed, close of escrow, dealers' report of sale, lease agreement, or other legal document.
2. The FOOD ESTABLISHMENT stays within the same CATEGORY as the previous PERMIT.
3. The FOOD ESTABLISHMENT has not been physically altered, equipment has not been removed or added, and the FOOD ESTABLISHMENT has not been closed for extensive REMODELING for other reasons.
4. The FOOD ESTABLISHMENT has not changed the menu in a manner that requires new FOOD PREPARATION processes, procedures, and/or equipment.
5. The time to correct all violations cited in a CHANGE OF OWNERSHIP inspection does not exceed ninety (90) BUSINESS DAYS from delivery of an inspection by the HEALTH AUTHORITY. Time extensions are not to exceed another ninety (90) BUSINESS DAYS and may be granted in writing as determined by the HEALTH AUTHORITY.

If the provisions above are not met, then the FOOD ESTABLISHMENT shall close, and the new owner will be required to apply for a new PERMIT, including completing the PLAN REVIEW process.

2-6: Permit Fees

PERMIT fees are pursuant to all other applicable ordinances of the HEALTH AUTHORITY.

2-7: Food Sources Outside of the Department's Jurisdiction

Food from FOOD ESTABLISHMENTS outside the jurisdiction of the HEALTH DEPARTMENT may be allowed if such FOOD ESTABLISHMENTS conform to the provisions of this Ordinance or equivalent provisions and can provide proof of a VALID PERMIT from the applicable public health authority.

2-8: Plan Reviews

No FOOD ESTABLISHMENT shall be constructed, REMODELED, or converted except in accordance with plans and specifications approved by the HEALTH AUTHORITY.

A. Plan Review: The HEALTH AUTHORITY shall conduct a PLAN REVIEW whenever a FOOD ESTABLISHMENT:

1. Is newly constructed or REMODELED.
2. Is in a facility converted for use as a FOOD ESTABLISHMENT.
3. Undergoes a CHANGE OF OWNERSHIP.

B. Waiver: The HEALTH AUTHORITY, at its sole discretion, may waive a PLAN REVIEW based on information provided in the PLAN REVIEW application for a new PERMIT.

C. Submission of Documents: Before such work begins or change occurs, a FOOD ESTABLISHMENT shall submit the following to the HEALTH AUTHORITY for review and approval:

1. PLAN REVIEW application form as provided by the HEALTH AUTHORITY.
2. Properly prepared plans to scale and specifications, including those illustrating layout, arrangement, location, size and type of fixed equipment, finish schedule of surface materials, and custom shop drawings.
3. Proposed menu.
4. Food safety assessment worksheet.
5. Proposed auxiliary food operations, such as OUTDOOR COOKING OPERATIONS, catering, special processes, or extended food operations held on the PREMISES.
6. Any other information that the HEALTH DEPARTMENT deems necessary to evaluate the proposal.
7. PLAN REVIEW fee.

2-9: Pre-Operational Inspections

Prior to the issuance or reinstatement of a PERMIT to operate, every FOOD ESTABLISHMENT shall be inspected by or obtain approval from the HEALTH AUTHORITY before beginning or resuming operations in order to determine compliance with APPROVED plans, specifications, corrective actions, and the requirements of this Ordinance.

2-10: Permit Suspension

At any time that the HEALTH AUTHORITY determines that a permit holder or OPERATOR is not in compliance with the provisions of this Ordinance or the ENFORCEMENT POLICY, the HEALTH AUTHORITY shall issue a notice to the permit holder or OPERATOR. The notice shall state the nature of the violation and a reasonable timeframe in which corrective action must be taken.

Whenever a permit holder or operator has failed to comply with any notice issued under the provisions of this Ordinance or the ENFORCEMENT POLICY, the HEALTH AUTHORITY may serve the permit holder or operator with a notice stating that the PERMIT is suspended and operations are to cease immediately or as ordered by the HEALTH AUTHORITY.

Notwithstanding the other provisions of the Ordinance, whenever the HEALTH AUTHORITY finds unsanitary or other conditions in the operation of a FOOD ESTABLISHMENT or TEMPORARY FOOD ESTABLISHMENT which, in the HEALTH AUTHORITY's judgment, constitutes substantial hazard to the public health, it may, without warning, notice, or hearing issue a written notice to the permit holder or operator citing such condition, specifying the corrective action to be taken; and state that the PERMIT is immediately suspended.

Any PERSON to whom such an order is issued shall comply immediately therewith, but upon written petition to the HEALTH AUTHORITY, shall be afforded a hearing as soon as possible. The hearing process is described in the Champaign County Public Health Department Retail Food Program Enforcement Policy.

2-11: Permit Revocation

For REPEATED VIOLATIONS of any provisions of the ENFORCEMENT POLICY, or for interference with the HEALTH AUTHORITY in the performance of its duties, the HEALTH AUTHORITY may revoke a PERMIT permanently. This process is described in Section 4 of the ENFORCEMENT POLICY. The permit holder shall be given notice of the revocation and the opportunity to request a hearing before the HEALTH AUTHORITY. Prior to such action, the HEALTH AUTHORITY shall notify the permit holder that the PERMIT is subject to revocation and that the PERMIT shall be permanently revoked at the end of ten (10) BUSINESS DAYS following service of such notice unless the permit holder files a request for a hearing with the HEALTH AUTHORITY within that period. The hearing process is described in the Champaign County Public Health Department Retail Food Program Enforcement Policy.

SECTION 3: INSPECTIONS

3-1: Frequency

At minimum, the HEALTH AUTHORITY shall inspect each FOOD ESTABLISHMENT within the HEALTH DEPARTMENT as determined in 77 Ill Adm. Code Section 650.310. TEMPORARY FOOD ESTABLISHMENTS may or may not be inspected as determined by the HEALTH AUTHORITY.

All CATEGORIES and types of FOOD ESTABLISHMENTS shall be inspected as many times as the HEALTH AUTHORITY deems necessary to enforce the provisions of this Ordinance.

3-2: Right of Entry

The HEALTH AUTHORITY shall have the right to enter any FOOD ESTABLISHMENT or any TEMPORARY FOOD ESTABLISHMENT at any reasonable time for the purpose of conducting inspections to determine compliance with this Ordinance. The HEALTH AUTHORITY representative(s) shall properly identify themselves prior to entering the property and initiating an inspection.

3-3: Refusal of Entry

If a PERSON denies access to the HEALTH AUTHORITY, the HEALTH AUTHORITY shall inform the PERSON that:

- A. The permit holder is required to allow access to the HEALTH AUTHORITY.
- B. Access is a condition of acceptance and retention of a PERMIT to operate.
- C. If access is denied, the HEALTH AUTHORITY will take such legal action as required.

If a PERSON IN CHARGE denies the HEALTH AUTHORITY access to a permitted FOOD ESTABLISHMENT pursuant to 3-2 of this Ordinance, the HEALTH AUTHORITY may gain access in any manner provided by law. In addition, the HEALTH AUTHORITY may issue a CEASE AND DESIST ORDER or seek a temporary restraining order or other relief to cease the FOOD ESTABLISHMENT's operations until the inspection is conducted.

3-4: Examination of Records

The HEALTH AUTHORITY may examine the records of a FOOD ESTABLISHMENT to obtain pertinent information including, but not limited to, food and supplies purchased, food and food supplies received, and persons employed in such establishments.

3-5: Inspection Report

Whenever an inspection of a FOOD ESTABLISHMENT is conducted to determine compliance with this Ordinance, the findings shall be recorded on the inspection report form provided by the HEALTH AUTHORITY.

The inspection report form shall constitute a legal notice of violations relating to this Ordinance.

One (1) copy of the inspection report form shall be furnished to the operator or PERSON IN CHARGE of the FOOD ESTABLISHMENT and a copy of the inspection report will be available in the FOOD ESTABLISHMENT's file.

The inspection report is a public document.

3-6: Refusal to Sign Report

If a PERSON IN CHARGE refuses to sign an acknowledgement of receipt of an inspection report, the HEALTH AUTHORITY shall inform the person who declines to sign the acknowledgment that:

- a) Acknowledgement of receipt does not indicate agreement with the inspection findings.
- b) Refusal to sign an acknowledgement of receipt will not affect the permit holder's obligation to correct the violation(s) noted in the inspection report within the timeframes specified.
- c) A refusal to sign an acknowledgement of receipt is noted in the inspection report.

Electronic reports do not require a signature.

3-7: Correction of Violations

- A. **Inspection Report:** The completed inspection report form shall specify the time period for correction of the violations in accordance with the ENFORCEMENT POLICY.
- B. **Imminent Health Hazard:** If an IMMEDIATE HEALTH HAZARD exists, the FOOD ESTABLISHMENT shall immediately cease FOOD PREPARATION operations until such hazard is corrected and the HEALTH AUTHORITY grants authorization to resume

operations.

- C. **Failure to Comply:** Failure to comply with any notice regarding violations which pose **IMMINENT HEALTH HAZARDS** or **REPEAT VIOLATIONS** issued in accordance with the provisions of this Ordinance and/or the **ENFORCEMENT POLICY** may result in the immediate suspension of the **PERMIT**.
- D. **Ceasing Operations:** A **FOOD ESTABLISHMENT** may be required under the provisions of this Ordinance to cease all or a portion of their operations. A **FOOD ESTABLISHMENT** shall not resume operations until such time the **HEALTH AUTHORITY** grants authorization to resume operations.
- E. **Follow-up Inspection:** When necessary a follow-up inspection of a **FOOD ESTABLISHMENT** is needed to ensure **APPROVED** corrective action has occurred to resolve a violation on a previous inspection including, but not limited to, an equipment performance check, a physical change in equipment or structure, or a change in **FOOD PREPARATION**. Receipts indicating work completed, pictures or videos showing correction may be used as documentation of correction.

3-8: Examination and Condemnation of Food and Equipment

- A. **Sampling:** Food may be examined or sampled by the **HEALTH AUTHORITY** as often as it deems necessary for enforcement of this Ordinance.
- B. **Hold Order Justifying Conditions and Removal of Food:** The **HEALTH AUTHORITY** may place a **HOLD ORDER** on a food which it determines or has probable cause to believe to:
 - 1. Originate from an **unAPPROVED** source.
 - 2. Be not **WHOLESOME**, adulterated, misbranded, or not honestly presented.
 - 3. Be not labeled according to law, or, if raw molluscan shellfish, is not tagged or labeled according to law.
 - 4. Be otherwise not in compliance with this Ordinance.
- C. **Hold Order for Food:**
 - 1. Food subject to the **HOLD ORDER** shall be identified by the common name, the label information, a container description, the quantity, the **HEALTH AUTHORITY**'s tag or identification information, and a location.
 - 2. Food shall be allowed to be suitably stored. If storage is not possible without risk to the public health, then the **HEALTH AUTHORITY** shall require the denaturing or destruction of the food.
 - 3. It shall be unlawful for any **PERSON** to remove or alter a **HOLD ORDER**, notice or tag placed on the food or food container by the **HEALTH AUTHORITY**.
 - 4. It shall be unlawful for any **PERSON** to sell, give or donate, use (relabel, repack, reprocess, alter), denature, dispose, destroy, or remove food from the **FOOD ESTABLISHMENT** without the written release of the **HEALTH AUTHORITY**, except on order by a court of competent jurisdiction.

D. Removing Hold Order for Food:

1. The owner or PERSON IN CHARGE disposes or destroys the food in the presence of the HEALTH AUTHORITY accompanied with written documentation using a form provided by the HEALTH AUTHORITY.
2. The owner or PERSON IN CHARGE has the right to a hearing regarding the HOLD ORDER and may request a hearing with the HEALTH AUTHORITY if a written request is submitted with seven (7) calendar days of the HOLD ORDER being issued. The hearing process is described in the Champaign County Public Health Department Retail Food Program Enforcement Policy.
3. After the owner or PERSON IN CHARGE has had a hearing and on the basis of evidence produced at such hearing, the HEALTH AUTHORITY may vacate the HOLD ORDER if the evidence is APPROVED by the HEALTH AUTHORITY.
4. In the event that a written request for a hearing is not received within seven (7) calendar days of the HOLD ORDER being issued, the HEALTH AUTHORITY may direct the owner or PERSON IN CHARGE to bring the food in compliance with the provisions of this Ordinance or order the food to be denatured or destroyed.
5. If the HEALTH AUTHORITY issues an order to denature or destroy such food shall be stayed if the HOLD ORDER is appealed to a court of competent jurisdiction within three (3) business days.

E. Hold Order for Equipment: The HEALTH AUTHORITY may place a HOLD ORDER on equipment which it determines or has probable cause to believe to be:

1. Constructed from unsafe materials.
2. Found in a state of disrepair so that it is not easily cleanable, unsuitable for use, or in an unsanitary condition.
3. Found unable to perform as intended.

The HEALTH AUTHORITY shall tag, label, or otherwise identify any equipment subject to the HOLD ORDER. The owner or PERSON IN CHARGE shall take the equipment out of use until written permission is obtained from the HEALTH AUTHORITY. It shall be unlawful for any PERSON to move or alter a HOLD ORDER notice or tag placed on equipment by the HEALTH AUTHORITY.

F. Removing Hold Order for Equipment: The owner or PERSON IN CHARGE has the same rights and responsibilities for equipment as for food as in 3-8 (F).

3-9: Imminent Health Hazard

A permit holder shall immediately discontinue operations and must notify the HEALTH AUTHORITY if an IMMINENT HEALTH HAZARD may exist because of an emergency including, but not limited to, fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross unsanitary occurrence or condition, disease transmission from an employee, or other circumstances that may endanger public health.

3-10: When Disease Transmission is Suspected

When the HEALTH AUTHORITY has reasonable cause to suspect possibility of disease transmission from any FOOD ESTABLISHMENT EMPLOYEE, it shall secure a morbidity history of the suspected EMPLOYEE or make any other inspection or investigation as may be indicated, and take appropriate action. The HEALTH AUTHORITY may require any or all of the following measures:

- A. Immediate exclusion of the EMPLOYEE from any FOOD PREPARATION.
- B. Immediate closure of the FOOD ESTABLISHMENT concerned until in the opinion of the HEALTH AUTHORITY, no further danger of disease outbreak exists.
- C. Restriction of EMPLOYEE's services to some area of the FOOD ESTABLISHMENT where there will be no danger of transmitting disease.
- D. Adequate medical and laboratory examinations of the EMPLOYEE or other EMPLOYEES and of his/her or their body discharges.

3-11: Re-inspections

Any permit holder whose PERMIT has been suspended may make a written request to the HEALTH AUTHORITY to re-inspect the PREMISES for the purpose of re-instating the PERMIT. Such a request shall include a statement signed by the APPLICANT indicating that, to the best of the APPLICANT's knowledge, violations have been corrected. The HEALTH AUTHORITY shall conduct a re-inspection within a reasonable time period. A re-inspection fee pursuant to the applicable Environmental Health fee schedule as adopted by the Champaign County Board shall be assessed.

3-12: Ceasing and Resumption of Operations

Whenever a FOOD ESTABLISHMENT is required under the provisions of this Ordinance to cease operations, it shall cease and not resume operations until such time the HEALTH AUTHORITY grants authorization to resume operations. The HEALTH AUTHORITY shall offer the opportunity for follow-up inspection within a reasonable time period, upon receipt of a written request for follow-up inspection from the FOOD ESTABLISHMENT.

3-13: Variances

- A. **Modification and Waivers:** The HEALTH AUTHORITY may grant a VARIANCE by modifying or waiving the requirements of this Ordinance or FOOD CODE, if in the opinion of the HEALTH AUTHORITY, a public health hazard or nuisance will not result from the issuance of the VARIANCE. If a VARIANCE is granted, the HEALTH AUTHORITY shall retain all pertinent information in the FOOD ESTABLISHMENT's file.
- B. **Documentation of Proposed Variance and Justification:** Before a VARIANCE from a requirement of this Ordinance or Food Code is APPROVED, the PERSON requesting the

VARIANCE shall supply information and apply on forms provided by the HEALTH AUTHORITY. The HEALTH AUTHORITY shall retain forms in FOOD ESTABLISHMENT's file.

C. Conformance with Approved Procedures: If the HEALTH AUTHORITY grants a VARIANCE or a HAZARD ANALYSIS CRITICAL CONTROL POINT plan, the permit holder shall comply with the plan and procedures that are submitted and APPROVED as a basis for the modification or waiver and also maintain and provide to the HEALTH AUTHORITY, upon request, records that demonstrate conformance.

D. Variances are not transferable between owners.

3-14: When a Hazard Analysis Critical Control Point Plan is Required

As required in the FOOD CODE or before engaging in FOOD PREPARATION that requires a HAZARD ANALYSIS CRITICAL CONTROL POINT plan, an APPLICANT or permit holder shall submit to the HEALTH AUTHORITY for APPROVAL a properly prepared HAZARD ANALYSIS CRITICAL CONTROL POINT plan.

3-15: Menu Limitation

The HEALTH AUTHORITY may determine that MENU LIMITATION at a FOOD ESTABLISHMENT is necessary for food safety. The FOOD ESTABLISHMENT will comply with any notice of MENU LIMITATION issued by the HEALTH AUTHORITY.

3-16: Additional Requirements

If necessary to protect against public health hazards or nuisances, the HEALTH AUTHORITY may impose specific requirements in addition to the requirements contained in this Ordinance. The HEALTH AUTHORITY shall document the conditions that necessitate the imposition of additional requirements and the underlying public health rationale. The documentation shall be provided to the APPLICANT or permit holder, and shall be maintained by the HEALTH DEPARTMENT in the FOOD ESTABLISHMENT's file.

SECTION 4: TEMPORARY FOOD ESTABLISHMENTS

4-1: Temporary Food Establishment General

The requirements outlined in this section apply only to TEMPORARY FOOD ESTABLISHMENTS and are in addition to the requirements stated in other sections of this Ordinance.

4-2: Temporary Food Establishment Permit

- A. Submission of Application:** A Temporary Food Permit Application and the appropriate fee, if required, should be submitted at least fourteen (14) business days prior to the start date of the event at which food will be provided. Late fees apply if application is made less than seventy-two (72) hours prior to the day of the event.
- B. Term:** See 2-2 (B).
- C. Frequency:** PERMITS for TEMPORARY FOOD ESTABLISHMENTs may be issued for up to three (3) SPECIAL EVENTS. If a TEMPORARY FOOD ESTABLISHMENT needs to operate for more than three (3) SPECIAL EVENTS within any calendar year, then it would need the same type of PERMIT as other FOOD ESTABLISHMENTS (stationary or MOBILE FOOD ESTABLISHMENT).
- D. Education:** At least one PERSON IN CHARGE of the TEMPORARY FOOD ESTABLISHMENT shall show documentation of completion of food safety training. This requirement could be achieved by a Certified Food Protection Manager certificate, a Food Handler Training document, or by completing and passing the test for the HEALTH DEPARTMENT's Temporary Food Vendor Training. The Temporary Food Vendor Training is valid for three (3) years.
- E. Issuance:** Food operators seeking PERMITS for a TEMPORARY FOOD ESTABLISHMENT shall meet all applicable provisions of this Ordinance and the FOOD CODE. All PRIORITY ITEM and PRIORITY FOUNDATION ITEM VIOLATIONS shall be corrected prior to issuance of the temporary food PERMIT.

4-3: Temporary Food Establishment Fees

Unless exempt from fees as provided in the Health Ordinance of Champaign County No. 969, Section 12.4, each food OPERATOR shall pay a PERMIT fee for each FOOD ESTABLISHMENT pursuant to Ordinance No. 975, an Ordinance Establishing Fees under the Health Ordinance of Champaign County for the Environmental Health Division of the HEALTH DEPARTMENT.

4-4: Temporary Food Establishment Inspections and Corrections

- A. Frequency:** The HEALTH AUTHORITY may provide consultation and/or on-site inspection for each TEMPORARY FOOD ESTABLISHMENT a minimum of one (1) time for each PERMIT issued and shall make as many follow-up inspections as are necessary for the enforcement of this Ordinance.
- B. Correction of Violations:** All PRIORITY ITEM and PRIORITY FOUNDATION ITEM VIOLATIONS shall be corrected prior to issuance of the temporary food PERMIT. The TEMPORARY FOOD ESTABLISHMENT shall immediately cease FOOD PREPARATION if any PRIORITY ITEM or PRIORITY FOUNDATION ITEM VIOLATION(s) are not satisfactorily corrected at the sole discretion of the HEALTH

AUTHORITY and pose an IMMEDIATE HEALTH HAZARD after temporary food PERMIT issuance.

SECTION 5: INSPECTION NOTICE PLACARDS

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SECTION 6: ENFORCEMENT

- A. Enforcement provisions are stated in Champaign County Public Health Department Retail Food Program Enforcement Policy as resolved by the BOARD.
- B. **Conditions Warranting Remedy:** The HEALTH AUTHORITY may seek administrative or judicial remedy to achieve compliance with the provisions of this Ordinance if a PERSON operating a FOOD ESTABLISHMENT or EMPLOYEE:
1. Fails to obtain or have a VALID PERMIT to operate a FOOD ESTABLISHMENT.
 2. Violates any term or condition of a PERMIT.
 3. Allows a PRIORITY ITEM VIOLATION or a PRIORITY FOUNDATION ITEM VIOLATION or a REPEAT VIOLATION to remain uncorrected beyond the timeframes for correction that was APPROVED, directed, or ordered by the HEALTH AUTHORITY.
 4. Fails to comply with a HEALTH AUTHORITY order concerning an EMPLOYEE suspected of having a disease transmissible through food by infected PERSONS.
 5. Fails to comply with a HOLD ORDER.
 6. Fails to comply with an order issued as a result of a hearing for an administrative remedy.
 7. Fails to comply with a summary suspension order issued by the HEALTH AUTHORITY.
- C. **Institution of Proceedings:** Proceedings to enforce this Ordinance may be instituted by the HEALTH AUTHORITY according to law by issuing a citation or summons, by filing a misdemeanor complaint affidavit and request for a warrant of arrest with the court of competent jurisdiction, or by referring the complaint to a grand jury for indictment, as appropriate. The HEALTH AUTHORITY may designate a representative to issue summons or citations or sign warrants on behalf of the HEALTH AUTHORITY.

SECTION 7: AUTHORITY

This Ordinance shall be published in pamphlet form not later than December 3, 2018.

This Ordinance shall be in full force and effective on and after January 1, 2019. At that time, all ordinances and parts of ordinances in conflict with this Ordinance are repealed.

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance will not be affected. Those sections will remain valid.

Approved this _____ day of _____, 2018, the by the Board of Health of the Champaign County Public Health Department.

Approved and adopted this _____ day of _____, 2018, by the Champaign County Board.

C. Pius Weibel
County Baord Chair

Date

ATTEST: _____
GORDY HULTEN
County Clerk and Ex-Officio Clerk of the County Board
Date: _____

CHAMPAIGN COUNTY PUBLIC HEALTH DEPARTMENT

By: _____
KRISTA JONES, D.N.P.
President, Board of Health
Date: _____

ATTEST: _____
John A. Peterson, M.D.
Secretary

ENFORCEMENT PROVISIONS

~~PERMIT FEES~~ The annual fee for a Health Department permit to operate a food service establishment in the jurisdiction of the Champaign County Public Health Department is as follows:

~~CATEGORY 1 (PRIORITY) \$400~~

~~CATEGORY 2 (PRIORITY) \$300~~

~~CATEGORY 3 (PRIORITY) \$150~~

~~TEMPORARY EVENTS ONE (1) DAY \$50~~

~~TEMPORARY EVENTS TWO (2) TO FOURTEEN CONSECUTIVE (14) DAYS \$75~~

~~SEASONAL UP TO SIX (6) MONTHS \$125~~

~~PERMIT REINSTATEMENT FEE \$50~~

~~LATE FEE \$25~~

~~REINSPECTION FEE \$25 PER HOUR (minimum charge one (1) hour:~~

~~Subsequent time in increments of one quarter (1/4) hour.~~

~~Charges will be calculated from the beginning of actual~~

~~inspection, to the completion of the computerized report.~~

~~Reinspections shall be conducted when a food service establishment's adjusted score is thirty five percent (35%) or when Critical, Major, or Repeat Violations have not been remedied.~~

~~Reinspections will NOT include the following:~~

- ~~1) Routine operational inspections,~~
- ~~2) inspections requested by the facility management,~~
- ~~3) educational visits,~~
- ~~4) operational equipment checks (e.g., temperatures, food storage temperatures)~~
- ~~5) equipment consultations (e.g., placement, type, approval)~~
- ~~6) construction surveys,~~
- ~~7) disaster inspections (e.g., fire, flood, power outage),~~
- ~~8) foodborne illness investigations, or~~
- ~~9) complaint based investigations.~~

~~INSPECTION OF FOOD SERVICE ESTABLISHMENTS OR RETAIL FOOD STORES~~
Category 1 (Priority) food service establishment(s) or retail food store(s) located in Champaign County shall be inspected at least three times per year. One of the inspections of a Category 1 (Priority) food service may be substituted by an approved educational contact. Category 2 (Priority) food service establishments, or retail food stores located in Champaign County shall be inspected at least one time per year. Category 3 (Priority) food service establishments, or retail food stores located in Champaign County shall be inspected at least once every two years. Food service establishments or retail food stores located in Champaign County may request a non-recorded inspection. This inspection would not be the basis for any proceedings. Category (Priority) ratings for all food service facilities will be re-evaluated each year. Each facility will be informed of any changes in its rating.

~~(1) All violations of 1 or 2 point weighted items shall be corrected as soon as possible, but in any event, by the time of the next routine inspection.~~

~~(2)* CRITICAL VIOLATIONS #S 1,3,4,7,11,12,20,27, and 28 shall be corrected prior to the end of the inspection. The violation will be noted on the inspection report as "corrected during inspection" or "edi." Critical violations are to be given a further debit weight of five percent (5%). Debits will be maintained. *See #5, ADJUSTED SCORES.~~

~~(3)* MAJOR VIOLATIONS #'s 30,31,35, 41 and 45 may be corrected prior to the end of the inspection, and if corrected will be noted on the inspection report as "corrected during inspection" or "edi." Major violations are to be given a further debit weight of five percent (5%). Debits will be maintained. If the violation cannot be remedied in this manner, a "Major Violation Correction Form" (MVCF) will be left with the manager/operator at the time of the inspection. A written method of correction for each of the "Major Violations" shall be made on this form by the manager/operator and returned to the Health Authority within ten (10) days. *SEE #5, ADJUSTED SCORES.~~

~~The MVCF shall be reviewed and initialed by the inspector that conducted the inspection. A log to record and follow the MVCF will be maintained. The log will contain a) the permit number of the food service or the retail food store, b) the date the MVCF was left, c) the name of the facility, and d) the date the MVCF was returned. If the MVCF is found to be satisfactorily completed, it will be filed in the facility folder. If the MVCF is not complete or is improper, the facility will be contacted within twenty four (24) hours to ensure compliance.~~

~~If the MVCF is not returned to the Health Authority in the ten (10) working days allocated, a letter, with another MVCF, will be sent to the facility. The letter will allow forty eight (48) hours to return the second MVCF. Failure to return the MVCF the second time will result in an informal hearing regarding the suspension of the facility's permit to operate.~~

~~(4)* REPEAT VIOLATIONS Repeat violations are to be given a further debit weight of two percent (2%). If documentation indicates that the item has not been corrected properly~~

~~— in a period of two (2) years, the violations will be reclassified as a MAJOR VIOLATION.
— SEE #5, ADJUSTED SCORES.~~

~~(5) ADJUSTED SCORES — All facility ratings shall be determined by using the Score minus the debits created by CRITICAL, MAJOR, and REPEAT violations. This score will be referred to as the ADJUSTED SCORE. The adjusted score shall be determined by using the following method:~~

~~a) Multiply the total number of CRITICAL and MAJOR Violations times five (5); (SEE #2 & #3)~~

~~b) Multiply the total number of REPEAT Violations times two (2), (SEE #4)~~

~~c) subtract a+b from the Score (e.g.: Score (a+b)=ADJUSTED SCORE)~~

~~(6) In the case of temporary food service establishments or temporary retail food stores, violations must be corrected within a specified period of time not to exceed twenty four (24) hours. Failure to comply with such notice shall result in immediate suspension of the permit.~~

~~(7) Failure to comply with any notice regarding any violation or repeat violations issued in accordance with the provisions of this ordinance may result in the immediate suspension of the permit.~~

~~(8) 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 authority within the period of time established in the notice for correction.~~

~~(9) VOLUNTARY CLOSURE — A facility having an adjusted score of zero to 35 percent (0% - 35%) shall be counseled by the inspecting officer to voluntarily cease food service operations until such a time that the facility is in general compliance with the applicable Rules and Regulations.~~

~~(10) IMMEDIATE CLOSURE — Facilities that have an adjusted score of less than zero percent (0%) shall be classified as an imminent danger to the public's health and their permit to operate shall be suspended immediately. A hearing shall be scheduled as per Champaign County Health Ordinances.~~

~~FOOD SERVICE ESTABLISHMENTS OR RETAIL FOOD STORES OUTSIDE JURISDICTION OF THE HEALTH AUTHORITY — Food from food service establishments or retail food stores outside the jurisdiction of the health authority may be sold within Champaign County if such food service establishments or retail food stores conform to the provisions of this ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the health authority may accept reports from responsible authorities in other jurisdictions where such food service establishments or retail food stores are located.~~

~~(1) PLAN REVIEW FEES — Plan review fees will be charged as follows:~~

~~(a) NEW CONSTRUCTION OR CONVERSION OF EXISTING STRUCTURES:~~

- ~~100 TO 1,000 SQUARE FEET — \$200~~
- ~~OVER 1,000 TO 10,000 SQUARE FEET — \$300~~
- ~~OVER 10,000 TO 50,000 SQUARE FEET — \$400~~
- ~~OVER 50,000 SQUARE FEET AND UP — \$500~~

~~(b) EXTENSIVE REMODEL OR CHANGE OF OWNER:~~

~~75% OR GREATER OF (a)~~

- ~~100 TO 1,000 SQUARE FEET — \$150~~
- ~~OVER 1,000 TO 10,000 SQUARE FEET — \$225~~
- ~~OVER 10,000 TO 50,000 SQUARE FEET — \$300~~
- ~~OVER 50,000 SQUARE FEET AND UP — \$375~~

~~(c) MINOR REMODEL:~~

~~LESS THAN 75% OF (a)~~

- ~~100 TO 1,000 SQUARE FEET — \$100~~
- ~~OVER 1,000 TO 10,000 SQUARE FEET — \$150~~
- ~~OVER 10,000 TO 50,000 SQUARE FEET — \$200~~
- ~~OVER 50,000 SQUARE FEET AND UP — \$250~~

~~* FROM PAGE 2 — MAJOR AND CRITICAL VIOLATIONS ARE ITEMS THAT REQUIRE IMMEDIATE ATTENTION DUE TO THEIR POTENTIAL FOR CREATING FOOD RELATED ILLNESS OR HAZARD.~~

~~ENFORCEMENT PROVISIONS APPROVED, OCTOBER 1998 BOARD OF HEALTH MEETING.~~

Resolution No. ____ - ____ - ____

Champaign County Public Health Department Retail Food Program Enforcement Policy

Whereas the Champaign County Board has adopted an Ordinance known as the Retail Food Ordinance, and

Whereas the Board of Health of the Champaign County Public Health Department deems it desirable and necessary to provide a retail food safety program policy to promote fair and objective guidance for administrative enforcement and judicial procedures,

Now, therefore, be it resolved by the Board of Health of the Champaign County Public Health Department as follows:

SECTION 1: GENERAL PROVISIONS

1-01: Short Title

This Enforcement Policy shall be known as the "Retail Food Program Enforcement Policy."

1-1: Application

This policy applies to all retail Food Establishments permitted by the Champaign County Public Health Department (Health Department).

Words and phrases included in this policy are defined in Section II, in the Food Code ("Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750), and in the Health Department's Retail Food Program Ordinance (Retail Food Ordinance).

This policy is intended to provide a progressive enforcement process.

1-2: Inspections

Inspections determine the Food Establishment's compliance with the Food Code and Retail Food Ordinance. Inspections are generally unannounced to obtain a more accurate assessment of normal operating practices and conditions. Exceptions can be made for preoperational and opening inspections where an appointment is needed to ensure that all parties are available for discussion or where work is intermittent and access to a new establishment is limited; or during follow-up inspections which may require the presence of specific personnel or management from the establishment.

- Preoperational inspections are conducted during construction to ensure that the food establishment is built or remodeled in accordance with the approved plans and specifications. A preoperational inspection for a Change of Ownership is to verify that the new operation is in compliance with the Food Code and Retail Food Ordinance prior to issuing a new Permit to a new owner. In either situation, the final preoperational inspection, known as the opening inspection, is for final approval and for permit issuance.

- Routine inspections are conducted on a frequency based on risk classification Category. These compliance inspections are full reviews of the Food Establishment operations and facilities and their impact on food safety. They include assessment of food Employee and management health, practices, and knowledge of food safety; food flows, source, storage, thawing, preparation (including cooking temperatures and times) and post-preparation processes; equipment and Premises construction; cleaning and sanitizing processes; water sources; sewage disposal; and vermin control. A detailed report is prepared at the conclusion of each inspection and presented to the Person in Charge. Items found not to be in compliance are categorized as Priority Item, Priority Foundation Item, or Core Item violations. Items found to be repeated from the previous inspection are also noted and are known as Repeat Violations. The Food Code section in violation is included in the report citation section. The time period for the correction of violations shall be in accordance with Section 3: Timely Correction of Violations.
- Follow-up inspections at a Food Establishment, if needed, are conducted by the Health Authority to verify that Priority Item, Priority Foundation Item, or Core Item Violations have been satisfactorily corrected as determined by the Health Authority within Timely Correction days after the routine inspection that detected them. Follow-up inspections should be briefer than the routine inspection, since they concentrate on the previously cited, specified violations. Corrections and continued violations should be documented on a copy of the initial Food Establishment Inspection Report. Continued violations should be used to initiate further compliance and enforcement actions.
- Hazard Analysis Critical Control Point inspections are conducted in Food Establishments operating under a Variance requiring a Hazard Analysis Critical Control Point plan. These inspections are different from routine inspections as these inspections seek to verify specific plan elements which must be routinely monitored and recorded by the Food Establishment. When reviewing Hazard Analysis Critical Control Point plan records, notation in the records of process deviations that occurred and corrective actions taken by management in response to those deviations should not be cited as violations.
- Complaint inspections may be conducted as part of consumer complaints and generally are not full reviews, but concentrate on the specific issue mentioned. Consumer complaints received about a Food Establishment shall be classified as an illness investigation or as a non-illness investigation.
 - Illness investigations are led by the Health Department's Epidemiologist and/or Communicable Disease Investigator using the procedures and time schedules in the Illinois Department of Public Health's Illinois Reportable Disease guideline.
 - Non-illness investigations are led by the Health Department's Environmental Health Division. A formal complaint is where a complainant supplies his/her name, address and contact information along with the complaint specifics. Formal complaints determined by the Health Department as an Imminent Health Hazard are investigated as soon as possible and routinely less than 24 hours after receipt. Other formal complaints generally are investigated within ten (10) Health Department Business Days. An anonymous complaint may be investigated during the next routine inspection, if not sooner.

- **Re-inspections** are full review inspections conducted after a Permit was suspended. If satisfactory compliance is found and upon payment of any fees, the permit shall be re-instated.

SECTION 2: DEFINITIONS

In addition to the words and phrases referred to in 1-1, the following definitions shall apply in interpretation and enforcement:

CORRECTIVE ACTION PLAN: Identifies what a Food Establishment or permit holder will do to correct a remaining violation from an inspection, what will be done to prevent reoccurrence of the violation, and when the corrective action is to be completed.

CORE ITEM VIOLATION: Violations that are not designated as a Priority Item or a Priority Foundation Item. It includes those items usually related to general sanitation, operational controls, sanitation standard operating procedures, facilities or structures, equipment design, or general maintenance.

FOOD ESTABLISHMENT INSPECTION REPORT: The form found in Appendix A of the Food Code used by the Health Department in substantially the same format.

FOOD SAFETY MANAGEMENT SYSTEM: A system developed and implemented by Food Establishment Operators to ensure that food handling practices known to contribute to foodborne illness are under control. The system is comprised of knowledgeable food Employees, written operating procedures, and regular self-assessments to ensure that procedures are being followed.

OFFICE CONSULTATION: An informal, scheduled meeting between the Permit holder or designated representative, and the Health Authority at a location determined by the Health Authority.

PART 750 VIOLATIONS: Violations of Part 750 of the Illinois Food Code (Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750). These rules are specific to and are applicable in Illinois.

RISK CONTROL PLAN (RCP): A written management plan developed by the Food Establishment operator with input from the Health Authority that describes a management system for controlling specific out-of-control foodborne illness risk factors.

SECTION 3: TIMELY CORRECTION OF VIOLATIONS

3-1: Imminent Health Hazard

A permit holder or a Person in Charge shall immediately cease and discontinue food operations if an Imminent Health Hazard exists during an inspection or during an emergency. An Imminent Health Hazard includes, but is not limited to:

- Fire
- Flood
- Extended interruption of electrical or water service
- Sewage backup
- Misuse of poisonous or toxic materials
- Onset of an apparent foodborne illness outbreak
- Gross unsanitary occurrence or condition or
- Other circumstances that may endanger public health

A permit holder or a Person in Charge shall immediately notify the Health Authority if there is an Imminent Health Hazard. In the Health Authority's judgment, it may modify a Permit to cease a portion of the food operations depending upon the location and type of Imminent Health Hazard or it may suspend a Permit to cease all food operations.

Food operations due to an Imminent Health Hazard may not resume until authorization has been granted by the Health Authority.

3-2: Priority Item Violations

When a Priority Item Violation is observed during a routine inspection, the violation shall be documented on the FOOD ESTABLISHMENT INSPECTION REPORT. A compliance correction acceptable to the Health Authority shall be obtained. Acceptable compliance corrections include the following options:

- A. **Violation Corrected On-site (COS):** This occurs when immediate on-site corrective action is conducted by the Person in Charge and is verified and documented by the Health Authority during the inspection, with a brief explanation of the corrective action taken.
- B. **Violation Correction Form (VCF):** A VCF is issued only for a Priority Item Violation that cannot be corrected on-site and is not an Imminent Health Hazard. The VCF will be left with the Person in Charge with instructions to have the violation corrected properly and to return the VCF to the Health Authority within ten (10) business days.

The VCF must be adequately filled out, including documentation of the corrective action, such as a picture of the correction or any receipts that indicate that corrective action was taken.

After the VCF is received by the Health Authority, a Priority Item Violation may require a follow-up inspection within ten (10) additional business days.

- C. **Corrective Action Plan:** If a Priority Item Violation is not an Imminent Health Hazard and cannot be corrected on-site or does not qualify for a VCF, then the Health Authority may require a **CORRECTIVE ACTION PLAN** acceptable to the Health Authority.

If the Food Establishment's Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with Permit suspension. The hearing process is described in Section 6.

3-3: Priority Foundation Item Violations

When a Priority Foundation Item Violation is observed, the violation will be documented on the **FOOD ESTABLISHMENT INSPECTION REPORT**. An acceptable compliance correction must be obtained. Acceptable compliance corrections include the following options:

- A. Violation corrected on-site (COS): as stated in 3-2.
- B. Violation Correction Form (VCF): as stated in 3-2.
- C. Corrective action with an alternative timeframe: as designated in the Priority Foundation Item Correction Table, Appendix Pf.
- D. Health Authority approval: as stated in 3-2 (C).

If the Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with an informal office consultation

3-4: Core Item Violations

When a **CORE ITEM VIOLATION** is observed, the violation will be documented on the **FOOD ESTABLISHMENT INSPECTION REPORT**. The permit holder shall correct the **CORE ITEM VIOLATION** by no later than the next routine inspection date. Reassessment will occur during the next routine inspection unless there is an alternative written compliance schedule.

If an alternative timeframe is requested by the permit holder or by the Health Authority, a written compliance schedule shall be submitted by the permit holder. The alternative time schedule shall be approved by the Health Authority. The compliance schedule shall contain the specific violation(s), the methods of correction(s), and the date(s) for correction. Verification of correction may be provided by documentation or by a follow-up inspection by the Health Authority.

3-5: Part 750 Violations

When a **PART 750 VIOLATION** is observed, the violation will be documented on the **FOOD ESTABLISHMENT INSPECTION REPORT**. An acceptable compliance correction must be

obtained. Acceptable compliance corrections are included in Appendix 750.

If the Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with an informal office consultation.

3-6: Deviations from Hazard Analysis Critical Control Point Plan Elements

The timely correction of a Hazard Analysis Critical Control Point plan element that is not in compliance with the plan is categorized as a Priority Foundation Item Violation.

If a Hazard Analysis Critical Control Point plan element is found to deviate from the plan, the deviation will be documented on the Hazard Analysis Critical Control Point inspection report. An acceptable compliance correction must be obtained. Depending upon the Hazard Analysis Critical Control Point plan, the acceptable corrective action and the time schedule for timely correction shall follow the procedures for correcting Priority Item or Priority Foundation Item Violations as listed in 3-2 and 3-3.

If the Food Establishment's Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with an informal office consultation.

3-7: Complaints

Consumer complaints are complaints made by members of the public. Corrective actions for consumer complaints that are Priority Item or Priority Foundation Item Violations are required to be satisfactorily corrected as in 3-2 or 3-3. Corrective actions for consumer complaints that are Core Item Violations are required to be satisfactorily corrected as in 3-4.

3-8: Failure to Return a Violation Correction Form

When a VCF is left with the Person in Charge the instruction and goal is to have the violation properly corrected and adequately documented on the VCF, with the VCF returned to the Health Authority within ten (10) business days.

If the VCF is not returned or if the Health Authority determines that the violation was not properly corrected or that the correction was not adequately documented, then the Health Authority will follow-up to gain compliance within an additional ten (10) business days.

If still not returned, properly corrected, or adequately documented, then the Person In Charge, Food Establishment operator or owner shall attend an OFFICE CONFERENCE with the Health Authority. Failure to appear or failure to properly correct the violation with adequate documentation within any timeframe extended during the informal office conference may result in further administrative actions including permit suspension or revocation.

SECTION 4: REPEAT VIOLATIONS

4-1: Timeframe for Routine Inspections and Repeat Violations

Category I Food Establishments have routine inspections two to three (2-3) times per calendar year with approximately ninety (90) calendar days between routine inspections. Category II Food Establishments have at a minimum one (1) routine inspection per calendar year, while Category III Food Establishments have at a minimum one (1) routine inspection every two (2) calendar years.

In order to have a similar timeframe for documenting Repeat Violations independent of the Food Establishment's designated Category and the corresponding frequency and timing of routine inspections, the first Repeat Violation, for Categories II and III, will trigger a follow-up inspection to determine if the Repeat Violation continues to be a Repeat Violation or if it has been corrected. The timeframe for this follow-up inspection will be approximately the timeframe between routine inspections for Category I Food Establishments. Upon the observation of a Repeat Violation, all Food Establishments will be subject to the progressive enforcement in this Section until complete compliance with the Ordinance is obtained.

4-2: Timeframe for Correction

On-site corrections (COS) address a short-term correction and may not negate the need for implementation of long-term correction actions when the violation is not an isolated occurrence, i.e. a Repeat Violation.

When a violation is observed during an inspection and it is a Repeat Violation from the last routine inspection, it will be documented and tracked by using and including the notation of "R1" for being a Repeat Violation the first time, "R2" for being repeated again, and so on.

4-3: Repeat Priority Item or Priority Foundation Item Violations

- A. **First-Time (R1) Repeat Violations:** When any Priority Item or Priority Foundation Item Violation is observed that is an R1 Repeat Violation, the violation shall be documented on the FOOD ESTABLISHMENT INSPECTION REPORT and subsequent enforcement action will focus on establishing long-term compliance and a behavior change by the Food Establishment.

In consultation with the Health Authority, the Food Establishment must conduct a process to find corrective actions designed to prevent the recurrence of the violation by addressing the root cause(s) of the R1 Repeat Violation. This process may require the Food Establishment to schedule a discussion between the Health Authority and the Food Establishment's management (owner and/or operator), as well as the Person(s) in Charge, if needed, to complete the following requirements:

1. Determine the root cause(s) of the specific violation.
2. Identify and implement targeted preventative corrective actions or control

- measures.
3. Assess the effectiveness of these actions.
 4. Redo the process if the corrective actions or control measures did not effectively eliminate the root cause(s) of the specific violation.

Examples of corrective actions include:

1. Changing equipment and layout, e.g., adding rapid cooling equipment or adding an additional hand sink.
2. Establishing written buyer specifications, e.g., purchasing from Approved alternative sources.
3. Developing and implementing recipe and/or process instructions, e.g. establishing demonstrated rapid cooling methods or including end temperatures for the cooking step.
4. Developing and implementing Standard Operating Procedures (SOPs) or requiring food temperature monitoring and recording.
5. Employee training or re-training on the procedures and/or manager training or re-training on taking, verifying, and recording corrective actions.

- B. Second-Time (R2) Repeat Violations:** When a Priority Item or Priority Foundation Item Violation is observed that is an R2 Repeat Violation, an OFFICE CONSULTATION will be conducted by the Health Authority with the permit holder and Person(s) in Charge.

The purpose of the OFFICE CONSULTATION is to clarify expectations for food protection and sanitation, as well as the consequences of failure to correct any Repeat Violations and to maintain standards. This consultation also offers an opportunity for the permit holder to demonstrate corrective actions for addressing Repeat Violations. Pursuant to the OFFICE CONSULTATION, the Health Authority may require the permit holder to do any of the following:

1. Develop and submit a compliance plan, e.g. a written CORRECTIVE ACTION PLAN, with an agreement from the Health Authority.
2. Develop and implement a RISK CONTROL PLAN (RCP) with a follow-up inspection for correction verification.
3. Issue an order to change or cease menu items or recipe processes with repeated uncontrolled Priority Item or Priority Foundation Item Violations.

- C. Third-Time (R3) Repeat Violations:** When a Priority Item or Priority Foundation Item Violation is observed that is an R3 Repeat Violation, an administrative enforcement action will be conducted. These actions may include:

1. Written notice of the Food Establishment's violations and subsequent failure to comply with the necessary corrective actions. The written notice will include a final compliance correction date and, if needed, a compliance hearing date.
2. Conducting a compliance hearing to determine if a Permit should be limited in menu with an order to cease preparation of a menu item; to cease a Food

Preparation process; to cease using an equipment item; or to suspend Food Preparation in a particular department or area.

3. Conducting a compliance hearing to determine if a Permit should be suspended or revoked.

D. Fourth-Time (R4) Repeat Violations: When a Priority Item or Priority Foundation Item Violation is observed that is an R4 Repeat Violation, the Health Authority will pursue administrative and/or judicial remedies against the Food Establishment and/or permit holder. These remedies may include:

1. Suspension of the Food Establishment's Permit with or without civil fines.
2. Revocation of the Food Establishment's Permit with or without civil fines.
3. An administrative hearing concerning administrative remedies to achieve compliance.
4. Petition for a Temporary Restraining Order and other relief in a court of competent jurisdiction.
5. Petitions for temporary and/or permanent injunctive relief in a court of competent jurisdiction to achieve compliance with the provisions of this Policy and/or the Health Department Ordinance.
6. Criminal proceeding as described below in Section 6-7.

4-4: Repeat Core Item Violations

When a repeat Core Item Violation is observed, the violation shall be documented on the FOOD ESTABLISHMENT INSPECTION REPORT and subsequent enforcement action will focus on establishing long-term compliance and a behavior change by the Food Establishment.

- A. First-Time (R1) Repeat Violations:** If the Repeat Violation is an R1 Core Item Violation, the Health Authority will discuss the violation and options for corrective action with the permit holder.
- B. Second-Time (R2) Repeat Violations:** If the Repeat violation is an R2 Core Item violation, the Health Authority will discuss the violation with the permit holder using a consultative assistance process to find options for corrective actions.
- C. Third-Time (R3) Repeat Violations:** If the Repeat violation is an R3 Core Item violation, the Health Authority will determine whether extended and continued non-compliance may result in any of the following:
 1. The progression of the violation into a Priority Item or Priority Foundation Item Violation.
 2. The progression of gross unsanitary conditions that render operations, practices, or conditions injurious to human health or otherwise create a nuisance.

If the Health Authority determines that progression into one of these two conditions is:

a) Unlikely to occur and has not already occurred, the Core Item violation will be documented and tracked as a Repeat Violation, e.g. R4, R5, etc., and reevaluated as in 4-4 (B) during the next routine inspection. Eventually, corrective action(s) to remove the violation(s) shall be completed to the sole satisfaction of the Health Authority when:

1. The Food Establishment is inactive for more than thirty (30) calendar days and under the same ownership.
2. There is a permit holder change of ownership.
3. The Food Establishment's internal premises are remodeled.

b) Likely to occur or has already occurred, the violation(s) shall be corrected according to a compliance correction action schedule submitted by the permit holder and approved by the Health Authority. If the permit holder does not correct repeat Core Item Violations in the manner of, and by a date and time agreed to in the approved CORRECTIVE ACTION PLAN, the Health Authority will proceed with administrative enforcement actions and/or judicial remedies as described above in 4-3(C) and 4-3 (D).

4-5: Repeat Part 750 Violations

Repeat Violations of PART 750 VIOLATIONS shall follow the same procedures as in this Section depending upon the designation of a 750 violation as a Priority Item, Priority Foundation Item, or Core Item Violation as designated in appendix 750.

SECTION 5: INADEQUATE FOOD SAFETY MANAGEMENT SYSTEM

In addition to Section 3 and Section 4, when violations are documented in six (6) or more categories of foodborne illness risk factors and public health interventions as shaded on the FOOD ESTABLISHMENT INSPECTION REPORT during a routine inspection, it is substandard compliance and it is indicative of gaps in trainings, procedures, and/or verifications. The FOOD SAFETY MANAGEMENT SYSTEM needs improvement to protect the public from foodborne illness and shall require compliance corrections acceptable to the Health Authority.

The Health Authority shall review and approve any correction documentation. Follow-up inspection(s) shall be conducted to assess the effectiveness of the FOOD SAFETY MANAGEMENT SYSTEM. Acceptable effectiveness is demonstrated by having no violations in these categories.

If consecutive routine inspections continue to document violations in any six (6) or more categories of foodborne illness risk factors and public health interventions or if follow-up inspection in this Section continues to document violations in same six (6) or more categories, then the Health Authority shall proceed to Section 6.

SECTION 6: PENALTIES FOR NON-COMPLIANCE

6-1: Permit Suspension

- A. **Notice of Suspension:** Whenever a permit holder or Operator has failed to comply with any notice issued under the provisions of the Enforcement Policy, the Health Authority may serve the permit holder or Operator with a notice stating that their Permit is suspended and Operations are to cease immediately or as ordered by the Health Authority.

The summary suspension notice shall state the following:

1. That the Permit is immediately suspended and that all food Operations shall immediately cease.
 2. The nature of the violation supporting summary suspension, with reference to the specific Enforcement Policy or Ordinance provisions that are in violation.
 3. A reasonable time in which corrective action must be taken by the permit holder or Operator.
 4. Contact information for the Health Authority to whom a written request for re-inspection may be made and who may certify that reasons for the suspension are eliminated.
 5. That the permit holder may request an appeal hearing by submitting a timely request as in 6-4.
- B. **Imminent Health Hazard:** In the event that a violation constitutes an Imminent Health Hazard, the aforesaid notice may also require the immediate suspension of the entire Operation of the Food Establishment or portions thereof. Any Person to whom such notice is issued shall comply immediately therewith. The permit holder shall obtain Approval from the Health Authority prior to resuming Operations. Approval may be granted by written, electronic, or telephone notification.
- C. **Repeat Suspensions:** Two (2) suspensions during a period of twelve (12) consecutive months shall constitute grounds for permanent revocation of a Permit.
- D. **Cause:** A Permit may be suspended for cause pending its revocation or a hearing relative thereto.

6-2: Reinstatement of Suspended Permits

Any Person whose Permit has been suspended may, at any time, submit a written application for re-inspection in accordance with the procedure in 6-1 (A).

6-3: Permit Revocation

For Repeat Violations of any provisions of the Enforcement Policy or for interference with the Health Authority in the performance of its duties, the Health Authority may hold a hearing to permanently revoke a Permit. The permit holder shall be given notice of the revocation and of

the opportunity to request a hearing before the Health Authority. Prior to such action, the Health Authority shall notify the permit holder that the Permit is subject to revocation, and the Permit shall be permanently revoked at the end of ten (10) business days following service of such notice, unless the permit holder files a request for a hearing with the Health Authority within that period.

Upon revocation the Person and other related Persons or organizations are ineligible to reapply to the Health Department for a Food Establishment Permit in its jurisdiction.

6-4: Appealing Decisions by the Health Authority

- A. **Appeals:** A permit holder or Operator whose Permit has been suspended or revoked may make a written request to the Health Authority for a hearing to contest the conditions of the suspension or revocation. In such cases where a Permit has been suspended, a permit holder may additionally or alternatively make a written request to the Health Authority for re-inspection.

Any Food Establishment for which the Permit has been suspended or revoked shall remain closed during those periods when an appeal and/or a hearing is being sought or under consideration.

The permit holder may appeal the final decision of the Health Authority to the Health Department or its successor.

- B. **Timeliness:** The Health Authority shall afford a hearing within thirty (30) calendar days but no earlier than seven (7) calendar days after the service of a hearing notice to consider administrative remedies for matters as determined necessary by the Health Authority.

6-5: Hearings

All hearings shall be conducted by the Health Authority at a time and place to be designated by the same.

All hearings shall be conducted so as to provide the parties with written notice of the hearings, adequate time to prepare, the right to present evidence in support of their position, the right to cross-examine, and the right to legal counsel at their expense. Either party may record the hearing. Written notice of the hearing to a party may be waived by that party.

An Administrative hearing will be conducted by the Public Health Administrator of the Health Department, or his/her designee, and any Health Department staff that may be necessary. All hearings shall be conducted in an informal manner, with consideration to all parties. The formal rules of evidence shall not apply; however, the hearing body may exclude irrelevant or immaterial evidence. The hearing body may ask questions of any witness to clarify a point or to assist the body in reaching a decision.

Based upon the hearing, the Health Authority shall make a finding and sustain, modify, or rescind any official notice or order considered in the hearing. This hearing may result in the

closure of the Food Establishment and may be used to establish legal action(s) against the Food Establishment.

A written report of the hearing decision shall be furnished to the permit holder by the Health Authority within forty-eight (48) hours.

6-6: Service of Notices

Notices provided for under this Policy shall be deemed to have been properly served when a physical or electronic copy thereof has been delivered to the permit holder; if a corporation, to any officer thereof; or to the Person in Charge. The Health Department shall maintain a physical or electronic copy of such notices.

6-7: Penalties Other Than Suspension and Revocation of Licenses

Any Person that violates any provisions of this Policy shall be guilty of a class B misdemeanor, and upon conviction thereof, shall be punished by a term of imprisonment for not more than six (6) months, by a fine not to exceed five hundred dollars (\$500.00), or by both such term and fine. Each day upon which a violation occurs shall constitute a separate violation.

In addition to suspension, revocation, criminal conviction, or other remedy, the Health Department may seek an injunction against any permit holder or Person violating this Policy, as provided in the Illinois Food Handling Regulation Enforcement Act (410 ILCS 625/1 et seq.).

SECTION 7: AUTHORITY

This Enforcement Policy shall be published in pamphlet form not later than December 3, 2018.

This Enforcement Policy shall be in full force and effective on January 1, 2019. At that time, all enforcement policies and provisions in conflict with this Enforcement Policy are repealed.

Should any section, paragraph, sentence, clause or phrase of this Enforcement Policy be declared unconstitutional or invalid for any reason, the remainder of this Enforcement Policy will not be affected. Those sections will remain valid.

Passed and adopted this _____ day of _____, 2018, by the Board of Health of the Champaign County Public Health Department.

Dr. Krista Jones
Chair

Date



Public Health
Prevent. Promote. Protect.

Champaign-Urbana Public Health District

~~CHAMPAIGN-URBANA FOOD SANITATION ORDINANCE~~

~~An ordinance defining food, potentially hazardous food, retail food establishment (the term retail food establishment as used in this ordinance shall mean either a food service establishment or a retail food store), mobile food unit, temporary food service establishment, regulatory authority, utensils, equipment, etc.; providing for the sale of only sound, properly labeled food; regulating the sources of food; establishment sanitation standards for food, food protection, food personnel, food operations, food equipment and utensils, sanitary facilities and controls, and other facilities; requiring permits for the operation of food service establishments; providing for the examination and condemnation of food; providing for the incorporation by reference of Chapter 10 compliance provisions of the 1976 and subsequent editions of the Food and Drug Administration "Food Service Sanitation Ordinance" except Sections 10-601 and 10-602; providing for incorporation by reference of the current and subsequent Illinois Department of Public Health "Food Service Sanitation Rules and Regulations" which are on file with the Secretary of State and the current and subsequent Illinois Department of Public Health "Retail Food Store Sanitation Rules and Regulations" which are on file with the Secretary of State; and providing for the enforcement of this ordinance, and the fixing of penalties.~~

~~Be it ordained by the Board of Health of the Champaign-Urbana Public Health District as follows:~~

~~**Section 1**~~

~~This issuance, suspension and revocation of permits to operate retail food establishments; the prohibiting of sale of unsound or mislabeled food or drink; the enforcement of this ordinance; shall be regulated in accordance with Chapter 10 compliance procedures of the 1976 and subsequent editions of the Food and Drug Administration "Food Service Sanitation Ordinance"; the inspection of food service establishments shall be regulated in accordance with the current and subsequent Illinois Department of Public Health "Food Service Sanitation Rules and Regulations" on file with the Secretary of State; the inspection of retail food stores shall be regulated in accordance with the Illinois Department of Public Health "Retail Food Store Sanitation Rules and Regulations" on file with the Secretary of State. Three certified copies of the Food and Drug Administration "Food Service Sanitation Ordinance," Illinois Department of Public Health "Food Service Sanitation Rules and Regulations" and the Illinois Department of Public Health "Retail Food Store Sanitation Rules and Regulations" shall be on file at the office of the Champaign-Urbana City Clerk's offices.~~

Section 2

~~Any person who violates any of the provisions of this ordinance shall be guilty of a Class C misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$500.00. In addition thereto, such persons may be enjoined from continuing such violations. Each day upon which such a violation occurs constitutes a separate violation.~~

Section 3

~~This ordinance shall be in full force and effect two (2) months after its adoption and publication as provided by law; and at that time, all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.~~

Section 4

~~Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reasons, the remainder of said ordinance shall not be affected thereby.~~

~~Passed and adopted this 20 day of OCTOBER
Health of the Champaign Urbana Public Health District.~~

~~, 2008, by the Board of~~



Ordinance No. ____-__-__

Champaign-Urbana Public Health District Retail Food Program Ordinance

Whereas the Board of Health of the Champaign-Urbana Public Health District deems it desirable and necessary to conduct a comprehensive retail food protection program to protect the citizens within its jurisdiction from contracting foodborne diseases and to prevent disease transmission,

Now, therefore, be it ordained by the Board of Health of the Champaign-Urbana Public Health District as follows:

SECTION 1: GENERAL PROVISIONS

1-01: Short Title

This Ordinance shall be known as the "Retail Food Ordinance."

1-1: Purpose

The purpose of this Ordinance is to prevent foodborne illness, to promote safe food handling and hygienic practices, and to protect consumers.

1-2: Scope

This Ordinance provides requirements for the issuance, suspension, and revocation of PERMITS, inspections, review of plans, prohibiting the sale of unsound or mislabeled food, employee restrictions, and enforcement of this Ordinance by the Champaign-Urbana Public Health District. Definitions and standards for management, personnel, food operations, equipment, and facilities are also included in this Ordinance.

1-3: Application

This Ordinance applies to retail FOOD ESTABLISHMENTS that are required to have PERMITS and that are issued by the HEALTH AUTHORITY.

1-4: Adoption by Reference

In addition to the provisions set forth herein, this Ordinance hereby adopts by reference and incorporates the current provisions and subsequent revisions of the "Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750.

In addition, FOOD ESTABLISHMENTS are also subject to all other applicable ordinances of the HEALTH AUTHORITY.

1-5: Definitions

In addition to the definitions contained in the laws, rules, and regulations referenced in 1-4, the following definitions shall apply in the interpretation and enforcement of this Ordinance:

APPLICANT: Any PERSON making application to the HEALTH AUTHORITY for a PERMIT.

APPROVED: Accepted by the HEALTH AUTHORITY based on its determination as to conformance with principles, practices, and generally recognized standards that protect public health.

AUTHORIZED REPRESENTATIVE: Those PERSONS designated by the HEALTH AUTHORITY to enforce the provisions of this Ordinance.

BOARD: The Board of Health of the HEALTH DISTRICT.

BUSINESS DAYS: Monday through Friday from 8:00 a.m. to 4:00 p.m., excluding HEALTH DISTRICT observed holidays.

CATEGORY: A classification based on the Illinois Department of Public Health's local health protection grant standards for conducting a food protection program. Each FOOD ESTABLISHMENT will be assessed to determine the relative risks of causing foodborne illness. The minimum number of routine inspections per year is determined by the FOOD ESTABLISHMENT's risk classification.

CEASE AND DESIST ORDER: A written order issued by the HEALTH AUTHORITY which directs the responsible PERSON to immediately stop doing or allowing a specific action to occur. A CEASE AND DESIST ORDER may or may not include a direction to completely cease operations at a FOOD ESTABLISHMENT. A CEASE AND DESIST ORDER may include a timeframe to achieve compliance as long as there is not an IMMINENT HEALTH HAZARD.

CHANGE OF OWNERSHIP: A change in the permit holder. This means that the entity that is legally responsible for the operation of the FOOD ESTABLISHMENT, such as the owner or other PERSON, has changed.

CONTINENTAL BREAKFAST: A meal limited to only coffee, tea, and/or commercially prepared juice and commercially prepared sweet baked goods.

COTTAGE FOOD OPERATION: A business operated by an individual who produces or packages non-time/temperature control for safety food in a kitchen located in the person's primary domestic residence or another approximately equipped residential or commercial-style kitchen on that property.

EMPLOYEE: Includes the permit holder, PERSON in CHARGE, a food employee, a PERSON having supervisory or management duties, a PERSON on the payroll, a family member, a volunteer, a PERSON performing work under contractual agreement, or other PERSON working in a FOOD ESTABLISHMENT.

ENFORCEMENT POLICY: A separate document that will serve as a guide for enforcing violations set out in this Ordinance.

FOOD CODE: "Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750.

FOOD ESTABLISHMENT: An operation that stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food pantry and relinquishes possession of food to a consumer, directly or indirectly, through a delivery service such as home delivery of grocery orders, restaurant takeout orders, or a delivery service that is provided by common carriers.

FOOD ESTABLISHMENT includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the **HEALTH AUTHORITY**. It also includes an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.

FOOD ESTABLISHMENT does not include an establishment that offers only prepackaged foods that are not time/temperature control for safety; a produce stand that only offers whole, uncut fresh fruits and vegetables; a food processing plant including those that are located on the **PREMISES** of a **FOOD ESTABLISHMENT**; a kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act (50 ILCS 820) that prepares and offers food to guests; a private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or a **COTTAGE FOOD OPERATION**.

FOOD PREPARATION: The handling, processing, and/or serving of foods.

HAZARD ANALYSIS and CRITICAL CONTROL POINT (HACCP): A systematic approach to identifying, evaluating, and controlling food safety hazards. Food safety hazards are biological, chemical, or physical agents that are reasonably likely to cause illness or injury in the absence of their control.

HEALTH AUTHORITY: The **PUBLIC HEALTH ADMINISTRATOR** of the **HEALTH DISTRICT** or his/her **AUTHORIZED REPRESENTATIVE**.

HEALTH DISTRICT: The Champaign-Urbana Public Health District.

HOLD ORDER: An order issued by the **HEALTH AUTHORITY** that acts as a temporary isolation or quarantine of food or equipment that the **HEALTH AUTHORITY** believes or has reason to believe is in violation of this Ordinance.

IMMINENT HEALTH HAZARD: Significant threat or danger to health that exists when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury, based on:

- a) The number of potential injuries.
- b) The nature, severity, and duration of the anticipated injury.

MENU LIMITATION: A modification or constraint imposed by the HEALTH AUTHORITY on a FOOD ESTABLISHMENT's FOOD PREPARATION based on the type of operation, menu items, or available equipment.

MOBILE FOOD ESTABLISHMENT: A FOOD ESTABLISHMENT that is operated from a movable, motor-driven, or propelled vehicle, a portable structure, or watercraft that can change location.

OUTDOOR COOKING OPERATION: A cooking operation that is operated in conjunction with a FOOD ESTABLISHMENT with a PERMIT, but is not located within the fully enclosed permanent structure of the FOOD ESTABLISHMENT or within a MOBILE FOOD ESTABLISHMENT.

OPERATOR: A PERSON who has been approved by the permit holder to perform and/or oversee the day-to-day food operation of the FOOD ESTABLISHMENT.

PERMIT: The document issued by the HEALTH AUTHORITY that authorizes a PERSON to operate a FOOD ESTABLISHMENT.

PERSON: An association, corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.

PERSON IN CHARGE: The individual present at a FOOD ESTABLISHMENT who is responsible for the operation at the time of inspection.

PLAN REVIEW: An evaluation process conducted by the HEALTH AUTHORITY to determine whether minimum standards are met for the sanitary design, facility layout, operational and product flow, menu processes and food handling procedures, construction, operation and maintenance of a FOOD ESTABLISHMENT and its PREMISES.

PREMISES: The physical structure, its contents, and the contiguous land or property under the control of the permit holder.

PRIORITY FOUNDATION ITEM: Includes those items that require the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HAZARD ANALYSIS CRITICAL CONTROL POINT plans, documentation or record keeping, and labeling.

PRIORITY FOUNDATION ITEM VIOLATION: A violation of a provision in this Ordinance whose application supports, facilitates, or enables one or more PRIORITY FOUNDATION ITEMS.

PRIORITY ITEM: Includes those items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, and/or handwashing.

PRIORITY ITEM VIOLATION: A violation of a provision in this Ordinance whose application contributes directly to the elimination, prevention, or reduction to an acceptable level, of hazards associated with foodborne illness or injury and for which there is no other provision that more directly controls the hazard.

PUBLIC EVENT: Any event open to the public where food is prepared or served. An event open to the public that is advertised with fliers, banners, newspaper articles, radio or television announcements, Internet postings, social media, or by other means is a **PUBLIC EVENT** and subject to regulation under this Ordinance. Any event that is not a **PUBLIC EVENT** shall be treated as private. Any determination of whether an event shall be regulated as a **PUBLIC EVENT** is at the sole discretion of the **HEALTH AUTHORITY**.

REMODEL: The repair, construction, alteration or installation of new equipment, modification of existing equipment or fixtures, changes in floor plan layout, the addition of more seating and/or toilet rooms, extensive changes in surface finishes or lighting, expansion to new space, or significant changes to use of space or equipment.

Generally, a **REMODEL** does not include redecorating; cosmetic refurbishing; cleaning surfaces; altering seating design; minimal repairs of finish surfaces; "like-for-like" equipment exchanges; equipment or infrastructure minimal repair, service or maintenance; additions of equipment that require no installation or modification of existing fixtures (such as countertop "plug-in" equipment); or a "like-for-like" menu item exchange or addition utilizing the same existing equipment and same food handling processes.

A **REMODEL** requires a **PLAN REVIEW** when one or more of the following criteria, at the sole discretion of the **HEALTH AUTHORITY**, are met:

- a. Requires a permit from the building authority having jurisdiction.
- b. Menu item exchange or additions with the need for different process, preparation method, equipment or service.
- c. Extensive equipment changes.
- d. Extensive utility changes or repairs.
- e. Extensive repairs after an incident, e.g. fire or flood.
- f. Conversion of a building/space/operation from a non-**FOOD ESTABLISHMENT** to a **FOOD ESTABLISHMENT**.
- g. Equipment changes that alter capacity or location that may result in a reduction of the **FOOD ESTABLISHMENT**'s capabilities.

REPEAT VIOLATION: A violation noted on the previous inspection report that is observed again on the next routine inspection on the same piece of equipment, same area of the facility, or same practice.

SPECIAL EVENT: A unique **PUBLIC EVENT** at a particular location, such as a celebration, festival, or fundraiser.

TEMPORARY FOOD ESTABLISHMENT: A **FOOD ESTABLISHMENT** that operates at a fixed location for a period of time that is not more than fourteen (14) consecutive days in conjunction with a **SPECIAL EVENT**.

VALID PERMIT: A **PERMIT** that is not suspended, revoked, or expired.

VARIANCE: A written document issued by the **HEALTH AUTHORITY** that authorizes a modification or waiver of one or more requirements of this Ordinance. Any such modification or waiver is at the sole discretion of the **HEALTH AUTHORITY**.

WHOLESOME: In sound condition, clean, free from adulteration or contamination, and otherwise suitable for human consumption.

SECTION 2: ADMINISTRATION

2-1: General Permit Requirements

It shall be unlawful for any PERSON to operate a FOOD ESTABLISHMENT within the jurisdiction of the HEALTH DISTRICT who does not possess a Valid Permit issued to that PERSON. Only a PERSON who complies with the requirements of this Ordinance shall be entitled to receive and retain such a PERMIT.

PERMITS shall not be transferable from one PERSON to another PERSON. PERMITS shall not be applicable to any location, building, place, or menu other than that for which the PERMIT was issued.

Changes may occur after a FOOD ESTABLISHMENT is permitted. The changes that invalidate a PERMIT include a CHANGE OF OWNERSHIP of the permit holder, a change in the physical location of the establishment, a change in the type of operation, a change in menu that requires the addition of equipment and/or structural modifications of the FOOD ESTABLISHMENT, a change of menu that requires a FOOD PREPARATION process that did not occur when the PERMIT was issued, or a change in menu where raw animal food is to be served raw or undercooked.

The HEALTH AUTHORITY shall solely determine if a change invalidates a VALID PERMIT.

2-2: Permit Terms

- A. **All Permits:** All PERMITS shall be valid from May 1 through April 30 each year unless otherwise noted in this Ordinance.
- B. **Permits for Temporary Food Establishments:** PERMITS issued to TEMPORARY FOOD ESTABLISHMENTS shall be valid for the dates stated on the PERMIT and shall expire not more than fourteen (14) consecutive days after the start date.

2-3: Permit Categories

The HEALTH AUTHORITY shall assess the risks of a foodborne illness for every FOOD ESTABLISHMENT operating within the jurisdiction of the HEALTH DISTRICT. The HEALTH AUTHORITY shall use this assessment in classifying a FOOD ESTABLISHMENT for purposes of a CATEGORY.

The HEALTH AUTHORITY shall apply the criteria in the Food Code to determine the CATEGORY for a FOOD ESTABLISHMENT. If a health hazard will not result from reclassification or if reclassification will provide better protection for the public, the HEALTH AUTHORITY may reclassify a FOOD ESTABLISHMENT based upon inspection history, the number, frequency and severity of violations, and corrective action. The basis for this decision shall be documented, and a copy will be retained in the FOOD ESTABLISHMENT's file.

2-4: Permit Posting

Every FOOD ESTABLISHMENT shall prominently and conspicuously post a VALID PERMIT for public view.

2-5: Issuance

Any PERSON desiring to operate a FOOD ESTABLISHMENT or to renew an expired PERMIT within the jurisdiction shall make written application for a PERMIT on forms provided by the HEALTH DISTRICT, accompanied by a PERMIT fee, if required, in the amount provided in the HEALTH DISTRICT fee schedule.

- A. **When Plans are Required:** A PERMIT APPLICANT or permit holder shall submit to the HEALTH AUTHORITY properly prepared plans and specifications for review and approval before any of the following occur:
 1. The construction of a FOOD ESTABLISHMENT.
 2. The conversion of an existing structure for use as a FOOD ESTABLISHMENT.
 3. The REMODELING of a FOOD ESTABLISHMENT.
 4. A change of type of FOOD ESTABLISHMENT or food operation if the HEALTH AUTHORITY determines that plans and specifications are necessary to ensure compliance with this Ordinance.
- B. **Application for Permit:** After APPROVAL of the plans proposed for a PERMIT by a FOOD ESTABLISHMENT, the HEALTH AUTHORITY shall conduct an inspection of the PREMISES. If the HEALTH AUTHORITY finds the FOOD ESTABLISHMENT in compliance with the provisions of this Ordinance and upon receipt of a completed application for a PERMIT, the HEALTH AUTHORITY shall issue a PERMIT authorizing the FOOD ESTABLISHMENT to operate.
- C. **Annual Renewal of Permits:** For continued operation of the FOOD ESTABLISHMENT, annual renewal of the PERMIT is required. Any permit holder desiring to renew a PERMIT shall apply on renewal forms provided by the HEALTH DISTRICT and pay all money due, i.e. fees and taxes, to the HEALTH DISTRICT including, but not limited to, PERMIT renewal fee, late fees, reinstatement fees, re-inspection fees, insufficient funds charges, and all fines assessed for any purpose. If a permit holder is delinquent on any money due the HEALTH DISTRICT, the annual renewal PERMIT shall be denied and shall not be issued until such time as the permit holder pays in full.
- D. **Denial of Application for Permit:** If an application for a PERMIT to operate is denied, the HEALTH AUTHORITY shall provide the APPLICANT with a notice that includes:
 1. The specific reasons and code citations for the PERMIT denial.
 2. The actions, if any, that the APPLICANT must take to qualify for a PERMIT.
 3. The advisement of any appeal process.
- E. **Change of Ownership:** If a PERSON is purchasing an existing FOOD ESTABLISHMENT, a CHANGE OF OWNERSHIP plan review is required prior to issuing a new PERMIT. For any determination of what constitutes a change in permit holder, consult the HEALTH AUTHORITY. To assist in the transition of business, the HEALTH AUTHORITY will allow an open and operating FOOD ESTABLISHMENT to change ownership without interruption of business provided that the following are satisfied:

1. A **PLAN REVIEW** application for the new **PERMIT** is submitted within thirty (30) **BUSINESS DAYS** of the execution of the change of owner documents, such as a deed, close of escrow, dealers' report of sale, lease agreement, or other legal document.
2. The **FOOD ESTABLISHMENT** stays within the same **CATEGORY** as the previous **PERMIT**.
3. The **FOOD ESTABLISHMENT** has not been physically altered, equipment has not been removed or added, and the **FOOD ESTABLISHMENT** has not been closed for extensive **REMODELING** for other reasons.
4. The **FOOD ESTABLISHMENT** has not changed the menu in a manner that requires new **FOOD PREPARATION** processes, procedures, and/or equipment.
5. The time to correct all violations cited in a **CHANGE OF OWNERSHIP** inspection does not exceed ninety (90) **BUSINESS DAYS** from delivery of an inspection by the **HEALTH AUTHORITY**. Time extensions are not to exceed another ninety (90) **BUSINESS DAYS** and may be granted in writing as determined by the **HEALTH AUTHORITY**.

If the provisions above are not met, then the **FOOD ESTABLISHMENT** shall close, and the new owner will be required to apply for a new **PERMIT**, including completing the **PLAN REVIEW** process.

2-6: Permit Fees

PERMIT fees are pursuant to all other applicable ordinances of the **HEALTH AUTHORITY**.

2-7: Food Sources Outside of the District

Food from **FOOD ESTABLISHMENTS** outside the jurisdiction of the **HEALTH DISTRICT** may be allowed if such **FOOD ESTABLISHMENTS** conform to the provisions of this Ordinance or equivalent provisions and can provide proof of a **VALID PERMIT** from the applicable public health authority.

2-8: Plan Reviews

No **FOOD ESTABLISHMENT** shall be constructed, **REMODELED**, or converted except in accordance with plans and specifications approved by the **HEALTH AUTHORITY**.

A. Plan Review: The **HEALTH AUTHORITY** shall conduct a **PLAN REVIEW** whenever a **FOOD ESTABLISHMENT**:

1. Is newly constructed or **REMODELED**.
2. Is in a facility converted for use as a **FOOD ESTABLISHMENT**.
3. Undergoes a **CHANGE OF OWNERSHIP**.

B. Waiver: The HEALTH AUTHORITY, at its sole discretion, may waive a PLAN REVIEW based on information provided in the PLAN REVIEW application for a new PERMIT.

C. Submission of Documents: Before such work begins or change occurs, a FOOD ESTABLISHMENT shall submit the following to the HEALTH AUTHORITY for review and approval:

1. PLAN REVIEW application form as provided by the HEALTH AUTHORITY.
2. Properly prepared plans to scale and specifications, including those illustrating layout, arrangement, location, size and type of fixed equipment, finish schedule of surface materials, and custom shop drawings.
3. Proposed menu.
4. Food safety assessment worksheet.
5. Proposed auxiliary food operations, such as OUTDOOR COOKING OPERATIONS, catering, special processes, or extended food operations held on the PREMISES.
6. Any other information that the HEALTH DISTRICT deems necessary to evaluate the proposal.
7. PLAN REVIEW fee.

2-9: Pre-Operational Inspections

Prior to the issuance or reinstatement of a PERMIT to operate, every FOOD ESTABLISHMENT shall be inspected by or obtain approval from the HEALTH AUTHORITY before beginning or resuming operations in order to determine compliance with APPROVED plans, specifications, corrective actions, and the requirements of this Ordinance.

2-10: Permit Suspension

At any time that the HEALTH AUTHORITY determines that a permit holder or OPERATOR is not in compliance with the provisions of this Ordinance or the ENFORCEMENT POLICY, the HEALTH AUTHORITY shall issue a notice to the permit holder or OPERATOR. The notice shall state the nature of the violation and a reasonable timeframe in which corrective action must be taken.

Whenever a permit holder or operator has failed to comply with any notice issued under the provisions of this Ordinance or the ENFORCEMENT POLICY, the HEALTH AUTHORITY may serve the permit holder or operator with a notice stating that the PERMIT is suspended and operations are to cease immediately or as ordered by the HEALTH AUTHORITY.

Notwithstanding the other provisions of the Ordinance, whenever the HEALTH AUTHORITY finds unsanitary or other conditions in the operation of a FOOD ESTABLISHMENT or TEMPORARY FOOD ESTABLISHMENT which, in the HEALTH AUTHORITY's judgment, constitutes substantial hazard to the public health, it may, without warning, notice, or hearing issue a written notice to the permit holder or operator citing such condition, specifying the corrective action to be taken; and state that the PERMIT is immediately suspended.

Any PERSON to whom such an order is issued shall comply immediately therewith, but upon written petition to the HEALTH AUTHORITY, shall be afforded a hearing as soon as possible. The hearing process is described in the Champaign-Urbana Public Health District Retail Food Program Enforcement Policy.

2-11: Permit Revocation

For REPEATED VIOLATIONS of any provisions of the ENFORCEMENT POLICY, or for interference with the HEALTH AUTHORITY in the performance of its duties, the HEALTH AUTHORITY may revoke a PERMIT permanently. This process is described in Section 4 of the ENFORCEMENT POLICY. The permit holder shall be given notice of the revocation and the opportunity to request a hearing before the HEALTH AUTHORITY. Prior to such action, the HEALTH AUTHORITY shall notify the permit holder that the PERMIT is subject to revocation and that the PERMIT shall be permanently revoked at the end of ten (10) BUSINESS DAYS following service of such notice unless the permit holder files a request for a hearing with the HEALTH AUTHORITY within that period. The hearing process is described in the Champaign-Urbana Public Health District Retail Food Program Enforcement Policy.

SECTION 3: INSPECTIONS

3-1: Frequency

At minimum, the HEALTH AUTHORITY shall inspect each FOOD ESTABLISHMENT within the HEALTH DISTRICT as determined in 77 Il Adm. Code Section 650.310. TEMPORARY FOOD ESTABLISHMENTS may or may not be inspected as determined by the HEALTH AUTHORITY.

All CATEGORIES and types of FOOD ESTABLISHMENTs shall be inspected as many times as the HEALTH AUTHORITY deems necessary to enforce the provisions of this Ordinance.

3-2: Right of Entry

The HEALTH AUTHORITY shall have the right to enter any FOOD ESTABLISHMENT or any TEMPORARY FOOD ESTABLISHMENT at any reasonable time for the purpose of conducting inspections to determine compliance with this Ordinance. The HEALTH AUTHORITY representative(s) shall properly identify themselves prior to entering the property and initiating an inspection.

3-3: Refusal of Entry

If a PERSON denies access to the HEALTH AUTHORITY, the HEALTH AUTHORITY shall inform the PERSON that:

- A. The permit holder is required to allow access to the HEALTH AUTHORITY.
- B. Access is a condition of acceptance and retention of a PERMIT to operate.
- C. If access is denied, the HEALTH AUTHORITY will take such legal action as required.

If a PERSON IN CHARGE denies the HEALTH AUTHORITY access to a permitted FOOD ESTABLISHMENT pursuant to 3-2 of this Ordinance, the HEALTH AUTHORITY may gain access in any manner provided by law. In addition, the HEALTH AUTHORITY may issue a CEASE AND DESIST ORDER or seek a temporary restraining order or other relief to cease the FOOD ESTABLISHMENT's operations until the inspection is conducted.

3-4: Examination of Records

The HEALTH AUTHORITY may examine the records of a FOOD ESTABLISHMENT to obtain pertinent information including, but not limited to, food and supplies purchased, food and food supplies received, and persons employed in such establishments.

3-5: Inspection Report

Whenever an inspection of a FOOD ESTABLISHMENT is conducted to determine compliance with this Ordinance, the findings shall be recorded on the inspection report form provided by the HEALTH AUTHORITY.

The inspection report form shall constitute a legal notice of violations relating to this Ordinance.

One (1) copy of the inspection report form shall be furnished to the operator or PERSON IN CHARGE of the FOOD ESTABLISHMENT and a copy of the inspection report will be available in the FOOD ESTABLISHMENT's file.

The inspection report is a public document.

3-6: Refusal to Sign Report

If a PERSON IN CHARGE refuses to sign an acknowledgement of receipt of an inspection report, the HEALTH AUTHORITY shall inform the person who declines to sign the acknowledgment that:

- a) Acknowledgement of receipt does not indicate agreement with the inspection findings.
- b) Refusal to sign an acknowledgement of receipt will not affect the permit holder's obligation to correct the violation(s) noted in the inspection report within the timeframes specified.
- c) A refusal to sign an acknowledgement of receipt is noted in the inspection report.

Electronic reports do not require a signature.

3-7: Correction of Violations

- A. **Inspection Report:** The completed inspection report form shall specify the time period for correction of the violations in accordance with the ENFORCEMENT POLICY.
- B. **Imminent Health Hazard:** If an IMMINENT HEALTH HAZARD exists, the FOOD ESTABLISHMENT shall immediately cease FOOD PREPARATION operations until such hazard is corrected and the HEALTH AUTHORITY grants authorization to resume

operations.

- C. **Failure to Comply:** Failure to comply with any notice regarding violations which pose **IMMINENT HEALTH HAZARDS** or **REPEAT VIOLATIONS** issued in accordance with the provisions of this Ordinance and/or the **ENFORCEMENT POLICY** may result in the immediate suspension of the **PERMIT**.
- D. **Ceasing Operations:** A **FOOD ESTABLISHMENT** may be required under the provisions of this Ordinance to cease all or a portion of their operations. A **FOOD ESTABLISHMENT** shall not resume operations until such time the **HEALTH AUTHORITY** grants authorization to resume operations.
- E. **Follow-up Inspection:** When necessary a follow-up inspection of a **FOOD ESTABLISHMENT** is needed to ensure **APPROVED** corrective action has occurred to resolve a violation on a previous inspection including, but not limited to, an equipment performance check, a physical change in equipment or structure, or a change in **FOOD PREPARATION**. Receipts indicating work completed, pictures or videos showing correction may be used as documentation of correction.

3-8: Examination and Condemnation of Food and Equipment

- A. **Sampling:** Food may be examined or sampled by the **HEALTH AUTHORITY** as often as it deems necessary for enforcement of this Ordinance.
- B. **Hold Order Justifying Conditions and Removal of Food:** The **HEALTH AUTHORITY** may place a **HOLD ORDER** on a food which it determines or has probable cause to believe to:
 - 1. Originate from an **unAPPROVED** source.
 - 2. Be not **WHOLESOME**, adulterated, misbranded, or not honestly presented.
 - 3. Be not labeled according to law, or, if raw molluscan shellfish, is not tagged or labeled according to law.
 - 4. Be otherwise not in compliance with this Ordinance.
- C. **Hold Order for Food:**
 - 1. Food subject to the **HOLD ORDER** shall be identified by the common name, the label information, a container description, the quantity, the **HEALTH AUTHORITY**'s tag or identification information, and a location.
 - 2. Food shall be allowed to be suitably stored. If storage is not possible without risk to the public health, then the **HEALTH AUTHORITY** shall require the denaturing or destruction of the food.
 - 3. It shall be unlawful for any **PERSON** to remove or alter a **HOLD ORDER**, notice or tag placed on the food or food container by the **HEALTH AUTHORITY**.
 - 4. It shall be unlawful for any **PERSON** to sell, give or donate, use (relabel, repack, reprocess, alter), denature, dispose, destroy, or remove food from the **FOOD ESTABLISHMENT** without the written release of the **HEALTH AUTHORITY**, except on order by a court of competent jurisdiction.

D. Removing Hold Order for Food:

1. The owner or PERSON IN CHARGE disposes or destroys the food in the presence of the HEALTH AUTHORITY accompanied with written documentation using a form provided by the HEALTH AUTHORITY.
2. The owner or PERSON IN CHARGE has the right to a hearing regarding the HOLD ORDER and may request a hearing with the HEALTH AUTHORITY if a written request is submitted with seven (7) calendar days of the HOLD ORDER being issued. The hearing process is described in the Champaign-Urbana Public Health District Retail Food Program Enforcement Policy.
3. After the owner or PERSON IN CHARGE has had a hearing and on the basis of evidence produced at such hearing, the HEALTH AUTHORITY may vacate the HOLD ORDER if the evidence is APPROVED by the HEALTH AUTHORITY.
4. In the event that a written request for a hearing is not received within seven (7) calendar days of the HOLD ORDER being issued, the HEALTH AUTHORITY may direct the owner or PERSON IN CHARGE to bring the food in compliance with the provisions of this Ordinance or order the food to be denatured or destroyed.
5. If the HEALTH AUTHORITY issues an order to denature or destroy such food shall be stayed if the HOLD ORDER is appealed to a court of competent jurisdiction within three (3) business days.

E. Hold Order for Equipment: The HEALTH AUTHORITY may place a HOLD ORDER on equipment which it determines or has probable cause to believe to be:

1. Constructed from unsafe materials.
2. Found in a state of disrepair so that it is not easily cleanable, unsuitable for use, or in an unsanitary condition.
3. Found unable to perform as intended.

The HEALTH AUTHORITY shall tag, label, or otherwise identify any equipment subject to the HOLD ORDER. The owner or PERSON IN CHARGE shall take the equipment out of use until written permission is obtained from the HEALTH AUTHORITY. It shall be unlawful for any PERSON to move or alter a HOLD ORDER notice or tag placed on equipment by the HEALTH AUTHORITY.

F. Removing Hold Order for Equipment: The owner or PERSON IN CHARGE has the same rights and responsibilities for equipment as for food as in 3-8 (F).

3-9: Imminent Health Hazard

A permit holder shall immediately discontinue operations and must notify the HEALTH AUTHORITY if an IMMINENT HEALTH HAZARD may exist because of an emergency including, but not limited to, fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross unsanitary occurrence or condition, disease transmission from an employee, or other circumstances that may endanger public health.

3-10: When Disease Transmission is Suspected

When the HEALTH AUTHORITY has reasonable cause to suspect possibility of disease transmission from any FOOD ESTABLISHMENT EMPLOYEE, it shall secure a morbidity history of the suspected EMPLOYEE or make any other inspection or investigation as may be indicated, and take appropriate action. The HEALTH AUTHORITY may require any or all of the following measures:

- A. Immediate exclusion of the EMPLOYEE from any FOOD PREPARATION.
- B. Immediate closure of the FOOD ESTABLISHMENT concerned until in the opinion of the HEALTH AUTHORITY, no further danger of disease outbreak exists.
- C. Restriction of EMPLOYEE's services to some area of the FOOD ESTABLISHMENT where there will be no danger of transmitting disease.
- D. Adequate medical and laboratory examinations of the EMPLOYEE or other EMPLOYEES and of his/her or their body discharges.

3-11: Re-inspections

Any permit holder whose PERMIT has been suspended may make a written request to the HEALTH AUTHORITY to re-inspect the PREMISES for the purpose of re-instating the PERMIT. Such a request shall include a statement signed by the APPLICANT indicating that, to the best of the APPLICANT's knowledge, violations have been corrected. The HEALTH AUTHORITY shall conduct a re-inspection within a reasonable time period. A re-inspection fee pursuant to the applicable Environmental Health fee schedule as adopted by the BOARD shall be assessed.

3-12: Ceasing and Resumption of Operations

Whenever a FOOD ESTABLISHMENT is required under the provisions of this Ordinance to cease operations, it shall cease and not resume operations until such time the HEALTH AUTHORITY grants authorization to resume operations. The HEALTH AUTHORITY shall offer the opportunity for follow-up inspection within a reasonable time period, upon receipt of a written request for follow-up inspection from the FOOD ESTABLISHMENT.

3-13: Variances

- A. **Modification and Waivers:** The HEALTH AUTHORITY may grant a VARIANCE by modifying or waiving the requirements of this Ordinance or FOOD CODE, if in the opinion of the HEALTH AUTHORITY, a public health hazard or nuisance will not result from the issuance of the VARIANCE. If a VARIANCE is granted, the HEALTH AUTHORITY shall retain all pertinent information in the FOOD ESTABLISHMENT's file.
- B. **Documentation of Proposed Variance and Justification:** Before a VARIANCE from a requirement of this Ordinance or Food Code is APPROVED, the PERSON requesting the

VARIANCE shall supply information and apply on forms provided by the HEALTH AUTHORITY. The HEALTH AUTHORITY shall retain forms in FOOD ESTABLISHMENT's file.

C. Conformance with Approved Procedures: If the HEALTH AUTHORITY grants a VARIANCE or a HAZARD ANALYSIS CRITICAL CONTROL POINT plan, the permit holder shall comply with the plan and procedures that are submitted and APPROVED as a basis for the modification or waiver and also maintain and provide to the HEALTH AUTHORITY, upon request, records that demonstrate conformance.

D. Variances are not transferable between owners.

3-14: When a Hazard Analysis Critical Control Point Plan is Required

As required in the FOOD CODE or before engaging in FOOD PREPARATION that requires a HAZARD ANALYSIS CRITICAL CONTROL POINT plan, an APPLICANT or permit holder shall submit to the HEALTH AUTHORITY for APPROVAL a properly prepared HAZARD ANALYSIS CRITICAL CONTROL POINT plan.

3-15: Menu Limitation

The HEALTH AUTHORITY may determine that MENU LIMITATION at a FOOD ESTABLISHMENT is necessary for food safety. The FOOD ESTABLISHMENT will comply with any notice of MENU LIMITATION issued by the HEALTH AUTHORITY.

3-16: Additional Requirements

If necessary to protect against public health hazards or nuisances, the HEALTH AUTHORITY may impose specific requirements in addition to the requirements contained in this Ordinance. The HEALTH AUTHORITY shall document the conditions that necessitate the imposition of additional requirements and the underlying public health rationale. The documentation shall be provided to the APPLICANT or permit holder, and shall be maintained by the HEALTH DISTRICT in the FOOD ESTABLISHMENT's file.

SECTION 4: TEMPORARY FOOD ESTABLISHMENTS

4-1: Temporary Food Establishment General

The requirements outlined in this section apply only to TEMPORARY FOOD ESTABLISHMENTS and are in addition to the requirements stated in other sections of this Ordinance.

4-2: Temporary Food Establishment Permit

- A. Submission of Application:** A Temporary Food Permit Application and the appropriate fee, if required, should be submitted at least fourteen (14) business days prior to the start date of the event at which food will be provided. Late fees apply if application is made less than seventy-two (72) hours prior to the day of the event.
- B. Term:** See 2-2 (B).
- C. Frequency:** PERMITS for TEMPORARY FOOD ESTABLISHMENTs may be issued for up to three (3) SPECIAL EVENTS. If a TEMPORARY FOOD ESTABLISHMENT needs to operate for more than three (3) SPECIAL EVENTS within any calendar year, then it would need the same type of PERMIT as other FOOD ESTABLISHMENTS (stationary or MOBILE FOOD ESTABLISHMENT).
- D. Education:** At least one PERSON IN CHARGE of the TEMPORARY FOOD ESTABLISHMENT shall show documentation of completion of food safety training. This requirement could be achieved by a Certified Food Protection Manager certificate, a Food Handler Training document, or by completing and passing the test for the HEALTH DISTRICT's Temporary Food Vendor Training. The Temporary Food Vendor Training is valid for three (3) years.
- E. Issuance:** Food operators seeking PERMITS for a TEMPORARY FOOD ESTABLISHMENT shall meet all applicable provisions of this Ordinance and the FOOD CODE. All PRIORITY ITEM and PRIORITY FOUNDATION ITEM VIOLATIONS shall be corrected prior to issuance of the temporary food PERMIT.

4-3: Temporary Food Establishment Fees

Unless exempt from fees as provided in Ordinance No. 2011-04-01, each food OPERATOR shall pay a PERMIT fee for each FOOD ESTABLISHMENT pursuant to Ordinance No. 2017-09-01 Ordinance Establishing Fees for the Environmental Health Division of the Health District.

4-4: Temporary Food Establishment Inspections and Corrections

- A. Frequency:** The HEALTH AUTHORITY may provide consultation and/or on-site inspection for each TEMPORARY FOOD ESTABLISHMENT a minimum of one (1) time for each PERMIT issued and shall make as many follow-up inspections as are necessary for the enforcement of this Ordinance.
- B. Correction of Violations:** All PRIORITY ITEM and PRIORITY FOUNDATION ITEM VIOLATIONs shall be corrected prior to issuance of the temporary food PERMIT. The TEMPORARY FOOD ESTABLISHMENT shall immediately cease FOOD PREPARATION if any PRIORITY ITEM or PRIORITY FOUNDATION ITEM VIOLATION(s) are not satisfactorily corrected at the sole discretion of the HEALTH AUTHORITY and pose an IMMEDIATE HEALTH HAZARD after temporary food PERMIT issuance.

SECTION 5: INSPECTION NOTICE PLACARDS

All FOOD ESTABLISHMENTS shall post an Inspection Notice placard as required by Ordinance and any revisions.

SECTION 6: ENFORCEMENT

- A. Enforcement provisions are stated in Champaign-Urbana Public Health District Retail Food Program Enforcement Policy as adopted by the BOARD.
- B. **Conditions Warranting Remedy:** The HEALTH AUTHORITY may seek administrative or judicial remedy to achieve compliance with the provisions of this Ordinance if a PERSON operating a FOOD ESTABLISHMENT or EMPLOYEE:
1. Fails to obtain or have a VALID PERMIT to operate a FOOD ESTABLISHMENT.
 2. Violates any term or condition of a PERMIT.
 3. Allows a PRIORITY ITEM VIOLATION or a PRIORITY FOUNDATION ITEM VIOLATION or a REPEAT VIOLATION to remain uncorrected beyond the timeframes for correction that was APPROVED, directed, or ordered by the HEALTH AUTHORITY.
 4. Fails to comply with a HEALTH AUTHORITY order concerning an EMPLOYEE suspected of having a disease transmissible through food by infected PERSONS.
 5. Fails to comply with a HOLD ORDER.
 6. Fails to comply with an order issued as a result of a hearing for an administrative remedy.
 7. Fails to comply with a summary suspension order issued by the HEALTH AUTHORITY.
- C. **Institution of Proceedings:** Proceedings to enforce this Ordinance may be instituted by the HEALTH AUTHORITY according to law by issuing a citation or summons, by filing a misdemeanor complaint affidavit and request for a warrant of arrest with the court of competent jurisdiction, or by referring the complaint to a grand jury for indictment, as appropriate. The HEALTH AUTHORITY may designate a representative to issue summons or citations or sign warrants on behalf of the HEALTH AUTHORITY.

SECTION 7: AUTHORITY

This Ordinance shall be published in pamphlet form not later than December 3, 2018.

This Ordinance shall be in full force and effective on and after January 1, 2019. At that time, all ordinances and parts of ordinances in conflict with this Ordinance are repealed.

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance will not be affected. Those sections will remain valid.

Approved and adopted this _____ day of _____, 2018, by the Board of Health of the Champaign-Urbana Public Health District.

C. Pius Weibel
Chair

Date

Board Members

C. Pius Weibel	Yes	No
Danielle Chynoweth	Yes	No
Andrew Quarnstrom	Yes	No

SUBPART M: ENFORCEMENT PROVISIONS

~~RULE 750.4000 PERMITS~~ It shall be unlawful for any person to operate a food service establishment or retail food store within the municipalities of Champaign and Urbana or its police jurisdiction, who does not possess a valid permit issued to them by the health authority. Only a person who complies with the requirements of this ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable from one person to another person or place. ~~PERMITS EXPIRE APRIL 30~~ every year unless otherwise noted. A valid permit, and a copy of the State of Illinois Manager Certification Certificate, shall be **PROMINENTLY** posted in public view in every food service establishment or retail food store required to have a permit. Permits for temporary food service or temporary retail food stores shall be issued for a period of time not to exceed fourteen (14) days. For purposes of Subpart M, persons shall mean individuals, firms, corporations, and partnerships.

~~RULE 750.4010 ISSUANCE OF PERMITS~~ Any person desiring to operate a food service establishment or retail food store shall make written application for a permit on forms provided by the health authority. Such application shall include:

- ~~1) The applicants full name, address, and whether such applicant is an individual, firm or corporation. If a partnership, the names of the partners, and their addresses;~~
 - ~~2) the full name(s), addresses, State of Illinois food service sanitation certificate I.D. number(s), the State of Illinois food service sanitation certificate expiration date(s), of the full time managerial staff person(s) designated as the certified food handler(s);~~
 - ~~3) the address of the food service or retail food store;~~
 - ~~4) the billing address of the food service or retail food store;~~
 - ~~5) the type of food service or retail food store;~~
 - ~~6) the signature of the applicant(s);~~
 - ~~7) whether the facility has changed menu items handling practices in the past year;~~
 - ~~8) and, the appropriate fee(s)~~
- ~~or food~~

~~If the application is for a temporary food service establishment or retail food store, it shall also include the inclusive dates of the proposed operation.~~

~~Upon receipt of such an application, the health authority shall determine compliance with the provisions of this ordinance.~~

~~When satisfied that the applicable requirements of this ordinance have been met, a permit shall be issued to the applicant by the health authority.~~

~~RULE 750.4020 PERMIT FEES The annual fee for a Health District permit to operate a food service establishment in the jurisdiction of the Champaign-Urbana Public Health District is as follows:~~

~~HIGH (PRIORITY) RISK \$400~~

~~MEDIUM (PRIORITY) RISK \$300~~

~~LOW (PRIORITY) RISK \$150~~

~~TEMPORARY EVENTS ONE (1) DAY \$50~~

~~TEMPORARY EVENTS TWO (2) TO FOURTEEN (14) DAYS \$75~~

~~SEASONAL UP TO SIX (6) MONTHS \$125~~

~~PERMIT REINSTATEMENT FEE \$50~~

~~LATE FEE \$20~~

~~REINSPECTION FEE \$25 PER HOUR (minimum charge one (1) hour. Subsequent time in increments of one quarter (1/4) hour. Charges will be calculated from the beginning of actual inspection, to the completion of the computerized report.~~

~~Reinspections shall be conducted when a food service establishment's adjusted score is thirty five percent (35%) or below (see 750.4100 (5), (9), when Critical, Major, or Repeat Violations have not been remedied as defined in 750.4100 (2), (3), (4)~~

~~Reinspections will NOT include the following:~~

- ~~1) Routine operational inspections;~~
- ~~2) inspections requested by the facility management;~~
- ~~3) educational visits;~~
- ~~4) operational equipment checks (e.g., temperatures, food storage temperatures)~~
- ~~5) equipment consultations (e.g., placement, type, approval)~~
- ~~6) construction surveys;~~
- ~~7) disaster inspections (e.g., fire, flood, power outage);~~
- ~~8) foodborne illness investigations; or~~
- ~~9) complaint based investigations.~~

~~RULE 750.4030 — SUSPENSION OF PERMITS — Permits may be suspended temporarily by the health authority 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 notified in writing that the permit is, upon service of the notice, immediately suspended, and that an opportunity for a hearing is filed with the health authority by the permit holder.~~

~~Notwithstanding the other provisions of this ordinance, whenever the health authority finds unsanitary or other conditions in the operation of a food service establishment, retail food store, temporary food service establishment, or temporary retail food store which in the health authority's judgment, constitutes a substantial hazard to the public health, it may, without warning, notice, or hearing, issue a written notice to the permit holder or operator citing such condition, specifying the corrective action to be taken; and, if deemed necessary, in consultation with administrative staff, shall state that the permit is immediately suspended.~~

~~Any person to whom such an order is issued shall comply immediately therewith, but upon written petition to the health authority, shall be afforded a hearing as soon as possible.~~

~~RULE 750.4040 — 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 (10) days following receipt of a written request, including a statement signed by the applicant that the conditions causing suspension of the permit have been corrected, the health authority shall make a reinspection. If the applicant is complying with the requirements of this ordinance, the permit shall be reinstated.~~

~~RULE 750.4050 — REVOCATION OF PERMITS — For continued Critical or Major violations of this ordinance, or for interference with the health authority in the performance of its duties, the permit may be revoked after an opportunity for a hearing has been provided by the health authority. Prior to such action, the health authority shall notify the permit holder in writing, stating the reasons for which the permit is subject to revocation and advising that the permit shall be revoked at the end of five (5) days following service of such notice, unless a request for a hearing is filed with the health authority, by the permit holder, within such five (5) day period. A permit may be suspended for cause pending its revocation or a hearing relative thereto.~~

~~RULE 750.4060 — HEARINGS — The hearings provided for in this section shall be conducted by the health authority at a time and place designated by it. Eased upon the record of such hearing, the health authority shall make a finding and shall sustain, modify, or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the permit holder by the health authority. An Administrative hearing will be conducted by the Executive Director of the Health District, or its designee, and any staff that may be necessary. The food service or retail food store will be advised to include legal representation at the Administrative hearing. Results of this hearing will be made available to all parties, in writing, within 24 hours. This hearing may result in the closure of the facility and may be used to establish legal action(s) against the facility.~~

~~RULE 750.4070 — INSPECTION OF FOOD SERVICE ESTABLISHMENTS OR RETAIL FOOD STORES — High (Priority) Risk food service establishment(s) or retail food store(s) located in the municipalities of Champaign and Urbana, or its police jurisdiction, shall be inspected at least three times per year. One of the inspections of a High (Priority) Risk food service may be substituted by an approved educational contact. Medium (Priority) Risk food service establishments, or retail food stores located in the municipalities of Champaign and Urbana, or its police jurisdiction, shall be inspected at least one time per year. Low (Priority) Risk food service establishments, or retail food stores located in the municipalities of Champaign and Urbana, or its police jurisdiction, shall be inspected at least once every two years. Food service establishments, or retail food stores located in the municipalities of Champaign and Urbana, or its police jurisdiction may request a non recorded inspection. This inspection would not be the basis for any proceedings under this Subpart. (Priority) Risk ratings for all food service facilities will be re-evaluated each year. Each facility will be informed of any changes in its rating.~~

~~RULE 750.4080 — ACCESS TO ESTABLISHMENT — The health authority, after proper identification, shall be permitted to enter, at any reasonable time, any food service establishment or retail food store within the municipalities of Champaign and Urbana or its police jurisdiction, for the purpose of making inspections to determine compliance with this ordinance. The health authority shall be permitted to examine the records of the establishment to obtain pertinent information pertaining to food and supplies purchased received or used, and persons employed.~~

~~RULE 750.4090 — INSPECTION RECORDS — Whenever the health authority makes an inspection of a food service establishment or retail food store, findings shall be recorded, and shall be furnished to the permit holder or operator. Such report shall~~

summarize the requirements of Rules 750.5 4200 of this ordinance. This report is a public document.

~~RULE 750.4100 ISSUANCE OF NOTICES~~ Whenever the health authority makes an inspection of a food service establishment or retail food store and discovers that any of the requirements of these ordinances has been violated, it shall notify the permit holder or operator of such violations by means of an inspection report or other written notice. These violations will be written to reference section numbers or item numbers, and state what corrections are to be made. The inspection report shall specify a specific and reasonable period of time for the correction of the violations found, and correction of the violations shall be accomplished within the period specified, in accordance with the following provisions:

(1) All violations of 1 or 2 point weighted items shall be corrected as soon as possible, but in any event, by the time of the next routine inspection.

(2)* ~~CRITICAL VIOLATIONS 4'S 1,3,4,7,11,12,20,27, and 28 shall be corrected prior to the end of the inspection. The violation will be noted on the inspection report as "corrected during inspection" or "edi." Critical violations are to be given a further debit weight of five percent (5%). Debits will be maintained. *See #5, ADJUSTED SCORES.~~

(3)* ~~MAJOR VIOLATIONS 4's 30,31,35, 41 and 45 may be corrected prior to the end of the inspection, and if corrected will be noted on the inspection report as "corrected during inspection" or "edi." Major violations are to be given a further debit weight of five percent (5%). Debits will be maintained. If the violation cannot be remedied in this manner, a "Major Violation Correction Form" (MVCF) will be left with the manager/operator at the time of the inspection. A written method of correction for each of the "Major Violations" shall be made on this form by the manager/operator and returned to the Health Authority within ten (10) days.*~~

~~SEE #5, ADJUSTED SCORES.~~

The MVCF shall be reviewed and initialed by the inspector that conducted the inspection. A log to record and follow the MVCF will be maintained. The log will contain a) the permit number of the food service or the retail food store, b) the date the MVCF was left, c) the name of the facility, and d) the date the MVCF was returned. If the MVCF is found to be satisfactorily completed it will be filed in the facility folder. If the MVCF is not complete or is improper, the facility will be contacted within twenty four (24) hours to ensure compliance.

~~If the MVCF is not returned to the Health Authority in the ten (10) working days allocated, a letter, with another MVCF will be sent to the facility. The letter will allow forty eight (48) hours to return the second MVCF. Failure to return the MVCF the second time will result in an informal hearing regarding the suspension of the facility's permit to operate.~~

~~(4)* REPEAT VIOLATIONS—Repeat violations are to be given a further debit weight of two percent (2%). If documentation indicates that the item has not been corrected properly in a period of two (2) years, the violations will be reclassified as a MAJOR VIOLATION. *SEE #5, ADJUSTED SCORES.~~

~~(5) ADJUSTED SCORES—All Facility ratings shall be determined by using the Score minus the debits created by CRITICAL, MAJOR, and REPEAT violations. This score will be referred to as the ADJUSTED SCORE. The adjusted score shall be determined by using the following method:~~

~~a) multiply the total number of CRITICAL and MAJOR Violations times five (5), (SEE #2 & #3)~~

~~b) multiply the total number of REPEAT Violations times two (2), (SEE #4)~~

~~e) subtract a+b from the Score (eg: Score (a+b)=ADJUSTED SCORE)~~

~~(6) In the case of temporary food service establishments or temporary retail food stores, violations must be corrected within a specified period of time not to exceed twenty four (24) hours. Failure to comply with such notice shall result in immediate suspension of the permit.~~

~~(7) Failure to comply with any notice regarding any violation or repeat violations issued in accordance with the provisions of this ordinance may result in the immediate suspension of the permit.~~

~~(8) 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 authority within the period of time established in the notice for correction.~~

~~(9) VOLUNTARY CLOSURE—A facility having an adjusted score of zero to 35 percent (0% 35%) shall be counseled by the inspecting officer to voluntarily cease food service operations until such a time that the facility is in general compliance with the applicable Rules and Regulations.~~

~~(10) IMMEDIATE CLOSURE—Facilities that have an adjusted score of less than zero percent (0%) shall be classified as an~~

~~imminent danger to the public's health and their permit to operate shall be suspended immediately. A hearing shall be scheduled as per 750.4060.~~

~~RULE 750.4110 SERVICES OF NOTICES Notices provided for under this section shall be deemed to have been properly served when the original of the inspection report form, or other notice, has been delivered personally to the permit holder or person in charge, or such notice has been 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 authority.~~

~~RULE 750.4120 EXAMINATION AND CONDEMNATION OF FOOD Food may be examined or sampled by the health authority as often as may be necessary to determine freedom from adulteration or misbranding.~~

~~The health authority may, upon written notice to the owner or person in charge, place a hold order on any food which it determines or has probable cause to believe to be unwholesome or otherwise adulterated, or misbranded; or food contact equipment which it may have reason to believe constitutes a health hazard or violates these rules and regulations. 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 or food contact equipment by the health authority neither such food nor the container thereof, shall be relabeled, repacked, reprocessed, altered, disposed of, or destroyed without permission of the health authority, except on order by a court of competent jurisdiction. After the owner or person in charge has had a hearing as provided for in subsection 750.4060, and on the basis of evidence produced at such hearing, the health authority may vacate the hold order on the basis of other information satisfactory to the health authority in the event a written request for a hearing is not received within ten (10) days, 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 authority 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.~~

~~RULE 750.4130 FOOD SERVICE ESTABLISHMENTS OR RETAIL FOOD STORES OUTSIDE JURISDICTION OF THE HEALTH AUTHORITY Food from food service establishments or retail food stores outside the jurisdiction of the health authority may be sold within Champaign and Urbana if such food service establishments or retail food stores conform to the provisions of this ordinance or to substantially equivalent provisions. To determine the extent of~~

~~compliance with such provisions, the health authority may accept reports from responsible authorities in other jurisdictions where such food service establishments or retail food stores are located.~~

~~**RULE 750.4140 PLAN REVIEW OF FUTURE CONSTRUCTION** When a food service establishment or retail food store is hereafter constructed, extensively remodeled, changes ownership, or when an existing structure is converted for use as a food service establishment or retail food store, one (1) set of properly prepared plans and specifications for such construction, remodeling, or alteration showing layout, arrangement, and construction material of work areas, the location, size, and type of fixed equipment and facilities, a sample menu and an applicable plan review fee shall be submitted to the health authority. Within thirty (30) days of receipt of the required plans and specifications the review process will be completed. Either a Letter of Design Approval or a letter outlining the deficiencies in the plan will be sent to the submitter.~~

~~After the Letter of Design Approval has been issued, construction may begin. Pre operational reviews of the facility will be conducted throughout the construction to ensure adherence to the approved design.~~

~~(1) PLAN REVIEW FEES Plan review fees will be charged as follows:~~

~~(a) NEW CONSTRUCTION OR CONVERSION OF EXISTING STRUCTURES:~~

~~100 TO 1,000 SQUARE FEET \$200
OVER 1,000 TO 10,000 SQUARE FEET \$300
OVER 10,000 TO 50,000 SQUARE FEET \$400
OVER 50,000 SQUARE FEET AND UP \$500~~

~~(b) EXTENSIVE REMODEL OR CHANGE OF OWNER:~~

~~75% OR GREATER OF (a)~~

~~100 TO 1,000 SQUARE FEET \$150
OVER 1,000 TO 10,000 SQUARE FEET \$225
OVER 10,000 TO 50,000 SQUARE FEET \$300
OVER 50,000 SQUARE FEET AND UP \$375~~

~~(c) MINOR REMODEL:~~

~~LESS THAN 75% OF (a)~~

~~100 TO 1,000 SQUARE FEET \$100
OVER 1,000 TO 10,000 SQUARE FEET \$150
OVER 10,000 TO 50,000 SQUARE FEET \$200
OVER 50,000 SQUARE FEET AND UP \$250~~

~~RULE 750.4150 PROCEDURE WHEN INFECTION IS SUSPECTED~~ When the health authority has reasonable cause to suspect possibility of disease transmission from any food service establishment or retail food store employee, the health authority shall secure a morbidity history of the suspected employee, or make such other investigations as may be indicated, and take appropriate action. The health authority may require any or all of the following measures:

- ~~a) the immediate exclusion of the employee from all food service establishments or retail food stores;~~
- ~~b) the immediate closure of the food service establishment or retail food store concerned until, in the opinion of the health authority, no further danger of disease outbreak exists;~~
- ~~e) 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 any employees body discharges.~~

~~RULE 750.4160 UNCONSTITUTIONALITY CLAUSE~~ Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

~~* FROM PAGE 5 MAJOR AND CRITICAL VIOLATIONS ARE ITEMS THAT REQUIRE IMMEDIATE ATTENTION DUE TO THEIR POTENTIAL FOR CREATING FOOD RELATED ILLNESS OR HAZARD.~~

~~SUBPART M: ENFORCEMENT PROVISIONS (pages 1-9) AMENDED AND APPROVED, 1995 BOARD OF HEALTH MEETING.~~

SIGNED: _____
LINDA CROSS
CHAIRPERSON, BOARD OF HEALTH

DATE: _____ OF 1995

Champaign-Urbana Public Health District Retail Food Program Enforcement Policy

Whereas the Board of Health of the Champaign-Urbana Public Health District has adopted an Ordinance known as the Retail Food Ordinance, and

Whereas the Board of Health of the Champaign-Urbana Public Health District deems it desirable and necessary to provide a retail food safety program policy to promote fair and objective guidance for administrative enforcement and judicial procedures,

Now, therefore, be it resolved by the Board of Health of the Champaign-Urbana Public Health District as follows:

SECTION I: GENERAL PROVISIONS

1-01: Short Title

This Enforcement Policy shall be known as the "Retail Food Program Enforcement Policy."

1-1: Application

This policy applies to all retail Food Establishments permitted by the Champaign-Urbana Public Health District (Health District).

Words and phrases included in this policy are defined in Section II, in the Food Code ("Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750), and in the Health District's Retail Food Program Ordinance (Retail Food Ordinance).

This policy is intended to provide a progressive enforcement process.

1-2: Inspections

Inspections determine the Food Establishment's compliance with the Food Code and Retail Food Ordinance. Inspections are generally unannounced to obtain a more accurate assessment of normal operating practices and conditions. Exceptions can be made for preoperational and opening inspections where an appointment is needed to ensure that all parties are available for discussion or where work is intermittent and access to a new establishment is limited; or during follow-up inspections which may require the presence of specific personnel or management from the establishment.

- Preoperational inspections are conducted during construction to ensure that the food establishment is built or remodeled in accordance with the approved plans and specifications. A preoperational inspection for a Change of Ownership is to verify that the new operation is in compliance with the Food Code and Retail Food Ordinance prior to issuing a new Permit to a new owner. In either situation, the final preoperational inspection, known as the opening inspection, is for final approval and for permit issuance.

- Routine inspections are conducted on a frequency based on risk classification Category. These compliance inspections are full reviews of the Food Establishment operations and facilities and their impact on food safety. They include assessment of food Employee and management health, practices, and knowledge of food safety; food flows, source, storage, thawing, preparation (including cooking temperatures and times) and post-preparation processes; equipment and Premises construction; cleaning and sanitizing processes; water sources; sewage disposal; and vermin control. A detailed report is prepared at the conclusion of each inspection and presented to the Person in Charge. Items found not to be in compliance are categorized as Priority Item, Priority Foundation Item, or Core Item violations. Items found to be repeated from the previous inspection are also noted and are known as Repeat Violations. The Food Code section in violation is included in the report citation section. The time period for the correction of violations shall be in accordance with Section 3: Timely Correction of Violations.
- Follow-up inspections at a Food Establishment, if needed, are conducted by the Health Authority to verify that Priority Item, Priority Foundation Item, or Core Item Violations have been satisfactorily corrected as determined by the Health Authority within Timely Correction days after the routine inspection that detected them. Follow-up inspections should be briefer than the routine inspection, since they concentrate on the previously cited, specified violations. Corrections and continued violations should be documented on a copy of the initial Food Establishment Inspection Report. Continued violations should be used to initiate further compliance and enforcement actions.
- Hazard Analysis Critical Control Point inspections are conducted in Food Establishments operating under a Variance requiring a Hazard Analysis Critical Control Point plan. These inspections are different from routine inspections as these inspections seek to verify specific plan elements which must be routinely monitored and recorded by the Food Establishment. When reviewing Hazard Analysis Critical Control Point plan records, notation in the records of process deviations that occurred and corrective actions taken by management in response to those deviations should not be cited as violations.
- Complaint inspections may be conducted as part of consumer complaints and generally are not full reviews, but concentrate on the specific issue mentioned. Consumer complaints received about a Food Establishment shall be classified as an illness investigation or as a non-illness investigation.
 - Illness investigations are led by the Health District's Epidemiologist and/or Communicable Disease Investigator using the procedures and time schedules in the Illinois Department of Public Health's Illinois Reportable Disease guideline.
 - Non-illness investigations are led by the Health District's Environmental Health Division. A formal complaint is where a complainant supplies his/her name, address and contact information along with the complaint specifics. Formal complaints determined by the Health District as an Imminent Health Hazard are investigated as soon as possible and routinely less than 24 hours after receipt. Other formal complaints generally are investigated within ten (10) Health District Business Days. An anonymous complaint may be investigated during the next routine inspection, if not sooner.

- Re-inspections are full review inspections conducted after a Permit was suspended. If satisfactory compliance is found and upon payment of any fees, the permit shall be reinstated.

SECTION 2: DEFINITIONS

In addition to the words and phrases referred to in 1-1, the following definitions shall apply in interpretation and enforcement:

CORRECTIVE ACTION PLAN: Identifies what a Food Establishment or permit holder will do to correct a remaining violation from an inspection, what will be done to prevent reoccurrence of the violation, and when the corrective action is to be completed.

CORE ITEM VIOLATION: Violations that are not designated as a Priority Item or a Priority Foundation Item. It includes those items usually related to general sanitation, operational controls, sanitation standard operating procedures, facilities or structures, equipment design, or general maintenance.

FOOD ESTABLISHMENT INSPECTION REPORT: The form found in Appendix A of the Food Code used by the Health District in substantially the same format.

FOOD SAFETY MANAGEMENT SYSTEM: A system developed and implemented by Food Establishment Operators to ensure that food handling practices known to contribute to foodborne illness are under control. The system is comprised of knowledgeable food Employees, written operating procedures, and regular self-assessments to ensure that procedures are being followed.

OFFICE CONSULTATION: An informal, scheduled meeting between the Permit holder or designated representative, and the Health Authority at a location determined by the Health Authority.

PART 750 VIOLATIONS: Violations of Part 750 of the Illinois Food Code (Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750). These rules are specific to and are applicable in Illinois.

RISK CONTROL PLAN (RCP): A written management plan developed by the Food Establishment operator with input from the Health Authority that describes a management system for controlling specific out-of-control foodborne illness risk factors.

SECTION 3: TIMELY CORRECTION OF VIOLATIONS

3-1: Imminent Health Hazard

A permit holder or a Person in Charge shall immediately cease and discontinue food operations if an Imminent Health Hazard exists during an inspection or during an emergency. An Imminent Health Hazard includes, but is not limited to:

- Fire
- Flood
- Extended interruption of electrical or water service
- Sewage backup
- Misuse of poisonous or toxic materials
- Onset of an apparent foodborne illness outbreak
- Gross unsanitary occurrence or condition or
- Other circumstances that may endanger public health

A permit holder or a Person in Charge shall immediately notify the Health Authority if there is an Imminent Health Hazard. In the Health Authority's judgment, it may modify a Permit to cease a portion of the food operations depending upon the location and type of Imminent Health Hazard or it may suspend a Permit to cease all food operations.

Food operations due to an Imminent Health Hazard may not resume until authorization has been granted by the Health Authority.

3-2: Priority Item Violations

When a Priority Item Violation is observed during a routine inspection, the violation shall be documented on the FOOD ESTABLISHMENT INSPECTION REPORT. A compliance correction acceptable to the Health Authority shall be obtained. Acceptable compliance corrections include the following options:

- A. **Violation Corrected On-site (COS):** This occurs when immediate on-site corrective action is conducted by the Person in Charge and is verified and documented by the Health Authority during the inspection, with a brief explanation of the corrective action taken.
- B. **Violation Correction Form (VCF):** A VCF is issued only for a Priority Item Violation that cannot be corrected on-site and is not an Imminent Health Hazard. The VCF will be left with the Person in Charge with instructions to have the violation corrected properly and to return the VCF to the Health Authority within ten (10) business days.

The VCF must be adequately filled out, including documentation of the corrective action, such as a picture of the correction or any receipts that indicate that corrective action was taken.

After the VCF is received by the Health Authority, a Priority Item Violation may require a follow-up inspection within ten (10) additional business days.

- C. **Corrective Action Plan:** If a Priority Item Violation is not an Imminent Health Hazard and cannot be corrected on-site or does not qualify for a VCF, then the Health Authority may require a **CORRECTIVE ACTION PLAN** acceptable to the Health Authority.

If the Food Establishment's Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with Permit suspension. The hearing process is described in Section 6.

3-3: Priority Foundation Item Violations

When a Priority Foundation Item Violation is observed, the violation will be documented on the **FOOD ESTABLISHMENT INSPECTION REPORT**. An acceptable compliance correction must be obtained. Acceptable compliance corrections include the following options:

- A. Violation corrected on-site (COS): as stated in 3-2.
- B. Violation Correction Form (VCF): as stated in 3-2.
- C. Corrective action with an alternative timeframe: as designated in the Priority Foundation Item Correction Table, Appendix Pf.
- D. Health Authority approval: as stated in 3-2 (C).

If the Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with an informal office consultation

3-4: Core Item Violations

When a **CORE ITEM VIOLATION** is observed, the violation will be documented on the **FOOD ESTABLISHMENT INSPECTION REPORT**. The permit holder shall correct the **CORE ITEM VIOLATION** by no later than the next routine inspection date. Reassessment will occur during the next routine inspection unless there is an alternative written compliance schedule.

If an alternative timeframe is requested by the permit holder or by the Health Authority, a written compliance schedule shall be submitted by the permit holder. The alternative time schedule shall be approved by the Health Authority. The compliance schedule shall contain the specific violation(s), the methods of correction(s), and the date(s) for correction. Verification of correction may be provided by documentation or by a follow-up inspection by the Health Authority.

3-5: Part 750 Violations

When a **PART 750 VIOLATION** is observed, the violation will be documented on the **FOOD ESTABLISHMENT INSPECTION REPORT**. An acceptable compliance correction must be

obtained. Acceptable compliance corrections are included in Appendix 750.

If the Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with an informal office consultation.

3-6: Deviations from Hazard Analysis Critical Control Point Plan Elements

The timely correction of a Hazard Analysis Critical Control Point plan element that is not in compliance with the plan is categorized as a Priority Foundation Item Violation.

If a Hazard Analysis Critical Control Point plan element is found to deviate from the plan, the deviation will be documented on the Hazard Analysis Critical Control Point inspection report. An acceptable compliance correction must be obtained. Depending upon the Hazard Analysis Critical Control Point plan, the acceptable corrective action and the time schedule for timely correction shall follow the procedures for correcting Priority Item or Priority Foundation Item Violations as listed in 3-2 and 3-3.

If the Food Establishment's Person in Charge is unable or unwilling to take suitable compliance corrective action as listed above, then the Health Authority shall take enforcement actions starting with an informal office consultation.

3-7: Complaints

Consumer complaints are complaints made by members of the public. Corrective actions for consumer complaints that are Priority Item or Priority Foundation Item Violations are required to be satisfactorily corrected as in 3-2 or 3-3. Corrective actions for consumer complaints that are Core Item Violations are required to be satisfactorily corrected as in 3-4.

3-8: Failure to Return a Violation Correction Form

When a VCF is left with the Person in Charge the instruction and goal is to have the violation properly corrected and adequately documented on the VCF, with the VCF returned to the Health Authority within ten (10) business days.

If the VCF is not returned or if the Health Authority determines that the violation was not properly corrected or that the correction was not adequately documented, then the Health Authority will follow-up to gain compliance within an additional ten (10) business days.

If still not returned, properly corrected, or adequately documented, then the Person In Charge, Food Establishment operator or owner shall attend an OFFICE CONFERENCE with the Health Authority. Failure to appear or failure to properly correct the violation with adequate documentation within any timeframe extended during the informal office conference may result in further administrative actions including permit suspension or revocation.

SECTION 4: REPEAT VIOLATIONS

4-1: Timeframe for Routine Inspections and Repeat Violations

Category I Food Establishments have routine inspections two to three (2-3) times per calendar year with approximately ninety (90) calendar days between routine inspections. Category II Food Establishments have at a minimum one (1) routine inspection per calendar year, while Category III Food Establishments have at a minimum one (1) routine inspection every two (2) calendar years.

In order to have a similar timeframe for documenting Repeat Violations independent of the Food Establishment's designated Category and the corresponding frequency and timing of routine inspections, the first Repeat Violation, for Categories II and III, will trigger a follow-up inspection to determine if the Repeat Violation continues to be a Repeat Violation or if it has been corrected. The timeframe for this follow-up inspection will be approximately the timeframe between routine inspections for Category I Food Establishments. Upon the observation of a Repeat Violation, all Food Establishments will be subject to the progressive enforcement in this Section until complete compliance with the Ordinance is obtained.

4-2: Timeframe for Correction

On-site corrections (COS) address a short-term correction and may not negate the need for implementation of long-term correction actions when the violation is not an isolated occurrence, i.e. a Repeat Violation.

When a violation is observed during an inspection and it is a Repeat Violation from the last routine inspection, it will be documented and tracked by using and including the notation of "R1" for being a Repeat Violation the first time, "R2" for being repeated again, and so on.

4-3: Repeat Priority Item or Priority Foundation Item Violations

- A. **First-Time (R1) Repeat Violations:** When any Priority Item or Priority Foundation Item Violation is observed that is an R1 Repeat Violation, the violation shall be documented on the FOOD ESTABLISHMENT INSPECTION REPORT and subsequent enforcement action will focus on establishing long-term compliance and a behavior change by the Food Establishment.

In consultation with the Health Authority, the Food Establishment must conduct a process to find corrective actions designed to prevent the recurrence of the violation by addressing the root cause(s) of the R1 Repeat Violation. This process may require the Food Establishment to schedule a discussion between the Health Authority and the Food Establishment's management (owner and/or operator), as well as the Person(s) in Charge, if needed, to complete the following requirements:

1. Determine the root cause(s) of the specific violation.
2. Identify and implement targeted preventative corrective actions or control

- measures.
3. Assess the effectiveness of these actions.
 4. Redo the process if the corrective actions or control measures did not effectively eliminate the root cause(s) of the specific violation.

Examples of corrective actions include:

1. Changing equipment and layout, e.g., adding rapid cooling equipment or adding an additional hand sink.
 2. Establishing written buyer specifications, e.g., purchasing from Approved alternative sources.
 3. Developing and implementing recipe and/or process instructions, e.g. establishing demonstrated rapid cooling methods or including end temperatures for the cooking step.
 4. Developing and implementing Standard Operating Procedures (SOPs) or requiring food temperature monitoring and recording.
 5. Employee training or re-training on the procedures and/or manager training or re-training on taking, verifying, and recording corrective actions.
- B. Second-Time (R2) Repeat Violations:** When a Priority Item or Priority Foundation Item Violation is observed that is an R2 Repeat Violation, an OFFICE CONSULTATION will be conducted by the Health Authority with the permit holder and Person(s) in Charge.

The purpose of the OFFICE CONSULTATION is to clarify expectations for food protection and sanitation, as well as the consequences of failure to correct any Repeat Violations and to maintain standards. This consultation also offers an opportunity for the permit holder to demonstrate corrective actions for addressing Repeat Violations. Pursuant to the OFFICE CONSULTATION, the Health Authority may require the permit holder to do any of the following:

1. Develop and submit a compliance plan, e.g. a written CORRECTIVE ACTION PLAN, with an agreement from the Health Authority.
 2. Develop and implement a RISK CONTROL PLAN (RCP) with a follow-up inspection for correction verification.
 3. Issue an order to change or cease menu items or recipe processes with repeated uncontrolled Priority Item or Priority Foundation Item Violations.
- C. Third-Time (R3) Repeat Violations:** When a Priority Item or Priority Foundation Item Violation is observed that is an R3 Repeat Violation, an administrative enforcement action will be conducted. These actions may include:
1. Written notice of the Food Establishment's violations and subsequent failure to comply with the necessary corrective actions. The written notice will include a final compliance correction date and, if needed, a compliance hearing date.
 2. Conducting a compliance hearing to determine if a Permit should be limited in menu with an order to cease preparation of a menu item; to cease a Food

Preparation process; to cease using an equipment item; or to suspend Food Preparation in a particular department or area.

3. Conducting a compliance hearing to determine if a Permit should be suspended or revoked.

D. Fourth-Time (R4) Repeat Violations: When a Priority Item or Priority Foundation Item Violation is observed that is an R4 Repeat Violation, the Health Authority will pursue administrative and/or judicial remedies against the Food Establishment and/or permit holder. These remedies may include:

1. Suspension of the Food Establishment's Permit with or without civil fines.
2. Revocation of the Food Establishment's Permit with or without civil fines.
3. An administrative hearing concerning administrative remedies to achieve compliance.
4. Petition for a Temporary Restraining Order and other relief in a court of competent jurisdiction.
5. Petitions for temporary and/or permanent injunctive relief in a court of competent jurisdiction to achieve compliance with the provisions of this Policy and/or the Health District Ordinance.
6. Criminal proceeding as described below in Section 6–7.

4–4: Repeat Core Item Violations

When a repeat Core Item Violation is observed, the violation shall be documented on the FOOD ESTABLISHMENT INSPECTION REPORT and subsequent enforcement action will focus on establishing long-term compliance and a behavior change by the Food Establishment.

A. First-Time (R1) Repeat Violations: If the Repeat Violation is an R1 Core Item Violation, the Health Authority will discuss the violation and options for corrective action with the permit holder.

B. Second-Time (R2) Repeat Violations: If the Repeat violation is an R2 Core Item violation, the Health Authority will discuss the violation with the permit holder using a consultative assistance process to find options for corrective actions.

C. Third-Time (R3) Repeat Violations: If the Repeat violation is an R3 Core Item violation, the Health Authority will determine whether extended and continued non-compliance may result in any of the following:

1. The progression of the violation into a Priority Item or Priority Foundation Item Violation.
2. The progression of gross unsanitary conditions that render operations, practices, or conditions injurious to human health or otherwise create a nuisance.

If the Health Authority determines that progression into one of these two conditions is:

a) Unlikely to occur and has not already occurred, the Core Item violation will be documented and tracked as a Repeat Violation, e.g. R4, R5, etc., and reevaluated as in 4-4 (B) during the next routine inspection. Eventually, corrective action(s) to remove the violation(s) shall be completed to the sole satisfaction of the Health Authority when:

1. The Food Establishment is inactive for more than thirty (30) calendar days and under the same ownership.
2. There is a permit holder change of ownership.
3. The Food Establishment's internal premises are remodeled.

b) Likely to occur or has already occurred, the violation(s) shall be corrected according to a compliance correction action schedule submitted by the permit holder and approved by the Health Authority. If the permit holder does not correct repeat Core Item Violations in the manner of, and by a date and time agreed to in the approved CORRECTIVE ACTION PLAN, the Health Authority will proceed with administrative enforcement actions and/or judicial remedies as described above in 4-3(C) and 4-3 (D).

4-5: Repeat Part 750 Violations

Repeat Violations of PART 750 VIOLATIONS shall follow the same procedures as in this Section depending upon the designation of a 750 violation as a Priority Item, Priority Foundation Item, or Core Item Violation as designated in appendix 750.

SECTION 5: INADEQUATE FOOD SAFETY MANAGEMENT SYSTEM

In addition to Section 3 and Section 4, when violations are documented in six (6) or more categories of foodborne illness risk factors and public health interventions as shaded on the FOOD ESTABLISHMENT INSPECTION REPORT during a routine inspection, it is substandard compliance and it is indicative of gaps in trainings, procedures, and/or verifications. The FOOD SAFETY MANAGEMENT SYSTEM needs improvement to protect the public from foodborne illness and shall require compliance corrections acceptable to the Health Authority.

The Health Authority shall review and approve any correction documentation. Follow-up inspection(s) shall be conducted to assess the effectiveness of the FOOD SAFETY MANAGEMENT SYSTEM. Acceptable effectiveness is demonstrated by having no violations in these categories.

If consecutive routine inspections continue to document violations in any six (6) or more categories of foodborne illness risk factors and public health interventions or if follow-up inspection in this Section continues to document violations in same six (6) or more categories, then the Health Authority shall proceed to Section 6.

SECTION 6: PENALTIES FOR NON-COMPLIANCE

6-1: Permit Suspension

- A. **Notice of Suspension:** Whenever a permit holder or Operator has failed to comply with any notice issued under the provisions of the Enforcement Policy, the Health Authority may serve the permit holder or Operator with a notice stating that their Permit is suspended and Operations are to cease immediately or as ordered by the Health Authority.

The summary suspension notice shall state the following:

1. That the Permit is immediately suspended and that all food Operations shall immediately cease.
2. The nature of the violation supporting summary suspension, with reference to the specific Enforcement Policy or Ordinance provisions that are in violation.
3. A reasonable time in which corrective action must be taken by the permit holder or Operator.
4. Contact information for the Health Authority to whom a written request for re-inspection may be made and who may certify that reasons for the suspension are eliminated.
5. That the permit holder may request an appeal hearing by submitting a timely request as in 6-4.

- B. **Imminent Health Hazard:** In the event that a violation constitutes an Imminent Health Hazard, the aforesaid notice may also require the immediate suspension of the entire Operation of the Food Establishment or portions thereof. Any Person to whom such notice is issued shall comply immediately therewith. The permit holder shall obtain Approval from the Health Authority prior to resuming Operations. Approval may be granted by written, electronic, or telephone notification.

- C. **Repeat Suspensions:** Two (2) suspensions during a period of twelve (12) consecutive months shall constitute grounds for permanent revocation of a Permit.

- D. **Cause:** A Permit may be suspended for cause pending its revocation or a hearing relative thereto.

6-2: Reinstatement of Suspended Permits

Any Person whose Permit has been suspended may, at any time, submit a written application for re-inspection in accordance with the procedure in 6-1 (A).

6-3: Permit Revocation

For Repeat Violations of any provisions of the Enforcement Policy or for interference with the Health Authority in the performance of its duties, the Health Authority may hold a hearing to permanently revoke a Permit. The permit holder shall be given notice of the revocation and of

the opportunity to request a hearing before the Health Authority. Prior to such action, the Health Authority shall notify the permit holder that the Permit is subject to revocation, and the Permit shall be permanently revoked at the end of ten (10) business days following service of such notice, unless the permit holder files a request for a hearing with the Health Authority within that period.

Upon revocation the Person and other related Persons or organizations are ineligible to reapply to the Health District for a Food Establishment Permit in its jurisdiction.

6-4: Appealing Decisions by the Health Authority

- A. **Appeals:** A permit holder or Operator whose Permit has been suspended or revoked may make a written request to the Health Authority for a hearing to contest the conditions of the suspension or revocation. In such cases where a Permit has been suspended, a permit holder may additionally or alternatively make a written request to the Health Authority for re-inspection.

Any Food Establishment for which the Permit has been suspended or revoked shall remain closed during those periods when an appeal and/or a hearing is being sought or under consideration.

The permit holder may appeal the final decision of the Health Authority to the Health District or its successor.

- B. **Timeliness:** The Health Authority shall afford a hearing within thirty (30) calendar days but no earlier than seven (7) calendar days after the service of a hearing notice to consider administrative remedies for matters as determined necessary by the Health Authority.

6-5: Hearings

All hearings shall be conducted by the Health Authority at a time and place to be designated by the same.

All hearings shall be conducted so as to provide the parties with written notice of the hearings, adequate time to prepare, the right to present evidence in support of their position, the right to cross-examine, and the right to legal counsel at their expense. Either party may record the hearing. Written notice of the hearing to a party may be waived by that party.

An Administrative hearing will be conducted by the Public Health Administrator of the Health District, or his/her designee, and any Health District staff that may be necessary. All hearings shall be conducted in an informal manner, with consideration to all parties. The formal rules of evidence shall not apply; however, the hearing body may exclude irrelevant or immaterial evidence. The hearing body may ask questions of any witness to clarify a point or to assist the body in reaching a decision.

Based upon the hearing, the Health Authority shall make a finding and sustain, modify, or rescind any official notice or order considered in the hearing. This hearing may result in the

closure of the Food Establishment and may be used to establish legal action(s) against the Food Establishment.

A written report of the hearing decision shall be furnished to the permit holder by the Health Authority within forty-eight (48) hours.

6-6: Service of Notices

Notices provided for under this Policy shall be deemed to have been properly served when a physical or electronic copy thereof has been delivered to the permit holder; if a corporation, to any officer thereof; or to the Person in Charge. The Health District shall maintain a physical or electronic copy of such notices.

6-7: Penalties Other Than Suspension and Revocation of Licenses

Any Person that violates any provisions of this Policy shall be guilty of a class B misdemeanor, and upon conviction thereof, shall be punished by a term of imprisonment for not more than six (6) months, by a fine not to exceed five hundred dollars (\$500.00), or by both such term and fine. Each day upon which a violation occurs shall constitute a separate violation.

In addition to suspension, revocation, criminal conviction, or other remedy, the Health District may seek an injunction against any permit holder or Person violating this Policy, as provided in the Illinois Food Handling Regulation Enforcement Act (410 ILCS 625/1 et seq.).

SECTION 7: AUTHORITY

This Enforcement Policy shall be published in pamphlet form not later than December 3, 2018.

This Enforcement Policy shall be in full force and effective on January 1, 2019. At that time, all enforcement policies and provisions in conflict with this Enforcement Policy are repealed.

Should any section, paragraph, sentence, clause or phrase of this Enforcement Policy be declared unconstitutional or invalid for any reason, the remainder of this Enforcement Policy will not be affected. Those sections will remain valid.

Passed and adopted this _____ day of _____, 2018, by the Board of Health of the Champaign-Urbana Public Health District.

C. Pius Weibel
Chair

Date



**Champaign County Board of Health
Monthly Report for May 2018, Fiscal Year 2018**

Total number of children seen from all programs this month: **288**

Total number of unique pediatric dental patients in BOH Fiscal Year 2018: **1105 + 100***

*Patients seen at Give Kids A Smile Event

Breakdown of current month of patients for all programs by town.

- | | |
|------------------|---------------------|
| • Champaign: 126 | • Sidney: 2 |
| • Fisher: 1 | • St. Joseph: 4 |
| • Homer: 1 | • Tolono: 3 |
| • Mahomet: 10 | • Urbana: 34 |
| • Rantoul: 60 | • Other/Unknown: 25 |
| • Savoy: 22 | |

May 2018

Dental Education Report

Thursday May 10th

Frances Nelson staff went to Crisis Nursery and had contact with **10 people**. Information about FNDC and FNHC were distributed.

Friday May 11th

Staff hygienist completed Well Child visits at Frances Nelson and had contact with **4 children** and **6 appointments** were made.

Staff hygienist completed prenatal visits at Frances Nelson and had contact with **2 woman** and **2 appointments** were made.

Monday May 14th

Staff hygienist went to Savoy Head Start and had contact with **83 children**. Education materials and supplies were provided.

Frances Nelson staff went to Garden Hills Spring Fling and had contact with **100 children** and **15 adults**. Information about FNHC and SHDC were distributed.

Monday May 21st

Staff hygienist went to Urbana Head Start and had contact with **120 children**. Education materials and supplies were provided.

Total number of contacts: 334



A PROGRAM OF PROMISE HEALTHCARE

Total number of HS/EHS: 203

Total number of prenatal: 2

Total number of prenatal appointments: 2

Total well child visits: 4

Smile Healthy Dental Center is home: 4

Other Dental Home: 0

No dental home need follow up: 0

Infant, no teeth yet: 0

Total number of well child appointments made: 6

Total number of adult visits for dental pain/NPX: 0

Total number of appointments made: 0

Total number of DEERP patients: 0

Total appointments made: 0

Total number of presentation/health event contacts: 125

Total number of food pantry contacts: 0

SmileHealthy, a program of Promise Healthcare
Champaign County Board of Health Child Dental Access Program
Fiscal Year 2018 Report

	Jan 18	Feb 18	March 18	April 18	May 18	June 18	July 18	Aug 18	Sep 18	Oct 18	Nov 18	Dec 18	Total
Bondville													0
Broadlands													0
Champaign	73	103	123	88	126								513
Dewey													0
Fisher	1	2		1	1								5
Foosland													0
Gifford	1												1
Homer					1								1
Ivesdale													0
Ludlow					1								1
Mahomet	5	3	3	26	10								47
Ogden			1	1									2
Penfield													0
Pesotum		5											5
Philo	13		3										16
Rantoul	52	48	41	33	60								234
Royal													0
Sadorus		6											6
Savoy	13	19	11	7	22								72
Seymour				3									3
Sidney	17		3	1	2								23
St. Joseph		31	7	3	4								45
Thomasboro			2										2
Tolono	8	39	8	3	3								61
Urbana	23	36	57	40	34								190
Other/Unk	13	29	22	21	25								110
Total	219	321	281	228	288								

Total Unique Patients in FY 219 519 748 924 1105

Education Contacts 853 757 1,005 1,284 334



Invoice Number:	1805
Date of Invoice:	June 29, 2018
Billing Period:	May-18

To:

Champaign County Public Health Department
1776 East Washington Street
Urbana, Illinois 61802

For the Following Expenses:

533.07 Professional Services - LHPG Communicable Disease	\$	4,935.83
533.07 Professional Services - LHPG Disease Intervention	\$	5,703.25
533.07 Professional Services - LHPG Tuberculosis	\$	5,035.50
533.07 Professional Services - LHPG Food	\$	19,940.75
533.07 Professional Services - LHPG Water	\$	4,302.33
533.07 Professional Services - LHPG Sewage	\$	5,410.09
533.07 Professional Services - Administration	\$	13,923.84
533.07 Professional Services - PHEP Grant	\$	4,355.06
533.07 Professional Services - TFC Grant	\$	-
533.07 Professional Services - Vector Surveillance & Control Grant	\$	-
533.07 Professional Services - Summer Food Inspection Grant	\$	-
533.07 Professional Services - Body Art & Tanning Inspection Grant	\$	-
533.07 Professional Services - Smoke-Free IL Citation Fee Reimb.	\$	-
533.07 Professional Services - County Well Water Testing	\$	219.77
Total Amount Due to CUPHD per Contract	\$	<u>63,826.42</u>

CERTIFICATION:

I hereby certify that the amounts billed above agree with the approved budget; that appropriate purchasing procedures have been followed, and that reimbursement has not previously been requested or received.



Authorized Agency Official

Invoice Number:	1806
Date of Invoice:	July 31, 2018
Billing Period:	June-18

To:
 Champaign County Public Health Department
 1776 East Washington Street
 Urbana, Illinois 61802

For the Following Expenses:

533.07 Professional Services - LHPG Communicable Disease	\$	4,935.83
533.07 Professional Services - LHPG Disease Intervention	\$	5,703.25
533.07 Professional Services - LHPG Tuberculosis	\$	5,035.50
533.07 Professional Services - LHPG Food	\$	19,940.75
533.07 Professional Services - LHPG Water	\$	4,302.33
533.07 Professional Services - LHPG Sewage	\$	5,410.09
533.07 Professional Services - Administration	\$	13,923.84
533.07 Professional Services - PHEP Grant	\$	5,938.60
533.07 Professional Services - TFC Grant	\$	18,726.04
533.07 Professional Services - Vector Surveillance & Control Grant	\$	4,972.64
533.07 Professional Services - Summer Food Inspection Grant	\$	200.00
533.07 Professional Services - Body Art & Tanning Inspection Grant	\$	100.00
533.07 Professional Services - Smoke-Free IL Citation Fee Reimb.	\$	-
533.07 Professional Services - County Well Water Testing	\$	240.23
Total Amount Due to CUPHD per Contract	\$	<u>89,429.10</u>

CERTIFICATION:

I hereby certify that the amounts billed above agree with the approved budget; that appropriate purchasing procedures have been followed, and that reimbursement has not previously been requested or received.


 Authorized Agency Official

AGREEMENT BETWEEN THE CHAMPAIGN-URBANA PUBLIC HEALTH DISTRICT
AND THE COUNTY OF CHAMPAIGN AND CHAMPAIGN COUNTY HEALTH
DEPARTMENT FOR THE PROVISION OF PUBLIC HEALTH SERVICES BY THE
CHAMPAIGN-URBANA PUBLIC HEALTH DISTRICT TO THE CHAMPAIGN
COUNTY HEALTH DEPARTMENT

This Agreement is made between the Champaign-Urbana Public Health District and the County of Champaign and Champaign County Health Department pursuant to the authority granted by their respective governing bodies in consideration of the following mutual covenants and conditions:

1. This Agreement is made pursuant to the authority granted by the governing bodies of each party and to the provisions of the Intergovernmental Cooperation Act, 5 ILCS 220/1, et seq., specifically paragraphs 220/3 and 220/5; the Public Health District Act, 70 ILCS 905/0.01, et seq., and specifically paragraph 905/17(11); the Counties Code, 55 ILCS 5/1-1001, et seq., and specifically paragraphs 5/5-1005 and 5/5-25013(B)5; and the Illinois Constitution of 1970, Article VII, Section 10.

2. The purpose of this Agreement is for the Champaign-Urbana Public Health District, hereinafter called the Public Health District, to provide for the Champaign County Health Department, hereinafter called the County Health Department, certain public health services which the County of Champaign, hereinafter called the County, is authorized to provide through the County Health Department created under the provisions of 55 ILCS 5/5-25001, et seq.

3. The Public Health District will provide advice and guidance to the County Health Department with respect to the programs set forth in this Agreement.

4. The Public Health District will perform the activities necessary to maintain the status of the County Health Department as a Certified Local Health Department pursuant to 77 Ill.Adm.Code [Illinois Administrative Code] 600, as set forth in paragraph 5.

5. The Public Health District will provide public health services for the following programs which are mandatory programs for a local health department to receive a Local Health Protection Grant pursuant to 77 Ill.Adm.Code 615, Local Health Protection Grant Rules, or such other mandatory programs as the Illinois Department of Public Health may from time to time require. These programs are a required part of this Agreement.

- a. Infectious Diseases Control Program
- b. Food Protection
- c. Private Sewage Disposal
- d. Potable Water Supply

6. a. With respect to the Infectious Diseases Control Program the Public Health District will conduct activities for the control of infectious diseases in accordance with the program standards set forth in 77 Ill.Admin.Code 615.300, Local Health Protection Grant Rules; 77 Ill.Admin.Code 690, Control of Communicable Diseases Code; 77 Ill.Admin.Code 693, Control of Sexually Transmissible Diseases Code; 77 Ill.Admin.Code 696,

Control of Tuberculosis Code; and 77 Ill.Admin.Code 697, AIDS Confidentiality and Testing Code.

b. The Public Health District is authorized to include at its discretion any or all of the immunizations recommended by the Advisory Committee on Immunization Practices for the Centers for Disease Control and Prevention which are in addition to immunizations required by the regulations set forth in section 6-a.

7. a. The County has adopted and will maintain in force an ordinance adopting the "Illinois Food Service Sanitation Code," 77 Ill. Adm. Code 750, ~~Food Service Sanitation Code, 77 Ill.Admin.Code 750, and the Retail Food Store Sanitation Code, 77 Ill.Admin.Code 760.~~ With respect to the Food Protection program the Public Health District will conduct activities as follows in accordance with the program standards set forth in 77 Ill. Admin. Code 750, "Illinois Food Services Sanitation Code" ~~, 77~~

~~Ill.Admin.Code 760, Retail Food Store Sanitation Code,~~ and 77 Ill.Admin.Code 615.310, Local Health Protection Grant Rules.

b. The Public Health District will furnish to the County Health Department a monthly summary of inspections performed and permits issued under this program.

c. The Public Health District will conduct educational seminars periodically as needed for food establishments, ~~service facilities and retail food stores.~~

d. The Public Health District will conduct inspection activities and other activities and issue permits and take such other action as it considers appropriate under the Illinois Food Service Sanitation Code ~~and the Retail Food Store Sanitation Code~~.

8. a. The County has adopted and will maintain in force an ordinance adopting the Private Sewage Disposal Code, 77 Ill.Admin.Code 905. With respect to the Private Sewage Disposal program the Public Health District will conduct activities as follows in accordance with the program standards set forth in 77 Ill.Admin.Code 905, Private Sewage Disposal Code; 77 Ill.Admin.Code 900, Drinking Water Systems Code; 77 Ill.Admin.Code 920, Illinois Water Well Construction Code; 77 Ill.Admin.Code 925, Illinois Water Well Pump Installation Code; 77 Ill.Admin.Code 930, Surface Source Water Treatment Code; and 77 Ill.Admin.Code 895, Public Area Sanitary Practice Code.

b. The Public Health District will conduct inspections of sewage disposal facilities at such times as it considers appropriate.

c. The Public Health District will conduct inspection activities and other activities and issue permits and take such action as it considers appropriate under the Private Sewage Disposal Licensing Act, 225 ILCS 225/1, et seq.

9. a. The County has adopted and will maintain in force an ordinance adopting the Illinois Water Well Construction Code,

77 Ill.Admin.Code 920, and the Illinois Water Well Pump Installation Code, 77 Ill.Admin.Code 925. With respect to the Potable Water Supply program the Public Health District will conduct activities as follows in accordance with program standards set forth in 77 Ill.Admin.Code 920, Illinois Water Well Construction Code; 77 Ill.Admin.Code 925, Illinois Water Well Pump Installation Code.

b. The Public Health District will conduct inspection activities and other activities and issue permits and take such other action as it considers appropriate under the Groundwater Protection Act, 415 ILCS 55/9, and the Drinking Water Systems Code, 77 Ill.Admin.Code 900; the Illinois Water Well Construction Code, 415 ILCS 30, and related Code, 77 Ill.Admin.Code 920; the Illinois Water Well Pump Installation Code, 415 ILCS 35, and related Code, 77 Ill.Admin.Code 925; and the general powers of the Illinois Department of Public Health as they relate to water supply, 20 ILCS 2305/2; the Surface Water Treatment Code, 77 Ill.Admin.Code 930; and the Public Area Sanitary Practice Code, 77 Ill.Admin.Code 895.

10. The Champaign County Board will adopt and maintain in force ordinances adopting such additional Codes as the Illinois Department of Public Health requires or from time to time may require.

11. The County Board of Health Department must approve any new grant agreements for programs not presently being provided

to the County Health Department by the Public Health District as outlined in Appendix A made on behalf of the County Health Department by the Public Health District as may arise from time to time, which are within the lawful authority of the County Health Department to administer. The Public Health District will not commit to receive funds or provide services for new programs or new activities on behalf of the County Health Department without prior approval of the County Board of Health. The Public Health District will include in the information to be presented to the County Board of Health as to these public or private grant funded programs an accounting as to how the funds from the said grant funded programs are to be allocated between the Public Health District and the County Health Department if the programs are joint applications on behalf of the Public Health District and the County Health Department.

12. The Public Health District will on an annual basis submit to the County Board of Health or its designated committee a proposed budget for the services to be rendered to the County Health Department. The said budget will include a list of proposed activities and programs to be conducted on behalf of the County Health Department. The said budget and list of proposed activities will be submitted to the County Board of Health no later than the August County Board of Health Budget Committee meeting. The budget will follow the Champaign County budget format and will specifically delineate all expected revenues and expenditures for the County Health Department

during its fiscal year which said fiscal year is January 1 through December 31. The parties acknowledge that any of the programs or activities agreed upon by them may be terminated because of funding cuts from the federal or state government; however, aside from programs or activities which are terminated as a result of the said funding cuts, any of the programs or activities agreed upon by the parties may be terminated only by the mutual written agreement of the parties.

13. All Codes within the Illinois Administrative Code which the County is to adopt by ordinance under this Agreement also will contain such enforcement provisions and other provisions as required by the Illinois Administrative Code. Such ordinances will provide that they are effective in the geographical area in which the County Health Department has jurisdiction.

14. Under the provisions of the Counties Code, 55 ILCS 5/5-25013(A)10, and of 77 Ill.Admin.Code 600.300, the County Health Department is required to appoint a medical health officer as the executive officer or to appoint a public health administrator for the County Health Department. For that purpose the County Board of Health designates the public health administrator of the Public Health District as such public health administrator for the County Health Department. It will be the responsibility of the Public Health District to require its public health administrator to maintain a status of being qualified as the public health administrator. Decisions

regarding the public health administrator are solely within the authority of the Board of Health of the Public Health District. However, the County Health Department may complete a peer review evaluation of the public health administrator of the Public Health District each year or assist the Board of Health of the Public Health District in its evaluation of the Public Health Administrator as requested by the Board of Health of the Public Health District in any manner agreed upon by the County Board of Health and the Board of Health of the Public Health District.

15. The Public Health District is providing public health services to the County Health Department pursuant to the provisions of this Agreement. All parties acknowledge the following:

a. The Public Health District has complete control over its internal operations.

b. All personnel of the Public Health District performing services under this Agreement are employees of the Public Health District for all purposes related to this Agreement.

c. The Public Health District will be responsible for and will have full control over any financial audits or reports required by applicable law or any funding grantor concerning its operations related to this Agreement.

d. It is the responsibility of the Public Health District and not of the County or the County Health Department to require the said employees providing services under this Agreement to maintain any required qualifications.

16. In addition to the mandatory programs set forth in sections 4 through 9 during each year of this Agreement, the County Board of Health and the Board of Health of the Public Health District by agreement will select the other programs to be performed by the Public Health District for the County Health Department upon submission of a proposed budget by the Public Health District to the County Board of Health. The County Health Department will then pay for all programs on a monthly basis in a sum equivalent to one-twelfth of the monies due for the budget year to the Public Health District, as more specifically set forth in Appendix B. The Public Health District will present an invoice to the Champaign County Administrator within 30 days after the end of each month for the compensation due for the services provided by the Public Health District under this Agreement. Each invoice will be paid within 14 days after receipt of the invoice by the Champaign County Administrator.

17. All inspection and permit fees and other fees paid in relation to the public health services under this Agreement will be paid to the County. The Public Health District will have all

payers make checks payable to the "Champaign County Health Department."

18. All administrative records created or maintained by the Public Health District pursuant to this Agreement will be the joint records of the Public Health District and the County Health Department, and will be maintained by the Public Health District at its main office, or such other office as agreed upon by the parties. The Public Health District will furnish to the County Health Department or the County Board of Health such records and reports as are required to be provided by this Agreement.

19. The County Health Department will have reasonable access to those books and records of the Public Health District as are reasonably necessary to review performance and costs under this Agreement. The County Board of Health will designate from time to time a person from the County Board of Health or a County Health Department employee to perform this activity for the County Health Department. It is not the intent of this section to permit any member of the County Health Department to examine such records at the discretion of such member but only as authorized by the County Board of Health pursuant to this section.

20. The services to be provided by the Public Health District will be provided at its existing main facility in Champaign, Illinois, and at such other locations as the Public

Health District will determine. The parties may agree to the provision of selected services at additional locations with the additional expenses being reimbursed by the County Health Department to the Public Health District.

21. a. For all durable equipment, such as desks, chairs, computers, printers, which the Public Health District in its sole discretion determines that it requires for the purpose of performing its duties under this Agreement, the Public Health District will provide to the County or its County Health Department from time to time in writing a designation of the specific items required, except that prior approval by the County Health Department is required for any item costing in excess of \$2,000.00. It will be the responsibility of the County or the County Health Department to purchase promptly at the sole expense of the County or the County Health Department each such item and to have each such item delivered to the location specified by the Public Health District.

b. It will be the responsibility of the County or the County Health Department to pay for such maintenance and repair of each item as the Public Health District determines is required.

c. Upon termination of this Agreement by expiration or otherwise, or upon direction by the Public Health District, whichever occurs first, the County Health Department will remove such equipment and any remaining equipment acquired under prior

agreements from the premises of the Public Health District, whereupon the equipment will be deemed to be the property of the County Health Department. In the event of termination of any of the non-mandatory programs or activities as have been agreed upon by the parties, the County Health Department may recover at that time any such durable equipment which was used exclusively for any such programs or activities being terminated.

d. All equipment acquired other than under prior agreements or under subsection a of this section of this Agreement and all supplies acquired by the Public Health District for the purpose of performing its duties under this Agreement are the property of the Public Health District.

22. The Public Health District will have the County, the County Board of Health, and the County Health Department named as an additional insured on the applicable insurance policies of the Public Health District with respect to services provided under this Agreement.

23. The Public Health District may terminate this Agreement by approval of its governing body upon 12 months notice in writing to the County and the County Board of Health.

24. The County Board of Health may terminate this Agreement by approval of both the Champaign County Board and of the County Board of Health upon 12 months notice in writing to the Public Health District.

25. This Agreement may be amended at any time upon such terms as the parties may agree by the addition, deletion or modification of any one or more programs or in any other manner except that none of the programs identified as mandatory programs may be deleted other than by termination of this Agreement. Except as set forth in Section 11, this Agreement may be amended only by an agreement in writing authorized by the governing body of each party to this Agreement.

26. This Agreement will be in effect for the period beginning January 1, 2019~~December 1, 2013~~, and ending at the end of the day on December 31, 2029~~2018~~, unless sooner terminated as provided herein. ~~The first year of the contract will be the period December 1, 2013, through December 31, 2014. Thereafter~~ The contract year will be the period January 1 through December 31 of each calendar year.

27. The Public Health District will not be liable for failure to perform any part of this Agreement where such failure is due to fire, flood, power outages, strikes, labor troubles or other industrial disturbances, inevitable accidents, war (declared or undeclared), acts of terror, embargoes, blockages, legal restrictions, governmental regulations or orders, riots, insurrections, pandemic, weather or any other cause beyond the control of the Public Health District.

28. The foregoing constitutes the entire agreement and no statement or representation in any form made before, on or after

The dates of execution of this Agreement will be binding upon any party hereto.

CHAMPAIGN-URBANA PUBLIC
HEALTH DISTRICT

By: _____
DANIELLE CHYNOWETH
Secretary, Board of Health

Date: _____

By: _____
ANDREW QUARNSTROM
Member, Board of Health

Date: _____

COUNTY OF CHAMPAIGN

By: _____
C. PIUS WEIBEL
County Board Chair

Date: _____

ATTEST: _____
GORDY HULTEN
County Clerk and
Ex-Officio Clerk
of the County Board

Date: _____

CHAMPAIGN COUNTY HEALTH
DEPARTMENT

By: _____
KRISTA JONES, D.N.P.
President, Board of Health

Date: _____

ATTEST: _____
John A. Peterson, M.D.
Secretary

Date: _____

APPENDIX A

The following environmental health services supplement the Local Health Protection Grant environmental health programs.

- A. Community surveillance, education and prevention to prevent mosquito-borne viruses including West Nile virus.
 1. Performance of environmental surveillance, public information, human case investigation and prevention of mosquito-borne diseases such as West Nile viral encephalitis and other vector-borne diseases. These activities are funded by an Illinois Department of Public Health [IDPH] grant to the County Health Department.
 2. The Public Health District presently is operating under the Intergovernmental Agreement between the Champaign-Urbana Public Health District, the City of Champaign, the City of Urbana and the Village of Savoy for the *Culex* Mosquito Prevention Program effective April 1, 2011. The Village of Savoy is participating in this program at no expense to the Champaign County Public Health Department. The Village of Savoy is paying for its participation in this program.
- B. Radon test kit distribution and community education to promote radon awareness and mitigation. These activities are funded by a grant from the Illinois Emergency Management Agency to the Public Health District.
- C. Perform services within the county jurisdiction pursuant to the grant agreements for ~~lead risk assessments for lead hazards when there is a child with an elevated blood level and the~~ body art program, tanning program and the summer food inspection program. These services are funded by IDPH grants to the Public Health District.
- D. Well water testing for non-valid public health significance [i.e., for any reason other than a reason for which testing is required under the potable water supply program standard], as interpreted by IDPH, is a fee-for-service program. Interpretation and dissemination of laboratory test results for coliform bacteria ~~and for nitrate concentration~~ from either the IDPH laboratory ~~or the Illinois Department of Agriculture [IDOA] laboratory~~ will be performed. Fees shall be paid according to the fee schedules and payments will be made to the Champaign County Public Health Department.