

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 007-025

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 46, HEALTH AND SANITATION, BY AMENDING ARTICLE; ADOPTING AMENDMENTS TO THE TEXAS FOOD ESTABLISHMENT RULES ADOPTED BY THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES AT 25 TEX. ADMIN. CODE 229.161-229.177 AS THE STANDARD FOR THE TOWN; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the Code of Ordinances of the Town of Addison be amended by amending Chapter 18, Article XII to read as follows:

ARTICLE II. FOOD

Sec. 46-31. Adoption of state rules on food establishment sanitation

The Texas Food Establishment Rules ("Rules") adopted by the Texas Department of State Health Services at 25 Tex. Admin. Code 229.161 – 229.177 as amended herein are hereby adopted as the rules for food sanitation. A copy of the rules shall be kept and maintained in the office of the city secretary

Sec. 46-32. Food service regulations

(a) Generally. The rules are hereby amended as follows:

(1) 25 Tex. Admin. Code 229.162 (83) of the Rules, "Regulatory Authority", is amended to read as follows:

"(83) Regulatory authority. The Town of Addison Environmental Services Dept."

(2) 25 Tex. Admin. Code 229.171(i)(1) of the Rules, Food establishment inspector qualifications is amended to read as follows:

“(i)(1) Food establishment inspector qualifications. An individual conducting inspections...”

(4) 25 Tex. Admin. Code 229.166(j)(3) of the Rules, “Grease Trap” is amended to read as follows: ...

(3) 25 Tex. Admin. Code 229.165(f)(24) of the Rules, ‘Food equipment certification, classification, acceptability’ is amended to read as follows” ...

(b) Permit required; issuance; exceptions.

(1) ...If the permit is granted to a temporary food establishment, the permit shall be in effect for a period of time not exceeding four (4) consecutive days in conjunction with a single event or celebration. All permits are to be displayed in public view.

(c) Certified food protection manager. The Rules are further amended as follows:

(1) 25 Tex. Admin. Code 229.163(b) of the Rules, Knowledge, demonstration is amended to read as follows: ...


Section 2. Severability. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 3. Savings. This Ordinance shall be cumulative of all other ordinances of the City affecting health and sanitation, and the handling of food, and shall not repeal any of the provisions of those ordinances or of the Code of Ordinances except in those instances where the provisions of those ordinances or of the Code are in direct conflict with the provisions of this Ordinance; provided, however, that an offense committed before the effective date of this Ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 4. Penalty. Any person, firm, or corporation violating any of the provisions of this ordinance or of the Code of Ordinances, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the Town of Addison Texas, shall be subject to a fine not to exceed the sum of \$2,000 dollars for each offense; and each and every day said violation is continued shall constitute a separate offense.

Section 5. Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 28th day of August, 2007.



Joe Chow, Mayor

ATTEST:

By: 

Mario Canizares, City Secretary

Published 10/7/07