



Agenda Item Summary

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Submitted By

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Reviewed By

LKS

Agenda Item Title

First Reading of an Ordinance Amending Chapter 8 ("Business Licensing"), Article 24 ("Food and Food Establishments") of the Oak Park Village Code Regarding Food Program Definitions and Enforcement Provisions as Required by the Illinois Department of Public Health

Overview

The Health Department is recommending the Village Board amend Chapter 8 ("Business Licensing"), Article 24 ("Food and Food Establishments") of the Oak Park Village Code to update the definitions and food program enforcement provisions as required by the Illinois Department of Public Health.

Staff Recommendation

Approve the ordinance.

Fiscal Impact

N/A

Background

As a State Certified Health Department the Illinois Department of Public Health is requiring that the Village amend the Village ordinance to adopt the 2017 FDA Food Code and all its applicable enforcement provisions. As of January 1, 2019 the Village has transitioned to utilizing the new Illinois Food Code inspection document and to the provisions of the Illinois Food Code & newly referenced FDA Food Code 2017. This transition necessitates an amendment of Chapter 8 ("Business Licensing"), Article 24 ("Food and Food Establishments") of the Oak Park Village Code. The recommended amendments are necessary so that our ordinance more accurately follows and reflects the FDA Food Code 2017 provisions.

Chapter 8 ("Business Licensing"), Article 24 ("Food and Food Establishments") of the Oak Park Village Code provides for definitions and general provisions for operating the Village's food inspection program. Under Village Code section 8-24-2 M it states that "The Sanitation requirements for food establishments shall be regulated in accordance with the terms of the Food Service Sanitation Code". The Illinois Food Code adopts by reference the FDA Food Code 2017.

The primary updates to the Food Code 2017 include:

- 1) Update to the definition of a Food Establishment.
- 2) Foods that require time/temperature control for food safety are no longer defined as a “Potentially Hazardous Food”, they are defined as “Time/Temperature Control for Safety Food”.
- 3) Correction of Violations procedures are based on whether a violation is a Priority Item, Priority Foundation Item or a Core Item. Previously “correction of violations” were based on whether the violation was a “Critical” or “Non-critical” violation. The Food Code 2017 no longer includes Critical or Non-Critical violation definitions/types.
- 4) The new code more clearly defines an “Imminent Health Hazard” and what warrants “Ceasing Operations”.
- 5) The code no longer assigns a “weighted point value” to each violation. There is also no longer scoring on the food inspection report.

Attached is the recommended ordinance amendment

Alternatives

Delay action and seek additional information.

Previous Board Action

N/A

Citizen Advisory Commission Action

N/A

Anticipated Future Actions/Commitments

N/A

Intergovernmental Cooperation Opportunities

N/A