

ORDINANCE 24

Model Ordinance For Hygienic Regulations Of Public Eating and Drinking Places.

The Act of Assembly approved May 28, 1915. (P.L. 642) and the Rules and Regulations adopted January 3, 1913, by the Advisory Board of the State Department of Health constitute the State Laws for regulation of hygienic conditions in public eating, and drinking places.

The following ~~of~~ model ordinance, based upon these laws, was prepared by ~~a~~ the State Department of ~~the~~ Health as a general suggestion for municipalities of Pennsylvania.

Local officials should carefully study the draft and determine its applicability to the local conditions.

Any changes to meet ^{BEFORE} local requirements should receive the approval of the local law officer, ^{enactment} of the ordinance; for the suggested ~~drafts~~ drafts have been approved by the Attorney General of the Commonwealth as to legal form and compliance with requirements of the constitutions.

The state department of health will be pleased to furnish additional information or advise, if requested by the local authorities.

An Ordinance

To protect the Public Health: defining public eating and drinking places; prohibiting the employment of unhealthy persons, the use of the common drinking vessel and common towel and regulating the sanitary conditions in public eating and drinking places and providing for enforcement and imposing penalties for violations.

Article 1

Section:1. The ^C Council of Lilly, Pa., do hereby enact an ordinance to protect the public health by hygienic regulations of public eating and drinking places.

Article 2

Section 1. For the purpose of this ordinance the words "public eating and drinking place" shall mean any place where food or drink is served to or provided for the public with or without charge, such as hotel restaurants, cafes, cafeteries, boarding houses, street vendors or stalls; ice-cream solons, soda water or soft drink fountains, bars or taverns, private, public, parochial or Sunday schools; churches, hospitals, and public institutions, industries, factories, shops, offices, office buildings, stores railroad stations, parks, picnic grounds, fair grounds, camp meeting grounds, theatres or motion picture houses, public pumps, wells, springs or other water supplies, etc.

Section 2. For the purpose of this ordinance the word "proprietor" shall mean any person, firm, corporation who conducts a public eating or drinking place.

Section 3. For the purpose of this ordinance the word "employee" shall mean any person employed in a public eating or drinking place who does or may in any manner handle or come in contact with food or drink served to or provided for the public and shall include the proprietor or manager or any member of his family if they handle such food or drink.

Article 3

Section 1. No person ~~who~~ is suffering from any communicable disease such as trachoma, actera, tuberculosis of the lungs, open skin tuberculosis, syphilis, gonorrhea, open external cancer or barbers itch shall be an employee in any public eating and drinking place.

Section 2. The proprietor of every public eating or drinking place shall institute and maintain a medical inspection of all his employees at intervals of at least twice a year for the purpose of compliance with section one of this article; provided however, that this periodic inspection shall not be caused for maintaining in employment any employee found to be suffering from any communicable disease in the interim. The said medical inspection shall be made by a reputable registered doctor of medicine and filed with the board of health upon approved forms.

Section 3. No person who is a carrier of any communicable disease such as typhoid, diphtheria, septic sore throat, scarlet fever, etc., shall be an employee in any public eating or drinking place after written notice that such employee is a carrier of a communicable disease has been served upon the propriety by a physician or by the board of health or by an

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Section 3 Cont.: officer of the board of health or of the state department of health.

Article 4 Common Drinking Vessels and Towels.

Section 1. No proprietor of any public eating or drinking place shall furnish or keep in or about such place any common drinking vessel for common use; provided however, that this ordinance shall not be precluded the use of vessels which are cleaned by washing with soap and water having a temperature about 130 degrees Fahrenheit or after cleansing by being placed in a closed container and exposed to air to be heated to at least 300 degrees Fahrenheit for a sufficient time to effect disinfections of this vessel, or which are destroyed after individual use.

Section 2. No proprietor of any public eating or drinking place having and maintaining in connection therewith any wash room for public persons use or for the use of their patrons or customers, shall furnish or maintain in such wash room any towel unless such towel be laundered or discarded after each individual use.

Article 5 Sanitary Requirements

Section 1. All cups, dishes, spoons, knives, forks, finger bowls, and other eating utensils used in any public eating place shall be thoroughly cleansed by washing with soap and water having a temperature of above one hundred and thirty degrees Fahrenheit after each individual use.

Section 2. Every proprietor of a public eating or drinking place shall keep the said place and all substances used therein for food or drink in a clean, wholesome sanitary condition free from dust, flies, insects and animals. All employees in such places shall keep themselves and their clothing in a clean condition. No employees shall handle any food or drink after having visited a toilet without thoroughly washing their hands with soap and water.

Section 3. Every proprietor of a public eating place shall provide and maintain in a suitable location a sufficient number of garbage containers of water tight construction made of non-absorbant material and provided with handles and close fitting covers and all garbage shall be kept therein pending its removal and disposal, filled garbage containers shall not be allowed to remain in any room where food is prepared or eaten.

Section 4. All doors, windows, and other openings of any public eating or drinking places shall be provided with screens or netting so constructed and maintained as to prevent an ingress of flies or other insects.

Article 6 Enforcement

Section 1. It shall be the duty of the Board of Health to enforce the terms of this ordinance and to secure compliance with the requirements thereof.

Article 7 Penalties

Section 1. Any proprietors of any place of public eating or drinking place violating any of the provisions of this ordinance shall upon conviction thereof, before any Justice of the Peace, Alderman or Magistrate be subject to a fine of not less than ten dollars nor more than fifty dollars.

Article 8 Repealing

Section 1. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
Harrisburg, Pa. February 1920. Signed Edward Martin, Commissioner of Health.

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Section 1 Cont. Ordained and enacted by the Council of the Borough of Lilly, the twenty-ninth (29) day of August nineteen twenty one (1921).

Attest: V.P.McGough
Secretary

Wm Sweeney
President

Approved by me the fifteenth (15) day of September A.D. nineteen twenty one (1921).

Joseph McGonigle
Burgess

I, V.P.McGough, Secretary of Lilly Borough Council do hereby certify that the foregoing ordinance was duly passed by the Council of the Borough of Lilly, Cambria County, Pennsylvania on the twenty-ninth (29) day of August A.D. nineteen twenty one (1921) and that the same ordinance was advertised once in a newspaper of general circulation as required by law and at least twelve (12) copies posted in public places in said Borough of Lilly.

Vincent P. McGough
Borough Secretary
