

# ***Town of Weymouth Massachusetts***

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## **Regulation #19 For Food Service Establishments**

The Board of Health of Weymouth, Massachusetts adopts the following health regulation # 19 in accordance with M.G.L. Chapter 111 section 31.

### **Section I Code Enforcement:**

1. It is the policy of the Board that all food establishments be inspected at least once in each six month period (i.e. twice each year) in order to be in compliance with Article X of the State Sanitary Code.
2. After inspection, the Food Establishment Inspection Report completed by the Board of Health's Agent shall serve as the Board's order for correction of the violations listed therein. All violations listed in the order of correction will be corrected within the time required by the inspector.
3. The food establishment permit holder has a right to a hearing regarding the order of corrections if requested in writing and filed at the office of the Board of Health within seven (7) days of receipt of the food inspection report.
3. If the food establishment fails to correct said violation(s) within the original time frame the permit holder may be required to show cause before the Board why the food establishment permit should not be suspended or revoked in accordance with article X, Section 509.054, of the State Sanitary Code.
4. If re-inspection shows any critical or repeat violations, a fine of \$20.00 per day shall be assessed by the Inspector. Under Article X of the State Sanitary Code 105 CMR 590.000 and/or the State Sanitary Code Chapter I 105 CMR 400.000 the Board of Health or the Health Director may take emergency action to protect the public health.

### **Section II Certification of Food Permit Holders**

1. It is the policy of the Board of Health that in order to be eligible to hold a food service permits, it is required under the terms of this regulation that the proprietor and/or each shift manager be certified in food handling by a training and/or testing program before the issuance of a food service permit. Such programs need to be approved by the Weymouth Board of Health.
2. Minimum criteria for certification will be decided by the Board of Health. The Weymouth Board of Health may choose to provide such program or may choose to approve existing programs in other communities or by private providers.
3. Certification must be renewed every two years.
4. All food establishments must meet the requirements of this section prior to the issuance of the January 1, 1995 permits.

5. Failure to comply with this section of the by-law shall result in a fine of twenty dollars (\$20.00) for each day's failure to comply and/or may interfere with the issuance of the permit.
6. Proof of certification of the appropriate persons will become part of the inspectional process.
7. Any individual who cannot accomplish the certification requirement may request in writing to participate in an equivalent training program.
8. If aggrieved by any requirement of this regulation the permit holder has the right to a hearing. Such request is the permit holder's responsibility and must be in writing within seven (7) days of receipt of a notice of violation or an order to correct and addressed to the Board of Health.
9. The Board of Health may vary the application of any provision of this regulation with respect to any particular case when, in its opinion, the literal enforcement thereof would cause a hardship and the granting of relief would not derogate materially from the intended purpose of this regulation. Any variance requested of the Board of Health must be in writing and filed in the Office of the Board of Health.
10. Each part of this regulation is construed as separate to the extent that if any section, item, sentence, clause or phrase is held invalid for any reason, the remainder of this regulation shall continue in full force and effect.