

Adopted by City Council on 6/8/2021
Effective Date: 6/25/2021

Underscored text is proposed to be added. [Bracketed] text is proposed for deletion.

ARTICLE II. [LICENSING OF FOOD VENDORS]

Sec. 9-16. Definition; scope.

The term "food vendor" as used herein is defined to mean any place where food or beverages, including any milk, milk products, cream or frozen desserts, are served to the public as well as kitchens in which food or beverages, including milk or milk products, are prepared for sale elsewhere to the public. All of the following named establishments, drug-stores, bakeries, markets and deli counters, luncheonettes, restaurants, grill, hot dog stands, tea rooms, dairies and frozen dessert vendors, shall be considered to be included within the provisions hereof.

(Ord. of 2-4-75)

Sec. 9-17. License—Required.

No person, firm or corporation shall operate or maintain within the City of Bristol any establishment as defined by section 9-16 until licensed to do so.

(Ord. of 2-4-75)

Sec. 9-18. Same—Application.

Each application for a license shall be in writing, in duplicate, upon blank forms provided by the health department. One of said application forms shall be filed with the health department and the other shall be kept by the applicant. Said application forms shall contain the name and address of the applicant, the location of his place of business or general description thereof; and in the case of a dealer who does not produce all or any of the food, beverages, milk, milk products, cream or frozen desserts sold or delivered for sale by him, such application shall include the name and address of each producer from whom such applicant procures any such food, beverages, milk, milk products, cream or frozen desserts from any person, firm or corporation other than those named in the application for such license, then, in that event, the name of such person, firm or corporation shall be filed forthwith with the health department by such dealer, and the health department of the City of Bristol.

(Ord. of 2-4-75)

¹Editor's note(s)—An ordinance of Feb. 4, 1975, amended § 7-6Editor's note(s)— of the city's former code, included in this Code as Art. II, Div. 1, §§ 9-16Editor's note(s)——9-20, and Div. 2, §§ 9-26—9-33, to read as set out in Art. II, §§ 9-16Editor's note(s)——9-24.

Sec. 9-19. Investigation of premises by health department.

The director of health or an agent of the health department shall investigate and examine an applicant's place of business, specifically where food, beverages, milk, milk products, cream or frozen desserts are sold or offered for sale, including an inspection of any vehicle, container or appliance used in the handling, selling and delivering of food, beverages, milk, milk products, cream or frozen desserts by any applicant or licensee hereunder; and if he is satisfied that the applicant for a license delivers or sells, as the case may be, pure and wholesome food, beverages, pasteurized milk, milk products, cream or frozen desserts, he shall endorse his approval upon such duplicate application. In those cases where it is not feasible for the director of health or his agent to make a personal inspection and investigation, he may accept the report of any state agency recognized by the state in the matter.

(Ord. of 2-4-75)

Sec. 9-20. License to be in effect.

No person, firm or corporation shall offer, keep or expose for sale, sell or deliver for sale within the City of Bristol, any food, beverages, milk, milk products, cream or frozen desserts, when the license held by such person, firm or corporation, for such purpose is suspended or revoked.

(Ord. of 2-4-75)

Sec. 9-21. License fee; display of license.

Each license shall be numbered, and each applicant for such license shall, at the time such license is issued, pay to the health department fifteen dollars (\$15.00) for the use of the city, therefor, no license shall be issued for a term longer than one year. Said fee shall be returned in the event the license is not granted. Each license shall expire on the last day of June in each year. Each licensee shall display his license in a conspicuous location in the place in which he sells, or offers or exposes for sale any food, beverages, milk, milk products, cream or frozen desserts.

(Ord. of 2-4-75; Ord. of 10-3-78)

Sec. 9-22. Premises to comply with public health code; inspections.

The premises described in each application shall be inspected by the health department and if the same are maintained and equipped in accordance with the rules and regulations governing sanitation of places dispensing food or beverages prescribed in the public health code of the State of Connecticut, shall grant the license which shall be signed by the health officer. Such license must be framed and posted in a conspicuous location within easy reading distance of patrons within the licensed premises. The health department shall inspect all licensed premises from time to time and if found that any such licensed premises maintained and operated by any person, firm or corporation licensed hereunder is not being operated, maintained or equipped in accordance with the provisions of this article, shall revoke or suspend such license.

(Ord. of 2-4-75)

Sec. 9-23. Rules specifically governing milk, milk products, cream or frozen desserts.

- (a) *Bottling; quality.* No person shall bottle any milk or cream in any vehicle, upon any street nor in any place other than the plant or place where the same is produced or within the plant, store or room where the same is kept for sale, and all milk or cream produced, sold or offered for sale shall be of the standard quality prescribed by the General Statutes of Connecticut and shall be produced, handled, cared for, sold and delivered in accordance with the provisions of the General Statutes and the rules and regulations of this state and the provisions of this article.
- (b) *Frozen desserts generally.* Frozen desserts sold or produced, offered, kept, exposed or delivered for sale shall conform with the requirements of the General Statutes of the state having to do with the manufacture of frozen desserts, and with the sanitary requirements of the local board of health; and the handling, delivering and vending of the same shall be in conformity with the rules and regulations drafted by the board of health and approved by the city council.
- (c) *Definitions.* The following definitions shall apply in the interpretation and the enforcement of this section:

Milk: Milk is hereby defined to be the lacteal secretion practically clear from colostrum, obtained by complete milking of one or more healthy cows, which contain not less than three and one-fourth ($3\frac{1}{4}$) per cent milkfat.

Milkfat: Milkfat, or butterfat, is the fat of milk.

Cream: Cream is a portion of milk which contains not less than eighteen (18) per cent milkfat.

Milk products: Milk products shall be taken to mean and to include cream, sour cream, whipped cream, flavored milk, buttermilk, skim milk, cottage cheese and any other product made by the addition of any substance to milk, or any of these milk products used for similar purposes, and designated as a milk product by the director of health.

Pasteurization: The term "pasteurization," "pasteurized," shall be taken to refer to the process of heating every particle of milk or milk products to at least one hundred forty-three (143) degrees Fahrenheit and holding it at such temperature continuously for at least thirty (30) minutes, or at least one hundred sixty-one (161) degrees Fahrenheit and holding it at such temperature continuously for at least fifteen (15) seconds, in approved and properly operated equipment.

Labeling: All bottles, cans, packages and other containers milk or any milk product as defined in this ordinance shall be plainly labeled or marked with name of the contents as given in the definition in this article.

Homogenized milk: Homogenized milk is milk which has been treated in such a manner as to insure break-up of the fat globules to such an extent that after forty-eight (48) hours of quiescent storage, no visible cream separation occurs on the milk, and the fat percentage of the top one hundred (100) milliliters of milk in a quart bottle, or of proportionate volumes in containers of other sizes, does not differ by more than ten (10) per

cent of itself from the fat percentage of the remaining milk as determined after thorough mixing.

Milk producer: A milk producer is any person who owns or controls one or more cows, a part or all of the milk or milk products from which is sold or offered for sale.

Milk distributor: A milk distributor is any person who offers for sale or sells to another any milk or milk products for human consumption as such.

(Ord. of 2-4-75)

Sec. 9-24. Violation of article.

Whenever any person shall have been notified in writing by the board of health or by the director of health that he is violating any of the provisions of this article, each day shall constitute a separate offense, and, in addition thereto, such violation shall be caused for revocation of his license to sell or otherwise dispose of food, beverages, milk or cream in this city.

(Ord. of 2-4-75)]

Secs. [9-25]9-16—9-43. Reserved.