

Eastern Highlands Health District Sanitary Code

Adopted 2/19/1998
Amended 7/1/2022 (Section 5 added)

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT

TABLE OF CONTENTS

SECTION 1 TITLE AND AUTHORITY	5
1.1. TITLE.....	5
1.2. AUTHORITY	5
1.3. PURPOSE.....	5
SECTION 2 EFFECTIVE DATE	7
2.1. EFFECTIVE DATE.....	7
SECTION 3 DEFINITIONS	9
3.1. “HEALTH DISTRICT”	9
3.2. “BOARD OF HEALTH”	9
3.3. “DIRECTOR OF HEALTH”,	9
3.4. “THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT”	10
3.5. “PERSON”	10
3.6. “PUBLIC PLACE”	10
3.7. “LICENSE”	11
3.8. “JURISDICTION”	11
3.9. “SHALL”	11
SECTION 4 FOOD SERVICE REGULATIONS	13
4.1. PURPOSE OF FOOD SERVICE REGULATIONS.....	13
4.2. LICENSES	15
4.3. FOOD SERVICE ESTABLISHMENT LICENSE APPLICATION PROCEDURE	16
4.4. INSPECTIONS	16
4.5. FEE SCHEDULE AND CRITERIA.....	19
4.6. PLAN SUBMISSION	20
4.7. CATERER	21
4.8. HOME KITCHENS – COOKING FOR PUBLIC CONSUMPTION	22
4.9. FOOD PROTECTION DURING EMERGENCIES.....	22
4.10. COMMUNICABLE DISEASE INFECTIONS	23
4.11. EXAMINATION, EMBARGO AND CONDEMNATION OF FOOD	23
4.12. FOOD SERVICE ESTABLISHMENT CLASSIFICATION	24
SECTION 5 BARBERSHOP, HAIRDRESSING, COSMETOLOGY, NAIL SALON AND SPA	27
5.1. PURPOSE:.....	27
5.2. PLAN REVIEW AND PRE-OPERATION INSPECTIONS.	28

5.3. PERMITS.....	29
5.4. PERMIT FEES AND ENFORCEMENT.	29
5.5. ESTABLISHMENT INSPECTIONS.	30
5.6. PERMIT SUSPENSIONS.....	30
5.7. PERMIT REVOCATION/NONRENEWAL.....	31
5.8. SANITARY CONDITION/INFECTION CONTROL REQUIREMENTS FOR ALL ESTABLISHMENTS AND INDEPENDENT CONTRACTORS	32
5.9. CUSTOMER PROTECTION	34
5.10. PERMIT/LICENSURE	35
5.11. ESTABLISHMENT	35
5.12. RESTROOMS	36
5.13. TECHNICAL STANDARDS	36
SECTION 6 FEE SCHEDULES.....	38
6.1. FEE SCHEDULE AND CRITERIA – FOOD SERVICE	38
6.2. FEE SCHEDULE AND CRITERIA – WELLS, SITE INVESTIGATIONS, SEPTIC PERMITS, MORTGAGE INSPECTIONS.....	38
SECTION 7 SEVERABILITY CLAUSE.....	40
7.1. SEVERABILITY CLAUSE.....	40

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 1
TITLE AND AUTHORITY

SANITARY CODE

EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 1 TITLE AND AUTHORITY

1.1. TITLE

The rules and regulations contained herein shall be known as the “Sanitary Code” of the Eastern Highlands Health District. The Sanitary Code shall be the Health District’s regulations which shall be in force in all towns throughout the Eastern Highlands Health District.

1.2. AUTHORITY

These regulations have been prepared by the Eastern Highlands Health District in accordance with the provisions of the General Statutes of Connecticut, Title 19a, Section 240 through Section 256 as amended, and as authorized by and pursuant to the General Statutes of Connecticut Title 19a, Section 243, Powers and Duties of the Board; Executive Committee; Apportionment of Expenses.

1.3. PURPOSE

The purpose of this Sanitary Code is to protect and promote the good health, safety, and welfare of all people who live in, work in, or visit the towns within the jurisdiction of the Eastern Highlands Health District.

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 2
EFFECTIVE DATE

Revised : _____

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT
SECTION 2 EFFECTIVE DATE

2.1. EFFECTIVE DATE

These regulations shall become effective within thirty (30) days after the day of action of the Board on the Sanitary Code which may only be taken subsequent to a public hearing. All subsequent amendments to this Sanitary Code shall become effective within thirty (30) days after the action of the Board on such amendments subsequent to a public hearing. In its approval of the Sanitary Code or any amendments to the Sanitary Code, the Board may designate a specific time and date the Sanitary Code or any amendment to the Sanitary Code takes effect, provided such time and date is within thirty (30) days of the approval action.

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 3
DEFINITIONS

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 3 DEFINITIONS

For the purpose of this Sanitary Code and the regulations that comprise the Sanitary Code, the following are the definitions for specific words. Where the definition for a word is not included in this definitions section, the definition found in Webster’s Second Collegiate Edition New World Dictionary of the American Language shall be considered the legal definition.

3.1. “HEALTH DISTRICT”

or Health Department, or Local Health Department, or the District, or the EHHD, shall mean the Eastern Highlands Health District, established under provisions of the General Statutes of Connecticut, Title 19a, Section 240 through Section 246, as amended, and as authorized by and pursuant to the General Statutes of Connecticut, Title 19a, Section 243, Powers and Duties of Board; Executive Committee; Apportionment of Expenses.

3.2. “BOARD OF HEALTH”

shall mean the Governing and Policy Making Board, also known as the Board of Directors, of the Eastern Highlands Health District.

3.3. “DIRECTOR OF HEALTH”,

shall mean the academically qualified Chief Executive Officer of the Eastern Highlands Health District.

3.4. “THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT”

shall mean the Public Health Code of the State of Connecticut and Other Department Regulations established in accordance with the General Statutes of Connecticut, Title 19a, Section 36, as amended, and shall be known herein as “the Code”.

3.5. “PERSON”

shall mean any person, firm, partnership, association, corporation, limited liability, company, organization, or legal entity of any kind including municipal corporations, government agencies, or subdivisions thereof.

3.6. “PUBLIC PLACE”

shall mean any place to which the general public has a right to resort, not necessarily a place devoted solely for the use of the public, but a place which is in point of fact public rather than private, a place visited by person or persons and usually accessible by or to the public. This includes any building, structure, premises, or establishment, permanent or temporary in nature, movable or immovable, or any building or group of buildings or portion of a building occupied by any public agency which is open to the public for the purpose of conducting business any place in which the public has an interest as affecting the safety, health, and welfare of the community and includes such areas as Common Interest Ownership Communities as defined by Chapter 828 of the General Statutes of the State of Connecticut and their recreational facilities and areas, fraternal halls, grounds and facilities, health clubs, exercise and fitness clubs, golf, tennis and/or recreational clubs, and the like, and so called private clubs where non-members or members of the general public are allowed under any contractual or other circumstances.

3.7. "LICENSE"

shall mean the whole or any part of a permit, certificate of approval, or similar form of permission that may be required of any person or persons by the provisions of these regulations. Said license shall be in writing and shall be issued only by the Director of Health or by his duly authorized agent.

3.8. "JURISDICTION"

shall mean the geographic area encompassing the member towns of the Eastern Highlands Health District within which boundaries the Eastern Highlands Health District has responsibility in accordance with the General Statutes of Connecticut, Volume 6, Title 19a, Chapter 368f, Sections 19a - 240 to and including 19a - 246, as may be amended from time to time. The District Health Department shall not have jurisdiction over any State facilities except when delegated to the District by the State with the mutual agreement of both parties.

3.9. "SHALL"

The word "shall" as used herein indicates a mandatory requirement.

NOTE: Additional definitions pertaining to the Sanitary Code as a whole may be found in the "Definitions" section of each regulation within the Sanitary Code.

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 4
FOOD SERVICE REGULATIONS

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 4 FOOD SERVICE REGULATIONS

4.1. PURPOSE OF FOOD SERVICE REGULATIONS

The purpose of the Food Service Regulations Section within the “Sanitary Code” is to protect the public’s health, to prevent the spread of disease and to promote good health through education and prevention.

4.1.1. DEFINITIONS

4.1.1.A. FOOD SERVICE ESTABLISHMENT

Restaurant, coffee shop, cafeteria, short order cafe, tavern, luncheonette, sandwich stand, soda fountain, fast food establishment, and any and all other eating or drinking establishments as well as kitchens or other places in which food or drink is prepared for sale or service to the public on or off the premises.

“Food service establishment” shall also mean any place where food is prepared or served, for consumption on or off the premises, including but not limited to restaurants, industrial or corporate feeding establishments, commissaries, catering establishments or any eating place, whether fixed or mobile. The term does not include a private home where food is prepared for individual family consumption, or the location of food vending machines.

4.1.1.B. TEMPORARY FOOD ESTABLISHMENT

A food service establishment, permanent or temporary structure or design, movable or immovable, which operates for a temporary period of time not to exceed fourteen (14) days during any permit period. Said temporary period shall be counted from the first day of operation

to include the next thirteen (13) calendar days whether the temporary food establishment operates on all fourteen days or not.

4.1.1.C. CATERER

A caterer is a person, firm, or corporation who operates or maintains within the District, a catering food service which involves the sale or distribution of food and drink prepared in bulk at one geographic location for service in individual portions at another location or which involves the preparation and service of food on public or private premises not under the ownership or control of the operator of the service.

4.1.1.D. MOBILE FOOD VENDOR/ITINERANT FOOD VENDOR

A mobile food vendor/itinerant food vendor is a person, firm or corporation who operates or maintains within the District an itinerant food vending business serving food or drink from any establishment or conveyance without a fixed location and without connections to water supply and sewage disposal systems.

4.1.1.E. FOOD

Any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use, or for sale, in whole or in part for human consumption.

4.1.1.F. LICENSEE

“Licensee” shall mean the person designated by the owner of an establishment to receive all notices required to be sent pursuant to this chapter.

4.1.1.G. OWNER

“Owner” shall mean any individual, partnership, association, corporation, company, governmental agency, club or association of any kind, and includes the plural who wants an establishment.

4.1.1.H. POTENTIALLY HAZARDOUS FOOD

Means any food or food ingredient, natural or synthetic, that is in a form capable of supporting:

- (A) The rapid and progressive growth of infectious or toxigenic microorganisms, or
- (B) The slower growth of clostridium botulinum.

4.1.1.I. FOOD SERVICE INSPECTOR

“Food Service Inspector” means authorized agent of the director of health certified by the Connecticut State Department of Public Health.

4.2 LICENSES

Any person, firm or corporation owning, operating or maintaining, within any city, town or political subdivision comprising the Eastern Highlands Health District, any food service establishment or place where food or beverage are served to the public shall possess a valid license issued by the Eastern Highlands Health District. Any person who knowingly or willfully owns, operates or maintains a food service establishment in violation of any of the sections of the “Sanitary Code” or without a valid license issued by the Eastern Highlands Health District, shall be fined not more than **\$100.00** for each offense.

Each additional day of operation in violation after receipt of notice shall be considered a separate offense. In addition, said violation shall be considered sufficient grounds for the denial of a pending license or subsequent license application by said violator until corrected.

4.2.1. ISSUANCE OF LICENSE

Upon the issuance of an initial license as a “food service establishment” to a new applicant or establishment, the Director of Health shall sign the license and transmit same to the applicant in person or by mail, to the last known business or personal address of the applicant within seventy-two (72) hours following the issuance of an initial license by the Director of Health.

All food service establishment licenses shall expire not later than one (1) year after the date of issuance. Licenses for temporary food service establishments shall be issued for a period of time not to exceed fourteen (14) consecutive days.

4.3. FOOD SERVICE ESTABLISHMENT LICENSE APPLICATION PROCEDURE

The Regulations of the “Sanitary Code” and any amendments thereto shall be enforced by the Director of Health of the Eastern Highlands Health District or his duly authorized agent. The Director shall not issue a license for the operation or maintenance of a food service establishment unless an application for such purpose has been duly filed in the office of the Eastern Highlands Health District along with the appropriate fee. Said application and the food service establishment shall be in conformity in all respects with the provisions of this “Sanitary Code” as well as the Public Health Code of the State of Connecticut.

4.3.a In the case of a transfer of ownership of an existing food service establishment to a new owner. The new owner shall submit an application for a license on forms provided by the District. The establishment shall be brought into compliance with this “Sanitary Code” and the Connecticut Public Health Code by correcting all violations before a license to operate can be issued. The license is not transferable.

4.3.1. RENEWAL

An application for a license renewal (yearly license) shall be filed annually not later than thirty (30) days prior to the expiration date of a current valid license. The Director of Health shall issue or deny such renewal application for license within ten (10) working days following the filing of said application for license.

4.4. INSPECTIONS

The Director of Health, or his duly authorized agent, (Sec. 19a-242(d), CGS) , shall inspect each food service establishment and shall make as many additional inspections and re-inspections as

are necessary for the enforcement of the Public Health Code and this “Sanitary Code” as well as for the protection of the public.

4.4.1. REINSPECTIONS

Any establishment failing the regular inspection shall be re-inspected within the time requirements of the Public Health Code. There shall be a fee as established in the fee schedule referenced in Section 6 of this “Sanitary Code”.

4.4.2. RIGHT OF ENTRY TO INSPECT

The Director of Health or his duly authorized agent, after proper identification, shall be permitted to enter during business hours or at any other reasonable time, any food service establishment for the purpose of making inspections to determine compliance with this “Sanitary Code”, and the Connecticut Public Health Code. The Director or his agent shall be permitted to examine the records of the establishment to obtain information pertaining to food and supplies purchased, received, used or proposed to be used and persons employed or proposed to be employed, but not including financial records.

4.4.3. SUSPENSION

In the event the Director of Health or his duly authorized agent finds unsanitary or other conditions in the operation of a food service establishment which in his judgment constitutes a violation of this “Sanitary Code” or the Public Health Code, the Director may issue a written notice to the license holder or operator citing such conditions, specifying the corrective action to be taken, specifying the time period within which such corrective action shall be taken, and, if deemed necessary, order immediate correction. If correction is not made in the stated time, the license or permit shall be suspended and a written order issued to cease the food service establishment operations immediately.

4.4.4. SERVICE AND POSTING OF NOTICES OF VIOLATION OR SUSPENSION

Notices of violation or suspension provided for under this “Sanitary Code” shall be deemed to have been properly served when a copy of the inspection report form, or other notice, has been delivered personally or sent by certified mail, return receipt requested, to the owner, permit holder or person in charge of the food service establishment. One copy of the notice of suspension shall be posted upon the window of the front entrance door of the food establishment or upon the nearest window thereto in such a manner as to be clearly visible to the general public from the exterior of such establishment. Said notice of suspension shall not be defaced or removed by any person except the Director of Health, or his authorized agent.

4.4.5. REINSTATEMENT OF SUSPENDED LICENSE

Whenever a license has been suspended, the owner of the suspended license may make a written request for reinstatement of the suspended license. Such request shall include a statement indicating how the conditions causing the suspension have been corrected. Within ten (10) days following receipt of such written request, the director of health, or authorized agent, shall make a re-inspection. Within 72 hours of completion of re-inspection, the Director of Health shall deny or approve request for license reinstatement. If the owner is found to be in compliance with the requirements of this chapter and the Public Health Code of the State of Connecticut, and to have corrected all conditions responsible for the suspension, the license shall be reinstated upon payment of the re-inspection fee.

4.4.6. REVOCATION OF LICENSE

The Director of Health may, after providing opportunity for an appeal and hearing, revoke a license for serious or repeated violations of any of the requirements of this “Sanitary Code” or of the Public Health Code of the State of Connecticut, or for interference with the Director of Health, or his authorized agent, in the performance of their duties. Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation, and that the license shall be revoked at the end of

14 days following service of such notice, unless an appeal is filed with the Director of Health by the license holder within 48 hours. If no request for appeals is filed within 48 hours, the revocation of the license becomes final. During the process of appeal, the license shall remain revoked.

4.4.6. APPEAL

The owner or operator of a food service establishment aggrieved by a written notice described above and/or an order may, within forty-eight (48) hours after the receipt of such notice and/or order, appeal to the Director of Health who shall thereupon immediately examine the merits of such case and may vacate, modify or affirm such written notice or order. The owner or operator of a food establishment who is aggrieved by such action of the Director of Health may, within forty eight (48) hours after making of such decision, appeal to the Commissioner of Connecticut Department of Health Services who shall thereupon immediately notify the authority from whose order the appeal was taken and examine the merits of such case and may vacate, modify or affirm such action in accordance with such procedures as are set forth in the Public health Code and the General Statutes of the State of Connecticut.

4.4.7. EXCLUSION CLAUSE

Any food service establishment of any classification which is inspected by the State of Connecticut, Department of Health, for the purpose of monitoring compliance of the State Public Health Code which successfully passes these inspections shall be exempt from District fees related to inspection upon submission to the District of copies of said inspection.

4.5. FEE SCHEDULE AND CRITERIA

Each application for a license to operate and/or maintain a food service establishment, shall be filed on forms provided by the District, accompanied by a fee based on the criteria and fee schedule found in Section 6 of this “Sanitary Code”.

4.6. PLAN SUBMISSION

Whenever a food service establishment is constructed or remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling or alteration shall be submitted to the Director of Health or his authorized agent for review and approval before construction, remodeling or alteration is begun. The plans and specifications shall indicate the proposed layout, arrangement and construction materials of work areas and the type and model of proposed fixed equipment and facilities. The Director of Health or his authorized agent shall approve the plans and specifications if they meet the requirements of this “Sanitary Code” and the Public Health Code of the State of Connecticut. The initial plan review shall be accomplished in no more than twenty (20) working days after submission.

4.6.1. PLAN REVIEW

To obtain approval from the District, two (2) complete floor plans of the facility must be submitted to the Eastern Highlands Health District prior to construction. Included in the plan must be all pieces of equipment, counters, tables, shelving, cabinets, finish schedules, food preparation areas, dry storage areas, refrigeration, dish and other washing areas, mop storage areas, cleaning supply storage, trash storage, toilet rooms and employee personal belongings storage and any other data deemed relevant (including a detailing of the space set aside for dining) for the proposed use. This floor plan must include a detailed kitchen equipment layout with brand names for intended table mounted and/or floor mounted equipment. Plans submitted shall demonstrate compliances with all applicable sections of this “Sanitary Code” and the Connecticut Public Health Code.

4.6.2. MENU

A draft of the final menu shall be submitted with the plan of the facility to assist the District in determining the adequacy of the size of the kitchen to handle the proposed food production.

4.6.3. PLANS TO BE APPROVED

Whenever plans are required, the Director of Health or his authorized agent shall inspect the food service establishment prior to its opening to determine that the operation and the facility are in compliance with the approved plans and with the requirements of this Section 4. and the Public Health Code of the State of Connecticut.

4.7. CATERER

4.7.1 REQUIREMENTS

All caterers shall have a licensed kitchen to prepare food for service. The preparation kitchen must meet the requirements of Section 4 of this Sanitary Code and Sections 19-13-B40, 19-13-B42, and 19-13-B49 of the Connecticut Public Health Code.

4.7.2. FOOD TO BE PROTECTED DURING TRANSIT

Any food being transported shall meet the temperature and food protection standards as required in the Public Health code. The vehicle in which such food is being transported shall be clean and constructed and maintained to prevent access by insects or vermin and shall have name and address on the vehicle. The vehicle shall either have facilities to keep proper temperatures or be provided with containers that will hold proper temperatures. Upon arriving at the final destination, the caterer shall take the temperatures of all potentially hazardous food transported.

4.7.3. FOOD, CONTAINERS, EQUIPMENT, SILVERWARE, UTENSILS, LINEN TO BE PROTECTED DURING TRANSIT

All food containers, equipment, silverware, dishes, crystal, utensils, single service items, and linen shall be protected and kept clean during transportation. Prior to service, caterer is responsible for cleaning and sanitizing all food contact surfaces, including rented items.

4.7.4. RECIPROCAL LICENSING

Any caterer wishing to cater or serve food within the towns of the Eastern Highlands Health District jurisdiction shall either (1) be licensed by the Eastern Highlands Health District; or, if

not based within the District, (2) hold a valid caterer's license from another local or district health department. A copy of such license shall have been filed with the Eastern Highlands Health District prior to said caterer operating within the jurisdiction of the Eastern Highlands Health District.

4.8. HOME KITCHENS – COOKING FOR PUBLIC CONSUMPTION

Home kitchens will be allowed only when the operation is allowed by the local zoning commission as a home occupation and the following conditions are met:

- a. The kitchen is completely separated from the family used kitchen.
- b. The storage room is separate from the family storage.
- c. All equipment and utensils shall be separate from the household kitchenware.
- d. Food in the facility shall be from an approved source and satisfactory to the Director of Health.
- e. The kitchen facility must comply with all the requirements of Sections 19-13-B40, 19-13-B42, 19-13-B49 of the Connecticut Public Health Code and Section 4 of the "Sanitary Code".

4.9. FOOD PROTECTION DURING EMERGENCIES

In the case of a fire or flood in a food service establishment, the person in charge of the food establishment shall contact the Director of Health immediately. If said event occurs at a time when the District does not normally conduct regular business hours, the person in charge shall notify the police department who will in turn make all reasonable efforts to contact the Director of Health or his agents.

In the case of a power outage of two hours duration or longer, the person in charge of the food establishment shall take immediate steps to prevent food spoilage (i.e., refrain from opening freezers and refrigerators), and shall also immediately notify the Director of Health of the situation.

4.10. COMMUNICABLE DISEASE INFECTIONS

Any person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores or an acute respiratory infection, shall not work in any food service establishment in any capacity in which there is a likelihood of such person contaminating food, drink or food contact surfaces with pathogenic organisms, or transmitting disease to other individuals; and no person known or suspected of being afflicted with any such disease or condition shall be employed in such an area or capacity. If the management of the establishment has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he/she shall notify the Director of Health immediately. When the Director of Health has reasonable cause to suspect the possibility of disease transmission from any food service establishment employee, he/she may make such other investigation as may be indicated, and take appropriate action.

The Director of Health may require any or all of the following measures:

1. The immediate exclusion of the employee from all food service establishments.
2. The immediate closure of the food service establishment concerned until, in the Opinion of the Director of Health, no further danger of disease outbreak exists.
3. Restriction of the employee's activities to an area of the establishment where there would be no danger of transmitting disease.
4. Adequate medical and laboratory examination of the employee, or other Employees, and of his/her and/or their body discharges.

4.11. EXAMINATION, EMBARGO AND CONDEMNATION OF FOOD

4.11.1 EXAMINATION

Food may be examined or sampled by the Director of Health as often as necessary for enforcement of this Sanitary Code or the Connecticut Public Health Code.

4.11.2 EMBARGO/HOLD ORDER

The Director of Health may place a hold order on any food or beverage which he believes is adulterated or otherwise unfit for human consumption. The Director of Health shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The Director of Health shall direct storage of the food under conditions specified in the hold order. The hold order shall state that a request for a hearing may be filed with the Director of Health within forty-eight (48) hours and if no hearing is requested, the food shall be destroyed as witnessed by the Director of Health or his agent. Within forty-eight (48) hours following receipt of a request for a hearing, the Director of Health shall hold a hearing. On the basis of evidence produced at that hearing, the hold order may be rescinded or the license holder or person in charge of the food may be directed, by written order, to destroy such food or to bring it into compliance with the provisions of the "Sanitary Code" or the Connecticut Public Health Code.

4.11.3 CONDEMNATION

Food shall be subject to immediate condemnation by the Director of Health when it is found to be unfit for human consumption by reason of the appearance, odor, or decomposition, adulteration contaminated by exposure to fire, water, smoke or heat, lack of proper temperature maintenance; or animal or insect contact. Exposure to non-food chemicals shall also be grounds for condemnation. Said action of condemnation shall only be used when, in the opinion of the Director of Health, there is substantial risk that the suspected food would otherwise be used for human consumption, or if the license holder agrees to the ground for the condemnation.

4.12. FOOD SERVICE ESTABLISHMENT CLASSIFICATION

The Director of Health or Food Service Inspector shall classify each food service establishment by using the criteria outlined in this subdivision. Establishments shall be classified at the time of

licensure or otherwise at the time of registration with the Local Director of Health. The classification shall be reviewed by the Director of Health or Food Service Inspector during each inspection and in no case less than annually. The Food Service Establishment shall be placed into the highest classification that describes any of the food operations conducted. When it comes to the attention of the Director of Health or Food Service Inspector that the food service establishment has changed to a different class the Director of Health or Food Service Inspector shall reclassify that food service establishment. No food service establishment shall change operations to a different classification without prior written approval by the Director of Health. The classes of food service establishment are as follows:

4.12.1. Class I is a Food Service Establishment with commercially prepackaged foods and/or hot or cold beverages only. No preparation, cooking or hot holding of potentially hazardous foods is included except that commercially packaged precooked foods may be heated and served in the original package within four (4) hours.

4.12.2. Class II is a Food Service Establishment using cold or ready-to-eat commercially processed food requiring no further heat treatment and/or hot or cold beverages. No cooking, heating or hot holding of potentially hazardous foods is included except that commercially packaged precooked foods may be heated and served in the original package within (4) hours and commercially precooked hot dogs, kielbasa and soup may be heated if transferred directly out of the original package and served within four (4) hours.

4.12.3. Class III is a Food Service Establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and consumed by the Public within four (4) hours of preparation.

4.12.4. Class IV is a Food Service Establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and held for more than four (4) hours prior to consumption by the Public.

SANITARY CODE

EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 5

BARBERSHOP, HAIRDRESSING, COSMETOLOGY, NAIL SALON AND SPA

SANITARY CODE

EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 5 BARBERSHOP, HAIRDRESSING, COSMETOLOGY, NAIL SALON AND SPA

5.1. PURPOSE:

To define requirements for the inspection, establishment standards, permit fees and penalties for any “Salon”, as defined in Public Act 19-117, in any municipality or other political subdivision comprising EHHD and supplemental to the Connecticut General Statutes, §§19a-14, 19a-92a, 19a-92g, 19a-231, 20-234, 20-250; including without limitation, any “Establishment” providing Barbering, Hairdressing or Cosmetology; or the services of a Nail Technician, Esthetician or Eyelash Technician, as also defined in Public Act 19-117.

5.1.1 Definitions.

For the purpose of this Section 5 of this Sanitary Code, the following terms have the meanings set forth with respect thereto:

Barbering - includes any and all described practices permitted by State law when performed by a barber licensed in the State of Connecticut, upon the head, face, scalp or neck for cosmetic purposes only.

Barbershop - any Establishment engaged in the practice of Barbering for the public.

Cosmetology and/or Hairdressing - includes any and all described practices permitted by State law when performed by a licensed individual upon the head, face, scalp, arms, hands, body, legs and feet for cosmetic purposes only.

Disinfect - to use a chemical or physical process to destroy harmful organisms, including bacteria, viruses, germs, and fungi. Such chemical or physical process is a “Disinfectant”.

Establishment - any premises or that portion of a premises, engaged in the practice of Barbering, Hairdressing, Cosmetology, Nail Technician, Esthetician or Eyelash Technician services for the public. The terms “Establishment” and “Salon” shall be used interchangeably.

Esthetician – means a person who for compensation performs “Esthetics”.

Esthetics – shall have the definition contained in § 191 of Public Act No. 19-117, including without limitation services related to skin care treatments such as cleansing, toning, stimulating, exfoliating or similar procedures on the human body while using cosmetic preparations, hands, devices, apparatus or appliances to enhance or improve the appearance of the skin; makeup application; beautifying lashes and brows; or removing unwanted

Eyelash Technician – means a person who for compensation performs individual eyelash extensions, eyelash lifts or perms and eyelash color tints.

Independent Contractor - a person who engages in an independent trade, business, or profession in which they offer their services to the public. They are generally not employees of an Establishment but instead perform services under an expressed or implied agreement with an Establishment.

Nail Technician - means a person who for compensation cuts, shapes, polishes or enhances the appearance of the nails of the hands or feet, including but not limited to the application and removal of sculptured or artificial nails; excluding, however, any practice, activity or treatment that constitutes the practice of medicine.

Operator - any person, including, but not limited to, a licensed Hairdresser/Cosmetician, Barber, , Esthetician, Eyelash Technician or Independent Contractor who is performing tasks allowed under the scope of this Sanitary Code and the Code.

Permit Holder - the person who applies for and is granted a Permit to Operate and provides the services of an Establishment in the towns covered by EHHD.

Work Station - is defined as a chair, countertop and floor space set aside for the purpose of serving a customer, including floor space for the Operator to stand while serving the customer.

5.2. PLAN REVIEW AND PRE-OPERATION INSPECTIONS.

5.2.1. A plan review application and layout design plan (including any documents specified by the Director of Health) must be completed and submitted to the Health Department for review and approval prior to opening any new Salon or the remodeling or alteration of an existing Salon.

5.2.2. Prior to a Salon opening, the Director of Health, or his or her authorized agent, shall conduct a pre-operational inspection to determine compliance with the approved plans, the requirements of this Sanitary Code and the Code.

5.2.3. In addition to the above requirements of this Section 5.2, the Permit Holder shall obtain a Certificate of Occupancy (CO) from the Building Department and Zoning approval from the Planning and Zoning Department, if applicable.

5.3. PERMITS.

5.3.1. No Establishment shall operate without a valid permit issued by the Director of Health. Only an Establishment that complies with the requirements of this Sanitary Code and all other applicable legal requirements shall be eligible to receive or retain such permit.

5.3.2. Independent Contractors working in a permitted Establishment shall be independently permitted by the Director of Health. A Connecticut State license and permit for each Independent Contractor shall be posted in a prominent location at the Work Station of each such Independent Contractor where patrons can observe it.

5.3.3. Permits shall not be transferable from person to person or from location to location. Any planned transfer or other change in ownership of an Establishment shall require a new permit. Any permit holder contemplating such a transfer or other change in ownership, or a change in location, shall report each such contemplated change in advance to EHHD promptly. EHHD at least ten working days prior to the anticipated date of such change, and EHHD must approve each such change before a new permit shall be issued.

5.3.4. Applications for a permit, any change to a permit or permit renewal shall be made on the appropriate forms furnished by the Director of Health, or his or her authorized agent.

5.4. PERMIT FEES AND ENFORCEMENT.

5.4.1. All permits are valid for one (1) year or a portion thereof; and are renewable on or before January 31st of each year. Renewal applications and fees must be remitted prior to January 15th, or late and penalty fees will be assessed as specified in the fee schedule determined by the EHHD Board of Directors.

5.4.2. The Director of Health, or his or her authorized agent, upon presentation of proper identification, shall be permitted to enter, during normal operating hours, any portion of any Establishment for the purpose of conducting inspections to determine compliance with this Sanitary Code and with the Code.

5.4.3. The EHHD permit shall be displayed in a prominent location in the Establishment.

5.4.4. The Establishment shall keep a copy of licenses for all employees or Independent contractors performing services requiring a Connecticut State license, posted at the Work Station or at the front desk.

5.4.5. Every applicant for a permit to operate an Establishment or as an Independent Contractor shall pay an annual permit fee as listed in the fee schedule adopted by the EHHD Board of Directors.

5.4.6. Enforcement interpretation. This Sanitary Code shall be enforced by the Director of Health, or his or her authorized agents.

5.4.7. Penalties. Any person who operates an Establishment or who acts as an Independent Contractor without a valid permit shall be subject to any of the monetary penalty and additional legal sanctions provided in Chapters 368E and 368F of the Conn. Gen. Statutes any regulations thereunder..

5.5. ESTABLISHMENT INSPECTIONS.

5.5.1. The Director of Health, or his or her authorized agent, shall conduct an annual inspection of each Establishment and shall also make any additional inspections necessary for the enforcement of this Sanitary Code and the Code.

5.6. PERMIT SUSPENSIONS.

5.6.1. Failure to comply with the provisions of this Section 5 and other applicable legal requirements shall be grounds for suspension of any permit issued under the provisions of this Section 5.

5.6.2. In the event that the Director of Health, or his or her authorized agent, finds unsanitary conditions in the operation of an Establishment, the Director of Health may issue an Order to Correct to the Permit Holder, citing such conditions, specifying the corrective action to be taken and time frame within which action shall be taken. If correction is not made in the allotted time, the permit may be suspended.

5.6.3. The Director of Health may suspend, without warning, prior notice or hearing, any permit to operate as an Establishment or as an Independent Contractor.

5.6.3.A If the operation constitutes an imminent hazard to public health; or

5.6.3.B If the subject owner, operator, person in charge has interfered with the performance of the Director of Health's, or his or her authorized agent's duties or has prohibited access to conduct an inspection

5.6.4. An "imminent hazard to public health" shall include without limitation any one or more of the following:

5.6.4.A An ongoing outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to clients; or

5.6.4.B The absence of an approved sanitizer/Disinfectant or evidence that sanitizer/Disinfectant is not being used properly to thoroughly clean and sanitize equipment and Work Stations after each client; or

5.6.4.C The absence of potable water, supplied under pressure, at adequate temperature (105°-115° F) and quantity capable of meeting the needs of the facility; or

5.6.4.D A sewage backup into the facility.

5.6.5. Suspension shall be effective immediately upon documentation of imminent public health hazard and/or interference with the Director of Health, or his or her authorized agent, in the performance of official duties. A written order to cease and desist to the Permit Holder of the Establishment from the Director of Health shall issue within 24 hours. All operations within the Establishment shall cease immediately and shall not resume until full compliance is verified and written approval to resume has been issued by the Director of Health.

5.6.6. Any Permit Holder aggrieved by such action of the Director of Health may appeal the written order as provided in Conn. Gen. Stat. § 19a-229. Any such appeal shall not stay such written order.

5.7. PERMIT REVOCATION/NONRENEWAL

5.7.1. Revocation/Nonrenewal of permit shall be effective immediately for serious or repeated violations of any of the provisions of this ordinance, or for cases where the permit to operate has been obtained through nondisclosure, misrepresentation or intentional misstatement of a material fact.

5.7.2. The Director of Health shall notify the Permit Holder in writing of the specific reason(s) for such revocation or non-renewal within 24 hours of such revocation or nonrenewal. All operations within the Establishment shall cease immediately. Any Permit Holder aggrieved by

such action of the Director of Health may appeal the written order as provided in Conn. Gen. Stat. § 19a-229. Any such appeal shall not stay such written order.

5.7.3. After a period of thirty (30) days from the date of revocation or nonrenewal, a written application may be made for the issuance of a new permit. Any such application shall be treated as a new application. All appropriate procedures, fees and inspections will be required, including a plan review, prior to the issuance of a new permit.

5.8. SANITARY CONDITION/INFECTION CONTROL REQUIREMENTS FOR ALL ESTABLISHMENTS AND INDEPENDENT CONTRACTORS

5.8.1. Proper use of personal protective equipment and disposable gloves as a barrier against infectious materials provided as needed.

5.8.2. Immediate disposal, in a covered waste receptacle, of: (1) all single use items and any items that cannot be effectively cleaned and Disinfected after direct contact with a customer's skin, nails, or hair; (2) any debris after a client receives a service; (3) removal and placement of used linen, towels and sheets in a separate and appropriately labeled container.

5.8.3. All re-usable tools, equipment, implements, including fingerbowls, must be properly Disinfected after use on a client. All implements must be constructed of hard materials with smooth non-porous surfaces such as metal, glass, or plastic that can be used on more than one client. (1) After each client use, reusable implements and equipment must be cleaned with warm water and soap or detergent, rinsed thoroughly, allowed to dry, and completely immersed in an EPA hospital grade Disinfectant. EPA registered hospital grade Disinfectant must be used in accordance with the manufacturers' directions for the intended implements or surface. (2) Such implements shall be soaked for 10 minutes or per manufacturers suggested contact time, removed, rinsed, air dried and stored in a drawer, cabinet or covered container. The Disinfecting solution must be free of debris and contaminants at all times and must be changed as necessary per manufacturer directions.

NOTE: Electrical equipment that cannot be immersed in liquid shall be wiped cleaned of all visible debris and Disinfected prior to use on a client with an EPA registered Disinfectant. Also counters, chairs, mirrors and sinks need to be Disinfected after use. Once again, those items need to be visibly wet with a spray or wipe for ten minutes, then wiped with a clean cloth. The ten minute contact time is vital for proper infection control.

NOTE: All equipment/tools, shall be Disinfected or sterilized by means of: (1) an EPA registered bactericide, viricide, and fungicide Disinfectant; (2) a steam autoclave using fifteen (15) pounds

of pressure for thirty (30) minutes at two hundred fifty (250) degrees Fahrenheit; or (3) a dry heat sterilizer. Use of either an autoclave or dry heat sterilizer, requires strict adherence to manufacturer's instructions or US FDA instructions.

5.8.4. Hospital-grade Disinfectant must be used to clean the area and materials used in the practice of Hairdressing, Cosmetology and by Nail Technicians, Estheticians and Eyelash Technicians, including, but not limited to, chairs, armrests, tables, countertops, trays seats and soaking tubs for both hands and feet.

5.8.5. Handwashing sinks in an area where the Hairdresser, Cosmetologist, Nail Technician, Esthetician or Eyelash Technician provide services are required. Hand washing is required before and between providing services to each client. Soap must be used to cleanse the hands and the exposed portions of arms before providing services and after smoking, drinking, eating, or using the restroom.

5.8.6. Re-use of single use implements is prohibited; these items must be immediately discarded into a covered waste receptacle after use. Such implements cannot be adequately Disinfected between clients because they are made of porous/permeable material and/or become degraded by use on a client. (some examples include, but are not limited to: buffers, pumice stone, wooden sticks used for waxing, toe separators, gloves, cotton balls/pads/swabs, sponges, paraffin, emery boards, sponge tip applicators, single-use eyelash brushes and neck strips)

5.8.7. Pedicure basins (foot spas, foot basins and spa liners) must be cleaned and Disinfected after each client using this sequence regardless of liners used or not:

5.8.7.A All water shall be drained and all debris shall be removed from spa basin.

5.8.7.B Next the pedicure tub must be cleaned with soap or detergent and water, any removable part must be taken off for further cleaning. (this includes: jet covers and screens)

5.8.7.C The spa basin must be Disinfected with an EPA registered Disinfectant labeled as bactericidal, fungicidal, and virucidal for at least 10 minutes or according to the manufacturer's instructions. Whirlpool jets with recirculation waters must be filled and turned on to adequately Disinfect.

5.8.7.D The spa basin must be wiped dry with a clean towel or allowed to sufficiently air dry.

5.8.8. A practitioner should not perform services on a client if the practitioner has reason to believe the client has a contagious condition such as head lice, nits, ringworm, conjunctivitis; or inflamed, infected, broken, raised or swollen skin or nail tissue; or an open wound or sore in the area to be serviced.

5.9. CUSTOMER PROTECTION

5.9.1. A hand sink must be accessible for clients and employees, to prevent the spread of infection. At least one dedicated hand washing sink must be located in each service area, the restroom hand sink does **not** meet this criteria. The hand washing sink must be kept in a clean and sanitary condition at all times.

5.9.2. Soap and single service paper towels or a towel (one per client) must be provided at all hand sinks. If the salon chooses to use cloth towels they must be properly cleaned and Disinfected.

5.9.3. All products and chemicals shall be stored in labeled containers, and all original containers must be accompanied by dilution and use instructions. Chemicals should be safely stored and assessable to employees only. Safety Data Sheets (SDS) sheets should be available for all chemicals used in the salon.

5.9.4. Prohibited items should not be in use, nor present in permitted/licensed Establishments.
(1) In order to reduce the chance of injury or infection, implements designed to remove layers of skin shall not be used. Examples include but are not limited to: razor-type callus shavers designed to cut growth of skin such as corns or calluses; credo blades, microplane/graters, cutters, and scrapers. (2) Shaving brushes, mugs, brush neck dusters, brushes and sponges are prohibited unless they are single use disposable implements or can be properly cleaned and sanitized.

5.9.5. Service providers must wear appropriate clean protective clothing and footwear at all times during the provision of clinical services. Good hygienic practices must be followed such as, no smoking or eating while providing services to a customer or in a service/treatment areas.

5.9.6. A separate utility sink shall be provided for proper cleaning of surfaces and equipment.

5.9.7. All clean and Disinfected utensils/tools and material when not in use shall be stored in a clean, dry, debris-free environment which includes but not limited to drawers, cases, tool belt, rolling trays. They must be stored separate from soiled utensils/tools. Ultraviolet (UV) electric sanitizers are permissible for use as a dry storage container, not as a form of Disinfection

5.9.8. In order to minimize skin contact, a neck barrier strip or clean towel should be used with all reusable capes.

5.10. PERMIT/LICENSURE

5.10.1. The current permit from the EHHD must be prominently displayed.

5.10.2. All individuals per CT State Law, who are required to hold a license to perform a service, must have a current/active license available for review during inspection.

Note: Any employee working as an apprentice through a Department of Labor Apprenticeship program must provide documentation confirming their participation in the program upon the request of the Local Health Department or District.

5.11. ESTABLISHMENT

5.11.1. All sinks in the Establishment must have hot and cold running water, under pressure, from an approved source at all times. Hot water shall be provided at a minimum temperature of 105°F and maximum of 115°F.

5.11.2. Waste water from all plumbing fixtures shall be discharged into municipal sewer or suitable subsurface sewage disposal systems in accordance with the provisions of the Code.

5.11.3. All sections of the Establishment, including restrooms, shall be properly and adequately ventilated to comply with State and Local building code ordinances and regulations.

5.11.4. Floors, walls and ceiling should be cleanable and kept in good repair and clean, with no accumulation of hair or other waste at Work Stations

5.11.5. Towels and other laundered items must be properly cleaned and stored. A commercial linen service shall be used if not done on the premises.

5.11.6. Containers inside the Establishment shall consist of covered containers for hair droppings, paper, and other waste material. The containers shall be emptied daily and maintained in a sanitary manner. Containers stored outside the Establishment shall consist of approved garbage receptacles that have lids which are kept closed at all times. The garbage receptacle area and property must be maintained in a clean manner.

5.11.7. Storage of extra chemicals, lotions, glues, creams, callus removers and other Cosmetology products should be safely stored and accessible to employees only. Safety Data Sheets (SDS) must be available for all chemicals used in the Salon

5.11.8. Lighting fixtures shall be sufficient and properly placed so as to provide adequate illumination.

5.11.9. No animals or pets with the exception of designated service animals as defined under federal or state law, are allowed in Establishments.

5.11.10. All areas of an Establishment must be clearly separated from a residential space with a closed door and must be equipped with the facilities and instruments required.

5.11.11. Equipment must be commercial grade and designed for such purpose.

5.11.12. Plumbing fixtures shall be maintained and shall conform to applicable building and plumbing codes; proper devices to prevent back siphonage or cross-connections are required.

5.12. RESTROOMS

5.12.1. All restrooms, for employees and clients should be accessible, sanitary, clean and in good repair. A separate hand sink with an adequate supply of hot or cold running water in each restroom shall be provided.

5.12.2. An adequate supply of soap, with dispenser, and disposable towels, or an approved hand-drying device shall be available. Bar soap and common cloth towels are prohibited. Waste receptacles shall be easily cleanable and available in all restrooms, emptied at least once a day. A covered waste receptacle shall be provided in ladies restrooms.

5.13. TECHNICAL STANDARDS

The Director of Health shall have the authority to adopt technical standards and associated inspection procedures to assure proper sanitary maintenance and safe operation of Establishments. Such standards and inspection shall not contravene any of the provisions of this section or any state or municipal laws, ordinances or regulations, and may be amended or revised by the Director of Health. Failure of an Establishment to achieve and maintain minimum requirements of these technical standards shall constitute a violation of this ordinance. A copy of the technical standards shall be available at the EHHD for review and copying.

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT
SECTION 6
FEE SCHEDULES

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT
SECTION 6 FEE SCHEDULES

6.1. FEE SCHEDULE AND CRITERIA – FOOD SERVICE

See most recent Fee Schedule adopted by Board of Directors attached.

6.1.1. Non-Profit social, charitable, fraternal, churches and synagogues, and residential organizations which maintain permanent kitchen facilities or apply for temporary permits and are subject to regulations Section 19-13-B42 and 19-13-B48 of the Connecticut Public Health Code are hereby exempt from any food service establishment license/permit fee payment.

6.2. FEE SCHEDULE AND CRITERIA – WELLS, SITE INVESTIGATIONS, SEPTIC PERMITS, MORTGAGE INSPECTIONS.

See most recent Fee Schedule adopted by Board of Directors attached.

SANITARY CODE

EASTERN HIGHLANDS HEALTH DISTRICT

SECTION 7

SEVERABILITY CLAUSE

SANITARY CODE
EASTERN HIGHLANDS HEALTH DISTRICT
SECTION 7 SEVERABILITY CLAUSE

7.1. SEVERABILITY CLAUSE

In the event any section, paragraph, sentence, clause or phrase of the Sanitary Code or any part of the regulations included therein be declared unconstitutional by any court of a competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Sanitary Code or any regulation or part thereof. In the event any section, paragraph, sentence, clause, or phrase of the Sanitary Code shall be inconsistent with, or in opposition to, the Public Health Code of the State of Connecticut, the provisions of the Public Health Code of the State of Connecticut are to take precedence. The remainder of the Sanitary Code not inconsistent with and/or not in opposition to the Public Health Code of the State of Connecticut shall not be affected thereby and shall remain in full force and effect.