FVHD

# Farmington Valley Health District

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# Food Service Regulations

A regulation pertaining to the sanitation of food establishments and setting permit requirements, inspection requirements, plan review requirements, fees for same, and penalties for violations.

**Section 1: Scope and Purpose**

Pursuant to Section 19a-243 of the Connecticut General Statutes the purpose of this regulation is to prevent the spread of disease and safeguard the health, safety, and welfare of the inhabitants of the Farmington Valley Health District and the general public. The Farmington Valley Health District shall, through a program of inspection, education and enforcement of these regulations, uphold the Connecticut Public Health Code or any other applicable code, regulation, or statute of Connecticut State Agencies.

**Section 2: Terms Defined in Other Codes**

Where terms are not defined in this chapter and are defined in either the U.S. Food and Drug Administration (FDA) Food Code, Connecticut General Statutes or the building, fire safety or public health codes, they shall have the same meanings ascribed to them as in the general statutes or in these codes.

**Section 3: Definitions**

***Authorized Agent*** means an individual who enforces these regulations and the regulations of Connecticut State Agencies under the supervision and/or authority of the Director of Health.

***Base of Operation*** means an approved permitted/licensed and inspected commercial kitchen by a local health department/district or the Connecticut Department of Consumer Protection used to store, prepare, cook, and hold food and/or drink items with the intent of selling/dispensing/transferring food/drink to another location, such as an itinerant food vending truck/trailer, or food prepared, dispensed, or sold at a temporary food event.

***Caterer or Catering Food Service*** means a person or business that is involved in the following:

Sale or distribution of food and drink prepared in bulk at one geographic location for retail service in individual portions in another location.

Preparation and service of food in a public or private venue that is not under the ownership or control of the operator of such business or service.

***Certified Farmers' Market*** means an organized seasonal market at a fixed location, used by multiple farmers and other non-farm vendors for the sale of whole, cut, or processed produce and farm products as well as other prepared food items.

***Certified Food Inspector (CFI)*** means an Authorized Agent who has been certified as a Food Inspector by the State of Connecticut Commissioner of Public Health.

***Certified Food Protection Manager (CFPM)*** means a food operator employed full-time in a supervisory or management position in a food establishment with the responsibility and the authority to direct and control food preparation service and who has demonstrated knowledge of safe food handling techniques and holds a valid Food Protection Managers Certification from one of the recognized training organizations from the Conference for Food Protection.

***Core item(s)*** includes an item that is usually related to general sanitations, operational controls, sanitation standard operating procedures, facilities or structures, equipment design, or general maintenance.

***Director of Health*** means the director of a local health department or district health department appointed pursuant to section 19a-200 or 19a-242 of the Connecticut General Statutes.

***Fee Schedule*** refers to the fees specified in the Annual Fiscal Year Budget adopted by the Board of Directors of the Farmington Valley Health District.

***Food*** means 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.

***Food Establishment*** refers to an operation that (A) stores, prepares, packages, serves, and/or vends food directly to the consumer or otherwise provides food for human consumption, including but not limited to a restaurant, catering, food service establishment, temporary food service establishment, itinerant food vending establishment, market, or conveyance used to transport people, institution, or food bank. or (B) relinquishes possession of food to a consumer, directly or indirectly, through a delivery service that is provided by common carriers. Food Establishment does not include:

1. Vending machine(s) as defined in CGS 21a-34.
2. A private residential dwelling in which food is prepared under CGS 21a-62a referring to a Cottage Food Operation.
3. Food manufacturing establishment as defined in CGS 21a-151.
4. An establishment that only offers prepackaged foods that are not time/temperature controlled (TCS) for safety foods.
5. A produce stand that only offers whole, uncut fresh fruits and vegetables

***Foodborne Illness*** means illness, including, but not limited to, illness due to heavy metal intoxications, staphylococcal food poisoning, botulism, norovirus, salmonellosis, shigellosis, clostridium perfringens intoxication and hepatitis A, acquired through the ingestion of a common-source food or water contaminated with a chemical or infectious agent or the toxic products of a chemical or infectious agent.

***Foodborne Outbreak*** means illness, including, but not limited to, illness due to heavy metal intoxications, staphylococcal food poisoning, botulism, norovirus, salmonellosis, shigellosis, clostridium perfringens

intoxications and hepatitis A, in two (2) or more individuals, acquired through the ingestion of common source food or water contaminated with a chemical, infectious agent or the toxic products of a chemical or infectious agent.

***Food Service Classification*** under CGS 19a-36g means the categorization of a food establishment based on the menu and type of food preparation within the food establishment. The Food Service Classification of food establishments shall be one of the following:

> ***Class I Food Establishment*** means a retail food establishment that does not serve a population that is highly susceptible to foodborne illnesses and only offers (A) prepackaged food in its original commercial package that is time or temperature controlled for safety, or (B) commercially prepackaged, precooked food that is time or temperature controlled for safety and heated, hot held and served in its original commercial package not later than four (4) hours after heating, or (C) food prepared in the establishment that is not time or temperature controlled for safety.
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> ***Class II Food Establishment*** means a retail food establishment that does not serve a population that is highly susceptible to foodborne illnesses and offers a limited menu of food that is prepared or cooked and served immediately, or that prepares and cooks food that is time or temperature controlled for safety and may require hot or cold holding, but that does not involve cooling.
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> ***Class III Food Establishment*** means a retail food establishment that (A) does not serve a population that is highly susceptible to foodborne illnesses, and (B) offers food that is time or temperature controlled for safety and requires complex preparation, including, but not limited to, handling of raw ingredients, cooking, cooling, and reheating for hot holding.
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> ***Class IV Food Establishment*** means a retail food establishment that serves a population that is highly susceptible to foodborne illnesses, including, but not limited to, preschool students, hospital patients, and nursing home patients or residents, or that conducts specialized food processes, including but not limited to, smoking, curing, or reduced oxygen packaging for the purposes of extending the shelf life of the food.

***Food Service Permit*** means a written document issued by the Director of Health to a person, firm, organization, or corporation to operate a food establishment.

> ***Annual Permit***: refers to a permit, renewed annually, issued for a food establishment.
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> ***Temporary Permit***: refers to a permit issued to a person, firm, corporation, organization, food establishment, caterer, or itinerant vendor operating a temporary food establishment serving a fixed menu. Temporary permits are valid up to fourteen (14) consecutive days in conjunction with a single location and/or event or celebration within the Farmington Valley Health District.
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> ***Seasonal Permit***: refers to a permit issued to a seasonal food establishment operating 180 consecutive days or less in a calendar year.

***FVHD*** means the Farmington Valley Health District.

***HACCP Plan (HACCP Plan)*** means a written document that delineates the formal procedure for following the Hazard Analysis and Critical Control Point principles developed for the National Advisory Committee on Microbiological Criteria for Foods.

***Inspection Report*** means the report on which the demerit items marked identify the violations found in the food establishment at the time of inspection.

***Itinerant Food Vendor*** means a food establishment which serves food or drink from a self-contained, approved mobile conveyance, generally a truck or trailer, without a fixed location and without connection to a water supply or sewage disposal system.

***Late Fee*** refers to a penalty issued to a food establishment submitting its completed food permit annual renewal application and permit fee after the expiration date of the previous annual food permit.

***Non-Profit Organization*** means (A) an organization holding a tax-exempt status as defined by the U.S. Internal Revenue Code, Section 501(c)(3)(4), (B) a religious group(s), (C) municipal/town schools and buildings, (D) youth organizations.

***Person in Charge (PIC)*** refers to the individual present at a food establishment who is responsible for the operation at the time of the inspection. The PIC shall also hold a Food Protection Managers Certification from one the approved testing organizations by the Conference for Food Protection.

***Permit Reciprocity*** refers to the Itinerant Food Vendor Reciprocal Licensing/Permitting Agreement under C.G.S. 19a36i.

***Permit Reinstatement Fee*** refers to a fee that shall be required whenever a permit to operate a food establishment has been suspended.

***Priority Foundation Item*** refers to a provision whose application supports, facilitates, or enables one or more Priority Item.

***Priority Item*** refers to a provision whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard.

***Rating*** means an appraisal of a Class II, III or IV Food Establishment.

***Re-inspection Fee*** refers to a fee implemented whenever a food establishment requests that a re-inspection be performed to improve the rating or inspection score.

***Seasonal Food Establishment*** means a food establishment which is self-contained and seasonal in nature, such as a concession stand or itinerant food vendor, which operates at a fixed location for a period not to exceed 180 consecutive days.

***Temporary Event Sponsor/Coordinator*** refers to the individual organization who is responsible for hosting Temporary Event and coordinating temporary food establishments/itinerant food vendors operating at the temporary event.

***Temporary Event*** refers to an event that operates at a fixed location for a temporary period, not to exceed fourteen (14) consecutive days, in conjunction with a single event or celebration that is advertised and open to the public, with or without admission fee.

***Temporary Food Establishment*** refers to a food establishment or itinerant food vendor that operates at a fixed location for a temporary period, not to exceed fourteen (14) days, in conjunction with a single event or celebration that is advertised and open to the public, with or without admission fee.

***Time and Temperature Control for Safety (TCS)*** refers to food that is required to be maintained at a certain temperature or maintained for a certain length of time, or both, to prevent microbial growth and toxin production.

***Variance*** means a written document issued by the Commissioner of Public Health that authorizes a modification or waiver of one or more requirements of the FDA Food Code if, in the opinion of the Commissioner a health hazard or nuisance will not result from the medication or waiver.

**Section 4: <u>Permit Requirements</u>**

A. No person, firm, organization, or corporation shall operate a food establishment within FVHD unless a valid food service permit has been issued to them by the Director of Health, unless such Itinerant Vendor is authorized pursuant to the reciprocal permitting procedures established under C.G.S. 19a.36i. Each permittee shall comply with the requirements of the FDA Food Code, these regulations and any other applicable law.

B. No Permits are transferable to one person, corporation, establishment, firm, or location to another person, corporation, establishment, firm, or location.

C. Any person desiring to own or operate a food establishment within FVHD shall make written application for an Annual Permit on forms provided by FVHD.

D. Any new food establishment or change of owner of an existing food establishment must comply with these regulations, the FDA Food Code, and any other applicable law. An inspection prior to the issuance of a new annual food permit is required. New food establishments or change of owner of an existing food establishment must obtain all required approvals from the applicable town zoning, building, engineering or water pollution control authority, fire officials, or other regulatory agencies prior to being issued an annual permit.

E. Annual permit renewal applications and fees must be submitted by the current annual expiration date of June 30th, or a late fee, as determined in the current FVHD fee schedule, will be immediately implemented. The Director of Health shall issue closure of a food establishment forty-five (45) days from the expiration date of the permit if the renewal application, permit fee, and late fee are not received by FVHD.

F. An application for a Seasonal Permit and applicable permit fee must be submitted to FVHD no less than fourteen (14) days prior to the start date of their seasonal operation and may be valid for up to 180 consecutive days. An inspection may be required prior to permitting.

G. Itinerant Food Vendors are required to have a Base of Operation to obtain any permit.

H. In the case that a food establishment is served by an onsite well, conformance with the requirements established by the Connecticut Public Health Code shall be demonstrated and a copy of a well water bacterial analysis (total coliform) dated within the last twelve (12) months must be submitted with a permit application.

I. If a food establishment is served by an onsite septic system, verification that the system has the capability of adequately treating and dispersing the anticipated wastewater flows must be demonstrated in accordance with the Connecticut Public Health Code.

**Section 5: <u>Temporary Permits & Temporary Events</u>**

A. Temporary Event Sponsors or Coordinators must submit a Temporary Event Notification form provided by FVHD, no less than 14 days before the corresponding event.

B. Food establishments serving food and beverages at temporary events shall apply for Temporary Permits on forms provided by FVHD. The appropriate fee, if required, shall be submitted in accordance with the fee schedule. Itinerant food vendors are exempt from the permit fee if they are an itinerant food vendor coming from a health department jurisdiction participating in the Itinerant Food Vendor MOU but are still required to submit an application.

C. Temporary Permits issued to a temporary food establishment shall be issued for a period not to exceed fourteen (14) consecutive days in conjunction with a temporary event. Temporary food establishments may be inspected prior to the issuance of a temporary permit.

D. Food vendors at farmers' markets who perform any food preparation or service must obtain a temporary permit unless exempt under the Itinerant Vendor MOU.

E. Food vendors at temporary events or farmer's markets who are licensed by the Connecticut Department of Consumer Protection or other State Agency as a cottage food operator or food manufacturer do not need a temporary permit but are still required to submit a temporary permit application and applicable documentation of licensure with the applicable state agency upon request.

F. Temporary food establishments are required to have a Base of Operation.

G. Applicants that fail to obtain a temporary permit fourteen (14) days prior to the event may be subject to a late fee in accordance with the fee schedule or the temporary food establishment being excluded from the event.

H. The Director of Health or CFI may limit, restrict, or modify food preparation, storage methods, or menus prior to issuing a permit.

**Section 6: <u>Plan Review Approval</u>**

A. When a food establishment is constructed, converted, remodeled, or undergoing a change of ownership, properly prepared floor plans and specifications that demonstrate compliance with these regulations and the FDA Food Code are required to be submitted to FVHD for written approval prior to the start of construction or issuance of a permit. The plan review approval process may take up to fourteen (14) days once all applicable requirements, forms, and fees of this section have been received by FVHD.

B. Information and application for plan review shall be submitted on forms provided by FVHD and the applicable plan review fee must accompany the application.

C. Plans and specifications shall include the proposed layout, arrangement, and construction of all areas of the food establishment and type and model number of all proposed equipment. All such equipment must be commercial grade NSF® approved or equivalent.

D. Food establishments are required to demonstrate that the food establishment follows these regulations, the FDA Food Code, and any other applicable law. This may include but not be limited to:

1. The installation of additional handwashing sinks to meet code requirements in food preparation, ware washing and food dispensing area(s).
2. The installation of a mop sink
3. Updating or replacing noncommercial/National Sanitation Foundation (NSF®) approved equipment or refrigeration.
4. Repairing or replacing food establishment equipment, floors, walls, or ceilings that are in deteriorated condition or are no longer capable of being maintained in a sanitary condition.

E. Inspections conducted by the CFI may occur at any time during the construction of the food establishment and prior to the issuance of a permit to verify compliance with the written plan review approval and compliance with these regulations and any other applicable law.

**Section 7: <u>Enforcement</u>**

A. Any violation noted on an inspection report must be corrected according to the risk designation as outlined in the FDA Food Code. The timeframe for correction must not exceed:
1. 72 hours after the inspection for a Priority Item.
2. 10 days after the inspection for a Priority Foundation Item.
3. The next routine inspection or within 90 days on the inspection for a Core Item.

B. The Director of Health or CFI may approve a compliance schedule that extends beyond the time limits specified in the FDA Food Code if a written schedule of compliance is submitted by the permit holder or PIC and no health hazard exists or will result from allowing an extended schedule for compliance.

C. At the time of inspection, the permit holder or PIC shall correct violation of a Priority Item or Priority Foundation item unless the CFI establishes a longer time frame which will require an onsite or offsite follow-up to document correction.

D. If a food establishment has one (1) or more repeat risk factor Priority Item or receives two (2) or more unsatisfactory ratings within twelve (12) months the food establishment is subject to a Show Cause Hearing in accordance with these regulations. Methods for correcting the violations and a timetable for achieving compliance must be submitted in writing by the permit holder or PIC at the hearing. If correction is not made in the specified time frame as determined during the hearing, the permit may be subject to suspension in accordance with these regulations.

E. A food establishment will be charged an onsite follow up fee as per the fee schedule upon the second time a CFI has to go onsite to verify compliance with Priority and/or Priority Foundation Items observed and documented during a routine inspection.

F. Each class II, III, and IV food establishment shall employ a CFPM. No person shall serve as a CFPM unless they have satisfactorily passed a test as part of a food protection manager certification program that is evaluated

and approved by an accrediting agency recognized by the Conference for Food Protection. When there is no CFPM, the permit holder has sixty (60) days to comply with this section.

G. Any food establishment participating in any special processes as outlined in the FDA Food Code may be subject to obtaining a HACCP Plan and/or Variance from FVHD or the Commissioner.

H. In the event of an imminent health hazard, the Director of Health may take whatever action is deemed necessary to protect the public health in accordance with applicable codes, regulations, and statutes of Connecticut State Agencies.

**Section 8: Inspection Report & Ratings**

A. At the conclusion of each inspection, or within forty-eight (48) business hours, all food establishments will receive an inspection report itemizing violation(s) and shall specify a time period for correction.

B. A rating may be provided by the CFI to the food establishment permit holder or PIC of the inspection report at the conclusion of the routine inspection or within forty-eight (48) business hours. Ratings are based on the outcome of the inspection including Priority Items, Priority Foundation Items, and repeat risk factors that are observed. Ratings are not given out with any onsite or offsite follow-up verifying corrective action.

C. A placard notifying patrons of Inspection Report Availability, along with the most current Rating, must be posted in a conspicuous location in the food establishment, visible to consumers. Ratings are also posted on the FVHD website.

D. The permit holder or person in charge of any food establishment may at any time request in writing an inspection for the purpose of improving the rating. Within ten (10) days following receipt of the written request, including a signed statement itemizing the corrective measures that have been taken and the applicable re-inspection fee per the FVHD fee schedule, the CFI will conduct a routine reinspection. Rating improvement is not guaranteed with this inspection. There can only be one (1) request for re-inspection made for every routine inspection. The current rating is required to be posted conspicuous to the public until the requested reinspection occurs.

E. Ratings are not given with inspection performed for temporary food establishments, seasonal food establishments, annually permitted non-profit food establishments, Class I food establishments, or itinerant food vendors.

**Section 9: Right of Entry to Inspect**

A. The Director of Health or authorized agent, after proper identification, shall be permitted to enter the food establishment during business hours or at any other reasonable time frame as requested by the Director of Health or authorized agent, for the purpose of conducting inspections to determine compliance with these regulations, FDA Food Code, or any other applicable law. The Director of Health or authorized agent may examine records of the food establishment to obtain information pertaining to food and supplies purchased, received, or used, persons employed, and employee training records, but not including financial records. Refusal of the permit holder or PIC to allow entry to inspect shall result in a presumption that the food establishment presents an immediate and substantial threat or hazard to public health, and the Director of Health may issue orders that require immediate access to the food establishment, or the food establishment will be ordered to close with permit suspension as specified in these regulations.

**Section 10: Suspension of Permit**

A. The Director of Health may suspend a permit to operate a food establishment if:
    1. The permit holder, PIC, or the operation of the food establishment itself does not comply with the requirements of this regulation, the FDA Food Code, and/or any other applicable law.
    2. The Director of Health or authorized agent is interfered with in the performance of their duties.
    3. There is failure to correct items which are continually found on and documented during inspections.

B. If the Director of Health or CFI finds unsanitary conditions, an onset of an apparent foodborne illness outbreak, misuse of poisonous or toxic materials, an emergency such as fire, flood, extended interruption of electrical or water service or sewage backup, or other imperative circumstances that require emergency action to protect public health, welfare or safety in the operation of a food establishment which in, their judgment, constitute an imminent hazard to the public health, they may without warning, notice, or hearing, issue a written notice to the permit holder or PIC citing such conditions, specifying the corrective action to be taken, and, if deemed necessary, suspend the permit of the establishment and order immediate closure of said establishment.

C. Whenever a permit is suspended, the permit holder or PIC may, within forty-eight (48) hours, file a written request for a hearing with the Director of Health. If no appeal for a hearing is filed within the 48-hour time frame, the suspension is sustained.

**Section 11: Revocation of Permit**

A. The Director of Health may, after providing opportunity for hearing and appeal, revoke a permit for the serious repeated violations of any of the requirements of these regulations, FDA Food Code, or any other applicable law or for the interference with the Director of Health or authorized agent in the performance of their duties.

B. Prior to revocation, the Director of Health shall notify the permit holder or PIC, in writing, of the reason(s) for which the permit is subject to revocation and that the permit shall be revoked at the end of ten (10) days following service of notice unless written request for a hearing is filed with the Director of Health by the permit holder or person in charge within forty-eight (48) hours following the service of such notice. If no request for a hearing is filed within the 48-hour time frame, the revocation becomes final.

**Section 12: Hearings & Appeals**

A. Permit suspension and permit revocation hearings as specified shall be conducted by the Director of Health at a time and place designated by them within five (5) business days of the receipt of written appeal. Hearings shall contain a signed detailed itemization by the permit holder or PIC of the corrective measures taken to address the deficiencies as cited in the order. Based on the record of such hearing, the Director of Health shall make a determination and shall sustain, modify or rescind any official notice or order considered in the hearing within 24 hours of the hearing. A written report of the hearing decision shall be provided to the permit holder within 5 business days of the hearing date.

B. Show Cause Hearings shall be held by the Director of Health or authorized agent when deemed necessary by the authorized agent or as specified in these regulations. The permit holder or person in charge of the food establishment shall provide signed written documentation as to how compliance with these regulations, FDA Food Code, or any other applicable law will be achieved.

C. The permit holder or person in charge of a food establishment who is aggrieved by an order issued by the Director of Health may, within seventy-two (72) business hours after receiving such order, appeal to the Commissioner of Public Health who shall immediately notify the authority from who decision of the appeal was taken and examine the merits of such case and may sustain, modify, or rescind such action in accordance with Connecticut General Statutes 19a-229.

**Section 13: <u>Reinstatement of Suspended & Revoked Permits</u>**

A. Suspension. Whenever a permit has been suspended, the permit holder may make a written request for permit reinstatement. Within five (5) business days following the receipt of a written request, including a statement signed by the applicant/owner, that the conditions causing the suspension of the permit have been corrected, the authorized agent shall conduct a re-inspection. If the food establishment is found to be in compliance with these regulations, FDA Food Code and any other applicable law during the re-inspection the permit will be reinstated upon payment of the reinstatement fee as outlined in the FVHD fee schedule.

B. Revocation. After a period of thirty (30) days from the date of revocation, a written application may be made for the issuance of a new permit. Procedures specified in these regulations for obtaining an annual permit shall be followed, including payment of the annual permit fee amount per the FVHD fee schedule and a satisfactory inspection.

**Section 14: <u>Procedure when Infection is Suspected</u>**

A. No 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 acute respiratory infection, shall work in any food establishment where there is likelihood of such person contaminating food, drink, or food contact surfaces with pathogenic organisms, or transmitting disease or other individuals.

B. If the permit holder or PIC has reason to suspect that any employee has contracted any reportable diagnosis as specified in the FDA Food Code, or any other communicable disease included in the Commissioner's list of reportable diseases or is deemed reportable by the Commissioner in relation to a foodborne outbreak, such permit holder or PIC shall immediately notify the Director of Health.

C. When the Director of Health has reasonable cause to suspect the possibility of foodborne illness or foodborne outbreak, such Director shall complete an investigation and take action to control the illness or outbreak. The Directo of Health may require any or all of the following measures:
    1. The immediate exclusion of the employee(s) from all food establishments.
    2. The immediate closure of the food establishment until, in the opinion of the of the Director of Health, no further danger of disease outbreak exists.
    3. Restriction of the employee(s) activities to an area of the food establishment where they would be in no danger of transmitting disease.
    4. Securing employee morbidity histories and/or requiring medical and laboratory examination of employees, including the bodily discharges of employees.
    5. Modification or the food establishment menu and procedures as they pertain to handwashing, equipment sanitization/disinfections, and food preparation.

**Section 15: <u>Food Sources</u>**

All food and drink in food establishments shall be from sources approved or considered satisfactory by the Director of Health, and shall be clean, wholesome, free from spoilage, adulteration, and misbranding, and honestly presented and safe for human consumption. Any food or drink considered unsafe for human consumption shall be either summarily condemned or embargoed. Food shall be subject to immediate condemnation by the Director of Health or authorized agent when it is found to be unfit for human consumption by reason of the appearance or odor of decomposition, adulteration, or by having been contaminated by exposure to water, smoke, fire, heat, lack of refrigeration, animal and insect contact, or nonfood chemicals. All condemned food items will be destroyed or disposed of in a manner satisfactory to the Director of Health.

**Section 16: Food from Establishments Outside of FVHD**

A. Food from establishments outside the jurisdiction of FVHD may be sold in the district if such food establishments conform to the provisions of these regulations and any other applicable law. The Director of Health or authorized agents may request and accept reports from responsible authorities in other jurisdictions where such food establishments are located.

**Section 17: Service of Notice**

A. Written notice or order referred to in these regulations shall be deemed to have been properly served when a copy of the inspection report form or other written notice has been delivered to the permit holder or PIC in person or electronically or when it is sent by certified mail, return receipt requested, to the address of the permit holder as reported on the most recent permit application. A copy of any notice or order shall be on file in the records of the Director of Health.

B. Failure of the permit holder or PIC to sign the inspection report does not negate the inspection or inspection report as serving as written notice or order.

C. Any posted closure placard issued by the Director of Health shall not be defaced or removed by any person except the Director of Health or authorized agent.

**Section 18: Conflict of Regulations**

In the event of any inconsistency between these regulations and other applicable code, regulation or statute of Connecticut State Agencies or local municipal law, regulation or ordinance, the provision which provides the higher standard for the promotion and protection of public health and safety shall prevail.

**Section 19: Penalties**

Applicable penalties are found in sections 19a-36, 19a-220, 19a-230 of the Connecticut General Statutes and sections 19-13-B1 and 19-13-B2 of the Connecticut Public Health Code.

**Section 20: Severability**

Should any section, paragraph, sentence, clause, or phrase of these regulations be declared by a court of competent jurisdiction, to be unconstitutional or invalid for any reason, the remainder of the regulations shall not be affected thereby.

**Section 21: <u>Date of Effect</u>**

This regulation shall be in full force and effect on 10/7/2026.

amended by the Board on March 1, 2022, October 18, 2011, January 15, 2008, April 2, 2024, October 6, 2026 Rev. Oct. 2026

DocuSigned by:
Brandon Robertson
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10/14/2026

Chairman, FVHD Board of Health Date