

CODIFIED ORDINANCES OF BETHLEHEM

PART ELEVEN - PUBLIC HEALTH CODE

TITLE ONE - Food

Article 1113. Food Code Regulation.

ARTICLE 1113

FOOD CODE REGULATION

- 1113.01 Adoption of Pennsylvania Department of Agriculture “PA Food Code”, Title 7, Chapter 46
- 1113.02 Adoption of Pennsylvania Department of Agriculture, “Food Employee Certification Act, Title 7, Chapter 76
- 1113.03 Additions
- 1113.04 Repealer
- 1113.05 Inspection Charges
- 1113.06 License Fees
- 1113.99 Penalty.

CROSS REFERENCES

Act 369 of 1951

Local Health Administration Law (Act 315 of 1951)

DER Rules and Regulations - Chapter 151

Pennsylvania Department of Agriculture – Food Code – Title 7, Chapter 46

Pennsylvania Department of Agriculture – Food Employee Certification Act – Title 7, Chapter 76

- 1113.01 ADOPTION OF PENNSYLVANIA DEPARTMENT OF AGRICULTURE “PA FOOD CODE”, TITLE 7, CHAPTER 46

The definitions, the inspection of food service establishments, the issuance, suspension and revocation of permits to operate food service establishments, the prohibiting of the sale of unsound or mislabeled food or drink, and the enforcement of this Article shall be regulated in accordance with the 2003 Edition of the Pennsylvania Department of Agriculture “PA FOOD CODE,” three certified copies of which shall be on file in the office of the City Clerk.

1113.02            ADOPTION OF PENNSYLVANIA DEPARTMENT OF AGRICULTURE,  
 “FOOD EMPLOYEE CERTIFICATION ACT”, TITLE 7, CHAPTER 76

The definitions, requirements of employee certification, and the enforcement of this Article shall be regulated in accordance with the Pennsylvania Department of Agriculture “Food Certification Act”. All food service establishments within the City of Bethlehem must meet all requirements of the Food Employee Certification Act, with the exception of the exemptions listed in the Act.

1113.03            ADDITIONS.

The following articles, representing revisions or additions to the Food Certification Act shall be applicable for the purpose of the Ordinance.

The City of Bethlehem Health Department may require establishments previously exempted under the Chapter 76 to meet all requirements under the Act. This may be required of any agency under constant violation of PA FOOD CODE and is left to the discretion of the Environmental Director. The agency must meet all requirements under the Act prior to operating a food establishment within the City of Bethlehem.

1113.04            REPEALER.

This Article shall be in full force and affect after its adoption and publication as provided by law and, at that time, all ordinances and parts of ordinances in conflict with this Article are hereby repealed.

1113.05            INSPECTION CHARGES.

There shall be an inspection fee for food service establishments as follows:

A.     Full-Time Permanent Eating and Drinking Facilities:

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| 1. | Establishment with seating capacity of 50 seats or less  | - \$ 70.00 |
| 2. | Establishments with seating capacity of 51 to 125 seats  | - \$125.00 |
| 3. | Establishment with seating capacity of 126 seats or more | - \$200.00 |

B.     Part-Time Permanent Eating and Drinking Facilities:

Facilities used less than 25 days per year	- \$ 30.00
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C.     Temporary Food Stands:

Fees for food sales at events lasting all or part of:

One day or less	- \$ 10.00
Two or Three days	- \$ 25.00
Four or more days	- \$ 50.00

Vendor operating more than three events or celebrations in a particular calendar year	- \$100.00
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D. Mobile Food Vending:

Per Vehicle	- \$ 35.00
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1113.06 LICENSE FEES.

There shall be a License fee for food service establishments as follows:

All of the food service establishments as listed in Section 1113.05, Paragraphs A., B., C., and D. shall pay, in addition to the Inspection Charges, a License Fee as follows:

Annual License Fee	- \$ 1.00
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1113.99 PENALTY.

Any person who violates any provision of this Article shall be subject to the following penalties:

- (a) First violation - A fine of \$200.00, or thirty days imprisonment, or both;
- (b) Second violation - A fine of \$500.00, or sixty days imprisonment, or both;
- (c) Third and each subsequent violation - A fine of \$1,000.00, or ninety days imprisonment, or both.”

(Ord. 3131. Passed 7/21/87; Ord. 3242. Passed 2/7/89; Ord. 4300. Passed 12/21/04.)

