## Chapter 14B FOOD AND FOOD SERVICE ESTABLISHMENTS [[1]](#BK_492BC3DDEB30AE555E38BA805D482140)

[ARTICLE I. - IN GENERAL](../level3/PTIIICOOR_CH14BFOFOSEES_ARTIINGE.docx)

[ARTICLE II. - MINIMUM STANDARDS OF HYGIENE FOR PUBLIC FOOD SERVICE ESTABLISHMENTS](../level3/PTIIICOOR_CH14BFOFOSEES_ARTIIMISTHYPUFOSEES.docx)

FOOTNOTE(S):

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**Cross reference—** Public health department, § 2-74 et seq.; regulation and supervision of production, handling, processing and sale of food products, etc., in restaurants and places serving food and drink to public, § 2-77(b)(3), (15). [(Back)](#BK_1E20AF1F10CFD5A1703862AD413F3D3C)

### ARTICLE I. IN GENERAL

[Secs. 14B-1—14B-10. Reserved.](#BK_136CC141995FA47B35BE38FB08263AB3)

Secs. 14B-1—14B-10. Reserved.

### ARTICLE II. MINIMUM STANDARDS OF HYGIENE FOR PUBLIC FOOD SERVICE ESTABLISHMENTS

[Sec. 14B-11. Purpose.](#BK_5FBAE0AABCF2F61815BD2BB3471031D8)

[Sec. 14B-12. Definitions.](#BK_F9A261393664D1B2B8101207285558D1)

[Sec. 14B-13. Permit required.](#BK_B3E744AF7A80E1917A4217960B7970D1)

[Sec. 14B-13.1. Fees.](#BK_8271192FF9147D4AF6179A32756BAC72)

[Sec. 14B-14. Transfer of permits.](#BK_814953AC4CF76CD80AE0651F7B26FC2D)

[Sec. 14B-15. Approval of plans.](#BK_E2150BF0C5686D6750FB666268625B34)

[Sec. 14B-16. Enforcement.](#BK_FF7F37C4B874E02B667942329ADAA0BD)

[Sec. 14B-17. Revocation of permits.](#BK_A263CE748F77C615EA219C0A68B65C3D)

[Sec. 14B-18. Power to close.](#BK_CE62AAF26A78519B5A22FA40A013DFF9)

[Sec. 14B-19. Penalties and remedies.](#BK_2619659FC686682EF7D5C46B72CF61BA)

Sec. 14B-11. Purpose.

The purpose of this article is to further protect the health, safety, and general welfare of the consuming public in food service establishments in Dade County, Florida.

(Ord. No. 73-60, § 1, 6-5-73)

Sec. 14B-12. Definitions.

(a) For the purposes of this article, the term "public food service establishment" is defined hereby to mean every building or portion of a building, vehicle (motorized or nonmotorized), wagon or mobile food unit that is maintained and operated as a place where food and/or drink is regularly prepared, served and/or sold to the public for human consumption, including, but not limited to, any restaurant, cafeteria, lunchroom, lunch counter or soda fountain, food service establishment, food processing plant or food outlet. For the purposes of this section, the phrases "food service establishment," "food processing plant" and "food outlet" mean and include those establishments similarly defined in Chapters 10D-13, 10D-14 and 10D-15, Florida Administrative Code.

(b) For the purposes of this article, the term "kitchen" is defined hereby to mean the area of a public food service establishment where food is prepared or cooked or stored for future preparation or cooking.

(c) For the purposes of this article, the terms "inspect" and "inspection" are defined hereby to mean open to the view of authorized persons, at any time during working hours. "Inspection" includes the ability to photograph the kitchen area.

(Ord. No. 73-60, § 2, 6-5-73; Ord. No. 75-83, § 1, 10-15-75)

Sec. 14B-13. Permit required.

No person, firm or corporation shall operate a public food service establishment within Dade County, Florida, without first obtaining and maintaining a valid permit or written approval from the Dade County Department of Public Health or State Division of Health. Such permits shall be conspicuously displayed and shall be issued only after inspection of the premises of such public food service establishment by a duly authorized representative of the Dade County Department of Health. If such inspection reveals that the public food service establishment is in violation of County health ordinances or statutes of the State of Florida, or any regulation of the Division of Health of the Department of Health and Rehabilitative Services, such permits shall not be issued until the violation is corrected.

The provisions of this section shall not be applicable until October 1, 1973.

(Ord. No. 73-60, § 3, 6-5-73)

Sec. 14B-13.1. Fees.

The following fees shall be charged and collected by the Dade County Department of Public Health for inspection, permitting and certification as provided for in this article:

(a) Food service establishments (restaurants):

 0—30 seats .....$ 25.00

[31](../level2/PTIIICOOR_CH31VEHI.docx#PTIIICOOR_CH31VEHI)—60 seats .....25.00

Over 60 seats .....25.00

(b) Groceries and meat markets .....25.00

(c) Mobile food services units .....25.00

(d) Temporary food service .....25.00

(e) Take out food service (no seats) .....25.00

(f) Food processing plants .....25.00

(g) Public schools and public institutions .....No fees

(h) Certification of food for expert .....50.00

(Ord. No. 76-72, § 1, 7-20-76)

Sec. 14B-14. Transfer of permits.

No public food service establishment permit shall be transferrable from one (1) person, firm or corporation until representatives of the Dade County Department of Public Health are notified.

(Ord. No. 73-60, § 4, 6-5-73)

Sec. 14B-15. Approval of plans.

No construction, extension or alteration of a public food service establishment shall take place before the owner and operator have submitted complete plans for said establishment showing existing and proposed layout and said plans have received written approval by the Dade County Department of Public Health.

(Ord. No. 73-60, § 5, 6-5-73)

Sec. 14B-16. Enforcement.

It shall be the responsibility of the Director of the Dade County Department of Public Health or his duly authorized representative to enforce the provisions of this article throughout the entire county.

(Ord. No. 73-60, § 6, 6-5-73)

Sec. 14B-17. Revocation of permits.

The Dade County Department of Public Health shall make inspections of all public food service establishments within Dade County and should it be determined that a violation of any provision of any State statute, regulation adopted thereunder or Dade County ordinance is being maintained therein, said Department of Public Health shall give the owner or operator of such food establishment reasonable time by official notice, within which to correct such violation.

Should the violation continue beyond the time specified within the official notice, the said public food service establishment permit may be revoked by the Department of Public Health. The Director of the Department of Public Health or his deputy appointed for such purpose shall be the hearing officer to conduct a hearing on revocation of the permit. Said hearing shall be held after ten (10) days' notice in writing to the owner or operator, served by registered or certified mail.

(Ord. No. 73-60, § 7, 6-5-73)

Sec. 14B-18. Power to close.

If, in the opinion of the Director of the Health Department and the County Manager or his designee following either inspection or hearing as set forth in [Section 14B-17](../level3/PTIIICOOR_CH14BFOFOSEES_ARTIIMISTHYPUFOSEES.docx#PTIIICOOR_CH14BFOFOSEES_ARTIIMISTHYPUFOSEES_S14B-17REPE) above, conditions of a food establishment represent an immediate threat to the life or health of the patrons and/or employees because of conditions having to do with:

(a) Source of food supply;

(b) Wholesomeness of food;

(c) Food storage practices;

(d) Temperatures at which foods are stored;

(e) Preparation of food;

(f) Display and serving of food;

(g) Reuse of food;

(h) Existence of toxic materials;

(i) Dishwashing facilities;

(j) Presence of disease in personnel;

(k) Presence of vermin;

(l) Contaminated water;

(m) Disposal of garbage and refuse;

(n) Sewage facilities;

and such conditions cannot be immediately remedied or the proprietor refuses to remedy the conditions immediately, the establishment shall be ordered to close by action of the Health Department. The establishment shall remain closed until the condition or conditions which caused the closure no longer exist.

(Ord. No. 73-60, § 8, 6-5-73)

Sec. 14B-19. Penalties and remedies.

Any person violating any provision of this article shall be deemed guilty of a violation and punished as provided by law. If such violation be continuing, each day's violation shall be a separate offense. The violation of any of the provisions of this article may also be enforced by injunction, including a mandatory injunction.

(Ord. No. 73-60, § 9, 6-5-73)