

AN ORDINANCE

amending Chapter 62, Health and Sanitation, of the Code of Ordinances of the City of Joplin, Missouri, by repealing Section 62-111, Food code adopted., and Section 62-112, Amendments to food code., and enacting in lieu thereof, Sections 62-111, "Food Service Sanitation.", and 62-112, "Amendments to Food Service Sanitation.", providing generally for the adoption of the 2009 Food Code as written by the Food and Drug Administration as adopted by the State of Missouri Department of Health as the Missouri Food Code as published June 3, 2013 and providing certain amendments thereto.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Section 62-111, "Food code adopted", be repealed and a new Section 62-111, "Food Service Sanitation", be enacted to read as follows:

"Sec. 62-111. Food Service Sanitation adopted.

The Missouri Food Code as published June 3, 2013, as codified in 19 CSR 20-1.025, be and the same is hereby adopted as the Joplin Food Service Sanitation Ordinance of the City of Joplin, Missouri, for regulating the design, construction, management, and operation of food establishments."

Section 2. That Section 62-112., "Amendments to food code", be repealed and a new Section 62-112, "Amendments to Food Service Sanitation", be enacted to read as follows:

"Sec. 62-112. Amendments to Food Service Sanitation.

The Food Service Sanitation provided for in Section 62-111 is hereby amended, changed, and altered as follows:

(1) Subpart 1-201.10 (B) "Department" is amended to read as follows:
"Department" means the City of Joplin Health Department.

(2) Subpart 1-201.10 (B) "Temporary Food Event" is amended to read as follows:

“Temporary Food Event or celebration” means a fair, festival, carnival, celebration, grand opening, non-profit fundraiser, customer appreciation, promotional, seasonal or other occasion where food is advertised and served to the public on a temporary basis from a fixed location.

(3) Subpart 3-501.16 (A) (2) is amended to read as follows:

(A) (2) At forty-one degrees Fahrenheit (41°F) or less.^P

(4) Subpart 3-501.17 (A) is amended to read as follows:

(A) Except when packaging food using a reduced oxygen packaging method as specified under § 3-502.12, and except as specified in ¶¶ (E) and (F) of this section, refrigerated, ready-to-eat, potentially hazardous food, prepared and held in a food establishment for more than twenty-four (24) hours shall be clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded when held at a temperature of forty-one degrees Fahrenheit (41°F) or less for a maximum of seven (7) days.^P

(5) Subpart 3-501.17 (C) (4) is amended to read as follows:

(C) (4) When the food is removed from the freezer, to indicate the date by which the food shall be consumed on the premises, sold or discarded which is seven (7) days or less after the food is removed from the freezer, minus the time before freezing, that the food is held refrigerated, if the food is maintained at forty-one degrees Fahrenheit (41°F) or less before and after freezing.^P

(6) Subpart 3-701.11 (E) is amended to read as follows:

(E) Violations of §§ 3-301.11, 3-307.11, 3-501.13, 3-501.16, 3-501.17, 3-501.19 or other violations that may cause food to be unsafe or adulterated.^P

(7) Subpart 5-403.11 (C) is amended to read as follows:

(C) A public sewage treatment plant or otherwise according to law.

(8) That Chapter 8, Compliance and Enforcement, of the Missouri Food Code as published June 3, 2013, is hereby omitted and a new Chapter 8, “Compliance and Enforcement”, be enacted, a true and accurate copy attached hereto as “Exhibit A” be hereby adopted and approved.

(9) That Chapter 9, "Modified Food Establishments", be enacted, a true and accurate copy attached hereto as "Exhibit B" be hereby adopted and approved."

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 20th day of October, 2014.

Michael L. Seibert, Mayor

ATTEST: Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM: Peter C. Edwards, City Attorney