

§ 201-2. Food regulations. [*Amended 10-24-2011; Effective 12-1-2011*]

- A. 105 CMR 590.000, Chapter X of the State Sanitary Code, Food Establishment Regulations, as most recently amended, is hereby adopted as a local regulation for the Town of Northbridge.
- B. No person shall operate a food establishment without first obtaining a permit from the Northbridge Board of Health. All food permits shall expire on December 31 of the year issued. Permits are not transferable.[See S201-23 Fee Schedule.)
- C. Every permit holder must possess current copies of the Northbridge Food Regulations, 105 CMR 590.000, and any other regulations the Board of Health may reasonably require.
- D. A Plan Review shall be required for all new establishments, the remodeling of an existing establishment including the installation of any new equipment, and for establishments that are changing ownership. Plans and specifications for all new establishments and of all proposed and/or fixed equipment, walls, floors, ceilings, shelving, etc. are considered a part of the Plan Review application.
- E. All food equipment installed in a food establishment, including refrigeration and freezer units, cooking equipment, hot and cold holding units, and tables used for the preparation of food must be National Sanitation Foundation (NSF) approved.
- F. Hand-wash sinks shall be located in each food preparation, food dispensing and ware-washing area. Hand-wash sinks shall be limited in size to a maximum width of 20 inches and depth of eight inches and shall not be installed in any counter or with drain boards. Food preparation, serving or storage areas shall be protected from contamination from the hand-wash sink. The hand sink must be wall hung and be National Sanitation Foundation (NSF) approved.
- G. Floors in the food preparation areas of all new or remodeled food establishments shall be constructed of the following materials or their equivalent: quarry tile, ceramic tile, durable grades of vinyl or plastic tile. Floors shall be easily cleanable and maintained in good repair. Sealed concrete, sealed wooden floors or similar materials shall not be used. Anti-slip floor coverings, for use in areas where necessary for safety reasons, may be used, provided that they are easily cleanable and non-absorbent.
- H. Walls behind cooking and warewashing areas, dishmachines, hand sinks and other areas generating heavy splash and/or steam, such as mop sinks and service sinks, shall be covered with formica, mylar, stainless, fiberglass reinforced paneling (FRP) or equivalent materials.

- I. Mobile Food Operations shall provide a copy of the food permit for their base of operations upon initial application and annually thereafter indicating approval of said facility by the Mobile Food Operator. Mobile Food Operators shall also supply annually to the Board a list of stops and times of operation within Northbridge.
- J. Any application for a temporary food permit shall be submitted to the Board of Health no less than 14 days before the event. Applications received less than 14 days prior to an event shall be assessed a late fee of \$25.00. No applications received within 48 hours of an event will be accepted by the Board.
- K. Existing establishments that are transferring to a new owner and there will be no modification of the type of product offered nor modification of the facility must submit a Plan Review AND Food Permit application a minimum of 30 days prior to the transfer date. Establishments previously grandfathered must be brought into compliance with these regulations.
- L. No food establishment shall add any form of food service without the written approval of the Board of Health. Application for the approval of any such additional service must be done in writing to the Board of Health.
- M. Every food service permit holder, including residential kitchens, shall employ at least one full-time equivalent person in charge who shall be an on-site manager or supervisor and is at least 18 years of age and who by being a certified food protection manager has shown proficiency of required information through passing a test that is part of an accredited program recognized by the Massachusetts Department of Public Health. Each food service establishment shall be required to have a certified food protection manager on staff at all times that food is being prepared and served. . Documentation of successful completion must be on file in the Board of Health office. One approved course must be taken every five years. If the certified food protection manager is transferred, terminated or terminates employment, the owner/permit holder shall notify the Northbridge Board of Health in writing and shall have sixty (60) days to employ a replacement. The Board may grant an extension not to exceed an additional sixty (60) days to comply with this requirement if deemed necessary.
- N. Each establishment having a seating capacity of 25 persons or more shall have one or more persons on duty when food is being served trained in choke-saving techniques as required by MGL C. 94, § 305D , and must file proof of training with the Board of Health with new and renewal applications. .
- O. All caterers licensed by the Northbridge Board of Health must maintain a record of catered functions which include at least the following: date, person (name, address and telephone number) contracting services, menu, food preparation staff, wait staff and approximate number of persons served. All establishments which accommodate catered functions must

retain for a minimum of 90 days a record of the name and address of the caterer, date of event, person in charge of function and number of people attending.

- P. No vehicle used to transport trash, rubbish, garbage or other wastes shall be allowed to transport food intended for human consumption.
- Q. Routine inspections of food establishments shall be conducted by an agent of the Board of Health every six months. The Board may choose to adopt a risk-performance based inspection schedule prioritizing more frequent inspections based upon its assessment of a food establishment's history of compliance with 105 CMR 590.000 and the establishment's potential as a vector of foodborne illness. Whenever an inspection of a food establishment is made, the findings shall be recorded on a printed inspection report form. This inspection report shall be deemed an Official Order to Correct the violations noted therein.. Time permitted for compliance shall depend upon the nature of the violation and shall be noted within the inspection report form.
- R. All food establishments shall be required to contract with a Massachusetts licensed pesticide applicator for pest control services. Said contract shall specify monthly inspection of the establishment by the contractor and elimination of any infestation, if encountered, at a minimum. Each establishment shall make available for review by the Board or its agent a copy of said contract and all receipts of pesticide application undertaken by the licensed applicator. [Added 7-11-2001, effective 7-18-2001]
- S. Any request for a variance from the regulations contained in § 201-2 must be submitted in writing to the Board. The Board shall within 21 days of receipt of the request for variance hold a public meeting, at which time the applicant must demonstrate to the Board, by clear and convincing evidence, that there will be no adverse effect on the public health by the granting of the variance request. All decisions rendered by the Board shall be made in writing and shall be kept on file in the office of the Board of Health. [Added 7-11-2001, effective 7-18-2001]
- T. It is the responsibility of the permit holder to renew his/her food establishment permit. As a courtesy to permit holders, permit renewal reminder notices shall be sent by the Board of Health a minimum of 15 days prior to the expiration date of the food permit.