**Chapter 15**

**HEALTH AND SANITATION**

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*(Revised 7/00)*

**Chapter 15**

**HEALTH AND SANITATION**

**ARTICLE I**

**IN GENERAL**

**Sec. 15-1. Definitions.**

*Sewerage* - the term sewerage as used in this Chapter shall be construed to mean the bowel or kidney discharges of human beings.

*Health**officer*- the term health officer as used in this Chapter shall be construed to mean the person appointed to such position by the mayor acting under the authority of this ordinance. (Ord. 353, §1.)

**Sec. 15-2. Sanitary disposal required.**

Every residence and building within the city limits of the City of Potosi, and every residence and building outside of the city limits which is proposed to be connected to the city water supply, in which human beings reside, are employed or congregate, shall be provided with an approved method for disposal of human excreta as provided by the terms of this ordinance. (Ord. 353, §2.)

**Sec. 15-3. Limitations on methods of disposal.**

(a) Whenever a residence or building is provided with one or more water flush toilets the contents from said toilets shall be discharged into one of the following:

(1) A public sewer, provided a public sewer is now or shall hereafter be located in a street or alley upon which the lot occupied by said residence or building, fronts or abuts, or provided a public sewer is otherwise within \_\_\_\_\_\_ feet of said residence or building and accessible.

(2) A private sewerage treatment plant constructed in accordance with plans approved by the Division of Health of Missouri.

(b) In case a residence or building is not provided with water flush toilets, a sanitary pit privy, or other sanitary method approved by the Division of Health of Missouri shall be installed. (Ord. 353, §3.)

**CROSS REFERENCE:**

**Nuisances, Ch. 18.**

**Sec. 15-4. Inspection and correction of existing facilities.**

The mayor of the City of Potosi is hereby authorized and empowered to appoint a health officer to make an inspection of the methods of disposal of sewerage within the City of Potosi within \_\_\_\_\_\_\_\_ days after the passage of this ordinance, and as frequently thereafter as is necessary to secure compliance with this ordinance. Written notice of any violation of this ordinance shall be given by the city clerk, upon the advice of the health officer, to the owner and occupant of the property upon which the violation occurs. If the provisions of this ordinance have not been complied with within the period of \_\_\_\_\_ days following the date of notice of violation, the city shall have the right to make or to have made such alterations in the method of disposal within the limits of the City of Potosi as are deemed necessary by the health officer to meet the requirements of this ordinance and all cost thereof shall be provided for and defrayed by a special tax bill to be assessed in favor of the city against the property on which said improvements are made and such special tax bill shall become a lien on said property. (Ord. 353, §4.)

**Sec. 15-5. Responsibility of owner and occupant for waste disposal.**

It shall be the duty of the owner and occupant, or of the owner if the owner is not the occupant, of any premises within the limits of the City of Potosi where human beings reside, are employed or congregate, to provide a sanitary method of sewerage disposal complying with the terms of this Chapter. (Ord. 353, §5.)

**Sec. 15-6. Owner to secure approval of proposed sanitary facilities for new buildings prior to construction.**

From and after the date of the passage and approval of this Chapter it shall be the duty of any owner proposing to erect, upon property within the city limits of the City of Potosi, any residence, or other building where human beings shall reside, be employed or congregate, before beginning construction of any sanitary facilities upon such property, to notify, in writing, the city clerk of the City of Potosi, of his intention to begin such construction. The city clerk shall then notify the health officer who will inspect the construction of said sanitary facilities to determine whether said facilities conform to the requirements of this Chapter. All construction of sanitary facilities within the city limits of the City of Potosi shall be in accordance with the requirements for individual water-supply and sewer age-disposal systems as promulgated from time to time by the Division of Health of Missouri. The city clerk is hereby directed to have copies of such requirements available at all times for inspection by owners proposing to build sanitary facilities. (Ord. 353, §6.)

**Sec. 15-7. Sanitary facilities to be maintained.**

It shall be the duty of the owner of each premise to maintain in a sanitary condition at all times the sewerage disposal system serving such premise. No wash water, garbage or kitchen slop shall be emptied into any privy or closet receptacle nor upon the public streets or ditches. (Ord. 353, §7.)

**Sec. 15-8. Declaration of purpose.**

It is hereby declared to be the purpose of this ordinance, in the exercise of the police power, to protect the public health.

**Sec. 15-9. Penalties for violation of sanitation regulations in this article.**

Any person, firm or corporation, or the agent thereof, who shall fail, refuse or neglect to comply with the provisions of this Article shall, upon conviction thereof be fined not less than five dollars ($5.00) nor more than five hundred dollars ($500.00), or be sentenced to imprisonment in the city jail for a term not to exceed ninety (90) days, or shall suffer both such fine and imprisonment, and each day that such failure, refusal or neglect continues shall be deemed a separate offense. (Ord. 353, §10; Ord. 479, §3.)

**Secs. 15-10 to 15-14. Reserved.**

**ARTICLE II**

**FOOD SERVICE REGULATIONS**

**Sec. 15-15. Food service provisions of the Food and Drug Administration - Adopted.**

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 Chapter shall be regulated in accordance with the 1976 edition of the Food and Drug Administration "Food Service Sanitation Ordinance," three certified copies of which shall be on file in the office of the municipal clerk; provided, that the words "municipality of Potosi" in said ordinance shall be understood to refer to City of Potosi, Missouri. (Ord. 576, §1.)

**Sec. 15-16. Authority to regulate food establishments.**

The chief of police or designated health officer for health and sanitation, if such position has been created, shall have the powers, authorities, duties and responsibilities of the "regulatory authority" as set forth in the 1976 edition of the Food and Drug Administration "Food Service Sanitation Ordinance" as provided hereafter, and shall specifically have the power and authority to denominate and enlist the Washington County Health Department, its agents and sanitarians as his agent to make these inspections required by said Food Service Sanitation Ordinance. (Ord. 576, §2.)

**Sec. 15-17. Immunization for Hepatitis A virus required from certain employees.**

(a) Every holder of a license for a food service establishment, shall verify a certificate of immunization, from a health care provider, for the hepatitis A virus from every employee assigned to the preparation, display or service of food for such food service establishment within two (2) weeks after the commencement of such employee's employment with the license holder, unless such employee objects to vaccination because of religious belief or provides a statement from a health care provider that he or she: (A) is immune from the Hepatitis A virus, or (B) is pregnant; or (C) is allergic to the Hepatitis A vaccine. (Ord. 760, §1)

(b) The permit holder shall maintain a copy of the certificate of immunization for the Hepatitis A virus, or other documents as provided for in Subsection (a) of this section, for each designated employee throughout the period of such person's employment and for a period of six (6) months following the termination of such employment and shall make such copies available for inspection by inspectors for the Washington County Health Department. (Ord. 760, §2)

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(c) A certificate of immunization as required by Subsection (a) shall be sufficient for purposes of this section if it certifies that the person has received the initial vaccination for the Hepatitis A virus within the previous six (6) months, so long as such person provides the permit holder with a certification of the required booster shot within one year of the date of the original vaccination. (Ord. 760, §3)

(d) Failure on the part of the license holder to

(1) verify a certificate of immunization for the Hepatitis A virus from every employee assigned to the preparation, display or service of food for such food service establishment, or

(2) maintain a copy of the certificate of immunization for the hepatitis A virus, or other documents as provided for in Subsection (a) of this section, for each designated employee throughout the period of such person's employment and for a period of six (6) months following the termination of such employment; or

(3) make copies of such certificates of immunization, or other documents as provided for in Subsection (a) of this section, available for inspection by Inspectors for the Health Department or the State of Missouri' shall constitute a violation of this section and a hazard to public health. The Health Inspector is authorized to suspend or revoke the food service establishment permit of any permit holder found in violation of the provisions of this section as provided by law. (Ord. 760, §4)

(e) The provisions of Subsection (a) shall not apply to the holder of a permit for a temporary food service establishment of the City of Potosi or to any person who provides services for the holder of a food service permit as a volunteer. (Ord. 760, §5)

(f) Twelve (12) months from the effective date of this section, the Health Inspector shall file a report with the City Clerk of Potosi, Missouri, regarding the implementation, enforcement, and effectiveness of the provisions of this Section. Such report shall contain recommendations, if any, for modifications to this section which are determined to be in the best interest of public health and safety. Such recommendations may be adopted by the Board of Aldermen by section. (Ord. 760, §6)

(g) The Chief of Police of the City of Potosi, Missouri, is authorized, either himself, or by officers under his command, to inspect food service establishments to ensure that food service workers have obtained their required Hepatitis A vaccination and certificate. Failure of a food establishment, when so requested, to provide copies of certificates of immunity or immunization for all food service workers shall be a misdemeanor punishable by a fine of not more than $500.00, or, confinement in jail for not more than 90 days, or, both fine and confinement. The persons who maybe charged with this offense specifically include any owner, part owner, manager, or supervisor. (Ord. 779, §8)

**Secs. 15-18 to 15-21. Reserved.**

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