

Ordinance No. 00-1

An ordinance concerning the licensing of food service establishments, temporary food service establishments, special transitory food units, mobile food service establishments, mobile food service establishment commissaries, and vending machine locations, and requiring that persons seeking such licensure obtain certain training in proper food handling procedures.

Section 1. Purpose: The Board of Commissioners of the County of Ottawa has determined that it is in the best interests of the health and welfare of the residents of Ottawa County to require that persons seeking licensure for food service establishments, temporary food service establishments, special transitory food units, mobile food service establishments, mobile food service establishment commissaries, or vending machine locations, successfully complete certain training in proper food handling procedures as a precondition for obtaining such licensure.

Section 2. Training Requirement: A person shall not be issued a license from the Ottawa County Public Health Department as authorized by section 4101 of the Food Law of 2000, MCL 289.4101, to operate a food service establishment, a temporary food service establishment, a transitory food unit, a mobile food service establishment, a mobile food service establishment commissary, or a vending machine location within Ottawa County, unless that person shall successfully complete an examination in safe food handling procedures. The Ottawa County Public Health Officer shall designate the course and examination to be utilized by the Department to meet those requirements. A person seeking any such license shall have a maximum of two (2) opportunities to successfully complete the exam. If unsuccessful after two (2) attempts, the applicant shall be required to (i) take and successfully complete a designated food safety training course sponsored or authorized by the Ottawa County Public Health Department before being permitted to take the examination again or (ii) demonstrate successful completion of any program approved by the Michigan Department of Agriculture under Section 2129 of the Michigan Food Law of 2000, MCL 289.2129. The requirements of this section do not apply to any applicant who at the time the license application is made provides documentation to demonstrate successful completion of a food safety training program approved

by the Michigan Department of Agriculture under Section 2129 of the Michigan Food Law of 2000, MCL 289.2129.

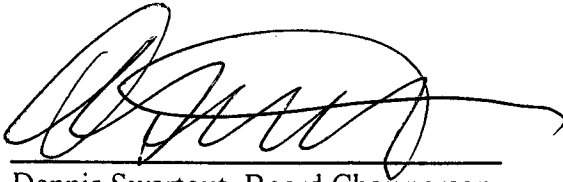
Section 3. Fee For Course and Examination: The Ottawa County Board of Commissioners may, by resolution, establish a fee to cover the cost of providing and administering the food safety training course and examination, and may, by resolution, adjust that fee to reflect changes in the cost of providing this program.

Section 4. Exemption For Existing Licenses: A person who, as of the effective date of this ordinance, holds a valid license in good standing to operate a food service establishment, a temporary food service establishment, a special transitory food unit, a mobile food service establishment, a mobile food service establishment commissary, or a vending machine location, shall not be required to comply with this ordinance as a precondition for keeping or renewing that license. This section shall not be construed as prohibiting the Ottawa County Health Department from ordering that a license holder successfully complete a food safety training course provided or authorized by the Ottawa County Health Department, and successfully complete an accompanying examination, in any instance where the performance of the license holder, or the retention or renewal of a license, is under review due to allegations of substandard food handling procedures.

Section 5. Severability. The phrases, sentences, sections and provisions of this ordinance are severable and the finding that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this ordinance.

Section 6. Repeal of Conflicting Ordinance. All other ordinances, part of ordinances, or amendments thereto, any of which are in conflict with the provisions of this ordinance, are hereby repealed in their entirety to the extent of such conflict.

Section 7. This ordinance was approved and adopted by the Ottawa County Commission on 24th
April, 2001, and shall be effective on June 1, 2001, a date following publication
of notice of its adoption in a newspaper of general circulation within Ottawa County.



Dennis Swartout, Board Chairperson

Certified:



Dan Krueger, County Clerk

NOTICE

PLEASE TAKE NOTICE that the Ottawa County Board of Commissioners ("Board") approved and adopted County Ordinance No. 00-1 on the 24th day of April, 2001, and shall be effective on June 1, 2001. Ordinance No. 00-1 is an ordinance concerning the licensing of food service establishments, temporary food service establishments, special transitory food units, mobile food service establishments, mobile food service establishment commissaries, and vending machine locations, and requiring that persons seeking such licensure obtain certain training in proper food handling procedures. You may obtain a full copy of Ordinance No. 00-1 at the Ottawa County Clerk's Office, 414 Washington, Grand Haven, Michigan.

Daniel C. Krueger
Ottawa County Clerk