

AND LICENSING OF PUBLIC EATING AND DRINKING ESTABLISHMENTS.  
BOROUGH OF MILLVILLE  
COLUMBIA COUNTY, PENNSYLVANIA

ORDINANCE NUMBER 20010417.152

AN ORDINANCE OF THE BOROUGH OF MILLVILLE ESTABLISHING THE  
BOROUGH COUNCIL AS A BOARD OF HEALTH AND MAKING PROVISIONS FOR  
THE APPOINTMENT FOR A HEALTH OFFICER AND ESTABLISHING POLICIES  
FOR THE INSPECTION

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WHEREAS, Section 3101 of the Commonwealth of Pennsylvania Borough Code makes the Boro responsible for the administration of health laws, AND

WHEREAS, failure to comply with the requirement could place the Borough residents at some risk, NOW THEREFORE,

BE IT HEREBY ORDAINED that:

1. The Boro Council, acting as a Board of Health, hereinafter called the Board, hereby appoints Alfred L. Poff of 310 south Main Street, Muncy PA 17756, as the Health Officer, who is duly licensed by the Commonwealth of Pennsylvania Department of Health for such purposes; or other duly qualified person whom the Board may from time to time select.
2. The Board hereby adopts the Commonwealth's Act No. 369, May 23, 1945 P.L. 926 as Amended including Laws of 1970 (35 P.S. 665.1 et seq.) and Title 25 Rules and Regulations Part 1. Department of Environmental Resources Subpart D. Environmental Health and Safety Article I. Food Protection as its laws and policies guiding licensing.
3. The Board hereby identify defines eating and drinking establishments subject to the provisions of this ordinance as those organizations who, for a charge, serve food or drink to the public at least one day each week for a period of one or more months. And temporary establishments operating no more that fourteen (14) days per year. Those days need not be consecutive. Establishments seeking to locate within the Boro or those existing ones who change their mode of operation are required to apply for a license in accordance with Sections 2 and 3 of P.L. 926.
4. The Board further requires that all eating and drinking establishments who serve

food for consumption on the premises, or who allow customers to prepare or assist in preparing their own food are required to have a rest room open to the public. Those institutions now falling under the terms of this paragraph above but not having rest rooms open to the public, will be exempt until a renovation of the building takes place. Food services now existing may not be expanded until a rest room for the public is provided.

5. If, at the time of an annual inspection, a license is withheld, or, any inspection during a license year alleged violations of health laws are determined to exist by the Health Officer:

(a) The Health Officer may assess a violation, and if in his opinion the violation possesses a significant public hazard, he may suspend the license until such time as the violations have been abated. In the event of a suspension of a license, the licensee shall have the right to petition the Board of Health for a hearing to appeal the suspension in which case, the Board shall schedule a hearing within ten (10) days of written notice to the Boro Secretary.

6. Annual Commercial licensing Fees: Annual commercial license fees shall be charged by the Boro and paid by any commercial food establishment according to the following schedule:

a. A new commercial establishment, including change in ownership: \$75.00

b. Any new establishment with an actual proposed seating capacity of 150 or more, and operating as part of a franchised chain of three (3) or more establishments, including change in ownership: \$125.00

c. Renewals of all establishments of paragraphs 5 a and b above: \$50.00

d. Nonprofit organizations operating no more that fourteen (14) days per year: \$3.00

e. The fee shall be waived for any temporary eating stands operated by the Millville Fire Company.

f. These fees may from time to time be revised by Resolution of the Board. Subsequent to one follow-up inspection resulting from a suspension, the licensee shall be assessed twenty-five (\$25) dollars for each additional follow-up inspection.

7. Any person who violates any provision of this Ordinance shall be guilty of an offense, and for every such violation, upon conviction, shall pay a fine of not less than fifty \$50 dollars, nor more than five hundred \$500 dollars and costs of prosecution. The fine or fines shall be collectable as other money owed the Boro is collected.

8. All previous Ordinances inconsistent herewith are hereby repealed.
9. This Ordinance shall become effective upon enactment.

After being duly advertised, this Ordinance is enacted at a regular meeting of the Borough Council on this \_\_\_\_\_.

ATTEST                                      BOROUGH OF MILLVILLE:

Murray Holdren, Secretary Millard C. Ludwig, President

The foregoing ordinance, as thus enacted, is hereby APPROVED by me this

Jerre Wright, Mayor