

A Resolution Enacting A Jersey County Food Sanitation Program Ordinance

WHEREAS, the Jersey County Health Department was established in accordance with Illinois State Statute, 55 ILCS 5/5 as amended; and,

WHEREAS, said local health departments are subject to the provisions of 77 Illinois Administrative Code, Part 615; and,

WHEREAS, said Administrative Code requires local health departments to conduct a food sanitation program in accordance with local ordinance that incorporates by reference or includes provisions at least as stringent as the Illinois Department of Public Health Food Sanitation and Retail Food Store Sanitation Codes; and,

WHEREAS, the Jersey County Board desires to enact ordinances, in accordance with State Statutes that regulate the activities of its local health department; and,

WHEREAS, it is the desire of the Jersey County Board to protect the citizens of Jersey County from transmitting or contacting foodborne disease;

NOW THEREFORE, BE IT RESOLVED by the Jersey County Board that the following ordinance defining, permitting, and regulating food establishments, retail food stores, mobile food establishments, and temporary food establishments within the county townships served by Jersey County Health Department, whether said establishments are located within the corporate limits of any municipality, be hereby adopted. Said ordinance shall be deemed in full force and effect on January 1, 2005.

Section I: GENERAL PROVISIONS

Sect. I.01 Adoption by Reference

In addition to those provisions set forth herein, this Ordinance hereby adopts by reference the current edition and subsequent revisions of the following:

- a) "Illinois Department of Public Health Food Service Sanitation Code," 77 Ill. Adm. Code 750 and the most current version of the FDA (Food and Drug Administration) (Food and Drug Administration) Food Code adopted by Illinois
- b) Food Handling Regulation Enforcement Act {410 ILCS 625}
- c) "Bed and Breakfast Act," 50 ILCS 820/1 et seq.
- d) Jersey County Health Department Food Program Compliance and Enforcement Policy

Three copies of each shall be on file with the office of Jersey County Clerk.

Sect. 1.02 Definitions

Words and phrases shall be taken in their plain, or ordinary and usual sense, except where used in a technical sense or where context or the intent of the County Board indicates or requires a different meaning.

Adulterated shall mean the condition of any food:

- a) If it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; or
- b) If it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation or more than such tolerance of one that has been established; or
- c) If it consists in whole or in part of any filthy, putrid, or decomposed substance or it is otherwise unfit for human consumption; or
- d) If it has been processed, prepared, packed, or held under unsanitary conditions whereby it may have been contaminated with filth or whereby it may have been rendered injurious to health; or
- e) If it is in whole or in part the product of a diseased animal or animal which has died otherwise than by slaughter; or
- f) If its containers are composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health (410 ILCS 620/10).

Bed and Breakfast Establishment shall mean an operator- occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms for rent, in operation for more than ten (10) nights in a twelve month period; meals may be provided to the guests only as allowed by the Bed and Breakfast Act (50 ILCS 820); this term shall not include motels, hotels, boarding homes, or food service establishments (50 ILCS 820/2.a.).

Food shall mean any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or sale in whole or in part for human consumption, or chewing gum.

Food Establishment shall mean an operation that stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides human consumption, such as a restaurant, satellite or catered feeding location, catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people, market, vending location, conveyance used to transport people, institution or food pantry; and relinquishes possession of food to a consumer directly, or indirectly, through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers. (77 Ill. Adm. Code 750)

Food establishment includes:

An element of the operation, such as transportation vehicle or a central preparation facility, that supplies a vending location or satellite feeding location, unless the vending or feeding location is permitted by the regulatory authority; and

An operation that is conducted in a mobile, stationary, temporary, or permanent facility or location. This inclusion applies regardless of where consumption is on or off the premises and where there is a charge for food.

Food establishment does not include:

An establishment that offers only prepackaged foods that are not time/ temperature controlled for safety;

A produce stand that only offers whole, uncut fresh fruits and vegetables;

A food processing plant, including those that are located on the premises of a food establishment; ~~(b)(1)~~

A kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act that prepares and offers food to guest;

A private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or

A cottage food operation. (77 Ill. Adm. Code 750.10)

Health Department shall mean the Jersey County Health Department.

Health Department Committee shall mean three (3) members of the Jersey County Board of Health.

Health Officer shall mean the Director of Environmental Health at Jersey County Health Department or his/her authorized representative.

Permit Holder shall mean anyone or his agents applying to license a food service establishment, retail food store, mobile food establishment, or temporary food establishment pursuant to this ordinance.

Misbranded shall mean the presence of any written, printed, or graphic matter upon or accompanying food or containers of food which is false or misleading.

Mobile Food Establishment shall mean a vehicle- mounted food establishment designed and operated to be readily movable.

Not-for-profit Organization shall mean those organizations recognized as such pursuant to the laws of the State of Illinois. This definition does not include organizations in possession of any annual liquor license (not a special event license) or an Illinois sales tax number for commercial purposes (not tax-exempt numbers).

Person shall mean an individual, firm, partnership, co- partnership, company, corporation, trustee, lessee, receiver, association, municipality, or any political subdivision or department thereof, or any other entity, or its agent.

Temporary Food Establishment shall mean a food service establishment that operates at a fixed location for three or more than fourteen consecutive days but less than fourteen consecutive days in connection with a single event or celebration.

Time/ Temperature Control for Safety Food (formerly “potentially hazardous food” (PHF)) shall mean:

- 1) Time/ Temperature control for safety food means a food that requires time/ temperature control for safety (TCS) to limit pathogenic microorganisms' growth or toxin formation
- 2) Time/ Temperature control for safety includes:
 - a) An animal food that is raw or heat- treated; a plant food that is heat- treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganisms growth or toxin formation, or garlic- in- oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganisms growth or toxin formation and;
 - b) Except as specified in Subparagraph (3)(d) of this definition, a food that because of the interaction of its Aw and pH values is designated as Product Assessment Required (PA)
- 3) Time/temperature control for safety food does not include:
 - a) An air- cooled hard- boiled egg with shell intact, or an egg with shell intact that is not hard- boiled, but has been pasteurized to destroy all viable salmonellae;
 - b) A food in an unopened hermetically sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of non- refrigerated storage and distribution;
 - c) A food that because of its pH or Aw value, or interaction of Aw and pH values, is designated as a non- TCS Food
 - d) A food that is designated as Product Assessment Required (PA) in Table A or B (most current FDA Food Code) of this definition and has undergone a Product Assessment showing that the growth or toxin formation of pathogenic microorganisms that are likely to occur in that food is precluded due to:
 - (i) Intrinsic factors including added or natural characteristics of the food such as preservatives, antimicrobials, humectants, acidulates, or nutrients,
 - (ii) Extrinsic factors including environmental or operational facts that affect the food such as packaging, modified atmosphere

- such as reduced oxygen packaging, shelf life and use, or temperature range of storage and use, or
- (iii) A combination of intrinsic and extrinsic factors; or
 - e) A food that does not support the growth or toxin formation of pathogenic microorganisms in accordance with one of the Subparagraphs (3)(a)-(3)(d) of this definition even though the food may contain a pathogenic microorganism or chemical or physical contaminant at a level sufficient to cause illness or injury.

Section II: PERMIT REQUIREMENTS

Sect. II. 01 Permit Requirements

It shall be unlawful for any person to operate a food service establishment, retail food store, or temporary food establishment, within the County of Jersey, State of Illinois, who does not possess a valid permit issued by the Jersey County Health Department. Only a person who complies with the requirements of this Ordinance shall be entitled to receive and retain such a permit. The permit shall not be transferred from one person to another person, from one food establishment to another, or from one type to another if the food operation changes from the type of operation specified in the application and the change is not approved. A valid permit shall be posted in every food establishment to be visible to all customers. A valid permit is one that is not suspended, revoked, or expired.

The following establishments shall be exempt from the provision of this Ordinance:

- a) Establishments which have only non- perishable and/or non -time/temperature control for safety food and whose principal order of business is not to sell food for human consumption.

Sect. II. 02 Permit Issuance

Any person desiring to operate a food service establishment, retail food store, mobile food establishment or temporary food establishment must comply with existing Jersey County Zoning Provisions, where applicable, and shall make written application for a permit on forms provided by the Health Department with a \$25.00 plan review fee. An applicant shall apply for a permit at least 14 calendar days before the date planned for opening a food establishment.

A permit applicant or permit holder shall submit to the to the Health Officer properly prepared plans and specifications for review and approval before the construction of a food establishment, the conversion of an existing structure for use as a food establishment, the remodeling of a food establishment or a change of type of food operation if the Health Officer determines that plans and specifications are necessary to ensure compliance with this Code.

To qualify for a permit an applicant shall:

1. Be an owner of the food establishment
2. Comply with the requirements of the "Illinois Department of Public Health Food Service Sanitation Code," 77 Ill. Adm. Code 750 and the most current version of the FDA Food Code adopted by Illinois
3. Agree to allow access to the food establishment and to provide required information on the permit application; and
4. Pay the applicable permit fees at the time the application is submitted.

Sect. II. 03 Permit Length

The permit length for food service establishments, mobile food establishments, and retail food stores shall be issued annually by the Health Officer beginning on the first day of the month following the effective date of this ordinance. Permits issued after this date, but within the next twelve-month period, shall have their permit fee pro-rated. The health department has seven business days to issue a permit or request more information.

Sect. II. 04 Permit Renewal

Annual renewal of permits shall be required for continued operation of the establishment. Any person desiring to renew a permit shall make a written application on forms provided by the Health Department.

All permit fees for the annual renewal of permits are due January 31 of the calendar year. Persons failing to submit the appropriate fee and renewal application by the above renewal due date shall be assessed a past due payment penalty fee of \$50.00 per week and the appropriate permit fee. Failure to submit the total fee and application by the above-described renewal date may result in a lapse of the permit.

Sect. II. 05 Permit Updates

The permit holder has an affirmative and continuing requirement to update the original and all renewal applications. As a result, the permit holder must inform the Health Officer of any changes in the information listed in these applications within thirty (30) days.

Failure to comply with this section's requirements or knowingly furnishing false information on the original or renewal applications shall be grounds for immediate suspension or revocation of any permit issued pursuant to this Ordinance.

Sect. II. 06 Permit Suspension

Permit for food service establishments, retail food stores, mobile food establishments or temporary food establishments may be suspended by the Health Officer upon notice to this

permit holder of same. Reasons for suspending the permit include, but are not limited to, the following:

- a) Failure to comply with the provisions of this ordinance;
- b) Failure to comply with the provisions of this ordinance after notification by the Health Officer;
- c) Failure to comply with the provisions of this ordinance within the time established by the Health Officer
- d) Interference with the Health Officer in the performance of his duties, including, but not limited to, failure to allow the Health Officer access to the permit holders' building or records;
- e) Failure to update the original and renewal applications, as required by this Ordinance or,
- f) Knowingly furnishing false information on the original or renewal applications.
- g) Allows serious or repeated code violations to remain uncorrected beyond the time frames for correction approved, directed, or ordered by the Health Officer.

Upon determining that a suspension is appropriate, the Health Department shall advise the permit holder in writing, of the intended suspension. The notice shall be delivered in person by the Health Department or sent via certified mail. The permit holder may make a written request for a hearing with the Health Officer within 7 calendar days before imposition of the period of suspension according to the procedures set out in the Hearing Procedures section.

Permits for food service establishments, retail food stores, or temporary establishments may be suspended by the Health Officer without notice to the permit holder when, in the judgement of the Health Officer, a condition exists that will result in an imminent health hazard to the public.

Upon deciding that a suspension without notice is appropriate, the Health Officer shall immediately, without warning or notice, advise the permit holder of said condition and all food service operations shall be immediately eliminated.

If operations are discontinued and the permit is suspended, the Permit Holder shall obtain approval from the Health Officer before resuming operations.

Sect. II. 07 Permit Revocation

Permits for food service establishments, retail food stores, mobile food establishments or temporary food establishments may be revoked by the Health Officer upon notice to the permit holder of same. Reasons for suspending the permit include, but not limited to, the following:

- a) Serious violation of the provisions of this Ordinance;
- b) Repeatedly failing to comply with the provisions of this Ordinance;

- c) Interference with the Health Officer in the performance of his duties, including, but not limited to, failure to allow the Health Officer access to the permit holder's building or records;
- d) Failure to update the original and renewal applications, as required by this Ordinance;
- e) Knowingly furnishing false information on the original or renewal applications;
- f) Failure to apply for re- inspection within thirty (30) days of the end of a suspension period imposed for violations of the provisions of this ordinance; and
- g) When the continuous operation of the business has lapsed for over ninety (90) days.

Upon determining that a revocation is appropriate, the Health Officer shall advise the permit holder in writing. The notice shall be delivered in person by the Health Officer or sent via certified mail. The permit holder may make a written request for a hearing, within 7 calendar days upon receiving request, with the Health Officer before imposition of the revocation according to the procedures set out in the Hearing Procedure section.

Sect. II. 08 Permit Classifications

The Health Department shall annually conduct a category risk assessment for every food service establishment, retail food store, and mobile food establishment operating in Jersey County, pursuant to the Local Health Protection Grant rules established by the Illinois Department of Public Health.

Sect. II. 09 Permit Fees

Annual permit fees may be assessed on each permitted establishment and collected by the Health Officer and deposited into the Health Department fund. Fees shall be based on a schedule determined by the Jersey County Board of Health. Permit fees shall be non-refundable once a permit has been issued by the Health Officer.

Sect. II. 10 No Valid Permit

When a food service establishment, retail food store, or mobile food establishment is in operation with no valid permit, a fine of \$250.00 shall be assessed and the facility closed until a valid permit is obtained.

Sect. II. 11 Embargo and Condemnation

Food may be examined or sampled by the Health Officer to determine freedom from adulteration or misbranding. The Health Officer may condemn or embargo (detain) equipment or food when he has probable cause to believe that any food or piece of equipment may be unwholesome, unfit for use, or an imminent health hazard exists. The health officer may issue an embargo (hold order) to a permit holder or a person who owns or controls the food without warning, notice of a hearing, or a hearing on the hold order, or such conditions include but are not limited to:

- a) Food that has been adulterated
- b) Food that has been misbranded or originated from an unapproved source
- c) Any TCS food found to be in the optimal temperature range for the growth of pathogenic foodborne bacteria as defined in the Illinois Department of Public Health Food Service Sanitation Code, 77 Ill. Adm. Code 750 and the most current version of the FDA Food Code adopted by Illinois
- d) Where equipment used in the preparation of food products is found to be in a state of disrepair, unsafe, unsanitary, or unsuitable for use in the preparation, display, or service of food,
- e) If food is contaminated because of fire, flood, sewage backup, power outage, or imminent health hazard.

If operations are discontinued and the permit is suspended, the Permit Holder shall obtain approval from the Health Officer before resuming operations.

Condemned or embargoed food, food containers, or equipment may be suitably stored by the permit holder unless said storage would pose a risk to the public health. If a risk exists, immediate destruction shall be ordered by the Health Officer, or voluntary destruction may be accomplished by the permit holder. If the permit holder refuses to destroy the condemned food, food containers, or equipment, same shall be held under embargo until they have been proved satisfactory for human consumption by a certified laboratory at the expense of the permit holder.

No person shall remove or alter a condemnation or embargo order, notice, or tag placed on food, food containers or equipment by the Health Officer. Said food, food containers or equipment shall not be relabeled, replaced, reprocessed, repackaged, altered, disposed of, destroyed, or placed back in service without the permission of the Health Officer, except on order by a court of competent authority. The permit holder may make a written request for a hearing with the Health Officer before imposition of condemnation according to the procedures set out in the Hearing Procedure section.

Hold Order Notice shall:

- a) State the food subject to the order may not be used, sold, moved from the food establishment, or destroyed without a written release of the order from the Health Officer;
- b) State the specific reasons for placing the food under the hold order with reference to the applicable provisions of the Ordinance and the hazard or adverse effect created by the observed condition;
- c) Completely identify the food subject to the hold order by the common name, the label information, a container description, the quantity, Health Officer's tag or identification information, and location;
- d) State the permit holder has the right to an appeal hearing and may request a hearing by submitting a timely request as specified under Section III: 04.

- e) State the Health Officer may order the destruction of the food if a timely request for an appeal hearing is not received; and
- f) Provide the name and address of the Health Officer representative to whom a request for an appeal hearing may be made.

Sect. II. 12 Employee Health

The Health Officer shall act when it has reasonable cause to believe that a food employee or conditional employee has possibly transmitted disease; may be infected with a disease in a communicable form that is transmissible through food; may be a carrier of infectious agents that cause a disease that is transmissible through food; or is affected with a boil, an infected wound, or acute respiratory infection, by: securing a confidential medical history of the food employee or conditional employee suspected of transmitting disease or making other investigations as deemed appropriate and requiring appropriate medical examinations, including collection of specimens for laboratory analysis, of a suspected food employee or conditional employee.

Based on the findings of an investigation related to a food employee or conditional employee who is suspected of being infected or diseased, the Health Officer may issue an order to the suspected food employee, conditional employee, or permit holder instituting one or more of the following control measures:

1. Restricting the food employee or conditional employee
2. Excluding the food employee or conditional employee
3. Closing the food establishment by summarily suspending a permit to operate in accordance with Section II.06.

Based on the findings of the investigation to control disease transmission, the Health Officer may issue an order of Restriction and Exclusion to a suspected food employee or the permit holder without warning, notice of a hearing, or a hearing if the order:

1. States the reason for the restriction or exclusion that is ordered
2. States the evidence that the food employee or permit holder shall provide to demonstrate that the reasons for the restriction or exclusion are eliminated
3. States the suspected food employee or the permit holder may request an appeal hearing
4. Provides the name and address of the Health Officer representative to whom a request for an appeal hearing may be made

Sect. II. 13 Construction and Remodeling

Whenever any establishment regulated by the provisions of this Ordinance is constructed or remodeled, or whenever an existing structure is converted to use as an establishment to be regulated by this Ordinance, plans and specifications for such construction, remodeling,

or conversion shall be submitted to the Health Officer for review and approval before construction, remodeling, or conversion may begin.

The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans and construction materials of work areas, and the type and model of proposed fixed equipment and facilities. The Health Officer shall inspect the proposed establishment prior to the beginning or resumption of operations to determine compliance with the approved plans and specifications and the requirements of this Ordinance.

Section III: ADMINISTRATION AND ENFORCEMENT

Sect. III. 01 Inspection Schedule

The Health Department shall conduct routine onsite inspections for each food service establishment, retail food store, mobile food establishment, and temporary food establishment operating in Jersey County in accordance with the guidelines established by the Illinois Department of Public Health, 77 Ill. Adm. Code Ch. 1, Sec. 615. as.

Sect. III. 02 Inspection Report

Whenever an inspection of an establishment is made, the finding shall be recorded on a standardized inspection report form pursuant to 77 Ill. Adm. Code 750. One copy of the completed inspection report will be furnished to the permit holder at the time of the inspection. If violations of this Ordinance exist, the inspection report shall serve as official notice to the permit holder that the establishment is in violation of the provisions of this Ordinance. The completed inspection report form shall specify the violations found by the Health Officer and shall follow the Jersey County Health Department's Compliance and Enforcement Procedures.

Sect. III. 03 Right of Entry

The Health Officer, after proper identification, shall have access at any reasonable time to any establishment regulated by this Ordinance. A reasonable time for the purpose of this section shall always mean the establishment is open to the public. The Health Officer shall be permitted to examine all areas and records of the establishment, which are necessary for their inspection or investigation.

Denial of access as herein provided shall be deemed an interference by the Health Officer in the performance of their duties, including denial of access to the permit holder's building or records. The Health Officer must inform the permit holder that they are required to allow access to the Health Officer and access is a condition of the acceptance and retention of their permit to operate. If access is denied, an order issued by the Health Officer, or an inspection order, may be obtained according to law.

Sect. III. 04 Hearings Before the Health Officer

Any person or permit holder affected by any order or notice issued by the Health Officer in connection with the enforcement of any section of this Ordinance, may request a hearing before the Health Officer.

Requests for a hearing must be within 7 calendar days of service. A response to a hearing notice or a request for hearing shall be in written form and contain the following:

1. An admission or denial of each allegation of fact;
2. A statement as to whether the respondent waives the right to a hearing; and may also contain
3. A statement of defense, mitigation, or explanation concerning any allegation of fact; and
4. A request to the Health Officer for a settlement of the proceedings by consent agreement if the Health Officer will provide this opportunity.
5. A statement indicating whether the presence of witnesses for the Health Officer is required; and
6. The name and address of the respondent's or requester's legal counsel, if any.

Unless stated elsewhere in this ordinance, the health Officer shall hold the hearing at the time and place designated by them within fourteen (14) days from the date on which the written request was filed.

The petitioner for the hearing shall be notified of the time and place of hearing not less than five (5) days prior to the date on which the hearing is to be held.

If, as a result of the hearing, the Health Officer finds that strict compliance with the order or notice would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by varying or withdrawing the order of notice, the Health Officer may modify or withdraw the order of notice as a condition for such action, may where deemed necessary, make requirements which are additional to those prescribed in this Ordinance for the purpose of properly protecting the public health.

The health Officer shall render a decision within ten (10) days after the date of the hearing, which shall be reduced to writing and placed on file in the office of the authorized representative as a matter of public record. Any person aggrieved by the decision of the health Officer may seek relief therefrom through a hearing before the Jersey County Board of Health.

Sect. III. 05 Hearing Before the Jersey County Health Department Committee

Any person aggrieved by the decision of the Health Officer because of a hearing held in accordance with this Section may file in the office of the Health Officer a written request for a hearing at a time and place designated by the Chairperson of the Health Department Committee within thirty (30) days of the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held.

If as a result of facts elicited as a result of the hearing, the Health Department Committee finds that strict compliance with the decision of the Health Officer would cause undue hardship of the petitioner, and that the public health would be adequately protected and substantial justice done by granting a currency from the decision of the Health Officer, the Health Department Committee may grant a currency and as a condition for such variance, may, where it deems necessary, make requirements which are additional to those prescribed by this Ordinance.

The Health Department Committee shall render a decision within thirty (30) days after the date of the hearing which shall be reduced to writing and placed on file in the office of the health Officer and a copy thereof shall be served on this petitioner personally or be delivered to the petitioner by certified mail. A transcript of the record shall be provided at the expense of the person requesting the hearing. All witnesses called shall be required to testify under oath. An appeal from a decision of the Health Department Committee may be made to the Circuit Court of Jersey County, pursuant to the Illinois Administrative Review Act. 735 ILCS 5/3-101 et seq., as amended.

Sect. III. 06 Penalties

The Health Officer may seek to enforce the provisions of this Ordinance and its orders by instituting quasi- criminal proceedings, quasi- civil proceedings, or temporary or permanent injunctive relief to achieve compliance with the provisions of this Ordinance or its orders as provided in law against the permit holder or other person who violates its provisions.

Violations of the provisions of this Ordinance shall be punishable by:

1. A fine of not more than \$100 per day for each day of non- compliance
2. Each day that the violation remains is a separate violation
3. The Health Officer is responsible for initiating action for non- compliance and may seek injunctive relief in addition to fines for non- compliance

Once action is initiated by the Health Officer, the Jersey County State’s Attorney, as legal counsel to the Board of Health, shall commence action in the Circuit Court and seek appropriate remedies at law.

Sect. III. 06a. Re- Inspection Fees

Effective May 1, 2010, a food service establishment, retail food establishment, and/or a bed and breakfast shall be assessed a “non- compliance” penalty fee for the second re- inspection of a violation and an additional “non- compliance” penalty fee for all subsequent re- inspection performed to determine compliance with this ordinance. A “non- compliance” fee schedule shall be determined by the Jersey County Health Department Board.

Sect. III. 07 Severability

If any provision of this Ordinance is declared unconstitutional or invalid by a court of competent Authority, the decision shall not affect the validity of the remainder of the Ordinance.

Amended Ordinance passed and adopted by the Jersey County Board this November 14, 2023.

Attest: _____

Pam Warford
Jersey County Clerk

Gary Krueger
Jersey County Board Chair

Approved as to Form

Ben Goetten
Jersey County State's Attorney