

Lewisville, Texas, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 7 - LICENSES AND BUSINESS REGULATIONS >> ARTICLE VII. - FOOD ESTABLISHMENTS >> DIVISION 1. - GENERALLY >>

DIVISION 1. - GENERALLY

Sec. 7-226. - Rules, code adopted.

Sec. 7-227. - Amendments to the Texas Food Establishment Rules.

Sec. 7-228. - Definitions.

Sec. 7-229. - Violations; injunctions.

Sec. 7-226. - Rules, code adopted.

The Texas Food Establishments Rules, Title 25, Part 1, Chapter 229, Subchapter K, §§ 229.161 through 229.171 and 229.173 through 229.175 of the Texas Administrative Code, as it now exists or may hereafter be amended, are herein adopted, together with the additions, deletions, and amendments hereinafter contained, as the minimum standards for retail and food service operations within the corporate limits of the city; provided, however, that in such rules the words "regulatory authority" shall be understood to refer to the "City of Lewisville" and the words "regulatory administrator" shall be understood to refer to the "City of Lewisville Health Manager." A copy of the Texas Food Establishment Rules hereby adopted shall be on file in the office of the city secretary.

(Ord. No. 3862-05-2011, § 1, 4-18-11)

Sec. 7-227. - Amendments to the Texas Food Establishment Rules.

The following are revisions and additions to the Texas Food Establishment Rules (25 Texas Administrative Code Chapter 229, Subchapter K) adopted in this article:

Section 229.162 Definitions: (40) Food establishment -

(B) Food establishment includes: (add the following two subsections)

(iii) an establishment that offers only prepackaged foods that are not potentially hazardous;

(vi) a produce stand that offers cut and uncut fresh fruits and vegetables;

(C) Food establishment does not include:

Delete subsections (i) and (ii)

Section 229.163(b)(2): being a certified food protection manager who has shown proficiency of required information through passing an examination that is part of an accredited Food Protection Management Program approved by the Texas Department of State Health Services (DSHS).

Section 229.163(c): Duties, person in charge. The person in charge shall ensure that:

(13) a sign is prominently displayed in each restroom lavatory used by food service employees that states as follows: Employees must thoroughly wash hands before returning to work after using the restroom;

(14) during operational hours, at least one person in charge who is responsible for supervising food preparation and service, has a valid Food Protection Management Training Certificate issued by the Texas DSHS;

(15) Food Protection Manager Certificates are available for immediate inspection upon request by the regulatory authority;

(16) a certified food protection manager is working during operational hours; provided, however, that if there are several Food Establishments located in the same building and under the same ownership and management, only one certified food protection manager employed in a supervisory capacity need be present; and

(17) a new Food Establishment, or an existing Food Establishment that has changed ownership, or a Food Establishment whose certified food protection manager has resigned complies with the requirements of this article within 30 working days.

Section 229.163(c): Exemptions. The following establishments are exempt from the requirements of section 229.163(c): Temporary Food Establishments; Food Establishments that sell or distribute only pre-packaged foods or uncut produce; and Food Establishments that serve only fountain drinks, coffee, alcoholic beverages, popcorn and/or snow cones.

(Ord. No. 3862-05-2011, § 1, 4-18-11)

Sec. 7-228. - Definitions.

NSF-Approved means that an independent, third-party organization (namely the National Sanitation Foundation) has determined that the equipment or product complies with the relevant standards and/or protocol set by said organization.

(Ord. No. 3862-05-2011, § 1, 4-18-11)

Sec. 7-229. - Violations; injunctions.

- (a) Unless otherwise provided, it is unlawful for any person to violate a provision of this article. Any person who is the permit holder of or otherwise operates a food establishment that does not comply with the requirements of this article shall be guilty of an offense.
- (b) The regulatory authority may also seek to enjoin violation of this article.

(Ord. No. 3862-05-2011, § 1, 4-18-11)