

Sec. 7-237. Food Handler's Permit Requirements

(a) Every person whose work brings him into contact with the handling of food, utensils, or food service equipment must possess a food handler's permit.

(b) Every person who owns, manages, or otherwise controls any food service establishment shall not permit any person to be employed therein whose work brings him into contact with the handling of food, utensils or food service equipment who does not possess a valid food handler's permit within forty five (45) days from the date of his employment. These permits shall be made available upon request by the Lewisville Health Division, therefore known as the Regulatory Health Authority.

(c) The owner/manager shall be responsible for the payment of the food handler's permits on a yearly basis.

Sec. 7-238. Exemptions

Every person who possesses a current and valid manager's certification certificate from completing a course permitted by the Texas Department of Health shall be exempt from the requirements of Sec. 7-237.

Sec. 7-239. Food Handler's Permit Class

(a) In order to receive a food handler's permit, every person employed by, or otherwise connected with a food service establishment whose works brings them into contact with food, utensils, or food service equipment is required to view a video approved by the City of Lewisville, and achieve a score of seventy (70) or above on the basic knowledge test provided by the local Regulatory Health Authority. This requirement must be met upon expiration of a food handler's permit, and upon

application for a new food handler's permit. The Regulatory Health Authority shall issue a permit to the applicant if the applicant has:

- (1) Completed watching a video provided by the City of Lewisville and achieved a score of seventy (70) or above on the basic knowledge test administered by the Regulatory Health Authority.

- (2) Is not suspected of being:
 - (a) Infected with a disease in a communicable form that can be transmitted by foods.
 - (b) A carrier of organisms that cause such a disease. A medical confirmation by a physician shall be required before a food handler's permit is rejected or terminated.
 - (c) Infected with a boil, an infected wound, or an acute respiratory infection.

- (3) In the event a food handler's permit application is rejected, the Regulatory Health Authority shall notify the applicant of the rejection in writing by certified mail.

Sec. 7-240. Options for Taking the Food Handler's Class

Option 1: Employees required to take the food handler's permit class may attend a

prescheduled class, which shall take place at Lewisville City Hall or another designated

site.

- (a) All employees shall sign in on a pre-registration form and be issued a test upon entering the classroom.
- (b) All employees shall view the approved video, and then take the required test.
- (c) All employees shall achieve a score of seventy (70) or above.
- (d) All employees who do not achieve a score of seventy (70) and above shall be counseled by the Regulatory Health Authority at a designated time, before issuance of a food handler's permit.
- (e) The Regulatory Health Authority shall submit the food handler's permits to the manager, owner, or employee within seven (7) working days.
- (f) An individual not employed with a local food establishment may take the food handler's permit class at a pre-scheduled time at Lewisville City Hall, or at a designated site.

Option 2: A State Certified Food Protection Manager, of a Lewisville food establishment may borrow the approved video upon payment of a deposit, so the class can be sponsored on site.

- (a) A State Certified Food Protection Manager shall administer and grade the test provided by the Regulatory Health Authority.
- (b) All employees shall achieve a score of seventy (70) or above.
- (c) A State Certified Food Protection Manager shall be required to counsel any employees who experience difficulty with the test until a score of seventy (70) is achieved.

- (d) A State Certified Food Protection Manager shall return all graded tests, and a list of the employee's names to the Regulatory Health Authority within twenty-four (24) hours after completing the test, before issuance of the food handler's permit.
- (e) The Regulatory Health Authority shall submit the food handler's permits to the manager, owner or employees within seven (7) working days.
- (f) All video deposits are refundable once the tape has been returned within twenty-four (24) hours.
- (g) A late fee shall be administered per day for tapes that are not returned at the designated time.
- (h) If the video tape is late for more than ten (10) days, the deposit fee shall be forfeited to the City of Lewisville.
- (i) If the videotape is lost, stolen, or damaged, the deposit is automatically forfeited.

Option 3: State Certified Managers may purchase a copy of the approved video, at their

expense.

- (a) A State Certified Food Protection Manager shall pick up the approved test from the City of Lewisville Health Division.
- (b) A State Certified Food Protection Manager shall administer, and grade tests provided by the Regulatory Health Authority.
- (c) All employees shall achieve a score of seventy (70) or above.

- (d) A State Certified Food Protection Manager shall be required to counsel any employees who experience difficulty with the test until a score of seventy (70) is achieved.
- (e) A State Certified Food Protection Manager shall return all graded tests, and a list of the employee's names to the Regulatory Health Authority within twenty-four (24) hours after completing the test, before issuance of the food handler's permits.
- (f) The Regulatory Health Authority shall submit the food handler's permits to the manager, owner or employee within seven (7) working days.

Sec. 7-241. Permit Duration

Any food handler's permit issued under the provision of this article shall remain in full force and be in effect twenty-four (24) months from the date of issuance, unless revoked sooner.

Sec. 7-242. Non-Transferable Permit

Every food handler's permit issued under the provisions of this chapter shall be non-transferable.

Sec. 7-243. Confiscation of Permit

The Lewisville Health Division shall have the authority to confiscate a food handler's permit that has expired or is otherwise invalid.

Sec. 7-244. Revocation

(a) The Regulatory Health Authority shall have the right to revoke a valid food handler's permit at any time the holder of such card becomes:

(1) Infected with a disease in a communicable form that can be transmitted by foods.

(2) A carrier of organisms that cause such a disease. A medical confirmation by a physician shall be required before a food handler's permit is rejected or terminated.

(b) Such revocation shall remain in effect until a licensed physician certifies the food handler is free from any communicable disease.

(c) No such person shall work in a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms capable of transmitting disease to another person.

(d) The Regulatory Health Authority shall notify the applicant or permit holder in writing of the reasons for which the permit is being revoked. Revocations shall be final unless the permit holder files a written request for a hearing with the Health Manager within five (5) calendar days following service of the notice.

Sec. 7-245. Appeal

A person shall have the right to appeal the Regulatory Health Authority decision to deny issuance of a food handler's permit or to revoke a food handler's permit by giving written notice to the Health Manager within five (5) days of the denial or revocation.

EFFECTIVE DATE. This ordinance shall become effective immediately, but enforced for all original and renewal food handler permits which are issued after June 1, 2003.