

ORDINANCE NO. 3733

AN ORDINANCE to amend and reordain Sections 11-2-383 (FOOD-HANDLING MANAGER'S CERTIFICATE AND RESPONSIBILITY) and 11-2-384 (ISSUANCE OF PERMIT OR FOOD-HANDLING MANAGER'S CERTIFICATE), of Article J (COMPLIANCE PROCEDURES), Chapter 2 (FOOD AND FOOD HANDLING ESTABLISHMENTS), Title 11 (HEALTH, ENVIRONMENTAL AND SANITARY REGULATIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-2-383 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 11-2-383 Food-handling manager's certificate and responsibility.

(a) After September 1, 1994, it shall be unlawful to operate a food-handling establishment unless it is under the immediate control of a person possessing a food-handling manager's certificate issued by the director, or a certificate issued by another jurisdiction that is accepted by the director; provided, that a limited food service establishment shall not be in violation of this section if it is under the immediate control of a person possessing a limited food service manager's certificate and if the director finds that the establishment satisfies one of the following criteria:

(1) it does not prepare or handle potentially hazardous foods;

(2) it handles only pre-packaged foods that have been transported and stored under conditions that meet the requirements of this chapter;

(3) it handles only foods that are prepared and pre-packaged in individual servings, and have been transported and stored under conditions that meet the requirements of this chapter; or

(4) it handles only beverages that are not potentially hazardous, and have been transported and stored under conditions that meet the requirements of this chapter.

For the purposes of this article, the term "limited food service establishment" shall mean any of the following food-handling establishments: mobile food units, pushcarts, retail food stores and temporary food-handling establishments.

(b) The certified food manager shall be responsible for training food-handling personnel in sanitary food-handling procedures and proper methods of food protection. The certified food manager shall also be responsible to ensure that good public

health and food protection practices and sanitary techniques in manufacturing, storing, serving and transporting foods are used at all times on the premises under his or her control.

Section 2. That Section 11-2-384 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 11-2-384 Issuance of permit or food-handling manager's certificate.

(a) Any person desiring to obtain a permit required by section 11-2-381 shall apply in writing on forms provided by the director. Such application shall include the name and address of each applicant, the location and type of the proposed food-handling establishment and the signature of each applicant.

(b) Prior to approval of an application for a permit, the director shall inspect the proposed food-handling establishment to determine compliance with the requirements of this chapter.

(c) The director shall issue a permit that is valid for no more than one year to the applicant if the director's inspection reveals that the proposed food-handling establishment complies with the requirements of this chapter.

(d) The director may exempt coffee and related beverage service and service areas and such one time events or affairs from such provisions or requirements of this chapter as the director may deem advisable upon determining that the operation of such service, service areas, events or affairs will not adversely affect the public health.

(e) A food-handling manager's certificate shall be issued only to a person who has passed a food-handling manager certification examination approved by the director.

(f) A food-handling manager's certificate shall be issued in the name of an individual applicant only, shall not be assignable or transferable, and shall be valid only for a period of three years from the date of issuance. Prior to the issuance of a certificate, a fee of \$20, or as otherwise established by resolution of city council, shall be paid to the director of finance.

(g) A limited food service manager's certificate shall be issued only to a person who has successfully passed a limited food service manager certification examination, given by the director or the director's designee, which tests the applicant's knowledge of food-handling techniques necessary for the safe operation of a limited food service establishment. Prior to the issuance of a limited food service manager's certificate, a fee

of \$30, or as otherwise established by resolution of city council, shall be paid to the director of finance.

(h) A certified food-handling manager or a certified limited food service manager shall be entitled to the renewal of his or her certificate for a subsequent three year period upon payment of a renewal fee of \$30, or any other amount set by resolution of city council, provided that:

(1) an application for renewal is filed with the director not more than 30 days following the expiration date of the certificate; and

(2) if the applicant's certificate has been revoked or suspended during the preceding three years, the applicant retakes and passes either a food-handling manager certification examination approved by the director or a limited food service manager certification examination given by the director or the director's designee, whichever is appropriate.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

PATRICIA S. TICER  
Mayor

Final Passage: June 18, 1994