CHRISTIAN COUNTY
HEALTH DEPARTMENT
working for a healthy future

TO: NEW OR POTENTIAL OWNERS

SUBJECT: NEW FOOD SERVICE ESTABLISHMENTS IN CHRISTIAN COUNTY

The Christian County Health Department regulates all retail/food service establishments in Christian County. This in accordance with the Illinois Department of Public Health Food Service Sanitation Code and the Christian County Food Ordinance.

All new or extensively remodeled establishments or establishments with a change of ownership are required to meet appropriate standards. A food service permit will NOT be issued until these requirements are met. Failure to obtain a permit to operate a Food Service Establishment is in violation of the Christian County Health Ordinance, Chapter I.

New establishments or extensively remodeled establishments are required to submit a detailed floor plan. This plan should include equipment, materials, and measurements. Plans should be submitted far enough in advance so that corrections can be made without additional costs to the establishment. Pre-inspections of the building while under construction may be conducted to ensure standards are met.

A Christian County food service application must be filled out prior to opening.
A pre-opening inspection is conducted one or two days before opening to assure all standards have been met. A permit may be issued at this time.

Regular inspections will be conducted according to the menu items and the classification of the establishment. An operational inspection will be conducted after opening.

A certified food service manager(s) will be required depending on the food service facility's classification.

Please feel free to call our office with any questions. 824-4113 at Ext. 115 or 126.

CHRISTIAN COUNTY
HEALTH DEPARTMENT
working for a healthy future

FOOD SERVICE APPLICATION

NAME OF ESTABLISHMENT _____

STREET ADDRESS_____ TOWN, STATE, ZIP _____

MAILING ADDRESS _____ TOWN, STATE, ZIP _____

PHONE NO._____FAX NO._____

OWNER OF BUSINESS _____

ESTABLISHMENT TAX ID # _____

WATER SOURCE _____ TRASH SERVICE_____

DAYS AND HOURS OF OPERATION _____

GREASE TRAP PRESENT: YES NO GREASE PUMPER _____

PEST CONTROL CO._____ FREQUENCY _____

DO YOU CATER FROM THIS ESTABLISHMENT? _____

LIST PRIMARY FOOD SUPPLIERS: _____

_____

CERTIFIED FOOD PROTECTION MANAGERS (**NOT FOOD HANDLERS**)

NAME	ID #	EXPIRATION DATE

IF NEED MORE ROOM PLEASE ATTACH SEPARATE PAGE

FILL THIS APPLICATION OUT COMPLETELY

CONTINUED ON BACK ➡

**********FOR OFFICE USE ONLY **********

DATE _____PERMIT # _____ CODE _____

AMOUNT _____ CASH ___ CHECK # _____ MONEY ORDER _____

NOTE: IF YOU ARE OPENING A NEW ESTABLISHMENT, CHANGING OR ASSUMING NEW OWNERSHIP OF AN EXISTING ESTABLISHMENT, OR PLAN TO RENOVATE AN EXISTING ESTABLISHMENT, YOU ARE ***REQUIRED BY COUNTY ORDINANCE*** TO NOTIFY THIS DEPARTMENT ***IN ADVANCE***. PLANS MUST BE SUBMITTED AND REVIEWED FOR APPROVAL BY THE CHRISTIAN COUNTY HEALTH DEPARTMENT IN ADVANCE TO ASSURE THAT YOU HAVE ADEQUATE EQUIPMENT, SANITARY FACILITIES, AND ARE MEETING THE REQUIREMENTS OF THE CHRISTIAN COUNTY FOOD ORDINANCE.

PLANS FOR RENOVATIONS OR UPGRADING TO THE BUILDING, EQUIPMENT, OR MENU THIS YEAR. DESCRIBE:

_____

_____

LIST NAMES OF PARTNERS, CORPORATE OWNER, OR FIRM. INCLUDE ADDRESS AND PHONE # OF MAIN HEADQUARTERS (do not need info for individual corporate officers):

_____

_____

APPLICANT NAME: _____
THIS IS FOR THE INDIVIDUAL FILLING OUT THIS FORM

ADDRESS: _____

TOWN: _____ STATE: _____ ZIP: _____

PHONE #: _____ CELL #: _____

EMERGENCY OR AFTER HOURS CONTACT #: _____

LANDLORD'S NAME: _____ PHONE #: _____

I AFFIRM THE PREVIOUSLY STATED INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

_____ _____
APPLICANT'S SIGNATURE **DATE**

PLEASE RETURN COMPLETED FORM
TO CHRISTIAN COUNTY HEALTH DEPARTMENT
902 W. Springfield Road
Taylorville, IL 62568

Phone: 217-824-4113 ext 115

CHRISTIAN COUNTY
HEALTH DEPARTMENT
working for a healthy future

Floor Plans

The following requirements are set forth in the Christian County Food Ordinance and/or the 2017 FDA Food Code. This is not an exclusive list but a guide to assist you in your plans to open a food establishment.

1) Hand wash sink(s) conveniently located in all food preparation areas
2) 3 compartment sink with drain boards or mechanical dishwasher (if installing a mechanical dishwasher, a 3 compartment sink is still required). Sinks must be large enough to submerge your largest item to be cleaned.
3) Mop sink
4) Cove molding on all floor/wall junctures
5) All bare wood surfaces must be sealed
6) All walls, floors, and ceilings must be smooth, durable, and easily cleanable
7) Light shields and end caps provided in all food preparation and storage areas or shatterproof lighting
8) Proper ventilation in all rooms and over all necessary equipment(includes mechanical dishwashers using heat disinfection)

State plumbing inspector Ray Hall to be notified prior to commencement of work: 618-656-6680

You can also find the complete 2017 FDA at: https://www.fda.gov/food/fda-food-code/food-code-2017

Christian County Public Health Department
902 W. Springfield Road
Taylorville, IL 62568
217-824-4113 ext 115

Clean-up Procedures for Vomit/Fecal Events

The 2017 FDA Food Establishment Rules require that all food establishments have a procedure for responding to vomiting and diarrheal events. This requirement is specified in U.S. Public Health Service Food Code under 2-501.11 Employee Health, stated as follows:

A food establishment shall have written procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the food establishment. The procedures shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter.

Note: Effective cleaning of vomitus and/or fecal matter accidents in a food service establishment should be handled differently from routine cleaning/sanitizing procedures.

Vomiting and diarrheal accidents should be cleaned up using the following recommended steps:

1) Minimize the risk of disease transmission through the prompt removal of ill employees, customers and others from areas of food preparations, service, and storage.
    a. Follow the employee health policy of when to restrict/exclude an ill food employee.
2) Segregate the area and cover the vomit/fecal matter with a dry absorb material and/or single use disposable towels to prevent aerosolization.
3) Use a Sanitizer/Disinfectant effective against Norovirus. It must specify on the label or information data sheet as such.
    a. PURELL™ Foodservice Surface Sanitizer- preferred by Health Dept since no dilution required and "Effective against Norovirus" is usually stated on front label
    b. OTHER- Any other disinfectant effective against NORO VIRUS- See the reference section of this document for a link to find a list of EPA listed sanitizers
4) Wear disposable gloves during cleaning. To prevent the spread of disease, it is highly recommended that a disposable mask and/or cover grown, or apron, and shoe covers be worn when cleaning liquid matter.
5) Ensure the affected area is adequately ventilated (chlorine bleach solution can become an irritant when inhaled for some individuals and can become an irritant on skin as well).
6) Soak/wipe up the vomit and/or fecal matter with towels and dispose of them into a plastic garbage bag.
7) Apply the sanitizer/disinfectant solution onto the contaminated surface area and allow it to remain wet on the affected surface area for at least 10 minutes. Also sanitize the surrounding area in a 25 foot radius, including food contact surfaces. (When someone has a vomiting or diarrheal accident, germs such as Norovirus can spread by air and contaminate surfaces and food as far as 25 feet away)
8) Allow the area to air dry. Dispose of any remaining sanitizer solution once the accident has been cleaned up.
9) Discard all gloves, masks, and cover gowns (or aprons) in a plastic bag and dispose of the bag immediately.
10) Take measures to dispose of and/or clean and disinfect the tools and equipment used to clean up the vomit and/or fecal matter.
11) **PROPERLY WASH YOUR HANDS – AND IF POSSIBLE, TAKE A SHOWER AND CHANGE YOUR CLOTHES.**
12) Discard any food that may have been exposed in the affected area.

13) An incident report of actions that were taken as a result of an individual being sick should be completed. Include information such as: the location of the incident, the time and date, and procedures of the cleanup process. Keep the information on file by the business for at least a year. NOTE: the information may be useful for an investigation conducted by the Environmental Health Department.

EXAMPLE CLEAN UP KIT:

- ☐ 3 Pair of disposable nitrile gloves
- ☐ 1 pair of reusable heavy duty cleaning gloves
- ☐ 1 Face mask/shield (Disposable mask, eye protection)
- ☐ 1 Pair disposable shoe covers
- ☐ 1 disposable plastic apron
- ☐ 1 Roll of paper towels
- ☐ 5 gallon bucket
- ☐ 2 plastic garbage bags
- ☐ 1 Disposable scoop/scraper
- ☐ 7lb bag of cat litter or other liquid absorbent material
- ☐ Purell Food Service Sanitizer Spray or other sanitizer/disinfectant effective against Norovirus

FDA 2017 Food Code
http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374275.htm

Center for Disease Control: Preventing Norovirus Infection
http://www.cdc.gov/norovirus/preventing-infection.html
http://www.cec.gov/norovirus/downloads/foodhandlers.pdf

Environmental Protection Agency – Selected EPA-Registered Disinfectants
http://www.epa.gov/oppad001/chemregindex.htm

Christian County Health Department

902 Springfield Road
Taylorville, IL 62658

Phone: 217-824-4113
Fax: 217-824-5407

You play an important role in providing safe food to the general public.

As a food handler, you have a responsibility to report symptoms and conditions listed below.

I agree to report to the person in charge the following symptoms of foodborne illness:

1. Vomiting
2. Diarrhea
3. Jaundice- yellow skin or eye color
4. Sore throat with fever
5. Infected wounds

I agree to report to the person in charge if a doctor says that I have one of the following infections:
T—H—E—N—S—S_

1. Typhoid Fever (Salmonella, Typhi)
2. Hepatitis A
3. E. Coli, Shiga toxin-producing (STEC)
4. Norovirus
5. Salmonella (nontyphoidal)
6. Shigella spp

I agree to report to the person in charge if I am exposed to foodborne illness in the following way:

1. I am exposed to a confirmed outbreak of foodborne illness
2. Someone who lives in my house is diagnosed with a foodborne illness
3. Someone who lives in my house attends an event or works in a place which has a confirmed outbreak of foodborne illness.

Employee Acknowledgement

I understand that if I fail to meet the terms of this agreement, action could be taken by the food establishment or the Christian County Public Health Department that may affect my employment.

Employee name (please print): _____

Employee signature: _____ Date: _____

Signature of Person in Charge: _____ Date: _____

Modified from FDA Food Code Form 1-B

Christian County Public Health Department

Employee Illness Decision Guide

Use this flow chart to determine if an employee with an undiagnosed illness can spread the illness through food and should be restricted or excluded from work

Employee calls manager to report illness, PIC asks EACH of the following questions:

Does the employee have vomiting, diarrhea, or jaundice?

- YES → **EXCLUDE EMPLOYEE FROM WORK**
  - If already at work send home
  - If vomiting and diarrhea, exclude from work until 24 hour after symptoms end
  - If jaundiced, contact Health Department.
  - Discuss how illness is transmitted through food by ill food employees.
- NO → **No Food Safety Risk**

Does the employee have symptoms of sore-throat with fever?

- YES → **ALLOW WORK WITH RESTRICTIONS**
  - Employee does not work with exposed food, clean equipment utensils, linens or unwrapped single-service items.
  - Must provide a doctor's note before working regular job duties.
  - Reinforce hand washing.
  - Educate on symptoms.
  - Discuss how illness is transmitted through food by ill food employees
- NO → **No Food Safety Risk**

Has the employee been exposed to a confirmed diagnosis of one of the Big Five?

- YES → **ALLOW REGULAR WORK**
  - Educate on symptoms
  - Reinforce hand washing.
  - No bare hand contact with ready to eat foods.
  - Discuss illness reporting policy.
  - Discuss how illness is transmitted through food by ill food employees.
- NO → **No Food Safety Risk**

Does the employee have symptoms of an infected cut or wound?

- YES → Protect the lesion or open wound with an impermeable cover. If the lesion or open wound is located on a hand, us a single-serve glove
- NO → **No Food Safety Risk**

If a food employee reports a diagnosis of **T**yphoid Fever (Salmonella Typhi), **H**epatitis A virus, **E**. Coli (Shiga toxin-producing), **N**orovirus, **S**higella, , or **S**almonella (nontyphoidal), immediately exclude the employee from work and contact Christian County Public Health Department at 217-824-4113(required to report)

Chart is for facilities serving non HSP (highly susceptible populations) only.

Reference 2017 FDA Food Code Chapter 2, Subpart 2-2 Employee Health for further guidance and for facilities serving HSP

03/18/19 BKS

Certified Food Protection Manager (CFPM) Course Providers

NOTE: All course providers offer food handlers and allergen certification also unless noted

Barb Behrends
217-827-7225
English only, most classes held in Taylorville **(CFPM class only, no food Handler unless special arrangements made)**

Corporate Training Center (CTC)
1-800-705-8204
www.ctc.foodsanitation.com
Spanish Online courses,
Two weeks' notice to arrange for site testing for CFPM

360 Training
877-881-2235
www.360training.com
Online courses in English and Spanish
CFPM online course available, test scheduled at testing center

Safe Food Handlers
1-888-793-5136
www.sfhcorp.com
Spanish and Mandarin courses available
Online courses in English and Spanish only

Serv Safe
1-800-765-2122
www.servsafe.com
Online courses available in Mandarin for Allergen and Food Handlers

State Food Safety
(801) 494-1416
www.statefoodsafety.com
online courses AND tests

Joint Committee on Administrative Rules

ADMINISTRATIVE CODE

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS
PART 750 FOOD CODE
SECTION 750.100 DEFINITIONS

Section 750.100 Definitions

"Assessment of Knowledge" means a written or an online evaluation of a student's achievement in a food handler training course.

"Category I Facility" means a food establishment that presents a high relative risk of causing foodborne illness, based on the large number of food handling operations typically implicated in foodborne outbreaks and/or the type of population served by the facility. The standards for regulation of a Category I facility shall be those prescribed by the Local Health Protection Grant Code (77 Ill. Adm. Code 615). Category I facilities include those where the following operations occur:

Potentially hazardous foods are cooled, as part of the food handling operation at the facility;

Potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;

Potentially hazardous cooked and cooled foods must be reheated;

Complex preparation of foods or extensive handling of raw ingredients with hand contact for ready-to-eat foods occurs as part of the food handling operations at the facility;

Vacuum packaging, other forms of reduced oxygen packaging, or other special processes that require an HACCP plan; or

Immunocompromised individuals, such as the elderly, young children under age four and pregnant women, are served in a facility in which these individuals compose the majority of the consuming population.

"Category II Facility" means a food establishment that presents a medium relative risk of causing foodborne illness, based upon few food handling operations typically implicated in foodborne illness outbreaks. The standards for regulation of a Category II facility shall be those prescribed by the Local Health Protection Grant

Code (77 Ill. Adm. Code 615). Category II facilities include those where the following operations occur:

Hot or cold foods are held at required temperatures for no more than 12 hours and are restricted to same-day services;

Foods are prepared from raw ingredients, using only minimal assembly; and

Foods that require complex preparation (whether canned, frozen or fresh prepared) are obtained from approved food-processing plants, high-risk food service establishments, or retail food stores.

"Category III Facility" means a food establishment that presents a low relative risk of causing foodborne illness, based upon few or no food handling operations typically implicated in foodborne illness outbreaks. The standards for regulation of a Category III facility shall be those prescribed by the Local Health Protection Grant Code (77 Ill. Adm. Code 615). Category III facilities include those where the following operations occur:

Only potentially hazardous foods commercially prepackaged in an approved processing plant are available or served at the facility;

Only limited preparation of non-potentially-hazardous foods and beverages, such as snack foods and carbonated beverages, occurs at the facility; or

Only beverages (alcoholic and nonalcoholic) are served at the facility.

"Certified Food Protection Manager" or "CFPM" means a person who has shown proficiency in the required information through passing a test that is part of an accredited program defined in Section 1-201.10 of the Food Code 2017.

"Cottage Food Operation" means an operation that produces or packages non-potentially-hazardous food in compliance with Section 4 of the Food Handling Regulation Enforcement Act.

"Department" or "DPH" means the Illinois Department of Public Health.

"Entity" means a business, non-profit organization, institution or certified local health department.

"Food Employee" or "Food Handler" means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces. "Food employee" or "food handler" does not include temporary food establishments or unpaid volunteers in a food establishment, whether permanent or temporary.

"Food Establishment" means an operation that:

stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for 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.

Food establishment includes:

an element of the operation, such as a 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 whether consumption is on or off the premises and whether there is a charge for the 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 located on the premises of a food establishment;

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 guests;

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.

"Potentially Hazardous Food" means time/temperature control for food safety.

"Regulatory Authority" means the State and/or local enforcement authority or authorities having jurisdiction over the food service establishment.

"Repeat Violation" means a violation noted on the previous inspection report that is observed again on the next routine inspection on the same piece of equipment, same area of the facility, or same practice.

"Restaurant" means any business, or type of food service establishment, *that is primarily engaged in the sale of ready-to-eat food for immediate consumption.* For the purpose of this definition, *"primarily engaged" means having sales of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor.* (Section 3.06 of the Food Handling Regulation Enforcement Act)

"Voluntary Inspection" means an inspection of meat or poultry products that are not subject to the federal or State meat or poultry inspection laws, and for which the federal or State mark of inspection is requested.

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER h: LOCAL HEALTH DEPARTMENTS
PART 615 LOCAL HEALTH PROTECTION GRANT CODE
SECTION 615.310 FOOD PROTECTION

Section 615.310 Food Protection

a) To protect the citizens within its jurisdiction from contracting foodborne diseases and to prevent disease transmission, the local health department shall conduct a comprehensive food protection program.

b) To reduce the incidence of foodborne illnesses, the local health department shall undertake the following activities to identify, reduce and, whenever possible, eliminate factors that may cause foodborne illnesses.

1) Programs shall be conducted in accordance with a local ordinance that incorporates by reference or includes provisions at least as stringent as the Food Service Sanitation Code and includes enforcement authority, or in accordance with a written agreement with the Department that designates the local health department as an agent of the Department.

2) The local health department shall maintain current listings of all food service establishments (facilities) as defined in the Food Service Sanitation Code.

3) For each facility, the local health department shall assess the relative risks of causing foodborne illness; shall classify each facility in accordance with the Food Service Sanitation Code; shall annually verify the classification of each Category I and Category II facility; and shall biennially verify the classification of each Category III facility. A local health department may reclassify a facility, based upon inspection history; number, frequency and severity of violations; and corrective action if a health hazard will not result from reclassification or if reclassification will provide better protection for the public. The basis for this decision shall be documented and be available for Department inspection.

4) The local health department shall inspect facilities at least as often as prescribed by the following schedule.

A) Category I facilities shall receive three inspections per year, or two inspections per year if one of the following conditions is met:

i) A certified food service manager is present at all times that the facility is in operation; or

ii) Employees involved in food operations receive a Hazard Analysis Critical Control Point (HACCP) training exercise or in-service training in another food service sanitation area, or attend an educational conference on food safety or sanitation.

B) Category II facilities shall receive one inspection per year.

C) Category III facilities shall receive one inspection every two years.

5) Inspections of all Category I and Category II facilities shall include HACCP concepts as defined in 77 Ill. Adm. Code 750.10 (Food Service Sanitation Code – Definitions). Discussion of at least one HACCP concept during the inspection shall be documented on the inspection report.

750.100 not 750.10

6) The local health department shall conduct plan reviews and pre-operational inspections for new and extensively remodeled facilities, in accordance with local ordinances.

7) The local health department shall conduct follow-up inspections, consultation and enforcement actions to ensure correction of deficiencies and violations of applicable ordinances, agreements or rules.

8) The local health department shall establish a surveillance and control system to monitor, identify and record instances of foodborne disease; to detect sources of contamination; to establish factors that contribute to outbreaks; and to recommend preventive and control measures and take appropriate action to prevent further spread of disease. Hazardous food shall be identified and its distribution shall be restricted in accordance with procedures that include the following:

A) Identification of and prohibition against foods that are unsafe and pose a potential threat to health and safety;

B) Hold or embargo authority, criteria for destruction of adulterated or contaminated foods, and notification of recalls;

C) Investigation of facilities upon receipt of complaints following events such as fire, natural disaster, and other occurrences that may compromise food safety; and

D) Establishment of a system to encourage community reporting of foodborne illness to the local health department, which will notify the Department within 24 hours after occurrence.

9) Information shall be provided to the general public concerning prevention of foodborne illness and describing proper ways for storing, preparing, and serving food. Information shall be made available to primary and secondary schools to instruct children regarding food sanitation and personal hygiene as it relates to food safety.

10) A program shall be provided that is designed especially for food establishment managers and personnel and that describes the proper ways of storing and preparing food and the necessity for reporting illness.

11) Self-evaluation/quality assurance reviews shall be conducted each State fiscal year to determine compliance with this Section and to evaluate the effectiveness of food protection activities within the jurisdiction of the local health department. The self-evaluation/quality assurance review shall be prepared and reported on forms provided by the Department and shall be submitted to the Department within 30 days after the end of each State fiscal year. The Department will provide the forms for the self-evaluation/quality assurance review to local health departments at least 60 days before the beginning of the State fiscal year for which the report is required.

c) Qualified personnel shall be available for the local health department to conduct activities required in this Section.

1) At least one supervisor or training officer shall be standardized and certified every three years in food safety practices and food sanitation by the United States Food and Drug Administration (FDA) certified State Evaluation Officers. Each local standardized training officer shall standardize the remaining program staff every three years.

2) New program staff shall complete the three-year Department-approved training program within 36 months after employment. Phase I of the training program shall be completed during the first 12 months, Phase II shall be completed within 24 months, and Phase III shall be completed within 36 months.

3) All personnel shall attend at least five hours of Department-approved training each year. Attendance at either a Department-provided or Department-approved orientation and training program, as required in subsection (c)(2), shall fulfill this requirement for the year of attendance.

(Source: Amended at 39 Ill. Reg. 5860, effective April 10, 2015)

ADDENDUM TO FOOD AND SANITATION ORDINANCE
CHRISTIAN COUNTY HEALTH DEPARTMENT
FOOD ESTABLISHMENTS
FEE SCHEDULE

FULL YEAR LICENSES:

High-Risk Establishments	$350.00
Medium-Risk Establishments	$300.00
Low-Risk Establishments	$250.00
Not-For-Profit Organizations (i.e. Schools, Churches, Senior Citizen Centers)	$150.00

SHORT-TERM OR TEMPORARY LICENSES:

Seasonal License – 13 to 183 Days	$95.00
Temporary License – 5 to 14 Days	$50.00
Temporary License – 1 to 4 Days	$25.00
Cottage Food/Farmer's Market Registration	$25.00
Home to Market Registration	$50.00
Temporary Bake Sale License (i.e. Organization's Fundraising Activity)	No Fee

RE-INSPECTION FEES:

First Reinspection of Good Retail Practices Repeat Violations	$45.00
Second Reinspection of Good Retail Practices Repeat Violations	$100.00
Foodborne Illness Risk-Factor Violations or-Refusal-to Allow Inspection	$100.00
Reinspection after Closure (Re-opening)	$25.00

PROGRESSIVE LATE FEE STRUCTURE FOR LICENSE RENEWALS:

Late Fee for Annual Licenses Renewed after December 31st.	$65.00

Late Fee for Annual Licenses Renewed Between January 1st and January 31st will accrue an additional $5.00 per Day.

Late Fee for Annual Licenses NOT Renewed by February 1st will be assessed a $265 Late Fee and facility will be closed until renewal application and payment is received by the Christian County Health Department.

(Note: The Christian County Health Department is closed on January 1st as a Holiday. If Holiday falls on Saturday, office is closed on Friday. If Holiday falls on Sunday office is closed on Monday. Please contact office for Holiday schedule.)

SMOKE-FREE ILLINOIS ACT FINES AND ANNUAL LICENSE RENEWALS:

No renewal of Food Establishment Licenses (full-year licenses) until all citations and fines given in accordance to the Smoke-Free Illinois Act are paid in full given by either enforcing agency (i.e. Christian County Health Department Environmental Staff or Christian County Police Officers).

SECTION IX: PENALTIES:

A violation of this ordinance shall be a petty offense with a fine not to exceed $1,500 for each day that a violation exists.

Illinois Department of Public Health
Smoke Free Illinois Code (77 Ill. Adm. Code 949)
Effective August 14, 2015
Frequently Asked Questions

1. What changes were made to the Smoke-Free Illinois Act (410 ILCS 82/)?

Contrary to various media reports, the Smoke-Free Illinois Act (Act) was NOT amended or changed. You may access the Act here: http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2893&ChapterID=35.

After numerous requests by Smoke-Free Illinois local enforcement officials and advocates, the Department proposed and adopted administrative rules, called the Smoke Free Illinois Code (77 Ill. Adm. Code 949), which clarify definitions and complaint and enforcement procedures in the Act. The Notice of Adopted Rules can be viewed at the following link, pages 149-157:
http://www.cyberdriveillinois.com/departments/index/register/register_volume39_issue35.pdf.

Administrative rules function to interpret or implement a law; rules do not expand or limit a law's scope. In this case, the Act itself neither changed nor gave rise to a new law. Moreover, the Department's rule does not create new restrictions.

The rulemaking process is lengthy and includes a First Notice, during which rules are proposed and made available for public comment. Once public comments are received the Department of Public Health has an opportunity to respond, draft rules with any revisions and the responses to comments are submitted for Second Notice review by the Joint Committee on Administrative Rules. The language in a rule can and often does change from First to Second Notice, so the final version of a rule may differ from the language used during First Notice.

2. What does the Smoke Free Illinois Code clarify?

To review the Smoke Free Illinois Code, please visit the following link:
http://www.ilga.gov/commission/jcar/admincode/077/077009490000100R.html

(Note: The italicized text is language from the statute, and the normal font is clarifying rule language.)

In order to understand the clarifications provided by the Smoke Free Illinois Code, it is important to refer to the Smoke-Free Illinois Act. It is best to look at these documents side-by-side to determine the relationship between statutory language (Act) and rule language (Code). The rule covers four sections: Definitions, Referenced Materials, Complaints, Enforcement.

> Section 949.10 (Definitions) of the Code clarifies and defines terms from Section 10 (Definitions) in the Act.
>
> Section 949.20 of the Code includes state and federal laws, as well as other administrative rules, referenced in this part.
>
> Section 949.30 of the Code refers to Section 40 (b) (Enforcement; complaints) of the Act. The Code further clarifies the procedures for public complaints and the follow-up process for enforcement agencies.
>
> Section 949.40 of the Code refers to Section 40 (Enforcement; complaints) in the Act. The Code further clarifies enforcement procedures of the Act.

3. Why are these rules getting media attention if nothing has changed?

Several media reports have incorrectly interpreted this rule as a change to the law. The confusion centers on the definition of "enclosed area." The statutory definition of "enclosed area" is as follows, as found in 410 ILCS 82/10:

"all space between a floor and a ceiling that is enclosed or partially enclosed with (i) solid walls or windows, exclusive of doorways, or (ii) solid walls with partitions and no windows, exclusive of doorways, that extend from the floor to the ceiling, including, without limitation, lobbies and corridors."

The Smoke Free Illinois Code (77 Ill. Adm. Code 949) includes the statutory definition of "enclosed area" from Section 10 of the Act, with clarifying language to further define a "wall" as follows:

> *"Enclosed area"* or "indoors" *means all space between a floor and a ceiling that is enclosed or partially enclosed with:*
>
> *solid walls or windows, exclusive of doorways; or*
> *solid walls with partitions and no windows, exclusive of doorways, that extend from the floor to the ceiling, including, without limitation, lobbies and corridors.* (Section 10 of the Act)
>
> A wall includes any retractable divider, removable wrapping or other physical barrier added to a wall, regardless of size, whether temporary or permanent, and whether the wall contains windows or other openings of any kind, size or number.

In the adopted rules, the definition of "enclosed area" describes what constitutes a "wall" to provide clarification on various types of restaurant and bar areas which use overhead garage doors or removable or retractable walls or wrappings to create self-proclaimed "beer gardens" in which smoking should actually be prohibited under the Act itself.

Various public reports have implied that this rule bans smoking in traditional outdoor beer gardens. This is inaccurate. Only an enclosed area with a ceiling and walls – including retractable walls – is covered under the Act, with smoking prohibited. This is not a departure from the Act but merely a clarification of the legislature's intent when it defined "enclosed area." Again, the adopted rule neither addresses (nor bans) traditional, outdoor beer gardens. It is important to note that the Smoke Free Illinois Act (Section 15) prohibits smoking in "places of employment" and provides local enforcement agencies the authority to enforce these provisions through the issuance of citations and fines.

4. I thought there were restrictions about employees in beer gardens and language about self-service areas. How does that fit? How does the adopted rule differ from the proposed rule?

During the First Notice period, the rule included language prohibiting smoking in areas of restaurants and bars (including outdoor areas) where food, beverages, or both are served by employees; however, this section of the proposed rule was deleted by the Department prior to the Second Notice period. The final adopted rule does not address self-service areas.

5. How should local enforcement officials interpret and enforce the Smoke Free Illinois Code?

The interpretation of the statute has not changed; rather, this clarification is intended to assist business owners and enforcement agencies regarding compliance with the Smoke-Free Illinois Act in their communities. Additional guidance should be sought from legal counsel representing the enforcement agency. This typically equates to a community's State's Attorney's Office or a county's local health department.

Additional inquiries should be submitted to the Tobacco Control Program at DPH.tobaccocontrol@illinois.gov