

CITY OF JEANNETTE

WESTMORELAND COUNTY, PENNSYLVANIA

BILL NO. 06-06

ORDINANCE NO. 06-06

AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, REQUIRING ALL RESTAURANTS AND FOOD ESTABLISHMENTS TO APPLY FOR AND DISPLAY A VALID ANNUAL HEALTH LICENSE, IMPOSING FEES THEREFORE, ESTABLISHING PENALTIES FOR THE VIOLATION OF SAME AND REPEALING ALL OTHER ORDINANCES OR PARTS OR ORDINANCES INCONSISTENT THEREWITH

WHEREAS, the Council of the City of Jeannette is authorized to enact Ordinances and take action necessary to prevent the spread of contamination and disease pursuant to §37301, et seq. of the Third Class City Code (53 P.S. §37301); and

WHEREAS, §37601 of the Third Class City Code (53 P.S. §37601) permits the City to impose annual licensing fees on restaurants and other food service establishments with the geopolitical limits of the City of Jeannette; and

WHEREAS, the City desires to adopt and implement a permitting and inspection program for restaurants and other food service establishments within the City of Jeannette for the continuing protection of the public health, safety and welfare.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, HEREBY ORDAINS AND ENACTS AS FOLLOWS:

1. No restaurants and/or any other eating establishment, bar, coffee shop, coffee house, grocer, wholesale meat dealer, confectioner or any other commercial enterprise in

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which food or food products are sold or distributed, (hereinafter referred to as “LICENSEE”) shall operate within the City of Jeannette without a current and valid “health license” issued by the City of Jeannette.

2. The application for such health license, or the renewal of an existing license, shall be submitted to the City Clerk of the City of Jeannette, on an annual basis. Any health license issued by the City of Jeannette shall terminate and expire upon its own terms on the one-year anniversary of its date of issuance.

3. Following the submission of such application, each LICENSEE shall open their premises and make same available to an inspection by the Health Officer of the City of Jeannette, or such Officer’s designated representative, to perform an inspection of the LICENSEE’S premises to ensure its use of same meets commonly accepted food storage, preparation, distribution and cleanliness standards, will not cause a risk of contamination or infection, or be otherwise injurious to the public health, safety and/or well-being.

4. Each LICENSEE shall pay an annual license fee to the City in the amount of \$75.00, such fee to accompany the LICENSEE’S Permit Application. The failure to pay such fee shall result in an automatic denial of such license.

5. Any person, partnership, corporation or firm who operates business or other establishment subject to licensing under this Ordinance, who fails to obtain a Health License or who engages in the storage, sale and/or distribution of food products without a valid Health License issued by the City hereunder, shall be guilty of a summary offense and upon conviction before a Court of competent jurisdiction, be sentenced to pay a fine of not less than \$600.00 nor more than \$1,000.00. Upon failure of payment thereof such

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violator shall be sentenced to the maximum period of incarceration permitted for summary offenses under the laws of the Commonwealth of Pennsylvania.

6. Each day that a violation of this Ordinance exists shall constitute a separate offense without the necessity of the issuance of a subsequent citation.

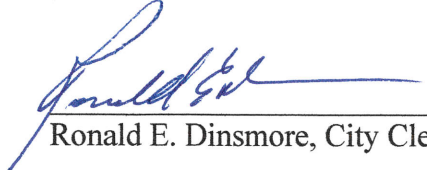
7. The City may modify those licensing fees established herein by Resolution adopted and approved by the Council of the City of Jeannette at a public meeting hereafter.

8. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

9. The terms and provisions of this Ordinance are severable. In the event any term or provision of this Ordinance is determined to be void or invalid by a Court of competent jurisdiction, then the remaining terms and provisions shall continue in full force and effect as if the void or invalid provision had never been a part hereof.

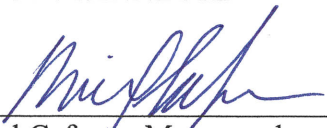
THIS ORDINANCE IS DULY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE AT A PUBLIC MEETING HELD THE 13th DAY OF SEPTEMBER, 2006, AND SHALL TAKE EFFECT IMMEDIATELY.

ATTEST:



Ronald E. Dinsmore, City Clerk

THE CITY OF JEANNETTE

By: 

Michael Cafasso, Mayor and
President of Council