

**To the Mayor and Members of the City Council****March 1, 2022**

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SUBJECT: FOOD SERVICE - EMERGENCY CLOSURES

The City requires Health Permits for food service establishments including restaurants, lounges, grocery stores, convenience stores and mobile food vendors. In exchange for receiving a permit, the business agrees to comply with the minimum standards of operation as outlined by State of Texas regulations (25 TAC 228 Texas Food Establishment Rules and Health and Sanitation).

Generally speaking, these standards are not unique to the City. They are applied throughout the state and nation on a daily basis since food safety and health risks are universal. Most businesses successfully “self-police” food handling and safety. This is verified through annual inspections where inspectors routinely find high levels of compliance. In the past 12 months, less than 2% of all inspections resulted in significant enforcement action.

When violations are found, most can be immediately self-corrected or corrected within a reasonable time frame. Serious health risks are generally corrected within the same business day except for rodent/pest infestation and conditions that require significant deep cleaning. In these cases, most are corrected within one business day.

The emergency closure of food establishments is authorized under section 16-148 of the City Code: Emergency Closure of a Food Establishment. In summary, the City may close a food establishment that poses an imminent risk to the health or safety of the public until the hazardous condition has been abated. Conditions that generally warrant these actions include, but are not limited to, the loss of electrical power, interruption of water/sewer service, sewage or effluent backing up into establishments, serious lack of sanitation, pest/rodent infestation or other serious health risk.

When closure/suspension of service occurs, Code Compliance works with the business to get the defect corrected as soon as possible. In this regard, Code Compliance will make staff readily available to rescind the notice immediately following corrective action. This includes paying the staff member to remain on-site, even after hours, while repairs are being made, providing 24/7 contact information and immediate call-out service to approve repairs and other quick approval processes.

Code Compliance staff work with business industry partners on an ongoing basis. This relationship results in better communication, coordination and collaboration on both routine food safety matters and special event, special circumstance and unanticipated closure notices.

For questions on this report, please contact Brandon Bennett, Code Compliance Director at 817-392-6322.

David Cooke
City Manager