

## ORDINANCE #24

### TOWN OF HANOVER

Moved that the Health Regulations adopted by the Board of Selectmen on December 19, 1994 are hereby repealed and the Health Regulations attached are hereby adopted in place thereof.

The Hanover Health Officer proposes the following regulations subject to the approval of the Board of Selectmen and the Director of the Division of Public Health Services, pursuant to RSA 147:1 and 147:2 as follows:

#### HEALTH REGULATIONS

1. Declaration of Purpose: The purpose of these Health Regulations relating to restaurants and food serving establishments within the limits of Hanover is to enable the Town Health Officer to take prompt action for the protection of public health. These Regulations rely on the standards contained in the Department of Health and Human Services, N.H. Admin. Rules, He-P Chapter 2300. There is no duplication of standards and the Town is not adopting a sanitary and health code.

2. Title: These Regulations shall be known and may be cited as the "Health Regulations of the Town of Hanover."

3. Authority: RSA 147:1 and 147:2.

4. Definition: "Establishment" shall mean a restaurant or other food serving establishment.

5. Authority of Town Health Officer: Any establishment found to be in violation of Admin. Rules, He-P Chapter 2300 as set forth below may be closed as follows:

A. Based on the standards contained in He-P Chapter 2300, when the total rating score as documented on the state sanitary inspection report form is not less than 70 and there are no critical items in violation, the establishment may remain open to the public.

## 5. Authority of Town Health Officer (continued)

- B. When the state sanitary inspection as documented on the state sanitary inspection report form shows a score of less than 70 the Town Health Officer shall give the establishment a specific period of time in writing to cure the violations by satisfying the standards of He-P Chapter 2300. The operator of the establishment shall post a copy of the order in a prominent place in the kitchen of the establishment and the order shall not be removed except with consent of the Town Health Officer. In addition, in the discretion of the Town Health Officer, he may post a copy of the order in 2 public places in the Town and or publish one or more times a copy of the order in the Valley News. The order shall include a reference to the possible closure of the establishment without a hearing as set forth in these Regulations.
- C. If the Town Health Officer determines by a follow-up inspection that the violations have not been so cured within that period of time as set forth in the order, the establishment may be closed by the issuance of a written order without a hearing for a 10 day period or until the violation is corrected and the sanitary condition is approved by the Town Health Officer. The owner of the establishment may request a public hearing before the Town Health Officer any time after the order to close has been delivered and such hearing shall be held within 48 hours of receipt of request. The Town Health Officer may post and/or publish such order as he may deem necessary under all of the circumstances for the purpose of protecting public health.
- D. If the sanitary or health violations are not corrected with the 10 day period, the Town Health Officer may take such other legal action as authorized under New Hampshire Law.

6. Penalty: Any person willfully violating these Regulations shall be guilty of a violation.

Adopted 03/09/95.

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