## SUMMARY

This ordinance amends Chapter 19 of the 2019 Detroit City Code, Food, Article II, City License for Food Service Establishments and Vending Machines, Division 2, Food Service Establishments, by adding Subdivision C, Food Grading; to include Section 19-2-51, Purpose; Section 19-2-52, Definitions; Section 19-2-53, Contents of public information signs; and Section 19-2-54, Posting requirements, period of validity, removal prohibited; to require the posting of the results of the most recent inspection and evaluation of licensed food service establishments by the Detroit Health Department.

1	BY COUNCILMEMBER	
2	AN ORDINANCE to amend Chapter 19 of the 2019 Detroit City Code, Food, Article II,	
3	City License for Food Service Establishments and Vending Machines, Division 2, Food Service	
4	Establishments, by adding Subdivision C, Food Grading; to include Section 19-2-51, Purpose;	
5	Section 19-2-52, Definitions; Section 19-2-53, Contents of public information signs; and Section	
6	19-2-54, Posting requirements, period of validity, removal prohibited; to require the posting of the	
7	results of the most recent inspection and evaluation of licensed food service establishments by the	
8	Detroit Health Department.	
9	IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT	
10	THAT:	
11	Section 1. Chapter 19 of the 2019 Detroit City Code, Food, Article II, City License for	
12	Food Service Establishments and Vending Machines, Division 2, Food Service Establishments, be	
13	amended by adding Subdivision C, Food Grading; which shall consist of Sections 19-2-51 through	
14	19-2-54, to read as follows:	
15	CHAPTER 19. FOOD	
16	ARTICLE II. CITY LICENSE FOR FOOD SERVICE ESTABLISHMENTS	
17	AND VENDING MACHINES	
18	DIVISION 2. FOOD SERVICE ESTABLISHMENTS	
19	Subdivision C. Food Grading	
20	Sec. 19-2-51. Purpose.	
21	The purpose of this ordinance is to protect the public health by requiring the posting of the	
22	results of the most recent inspection by the Detroit Health Department or licensing status of a food	
23	service establishment.	

1	Sec.	19-2-52.	Definitions.
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2	For purposes of this subdivision, the following words and phrases shall have the meaning		
3	respectively ascribed to them by this section:		
4	Chronic violation means a violation which has been cited on three or more consecutive		
5	routine inspections		
6	Closed means that a food service establishment is not permitted to operate by order of the		
7	Department due to the following circumstances:		
8	(1) The food service establishment's license has been suspended or revoked by order		
9	of the Director; or		
10	(2) The food service establishment has been ordered to close immediately by the		
11	Director due to clear and present danger to the public health; or		
12	(3) The food service establishment has failed to obtain a license; or		
13	(4) The food service establishment has failed to renew its license and pay the required		
14	state and local fees.		
15	Compliance means that the licensed facility, based on the most recent inspection or follow-		
16	up inspection, has met the minimum standards set forth by the Michigan Food Law, being MCL		
17	289.1101 et seq., including the Food and Drug Administration's Model Food Code as adopted by		
18	reference therein. The licensed facility is considered to be in compliance if there were no priority		
19	or priority foundation violations, or all such violations have been corrected prior to the issuance		
20	of the public information sign. The Department may, in its discretion, require chronic core		
21	violations to be corrected in order for a facility to achieve compliance.		
22	Department means the Detroit Health Department and its authorized representatives.		

Director means the Public Health Director of the Detroit Health Department.

1	Enforcement process means that the licensed facility, after supervisory review, is currently
2	involved in compliance and enforcement proceedings administered by the Detroit Health
3	Department.
4	Inspection means the compliance evaluations as required by MCL 289.3125 and any
5	follow-up evaluations resulting therefrom.
6	Licensed facility means a licensed food service establishment approved to operate by the
7	Department.
8	Public information sign means a sign issued by the Health Department providing the food
9	inspection status of a food service establishment as of the date of that establishment's last
10	inspection.
11	Quick response code (QR code) means a matrix of squares that when scanned by a
12	smartphone provides access to additional content or information through the internet.
13	Sec. 19-2-53. Contents of public information signs.
14	(a) At the completion of each inspection of a food service establishment or whenever
15	a food service establishment is closed by order of the Department, the Department shall issue and
16	deliver a public information sign to the owner or operator of the food service establishment.
17	(b) The public information sign must provide the results of the inspection as follows:
18	(1) If the food service establishment has been inspected and is in compliance as
19	defined in this section, the Department shall issue a green sign which shall
20	contain the words "INSPECTED" and "IN COMPLIANCE" and state the
21	date of the inspection.
22	(2) If the food service establishment has been inspected, but has uncorrected
23	priority or priority foundation violations, the Department shall issue a white

1		sign which shall contain the words TNSPECTED - FOLLOW-UP
2		INSPECTION REQUIRED" and state the date of the inspection. The
3		Department may, in its discretion, issue an "INSPECTED - FOLLOW-UP
4		INSPECTION REQUIRED" sign for uncorrected chronic core violations.
5	<u>(3)</u>	If the food service establishment has been inspected and is placed in the
6		Department's enforcement process as a result of the inspection, the
7		Department shall issue a yellow sign which shall contain the words,
8		"INSPECTED" and "ENFORCEMENT PROCESS" and state the date of
9		the inspection.
10	<u>(4)</u>	If the food service establishment is closed as a result of the inspection or as
11		ordered by the Department, the Department shall issue a red sign which
12		shall contain the words "CLOSED BY ORDER OF THE DETROIT
13		HEALTH DEPARMENT" and stating the date the establishment was
14		closed.
15	(c) The D	epartment issued sign must also include a Quick Response Code which, when
16	scanned, directs the u	ser to a Department maintained website providing additional information or
17	links to additional in	formation regarding the Department's food grading system and the results of
18	the most recent inspe	ction of the food service establishment.
19	Sec. 19-2-54. Postin	g requirements, period of validity; removal prohibited.
20	(a) Upon	receipt of a public information sign, the owner or operator of the food service
21	establishment shall in	nmediately post the sign so as to be clearly visible to the general public and
22	any person entering t	he establishment. The sign shall be no smaller than 7 inches by 9 inches in
23	size.	

1	(b) The j	public information sign shall be posted in one of the following locations:
2	<u>(1)</u>	The front window of the establishment so as to be visible from the exterior
3		of the establishment and located not less than four feet and no more than six
4		feet from the ground;
5	(2)	In a display case which is mounted on the outside front wall of the
6		establishment and located within five feet of the front door and not less than
7		four feet or more than six feet from the floor; or
8	(3)	Posted in a location as determined the Department.
9	(c) If the	e food service establishment is operated in the same building or space as
10	another business, sh	ares a common patron entrance with another business, or both, the sign shall
11	be posted in the initi	al patron contact area or in a location determined by the Department to ensure
12	proper notice to the	general public and patrons.
13	(d) The c	owner or operator of the food service establishment shall continually maintain
14	and display the mos	t recent public information sign until a new sign is issued by the Department
15	following inspection	or re-inspection of the establishment.
16	(e) No o	wner or operator may cause or permit the sign to be removed, altered, defaced,
17	marred, camouflage	d, or hidden from view.
18	Sections 19-2- <u>55</u> – 3	19-2-70. Reserved.
19	Section 2.	This ordinance is hereby declared necessary to preserve the public peace,
20	health, safety, and w	velfare of the People of the City of Detroit.
21	Section 3. A	All ordinances, or parts of ordinances, that conflict with this ordinance are
22	repealed.	

- Section 4. This ordinance shall become effective on May 1, 2023 in accordance with
- 2 Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:

Conrad L Mallett, Jr.