

# Inspection Requirements for Certificate of Occupancy and Food Licenses:

THE ESTABLISHMENT OWNER/OPERATOR OR THE BUILDING CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, ENVIRONMENTAL, HEALTH AND FIRE INSPECTIONS ARE MADE, APPROVED AND RECORDED BY CENTRAL RECORDS AND CERTIFICATE OF OCCUPANCY (C OF O)

OF THE DEVELOPMENT SERVICES DEPARTMENT BEFORE A FOOD ESTABLISHMENT LICENSE IS ISSUED AND THE ESTABLISHMENT MAY BE OPENED FOR BUSINESS. OWNERS/OPERATORS ARE REMINDED THAT ALL APPLICABLE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT (ADA) MUST BE MET

FOOD ESTABLISHMENT LICENSES MUST BE PURCHASED AT THE CITY OF SCHERTZ MUNICIPAL SERVICES CENTER, 1400 SCHERTZ PKWY. FOR ADDITIONAL INFORMATION, CONTACT THE ENVIRONMENTAL HEALTH DIVISION AT 619-1650.

## Definition of Businesses Requiring a Food Establishment License

*Food Establishment (FE)* - An operation that stores, prepares, packages, serves, or otherwise provides food for human consumption such as: a restaurant; retail food store; 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; remote catered operations; conveyance used to transport people; institution; or food bank; and that 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 Manufacturing Business* - Each location where food is manufactured as defined in

Texas Civil Statutes, Article 4476-5, Section 28. However, a food establishment or a commissary supplying food establishments is not a manufacturer unless it regularly engages in the labeling, combining and purifying of food which is either sold for resale or packaged for sale in other than individual portions.

## State of Texas Food Establishment Rules

<http://www.dshs.state.tx.us/foodestablishments/pdf/TFER2006.pdf>

## Explanation of Food Establishment Inspection Violations

### Facilities and Equipment to Maintain Product Temperature

Adequate facilities and equipment shall be available to maintain and store potentially hazardous food at proper temperature. Refrigeration units must maintain 41 degrees F. Adequate facilities and equipment shall be available to maintain potentially hazardous foods at 135 degrees F or above. Proper facilities and equipment shall be available for reheating potentially hazardous foods to 165 degrees F.

### Toilet & Hand washing Facilities - Number, Convenient, Installed

Toilet rooms shall be completely enclosed and have tight-fitting, self-closing, solid doors. Toilet facilities – number present as required by law for the number of potential

occupants (including customers).

Toilet facilities - conveniently located and accessible to occupants at all times. Access to toilet facilities for customers shall NOT be provided through the food preparation or storage or utensil washing areas.

Toilet facilities and urinals designed to be easily cleaned.

Lavatory facilities located to permit use by all employees in food preparation and utensil washing areas.

Lavatory facilities also located in or immediately adjacent to toilet rooms or vestibules.

Lavatory faucets provided with a mixing valve or combination faucet.

Self-closing, slow closing or metering faucets designed to provide a flow of water for at least 15 seconds without the need to re-activate the faucet.

### **Rodent, Animal, and Insect Control**

ALL openings to the outside of the establishment shall be protected against the entrance of rodents and insects. This includes windows, doors, and all other penetrations through the walls, ceiling and roof, and floor.

Outside doors shall be self-closing and tight-fitting.

### **Storage of Toxic Items**

Facilities shall be present to store toxic items separately from all other nontoxic substances and supplies. In addition to isolating toxic items from all other nontoxic substances, the three categories of toxic materials must be separated from each other. The categories shall be as follows: (1) insecticides and rodenticides; (2) detergents, sanitizers, and related cleaning or drying agents, and (3) caustics, acids, polishes and other chemicals.

### **Sewage and Waste Water Disposal**

All sewage from all equipment is to be disposed of by an approved disposal system. This includes liquid waste from all equipment. This does NOT include condensation from refrigeration systems, as long as it is not allowed to pool.

### **Dishwashing Facilities - Designed, Constructed, Installed, Located**

A properly designed three-compartment sink with drain-boards on both sides or a commercial dish-machine and adequate facilities for soiled and/or cleaned sanitized utensils shall be provided. Size of each compartment in the three-compartment sink shall be large enough to accommodate the complete immersion of the largest utensils and equipment. Note: In retail establishments the sink compartments shall be large enough to accommodate the immersion of most equipment and utensils.

Sinks and drain-boards shall be self-draining. Easy, movable dish tables mounted on wheels or casters may be substituted for drain-boards.

No home-type dish-machines are allowed in the establishment.

### **Water Source - Safe, Hot and Cold Under Pressure**

Water from an approved source, under pressure and of sufficient capacity must be present at ALL times. Failure to have adequate hot water SHALL result in failure to pass the C of O inspection and/or the initial Health inspection.

All sinks, lavatories, and mop sink are to be supplied with hot (110 degrees F minimum) and cold water under pressure.

### **Cross-connection, Back Siphonage, Backflow**

No cross-connections are allowed between potable and non-potable water systems, i.e. air conditioning, fire protection, sprinkler systems, etc. System or devices are to be

installed to protect against backflow.

### **Storage of Clean Utensils and Equipment**

Facilities shall be available for storing clean pots, pans, utensils and food service equipment. Storage facilities must be properly located.

### **Storage of Single Service Items**

Facilities shall be available for storing clean single-service items. Storage facilities must be properly located.

### **Plumbing – Installed**

Only approved air gaps shall be used between the sewage system and drains originating from equipment designed to store food, portable equipment, or utensils, and also ice storage bins. There is an exception for properly trapped sinks.

Piping of any non-potable water system shall be durably identified so that it is distinguishable from piping that carries potable water in or close proximity to the building.

In new or extensively remodeled establishments, there must be at least one utility sink (mop sink) or curbed cleaning facility with a floor drain.

**NOTE:** Storm water regulations require that utility sinks or curbed cleaning facilities located outdoors be covered in order to prevent the entrance of storm water.

### **Food Contact Surfaces - Designed, Constructed, Maintained, Installed, Located**

Wood used in the construction of equipment or utensils made only of hard maple or equivalently non-absorbent material.

Food contact surfaces must be constructed of (or have been repaired with) safe materials, easily cleanable, and smooth. They shall not have breaks, open seams, cracks, chips, pits and difficult to clean corners and cervices.

Food Preparation Equipment, Food Storage Areas and Equipment, Single Service Items, All Food Items, All Food Ingredients, Utensils and all other objects used in Food Service or Food Preparation shall NEVER be located under exposed or unprotected sewer lines, water lines, open stairwells or walkways, or other sources of contamination. There is a sole exception for the presence of automatic fire sprinkler heads in the ceiling or wall that are required by law.

### **Non-Food Contact Surfaces - Design, Construction, Maintenance, Installation, and Location**

All non-food contact equipment and utensils shall be constructed of materials that are corrosion-resistant, designed and fabricated to be smooth, washable, and shall NOT have unnecessary ledges, projections, and crevices.

Equipment shall NEVER be located under exposed or unprotected sewer lines, water lines, open stairwells or walkways, or other sources of contamination. There is a sole exception for the presence of automatic fire sprinkler heads in the ceiling or wall that are required by law.

Table-mounted equipment, unless portable, shall be sealed to the table or counter, or elevated on legs to provide at least a four (4) inch clearance.

Floor-mounted equipment, unless readily movable, shall be:

- 1) Sealed to the floor; or
- 2) Installed on a raised platform of concrete in a way that meets all the requirements for

sealing or floor clearance; or

3) Elevated on legs to provide at least a six (6) inch clearance.

Sufficient space shall be provided for easy cleaning between and behind each unit of floor-mounted equipment; OR the space between floor-mounted equipment and adjoining equipment units and between it and adjacent walls is closed and sealed.

### **Aisles and Working Spaces**

Aisles and working spaces between units or equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties without contamination of food or food contact surfaces.

All access-way, passages, doorways, hallways, and other entry or exit points MUST meet the Americans with Disabilities Act (ADA) requirements by law (unless given an exemption under the law).

### **Outside Garbage and Refuse Storage**

Outside garbage and refuse storage area or enclosure shall be large enough to store the garbage and refuse containers. These areas shall be located so that they shall be separate from food preparation and food storage areas, equipment, utensils, linens, and single use/single service items. The location of the receptacle or waste handling unit may not create a Public Health nuisance or interfere with the cleaning of adjacent space.

Dumpsters and compactors shall be stored on or above a smooth surface of non-absorbent material such as concrete or machine-laid asphalt. If a garbage compactor which allows fluid to drain is used, there must be a floor drain present under the compactor that goes through a grease trap before any fluid enters the sanitary sewer system. If cleaning of the garbage receptacles is conducted in the garbage area enclosure, there must be hot and cold potable water provided, and the floor of the garbage area must be curbed, and it must have a floor drain that goes through a grease trap before it enters the sanitary sewer system.

### **Floors**

Floors and floor covering of all food preparation, food storage, and utensil washing areas, and the floors in all walk-in refrigeration units, dressing rooms, locker rooms, toilet rooms and vestibules shall be constructed of smooth, easily cleanable, non-absorbent, and durable material. Examples of such material include: sealed concrete, terrazzo, ceramic tile, durable grades of linoleum or plastic, or tight wood impregnated with plastic. All floor tiles and grout must be sealed.

Floor covering, mats and duckboards: Mats and duckboards shall be designed to be removable and easily cleanable.

Floors intended to be water flushed for cleaning shall be graded to drain into floor drains, not to the outside of the building.

In new or extensively remodeled establishments where water flush cleaning methods are used, the junctures between walls and floors utilizing concrete, terrazzo or ceramic tile shall be covered and sealed. In all other cases, the juncture between walls and floor shall have no more than a 1/32-inch open seam.

In all newly constructed or extensively remodeled establishments, there shall NEVER be exposed horizontal utility lines, piping, or conduit.

**NOTE:** For existing establishments, when there is a change of ownership resulting in the need for a new Certificate of Occupancy: exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the walls and floors.

## **Walls and Ceilings**

Walls, including non-supporting partitions and wall coverings of walk-in refrigerators, food preparation, food storage, equipment washing, and utensil washing areas, toilet rooms and vestibules, shall be smooth, non-absorbent, and easily cleanable.

Ceilings in walk-in refrigerators; food preparation, food storage, equipment washing and utensil washing areas, toilet rooms and vestibules shall be smooth, non-absorbent, and of easily cleanable construction. Acoustical ceiling tiles do not meet the above criteria.

Ceilings over salad bars or condiment tables containing unwrapped foods, ice or other similar food displays shall be smooth, non-absorbent, and easily cleanable.

Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of walls and ceilings.

For new construction or significant remodeling, utility lines and pipes shall not be exposed on walls and ceilings in newly constructed walk-in refrigerators, food preparation areas, food storage areas, equipment and utensil washing areas, and toilet rooms and vestibules. For existing buildings, utility lines and pipes in the above areas shall not be unnecessarily exposed on walls and ceilings.

Attachments such as light fixtures, vent covers, wall-mounted fans, decorative materials, and similar equipment on walls and ceilings shall be in good repair and easily cleanable.

Wall and ceiling covering material shall be attached and sealed so as to be easily cleanable, no "blown-on" ceilings that hang loose, and no exposed batting or insulation anywhere in the establishment.

There shall be no exposed studs, joists, or rafters in walk-in refrigerators, food preparation areas, food storage areas, equipment washing and utensil washing areas, and toilet rooms and vestibules. Exposed studs, joists, or rafters in other areas must be finished to provide an easily cleanable surface. **EXCEPTION:** In retail establishments for storage of boxed goods only.

## **Lighting**

Minimal lighting requirements shall be met. Measurements shall be in foot-candles.

Food Preparation Surfaces: 50

Ware washing, Equipment and All Other: 20

Surfaces in Food preparation Area Hand washing: 20

Sales Area: 20

Dining Area: 20

Toilet Room: 30

Walk-In Refrigerator: 10

Dry Food Storage: 10

All Other: 10

**Note:** DINING AREA LIGHTING REQUIREMENT APPLY ONLY DURING CLEANING PERIODS

Shielding, coating, or otherwise shatter-resistant methods shall be used to protect against broken glass falling onto food. This shall be provided for all artificial lighting fixtures located over, by or within food storage, preparation, service and display facilities; and facilities where utensils and equipment shall be cleaned and stored.

**EXCEPTION:** Shielded, coated, or otherwise shatter-resistant bulbs need not be used in areas used only for storing food in unopened packages if: the integrity of the packages can not be affected by broken glass falling onto them; and the packages are capable of

being cleaned of debris from broken bulbs before the packages are opened. Infrared or other red lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed.

### **Ventilation**

All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes.

Systems vented to the outside shall not create harmful, or unsightly and unlawful discharges.

All rooms from which obnoxious odors, vapors, or fumes originate shall be mechanically vented to the outside.

### **Dressing Rooms**

Lockers or other suitable facilities shall be provided for the orderly storage of employee clothing and other belongings. These facilities shall be located in designated dressing rooms or in food storage rooms or areas containing only completely packaged single service

articles. Dressing rooms or areas shall not be used for food preparation, storage or service, or for utensil-washing or storage.

### **Premises, Miscellaneous**

The premises shall be clean and free of insect and rodent harborages.

The walking and driving areas outside of the establishment shall be surfaced with concrete or asphalt or with treated gravel or similar material that minimizes dust. The walking and driving areas shall be graded to drain to prevent pooling of water.

Only articles necessary for the operation and maintenance of the food service establishment shall be stored on the premises.

**NOTE:** For food establishments, all restrooms must be designed so as to prohibit the traffic of persons not employed by the establishment from passing through the food preparation and utensil-washing areas.

### **Sleeping Quarters, Laundry**

Food service operations shall be separated from living or sleeping quarters by complete partitioning and solid self-closing doors that are weather-stripped.

Laundry facilities for washing and drying only those items used in the operation of the establishment, such as linens, cloths, uniforms, and aprons, shall be located in an area to prevent contamination of food or food contact surfaces. It is NOT required to have a laundry dryer present IF the only items being washed are wiping cloths. All other linens are required to be mechanically dried and properly stored.