

CHAPTER III

Food Regulations

Section 1 Authority

These regulations are promulgated pursuant to Massachusetts General Law Chapter 111, Section 31 and any amendments and additions thereto.

Section 2 Purpose

The purpose of these regulations is to compliment the Commonwealth's regulations regarding the Minimum Standards of Sanitation for Food Establishments and protect all articles of food that may be kept for sale or otherwise dispensed in order to prevent contamination thereof and injury to the public health.

Section 3 Definitions

Board of Health: Natick Board of Health.

Food Establishment: An operation that stores, prepares, packages, or otherwise provides food, including an operation that offers only prepackaged foods that are not time/temperature control for safety of foods.

Pest Control Service: A Pest Control Service licensed in the Commonwealth of Massachusetts to perform pest control elimination, consultation, and application of pesticides

Section 4 Permits

No food establishment shall operate in the Town of Natick without a valid Permit to Operate a Food Establishment issued by the Board of Health

Section 5 Operations

- 5.1 Food Establishments shall comply with all applicable provisions of 105 CMR 590.000/ FC 2013
- 5.3 A food establishment operating from a stationary location shall maintain a monthly pest control service. The Board of Health may order a food establishment to provide a more frequent pest control service as necessary

Section 6 Separability

So far as the Board of Health may provide each section of these rules and regulations shall be construed as separate to the end that if any section, sentence, clause or phrase shall be held invalid for any reason, the remainder of the rules and regulations shall continue in full force.

Section 7 Penalty

- a. Criminal Complaint - Whoever violates any provision of these rules and regulations may be penalized by indictment or on complaint brought in the District Court. Except as may otherwise be provided by law, and as the District Court may see fit to impose the maximum penalty for any violation of these provisions shall be \$300.00 for each offense.

- b. Non-Criminal Disposition - Whoever violates any provision of these rules and regulations may, in the discretion of the Health Agent, be penalized by a non-criminal complaint in the District Court pursuant to the provisions of the Massachusetts General Laws, Chapter 40, Section 21D. For the purpose of this provision the penalty to apply in the event of a violation shall be as follows: \$50.00 for the first offense; \$100.00 for the second offense; \$200.00 for the third offense; and \$300.00 for the fourth and each subsequent offense. Each day on which a violation exists shall be deemed to be a separate offense.

Adopted November 5, 2019
Effective January 1, 2019

BOARD OF HEALTH
Natick MA

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