

RUSH COUNTY ORDINANCE #2015- 2
REGARDING AMENDMENT OF THE RUSH COUNTY ORDINANCE RETAIL FOOD ESTABLISHMENT AND/OR BED AND BREAKFAST ESTABLISHMENT

WHEREAS , the Rush County Commissioners have determined it necessary that Rush County Ordinance Retail Food Establishment and/or Bed and Breakfast Establishment, adopted September 29, 2008, needs updating pursuant to Resolution #2015-1 of the Rush County Board of Health that recommends the retail/temporary food permit and fees for retail food establishments be amended.

NOW THEREFORE BE IT ORDAINED BY THE RUSH COUNTY COMMISSIONERS that the previous Rush County Ordinance entitled Retail Food Establishment and/or Bed and Breakfast Establishment adopted September 29, 2008 is amended as follows:

Type of Food & Beverage Operation	Cost of permit Annual Permit	Cost determined by Number of Employees	Permit Restrictions	Requires additional Temporary Event Vendor Permit
Restaurant Grocery	\$160.00	One annual permit required for each physical location	Private catered events do not require additional permit Offsite Catering requires an additional permit to transport	<ul style="list-style-type: none"> • Public events require a Temporary Event Permit. • Requires Itinerant Peddlers license in City of Rushville
Caterer/Mobile Vendor	\$200.00	<ul style="list-style-type: none"> • One permit per vehicle & must remain with vehicle. • Vehicle must be inspected, prior to permitting 	Requires a permit for each vehicle with commissary inspection or proof of inspection from another LHD	<ul style="list-style-type: none"> • Caterers/Mobile Vendors are not required to purchase additional permit for Temporary Event – must register with LHD for public event participation • Requires Itinerant Peddlers license in City of Rushville
Mobile Pre-Packaged Frozen Food	\$100.00	<ul style="list-style-type: none"> • One permit per vehicle & must remain with vehicle. • Vehicle must be inspected prior to permitting 	Requires a permit for each vehicle with commissary inspection or proof of inspection from another LHD	<ul style="list-style-type: none"> • May not sell in any other venue, without an additional permit. • Requires an Itinerant Peddlers license in City of Rushville

Farmer's Market Frozen Meat/Veg/ or Cider	\$100.00	Required for frozen items not protected by Farmer's Market Law.	Seasonal Permit – May – November. Business does not retail year round	Seasonal permit 6 month permit period May-Nov
Amphitheater	\$140.00 package for season permit (7 shows)	Required for any vendor who is not a caterer/mobile vendor under current permit, or a Non-profit org	<ul style="list-style-type: none"> Seasonal Permit – concert season shows only. Must have Certified Food Handler 	Seasonal permit period June-September
Temporary Event Vendor	\$35.00 per day/not to exceed \$100 for a single event	Required for any vendor who is not a caterer/mobile vendor under current permit, or a Non-profit org	<ul style="list-style-type: none"> Permit period not to exceed 14 <u>consecutive</u> days. Category includes all events open to the public that is not hosted by a Non-Profit org <u>Must</u> have a Certified Food Handler Annual Restaurant/Grocery permit holders need Temp Event Vendor permit in a public event Annual Restaurant/Grocery Retail holders that purchase both the Annual Retail permit and the Caterer/Mobile permit will not need to purchase any other permits for any Temporary Event in Rush County. 	

*410 IAC 7-22-15-G: the Certified Food Handler rule does not apply to: Hot dogs, sausage products, popcorn, nachos, pretzels, or frozen pizza. A continental breakfast (rolls, coffee, juice, milk, & cold cereal), nonalcoholic or alcoholic beverages or ice, grinding coffee beans, pre-packaged foods in original package, or when heating is the only step for bakery products.

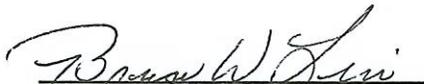
CONFLICT OF SECTIONS: All other sections of any previous ordinances and amendments that are not in conflict shall remain in full force and effect.

SEVERABILITY OF PROVISIONS: If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to the other circumstances shall not be affected thereby.

NOW THEREFORE, BE IT ORDAINED BY THE RUSH COUNTY COMMISSIONERS OF RUSH COUNTY, INDIANA this Ordinance will be in full force and effect from and after its passage and signature by the Commissioners of Rush County, Indiana, and as provided by law, and upon any further requirements under Indiana law.

DULY ADOPTED BY THE COMMISSIONERS OF RUSH COUNTY, INDIANA this 23rd day of March, 2015.

RUSH COUNTY COMMISSIONERS, RUSH COUNTY, IN:


Bruce W. Levi, President


Mark Bacon, Commissioner


Paul Wilkinson, Commissioner

Attest:


Mary Ann Beard
Rush County Auditor