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SECTION 9.3

CERTIFIED FOOD HANDLERS ON PREMISES AT ALL TIMES DURING PREPARATION AND SERVICE

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9.3.1 Preamble

The purpose of this regulation is to protect the public health, safety and welfare by requiring that during food preparation and service, each food establishment must have at least one certified food handler present at all times in the food preparation area/kitchen, who has successfully completed a Food Safety Education for Certification course.

In the event a certified food handler is not present, the food inspector will wait a reasonable amount of time for their return but no longer than 15 minutes.

9.3.2 Authority

The Oak Bluffs Board of Health has adopted this regulation pursuant to its authority under M.G.L. Chapter 111, Section 122 and 123.

9.3.3 Enforcement

The Board of Health or its agent(s) will enforce the provisions of this regulation.

9.3.4 Penalties

The licensed permit holder is liable for a one hundred dollar (\$100.00) fine and a fifty dollar (\$50.00) penalty for every day in which he/she knowingly violates this regulation

9.3.5 Severability

If any provision of these regulations or the application thereof is held to be invalid by a court of competent jurisdiction, the invalidity shall be limited to said provision(s) and the remainder of these regulations shall remain valid and effective. Any part of these regulations subsequently invalidated by a new state law or modification of an existing state law shall automatically be brought into conformity with the new or amended law and shall be deemed to be effective immediately, without recourse to a public hearing and the customary procedures for amendment or repeal of such regulation.