

CHAPTER 13

HEALTH AND SANIATION

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13.01 **BOARD OF HEALTH, HEALTH OFFICER**

- (1) Pursuant to S.140 Wisconsin Statutes and this Code, whenever used in this Chapter, "BOARD OF HEALTH" shall mean the Waukesha County Health Department and "HEALTH OFFICER" shall mean Waukesha County Health Department, or any of its officers or employees.
- (2) Such Waukesha County Health Department shall have such powers and duties of Village Health Department and Health Officer as herein described, and such other powers and duties as prescribed by the Waukesha County Board, applicable Statutes of the State of Wisconsin, and rules and regulations as promulgated from time to time by the State Board of Health, pursuant to law.

13.02 **GRADE "A" MILK REQUIRED**

No person shall sell, offer or expose for sale any milk or milk products other than Grade "A" milk and milk products as those terms are defined in Wis. Adm. Code ch. Ag. 80, issued by the State Department of Agriculture and State Board of Health, which are hereby incorporated in this section by reference as if fully set forth herein. The Clerk is directed to file a certified copy of such regulations in his office for public inspection.

13.03 **COMPULSORY CONNECTION TO SEWER AND WATER**

- (1) When required. Whenever a sewer or water main becomes available to any building used for human habitation, the Health Officer shall notify the owner, or his agent, in writing, in the manner prescribed by

S.262.08 of the Wisconsin Statutes, or by registered mail, addressed to the last known address of the owner, or his agent.

(2) Contents of Notice. The notice required by this section shall direct the owner or his agent to connect the building to such main or mains in the manner prescribed by the Health Officer and to install such facilities and fixtures as may be reasonably necessary to permit passage of sewage incidental to such human habitation into the sewage system, and to furnish an adequate supply of pure water for drinking and prevent creation of a health nuisance.

(3) Health Officer May Cause Connection at Expense of Owner. If the owner, or his agent, fails to comply with the notice of the Health Officer within 10 days of service, or mailing thereof, he may cause connection to be made and the expense thereof shall be assessed as a special tax against the property.

(4) Installment Option. The owner or his agent may, within 30 days after completion of the work, file a written option with the Village Clerk, stating that he cannot pay the cost of connection in one sum and electing that such sum be levied in five (5) equal annual installments, with interest at the rate of 6% per annum from the completion of the work.

(5) Privies, Cesspools, etc. Prohibited After Connection with Sewer. After connection of any building used for human habitation to a sewer main, no privy, cesspool or waterless toilet shall be used in connection with such human habitation.

(6) Abandonment of Wells.

(1) Pursuant to the provisions of sec. NR 811.10 (4) of the Wisconsin Administrative Code, any premises within the Village of Eagle connected to the Village water system, shall within 30 days of such connection, permanently abandon the existing well in accordance with the methods and procedures set forth in se. NR 812.26 Wisconsin Administrative Code.

(2) Reports and inspection. A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms provided by that agency. The report shall be submitted immediately upon completion of the filling of the well. The filling must be observed by a representative of this municipality.

(3) Penalties Any person, firm or other well owner violating any provision of this ordinance shall upon conviction be punished by a fine of not less than \$20.00, nor more than \$100.00 together with the cost of prosecution. Each 24 hour period during which a violation exists shall be deemed and constitute a separate offense.

13.04

KEEPING OF ANIMALS AND FOWL

- (1) Sanitary Requirements. All structures, pens, buildings, stables, coops or yards wherein animals or fowl are kept shall be maintained in a clean and sanitary condition, free of rodents, vermin and objectionable odors. Interior walls, ceilings, floors, partitions and appurtenances of such structures, except structures or houses occupied by no more than one dog, cat, rabbit, skunk or similar animal kept as a pet, shall be whitewashed or painted annually or oftener as the Health Officer shall direct.
- (2) Animals Excluded from Food Handling Establishments. No person shall take or permit to remain any dog, cat or other live animal on or upon any premises where food is sold, offered for sale or processed for consumption by the general public.

13.05

DISPLAYED FOOD AND DAIRY PRODUCTS

The provision of S.97.66 of the Wisconsin Statutes relating to covering and display of food and dairy products are hereby adopted by reference and incorporated in this Code as if fully set forth herein.

13.06

SALE OF UNWHOLESOME OR TAINTED FOOD PROHIBITED

No person shall sell, offer for sale or hold for sale any meat, fish, fruits, vegetables or other articles of food or drink which is not fresh or properly preserved, sound, wholesome and safe for human consumption, or the flesh of any animal which died by disease. The Health Officer is hereby authorized and directed to seize and destroy any articles of food or drink which are offered or held for sale to the public which have become tainted, decayed, spoiled or otherwise unwholesome or unfit for human consumption.

13.07

RESTAURANT REGULATIONS

- (1) Definition. The term "restaurant" as used in this section shall mean any place, kitchen or conveyance where meats or lunches are prepared for sale, sold or served to transients or the general public.
- (2) General Sanitation. All restaurant premises shall be kept clean and free of litter or rubbish. All garbage and rubbish shall be kept in suitable, air-tight containers, so as not to become a nuisance, and shall be disposed of daily in a sanitary manner. No living or sleeping room, urinal, water closet, ash pit or coal bin shall connect directly with any room used for preparation, storing or serving of food. Between May 1 and October 1, all doors, windows and apertures shall be effectively screened and doors shall be self-closing to prevent the entrance of flies. All

equipment shall be kept clean and free from dust, dirt, insects and other contaminating material.

(3) Cleanliness and Health of Employees.

(a) Clothing and Conduct. All restaurant employees or workers shall wear clean clothing, hair nets or caps, and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment. Employees or workers shall not expectorate or use tobacco in any area in which food is prepared.

(b) Disease. No person infected with any disease in a communicable form, or who is a carrier of any contagious disease shall work in any restaurant, and no restaurant owner or operator shall employ any such person to work in any restaurant.

(c) Duty of Health Officer. If the Health Officer shall suspect that an employee or worker in any restaurant is afflicted with any disease in communicable form, he shall notify such employee to cease working in any restaurant in the Village until he shall present a certified statement of a reputable physician or other satisfactory evidence that he is free from communicable disease.

(4) Water Supply and Plumbing. In every restaurant adequate safe water under pressure shall be convenient and available in any room where food is prepared, or utensils washed. Private water supplies shall be tested for purity not less than once every six (6) months, in the manner directed by the Health Officer. Plumbing shall be so designed, installed and maintained to prevent contamination of the water supply, food, drink or equipment.

(5) Cleansing of Utensils and Equipment. In order to insure proper cleansing and disinfection of glasses, cups, dishes and other eating utensils in restaurants, they shall be thoroughly washed and sanitized after each use by one of the methods described in ss H96.31 and H96.32 of the Wisconsin Administrative Code, which are incorporated in this section by reference as if fully set forth herein. Glasses or utensils may be chilled in cold running water or dry cold chests, but shall not be chilled in a stationary container of cold or ice water.

(6) Responsibility for Compliance. It shall be the duty of the restaurant owner or operator to comply with the provisions of this section. Restaurant employees and workers shall also be personally responsible for compliance with sub-section (3) of this section.

13.08

GROCERY STORE AND MEAT MARKET SANITATION. No person shall operate a grocery store or meat market within the

Village of Eagle in an insanitary, filthy or unclean manner so as to endanger the health of patrons or other persons. In all grocery stores and meat markets, refrigerator counters shall be kept in sanitary condition, and shall maintain a temperature of 28 degrees Fahrenheit, or below. Spoiled or unwholesome food shall be removed from the refrigerator immediately upon detection. The walls and ceilings of the store and stockrooms shall be kept clean and painted. Basements shall be clean and orderly and all refuse or garbage kept inside the premises must be placed in metal containers properly covered and disinfected when necessary. Meat grinders, hooks and all other utensils must be cleaned at the end of each work day. All unwrapped bakery or confectionery products shall be handled in such a manner that they do not come in direct contact with the hands of the individual selling them. The operator of the store or market shall be responsible for compliance with this section.

13.09 MEAT INSPECTION

No person shall sell, have, keep or expose for sale for human consumption, the flesh or meat food products of any cow, calf, sheep, swine, horse or goat in the Village of Eagle unless the same shall have been slaughtered, inspected or prepared under the supervision of a United States Government inspection of meat, as prescribed by the United States of Agriculture Bureau of Animal Industry, Title 9, Ch. 1 (a) C.F.R. The Health Officer may authorize the sale of meat or meat food products which have been slaughtered, inspected or prepared under the supervision of any municipal inspector or health officer in accordance with prescribed standards which he determines to be substantially similar to the above regulations of the United States Department of Agriculture.

13.10 CONTROL OF WEEDS AND GRASSES

- (1) Mowing Required. No person owning property within the Village of Eagle shall permit to grow or pollinated upon his premises any weeds or grasses which cause or produce hay fever in human beings, exhale unpleasant or noxious odors or conceal filthy deposits. In order to prevent such growth and pollination, it shall be the duty of every property owner to mow or cause to be mowed upon his premises all grasses or weeds exceeding one foot in height.
- (2) Mowing by Village. It shall be the duty of the Weed Commissioner to enforce this section, and if any person shall fail to comply herewith, the Commissioner shall, after five (5) days written notice to the owner, cause the premises to be

mowed and report the cost thereof, in writing, to the Village Clerk in the manner provided by S.94.22 of the Wisconsin Statutes. Such charge shall be spread on the tax roll as a special tax to be collected in the same manner as other taxes, unless such lands are exempt from taxation.

13.11 RIGHT OF HEALTH OFFICER TO ENTER PREMISES

The Health Officer shall have the right to enter and examine any public premises or any place where meat, fish, poultry, game, milk, bakery goods or other foodstuffs are stored, prepared or dispensed for public consumption, and to inspect or examine any vehicle transporting such foodstuffs for the purpose of enforcing the provisions of this Chapter. Any person who shall hinder, obstruct or prevent the Health Officer from entering or carrying out his examination of such premises or vehicle shall, upon conviction thereof, forfeit not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars, together with the costs of prosecution, and, in default, of payment of such forfeiture or costs shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding sixty (60) days.

13.12 ABATEMENT OF HEALTH NUISANCES

The Health Officer, together with the Board of Health, shall have the power to abate health nuisances, in accordance with S.146.14 of the Wisconsin Statutes, which is hereby adopted by reference, and made a part of this Section, as if fully set forth herein.

13.13 PENALTIES

The penalty for violation of any provision of this Chapter shall be a penalty as provided in S.30.04 of this Code. A separate offense shall be deemed committed on each day of which a violation occurs or continues, provided no forfeiture shall be imposed for a violation of S.13.03, when connection to the sewer or water main is enforced at the expense of the property owner.