

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 4-18-00

Submitted by: Chairman of the Assembly at
the request of the Mayor
Prepared by: Department of Health and
Human Services
For reading: March 21, 2000

ANCHORAGE, ALASKA
AO NO. 2000- 66

AN ORDINANCE REPEALING ANCHORAGE MUNICIPAL CODE CHAPTER 16.70, CHILD CARE AND EDUCATIONAL CENTER FOOD REGULATIONS, AND AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 16.60, ANCHORAGE FOOD CODE, TO INCORPORATE REGULATIONS FOR FOOD SERVICE AT LICENSED CHILDCARE AND EDUCATIONAL FACILITIES.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That Anchorage Municipal Code 16.70, Child Care and Educational Center Food Regulations, is hereby repealed and the title to Article 6. of Anchorage Municipal Code chapter 16.60, is hereby amended to read as follows:

ARTICLE 6 TEMPORARY AND LIMITED FOOD SERVICE, KIOSK, MOBILE FOOD UNITS, VENDING MACHINES AND CHILD CARE CENTERS

16.60.640 Child Care Centers

Section 2. That Anchorage Municipal Code subsections 16.60.010F.5. and 16.60.010F.13.e. and Table A to section 16.60.010 are hereby amended to read as follows:

16.60.010 Purpose and applicability.

F The following activities and facilities are not subject to this chapter, but are subject to the prohibitions set out in AS 17.20.290:

5 A school or child care center serving only snacks;

13. Food served in conjunction with the following activities if the food is prepared or provided by and for members of the group and their invited guests; however, nothing in this paragraph exempts fundraisers, promotional events, or other gatherings that are advertised or open to the public, if food is provided, with or without charge:

e. The occasional food preparation as a part of a curriculum in a school or child care center.

**TABLE A
FOOD ESTABLISHMENTS**

Categories of Food Establishments

FOOD SERVICE	MARKET	FOOD PROCESSING ESTABLISHMENT
Types of Operations Within Each Category		
restaurant	convenience store	acidifying
delicatessen	grocery	curing
takeout	grocery portion of a supermarket	dehydrating
caterer	retail meat market	thermal processing, low- acid food
limited food service	retail seafood market	reduced oxygen packaging
temporary food service	retail bakery	bakery
mobile food service	food bank	bottled beverage
institution	warehouse	ice
bar or tavern	food salvager	jam, jelly, syrup, confections
club or organization	other similar operations	other similar operations
<u>child care centers</u>		
labor camp		
other similar operations		

(No other provision of this section is amended by this ordinance and is therefore not set out.)

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Section 3. That Anchorage Municipal Code 16.60.050 is hereby amended by adding new subsections 16.60.050A.1.c. and 16.60.050D.1.g. to read as follows:

16.60.050 Investigation; granting of permit; inspections.

A. Except as provided in subsections B, D, K, and L of this section, at the time of application for a new permit under section 16.60.030 or within 30 days after receiving notice that a fee is due for a permit renewal, the owner or operator of a food establishment subject to the permit requirements of section 16.60.020 shall pay to the department an annual permit fee for each separate type of operation at the food establishment as follows:

1 For a food service that:

c. Is a food service operation in a child care center having:

<u>No. of Children</u> <u>Licensed for</u>	<u>Limited Food Service</u>	<u>Full Food Service</u>
	\$0	\$0

D. Prior to application of plan review, a pre-consultation fee for food establishment planning and/or design consultation fee will be assessed at the hourly rate of \$150 per hour. The department may waive the plan review fee for minor additions or upgrades including a salad bar, ice cream or yogurt dispenser, sandwich bar, soft drink machine, ice maker or similar additions or upgrades. At the time of application for plan review under section 16.60.040, the owner or operator shall pay to the department a plan review fee as set forth below, for each separate type of operation of the food establishment subject to permit requirements of section 16.60.020:

For a food service that

g. Is a food service operation in a childcare center licensed for:

- | | | |
|-----|-----------------------|------------|
| i. | <u>13-50 children</u> |\$ 0; |
| ii. | <u>50+ children</u> |\$ 0; |

(No other provision of this section is amended by this ordinance and is therefore not set out.)

Section 4. That Anchorage Municipal Code 16.60.410 is hereby amended by adding a new subsection 16.60.410E.5. to read as follows:

16.60.410 Design and construction.

E. The operator of a food service shall ensure that at least one three-compartment sink is installed in the warewashing area. The operator of a bar or tavern shall ensure that a separate sink is installed for dumping drinks and handwashing, in addition to those required for washing, rinsing, and sanitizing. The department may allow the installation of a two-compartment sink at a limited food service as provided in subsection 16.60.610.B.4. Upon approval by the department, a food service establishment may be exempt from the required three-compartment or two-compartment sink if:

5. In addition to other applicable requirements of this section, the operator of a child care center serving food subject to permit under this title shall submit to the department for approval a written emergency plan for the feeding of children and staff if the warewash machine is not operating in accordance with subsection 16.60.420.F for greater than 4 hours, which shall include:

- a. A description of the alternate method of food service such as catering or parents providing food for their own children;
- b. Two days of sample menus which have been approved by the department;
- c. A statement that only single-service utensils and containers will be used until the warewash machine is operable and that a two day supply of single-service items is maintained on site at all times; and
- d. A statement that should the warewash machine fail to operate properly in accordance with subsection 16.60.420.F for more than 48 hours, the operator shall cease all preparation and service of food immediately and shall not resume operation until written approval is granted by the department. During such time, only single-service utensils and containers shall be used and all food for children shall be:
 - i. Obtained from a food establishment permitted and inspected by the department or another government agency approved by the department as ready-to-eat food;
 - ii. Provided by parents for their own children only; or
 - iii. Provided to child care centers by parents/guardians for service to children other than their own, provided such food is limited to snacks or confections or bakery-type items such as fruit or berry pies and cobblers, cakes, cookies, donuts, and breads; potentially hazardous food, including bakery-type items containing

potentially hazardous fillings or toppings such as custard, whipped cream, or meringue shall not be allowed under this subsection.

(No other provision of this section is amended by this ordinance and is therefore not set out.)

Section 5. That Anchorage Municipal Code subsection 16.60.520E.2. is hereby amended to read as follows:

16.60.520 Toilet facilities.

E The operator of a food establishment shall ensure that:

2. Toilet rooms are completely enclosed and have tight-fitting, self-closing doors that remain closed except during cleaning or maintenance. The requirement of this subsection E.2 does not apply to toilet rooms outside the premises of a food establishment and which do not open directly into the premises of the food establishment, such as conforming toilet rooms provided by a shopping mall. Toilet room doors in child care centers are exempt from the requirements of this subsection.

(No other provision of this section is amended by this ordinance and is therefore not set out.)

Section 6. That Anchorage Municipal Code subsection 16.60.525A .a. is hereby amended to read as follows:

16.60.525 Handwash facilities.

A Except for a food establishment described in subsection B of this section, the operator of a food establishment shall ensure that:

Handwash sinks are provided as required by subsection 16.60.410.B and are

- a. Used exclusively for handwashing, except that [A PRE-WASH SINK MAY ALSO BE USED FOR EMPLOYEE HANDWASHING AND A BAR/TAVERN MAY USE ITS SEPARATE SINK OR FOURTH COMPARTMENT FOR DUMPING DRINKS AND EMPLOYEE HANDWASHING; OR];

1. A pre-wash sink may also be used for employee handwashing and a bar/tavern may use its separate sink or fourth compartment for dumping drinks and employee handwashing; or

- ii The department may approve use of the handwash sink for non-food activities at a child care center only.

(No other provision of this section is amended by this ordinance and is therefore not set out.)

Section 7. That Anchorage Municipal Code subsection 16.60.535D. is hereby amended to read as follows

16.60.535 Insect and rodent control.

D. The operator of a food establishment shall ensure that openings to the outside are effectively protected against the entrance of rodents, insects, and other pests by tight-fitting, self-closing doors, closed windows, screening, controlled air currents, or other means. Screening material shall be tight-fitting, free from breaks, and not less than 16 mesh to the inch. Child care centers are exempt from the requirement for self-closing doors only of this subsection.

(No other provision of this section is amended by this ordinance and is therefore not set out.)

Section 8. That Anchorage Municipal Code 16.60.570B.5 is hereby amended by adding a new subsection 16.60.570B.5.c. to read as follows:

16.60.570 Poisonous or toxic materials.

B. The operator of a food establishment shall ensure that

5 Medications and first-aid supplies are stored to prevent contamination of food or food-contact surfaces and:

c. Medicines belonging to employees or to children in a child care center that require refrigeration and are stored in a food refrigerator shall be:

i. Stored in a package or container and kept inside a covered, leakproof container that is identified as a container for the storage of medicines; and

ii. Located so they are inaccessible to children.

(No other provision of this section is amended by this ordinance and is therefore not set out.)

Section 9. That Anchorage Municipal Code subsections 16.60.575A.4. and 8. are hereby amended to read as follows:

Premises.

A. The operator of a food establishment shall ensure that:

4. Except as provided in subsection 16.60.640.K, laundry activities are restricted to washing and drying linens, cloths, uniforms, and aprons and take place only in dressing or locker rooms, in storage rooms where food, equipment, or utensils are packaged or covered, or in a separate laundry room;

8 Except as provided in subsection 16.60.640.Q, live animals are not in the establishment, except for edible fish, crustacea or shellfish, fish in aquariums, patrol dogs accompanying police officers, or service animals accompanying persons with disabilities; and

(No other provision of this section is amended by this ordinance and is therefore not set out.

Section 10. That Anchorage Municipal Code chapter 16.60 is hereby amended to add a new section 16.60.640 to read as follows:

16.60.640 Child Care Centers

A. In addition to the other applicable requirements of this chapter, the operator of a child care center serving food subject to permit under this title shall comply with this section.

B. Except as provided in subsections C, D and J of this section, child care centers receiving prepared, ready-to-eat food from outside sources shall use only food obtained from a food establishment permitted and inspected by the department or another government agency approved by the department.

C. Food provided to child care centers by parents/guardians for service to children other than their own shall be limited to:

1 Snacks; or

2 Confections or bakery-type items such as fruit or berry pies and cobblers, cakes, cookies, donuts, and breads; potentially hazardous food, including bakery-type items containing potentially hazardous fillings or topping such as custard, whipped cream, or meringue shall not be allowed under this subsection.

D. Formula, breast milk and juice served to infants shall be

Supplied daily to the child care center by the parent(s)/guardian as packaged (ready-to-feed) and fully prepared, except breast milk, if frozen, may be provided in baby bottles or bottle liners and identified for the appropriate child at the child's home;

2 Supplied to the child care center by the parent(s)/guardian as unopened containers of powdered or liquid formula concentrate providing the containers are identified for the appropriate child at the child's home and the formula is prepared as prescribed by the child's physician or parent/guardian and fed only to that parent's child and after opening, liquid concentrate is used, discarded or returned to the parent at the end of the day.

3 Supplied by the child care center as a pre-packaged, ready-to-feed, fully prepared and packaged single-use item; or

4 Supplied by the child care center as prescribed by the child's physician or parent(s)/guardian provided that bottles, nipples, and other equipment are cleaned and sanitized in accordance with this chapter.

E Any excess formula, breast milk, or juice shall be discarded after each feeding.

F Baby bottles used for drinking water purposes shall be properly labeled identifying the appropriate child and shall be stored and handled in such a manner as to prevent contamination.

G Feeding equipment such as bottles, nipples, bottle caps, and liners may be provided by parent(s)/guardian. These items shall:

Be provided daily in a clean ready-to-feed condition;

2 Be labeled with the child's name;

3 Be used only for the parent's/guardian's child; and

4. Have nipple covers for bottles.

H Warming of baby food, formula, milk and breast milk shall be done by placing the containerized food item in hot water (not boiling), shaking or stirring the food well, and temperature testing the food before feeding. Bottles and baby food shall not be warmed in a microwave oven.

I Commercially prepared and homemade baby food provided by the parent(s)/guardian shall be:

Provided as needed, except homemade baby food which shall only be provided on a daily basis;

2 Labeled with the child's name;

3 Served only to that parent's/guardian's child;

4 Served from a cup or bowl, not directly from the container; and

5 After opening, used, discarded, or returned to the parent at the end of the day.

J Commercially prepared baby food, after opening, shall be

Served from a cup or bowl, not directly from the container; and

2. Used, discarded, or returned to the parent at the end of the day

K Centers may launder items used in the center such as bed linens, wash cloths or toys provided such laundering is completely separated from laundering of food service items.

I A diapering sink shall be provided in any room where diapering activities occur and shall be

Immediately adjacent to the diapering area;

2 Used exclusively for diapering activities and handwashing;

3 Supplied with soap and sanitary towels in a dispenser or a hand-drying device that provides heated air; common towels are prohibited;

4 Accessible at all times; and

5 Kept clean and in good repair.

M A sign shall be posted at each diapering sink directing employees to wash their hands with soap and water after diapering activities; and

N Diapering activities and handwashing are prohibited at sinks used for food preparation or warewashing.

O Food may be dispensed from containers placed on tables around which participants are seated provided the following requirements are met:

Each participant may choose and partake of food desired;

g. Schools, day care and child care centers;

10. "Snack" means food served consisting of:

- a. prepackaged nonpotentially hazardous food from an approved source that requires minimal handling
- b. fruits and vegetables that require only washing, peeling or single-service utensils for service
- c. commercially packaged individual containers of milk
- d. commercially packaged, previously unopened and adequately stored bulk containers of milk and 100% fruit juice dispensed during a single meal service into single-service containers.

(No other provision of this section is amended by this ordinance and is therefore not set out.

Section 12. That these changes shall become effective immediately upon passage and approval by the Assembly except that childcare centers and educational facilities shall be in complete compliance with requirements for three compartment sinks, commercial warewash machines and food preparation sinks by not later than October August 1, 2000.

PASSED AND APPROVED by the Assembly this 18th day of April, 2000.

Kim Meyer
Chairman

ATTEST:

Lefane Ferguson
Municipal Clerk

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**MUNICIPALITY OF ANCHORAGE
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

A02000-66

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED	
	Amendments to AMC 16.60 Food Code Adding	2/29/00	
	Commercial Childcare Centers	Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME	DIRECTOR'S NAME	
	Health & Human Services	Stacey Sargent	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER	
	Lura Morgan	343-4065	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
X	Mayor		
	Municipal Clerk		
X	Municipal Attorney	<i>[Signature]</i>	<i>3/15/2000</i>
	Employee Relations		
X	Municipal Manager	<i>[Signature]</i>	<i>3/16/00</i>
	Cultural & Recreational Services		
	Fire		
X	Health & Human Services	<i>[Signature]</i>	<i>3/8/00</i>
	Merrill Field Airport		
	Municipal Light & Power		
	Office of Management & Budget	<i>[Signature]</i>	<i>3-15-00</i>
	Police		
	Port of Anchorage		
	Public Works		
	Solid Waste Services		
	Public Transportation		
	Water & Wastewater Utility		
	Executive Manager		
	Community Planning & Development		
	Finance, Chief Fiscal Officer		
	Heritage Land Bank		
	Management Information Systems		
	Property & Facility Management		
	Purchasing		
	Other		
5	SPECIAL INSTRUCTIONS/COMMENTS		
	<i>76.12. Introduction</i>		
6	ASSEMBLY HEARING DATE REQUESTED	7	PUBLIC HEARING DATE REQUESTED
	<i>3/24/00</i>		<i>4/18/00</i>

RECEIVED

Office of Municipal Clerk

MAR 17 2000

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