

4 "The department may designate members of the examining board  
5 and the secretary thereof to attend".

1 SEC. 3. Section three (3) of chapter one hundred thirty-three  
2 (133), laws of the Sixtieth General Assembly is hereby amended by  
3 striking from line five (5) thereof the words and figures "ten dollars  
4 (\$10.00)" and substituting in lieu thereof the words and figures  
5 "twenty-five dollars (\$25.00)".

1 SEC. 4. This Act, being deemed of immediate importance, shall be  
2 in full force and effect from and after its passage and publication in  
3 The Sioux Center News, a newspaper published in Sioux Center, Iowa,  
4 and The Clayton County Register, a newspaper published in Elkader,  
5 Iowa.

Approved February 24, 1965.

I hereby certify that the foregoing Act, Senate File 115, was published in The Sioux Center News, Sioux Center, Iowa, April 15, 1965, and in The Clayton County Register, Elkader, Iowa, March 4, 1965.

GARY L. CAMERON, *Secretary of State.*

## CHAPTER 181

### HOTELS, RESTAURANTS AND FOOD ESTABLISHMENTS

#### H. F. 445

AN ACT relating to hotels, restaurants, and food establishments.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section one hundred seventy point one (170.1), Code  
2 1962, is hereby amended as follows:

3 1. By inserting in line three (3) of subsection one (1) of such sec-  
4 tion after the word "hotel," the words "motel, motor inn,".

5 2. By striking all of subsection four (4) of such section and insert-  
6 ing in lieu thereof the following:

7 " 'Restaurant' shall mean any building or structure equipped, used,  
8 advertised as, or held out to the public to be a restaurant, cafe, cafe-  
9 teria, dining hall, lunch counter, tavern, cocktail lounge, lunch wagon,  
10 or other like place where food is prepared or served for pay or profit  
11 for on the premise consumption, except such places as are used by  
12 churches, fraternal societies, and civic organizations which engage in  
13 the serving of food less frequently than once a week."

14 3. By striking all of subsection six (6) of such section and inserting  
15 in lieu thereof the following:

16 " 'Food establishment' shall include any building, room, basement,  
17 or other place, used as a bakery, confectionery, cannery, packing  
18 house, slaughterhouse, dairy, creamery, cheese factory, retail grocery,  
19 meat market, or other place in which food is kept, produced, prepared,  
20 or distributed for commercial purposes for off the premise consump-  
21 tion."

1     SEC. 2. Section one hundred seventy point two (170.2), Code 1962,  
2 is hereby repealed and the following enacted in lieu thereof:

3     "No person shall maintain a food establishment, tavern, motor inn,  
4 hotel, or restaurant until he has obtained a license from the depart-  
5 ment of agriculture. However, cigar stores, drug stores, egg, cream,  
6 or poultry buying stations, or any other establishment selling or offer-  
7 ing for sale only candy or gum, schools selling or offering for sale  
8 refreshments at athletic contests, band festivals, or similar events,  
9 and children selling or offering for sale lemonade or other soft drinks  
10 and candy or gum on lawns, curbing, sidewalks, or any other prop-  
11 erty shall not be required to obtain a license. Each license shall expire  
12 September 1 following the date of issue except a hotel license which  
13 shall expire on the last day of December following the date of issue  
14 and a restaurant license which shall expire one (1) year from date of  
15 issue. This section shall not be construed to require the licensing of  
16 establishments or persons involved in a hot-lunch program in any  
17 public or parochial school of the state of Iowa or to vehicles selling  
18 only milk and dairy products licensed as required by section one hun-  
19 dred ninety-two point three (192.3) of the Code."

1     SEC. 3. Section one hundred seventy point four (170.4), Code  
2 1962, is hereby repealed and the following enacted in lieu thereof:

3     "No person shall open or operate a hotel, motor inn, tavern, res-  
4 taurant, or food establishment until inspection has been made by the  
5 department of agriculture or proper application for license has been  
6 made at least fourteen (14) days in advance of opening."

1     SEC. 4. Section one hundred seventy point five (170.5), Code 1962,  
2 is hereby amended as follows:

3     1. By striking from line two (2) of subsection one (1) of such sec-  
4 tion the word "four" and inserting in lieu thereof the word "six".

5     2. By striking from line two (2) of subsection two (2) of such sec-  
6 tion the word "six" and inserting in lieu thereof the word "nine".

7     3. By striking from line two (2) of subsection three (3) of such  
8 section the word "eight" and inserting in lieu thereof the word  
9 "twelve".

10     4. By striking from line three (3) of subsection four (4) of such  
11 section the word "ten" and inserting in lieu thereof the word "fifteen".

12     5. By striking from line two (2) of subsection five (5) of such sec-  
13 tion the words "fifteen dollars" and inserting in lieu thereof the words  
14 "twenty-two dollars fifty cents".

15     6. By striking from subsection six (6) of such section the word  
16 "three" and inserting in lieu thereof the word "five".

17     7. By striking subsection seven (7) of such section and inserting in  
18 lieu thereof the following:

19     "For transient or movable lunch stands to be operated only at fairs,  
20 street fairs, and carnivals, five (5) dollars for each location for four-  
21 teen (14) days or ten (10) dollars per year, at the option of the appli-  
22 cant."

23     8. By adding thereto the following subsection:

24     "For each restaurant, tavern, motor inn, or hotel kitchen, ten (10)  
25 dollars."

26 9. By adding thereto the following:

27 "All licenses issued under this chapter that are not renewed by the  
28 licensee on or before the expiration date shall be subject to a penalty  
29 of ten (10) percent of license fee per month."

1 SEC. 5. Section one hundred seventy point six (170.6), Code 1962,  
2 is hereby repealed.

1 SEC. 6. Section one hundred seventy point seven (170.7), Code  
2 1962, is hereby repealed and the following enacted in lieu thereof:

3 "All restaurant, hotel, motor inn, and tavern license fees shall upon  
4 receipt thereof by the department be paid to and receipted for by the  
5 treasurer of state and shall be kept by him in a separate fund to be  
6 known as the 'hotel and restaurant fund'. Such hotel and restaurant  
7 fund shall be continued from year to year and the treasurer shall keep  
8 a separate account thereof showing receipts and disbursements as  
9 authorized by law. No part of such fund shall be used for any other  
10 purpose than the administration and enforcement of the laws relating  
11 to hotels and restaurants and for conducting educational programs  
12 and sanitary training courses and for providing literature and suit-  
13 able promotional work for the industries licensed under this chapter.  
14 If on July 1 of any year there is a balance remaining in said hotel and  
15 restaurant fund which, in the opinion of the secretary of agriculture,  
16 is greater than is necessary for the proper administration of such laws  
17 and for conducting and providing the services authorized under this  
18 section, the treasurer of state is hereby authorized, on the recommen-  
19 dation and with the approval of the secretary of agriculture, to trans-  
20 fer to the general fund of the state such portion of said hotel and  
21 restaurant fund as the secretary of agriculture shall deem advisable  
22 to so transfer."

1 SEC. 7. Section one hundred seventy point fourteen (170.14), Code  
2 1962, is hereby repealed and the following enacted in lieu thereof:

3 "The doors, windows, and other openings of every hotel, motor inn,  
4 restaurant, tavern, and food establishment, during summer season  
5 shall be fitted with self-closing doors and window screens, if not other-  
6 wise protected."

1 SEC. 8. Section one hundred seventy point sixteen (170.16), Code  
2 1962, is hereby repealed and the following enacted in lieu thereof:

3 "Hotels, motor inns, taverns, cocktail lounges, restaurants, cafe-  
4 terias, and food establishments shall provide toilet rooms. All toilet  
5 rooms shall be completely enclosed, have tight fitting, self-closing  
6 doors, and shall be vented to the outside of the building. Toilet fix-  
7 tures shall be of a sanitary design, readily cleanable, and shall be kept  
8 in a clean condition and in good repair. The floors of such rooms shall  
9 be of suitable, non-absorbent, impermeable material and the walls and  
10 ceilings shall be of material that can be easily cleaned and kept in a  
11 sanitary condition. All places serving beer, cocktails, or alcoholic  
12 beverages shall provide separate toilet rooms for men and women."

1 SEC. 9. Section one hundred seventy point seventeen (170.17),  
2 Code 1962, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "The lavatories in hotels, motor inns, restaurants, taverns, and food  
5 establishments shall be in or adjacent to toilet rooms and shall be sup-  
6 plied with soap, running water, and clean towels or air driers and  
7 shall be maintained in a sanitary condition."

1 SEC. 10. Section one hundred seventy point eighteen (170.18),  
2 Code 1962, is hereby amended by inserting in line one (1) after the  
3 word "Every" the words "hotel, motor inn, restaurant, tavern, and".

1 SEC. 11. Section one hundred seventy point nineteen (170.19),  
2 Code 1962, is hereby amended as follows:

3 1. By inserting in line three (3) of subsection four (4) of such sec-  
4 tion after the word "clean" the words ", keep their fingernails well  
5 trimmed,".

6 2. By adding thereto the following subsections:

7 a. "Smoking by proprietors, cooks, and help shall be strictly for-  
8 bidden while preparing or serving food. Proprietors shall be held  
9 responsible when employees violate this rule."

10 b. "Female employees shall wear hairnets and male employees shall  
11 wear caps at all times while preparing food."

12 c. "No dogs or pets shall be allowed in any food establishment, res-  
13 taurant, cafeteria, cocktail lounge, or tavern, except as provided in  
14 section three hundred fifty-one point thirty (351.30) of the Code."

1 SEC. 12. Section one hundred seventy point twenty-three (170.23),  
2 Code 1962, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "All plates, cups, saucers, dishes, and silverware shall be washed  
5 and sanitized by methods approved by the department of agriculture  
6 and no soiled or unsanitary table cloths, napkins, or other table linen  
7 shall be used in any hotel, motor inn, restaurant, or tavern."

1 SEC. 13. Section one hundred seventy point twenty-four (170.24),  
2 Code 1962, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "No person shall expectorate within any food establishment, res-  
5 taurant, hotel, motor inn, cocktail lounge, or tavern."

1 SEC. 14. Section one hundred seventy point twenty-six (170.26),  
2 Code 1962, is hereby amended by inserting in line three (3) after the  
3 word "any" the words "hotel, motor inn, restaurant, tavern, cocktail  
4 lounge, or".

Approved April 16, 1965.