

February 26, 1965
Passed on File. Calendar 3/4
Passed House, Date 3/22 3/26
Vote: Ayes 102 Nays 11

House File 445
By AGRICULTURE COMMITTEE.
Passed Senate, Date 4/8
Vote: Ayes 45 Nays 7

Approved.....
motion to reconsider vote tabled 3/26 - passed on file 3/29
substituted for SF 510-4/8
motion to reconsider vote tabled 4/8

A BILL FOR

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),
- 2 Code 1962, is hereby amended as follows:
- 3 1. By inserting in line three (3) of subsection one (1) of
- 4 such section after the word "hotel," the words "motel, motor inn,".
- 5 2. By striking all of subsection four (4) of such section and
- 6 inserting in lieu thereof the following:
- 7 " 'Restaurant' shall mean any building or structure equipped,
- 8 used, advertised as, or held out to the public to be a restaurant,
- 9 cafe, cafeteria, dining hall, lunch counter, tavern, cocktail
- 10 lounge, lunch wagon, or other like place where food is prepared or
- 11 served for pay or profit for on the premise consumption, except
- 12 such places as are used by churches, fraternal societies, and
- 13 civic organizations which engage in the serving of food less
- 14 frequently than once a week and do not serve planned meals other
- 15 than to the members of their respective organizations."
- 16 3. By striking all of subsection six (6) of such section and
- 17 inserting in lieu thereof the following:
- 18 " 'Food establishment' shall include any building, room, base-
- 19 ment, or other place, used as a bakery, confectionery, cannery,
- 20 packing house, slaughterhouse, dairy, creamery, cheese factory,
- 21 retail grocery, meat market, or other place in which food is kept,

22 produced, prepared, or distributed for commercial purposes for off
23 the premise consumption.”

1 Sec. 2. Section one hundred seventy point two (170.2), Code
2 1962, is hereby repealed and the following enacted in lieu thereof:
3 “No person shall maintain a food establishment, tavern, motor
4 inn, hotel, or restaurant until he has obtained a license from the
5 department of agriculture. However, cigar stores, drug stores,
6 egg, cream, or poultry buying stations, or any other establishment
7 selling or offering for sale only candy or gum, schools selling
8 or offering for sale refreshments at athletic contests, band festi-
9 vals, or similar events, and children selling or offering for sale
10 lemonade or other soft drinks and candy or gum on lawns, curbinges,
11 sidewalks, or any other property shall not be required to obtain a
12 license. Each license shall expire September 1 following the date
13 of issue except a hotel license which shall expire on the last day
14 of December following the date of issue and a restaurant license
15 which shall expire one (1) year from date of issue. This section
16 shall not be construed to require the licensing of establishments
17 or persons involved in a hot-lunch program in any public or paro-
18 chial school of the state of Iowa or to vehicles selling only milk
19 and dairy products licensed as required by section one hundred
20 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,
4 restaurant, or food establishment until inspection has been made by
5 the department of agriculture or proper application for license
6 has been made at least fourteen (14) days in advance of opening.”

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

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

6 2. By striking from line two (2) of subsection two (2) of such
7 section the word "six" and inserting in lieu thereof the word
8 "nine".

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

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

15 5. By striking from line two (2) of subsection five (5) of
16 such section the words "fifteen dollars" and inserting in lieu
17 thereof the words "twenty-two dollars fifty cents".

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

20 7. By striking subsection seven (7) of such section and in-
21 serting in lieu thereof the following:

22 "For transient or movable lunch stands to be operated only at
23 fairs, street fairs, and carnivals, five (5) dollars for each
24 location for fourteen (14) days or ten (10) dollars per year, at
25 the option of the applicant."

26 8. By adding thereto the following subsection:

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

29 9. By adding thereto the following:

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

1 Sec. 5. Section one hundred seventy point six (170.6), Code
2 1962, 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
4 upon receipt thereof by the department be paid to and receipted for
5 by the treasurer of state and shall be kept by him in a separate
6 fund to be known as the 'hotel and restaurant fund'. Such hotel
7 and restaurant fund shall be continued from year to year and the
8 treasurer shall keep a separate account thereof showing receipts
9 and disbursements as authorized by law. No part of such fund shall
10 be used for any other purpose than the administration and enforce-
11 ment of the laws relating to hotels and restaurants and for con-
12 ducting educational programs and sanitary training courses and for
13 providing literature and suitable promotional work for the indus-
14 tries licensed under this chapter. If on July 1 of any year there
15 is a balance remaining in said hotel and restaurant fund which, in
16 the opinion of the secretary of agriculture, is greater than is
17 necessary for the proper administration of such laws and for con-
18 ducting and providing the services authorized under this section,
19 the treasurer of state is hereby authorized, on the recommendation
20 and with the approval of the secretary of agriculture, to transfer
21 to the general fund of the state such portion of said hotel and
22 restaurant fund as the secretary of agriculture shall deem advis-

23 able to so transfer.”

1 Sec. 7. Section one hundred seventy point fourteen (170.14),

2 Code 1962, is hereby repealed and the following enacted in lieu

3 thereof:

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

1 Sec. 8. Section one hundred seventy point sixteen (170.16),

2 Code 1962, is hereby repealed and the following enacted in lieu

3 thereof:

4 “Hotels, motor inns, taverns, cocktail lounges, restaurants,
5 cafeterias, and food establishments shall provide toilet rooms.

6 All toilet rooms shall be completely enclosed, have tight fitting,

7 self-closing doors, and shall be vented to the outside of the

8 building. Toilet fixtures shall be of a sanitary design, readily

9 cleanable, and shall be kept in a clean condition and in good

10 repair. The floors of such rooms shall be of suitable, nonabsorb-

11 ent, impermeable material and the walls and ceilings shall be of

12 material that can be easily cleaned and kept in a sanitary condi-

13 tion. All places serving beer, cocktails, or alcoholic beverages

14 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

3 thereof:

4 “The lavatories in hotels, motor inns, restaurants, taverns,

5 and food establishments shall be in or adjacent to toilet rooms and

6 shall be supplied with soap, running water, and clean towels or

7 air driers and 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
3 the word “Every” the words “hotel, motor inn, restaurant, tavern,
4 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
4 such section after the word “clean” the words “, keep their finger-
5 nails well trimmed,”.

6 2. By adding thereto the following subsections:

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

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

12 c. “No dogs or pets shall be allowed in any food establishment,
13 restaurant, cafeteria, cocktail lounge, or tavern.”

14 d. “All water used shall be from an improved source.”

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

4 “All plates, cups, saucers, dishes, and silverware shall be
5 washed and sanitized by methods approved by the department of
6 agriculture and no soiled or insanitary table cloths, napkins, or
7 other table linen shall be used in any hotel, motor inn, restaurant,
8 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
3 thereof:

4 "No person shall expectorate within any food establishment,
5 restaurant, 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
3 the word "any" the words "hotel, motor inn, restaurant, tavern,
4 cocktail lounge, or".

EXPLANATION OF HOUSE FILE 445

This bill serves to strengthen sections of present sanitary laws and through increased fees deposited to the existing restaurant fund, would provide for more frequent inspections of food service establishments, as well as educational classes in sanitation and make available printed materials for food service personnel.

HOUSE FILE 445

- 1 Amend House File 445 as follows:
- 2 1. Amend section one (1), line fourteen (14), by inserting
- 3 a period after the word "week" and striking the rest of line
- 4 fourteen (14), and all of line fifteen (15).

Filed *adopted 3/26* FISHER of Greene.
March 22, 1965. MUELLER of Winnebago.

HOUSE FILE 445

- 1 Amend House File 445 by adding to section nine (9)
- 2 after the period in line seven (7) the following:
- 3 "Lavatories shall be provided adjacent to food preparation
- 4 areas."

Filed and lost
March 26, 1965. DODERER of Johnson.

HOUSE FILE 445

- 1 Amend House File 445, section twelve (12), by striking from
- 2 line six (6) the word "insanitary" and inserting in lieu thereof
- 3 the word "unsanitary".

Filed and adopted
March 26, 1965. FISHER of Greene.

HOUSE FILE 445

- 1 Amend House File 445, section eleven (11), by striking
- 2 all of line fourteen (14).

Filed and adopted
March 26, 1965. MUELLER of Winnebago-Worth.

HOUSE FILE 445

- 1 Amend House File 445, section eleven (11), by striking the
- 2 period in line thirteen (13) and inserting in lieu thereof
- 3 the following: " , except as provided in section three hundred
- 4 fifty-one point thirty (351.30) of the Code."

Filed and adopted
March 26, 1965. DOYLE of Woodb

HOUSE FILE 445

1 Amend House File 445 as follows:
2 1. By striking from line 19 of section 4 the word "five" and
3 inserting in lieu thereof the word "fifteen (15)".
4 2. By striking from line 23 of section 4 the word "five (5)"
5 and inserting in lieu thereof the word "ten (10)".
6 3. By striking from line 24 of section 4 the word "ten (10)"
7 and inserting in lieu thereof the word "fifteen (15)".
8 4. By striking from line 27 of section 4 the words "motor
9 inn."
10 5. By striking from line 28 of section 4 the word "ten (10)"
11 and inserting in lieu thereof the word "fifteen (15)".
12 6. By striking sections 7, 8, 9, 10, 11, 12, 13, and 14 and
13 inserting in lieu thereof the following:
14 "Sec. 7. Sections one hundred seventy point nine (170.9)
15 through one hundred seventy point thirty-three (170.33) and sec-
16 tion one hundred seventy point thirty-five (170.35), Code 1962,
17 are hereby repealed and the following enacted in lieu thereof:
18 "The secretary of agriculture shall adopt, amend, promulgate,
19 and enforce rules, regulations, and standards applicable to hotels,
20 restaurants, and food establishments relating to:
21 1. The quality, wholesomeness, and the safe and sanitary pro-
22 tection, handling, storage, preparation, and processing of food,
23 food products, and food ingredients.
24 2. The health and cleanliness of personnel.
25 3. The sanitary maintenance and cleaning of equipment, bedding,
26 linen, facilities, and premises.
27 4. The sanitary, safety, and adequacy of water supplies, plumb-
28 ing, toilets, refuse storage and disposal, and sewer collection
29 and disposal.
30 5. Vermin control.
31 6. Lighting and ventilation.
32 7. Housekeeping.
33 "Sec. 8. Section one hundred seventy point forty-nine (170.49),
34 Code 1962, is hereby amended by inserting in line two (2) after
35 the word 'chapter' the words 'or the rules, regulations, or stand-
36 ards adopted by the secretary of agriculture under the authority
37 of this Act.'"

Filed
April 1, 1965.

By ELY.

HOUSE FILE 445

1 Amend the Ely amendment to House File 445 by striking
2 all of lines 2 and 3.

Filed
April 7, 1965.

By SHIRLEY.

HOUSE FILE 445

1 Amend the Ely amendment of April 1 to House File 445 by striking
2 lines eight (8) and nine (9) and inserting in lieu thereof the
3 following:
4 "4. By striking from line 27 of section 4 the words
5 'Motor Inn' and inserting in lieu thereof the words 'Motor
6 Inn Kitchen'".

Filed and adopted
April 8, 1965.

By ELY.