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## Custer Health

*For a healthier way of life.*

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### **MINIMUM CONSTRUCTION AND EQUIPMENT REQUIREMENTS FOR FOOD AND BEVERAGE ESTABLISHMENTS**

North Dakota Administrative Code (NDAC) Section 33-33-04-137 requires the submission and review of plans. Whenever a food establishment is constructed or extensively remodeled and whenever an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, remodeling or conversion shall be submitted to the Custer Health for review and approval before construction, remodeling or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans and construction materials of work areas, and the type and model of proposed fixed equipment and facilities. Custer Health shall approve the plans and specifications if they meet the requirements as stated in the attached Guideline. No food establishment shall be constructed, extensively remodeled or converted except in accordance with plans and specifications approved by the Custer Health.

The purpose of the review and approval of plans before the work is begun is:

1. To insure compliance with Custer Health sanitation requirements;
2. To prevent misunderstanding by the operator as to what is required; and
3. To prevent errors that might later result in additional cost to the operator.

At a minimum, the owner shall provide a floor plan of the entire establishment to scale which shows the layout of the rooms, including storage rooms, and the proposed location of lights, plumbing and all fixed equipment. In addition, the proposed location of equipment such as refrigerators, stoves, hoods, sinks, dishwashing machines and slicers shall be shown. Specifications for this equipment should also be provided so that a determination can be made as to the adequacy of the equipment to do the job, as well as its compliance with sanitation requirements.

North Dakota Administrative Code (NDAC) Section 33-33-04-138 - Pre-Operational Inspection. Whenever plans and specifications are required by Section 33-33-04-137 to be submitted to the Custer Health, Custer Health shall inspect the food establishment before the start of operation, to determine compliance with the approved plans and specifications and with the requirements of this Chapter. Custer Health shall be notified at least ten days before the establishment's anticipated opening so a preoperational inspection can be scheduled. If, at the time of the preoperational inspection, the establishment is constructed in accordance with the approved plans, a license application will be issued.

North Dakota Century Code (NDCC) Section 23-09-16 requires that before any food establishment in Custer Health may be operated in this State, it must be licensed by the Custer Health. Application for license shall be made to the Custer Health during December

of every year or before the opening of the food establishment. Such application shall be in writing on forms furnished by the Custer Health, and shall be accompanied by the required fee.

## **A. Structural Design and Materials**

Your building must conform to the North Dakota State Building, Fire, Plumbing and Electrical Codes, as well as all local regulations that may be applicable.

### **1. Floors**

Flooring in areas where food is prepared or stored, where utensils are washed, in walk-in freezers and refrigerators, where garbage or refuse is stored, in toilet rooms and dressing or locker rooms shall be constructed of a smooth, nonabsorbent, durable and easily cleanable material. Approved flooring material may include sealed concrete, terrazzo, ceramic tile, quarry tile or durable grades of linoleum. Carpet is prohibited in all of the above-mentioned areas. Coved baseboards of similar material shall also be provided at wall and floor junctures.

Properly installed trapped floor drains shall be provided in floors that are water flushed for cleaning or where pressure spray methods are used for cleaning equipment.

### **2. Walls and Ceilings**

The walls and ceilings in areas where food is prepared or stored, where utensils are washed, in walk-in freezers and refrigerators, where garbage or refuse is stored, in toilet rooms and dressing or locker rooms shall be constructed of a smooth, nonabsorbent, light colored and easily cleanable material. Approved wall material may include concrete or pumice blocks properly finished and sealed, ceramic tile, fiberglass reinforced panels or stainless steel. Pegboard for wall material and acoustical tile for ceiling material is prohibited in the above-mentioned areas.

### **3. Lighting**

**Permanently fixed artificial light sources shall be installed to provide at least:**

- a. Fifty footcandles of light on all food preparation surfaces where equipment such as knives, slicers, grinders, and saws are used.
- b. Twenty footcandles of light in equipment and utensil storage areas and lavatory and toilet areas.
- c. Ten footcandles of light in walk-in freezers and refrigerators, dry goods storage areas and all other areas.

Protective shielding or shatterproof bulbs shall be provided for all artificial lighting fixtures located over, by, or within food storage, food preparation/service/display facilities and areas where utensils and equipment are cleaned and stored, including infrared or other heat lamps.

### **4. Ventilation**

All food establishment cooking devices such as ranges, deep fat fryers, grills and broilers shall be hooded and provided with an exhaust ventilation system (squirrel cage fan recommended), properly installed, to vent the air effectively to the outside. All exhaust ventilation systems must be provided with adequate grease filters or other means of grease extraction. The exhaust and makeup air must be balanced throughout the establishment.

### **5. Insect and Rodent Protection**

All openings to the outside shall be effectively protected against the entrance of rodents and/or insects. *Outer doors (including screen doors) shall be tight-fitting and self-closing. Screens shall be in place where required and shall be tight-fitting and free of breaks.*

## B. Sanitary Facilities

### 1. Water Supply and Sewage Disposal

It is recommended that all establishments be connected to a municipal water and sewer system. If there is no municipal system available, plans and specifications for a private water supply and/or sewage disposal system must be approved by the North Dakota Department of Health. Water under pressure shall be provided to all fixtures and equipment that use water. *Plans must be submitted to your local health department for approval.*

### 2. Garbage and Refuse

A sufficient number of garbage and refuse containers must be provided. These containers shall be properly constructed of durable, easily cleanable and nonabsorbent material, and be provided with tight-fitting lids, covers or doors. Adequate storage space for containers must be provided. Garbage and refuse containers, dumpsters, and compactor systems located outside shall be stored on or above a smooth surface or nonabsorbent material, such as concrete or machine-laid asphalt, that is kept clean, maintained in good repair, and sloped to drain.

### 3. Plumbing and Electrical

Installation must be made in accordance with State codes. For new construction, a certification from the installer may be required.

### 4. Restrooms

Installation must be made in accordance with the North Dakota State Plumbing Code.

- a. A separate restroom(s) for employees is recommended and may be required depending on the layout of the establishment and the accessibility of the public restrooms.
- b. All restrooms must be conveniently located.
- c. Restrooms must be completely enclosed and equipped with tight-fitting, self-closing, solid doors.
- d. Toilets must be of the elongated bowl type with an open front seat.
- e. Restrooms must be equipped with mechanical ventilation.
- f. Easily cleanable waste containers must be provided for waste materials. Women's restrooms must have at least one covered waste container.
- g. Hand cleansing soap or detergent, a supply of sanitary towels or a hand drying device, and toilet tissue must be provided at all times.
- h. Restrooms must have an adequate number of hand sinks, equipped with hot and cold running water, under pressure, tempered by means of a mixing valve or combination faucet and have an open strainer. *Sink pop-up plugs or steam mixing valves are prohibited.*

### 5. Dressing/Locker Room

Lockers or other suitable facilities must be provided for the orderly storage of personal belongings. If employees routinely change clothes within the establishment, a dressing room must be provided. *The use of the kitchen for the storage of personal articles such as coats, clothing, purses, etc. is not permitted.*

### 6. Janitorial Sink

At least one utility sink (mop sink) or curbed unit with a floor drain shall be provided. *The use of hand sinks, food preparation, utensil or equipment washing sinks is prohibited.*

### 7. Laundry Facilities

*Laundry facilities in food preparation and utensil washing areas are prohibited.* If washing of linens, wiping cloths, uniforms or aprons is necessary to the operation, a dryer must be provided and used. A separate room for laundry facilities, with a self-

closing, solid door, must be provided, except that such operations may be conducted in storage rooms containing only packaged food or packaged single-service articles.

## C. Kitchen Facilities and Equipment

### 1. Storage

- a. Provide adequate protective storage for kitchenware, tableware and utensils. *Pegboard for hanging utensils is prohibited.*
- b. Storage shelves shall be at least six inches above the floor to permit cleaning. *Sealed wood is acceptable for non-food contact storage; however, stainless steel or equivalent is recommended. Raw wood or contact paper lined shelving is prohibited.*
- c. Provide adequate hot and cold storage facilities, conveniently located to assure the maintenance of food at proper temperatures at all times during storage, service, display or transport. NSF commercially approved equipment is recommended. Each freezer or refrigerator must be provided with a numerically scaled thermometer.
- d. Provide a storage area for maintenance equipment such as brooms, mops, vacuum cleaners, etc. This equipment must be stored in a manner that does not contaminate food, utensils, equipment or linens.
- e. Provide a storage area for toxic materials such as insecticides, rodenticides, cleaners, polishes, etc. *These toxic materials cannot be stored with food products, equipment, utensils or single-service articles.*

### 2. Kitchen Equipment - Design, Construction and Installation (NSF commercially approved equipment is recommended)

#### a. Food Equipment and Utensils

Food contact surfaces of equipment, kitchenware, utensils and tableware shall be constructed of materials that are safe, corrosion-resistant, non-absorbent, smooth, easily cleanable and durable under conditions of normal use. Hard maple or an equivalently hard, close-grained wood may be used for cutting blocks, cutting boards, salad bowls, bakers tables and various single-service articles. *In all other situations, wood as a food contact surface is prohibited. A minimum of formica construction for work table tops is acceptable; however, stainless steel is recommended.*

#### b. Non-Food Contact Surfaces of Equipment

Wooden dry goods storage shelves, cupboard interiors and wooden walk-in shelves and pallets must be sealed prior to use. *Sealed wood is acceptable for non-food contact storage; however, stainless steel or equivalent is recommended.*

#### c. Equipment Location

Equipment must not be located under exposed or unprotected sewer or water lines, open stairwells or other sources of contamination.

- d. All equipment must be installed to facilitate cleaning. Table-mounted equipment must be portable, sealed in place, or elevated on legs at least four inches above the counter. Floor-mounted equipment must be easily movable, sealed to the floor, or elevated on legs at least six inches above the floor.

#### e. Salad Bars and Other Customer Self-Service Food Areas

Cold holding areas shall be properly designed to adequately maintain proper refrigerator temperatures, be drained to a floor drain through an air gap, and all customer self-service food areas must have an approved cough and sneeze guard. *All food, plates, utensils, etc. must be protected by an approved cough and sneeze guard or other approved method.*

#### f. Dishwashing Facilities

Provide a three compartment sink, equipped with drainboards on each end. A movable dishtable in place of a drainboard on one end is acceptable for dirty

utensils. Each compartment of the sink shall be supplied with potable hot and cold running water under pressure. The sink compartments must be large enough to accommodate the largest cooking utensil. The three compartment sink must be used for washing equipment and utensils only, not for food preparation or mop water disposal. Dishwashing machines are optional. If a dishwashing machine is provided, it must be of an approved commercial type and installed in compliance with the North Dakota State Plumbing Code. It is recommended that the dishwashing machine be hooded to adequately exhaust condensation. If a hot water temperature dishwashing machine is installed, a properly sized booster heater is required. If chemical sanitizers are used, an appropriate test kit must be provided.

g. **Handwashing Facilities**

At least one handsink must be available and conveniently located for use by all employees in food preparation and utensil-washing areas. More than one employee handsink may be required depending on the size and layout of the establishment. *Handwashing is not permitted in sinks used for food preparation or the washing of equipment or utensils.* Handsink(s) must be supplied with hot and cold running water, under pressure, tempered by means of a mixing valve or combination faucet and have an open strainer. *Sink pop-up waste plugs or steam mixing valves are prohibited.* A supply of hand cleansing soap or detergent shall be available and a supply of sanitary towels or a hand drying device shall be conveniently located near each handsink at all times. *The use of common towels is prohibited.*

h. **Separate Food Preparation/Vegetable Sink**

A one or two compartment sink with at least a drainboard on one side is recommended for most types of food establishments and may be required for most full service restaurants or retail food stores.

i. **Dipper Wells**

Establishments that dispense frozen desserts (bulk ice cream, etc.) must provide a running water dipper well near the ice cream freezer.

D. **Other Requirements**

1. At least one metal stemmed thermometer shall be provided and used for the routine monitoring of temperatures of all potentially hazardous food products during storage, preparation, cooking, holding, serving or when on display.
2. **Bar Equipment**
  - a. All bar equipment must be installed so as to facilitate cleaning.
  - b. Must provide either a mechanical glass washer or a three compartment sink with integral drainboards.
  - c. A separate handwashing sink must be provided in each back bar area.
  - d. Adequately sized coolers must be provided.
  - e. Liquor or pop dispensing guns must not be located over potable ice or clean glass storage areas.
  - f. Ice for consumption must be stored separate from ice used for cooling purposes. The ice for human consumption must be stored in a container or ice bin which is drained to the sewage system through an air gap.
  - g. A syrup storage area must be provided. It is recommended that the containers be stored on a metal rack at least six inches off the floor.