

*Town of New Milford, CT
Tuesday, September 14, 2021*

Chapter 6C. Food Service Establishment Licensing

§ 6C-7. Suspension of licenses.

[Ord. of 3-12-1990, § VII]

- (a) The Director of Health may suspend any license to operate a food service establishment if the license holder does not comply with the requirements of this chapter or the Public Health Code of the State of Connecticut. If the Director of Health finds unsanitary or other conditions in the operation of a food service establishment which, in his judgment, constitute an immediate and substantial hazard to public health, he or she may immediately issue a written notice to the license holder or person in charge, citing such conditions, specifying the time period within which such action shall be taken and, if deemed necessary, order immediate correction. The notice shall also state that the license shall be suspended if correction is not made within the specified time period and shall state the date upon which the suspension shall become effective. If correction is not made in the stated time the license shall be suspended. When a license is suspended, food service operations shall immediately cease.
- (b) Whenever a license is suspended, the license holder or person in charge may, within 48 hours after the making of such order, appeal to the Commissioner of Health of the State of Connecticut pursuant to Section 19a-229 of the Connecticut General Statutes. Said Commissioner shall thereupon immediately notify the Director of Health and examine into the merits of such case, and may vacate, modify or affirm such order. A notice issued pursuant to Subsection (a) of this section shall advise the license holder or person in charge of such right to appeal a suspension order.
- (c) During the process of any appeal, the licenses shall remain suspended.

§ 6C-8. Revocation of licenses.

[Ord. of 3-12-1990, § VIII]

- (a) The Director of Health may revoke a license for serious or repeated violations of any of the requirements of this chapter or the Public Health Code of the State of Connecticut or for interference with the Director of Health or his authorized agent or agents in the performance of their duties. Prior to revocation, the Director of Health shall notify the license holder or person in charge of the food service establishment, in writing, of the reasons for which the license is subject to revocation. The notice shall state that the license shall be revoked at the end of 14 days following the service of the notice, unless a written request for a hearing is filed with the Director of Health by the license holder within 48 business hours after the notice is served. If such a request is

filed, the Director of Health shall hold a hearing to examine into the merits of the case within seven days after the request is filed. At such hearing the license holder shall be allowed to introduce evidence and cross-examine adverse witnesses. At the end of such hearing, the Director of Health shall vacate, affirm or modify such revocation. If the revocation is affirmed, the effective date of revocation shall remain 14 days following service of the original notice of revocation. If the revocation is modified, the effective date of the revocation shall be 14 days from the date of the modification order, and the Director of Health shall notify the license holder of such new effective date at the end of said hearing.

- (b) Within 48 hours after the effective date of the revocation, the license holder or person in charge may appeal to the Commissioner of Health of the State of Connecticut pursuant to Section 19a-229 of the Connecticut General Statutes. Said Commissioner shall thereupon immediately notify the Director of Health and examine into the merits of such case and may vacate, modify or affirm such order.
- (c) During the process of appeal under Subsection **(b)**, the license shall remain revoked.