

Order 14-06/07

Passage: 8/7/06 7-0 (Carr absent, Gorham gone)

JAMES I. COHEN (MAYOR)(5)
WILLIAM R. GORHAM (1)
KAREN A. GERAGHTY (2)
DONNA J. CARR (3)
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

JAMES F. CLOUTIER (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)
EDWARD J. SUSLOVIC (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 11 (FOOD AND FOOD HANDLERS),
SECTION 22(TOILET FACILITIES)
RE: ADOPTION OF STATE PLUMBING CODE REQUIREMENTS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Chapter 11, SECTION 22, Toilet Facilities, is hereby
amended to read as follows:*

Sec. 11-22. Toilet facilities.

(a) *Facilities to be provided.* Each food service establishment shall be equipped with adequate, conveniently located toilet facilities for its employees and patrons within the same building housing the establishment as provided hereinafter. Toilet and other fixtures shall be kept in a clean condition and in good repair. The doors of all toilet rooms shall be self-closing. Toilet tissue shall be provided. Easily cleanable receptacles shall be provided for waste materials and such receptacles shall be covered. Toilet rooms shall be completely enclosed from floor to ceiling and shall be vented to the exterior. Except as provided in subsection (c) below, a food service establishment shall comply with the requirements for the minimum number of toilet facilities contained in the Maine State Internal Plumbing Code.

~~(b) *Employee facilities.* Toilet facilities shall be provided for the employees of the food service establishment on the premises as follows:~~

Number of Employees	Number of Toilets
1--15	1

16—35	2
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~~and thereafter at the rate of one (1) toilet for each additional thirty (30) persons employed. When eight (8) or more persons are employed at any one time, two (2) shall be provided. If both males and females are employed, at least one (1) such toilet shall be designated for the use of each sex.~~

(c) *Patron facilities.* At least two (2) toilets, one (1) designated for use by each sex, shall be provided for the use of patrons in any food service establishment ~~which provides seating for twenty-five (25) or more persons at any one time for the purpose of consuming food or nonalcoholic drink on the premises, or ,~~ whether or not seating is provided, which is licensed to dispense alcoholic beverages for consumption on the premises, or under chapter 3, article II, division 2, as a bottle club, or under chapter 4, article II, division 2, for more than four (4) amusement devices on the premises. Toilets provided for the use of employees shall be considered to be provided for the use of patrons also, unless patrons cannot gain access to such toilets without passing through any food preparation area. In computing seating capacity under this subsection, each twenty-four (24) inches of length of any bench shall be deemed to be one (1) seat.