

## Chapter H 96

## RESTAURANTS

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## DEFINITIONS

**H 96.01 Definitions.** (1) **RESTAURANT.** "Restaurant" means and includes any building, room or place wherein meals or lunches are prepared or served or sold to transients or the general public, and all places used in connection therewith. "Meals or lunches" shall not include soft drinks, ice cream, milk, milk drinks, ices and confections. The serving in taverns of free lunches consisting of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter shall not constitute such taverns to be restaurants. The term "restaurant" does not apply to churches, religious, fraternal, youths' or patriotic organizations, service clubs and civic organizations which occasionally prepare or serve or sell meals or lunches to transients or the general public nor shall it include any private individual selling foods from a movable or temporary stand at public farm sales.

(2) **TEMPORARY RESTAURANT.** The term "temporary restaurant" shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

(3) **EMPLOYEE.** The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who works in a room in which food or drink is prepared or served.

(4) **UTENSILS.** "Utensils" shall include any kitchenware, tableware, glassware, cutlery, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

(5) **PERMITS.** Before opening for business, every restaurant owner or manager shall obtain a permit from the state board of health through application made upon a blank furnished by the board. Original permits shall not be granted without a prior inspection. The restaurant permit must be conspicuously displayed.

**History:** 1-2-56; Am. Register, June, 1956, No. 6; eff. July 1, 1956; am. (1), Register, April, 1960, No. 52, eff. 5-1-60.

Register, April, 1960, No. 52

## CONSTRUCTION

**H 96.11 Plumbing.** All plumbing shall meet the requirements of the Wisconsin plumbing code.

**History:** 1-2-56; Am. Register, June, 1956, No. 6; eff. July 1, 1956.

**H 96.12 Water supply and sewage disposal.** The requirements covering the water supply and the sewage disposal facilities for all restaurants shall be based upon the availability of public utilities as well as the practicability of connection to the public utilities or the construction and operation of private utilities as indicated in table H 96.12. The exceptions referred to in table H 96.12 must be approved by the board or its designated representative.

**TABLE H 96.12  
WATER SUPPLY AND SEWAGE DISPOSAL REQUIREMENTS**

	(1)	(2)	(3)	(4)
<b>Public Utilities Available</b>	No Public Water Supply or Sewage Disposal Available	Both Public Water Supply and Sewage Disposal Available	Public Water Supply only Available. No Public Sewage Disposal	Public Sewage Disposal only Available. No Public Water Supply
<b>Requirements</b>	(a) A well is required on the premises.  (b) A privy is permitted.	(a) Connection to the public water supply is required.  (b) Connection to the public sewage disposal system is required.  (c) A privy is not permitted.	(a) A private sewage disposal system is required.  (b) Connection to the public water supply is required.  (c) A privy is not permitted.	(a) A well is required on the premises.  (b) A water pressure system is required.  (c) Connection to the public sewage disposal system is required.  (d) A privy is not permitted.
<b>Exceptions</b>	(c) Water may be transported from an approved source if a well on the premises is not practical.	(d) If connections to both the public sewage disposal system and water supply are not practical, then column (1) applies.  (e) If connection with only the public sewer or water supply is not practical, then requirements of column (3) or (4) apply.	(d) If a private sewage disposal system is not practical then (a) and (c) in column (3) do not apply, however connection to the public water supply is required.  (e) If a private sewage disposal system is not practical and connection to the public water supply is not practical, then column (1) applies.	(e) If a well on the premises is not practical or connection to the public sewer is not practical, then column (1) applies.

(5) **PRIVATE WELLS.** Whenever private wells are permitted as a source of water the well shall be located and constructed and the pump installed in accordance with the regulations of the board governing well drilling and pump installation. Whenever geological conditions are such that safe water cannot be obtained consistently from a well constructed in apparent compliance with the well code regulations, as evidenced by unsafe laboratory reports:

Register, June, 1956, No. 6