



Legislation Details (With Text)

**File #:** OR-2019-0017      **Version:** 3      **Name:**  
**Type:** Ordinance      **Status:** Enacted as Amended  
**File created:** 10/3/2018      **In control:** City Clerk  
**On agenda:**      **Final action:** 4/15/2019  
**Title:** ORDINANCE AMENDMENT TO THE NEW HAVEN CODE OF ORDINANCES APPROVING A MICRO-FOOD BUSINESS ORDINANCE

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed Ordinance- Micro-Business Food Service License, 2. 20190321 Nadine Nelson Support Statement \_ Micro Food Business, 3. 20190321 Paul Kowalksi, Health Department Statement \_ Micro Food Business, 4. OR-2019-0017, 5. Aldermanic Notice\_ Legislation Committee \_ New Haven Independent, 6. 20181211 LEG CitySeed Testimony, 7. 20190321 Email \_ Esther Armand on behalf of Director Swamy, 8. 20190321 Testimony MFP NHFPC\_ Austin Bryniarski, 9. City Inspections\_ Micro-Food Business, 10. Review\_ Corporation Counsel\_ John Rose, 11. 20190321 David Goldblum\_ Statement in Support of MicroBusiness Ordinance

Date	Ver.	Action By	Action	Result
4/15/2019	3	Board of Alders	Approved As Amended	
4/1/2019	2	Board of Alders	Noted	
3/21/2019	1	Legislation Committee	No Recommendation	
10/1/2018	1	Board of Alders	Referred	

ORDINANCE AMENDMENT TO THE NEW HAVEN CODE OF ORDINANCES APPROVING A MICRO-FOOD BUSINESS ORDINANCE

Chapter 14 - FOOD-SERVICE AND RESTAURANT ESTABLISHMENTS [1]

ARTICLE I. - IN GENERAL  
Sec. 14-1.1. - Definitions. (d)

*Shared kitchen* means

- 1) Any licensed retail or wholesale food establishment, that leases, rents, or otherwise makes their commercial kitchen space available for utilization by individuals or business entities for food preparation, temporary extra production capacity, menu planning, training, taste testing, product development, food packaging, food storage or any other food-related purpose that is secondary or incidental to the establishment’s primary business activity of retail or wholesale food establishment.
- 2) Any establishment used as a place of business for the exclusive or primary purpose of utilizing, leasing, or renting its commercial kitchen space to individuals, or business entities, for food preparation, temporary extra production capacity, menu planning, training, taste testing, product development, food packaging, food storage or any other food-related purpose; and does not hold a valid retail food establishment license.

(e) *Shared kitchen user* means any person or business entity who utilizes, leases, or rents kitchen space at any licensed shared kitchen that:

- 1) Does not add any additional equipment to the shared kitchen that requires professional installation or plumbing and/or electrical modifications;
- 2) Does not make any structural changes to the building;
- 3) Does not otherwise make any changes to the existing shared kitchen that would require an additional inspection;
- 4) Does not operate beyond the approved hours of operation for the existing shared kitchen.

(f) *Micro-food business* means:

- 1) A small business entity involved in the production of food for wholesale and/or retail sales that grosses less than \$250,000 in sales annually that:
  - a) Is a shared kitchen user.

Sec. 14-4. - Violations; penalty.

A licensed shared kitchen shall ensure that any person engaged in the business of a shared kitchen user on the licensed premises is in compliance with all equipment, food, and fire safety requirements set forth in the Municipal Code of New Haven and any rules promulgated thereunder.

## ARTICLE II. - LICENSES

Sec. 14-13. - Application; filing, fees.

At the time of a shared kitchen user application, the shared kitchen identified in such application and the shared kitchen user must comply with the regulations adopted and promulgated by the Public Health Code of the State of Connecticut relative to the inspections of food service establishments, and the Municipal Code of New Haven and any rules promulgated thereunder.

If at the time of a shared kitchen user application:

- 1) the shared kitchen identified in such application has been cleared by the Zoning and Building Departments, the Department's signature shall not be required and the shared kitchen's proof of license shall suffice within the meaning of this Section 14-13 as a pre-condition for obtaining a license.
- 2) within the 12-month period prior to the application date, the shared kitchen identified in such application passed its most recent inspection by the Fire Marshall, the inspection within the meaning of this Section 14-13 shall not be required as a condition for obtaining a license. The date and certified proof of inspection shall be provided by the identified shared kitchen.
- 3) within the 6-month period prior to the application date, the shared kitchen identified in such application passed its most recent inspection by the Water Pollution Control Authority such that the premises and equipment and food safety operations comply with the requirements of the Municipal Code of New Haven and any rules promulgated thereunder, the inspection within the meaning of this Section 14-13 shall not be required as a condition for obtaining a license. The date and certified proof of inspection shall be provided by the identified shared kitchen.

The shared kitchen user application shall become operative 90 days following its effective date to allow affected City Departments and the Water Pollution Control Authority to establish and streamline an official implementation process.

CHAPTER 17 - LICENSES AND PERMITS; ARTICLE XX. - FEES AND CHARGES; Sec. 17-201. - Permit, license and user fees; 5. *Health Department; Fee; Food service:*

Food service establishment license-*shared kitchen user/micro-food business* - *prorated for the first year only* -

- 1) [May 1 - August 31] to April 30\ \$75;
- 2) [September 1 - December 31] to April 30\ \$50;
- 3) [January 1 - April 30] to April 30\ \$25