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Regulation Act
No penalties for not having a permit

FOOD SERVICE CODE
ST. CROIX RESERVATION

Section I. - Definitions

For the purpose of this Code:

- (a.) "Council" means the official Chairman and quorum of committee representatives all of whom are duly elected or selected to office by the members of the St. Croix Tribe as their official representatives.
- (b.) "Environmental Health Advisor" means the Northern Native American Health Alliance Sanitarian or his designee.
- (c.) "Health Director" means the duly appointed St. Croix Health Services Director of the St. Croix Tribe or his designee. *Dorothy Clay*
- (d.) "Food Service Establishment" means a unit or location where food is processed and intended for individual consumption usually for retail sale. The term includes any such place whether consumption is on or off the premises. This term includes home kitchens that prepare food for sale.
- (e.) "Retail Food Establishment" means a unit or location in which food is manufactured, cut, mixed, ground, packaged, and processed for sale or distribution to consumers.
- (f.) "Retail Food Outlet" means a unit or location at which food is offered for sale or distribution with no cutting, mixing, grinding, packaging, or processing.
- (g.) "Temporary Food Service Establishment" means a food service establishment that operates at a fixed location for a period of not more than 14 consecutive days in conjunction with a single event or celebration.

1101.05
Section II - Food Service Permits

- A. No person shall operate a food service establishment who does not have a valid FOOD SERVICE PERMIT issued to him by the St. Croix Health Director and St. Croix Health Board. Only a person who complies with the requirements of this Code shall be entitled to receive or retain such a permit. Permits are not transferable. A valid permit shall be posted in every food service establishment.
1. Permanent, non-temporary, commercial food service establishments operating on the St. Croix Reservation must possess an unsuspended, unrevoked FOOD SERVICE PERMIT from the St. Croix Health Director. Food Service permits will be issued as follows:
- a. All permanent facilities must meet the general requirements of the 2001 edition of the U.S. Public Health Service "FOOD CODE".

- b. The Environmental Health Advisor shall submit a completed food service establishment inspection report to the Health Director.
 - c. The Health Director shall issue a FOOD SERVICE PERMIT if recommended by the Environmental Health Advisor, after completion of an inspection.
 - d. Food Service permits shall be issued for a 12 month period following approval by the Health Director. Renewal of the permit is to be accomplished by notifying the Health Director, who will then request the Environmental Health Advisor to inspect the premises.
 - e. Food Service permits shall be displayed in a conspicuous location within the establishment.
- B. No person shall operate a temporary food service establishment who does not have a valid TEMPORARY FOOD SERVICE PERMIT issued to him by the Health Director, St. Croix Tribe. Only a person who complies with the requirements of this code shall be entitled to receive or retain such a permit. Permits are not transferable.
- 1. Temporary food service establishments, operating on the St. Croix Reservation, must possess an unsuspended, unrevoked TEMPORARY FOOD SERVICE PERMIT from the Health Director, St. Croix Tribe. Temporary Food Service Permits will be issued as follows:
 - a. All temporary facilities must meet the general requirements of the St. Croix Tribe's "TEMPORARY FOOD SERVICE GUIDELINES".
 - b. The Health Director, or his designee, shall issue a TEMPORARY FOOD SERVICE PERMIT to the operator of a temporary food service facility if the operator of said establishment has reviewed the "TEMPORARY FOOD SERVICE GUIDELINES", signed an agreement to comply with these guidelines, and complied with a facility inspection.
 - c. Temporary food service permits shall be issued for a period of time as designated by the Health Director.
 - d. Temporary Food Service Permits shall be prominently displayed within the food service establishment.
- C. One copy each of the 2001 FOOD CODE and the TEMPORARY FOOD SERVICE GUIDELINES, shall be on file in the office of the Health Director.

- D. At least one food service employee of each facility will be required to obtain and possess a FOOD HANDLER TRAINING CERTIFICATE. There must be a CERTIFIED food service employee present when the facility is open for business.

To obtain a FOOD HANDLER CERTIFICATE, the food service employees must attend an approved Food Service Training Session. Food Service Training Sessions are presented by the NNAHA Environmental Health Advisor and also by the State of Wisconsin.

The St. Croix Tribe requires⁸ all food service employees to obtain the negative results a tuberculosis (TB) skin test (Mantoux) within 30 days of their first day of employment. Employers must maintain a record of all employee TB skin tests at their place of employment. Any employee that has a positive TB skin test must receive a written clearance document from a physician before they are allowed to work in any food service.

Copies of all FOOD SERVICE PERMITS, TEMPORARY FOOD SERVICE PERMITS, and FOOD HANDLER CERTIFICATES will be maintained by the St. Croix Health Director or his designee.

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Section III - Inspections

- A. The St. Croix Council delegates inspection authority of all food service establishments on the St. Croix Reservation to the Health Director and Environmental Health Advisor.
- B. Inspections shall be conducted at least annually of all permanent, non-temporary food service establishments by the Environmental Health Advisor or his designee. Commercial establishment reports will be sent to the owner/operator of the facility, the Chairman of the St. Croix Tribal Council, and the Health Director of the St. Croix Tribe.
- C. Spot check inspections will be conducted periodically of temporary food service establishments by the Health Director or his designee. Each facility will be inspected at least once during its operation.
- D. The issuance of a FOOD SERVICE PERMIT or TEMPORARY FOOD SERVICE PERMIT carries with it the implied consent that the Health Director, Environmental Health Advisor, or their designee shall have, at all times, the right of proper entry upon any and all parts of the premises of any place in which such entry is necessary to carry out the provisions of this ordinance.

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Section IV - Termination of Permits

- A. If any individual or party, subject to the jurisdiction of the St. Croix Indian Reservation, who also operates a food service establishment required to possess a FOOD SERVICE PERMIT or TEMPORARY FOOD SERVICE PERMIT, violates the aforementioned provisions, such violation shall constitute grounds for termination of that person's permit to trade on

the St. Croix Reservation by the Tribal Health Director.

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05 Section V - Effective Period of Ordinance

- A. This ordinance shall be in full force and effect immediately after its adoption and, at that time, all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.
- B. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected hereby.
- C. Any part of this ordinance may be amended by the St. Croix Tribal Council by a majority vote.

Not a Part of the Code

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TEMPORARY FOOD SERVICE GUIDELINES

St. Croix Chippewa Indians of Wisconsin
Health Services Department
P.O. Box 45287
Hertel, WI 54845
PH. 715-349-2195

ST. CROIX TEMPORARY FOOD SERVICE GUIDELINES

A temporary food service means a facility that operates at a fixed location in conjunction with a single event such as a pow wow, fair, carnival, or other celebration.

I. LOCATION

A.) Temporary food stands must not be less than 100 feet from a building housing animals or other sources of odors, flies or insect infestations.

B.) Toilet facilities must be located within 400 feet.

II. CONSTRUCTION

A.) Each facility must have a roof made of wood, canvas, or other approved material that protects the interior of the establishment from splash, dust, and inclement weather.

B.) Barrels and other containers which have been used for the storage of toxic products shall not be used as a cooking device.

C.) All means of cooking at counters, grills, barbecue pits and other types of cooking must be in an enclosed area effectively separated, so as not to be accessible to the public, by using fence, rope or similar means.

III. WATER SUPPLY

A.) A potable water supply from an approved source must be provided on the premises for use in food preparation, utensil-washing and employee hand washing.

B.) Temporary restaurants which do not have water under pressure are required to provide food grade water containers which are smooth, easily cleanable and have a tight fitting cover. Containers must be cleaned and sanitized in an approved manner prior to each day's operation.

C.) An electric or gas heating device is required to heat water for hand washing and utensil washing.

D.) Water hoses must be of food grade material, i.e., clear plastic or of nontoxic materials approved by the USDA, FDA and NSF. Water supplies that are connected to hoses shall be protected by an approved backflow prevention device.

IV. UTENSIL CLEANING

A.) Only single-service cups, dishes, and implements shall be used for serving food and drink. These utensils shall be fully protected from contamination, and shall be used only once.

B.) All single-service utensils shall be stored in the original closed container or effectively protected from dust, insects and other contamination and be stored a minimum of 6 inches off the floor. Single-service straws, knives, forks, spoons and toothpicks which are stored in a container which is self-service to the customer, shall be individually wrapped unless served through an approved dispenser or dispensed individually by a food service employee to the customer.

C.) Dishes and utensils must be washed after each use in the following manner: 1) pre-wash (scrape and soak), 2) wash in a good detergent, 3) rinse in clean water, 4) immerse in a 100 ppm bleach solution or other approved sanitizer for one minute, and 5) air dry. (100 ppm bleach solution = 2 teaspoons bleach per gallon of water.)

V. WASTE WATER DISPOSAL

A.) Liquid waste should be emptied into an approved sewage collection system when such system is available. When not available, liquid waste must be stored in a sealed container. This waste shall be disposed of at a location that will not create a fly, odor, or nuisance problem.

VI. HANDWASHING

A.) Hot water or tempered water must be provided for hand washing. If potable water is under pressure at the facility, a single compartment stainless steel or porcelain hand wash sink with proper liquid waste disposal must be used.

B.) Where potable water is not under pressure, a minimum of two pans or basins for hand washing and rinsing is required (a single basin with two compartments is acceptable). Hand washing basins shall be kept in a clean and sanitary condition. Disposable towels, soap and a waste receptacle shall be provided in the area of the hand washing basins.

C.) An alternative method for hand washing when potable water is not under pressure is as follows: Hot or tempered water in a suitable clean container with a spigot is encouraged for washing and rinsing hands. Water from the spigot will run over the hands while they are being washed and rinsed and the waste water collected for proper disposal such as in a bucket or pan.

D.) All food service workers shall wash their hands frequently while preparing and serving food. Employees must wash their hands immediately after using the toilet.

VII. PERSONAL HYGIENE

A.) All persons working in concessions will wear clean clothing and caps or hair nets.

- B.) No person who has any disease, in a communicable form or is a carrier of such disease, shall work in any temporary food service, and no facility shall employ any such person or persons suspected of having any communicable disease or being a carrier of such disease.
- C.) Tobacco products, in any form, shall not be used in the food preparation or serving areas. Employees of the facility shall wash their hands immediately after using any tobacco products.
- D.) Unauthorized access to the food preparation area should be prohibited. Only food service workers should be present in the facility.
- E.) No children under the age of 15 years shall work in a temporary food service facility.

VIII. FOOD PROTECTION

- A.) Potentially hazardous food, such as cream-filled pastries, custards, and similar products, and meat, poultry and fish in the form of salads shall not be served, e.g., potato, chicken and egg salads. No home canned products shall be used. Foods must be from approved sources.
- B.) Potentially hazardous foods such as hamburger, salads, eggs, milk, etc., shall be kept refrigerated at a temperature of less than 40°F when not being served. Potentially hazardous hot foods, such as Indian Taco meat or soup, shall be kept hot at 140° F. or higher. Frozen foods shall be thawed out at temperatures below 40°F or during the cooking process. No thawing of frozen foods at outdoor temperatures will be allowed.
- C.) An accurate and visible thermometer must be located in each refrigeration unit.
- D.) An accurate metal stem thermometer must be provided for checking internal temperatures of cold and hot potentially hazardous foods.
- E.) All foods and drinks are to be covered at all times to prevent contamination from flies, dust, sneezing, etc. If cloth coverings are used, they shall be used for no
- F.) Ice, which will be consumed or will come in contact with food, shall be obtained from an approved source in chipped, crushed or cubed form. Such ice shall be obtained in single service closed containers, and shall be held therein or in sanitary covered containers until used. Dippers or scoops shall be used for dispensing ice.

- G.) All nonperishable food must be stored in its original container a minimum of 6 inches above the floor of the temporary restaurant.
- H.) Nonperishable food which is not stored in its original container must be stored in an approved food grade covered container, and if the food item is not readily recognizable, must be labeled for content.
- I.) Sugar, cream, mustard, ketchup and similar products shall be served from individual packages or approved dispensers unless they are served by food service employees.
- J.) Items such as pickles, onions and relish shall be served by food service employees unless individually packaged.
- K.) Plastic squeeze bottles, pumps and similar types of dispensers must be fabricated so as to be smooth, easily cleanable and capable of being completely disassembled for washing, rinsing and sanitizing.
- L.) Live animals shall be excluded from the operational area of the food service facility.

IX. REFUSE

- A.) Garbage and refuse shall be routinely removed from the immediate area around the facility to prevent the attraction of flies and the creation of odor and nuisance problems.
- B.) Durable waste containers of sufficient size and number, lined with plastic bags and tight-fitting lids, will be provided by the operator of the facility. These containers must be covered at all times. The containers will be emptied as often as necessary to avoid creating a nuisance. When dumpsters are used for daily storage, plastic bags shall be used and tightly closed prior to storage in dumpsters.

X. WASHING AND CLEANING AIDS

- A.) All washing aids such as brushes, dish mops and dish cloths used in dishwashing shall be maintained in a clean and sanitary condition. Counter cloths must be stored in an approved sanitizing solution, i.e., 100 ppm chlorine bleach solution (2 teaspoons bleach per gallon of water).
- B.) An approved test kit must be used for measuring the level of sanitizer in solution.
- C.) Floor cleaning aids such as mops, brooms and buckets should not be stored in food preparation areas.

XI. TOXIC PRODUCT USE

- A.) Toxic products must not be used in a way that contaminates food, equipment or utensils or in a way that constitutes a hazard to employees or other persons, or in a way other than in full compliance with the manufacturer's label.
- B.) Toxic products shall not be stored above food, food equipment, utensils or single-service articles.

TEMPORARY FOOD SERVICE PERMIT APPLICATION

ST. CROIX RESERVATION

Applicant Name:

Address:

Phone No.:

Names of People Authorized to Work in the Temporary Food Service Facility:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Period of Food Service Operation:

As the owner/operator of this Temporary Food Service Facility, I hereby apply for a permit from the St. Croix Tribe to operate my business on the St. Croix Reservation. I have reviewed the requirements of the TEMPORARY FOOD SERVICE GUIDELINES of the St. Croix Tribe and agree to comply with said guidelines.

I understand that failure to comply with any of the requirements of these Guidelines will result in the revocation of my Temporary Food Service Permit.

Owner/Operator

Date

St. Croix Tribal Council

P.O. Box 45287 24663 Angelina Avenue Hertel, Wisconsin 54845 (715)349-2195 Fax (715)349-5768

TRIBAL COUNCIL

Elmer "Jay" Emery, Jr.
Tribal Chairman
Sand Lake Community

Hazel Hindsley
Vice-Chairperson
Maple Plain Community

Lewis Taylor
Secretary/Treasurer
Sand Lake Community

Gloria E. Benjamin
Member
Danbury Community

David Merrill
Member
Round Lake Community

EXECUTIVE SECRETARY

Mary Hartmann

HEALTH DIRECTOR

Phyllis Lowe

PERSONNEL DIRECTOR

Duane Emery

INTERSTATE

Richard Benjamin
Director

Roxanne Pardun
Accounting Clerk

COMPTROLLER

Rick Petersen

PLANNING DEPARTMENT

Richard F. Hartmann

JUDICIAL BRANCH

Louis Bearheart
Gloria Merrill
Judges

Penny Nelson
Court Clerk

TRIBAL ATTORNEY

Howard J. Bichler
George Morrison

Julie Pettis
Office Manager

ENTERPRISES

St. Croix Casino
Turtle Lake
Hole In The Wall Casino
Danbury
Chippewa Corners Cafe
Little Turtle Hertel Express
Sand Lake Bingo
St. Croix Ojibwa Construction Co.

ST. CROIX TRIBAL COUNCIL RESOLUTION NO. 07.10.03.1

WHEREAS, the St. Croix Tribal Council is the governing body of the St. Croix Chippewa Indians of Wisconsin a federally recognized Indian Tribe, and

WHEREAS, the St. Croix Tribal Council has established the St. Croix Tribal Health Clinic, and

WHEREAS, the St. Croix Tribal Health Clinic has the responsibility to draft and implement necessary Codes to provide healthy and sanitary conditions for St. Croix Tribal Members, and


WHEREAS, it is recognized that the conditions under which foods in restaurants, grocery stores, schools and educational institutions, temporary food service establishments are stored, prepared, handles and served are important to the health of the people on the St. Croix Reservation, and

WHEREAS, it is recognized that satisfactory sanitary conditions in food service establishment inspections conducted by the Registered Sanitarian of the Northern Native American Health Alliance, or his designee, operating under duly authorized authority delegated by the St. Croix Tribal Council and

NOW THEREFORE BE IT RESOLVED, that the St. Croix Tribal Council acting under its authority hereby approves the attached revised, "Food Service Code" for the regulation of food services operations on the St. Croix Reservation.

CERTIFICATION

I, the undersigned Secretary of the St. Croix Tribal Council, do hereby certify that the Council is composed of ~~five~~ three members, of whom three were present at a meeting duly called, convened and held this 10th day of July, 2003 and that the foregoing resolution was adopted at said meeting by an affirmative vote of three members for, zero (0) against, and zero members abstaining from the vote, and that said resolution has not been rescinded or amended in any way.


Leo Butler, Secretary/Treasurer
St. Croix Tribal Council

St. Croix Tribal Council

P.O. Box 45287 • 24663 Angelina Avenue • Hertel, Wisconsin 54845 • (715) 349-2198 • Fax (715) 349-5768

TRIBAL COUNCIL

David "Maabin" Merrill
Tribal Chairman
Round Lake Community

Michael L. Bearhart
Vice-Chairperson
Maple Plain Community

Leo Butler
Secretary/Treasurer
Sand Lake Community

Gloria E. Benjamin
Member
Danbury Community

Lewis Taylor
Member
Sand Lake Community

EXECUTIVE ASSISTANTS

Mary Hartmann
Harriet Fickbohm
Vicki Larson
Stephaine Mosay

AMENDED RESOLUTION NO. 08/06/02-04

NUNC PRO TUNC LAW ENFORCEMENT RECOGNITION

WHEREAS, the St. Croix Tribal Council is the governing body of the St. Croix Chippewa Indians of Wisconsin; and

WHEREAS, The St. Croix Tribal Council recognizes that the safety of all Tribal members and all residents of the reservation communities is of the highest priority; and

WHEREAS, the St. Croix Tribal Council has dedicated significant resources to the development, improvement, and maintenance of a fully functioning Tribal Police force to enforce the laws of the State of Wisconsin and the Ordinances of the St. Croix Chippewa Indians of Wisconsin; and

WHEREAS, all Tribal Police Officers meet or exceed the State of Wisconsin qualifications for a law enforcement officer as prescribed by Wisconsin Statute; and


WHEREAS, all Tribal Police Officers are qualified and available to provide mutual aid and assistance to all surrounding law enforcement agencies; and

WHEREAS, the St. Croix Tribal Council intends to have Tribal Police Officers enforce the laws of the State of Wisconsin within the reservation communities and the surrounding public lands;

THEREFORE BE IT RESOLVED, that the St. Croix Tribal Council hereby waives the Tribe's sovereign immunity to the extent necessary to allow the enforcement in state courts of its liability pursuant to Wisconsin Statute § 165.92(3)(a)

CERTIFICATION

I, the undersigned Secretary of the St. Croix Tribal Council, do hereby certify that the council is composed of five (5) members, of whom 3 were present at a meeting duly called, convened and held this 8 day of August, 2003, and that the foregoing amended resolution was adopted nunc pro tunc at said meeting by an affirmative vote of 3 members for, 0 against, and 0 members abstaining from the vote, and that said resolution has not been rescinded or amended in any way.


Leo Butler, Secretary/Treasurer
St. Croix Tribal Council

St. Croix Tribal Council

P.O. Box 45287 24863 Angellina Avenue Hertel, Wisconsin 54845 (715)349-2195 Fax (715)349-5768

TRIBUNCIL

James Mery, Jr.
Tribal
Sand Community

Hazel
Vice-Traon
Maple Community

Lewis
Secreasurer
Sand Community

Gloria
Memb
Danbury Community

David
Memb
Round Community

EXECUTARY

Mary Ha

HEALTH

Phyllis L

PERSON

Rc

(ST)

Richard B
Director

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COMPTRO

Rick Peters

PLANNING

Richard F Ha

JUDICIAL B

Louis Bearhe
Gloria Merrill
Judges

Penny Nelson
Court Clerk

TRIBAL ATTO

Howard J. Bicy
Lenore Knudts

Julie Nelson
Office Manager

ENT RISES

St. Croix Casino
Turtle Lake
Hole In The Wall
Danbury
Little Turtle Harte
St. Croix Ojibwa

RESOLUTION NO. 8/6/02-04 LAW ENFORCEMENT RECOGNITION

WHEREAS, the St. Croix Tribal Council is the governing body of the St. Croix Chippewa Indians of Wisconsin, and

WHEREAS, the St. Croix Tribal Council recognizes that the safety of all Tribal members and all residents of the reservation communities is of the highest priority, and

WHEREAS, the St. Croix Tribal Council has dedicated significant resources to the development, improvement, and maintenance of a fully functioning Tribal Police force to enforce the laws of the State of Wisconsin and the Ordinances of the St. Croix Chippewa Indians of Wisconsin, and

WHEREAS, all Tribal Police Officers meet or exceed the State of Wisconsin qualifications for a law enforcement officer as prescribed by Wisconsin statute, and

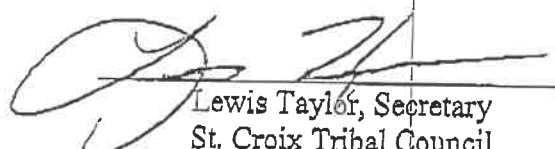
WHEREAS, all Tribal Police Officers are qualified and available to provide mutual aid and assistance to all surrounding law enforcement agencies, and

WHEREAS, the St. Croix Tribal Council intends to have Tribal Police Officers enforce the laws of the State of Wisconsin within the reservation communities and the surrounding public lands,

THEREFORE BE IT RESOLVED that the St. Croix Tribal Council hereby waives its sovereign immunity to the extent necessary to allow the enforcement in state courts for actions against its Tribal Police officers while acting within the scope of his or her employment.

CERTIFICATON

I, the undersigned Secretary of the St. Croix Tribal Council, do hereby certify that the council is composed of five (5) members, for whom 7 were present at a meeting duly called, convened and held this 07 day of August, 2002, and that the foregoing resolution was adopted at said meeting by an affirmative vote of 4 members for, 0 against, and 0 members abstaining from the vote, and that said resolution has not been rescinded or amended in any way.


Lewis Taylor, Secretary
St. Croix Tribal Council