

**EMERGENCY ORDINANCE  
FIRST AND SECOND READING**

**BOYD COUNTY FISCAL COURT**

**ORDINANCE NO. 2018-02**

**AN ORDINANCE RELATING TO BUSINESSES/ENTITIES PROVIDING FOOD SERVICES WITHIN THE COUNTY OF BOYD, REQUIRING HEPATITIS "A" INNOCULATIONS FOR EMPLOYEES ENGAGED IN THE HANDLING OF FOOD TO BE CONSUMED BY THE PUBLIC.**

**WHEREAS**, there has been a serious outbreak of Hepatitis "A" in Boyd County and the surrounding area with a number of the infected individuals being employees engaged in food service positions;

**WHEREAS**, in order to protect and promote public health, safety and well being the fiscal court has determined it is in the best interest of the citizens and residents of Boyd County that action be taken to assure sanitary and safe handling, serving, preparation and sale of food and beverages destined or intended to be consumed by the public;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNTY OF BOYD, COMMONWEALTH OF KENTUCKY:**

**SECTION 1.** The Boyd County Fiscal Court hereby determines that it is in the best interest of the public safety and welfare to require food service employees of businesses and other entities located within the County of Boyd to be inoculated with Hepatitis "A" vaccine to prevent the spread of such disease within the County.

**SECTION 2. DEFINITION.** "Food Service" shall include any person, business or other entity engaged in the handling of raw meat and vegetables and/or preparation and service of food and/or drink to be consumed by the public, e.g., restaurants, grocery meat and produce departments, school cafeterias, nursing home kitchens, jails, detention centers and other similar jobs.

**SECTION 3.** The Boyd Fiscal Court hereby requires those employees engaged in food service responsibilities in businesses and other entities located within the County of Boyd, Kentucky to have the Hepatitis "A" vaccination, including appropriate boosters (which should be administered six months after the first dose) in order to perform such duties, work and vocation. This requirement shall go into effect on July 1, 2018 and all businesses and other entities shall maintain records of the inoculation of their employees during their course of employment. Such proof of inoculation shall be made available to state or local public health inspectors upon request. In consideration of the approximate time necessary for an inoculated person to build immunity each business, person or entity having a duty to comply with this Ordinance shall be given four (4) weeks from July 1, 2018 to cause all inoculations/vaccinations to be obtained.

A food service worker who has been previously inoculated with appropriate booster with proof of such inoculation shall not be required to undergo additional inoculation upon providing satisfactory proof of same.

The requirements of this Ordinance shall not apply to women who are pregnant, nor to those individuals who in the written opinion of his/her duly licensed attending physician that such inoculation would be injurious to

the person's health, nor to those persons who are opposed to vaccination on religious grounds and sign a written sworn statement to that effect.

**SECTION 4. PENALTIES.** Any person, business or entity who violates any of the provisions of this Ordinance shall, upon conviction, be fined not less than fifty dollars (\$50) nor more than two hundred fifty dollars (\$250). Each day of violation after notification shall constitute a separate offense.

Nothing contained herein shall prevent the County of Boyd, Kentucky from taking such other lawful action as is necessary to prevent or remedy any violation or protect the public health.

In addition to any other penalty set forth herein failure to comply with this Ordinance may result in civil and administrative actions including but not limited to suspension or revocation of any or all licenses, permits or other authorization to conduct business or affairs.

**SECTION 5.** This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

Due to the local outbreak and epidemic of Hepatitis Aa and emergency is hereby declared.

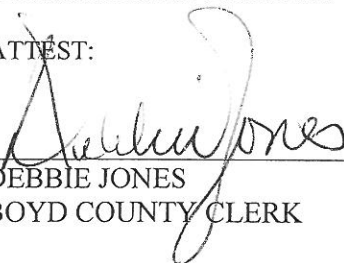
This the 19<sup>th</sup> day of June, 2018

  
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STEVE TOWLER  
BOYD COUNTY JUDGE EXECUTIVE

VOTING:

JUDGE TOWLER	<u>Yes</u>
COMMISSIONER GREER	<u>Yes</u>
COMMISSIONER JACKSON	<u>Yes</u>
COMMISSIONER TOLLIVER	<u>Yes</u>

ATTEST:

  
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DEBBIE JONES  
BOYD COUNTY CLERK

DATE: 6-19-18