

ORDINANCE NO. 3224

**AN ORDINANCE
IN REGARD TO THE SALE OF FOOD
PRODUCTS BY HOME KITCHEN AND COTTAGE FOOD OPERATIONS**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF THE TRUSTEES OF THE VILLAGE OF PLAINFIELD, ILLINOIS, as follows:

WHEREAS, the State of Illinois has enacted Public Act 098-0643, which amends the Food Handling Regulation Enforcement Act (410 ILCS 625/1) by establishing and defining a new type of food service operation known as the “Home Kitchen Operation”; and

WHEREAS, it is the intention of PA 098-0643 (the “Cupcake Law”) to allow for the limited sale of certain food products made in the home to the general public with less regulatory oversight than customary commercial food products; and

WHEREAS, the Cupcake Law provides that it will take effect only in those municipalities that have adopted an ordinance authorizing the direct sale of baked goods as described in Section 4 of the Food Handling Regulation Enforcement Act; and

WHEREAS, the President and Board of Trustee support the policies and objectives of the Cupcake Law; and

WHEREAS, the Village of Plainfield is a home rule unit of local government;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PLAINFIELD as follows:

SECTION 1: Article II of Chapter 3 of the Code of Ordinances is hereby amended with the addition of Section 3-21 as follows:

Sec. 3-21. Home Kitchen and Cottage Food Operations.

(a) The Village of Plainfield hereby adopts and incorporates the provisions of the Food Handling Regulation Enforcement Act (410 ILCS 625/1et seq.), as amended.

(b) Home Kitchen Operations and Cottage Food Operations, as defined by Food Handling Regulation Enforcement Act, as amended, are permitted within the Village of Plainfield. The sale of non-potentially hazardous food by Home Kitchen Operations and by Cottage Food Operations is also permitted in accordance with the Food Handling Regulation Enforcement Act.

(c) The Village of Plainfield hereby authorizes the direct sale of baked goods as described in Section 4 of the Food Handling Regulation Enforcement Act.

SECTION 2: This Ordinance is severable. The invalidity of any portion hereof shall not be construed so as to invalidate the remainder.

SECTION 3: Any Ordinance in direct, express conflict with this Ordinance is hereby repealed to the extent of such conflict.

PASSED THIS 3RD DAY OF AUGUST, 2015.

AYES: Bonuchi, Lamb, O'Rourke, Peck, Racich

NAYS: None

ABSENT: Wojowski

APPROVED THIS 3RD DAY OF AUGUST, 2015.

MICHAEL P. COLLINS
VILLAGE PRESIDENT

ATTEST:

MICHELLE GIBAS
VILLAGE CLERK