



**NEWTOWN DISTRICT DEPARTMENT OF HEALTH**  
**LICENSE SUSPENSION OR LICENSE REVOCATION POLICY**

**Suspension of License.**

A. The Director of Health may suspend any license to operate a food service establishment if it is found that any one or more of the following conditions exist:

- The license holder, person in charge, or the operation of the establishment itself, does not comply with the requirements of the Food Establishment Code;
- The operation of the establishment otherwise constitutes an immediate and substantial hazard and public health;
- The Director of Health or an authorized agent is interfered with in the performance of their duties, including but not limited to, not allowing or limiting the Director of Health or authorized agents to perform inspections of the establishment pursuant to the terms and provisions of the Food Establishment Code ;
- There is a failure to correct a violation that is continually found and reported on the inspection form; and

B. If the Director of Health finds unsanitary or other conditions in the operation of a food service establishment, which, in their judgment, constitute an immediate and substantial hazard to public health, and will immediately issue a written notice of suspension to the license holder or person in charge citing the reasons for such action. Upon service of such notice, the license is suspended. When a license is suspended, all operations related to the processing, preparation, storage, transportation, sale or service of food shall cease immediately.

C. Whenever a license is suspended, an opportunity for a hearing will be provided if a written request for a hearing is filed with the Director of Health by the license holder within two (2) business days of the suspension. If no written request for a hearing is filed within two (2) business days, the suspension shall continue until further notice of the Director of Health. The Director of Health may end the suspension at any time if reasons for the suspension no longer exist.

D. Upon receiving a request for hearing, the Director of Health shall thereupon immediately examine into the merits of such suspension and may sustain, modify or rescind such suspension. The license holder who is aggrieved by such action of the Director of Health may, within forty-eight (48) hours after the making of such decision, appeal to the Commissioner of Public Health who shall thereupon immediately notify the authority from whose decision the appeal was taken and examine the merits of such case and may sustain, modify or rescind such action.

E. During the process of appeal, the license shall remain suspended. However, the Director of Health may grant a stay upon a showing of good cause.



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**Revocation of License.**

A. The Director of Health may, after providing an opportunity for hearing and appeal, revoke a license for serious or repeated violations of any of the requirements of this Code, or for interference with the Director of Health, or an authorized agent, in the performance of their duties, or for cases where the license to operate has been obtained through nondisclosure, misrepresentation, or intentional misstatement of material fact, or for nonpayment of personal property taxes in accordance with section 12-146a of the Connecticut General Statutes.

B. Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation, and that the license shall be revoked at the end of ten (10) days following service of such notice, unless a request for a hearing is filed with the Director of Health by the license holder within two (2) business days of the notice being issued. If no request for a hearing is filed within two (2) business days the revocation of the license becomes final.

**Reinstatement of Suspended and Revoked Licenses.**

A. Suspension: Whenever a license has been suspended, the holder of the suspended license may make a written request for license reinstatement. Such written request shall specifically indicate how each of the conditions, which caused the suspension, have been corrected and shall be signed by the license holder. Within ten (10) days following receipt of written request, the Director of Health shall make a reinspection. If the Director of Health determines that the applicant has complied with the requirements of the Food Establishment Code and the Food Code, the suspension shall be lifted.

B. Revocation: After a period of sixty (60) days from the date of revocation, a written application may be made for the issuance of a new license, as provided for in Section 7 of the Food Establishment Code, and payment of the annual fee.

