

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1470

H.P. 1002

House of Representatives, April 10, 1991

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative LAWRENCE of Kittery.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Require Eating Establishments That Have Outdoor Seating to
Have Restrooms.**



Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 22 MRSA §1685, sub-§1, as enacted by PL 1987, c. 8,
4 §2, is amended to read:

6 1. Eating establishment. "Eating establishment" means an
8 eating establishment licensed by the Department of Human Services
10 under chapter 562 which prepares and serves food to the public
12 for consumption inside the premises or provides exterior seating
14 as described in section 1686. "Eating establishment" does not
16 include catering establishments, establishments dispensing food
18 solely from vending machines, pushcarts and mobile eating places,
20 ~~roadside stands, retail frozen dairy product establishments or~~
22 ~~any other such places where customers do not consume food inside~~
24 ~~the building where the food is prepared and served.~~

26 Sec. 2. 22 MRSA §1686, first ¶, as repealed and replaced by PL
28 1987, c. 769, Pt. A, §73, is amended to read:

30 Unless it is licensed for fewer than 13 seats, or if it has
32 fewer than 13 seats located outside the eating establishment for
34 the purpose of consuming food and is not licensed for ~~on-premise~~
36 ~~on-premises~~ consumption of alcoholic beverages, an eating
38 establishment shall must provide at least one toilet facility for
40 the use of its customers. Toilet facilities which require access
42 through the food preparation area or the use of which would in
44 any way cause the establishment to be in violation of any state
46 law or rule shall are not be considered as fulfilling this
48 requirement. The location of the toilets shall must be clearly
50 marked, maintained in a sanitary condition, in good repair and
52 their location identifiable from the eating area. There shall
54 may be no charge for their use. Lavatory facilities shall must
56 be located within or immediately adjacent to all toilet rooms or
58 vestibules.

STATEMENT OF FACT

60 This bill expands the requirement for the provision of
62 toilet facilities for the use of patrons to those restaurants
64 which provide exterior seating.