



Curtis Hopper, R.S.
Administrator

Gaston County

Environmental Health

991 West Hudson Boulevard • Gastonia, North Carolina 28052
Phone (704) 853-5200 • Fax (704) 853-5231 • www.gastonpublichealth.org

Environmental Health Regulated Establishments

Plan Review Policy Manual

Food & Lodging Plan Review Policy Manual

The Food & Lodging Plan Review Policy Manual was prepared by the staff of the Gaston County Environmental Health Division to provide information regarding the minimum plan review requirements for 12 respective areas listed in the index of this manual.

Each area listed in the index lists those minimum requirements required for the plan review process in 12 respective areas and is not inclusive of all rules and regulations for each area listed in this manual.

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I. RULES GOVERNING THE SANITATION OF HOSPITALS, NURINGS HOMES, ADULT CARE HOMES, AND OTHER INSTITUTIONS

15A NCAC 18A .1300

.1301 DEFINITIONS

"Institution" includes the following establishments providing room or board and for which a license or certificate of payment must be obtained from the Department of Health and Human Services, other than those operated exclusively by the State of North Carolina:

Hospital, as defined in G.S. 131E-76 including doctors' clinics with food preparation facilities;

Nursing home, as defined in G.S. 131E-101;

Sanitarium, sanatorium, and any similar establishment, other than hospital and nursing home, for the recuperation and treatment of 13 or more persons suffering from physical or mental disorders;

Adult care home, providing custodial care on a 24-hour basis for 13 or more persons, including homes for the aged;

Orphanage, or children's home providing care on a 24-hour basis for 13 or more children.

However, the term shall not include a child day care facility, an adult day service facility as defined in 15A NCAC 18A .3300 or a residential care facility as defined in 15A NCAC 18A .1600.

.1302 APPROVAL OF PLANS

In addition to any other licensure requirements, plans shall be submitted to the local health department for review and approval before beginning construction. Construction shall comply with the Rules of this Section.

.1309 FLOORS

All floors in intensive care units, bathrooms, showers, hydrotherapy areas, operating rooms, soiled utility rooms and laundry areas shall be of smooth, non-absorbent materials and so constructed as to be easy to clean. Carpeting shall be maintained clean, odor free, dry and in good repair. In all rooms in which floors are subjected to flooding-type cleaning, floors shall be of nonabsorbent materials, shall be sloped to drain and be provided with floor drains.

.1310 WALLS AND CEILINGS

All walls shall be easily cleanable and shall have washable surfaces to the highest level reached by splash or spray in rooms or areas where such occur.

.1311 LIGHTING, VENTILATION AND MOISTURE CONTROL

All areas shall be provided with sufficient illumination to effectively perform all operations, including cleaning, and shall have at least 10 foot candles of light at 30 inches above the floor in all areas other than food service areas. Food service areas shall be lighted as required for restaurants in "Rules Governing The Sanitation of Restaurants and other Foodhandling Establishments" 15A NCAC 18A .2600.

Ambient air temperatures shall be maintained in the range of 65° F to 85° F. Smoking rooms shall be ventilated to prevent environmental tobacco smoke from moving into other occupied portions of the building. There shall be no obligation to establish such smoking rooms.

.1312 TOILET: HANDWASHING: LAUNDRY: AND BATHING FACILITIES

Toilet rooms shall not be used for storage. Fixtures and furnishings shall be kept clean and in good repair. Durable, legible signs shall be posted or stenciled conspicuously in each toilet room for food service employees directing them to wash their hands before returning to work.

Institutions where bedpans, urinals or emesis basins are used shall provide facilities for emptying, cleaning, and disinfecting bedpans, urinals and emesis basins. Bedpans, urinals and emesis basins shall be cleaned after each use and shall be disinfected before use by other patients. Where bedpans are cleaned in

patient rooms, bedpan cleaning facilities shall consist of a water closet with bedpan lugs or spray arms. Where facilities for cleaning bedpans are not provided in patient rooms, bedpans shall be taken to a soiled utility room and be cleaned and disinfected using an EPA registered hospital disinfectant after each use. Where disposable bedpans are reused, they shall be labeled with the patient's name and date and shall not be used by more than one patient. Bedside commodes shall be cleaned after each use and shall be cleaned and disinfected before use by successive patients. Hand sinks shall not be used for cleaning bedpans or bedside commodes.

Handwashing facilities shall be accessible to all areas where personnel may be exposed to bodily excretions or secretions and in sterile supply processing areas, medication rooms, laundry areas, and soiled utility rooms. Any area where personnel may be exposed to bodily excretions or secretions shall have handwashing facilities located in the same room or have a doorway connecting to an adjacent room or corridor containing handwashing facilities. All lavatories shall be supplied with hot and cold running water through a mixing faucet, or with tempered warm water, soap, and sanitary towels or hand-drying devices. Handwashing facilities shall be provided in kitchens and any other food preparation areas in addition to any lavatories provided at employees' toilet rooms. Water heating facilities shall provide hot water within the temperature range of 100 degrees F to 116 degrees F at all lavatories and bathing facilities.

Bathing facilities shall be supplied with hot and cold running water and a mixing device, or tempering device. Shared bathing equipment that has contact with patient's skin shall be cleaned with detergent and an EPA registered hospital disinfectant between patient uses.

.1313 WATER SUPPLY

Water supplies at institutions shall meet the requirements in 15A NCAC 18C or 15A NCAC 18A .1700. Cross-connections with sewage lines, non-potable water supplies, or other potential sources of contamination are prohibited. Hot water heating facilities shall be provided. Hot and cold running water under pressure shall be provided to food preparation areas, and to any other areas where water is required in sufficient quantities to carry out all operations.

.1314 DRINKING WATER FACILITIES: ICE HANDLING

Drinking fountains shall be of sanitary angle-jet design, kept clean, and properly regulated. All multi-use utensils used for service of water in patients' rooms, including glasses, pitchers, and drinking tubes, shall be cleaned and sanitized before being used by any other individuals.

Ice machines and storage chests which are accessible to patients or the public shall provide ice through automatic ice dispensing equipment which prevents the contamination of stored ice.

.1316 SOLID WASTES

All solid wastes containing food scraps or other decomposable materials shall, prior to disposal, be kept in leak-proof, non-absorbent containers, such as standard garbage cans, which shall be kept covered with tight-fitting lids when filled or stored, or not in continual use; provided that such containers need not be covered when stored in a special vermin-proofed room, such as a refrigerated garbage room, or enclosure.

All dry rubbish (including scrap paper, cardboard boxes, packing crates, etc.) shall be stored in containers, rooms, or designated areas. Cleaning facilities for waste containers shall be provided. Medical wastes shall be handled and disposed of as required in North Carolina "Solid Waste Management Rules" 15A NCAC 13B .1200 Medical Waste Management.

.1317 VERMIN CONTROL: PREMISES: ANIMAL MAINTENANCE

Effective measures shall be taken to keep flies, rodents, cockroaches, and other vermin out of the establishment and to prevent their breeding or presence on the premises. All openings to the outer air shall be protected against the entrance of flies and other flying insects by self-closing doors, closed windows, 16-mesh or finer screening, controlled air currents, or other effective means. Copies of veterinary records for all resident pets shall be kept on the premises.

.1318 MISCELLANEOUS

Suitable rooms or spaces shall be provided for the storage of all necessary equipment, furniture and supplies, and kept clean. Mop receptors or sinks shall be provided and used for the cleaning of mops and the disposal of mop water. Other plumbing fixtures shall not be used for these purposes.

.1319 FURNISHINGS AND PATIENT CONTACT ITEMS

All furniture, bed springs, mattresses, sleeping mats, draperies, curtains, shades, venetian blinds, or other furnishings in institutions shall be kept clean and in good repair. Mattresses shall be kept clean, dry and odor free. Clean bed linen in good repair shall be provided for each individual and shall be changed when soiled.

.1320 FOOD SERVICE UTENSILS AND EQUIPMENT

All food service equipment and utensils used in institutions for preparing meals for 13 or more people shall comply with the requirements of "Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600. Residential style rehabilitation activity kitchens with domestic utensils and equipment may be used by groups of 12 or less people to prepare meals only for members of the group. Bread machines, soup kettles and other food contact items used at nutrition stations shall be so constructed as to be easily cleanable.

At activity kitchens or nutrition stations, provisions shall be made for cleaning all food service utensils and equipment and sanitizing utensils and equipment not continuously subjected to high temperatures. Where utensils and equipment are not returned to a central kitchen for cleaning, designated nutrition stations shall be equipped with at least a two compartment sink with 24 inch drainboards or counter top space at each end for handling dirty items and air drying clean items. Sinks shall be of sufficient size to submerge, wash, rinse and sanitize utensils and equipment. At nutrition stations, dish machines listed with NSF International shall meet this provision. Any area where food is portioned, served or handled shall be equipped with a separate handwash lavatory with hot and cold mixing faucet, soap and individual towels or hand drying device. Separate handwashing lavatories shall not be required for activity kitchens used only by groups of 12 or less people.

.1321 FOOD SUPPLIES

Food brought from home by employees or visitors of patients or residents shall be stored separately from the institution's food supply and shall be labeled with the name of the person to receive the food and the date the food was brought in and shall be kept only as long as it is clean, and free from spoilage. Labeling shall not be required for food items stored in employee-designated or individual resident's refrigerators or rooms.

.1322 MILK AND MILK PRODUCTS

Milk and milk products shall comply with 15A NCAC 18A .1200 "Rules Governing Grade A Milk Sanitation".

.1323 FOOD PROTECTION

Conveniently located refrigeration units, hot food storage and display units and effective insulated units shall be provided as needed to assure the maintenance of all food at required temperatures during storage, preparation, display, service, and transportation. Each refrigeration unit shall be provided with an indicating thermometer of such type and so situated that the thermometer can be easily read except that indicating thermometers shall not be required for food iced in coolers for transport. Containers of food shall be stored above the floor, on clean racks, dollies, slatted shelves, or other clean surfaces in such a manner as to be protected from splash or other contamination. No live animals shall be allowed in any room where food is prepared or stored.

.1324 EMPLOYEES

While on duty, all employees shall wear visibly clean outer clothing and shall be clean as to their persons. No employee shall use tobacco in any form while engaged in the preparation and handling of food.

Employees shall wash or decontaminate their hands:

- * before beginning work;
- * after each visit to the toilet;

- * before and after patient contact, including oral feeding;
- * after contact with a source of microorganisms (body fluids and substances, mucous membranes, nonintact skin, inanimate objects that are likely to be contaminated).

II. RULES GOVERNING THE SANITATION OF LOCAL CONFINEMENT FACILITIES

15A NCAC 18A .1500

.1501 DEFINITIONS

"Local confinement facility" shall include the following and similar establishments: any county or municipal confinement facility, local lockup, regional or district confinement facility, any detention facility for children or adults, any county or municipal workhouse or house of correction, and any other confinement facility operated by any local government for confinement of persons awaiting trial or sentences.

.1502 APPROVAL OF PLANS

Plans and specifications for new construction or major modification of local confinement facilities shall be submitted to the local health director for review and endorsement prior to, or concurrent with, submission to the Division of Facility Services, Department of Human Resources, for approval.

.1507 FLOORS

All floors shall be so constructed as to be easily cleanable and shall be kept clean and in good repair. In all areas in which water is routinely discharged to the floor, or in which the floors are subjected to flooding-type cleaning, floors shall be of nonabsorbent materials, shall be sloped to drain and be provided with floor drains.

.1508 WALLS AND CEILINGS

The walls and ceilings of all rooms and areas shall be kept clean and in good repair. All walls shall be easily cleanable and light colored, and shall have washable surfaces to the highest level reached by splash or spray in rooms or areas where such occur.

.1509 LIGHTING AND VENTILATION

All rooms shall be well lighted by natural or artificial means. Ventilation shall be provided and installed as required by the North Carolina State Building Code. Ventilation equipment shall be kept clean and in good repair.

.1510 TOILET, HANDWASHING AND BATHING FACILITIES

Each cell shall be provided with access to toilet and handwashing facilities, and soap and individual towels shall be provided. The fixtures shall be kept clean and in good repair. Convenient toilet facilities shall be provided for kitchen workers. Handwashing facilities with hot and cold water and mixing faucet shall be provided in kitchens and any food preparation areas in addition to any lavatories which may be provided at workers' toilet rooms.

.1511 WATER SUPPLY

Water supplies shall meet the requirements in 15A NCAC 18A .1700. Hot water heating facilities shall be provided. Hot and cold running water under pressure shall be provided to food preparation areas, and any other areas in which water is required for cleaning.

.1513 LIQUID WASTES

All sewage and other liquid wastes shall be disposed of in a public sewer system or, in the absence of a public sewer system, by a sanitary sewage disposal method approved as provided in "Sewage Disposal Systems," 15A NCAC 18A .1900. All sewage and other liquid wastes shall be so disposed of as not to create a public-health hazard.

.1514 SOLID WASTES

All solid wastes containing food scraps or other decomposable materials shall, prior to disposal, be kept in leak-proof, nonabsorbent containers such as standard garbage cans, which shall be kept covered with tight-fitting lids when filled or stored, or not in continuous use. All dry rubbish (including scrap paper, cardboard boxes, or similar items) shall be stored in containers, rooms, or designated areas in a manner

approved by the Department. Cleaning facilities for waste containers shall be provided. Containers shall be cleaned after emptying or removal of garbage or rubbish.

.1515 VERMIN CONTROL: PREMISES

Effective measures shall be taken to keep flies, rodents, and other vermin out of the local confinement facility and to prevent their breeding or presence on the premises. All openings to the outer air shall be effectively protected against entrance of such insects by self-closing doors, closed windows, 16-mesh or finer screening, or other effective means. Only those pesticides shall be used which have been approved for a specific use and properly registered with the Environmental Protection Agency and with the North Carolina Department of Agriculture in accordance with the "Federal Environmental Pesticide Control Act" and the "North Carolina Pesticide Law."

.1516 STORAGE

The local confinement facility shall provide at least one sufficiently sized janitor's closet equipped with a mop receptor, shelving, hooks, and other items necessary for the storage of all janitorial supplies and equipment. The facility shall also provide storage closets or rooms for all bed linens, mattresses, and general supplies. Such rooms shall be kept clean.

.1517 MATTRESSES, MATTRESS COVERS, BED LINEN

All furniture, bunks, mattresses, and other furnishings shall be kept clean and in good repair. Suitable rooms or spaces shall be provided for the separate storage of clean and soiled linens.

.1518 FOOD SERVICE UTENSILS AND EQUIPMENT

All equipment and utensils shall be so designed and of such material and workmanship as to be smooth and easily cleanable, and shall be kept in good repair.

.1519 CLEANING AND SANITIZING OF UTENSILS AND EQUIPMENT

Necessary facilities shall be provided and used for the cleaning and sanitizing of utensils and equipment.

Hand dishwashing facilities shall consist of an approved three-compartment sink of adequate size and depth, with hot and cold water service for each vat, and drainboards on each end of ample size to accommodate the number of eating and drinking utensils involved. When hot water is used for sanitizing, a booster heater of adequate capacity shall be provided to maintain a water temperature of at least 170 degrees F. in the third compartment.

A separate sink with drainboards on each end shall be provided where necessary for the washing of pots, pans, and vegetables. If a dishwashing machine is provided, the capacity shall be adequate to handle the number of utensils to be washed. The machine shall be fitted with a drainboard of ample size on each side; and the dirty dish lane shall be provided with a counter-sunk sink, or other effective means for the pre-cleaning, pre-flushing, or pre-soaking of the utensils.

.1520 STORAGE AND HANDLING OF UTENSILS AND EQUIPMENT

Sanitized utensils shall be stored in a clean place. Containers and utensils shall be covered, inverted, or stored in tight, clean cabinets.

.1521 FOOD SUPPLIES

All food shall be from approved sources and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding, and safe for human consumption.

.1522 FOOD PROTECTION

Refrigeration facilities, hot food storage facilities, and effective insulated facilities, shall be provided as needed to assure the maintenance of all food at required temperatures during storage, preparation, and serving. Each cold-storage facility used for the storage of perishable food in a non-frozen state shall be provided with an indicating thermometer of such type and so situated that the thermometer can be easily read. Containers of food shall be stored above the floor, on clean racks, dollies, slatted shelves, or other clean surfaces, in such a manner as to be protected from splash and other contamination.

.1523 FOOD SERVICE WORKERS

All food service workers shall wear clean outer garments and conform to proper hygienic practices. They shall wash their hands thoroughly in an approved handwashing facility before starting work, and as often as may be necessary to remove soil and contamination.

III. RULES GOVERNING THE SANITATION OF RESIDENTIAL CARE FACILITIES

15A NCAC 18A .1600

.1601 DEFINITIONS

"Residential care facility" means an establishment providing room or board and for which a license or certificate for payment is obtained from the Department of Human Resources. However, the term shall not include a child day care facility or an institution as defined in 15A NCAC 18A .1300.

.1602 APPROVAL OF PLANS

Plans and specifications for new construction or modification of residential care facilities, except family foster homes, shall be submitted to the agency designated by the state licensure regulations and to the local health department for review and approval before beginning construction.

.1607 FLOORS

All floors shall be easily cleanable and shall be kept clean and in good repair.

.1608 WALLS AND CEILINGS

The walls and ceilings of all rooms and areas shall be kept clean and in good repair.

.1609 LIGHTING AND VENTILATION

All rooms shall be well lighted by natural or artificial means. Ventilation equipment shall be kept clean and in good repair.

.1610 TOILET: HANDWASHING: LAUNDRY AND BATHING FACILITIES

All residential care facilities shall be provided with approved sanitary toilet, handwashing and bathing facilities complying with state licensure requirements. These facilities, and laundry facilities when provided, shall be kept clean and in good repair. All lavatories and baths shall be supplied with hot and cold running water through mixing devices. Each resident will be provided soap and individual towels. These towels will be stored separately after being used.

.1611 WATER SUPPLY

Water supplies shall meet the requirements in 15A NCAC 18A .1700; however wells shall be approved without meeting the setback to building foundation requirements found in 15A NCAC 18A .1720, if water sampling in accordance with Paragraph (b) of this Rule does not indicate a health threat.

At least once a year, samples of water shall be collected by the Department and submitted to the North Carolina State Laboratory of Public Health or other laboratory certified by the Department to perform examinations for Nitrates and Coliform bacteria. If the well is located less than 25 feet from a building foundation, the well shall also be sampled for pesticides upon application for licensure or approval. After the initial pesticide sample is collected and analyzed, the well shall be sampled again for pesticides following any treatment for structural pests.

No backflow connections or cross connections with unapproved supplies shall exist. Adequate hot water heating facilities shall be provided. Hot and cold running water under pressure shall be provided to food preparation areas and any other areas in which water is required for cleaning.

.1612 DRINKING WATER FACILITIES: ICE HANDLING

Common drinking cups shall not be provided or used. If ice is provided for residents, it shall be handled, transported, stored and dispensed in such a manner as to be protected against contamination.

.1613 LIQUID WASTES

All sewage and other liquid wastes shall be disposed of in a public sewer system or, in the absence of a public sewer system, by an approved, properly operating sanitary sewage system.

.1614 SOLID WASTES

All solid wastes shall be kept in durable, rust-resistant, nonabsorbent, watertight, rodent-proof standard waste containers which shall be kept covered when filled or stored or not in continuous use.

Outdoor containers shall be stored on a rack to prevent overturning. Waste containers shall be kept clean. All solid wastes shall be disposed of with sufficient frequency and in such a manner as to prevent insect breeding and public health nuisances.

.1615 VERMIN CONTROL: PREMISES

Effective measures shall be taken to keep insects, rodents, and other vermin out of the residential care facility and to prevent their breeding, harborage, or presence on the premises. The premises shall be kept neat, clean, adequately drained, and free of litter and vermin harborage. All openings to the outer air shall be effectively protected against the entrance of flying insects by screens, closed doors, closed windows, or other effective means.

Only those pesticides shall be used which have been approved for a specific use and properly registered with the Environmental Protection Agency and with the North Carolina Department of Agriculture. Such pesticides shall be used as directed on the label and shall be so handled and stored as to avoid health hazards.

.1616 STORAGE: MISCELLANEOUS

Household cleaning agents such as bleaches, detergents and polishes shall be stored out of the reach of young children unless otherwise required in the rules of the licensing agency. Medications shall be stored in a separate cabinet, closet or box not accessible to young children unless otherwise required in the rules of the licensing agency.

.1617 BEDS: LINEN: FURNITURE

All furniture, mattresses, curtains, draperies, and other furnishings shall be kept clean and in good repair.

.1618 FOOD SERVICE UTENSILS AND EQUIPMENT

All surfaces with which food or drink comes in contact shall, in addition, be easily accessible for cleaning, nontoxic, corrosion-resistant, nonabsorbent, and free of open crevices. Disposable articles shall be made from nontoxic materials.

Acceptable facilities for washing multi-use eating and drinking utensils, and pots, pans and other cooking utensils, include 2-section residential sinks, in counters. It is not necessary that such sinks be deep enough to permit immersion of large utensils. Acceptable storage facilities include residential kitchen cabinets, which should be kept clean and free of vermin.

.1620 FOOD PROTECTION

Refrigeration facilities, hot food storage facilities, and effective insulated facilities, shall be provided as needed to assure the maintenance of all food at required temperatures during storage, preparation, and serving.

IV. RULES GOVERNING THE SANITATION OF LODGING ESTABLISHMENTS

15A NCAC 18A .1800

.1801 DEFINITIONS

"Lodging establishment" means all hotels, motels, inns, tourist homes, and other places providing lodging accommodations for pay.

.1808 LOBBY: HALLS: STAIRS: AND VENDING AREAS

Ice and vending machine locations shall have ventilation and at least 10 foot-candles of light at 30 inches above the floor. Floors, walls, ceilings, windows and ventilation shall be kept clean and in good repair. Furniture, fixtures, draperies, and other accessories shall be clean and in good repair.

.1809 LAVATORIES AND BATHS

All lavatory and bathing facilities shall include hot and cold running water under pressure with a mixing faucet, a clean towel in good repair and provided daily for each guest, and soap. The lavatory, its handles, faucet, and vanity shall be washed using an all purpose cleaner and rinsed daily if the room has been occupied. A sanitizer shall be applied to the lavatory and vanity using a method such as a wipe-on chemically-treated disposable sanitizing towel or equivalent. A method or equipment for testing the sanitizer shall be available and used to insure minimum prescribed sanitizer strength.

Floors, walls, and ceilings shall be cleanable, durable, and shall be kept clean and in good repair. All waste water shall be disposed of in accordance with 15A NCAC 18A .1900.

.1810 WATER SUPPLY

Water supplies shall meet the requirements in 15A NCAC 18A .1700. Cross-connections with sewage lines or unapproved water supplies or other potential sources of contamination are prohibited.

Hot water heating facilities shall be provided. Hot and cold running water under pressure shall be provided at all times in guest rooms, for food preparation areas, and other areas in which water is required for cleaning. Hot water in guest rooms shall be provided at a temperature of no less than 116°F (46.7°C) and no more than 128°F (53.3°C).

.1811 DRINKING WATER FACILITIES

Facilities for the dispensing of drinking water shall be of sanitary design. If drinking fountains are provided, they shall be of angle-jet type. Ice used for room service shall be manufactured from an approved water supply and shall be stored and handled in a sanitary manner. All ice machines for use by guests installed after January 1, 1996, shall dispense ice without exposing stored ice to guests.

Single service glasses, cups, ice buckets, ice bucket lids, or food grade ice bucket liners may be used, if discarded after each use. Single service items, including clean disposable towels, shall be stored and handled in a manner to prevent contamination.

.1812 GUESTROOMS

Lavatories shall have lighting with a minimum of 30 foot-candles of light at 30 inches above the floor. Where natural ventilation only is provided, outside openings shall be screened. Windows and glass doors shall be kept clean and in good repair. In the absence of windows, air conditioning and artificial lighting constitutes satisfactory compliance. Two sheets shall be provided for each bed. The floors, walls, and ceilings of bedrooms, closets, and storage areas shall be kept clean and in good repair. Furniture, fixtures, carpets and other accessories shall be kept clean and in good repair. All lodging establishments shall be kept free of roaches, flies and other pests. Guestrooms having outside openings shall have screens in good repair unless the guestroom is air conditioned. Coffee or tea pots and other multi-use items exposed to heat during use may be washed and rinsed in place.

.1813 STORAGE AND LAUNDRY FACILITIES

Storage rooms or cabinets shall be provided for all supplies, linens, and equipment.

Cabinets, shelves, and storage rooms shall be constructed to facilitate cleaning and kept clean.

A separate storage area shall be provided for building and ground maintenance equipment and supplies. Housekeeping carts shall be kept clean and stored in a clean area.

.1814 DISPOSAL OF GARBAGE AND TRASH: PREMISES

Facilities shall be provided for the washing and storage of garbage and trash containers, mops, mop buckets, mop wringers, and any other equipment used in the cleaning of the lodging establishment. Cleaning facilities shall include combination faucet, hot and cold water, hose bibb with a backflow prevention device and curbed impervious pad sloped to drain or other equivalent facilities or methods. Where dumpsters are used, a contract for off-site cleaning shall constitute compliance with the provision for cleaning facilities for such units. A current copy of the dumpster cleaning contract shall be made available at the time of inspection.

.1818 PLAN REVIEW

Plans, drawn to scale, and specifications, for new lodging establishments shall be submitted for review and approval to the local health department prior to initiating construction. Plans, drawn to scale, and specifications shall also be submitted prior to construction of additions or renovations to existing lodging establishments. Plans, drawn to scale, and specifications for prototype "franchised" or "chain" facilities shall also be submitted for review and approval to the Environmental Health Services Section, Division of Environmental Health. Plans shall be reviewed for conformance to the rules of this Section. Construction shall comply with approved plans and specifications.

V. RULES GOVERNING THE SANITATION OF BED AND BREAKFAST HOMES

15A NCAC 18A .2200

§ 130A-247. Definitions

"Bed and breakfast inn" means a business of not more than 12 guest rooms that offers bed and breakfast accommodations to at least nine but not more than 23 persons per night for a period of less than one week, and that:

Does not serve food or drink to the general public for pay;

Serves only the breakfast meal, and that meal is served only to overnight guests of the business;

Includes the price of breakfast in the room rate; and

Is the permanent residence of the owner or the manager of the business.

.2201 DEFINITIONS

"Bed and Breakfast Home" means a private home offering bed and breakfast accommodations to eight or fewer persons per night for a period of less than a week.

.2206 FLOORS

Floors in the home shall be easily cleanable and shall be kept clean and in good repair.

.2207 WALLS AND CEILINGS

The walls and ceilings of rooms and areas shall be kept clean and in good repair.

.2208 LIGHTING AND VENTILATION

Rooms and areas used in conjunction with bed and breakfast homes shall be lighted and ventilated and shall be effective under actual use conditions. In kitchens, effective ventilation shall be provided. Effective residential type ventilation systems, if provided, which exhaust to the outdoors shall be considered acceptable.

.2209 TOILET: HANDWASHING: LAUNDRY: AND BATHING FACILITIES

Bed and breakfast homes shall be provided with approved sanitary toilet, handwashing, and bathing facilities. All lavatories and baths shall be supplied with hot and cold running water. Each person who is provided accommodations shall be provided individual soap and clean individual bath cloths and towels.

.2210 WATER SUPPLY

An adequate water supply shall be provided from an approved source which is of a safe and sanitary quality. Adequate hot water heating facilities shall be provided. Hot and cold running water under pressure shall be provided to food preparation areas, and any other areas in which water is required for cleaning.

.2212 DISPOSAL OF WASTES

All sewage and other liquid wastes shall be disposed of in a public sewer system or, in the absence of a public sewer system, by a sewage disposal system permitted, constructed, and operated in accordance with appropriate laws, rules, and ordinances.

.2213 VERMIN CONTROL: PREMISES

Openings to the outer air shall be effectively protected against the entrance of flying insects by screens, closed doors, closed windows, or other effective means.

.2215 BEDS: LINEN: FURNITURE

Furniture, mattresses, curtains, draperies, etc. shall be kept clean and in good repair.

Clean linen shall be stored and handled in a sanitary manner and separate from soiled linen.

.2216 FOOD SERVICE UTENSILS AND EQUIPMENT

Containers and clean utensils shall be stored in a clean place. Containers and clean utensils shall be covered, inverted, stored in tight, clean cabinets, or otherwise stored in such a manner as to prevent contamination. Acceptable facilities for washing multi-use eating and drinking utensils, and pots, pans and other cooking utensils, include two-section residential sinks. Acceptable storage facilities include residential kitchen cabinets, which should be kept clean and free of vermin.

.2218 FOOD PROTECTION

Refrigeration facilities, hot food storage facilities, and effective insulated facilities shall be provided as needed to assure the maintenance of all food at required temperatures during storage, preparation, and serving.

VI. RULES GOVERNING THE SANITATION OF PUBLIC, PRIVATE AND RELIGIOUS SCHOOLS

15A NCAC 18A .2400

.2401 DEFINITIONS

"Private or religious school" means a school which is not supported by funds appropriated by the General Assembly of North Carolina, by the federal government, or through local governmental sources.

"Public school" means a school supported by public funds appropriated by the General Assembly of North Carolina, by the federal government, and through local governmental sources.

.2405 WATER SUPPLY

The water supply shall be from an approved source and shall be adequate and of a safe, sanitary quality. The water supply used shall be located, constructed, maintained, and operated in accordance with the Commission for Health Services' rules governing water supplies. Hot and cold running water under pressure shall be provided to food preparation areas, and any other areas in which water is required for operations and maintenance cleaning. The well house shall be kept clean and free of storage.

.2406 DRINKING FOUNTAINS

Fountains shall be provided with adequate water pressure, properly regulated, kept clean and in good repair.

.2407 SANITARY SEWAGE DISPOSAL

All sewage and other liquid wastes shall be disposed of in a public sewer system or, in the absence of a public sewer system, by an approved, properly operating sanitary sewage system.

.2408 TOILET FACILITIES

Toilet facilities shall be provided and installed as required by the North Carolina State Building Code. Walls and ceilings of toilet facilities shall be constructed of non-absorbent, washable materials and shall be kept clean. Floors of toilet facilities shall be impervious and kept clean.

.2409 LAVATORY FACILITIES

Fixtures shall be kept clean and in good repair. Soap and individual towels or approved hand-drying devices shall be provided.

.2410 FLOORS: WALLS: AND CEILINGS

Floors, walls, and ceilings of all areas shall be kept clean and in good repair.

.2411 STORAGE SPACES

Storage spaces and custodians' closets shall be kept clean and arranged so as to facilitate cleaning. All storage shall be at least 15 inches (38.1 centimeters) above the floor or otherwise arranged so as to permit thorough cleaning.

.2412 LIGHTING AND VENTILATION

Lighting and ventilation shall be provided and installed as required by the North Carolina State Building Code. All windows and fixtures (grills, vents, blinds, drapes, lighting fixtures, etc.) shall be kept clean and in good repair.

.2413 DRESSING ROOMS AND SHOWERS

Floors, walls, and ceilings of shower areas shall be washable and non-absorbent. Adequate facilities for storage of clothes and other personal items shall be provided and kept clean. A clean bath towel and soap shall be provided for each person using the showers.

.2414 SOLID WASTE DISPOSAL

Impervious, cleanable containers with lids, approved by the Department, shall be provided for the storage of solid waste.

.2415 PREMISES: MISCELLANEOUS

The premises of the school under control of the principal shall be kept neat and clean at all times. Waste material, unnecessary articles, rubbish, litter, or garbage shall not be allowed to accumulate on the premises. There shall be no fly or mosquito breeding places, rodent harborages, or undrained areas on the premises. Pesticides and other toxic materials shall be used as directed on the label and handled and stored as to avoid health hazards.

VII. Rules Governing Public Swimming Pools

15A NCAC 18A .2500

.2508 DEFINITIONS

Public swimming pool means public swimming pool as defined in G.S. 130A-280.

Public swimming pools are divided into four types:

- (a) Swimming pools are public swimming pools used primarily for swimming.
- (b) Spas are public swimming pools designed for recreational and therapeutic use that are not drained, cleaned, or refilled after each individual use. Spas may include units designed for hydrojet circulation, hot water, cold water mineral bath, air induction bubbles, or any combination thereof. Common terminology for spas includes "therapeutic pool", "hydrotherapy pool", "whirlpool", "hot spa", and "hot tub".
- (c) Wading pools are public swimming pools designed for use by children, including wading pools for toddlers and children's activity pools designed for casual water play ranging from splashing activity to the use of interactive water features placed in the pool.
- (d) Specialized water recreation attractions are pools designed for special purposes that differentiate them from swimming pools, wading pools and spas. They include:
 - (i) water slide plunge pools and run out lanes;
 - (ii) wave pools;
 - (iii) rapid rides;
 - (iv) lazy rivers;
 - (v) interactive play attractions that incorporate devices using sprayed, jetted, or other water sources contacting the users and that do not incorporate standing or captured water as part of the user activity area; and
 - (vi) training pools deeper than a 24 inch deep wading pool and shallower than a 36 inch deep swimming pool.

.2509 PLAN REVIEW AND APPROVAL

Public swimming pools plans and specifications shall be prepared by a registered design professional if required by G.S. 89C Architecture or G.S. 83A Engineering, and shall be approved by the Department prior to construction. If required by G.S. 87-1 General Contractors, public swimming pools shall be constructed by swimming pool contractors licensed by the North Carolina Licensing Board for General Contractors. The owner shall submit a minimum of two complete sets of plans to the local Health Department for review. Plans shall be drawn to scale and accompanied by specifications so as to permit a clear, comprehensive review by the local health department. All prints of drawings shall be a minimum of 18 x 24 inches and a maximum size of 36 x 42 inches. These plans shall include:

- (1) Plan and sectional view dimensions of both the pool and the area enclosed by the barrier fences to include the bathhouse and the equipment room and pool accessories;
 - (2) Specifications of all treatment equipment used and their layout in the equipment room;
 - (3) A piping schematic showing piping, pipe size, inlets, main drains, skimmers, gutter outlets, vacuum fittings and all other appurtenances connected to the pool-piping system;
 - (4) Layout of the chemical storage room; and
 - (5) Specifications for the water supply and wastewater disposal systems that include aspects such as well location and backwash water disposal where applicable.
- (e) The swimming pool contractor shall contact the local health department when pool pipes are in place and visible so that the local health department may conduct an open-pipe inspection of the pool piping.

.2510 PUBLIC SWIMMING POOL OPERATION PERMITS

No public swimming pool shall commence or continue operation unless the owner or operator has an operation permit issued by the Department for each public swimming pool.

A separate application for an operation permit must be submitted for each public swimming pool. The owner or operator shall apply annually to the Department for an operator's permit.

.2512 WATER SUPPLY

The water supply serving the swimming pool and all plumbing fixtures including drinking fountains, lavatories, toilets, and showers, shall meet all requirements in 15A NCAC 18A .1700 or be an approved public water supply in accordance with 15A NCAC 18C. However, the Department may approve the use of water from natural sources, including the use of saline water, for the swimming pool.

The water distribution system serving the swimming pool and auxiliary facilities shall be protected against backflow. Water introduced into the pool, either directly or by the circulation system, shall be supplied through an air gap (American National Standards Institute A112.1.2-1979), a pipe-applied atmospheric vacuum breaker (ANSI/American Society of Sanitary Engineering No. 1001-1971), a pressure type anti-siphon vacuum breaker (ANSI/ASSE No. 1020-1976), or a reduced-pressure principle backflow preventer (ASSE No. 1013-1979, American Water Works Association No. C506-1978), which are hereby adopted by reference in accordance with G.S. 150B-14(c) or equivalent.

Whenever an over-the-rim spout is used to introduce water into the swimming pool, it shall be shielded so as not to create a hazard. The open end of the spout shall have no sharp edges, shall not protrude more than two inches (5.1 cm) beyond the edge of the pool and shall be at least two pipe diameters above the deck or pool overflow level. The over-the-rim spout shall be located under the diving board or within six inches of a ladder or handrail.

.2513 SEWAGE SYSTEMS AND OTHER WASTEWATER DISPOSAL

Sewage shall be disposed of in a public sewer system or, in the absence of a public sewer system, by an approved, properly operating sanitary sewage system. There shall be no direct physical connection between the sewer system and any drain from the swimming pool or circulation system. Overflow from the swimming pool, and discharges from the circulation system, when discharged to the sewer system, storm drain or other approved natural drainage course, shall be discharged through a suitable air gap so as to preclude the possibility of back flow of sewage or other waste water into the swimming pool or the swimming pool piping system. Deck drainage shall be discharged through an indirect drain.

.2514 MATERIALS OF CONSTRUCTION

Pools and appurtenances shall be constructed of materials which are inert, non-toxic to man, impervious and permanent, which can withstand design stresses and which can provide a water-tight tank with a smooth and cleanable surface.

Pool finish, including bottom and sides, shall be of white or light colored material determined visually to contrast least with a value of gray whiter than fifty percent (50%) black on an artists gray scale, or shown by reflectance testing to reflect more than fifty percent (50%) of visible light.

Pool surfaces in areas which are intended to provide footing for bathers including steps, ramps, and pool bottoms in areas with water less than three feet deep, shall be designed to provide a slip-resistant surface.

.2515 DESIGN DETAILS

A hydrostatic relief valve shall be provided for in-ground swimming pools which extend more than two feet below the grade of surrounding land surface unless a gravity drainage system is provided.

Swimming pools shall have a circulation system with approved treatment, disinfection, and filtration equipment as required in the rules of this Section.

The minimum depth of water in the swimming pool shall be three feet (0.91 m) except where a minimum depth of less than 3 feet is needed to provide non-swimming areas such as children's activity areas and sun shelves.

The maximum depth at the shallow end of a swimming pool shall be 3.5 feet (1.07 m) except for pools used for competitive swimming, diving or other uses which require water deeper than 3.5 feet.

Decorative features such as planters, umbrellas, fountains and waterfalls located on pool decks shall comply with the following:

- (1) Decorative features shall Shall not occupy more than 20 percent of the pool perimeter;
- (2) If located adjacent to a water depth of greater than five feet, decorative features shall not be more than 20 feet wide;
- (3) Decorative features shall Shall not provide handholds or footholds that could encourage climbing above deck level;
- (4) A walkway shall be provided to permit free access around decorative features and shall be as wide as the lesser of five feet or the deck width required in Rule .2528 of this Section;

- (5) Decorative features shall not obstruct the view of any part of the pool from any seating area; and
- (6) Features with moving water shall be separate from the pool recirculation system.

.2516 POOL PROFILE

The vertical walls of a public swimming pool shall not exceed 11 degrees from plumb.

Hopper bottomed pools are prohibited.

Underwater ledges or protrusions are prohibited; except that underwater stairs, sun shelves, seats and benches may be installed in areas of the pool no more than four feet deep. Underwater benches shall have a maximum seat depth of two feet from the water surface, protrude no more than 18 inches from the wall and be marked by a two inch contrasting color band on the leading edge. Underwater protrusions may provide seating at swim-up bars located in offset areas away from swim lanes. Underwater stairs may adjoin a sun shelf to deeper water provided the depth at the bottom of the stairs is no more than four feet and the stairs meet all provisions of Rule .2521 of this Section.

The slope of the bottom of any portion of any public swimming pool having a water depth of less than five feet (1.52 m) shall not be more than one foot vertical change in 10 feet (10 cm in one meter) of horizontal distance and the slope shall be uniform.

In portions of pools with water depths greater than five feet (1.52 m), the slope of the bottom shall not be more than one foot vertical in three feet (33.3 cm in one meter) of horizontal distance.

Fountains shall not be installed in an area with a water depth exceeding 18 inches;

Fountains shall be separate from the pool water recirculation system; and

Fountains shall not release water at a velocity greater than 10 feet per second.

.2517 DIVING EQUIPMENT

Diving equipment shall be designed for swimming pool use and shall be installed in accordance with the manufacturer's recommendations. Diving equipment shall have slip-resistant tread surfaces. Steps shall be of corrosion-resistant design. Handrails shall be provided at all steps and ladders leading to diving boards that are one meter or more above the water. In pools with water depth less than 3 feet, 6 inches (1.07 meters) at the starting end, raised starting platforms shall be prohibited. In pools with water depth 3 feet, 6 inches (1.07 meters) to less than 4 feet (1.22 meters) at the starting end, starting platforms shall be no more than 18 inches (0.46 meter) above the water surface. In pools with a water depth of 4 feet (1.22 meters) or greater at the starting end, starting platforms shall be no more than 30 inches (0.762 meter) above the surface of the water.

.2518 CIRCULATION SYSTEM

Pools shall be equipped with a circulation system. The capacity of the circulation system shall be sufficient to clarify and disinfect the entire volume of swimming pool water four times in 24 hours. The system shall be operated 24 hours per day during the operating season. Skimmer piping constructed after May 1, 2010 shall be sized to handle the maximum flow rate for the required number of skimmers, but in no case less than 100 percent of the design flow rate. Perimeter overflow system piping constructed after May 1, 2010 shall be sized to handle 100 percent of the design flow rate. The main drain piping constructed after May 1, 2010 shall be sized to handle 100 percent of the design flow rate.

Piping shall be designed to reduce friction losses to a minimum and to carry the required quantity of water at a maximum velocity not to exceed six feet per second for suction piping and not to exceed 10 feet per second for discharge piping except for copper pipe where the velocity shall not exceed eight feet per second. Piping shall be of non-toxic material, resistant to corrosion, and able to withstand operating pressures. If plastic pipe is used, a minimum of Schedule 40 PVC is required. Flexible pipe shall not be used except that flexible PVC hoses that meet NSF Standard 50 may be affixed to spa shells where rigid pipes do not provide the necessary angles to connect circulation components. Exposed pipes and valves shall be identified by a color code or labels.

A vacuum cleaning system shall be provided to remove debris and foreign material that settles to the bottom of the swimming pool. Integral vacuum cleaning systems shall be provided with valves and protective caps. Integral vacuum ports constructed after May 1, 2010 shall have self-closing caps designed to be opened with a tool.

A rate-of-flow indicator, reading in liters or gallons per minute, shall be installed on the filtered water line and located so that the rate of circulation is indicated.

A pump or pumps shall be provided with capacity to recirculate the swimming pool water four times

in 24 hours, and shall be so located as to eliminate the need for priming.

(i) Inlets: The number of inlets for any swimming pool shall be determined based on return water flow. There shall be at least one inlet per 20 gallons per minute of return water flow.

There shall be a minimum of four inlets for any swimming pool.

(j) Drains: Public Swimming pools with suction drains shall be provided with at least two main drain outlets which are located at the deepest section of the pool and connected by "T" piping. Drains shall be spaced not more than 30 feet apart, and not more than 15 feet) away from the side walls. Drains shall be separated by at least three feet measured from centers of the cover/grates. Public swimming pools constructed prior to May 1, 2010 with a single drain or multiple drains closer than three feet apart shall protect against bather entrapment with an unblockable drain or a secondary method of preventing bather entrapment in accordance with rule .2539 of this Section.

Drain outlets shall comply with the American National Standard ASME/ANSI A112.19.8-2007 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs which is hereby incorporated by reference including any subsequent amendments, editions, and successor standards under the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C 8001 et seq.).

Surface Overflow Systems.

Swimming pools shall be provided with a surface overflow system that is an integral part of the circulation system and that consists of a built-in-place perimeter overflow system, a pre-fabricated perimeter overflow system, or recessed automatic surface skimmers.

Whenever a built-in-place perimeter overflow system or a pre-fabricated perimeter overflow system is provided, it shall be designed and installed as follows:

The system shall be capable of handling 100 percent of the circulation flow without the overflow troughs being flooded;

There shall be at least one recessed automatic surface skimmer for each 400 square feet of water surface area of the swimming pool or fraction thereof;

Skimmers shall not protrude into the swimming pool. Automatic surface skimmer or skimmers without a perimeter overflow system shall be installed so that the operating level of the pool is no more than nine inches below the finished deck level so that the deck can be used as a handhold.

.2519 FILTERS

All swimming pools shall be equipped with a filtration system for the purpose of clarifying the swimming pool water; said filtration system shall be an integral part of the circulation system and shall consist of one or more units of sand type filters, of diatomaceous earth type filters, or of cartridge type filters. Filters on swimming pools shall be equipped with an approved type pressure gauge or gauges. Filters on swimming pools shall be designed and installed with all the necessary valves and piping which may be needed to drain the filters completely.

.2521 LADDERS, RECESSED STEPS, AND STAIRS

If the vertical distance from the bottom of the swimming pool to the deck is over two feet (0.61 m), recessed steps, stairs, or ladders shall be provided in the shallow area of all swimming pools. Recessed steps or ladders shall be provided at the deep portion of all pools; and, if the swimming pool is over 30 feet (9.14 m) wide, such recessed steps or ladders shall be installed on each side near the deep end. A stairway, ladder or set of recessed steps shall be provided every 75 feet along the shallow area perimeter. Where stairs are provided in the shallow area of the pool, one ladder may be deleted in the shallow area for each stairway provided.

Each set of stairs shall be provided with at least one handrail to serve all treads and risers. For stairs wider than 20 feet, additional handrails shall be provided and spaced no more than 10 feet from adjacent handrails or stair ends.

The leading edge of stair treads shall be marked with a contrasting color band or line at least two inches (5 cm) wide visible from above the stairs. Use of contrasting color tiles installed in the stair tread is acceptable provided the tiles are spaced no more than one inch (2.5 cm) from the edge of the tread or from adjacent tiles.

Swimming pool ladders shall be corrosion-resistant and shall be equipped with slip-resistant treads. Step holes shall have a minimum tread of five inches (12.7 cm) and a minimum width of 14 inches (35.6 cm).

When step holes or ladders are provided within the swimming pool, there shall be a handrail at each side.

.2522 DECKS

The width of the deck or walkway shall provide at least six feet of clear walking space at all points. If the swimming area of the pool is 1600 square feet or larger, at least eight feet of clear walking space is required. Indoor swimming pools shall have a continuous deck or walkway extending completely around the swimming pool. The width of the deck shall provide at least five feet of clear walking space at all points. Structures covering swimming pools, including temporary domes, shall be constructed to maintain a vertical clearance of at least seven feet from all parts of the required clear walk space.

Wading pools shall have a continuous deck extending completely around the wading pool. The width of the deck or walkway shall provide at least four feet of clear walking space at all points.

Spas shall have a continuous deck extending at least one-half way around the spa. The width of the deck or walkway shall provide at least four feet of clear walking space at all points.

There shall be at least five feet of clear walking space around any diving board, handrail, slide or other permanent structure installed on a swimming pool deck.

All deck areas and walkways shall be sloped at a grade of one-fourth inch to one-half inch per foot to a deck drain or sheet drain to deck edge. Deck drains shall not be connected to the circulation system in any manner. All decks and walkways shall have a slip-resistant, impervious surface.

Sufficient hose bibs shall be provided to allow all areas of the deck to be reached with a 100 foot hose.

For all swimming pools constructed after April 1, 2000 decks shall be continuous with the top of the pool wall or gutter and shall not be more than nine inches above the standard operating water level.

.2523 DEPTH MARKINGS AND SAFETY ROPES

On swimming pools the depth of the water shall be marked at or above the water surface on the vertical wall of the swimming pool where possible and on the edge of the deck next to the swimming pool. Where depth markers cannot be placed on the vertical walls at or above the water level, other means shall be used; provided the markings shall be visible to persons in the swimming pool. Depth markers shall be placed at the following locations:

- (1) at the points of maximum and minimum depths;
- (2) at the transition point where the slope of the bottom changes from the uniform slope of the shallow area;
- (3) if the pool is designed for diving, at points to denote the water depths in the diving area; and
- (4) at both ends of the pool.

Depth markers shall be so spaced that the distance between adjacent markers is not greater than 25 feet (7.5 m) when measured along the perimeter of the pool.

Depth markers shall be in Arabic numerals at least four inches (10 cm) high and of a color contrasting with the background. Depth markings shall indicate the depth of the pool in feet of water and shall include the word "feet" or symbol "ft" to indicate the unit of measurement. Depth markings installed in pool decks shall provide a slip resistant walking surface.

"No Diving" markers shall be provided on the pool deck adjacent to all areas of the pool less than five feet deep. "No Diving" markers shall consist of the words "No Diving" in letters at least four inches high and of a color contrasting with the background or at least a six-by-six inch international symbol for no diving in red and black on a white background. The distance between adjacent markers shall not be more than 25 feet. Posting of "No Diving" markers shall not preclude shallow diving for racing starts and competitive swimming practice.

.2524 LIGHTING AND VENTILATION

Artificial lighting shall be provided at all pools that are to be used at night, or when natural lighting is insufficient to provide visibility in the pool area.

Where underwater lighting is not used, and night swimming is permitted, area and pool lighting combined shall provide not less than f10 foot candles of light to all parts of the pool and required deck area. Mechanical ventilation is required for all indoor pools.

.2525 HEATER AND TEMPERATURE REQUIREMENTS

Heaters shall be equipped with thermostatic controls capable of assuring that the maximum operating

temperature of spa water does not exceed 104 degrees Fahrenheit (40 degrees C), and that the maximum operating temperature of other heated public swimming pools does not exceed 90 degrees Fahrenheit (32 degrees C). Such controls shall be accessible only to the operator.

.2526 DRESSING AND SANITARY FACILITIES

Dressing and sanitary facilities shall be provided at all pools, except for pools at hotels, motels, condominiums, and apartments where pool use is restricted to residents or guests. At hotels, motels, condominiums and apartments where the farthest unit is more than 300 feet from the pool, as measured along walkways provided for access by residents or guests to the pool area, a toilet and lavatory shall be provided. All public swimming pools shall post a sign visible upon entering the pool enclosure directing pool users to shower before entering the pool.

Dressing facility floors shall be continuous throughout the areas. Floors shall have a slip-resistant surface that shall be smooth, to insure complete cleaning. Floor drains shall be provided, and floors shall be sloped not less than ¼ inch per foot toward the drains to insure positive drainage.

Hose bibs shall be provided such that all parts of the dressing facility interior can be reached with a 50 foot hose.

.2527 SWIMMING POOL SLIDES

All swimming pool slides installed at a public swimming pool shall be labeled by the manufacturer for use in public pools, and shall be installed in accordance with manufacturer's instructions.

.2528 FENCES

Public Swimming pools shall be completely enclosed by a fence, wall, building, or other enclosure, or any combination thereof, which encloses the swimming pool area such that all of the following conditions are met:

- (1) The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool;
- (2) Openings in the barrier shall not allow passage of a 4-inch-diameter sphere and shall provide no external handholds or footholds. Solid barriers that do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints;
- (3) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between the vertical members shall not exceed 4 inches. Where there are decorative cutouts within the vertical members, spacing within the cutouts shall not exceed 1.75 inches in width;
- (4) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between the vertical members shall not exceed 1.75 inches in width. Where there are decorative cutouts within the vertical members, spacing within the cutouts shall not exceed 1.75 inches in width;
- (5) Maximum mesh size for chain link fences shall be a 2.25 inch square unless the fence is provided with slats fastened at the top or the bottom that reduce the openings to no more than 1.75 inches;
- (6) Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than 1.75 inches;
- (7) Access gates shall comply with the dimensional requirements for fences and shall be equipped to accommodate a locking device. Effective April 1, 2011, pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device except where a gate attendant and lifeguard are on duty. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism shall require the use of a key, combination or card reader to open or shall be located on the pool side of the gate at least 3 inches below the top of the gate, and the gate and barrier shall have no openings greater than 0.5 inch within 18 inches of the release mechanism; and
- (8) Ground level doors and windows opening from occupied buildings to inside the pool enclosure shall be self-closing or child protected by means of a barrier or audible alarm.

Public swimming pool fences constructed prior to May 1, 2010 may vary from the provisions of Paragraph (a) of this rule as follows:

- (1) the maximum vertical clearance between grade and the bottom of the barrier may exceed 2 inches, but shall not exceed 4 inches;
- (2) where the barrier is composed of vertical and horizontal members and the space between vertical members exceeds 1.75 inches, the distance between the tops of the bottom horizontal member and the next higher horizontal member may be less than 45 inches, but shall not be less than 30 inches;
- (3) gates other than pedestrian access gates are not required to have self-latching devices if the gates are kept locked; and
- (4) gates may swing towards a pool where natural topography, landscape position or emergency egress requirements prevent gates from swinging away from the pool.

.2531 WADING POOLS

Wading pools shall meet all design specifications for swimming pools and wading pools included in Rules .2512 through .2530 of this Section with the following exceptions:

Wading pools shall be physically separate from other public swimming pools except that a fill pipe and valve from a swimming pool recirculation system may be used to introduce water to a wading pool.

Every wading pool shall be equipped with a circulation system that is separate from, and independent of, the circulation system of the swimming pool. Such circulation system shall at least consist of a circulating pump, piping, a filter, a rate-of-flow meter, a disinfectant feeder, two inlets, and one automatic surface skimmer. Individual components of a wading pool system must meet the criteria of Rule .2518 of this Section.

The capacity of the circulation system shall be capable of filtering and disinfecting the entire volume of water in the wading pool 12 times in every 24 hours.

Wading pools shall be equipped with a surface overflow system capable of removing floating material.

Wading pools shall be no deeper than 24 inches (61 cm) at the deepest point.

Wading pools' floor slope shall not exceed one foot in 12 feet.

Wading pools shall be located in the vicinity of the shallow end of the swimming pool, and shall be separated from the swimming pool by a fence or structure similar to that described in Rule .2528 of this Section, that shall be equipped with self-closing and positive self-latching closure mechanisms, and shall be equipped with permanent locking devices.

Wading pool entrance gates located inside another public swimming pool enclosure shall open away from the deeper pool.

Wading pool fences constructed after April 1, 2000 shall be at least four feet high.

Children's activity pools shall be constructed and operated in accordance with the rules of this section including the requirements for wading pools with the following exceptions:

The filter circulation system shall be separate from any feature pump circulation system.

The filter circulation system for stand-alone children's activity pools shall filter and return the entire water capacity in no more than one hour and shall operate 24 hours a day. Valves shall be provided to control water flow to the features in accordance with the manufacturers' specifications.

.2532 SPAS AND HOT TUBS

Spas and hot tubs shall meet all design specifications for swimming pools and wading pools included in Rules .2512 through .2530 of this Section with the following exceptions:

The circulation system equipment shall provide a turnover rate for the entire water capacity at least once every 30 minutes.

A minimum of two inlets shall be provided with inlets added as necessary to maintain required flowrate. Water outlets shall be designed so that each pumping system in the spa (filter systems or booster systems if so equipped) provides the following:

Where drains are provided, drains shall be unblockable or shall consist of two or more drains connected by a "T" pipe. Connecting piping shall be of the same diameter as the main drain outlet. Filter system drains shall be capable of emptying the spa completely. In spas constructed after April 1, 2000 drains shall be installed at least three feet apart or located on two different planes of the pool structure.

Filtration systems shall provide at least one surface skimmer per 100 square feet, or fraction thereof of surface area.

Spa recirculation systems shall be separate from companion swimming pools.

A timer switch shall be provided for the hydrotherapy turbulence system with a maximum of 15 minutes on the timer. The switch shall be placed such that a bather must leave the spa to reach the switch. The maximum operational water depth shall be four feet (1.22 m) measured from the water line.

The maximum depth of any seat or sitting bench shall be two feet (61 centimeters) measured from the waterline.

A minimum height between the top of the spa/hot tub rim and the ceiling shall be 7 ½ feet.

Steps, step-seats, ladders or recessed treads shall be provided where spa and hot tub depths are greater than 24 inches.

Contrasting color bands or lines shall be used to indicate the leading edge of step treads, seats, and benches.

A spa or hot tub shall be equipped with at least one handrail (or ladder equivalent) for each 50 feet (15.2 meters) of perimeter, or portion thereof, to designate points of entry and exit.

In spas less than four feet deep, the slope of the pool wall may exceed 11 degrees from plumb, but shall not exceed 15 degrees from plumb.

.2533 EQUIPMENT ROOM

All pumps, chemical feeding apparatus and other mechanical and electrical equipment shall be enclosed in a weatherproof structure with a minimum ceiling height of seven feet. The equipment room shall be provided with a door with a permanent lock that must be kept locked when not in use by the pool operator. Filters located outside the equipment room shall be completely enclosed by a fence.

Lighting to allow the operator to read all gauges and control devices shall be provided.

Valves and control devices shall be accessible and visible to the pool operator. At least three feet of clear walkway shall be provided to allow access to equipment. Natural cross draft or continuous forced ventilation is required. A permanent means of access shall be provided to all equipment rooms.

A hose bib with an approved backflow prevention device shall be provided within 50 feet of the equipment room.

.2534 CHEMICAL STORAGE ROOM

A separate chemical storage room that meets the following criteria shall be provided:

The chemical storage room shall be in a dry, weatherproof structure with a minimum ceiling height of seven feet. For public swimming pools built after May 1, 1996, chemical storage space shall be provided based on a minimum of five square feet for the first 10,000 gallons of pool water plus one additional square foot for each additional 3,000 gallons or portion thereof up to a total area of 100 square feet. Public swimming pools constructed after April 1, 2004 shall provide a separate room for storage of pool chemicals. Natural cross draft or continuous forced ventilation is required. Lighting shall be provided in chemical storage rooms.

.2538 FILL AND DRAW POOLS

Fill and draw pools are prohibited.

.2539 SUCTION HAZARD REDUCTION

All submerged suction outlets other than vacuum ports shall be protected by anti-entrapment cover/grates in compliance with ASME/ANSI A112.19.8-2007 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs. All submerged suction fittings shall be installed in accordance with the manufacturer's instructions. Pumping systems that have a single main drain or single submerged suction outlet other than an unblockable drain, or which have multiple outlets separated by less than three feet measured at the centers of the cover grates shall have one or more secondary methods of preventing bather entrapment. Secondary methods of preventing bather entrapment include:

Safety vacuum release system which ceases operation of the pump, reverses the circulation flow, or otherwise provides a vacuum release at the suction outlet when a blockage has been detected, that has been tested by a third party and found to conform to ASME/ANSI standard A112.19.17 which is incorporated by reference including any subsequent amendments or editions. A suction-limiting vent system with a tamper-resistant atmospheric opening; A gravity drainage system that utilizes a collector tank; An automatic pump shut-off system; Drain disablement; or Any other system determined by the U.S. Consumer Product Safety Commission to be equally effective as, or better than the systems in Subparagraphs (1) through (5) of this Paragraph.

.2543 WATER RECREATION ATTRACTIONS

Water recreation attractions including water slides, wave pools, rapid rides, lazy rivers and other similar features can deviate from the requirements of this Section with respect to pool profile, depth, freeboard, flow dynamics and surface skimming systems. The designing engineer or equipment manufacturer shall provide the Department with information to justify such deviation as necessary for the proper function of the attraction. Water recreation attractions shall meet all other requirements of this Section.

Water slide landing pools with a capacity of less than 60,000 gallons shall have a circulation and filtration system capable of turning over the entire pool capacity every two hours. Where automatic chemical controllers are used the turnover time shall be no more than three hours. Landing pool dimensions shall be consistent with the slide manufacturer's recommendation.

When waterfalls are incorporated in water recreation attractions, they shall be constructed with no handholds or footholds to a height of four feet to discourage climbing.

Interactive play attractions shall be constructed and operated in accordance with the rules of this section and shall comply with the following:

(1) The recirculation system shall contain a water capacity equal to at least three minutes of maximum flow of all feature pumps and filter circulation pumps combined and shall not be less than 1,000 gallons. Where the water capacity exceeds 10,000 gallons, the minimum capacity shall be based on the lesser of three minutes of maximum feature flow or 7.5 gallons per square foot of splash zone watershed drained to the surge container.

(2) Access shall be provided to the surge water container.

(3) A filter circulation system shall be provided and shall be separate from the feature pump system except that both systems can draw water from a common drain pipe if the drain and pipe are sized to handle the flow of all pumps without exceeding the flow velocities specified in Rule .2518 of this Section.

(4) The filter circulation system shall draw water from the surge container through a variable height surface skimmer and a bottom drain located no more than 6 inches from the bottom of the container. Custom skimming systems that do not comply with ANSI/NSF Standard 50 shall be approved where the operational requirements make it necessary to deviate from that standard.

(5) The filter circulation system shall filter and return the entire water capacity in no more than 30 minutes and shall operate 24 hours a day.

(6) Automatic chemical controllers shall be provided to monitor and adjust the disinfectant residual and pH of the water contained in the system.

(7) Valves shall be provided to control water flow to the features in accordance with the manufacturers' specifications.

(8) Deck or walkway space is not required outside the splash zone.

(9) Dressing and sanitary facilities shall be provided.

(10) Interactive play features shall not be required to have a fence except the wading pool fence requirements shall apply to interactive play features located inside a swimming pool enclosure.

(11) Interactive play attractions built prior to April 1, 2004, that do not comply with these design and construction requirements shall be permitted to operate as built if no water quality or safety violations occur.

Training pools shall meet the requirements for swimming pools with the following exceptions:

Training pools shall be equipped with a filter circulation system that filters and returns the entire pool capacity in no more than two hours.

VIII. RULES GOVERNING THE SANITATION OF FOOD SERVICE ESTABLISHMENTS

15A NCAC 18A .2600

.2601 DEFINITIONS

"**Food service establishment**" means any establishment or operation where food is prepared or served at wholesale or retail for pay, or any other establishment or operation where food is prepared or served that is subject to the provisions of G.S. 130A-248. The term does not include establishments which only serve such items as dip ice cream, popcorn, candied apples, or cotton candy. "**Food stand**" means a food service establishment which prepares or serves foods and which does not provide seating facilities for customers to use while eating or drinking. "**Limited food service establishment**" means a food service establishment as described in G.S. 130A-247(7). "**Meat**" or "**meat food products**" means meat and meat food products as defined in G.S. 106-549.15(14). "**Meat market**" means those food service establishments as defined in G.S. 130A-247(1)(v). "**Mobile food unit**" means a vehicle-mounted food service establishment designed to be readily moved. "**Pushcart**" means a mobile piece of equipment or vehicle which serves hot dogs or foods which have been prepared, pre-portioned, and individually pre-wrapped at a restaurant or commissary. "**Restaurant**" means a food service establishment which prepares or serves food and which provides seating. "**Temporary food establishment**" means those food or drink establishments which operate for a period of 15 days or less, in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

.2607 STANDARDS AND APPROVAL OF PLANS

Plans, drawn to scale, and specifications, including the proposed menu, for new food service establishments shall be submitted for review and approval to the local health agency prior to initiating construction. Plans, drawn to scale, and specifications including the proposed menu shall also be submitted prior to construction of changes in the dimensions of food preparation areas, seating capacity or the addition of rooms to existing food service establishments. These plans shall include changes related to the increase in dimensions of food preparation areas, seating capacity or the addition of rooms.

Plans, drawn to scale, and specifications including the proposed menu, for prototype "franchised" or "chain" facilities shall be submitted for review and approval to the Environmental Health Services Section, Division of Environmental Health. Plans for "franchised" or "chain" facilities which are certified by an architect to be the same or substantially similar to the prototype facility and "franchised" or "chain" facilities which are not prototypes shall be submitted only to the local health agency as required in Paragraph (a) of this Rule. At the time of submission to the local health agency, an architect shall set forth in writing how these plans differ from the prototype plans approved by the Division. Copies of this letter shall be submitted to the Environmental Health Services Section and the local health agency. Construction shall comply with approved plans and specifications.

.2608 SOURCES OF FOOD

All food shall be obtained from sources that comply with all laws relating to food and food labeling and shall be identified. All meat, meat food products, poultry and poultry products shall have been inspected for wholesomeness, where required, under an official federal, state, or local regulatory program; and, in all cases, the source shall be identifiable from labeling on carcasses, cuts, unit packages, bulk packages, or from bills of sale.

.2609 REFRIGERATION: THAWING: AND PREPARATION OF FOOD

An air temperature thermometer accurate to 3° F (1.5°C) shall be provided in all refrigerators. Refrigeration and freezer capacity shall be sufficient to maintain required temperatures on all potentially hazardous foods. A metal stem-type thermometer accurate to 2°F (1° C) shall be available to check food temperatures.

.2610 STORAGE: HANDLING: AND DISPLAY OF FOOD

All unwrapped or unenclosed food and drink on display shall be protected in such manner that the direct line from the customer's mouth to the food shall be intercepted by glass or similar shields and shall be otherwise protected from public handling or other contamination, except that hand openings may be

permitted on counter fronts. Counter protector installations are required for all cafeteria counters, salad bars, and similar type service to prevent contamination by customers' coughing and sneezing. Foods shall not be stored under exposed sewer lines. Dry beans, grits, flour, sugar, and similar food products shall be stored in approved, covered containers, glass jars, or equal and labeled accordingly.

.2612 SHELLFISH

Shellstock washing facilities shall consist of a mechanical shellfish washer, or a sink or slab with catch basin, indirectly drained into a sewage collection, treatment, and disposal system. The washing shall be done in a clean area, protected from contamination. A can wash facility shall not be used for the washing of shellstock or other foods.

.2613 BARBECUE PLACES

Barbecue Pits:

- *Barbecue pits and barbecue machines shall be enclosed in a room protected from the weather, dust, flies, and animals. The room shall be kept clean and free of garbage, rubbish, and other miscellaneous storage.
- *Floors shall be constructed of easily cleanable concrete or equal and graded to drain.
- *Floors, walls, and ceilings shall be kept clean.
- *Water under pressure shall be provided in barbecue pit rooms for floor cleaning.
- *Barbecue pit rooms shall be properly ventilated by ducts, doors, or equal in order that smoke and fumes may be removed.
- *Spits, holders, or racks shall be cleaned daily.

.2617 UTENSILS AND EQUIPMENT

All surfaces with which food or drink comes in contact shall consist of smooth, not readily corrodible, non-toxic materials in which there are no open cracks or joints that will collect food particles and slime, and be kept clean. Equipment shall meet ANSI sanitation standards. Beverage dispensers installed or replaced after August 1, 1998 shall be designed to avoid activation by the lip of a cup or glass when these dispensers are used to refill customer cups or glasses.

.2618 CLEANING OF EQUIPMENT AND UTENSILS

Single-use articles such as formed buckets, bread wrappers, aluminum pie plates and No. 10 cans shall be used only once except that containers made of plastic, glass or other food grade material having smooth sides and of a construction so as to be easily cleaned may be reused.

Hand dishwashing facilities shall consist of an approved three-compartment sink of sufficient size and depth to submerge, wash, rinse and sanitize utensils and shall have splash back protection and drainboards that are an integral part of and continuous with the sink. These drainboards shall be of a sufficient size to accommodate the drainage of liquids of the washed utensils after being sanitized. Air drying of utensils may be accomplished with the use of a drainboard, overhead or wall mounted shelves, or with the use of stationary or portable racks or by cross-stacking.

Where the Department determines that the volume of dishes, glasses and utensils to be washed cannot be processed in a single warewashing facility, separate dish, glass or utensil washing facilities shall be required. Separate vegetable washing facilities shall be provided in establishments which wash raw vegetables except where plan review shows that volume and preparation frequency do not require separate vegetable washing facilities or where vegetables are purchased pre-washed and packaged. Establishments which scale, eviscerate, thaw, or wash fish, raw poultry, or other food shall provide separate sinks with preparation space for these processes except where plan review shows that volume and preparation frequency do not require separate washing facilities.

When warewashing machines are used, the machine and its auxiliary components shall be operated in accordance with the machine's data plate and other manufacturer's instructions. Machines shall be fitted with drainboards on each side, and include a countersunk sink or other approved means for pre-cleaning, pre-flushing, or pre-soaking of the utensils in the dirty dish lane. Thermometers indicating the wash and rinse water temperatures shall be provided and kept in good repair.

When warewashing machines are used, the machines shall be approved as sufficient for size, capacity, and type for the number of utensils to be washed. Glasses may be washed with power-driven brushes and

passed through door-type machines, which are also used for dishwashing, for final rinse and bactericidal treatment. For this method, a motor-driven glass-washer and a single-vat sink shall suffice.

At least an approved two-compartment sink shall be provided in meat markets and those food service establishments which only use single-service eating and drinking utensils. This sink shall be of sufficient size to submerge, wash, rinse and sanitize utensils and shall have splash back protection and drainboards that are an integral part of and continuous with the sink. These drainboards shall be of sufficient size to accommodate the drainage of liquids of the washed utensils after being sanitized. Air drying of utensils may be accomplished with the use of a drainboard, overhead or wall mounted shelves, or with the use of stationary or portable racks.

Facilities for the heating of water shall be provided. Capacity of hot water heating facilities shall be based on number and size of sinks, capacity of warewashing machines, and other food service and cleaning needs. Hot water storage tanks shall provide at least 130° F (54° C) hot water when water is not used for sanitizing. When hot water is used for sanitizing, a minimum storage temperature of 140° F (60° C) hot water is required.

In determining the sufficiency of the size of drainboards, machine dishwashers and sinks in an establishment, the Environmental Health Specialist shall consider the number and size of multi-use utensils regularly cleaned. For drainboards only, the Specialist shall also consider the available shelf space, racks and other areas which may be used for air drying.

.2619 METHODS OF BACTERICIDAL TREATMENT

A suitable testing method or equipment shall be available, convenient, and regularly used to test chemical sanitizers to insure minimum prescribed strengths.

.2620 STORAGE AND HANDLING OF UTENSILS AND EQUIPMENT

Drain racks, trays, and shelves shall not be made of corrodible material, and shall be kept clean. These items are not required to be made of plastic. Spoons, spatulas, dippers, and other in-use utensils shall be stored between use in the food product with the handles extending out of the food, stored dry on a clean surface or in a container of water if the water is maintained at a temperature of at least 135F.

When utensils are used to dispense frozen products or moist foods, the utensils may be stored in running water dipper wells only when the water has sufficient velocity to flush food residues into the overflow drain. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a manner to prevent contamination of the utensils by hands. Single-service cup dispensers or similar devices shall be used when single-service cups are used. Nothing in the rules in this Section shall prohibit the use of plastic bags in which single-service cups or similar devices are received as the dispenser for those items.

.2621 DRINKING WATER FOUNTAINS

If drinking fountains are provided, they shall meet ANSI sanitation standards, be of approved angle-jet type and be kept clean. This Rule shall not be interpreted as prohibiting the pitcher service of ice water or the service of bottled water.

.2622 STORAGE: HANDLING: AND USE OF ICE

Ice which is to be used in fountain drinks, ice water, tea, and coffee, or in connection with the chilling or serving of food shall be manufactured from an approved water supply and shall be stored and handled in a sanitary manner. Ice shall be dispensed or transferred with a scoop, spoon, or other sanitary method. When not in use, an ice scoop or spoon may be stored in the ice with the handle protruding or on a clean surface. Ice scoops shall not be stored in water.

.2623 WATER SUPPLY

The water supply used shall be in accordance with 15A NCAC 18A .1700. Hot and cold running water under pressure shall be provided to food preparation, utensil and handwashing areas, and any other areas in which water is required for cleaning. Running water under pressure shall be provided in sufficient quantity

to carry out all food preparation, utensil washing, hand washing, cleaning, and other water-using operations.

.2624 TOILET FACILITIES

Unless specified elsewhere in the rules of this Section every food service establishment shall be provided with toilet facilities conveniently located and readily accessible to employees during all business hours. Restaurants, in addition, shall be provided with toilet facilities conveniently located and readily accessible to customers during all business hours. Toilets shall be under control of the management. Toilets for patrons shall be so located that the patrons do not pass through the kitchen to enter the toilet rooms. Intervening rooms or vestibules, if provided, shall be constructed and maintained in accordance with this Rule. Floors and walls shall be constructed of non-absorbent, washable materials. Floors, walls, and ceilings shall be kept clean and in good repair. Toilet rooms shall be provided with self-closing doors, and kept free of flies. Windows shall be screened if used for ventilation. Toilet rooms shall not be used for storage of food, utensils, or equipment. Fixtures shall be kept clean and in good repair. Screens and doors are not required for toilet rooms at stadiums or facilities in which toilet rooms open into the interior of a building and the exterior doors of the building are self-closing.

.2625 LAVATORY FACILITIES

Lavatory facilities, including hot and cold running water and a combination supply faucet or tempered water and sanitary towels or approved hand-drying devices and soap, shall be provided for employees and customers. For employees, at least one lavatory shall be provided in the kitchen area in addition to any lavatories which may be provided in employees' toilet rooms. Dishwashing sinks, vegetable sinks, and pot sinks shall not be used as handwashing facilities. The lavatories shall be kept clean and in good repair.

.2626 DISPOSAL OF WASTES AND BY-PRODUCTS

All waste water shall be disposed of in accordance with 15A NCAC 18A .1900 or 15A NCAC 02H .0200. Garbage shall be collected and stored in water-tight garbage cans or other approved containers or methods and provided with tight fitting lids. Lids shall be kept in place, except for cans inside the kitchen which are being used during normal operations. The contents of these cans shall be removed frequently and the cans shall be washed. The rules of this Section do not require lids to be kept on garbage cans or containers which are in use at work stations where food is being prepared. Indoor or outdoor facilities shall be provided for the washing and storage of all garbage cans and mops. Cleaning facilities shall include combination faucet, hot and cold water, threaded nozzle, and curbed impervious pad sloped to drain or other approved facilities or methods. Where containerized systems are used for garbage storage, facilities shall be provided for the cleaning of such systems.

.2627 FLOORS

Floors in areas where food is to be prepared or stored shall be of sealed concrete, terrazzo, quarry or vinyl tile, wood covered with composition flooring, or equal, except that:

- *carpet may be used in wait stations and self-service bars.
- *there are no flooring requirements for portable cooking units which may be used in a dining room for occasional service at individual tables.
- *nothing in this Section shall prohibit the use of approved anti-skid floor applications where needed for safety reasons.
- *The joints between walls and floors shall be rounded or be otherwise constructed to provide a tight seal between the floor and wall.
- *Floors which are subjected to flood type cleaning shall be provided with floor drains and shall slope to drain.
- *Clean carpet, in good repair, may be used in dining areas.

.2628 WALLS AND CEILINGS

The walls of kitchens and other rooms used for the preparation of food and the washing of utensils shall be smooth, washable and be kept clean. Acceptable wall materials include but are not limited to glazed tile; fiberglass reinforced panels, stainless steel, wood or metal; wall board painted with washable, non-absorbent paint; and brick, cinder blocks, slag blocks, or concrete blocks, if glazed, tiled, plastered or filled so as to provide a smooth surface. Ceilings in kitchens and other rooms used for the preparation of food or

the washing of utensils shall be washable. Acceptable materials include, but are not limited to perforated or non-perforated vinyl faced acoustical tile, fiberglass reinforced panels, and painted wall board. The walls and ceilings of the dining rooms and other food serving rooms shall be of sound construction. The walls and ceilings of dry storage rooms shall be of sound construction; however, a washable finish is not required. The walls and ceilings of the wait stations that prepare beverages and bars that only prepare beverages and wash utensils with no food preparation other than garnishes for drinks shall be of sound construction, provided that the interior walls of these wait stations and bars shall be finished to be smooth and washable.

.2630 LIGHTING

All areas in which food is prepared, or in which utensils are washed, shall be provided with at least 50 foot-candles of light on food preparation work levels and at utensil washing work levels. At least 10 foot-candles of light at 30 inches above the floor shall be provided in all other areas, including storage rooms and walk-in units. Light bulbs in food preparation, storage, and display areas shall be shatter-proof or shielded so as to preclude the possibility of broken bulbs or lamps falling into food. Shatter-proof or shielded bulbs need not be used in food storage areas where the integrity of the unopened packages will not be affected by broken glass falling onto them and the packages, prior to being opened, are capable of being cleaned. Heat lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed.

.2631 VENTILATION

Ventilation equipment shall be kept clean and in good repair.

.2632 STORAGE SPACES

The contents shall be neatly arranged to facilitate cleaning. All items stored in rooms where food or single-service items are stored shall be at least 12 inches (30.48 cm.) above the floor when placed on stationary storage units or 6 inches (15.24 cm.) above the floor when placed on portable storage units or otherwise arranged so as to permit thorough cleaning. For purposes of this Rule the term "portable" does not require wheels. Shelves in storage rooms where food or single-service items are stored shall be constructed approximately 1 in. (2.54 cm.) from the wall, unless stripped or caulked. Bulky items shall be stored on slatted shelves or movable dollies. Nothing in this Rule shall prohibit the use of non-absorbent wooden shelves which are in good repair in dry storage areas.

.2633 PREMISES: MISCELLANEOUS: VERMIN CONTROL

None of the operations shall be conducted in any room used for domestic purposes. A domestic kitchen shall not be used in connection with the operation of a food service establishment. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose. Laundered table linen and cleaning cloths shall be stored in a clean place until used. Toxic materials, cleaners, sanitizers, or similar products used in a food service establishment shall be labeled with the common name or manufacturers label. A special area for storage of toxic materials shall be provided and marked as toxic materials. This requirement shall not apply to cleaners and sanitizers used frequently in the operation of the food service establishment that are stored for availability and convenience if the materials are stored to prevent the contamination of food, equipment, utensils, linens and single-service items. Storage shall be provided for mops, brushes, brooms, hoses, and other items in routine use. Effective measures such as fly repellent fans, self-closing doors, screens, and routine use of approved pesticides shall be taken to keep insects, rodents, animals and other public health pests out of the establishment and to prevent their breeding or presence on the premises.

.2634 REQUIREMENTS FOR FOOD STANDS

Food stands shall comply with all the requirements of this Section, with the following exceptions:

- *In Rule .2624 of this Section, only toilets for employees shall be required. These shall be convenient and shall comply in every way with the standards for restaurant toilets.
- *In Rule .2625 of this Section, only handwashing facilities for employees shall be required. In addition, for food stands in which the customer serves himself, a lavatory shall be provided for customers. These shall be convenient and comply with restaurant standards insofar as the rule is concerned.

*In order to qualify for a permit, or when a facility is renovated, warewashing facilities shall comply with Rule .2618 of this Section.

*The requirements in Rule .2629 of this Section shall not apply to a foodstand within a mall, grocery store, or other multi-purpose building providing protection from flies, dust, vermin or other sources of contamination.

.2635 REQUIREMENTS FOR TEMPORARY FOOD ESTABLISHMENTS

Where food or griddles are exposed to the public or to dust or insects, they shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit handling and serving of the food. Running water under pressure shall be provided. The water supply shall be approved and of a safe, sanitary quality. Provisions shall be made for heating water for the washing of utensils and equipment. At least a single vat sink, large enough in which to wash cooking utensils, pots, and pans, must be provided. At least one drainboard or counter top space must be provided. Facilities shall be provided for employees' handwashing. These may consist of a pan, soap, and single-use towels. Convenient and approved toilet facilities shall be provided for use by employees. Garbage and refuse shall be collected and stored in standard water-tight garbage cans provided with tightfitting lids or other approved containers or methods. Potentially hazardous foods such as cream-filled pastries and pies, and salads such as potato, chicken, ham, crab, etc., shall not be served in a temporary food establishment. Drinks served shall be limited to packaged, canned, or bottled drinks, packaged milk, coffee, or carbonated beverages from approved dispensing devices. Food prepared by local groups shall be prepared in an approved kitchen.

.2637 EMPLOYEES' COOK TENTS

Cooking facilities that serve only employees of the fair, carnival, circus, or other similar organizations are not subject to these Rules. Such tents shall be located away from public area and a sign reading "For Employees Only" shall be prominently displayed.

.2638 GENERAL REQUIREMENTS FOR PUSHCARTS AND MOBILE FOOD UNITS

The permit shall be posted on the pushcart or mobile food unit. Grade cards shall not be posted.

The local health department which issues the permit shall be provided by individuals receiving a permit a list of counties and locations where each pushcart or mobile food unit will operate.

Individuals receiving a permit to operate a pushcart or mobile food unit shall provide the local health department in each county in which food service operations are proposed a list of locations where they will operate. Such lists must be kept current.

Prior to initiating food service operations in a particular jurisdiction, the operator of the pushcart or mobile food unit shall submit to that particular jurisdiction such carts or units for inspection or reinspection to determine compliance with this Section.

Pushcarts or mobile food units shall operate in conjunction with a permitted restaurant or commissary and shall report at least daily to the restaurant or commissary for supplies, cleaning, and servicing.

Facilities, in compliance with this Section, shall be provided at the restaurant or commissary for storage of all supplies. Water faucets used to supply water for pushcarts and mobile food units shall be protected to prevent contact with chemicals, splash and other sources of contamination. Solid waste storage and liquid waste disposal facilities must also be provided on the restaurant or commissary premises.

A metal stem-type thermometer accurate to 2°F (1° C.) shall be available to check food temperatures.

Only single-service eating and drinking utensils shall be used in serving customers. Single-service items shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a manner to prevent contamination.

Clean outer clothing and hair restraints are required for employees engaged in the preparation or handling of food to prevent the contamination of food or food contact surfaces.

All equipment and utensils shall comply with the rules of this Section.

.2639 SPECIFIC REQUIREMENTS FOR PUSHCARTS

Only hot dogs shall be prepared, handled, or served from a pushcart; however, foods which have been prepared, pre-portioned and individually pre-wrapped at a restaurant or commissary may be served from a pushcart. Food and utensils on the cart exposed to the public or to dust or insects shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit

the handling and serving of hot dogs. Single-service towels are required. Pushcarts shall not be provided with seating facilities. Pushcarts shall not be used for consumer self-service.

.2640 SPECIFIC REQUIREMENTS FOR MOBILE FOOD UNITS

The mobile food unit shall be constructed and arranged so that food, drink, utensils, and equipment will not be exposed to insects, dust, and other contamination. Protection against flies and other insects shall be provided by screening or by effective use of fans. Where food or griddles are exposed to the public or to dust or insects, they shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit the handling and serving of food.

A mobile food unit shall have a potable water system under pressure. The system shall furnish hot and cold water for all food preparation, utensil cleaning, and handwashing. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease, and it shall be kept capped unless being filled. Water heating facilities shall be provided.

Handwashing lavatory with hot and cold water, combination supply faucet, soap, and single-service towels shall be provided. At least an approved single-compartment sink shall be provided. This sink shall be of sufficient size to submerge, wash, and rinse cooking utensils and shall have splashback protection and drainboards that are an integral part of, and continuous with, the sink. These drainboards shall be of sufficient size to accommodate the drying of washed utensils. However, in cases where no food is prepared on the mobile food unit and all utensils are effectively cleaned at the restaurant, the equipment sink is not required.

Sewage disposal must be provided either by means of an approved sewage disposal system or approved sewage storage tanks. Sewage storage tanks must be maintained in a manner so as not to create a health hazard or nuisance and to prevent contamination of foods or water supply. Toilets are not required on the unit. Liquid waste that results from the operation of a mobile food unit shall be disposed of in an approved sewage disposal system or stored in a permanently installed sewage storage tank that is of at least 15 percent larger capacity than the water supply tank. Liquid waste shall not be discharged from the sewage storage tank when the mobile food unit is in motion. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.

A servicing operations area shall be established at a restaurant for the mobile food unit. Potable water servicing equipment shall be installed, stored, and handled to protect the water and equipment from contamination. The mobile food unit's sewage storage tank shall be thoroughly flushed and drained during servicing operation. All sewage shall be discharged to an approved sewage disposal system.

.2644 REQUIREMENTS FOR CATERED ELDERLY NUTRITION SITES

Sites responsible for the cleaning of coffee and tea preparation pitchers and related utensils shall have at least a two-compartment domestic sink for these purposes that shall not be required to meet the standards in Rules .2617(d) and .2618(h); the sink shall be constructed of non-toxic, corrosion-resistant materials which are smooth and durable under conditions of actual use; and under this provision, all other service utensils shall be returned to the caterer for washing and sanitizing; if refrigerated storage is limited to foods that do not require cooling or reheating, mechanical refrigeration equipment shall be required but shall be exempt from meeting the standards in Rule .2617(d); the following shall apply in place of the requirements in Rule .2626 (b), (d) and (e):

- *garbage receptacles shall be kept clean and in good repair, with tight-fitting lids;
- *can liners shall be required for all garbage receptacles unless the site has approved can-wash facilities;
- *mop or can-cleaning water shall not be disposed of in the utensil sink; all waste water from mopping, can-cleaning, and other cleaning operations shall be disposed of in a mop sink or another approved manner in accordance with Rule .2626(a) of this Section; and
- *dumpster lids shall be kept closed.

.2645 REQUIREMENTS FOR LIMITED FOOD SERVICE ESTABLISHMENTS

Permits for limited food service establishments shall expire on December 31 of each year. A new permit from the Department shall be obtained before the limited food service establishment shall be allowed to operate each year. Limited food service establishments shall not prepare any potentially hazardous foods prior to the day of sale. Potentially hazardous foods which have been heated at the limited food service establishment and remain at the end of the day shall not be sold. Foods which have been heated at the limited food service establishment shall not be reheated or placed in refrigeration to be used another day. Salads containing potentially hazardous foods shall not be prepared by the limited food service establishment. All meats, poultry, and fish shall be purchased in a pre-portioned, ready-to-cook form. Domestic equipment which is in good repair and operating properly may be used. However, food brought into a limited food service establishment shall not have been prepared in a domestic kitchen. At least a two compartment utensil- washing sink with drainboards on each end or counter space on both sides of the sink shall be provided for air-drying of clean sanitized utensils. The sink shall be of sufficient size and depth to submerge, wash, rinse, and sanitize utensils. Only single-service articles shall be used. Customer self-service is prohibited except for condiments in individual packages or in pour-type or squeeze-type containers. Any area where food is handled, prepared, cooked, or stored shall be provided with a weatherproof roof. Floors, walls and ceilings of limited food service establishments which are located in permanent structures on the effective date of this rule shall meet the requirements in Rule .2627 and .2628 of this Section no later than July 1, 1996. Floors, walls, and ceilings of limited food service establishments which are located in permanent structures constructed after the effective date of this rule shall comply with Rule .2627 and .2628 of this Section. Limited food service establishments shall use dustless methods of floor cleaning and all except emergency floor cleaning shall be done during those periods when the least amount of food and drink is exposed, such as after closing, or between meals. The limited food service establishment shall be connected to necessary utilities such as electrical service at all times food is present in the establishment. All areas in which food is handled, prepared, or in which utensils are washed shall be provided with artificial lighting. Fixtures shall be kept clean and in good repair. Convenient toilet facilities shall be provided for use by employees. Durable, legible signs which read that employees must wash their hands before returning to work shall be posted or stenciled conspicuously at each employees' hand washing facility. Garbage can liners shall be required for all garbage receptacles unless the site has can wash facilities.

IX. RULES GOVERNING THE SANITATION OF CHILD CARE CENTERS

15A NCAC 18A .2802 APPROVAL OF CONSTRUCTION AND RENOVATION PLANS

Plans drawn to scale and specifications for new child care centers shall be submitted to the local health department for review and approval prior to initiating construction. Plans drawn to scale and specifications for changes to building dimensions, kitchen specifications, or other modifications to existing child care centers shall also be submitted to the local health department for review and approval prior to construction. Plans drawn to scale and specifications for prototype "franchise" or "chain" child care centers shall be submitted to DENR. Construction and modifications shall comply with the approved plans.

15A NCAC 18A .2804 FOOD SUPPLIES

Microwaves shall not be used to thaw or warm breast milk, baby food, formula or other bottled beverages.

15A NCAC 18A .2806 FOOD STORAGE AND PROTECTION

In child care centers, food shall be stored in approved, clean, tightly covered, storage containers once the original package is opened. Approved containers include resealable bags and other containers made of plastic or glass. Food items, that are stored in classrooms or other rooms intended for child care use, shall be limited to those food items which are individually packaged unless the classroom is equipped with a food preparation area. Food shall not be stored in toilet or laundry rooms. Child care centers licensed for fewer than 13 children and located in a residence may store food in laundry rooms if protected as required in Paragraph (f) of this Rule. Refrigeration equipment shall be provided in such number and of such capacity to assure the maintenance of potentially hazardous food at required temperatures during storage.

15A NCAC 18A .2807 FOOD PREPARATION

In child care centers, the preparation of food shall take place only in the approved facilities or space equipped as required in Rule .2810 of this Section. Potentially hazardous foods requiring cooking and cooked in a microwave oven shall be rotated during cooking to compensate for uneven heat distribution and shall be heated an additional 25°F (13.9°C) to compensate for shorter cooking times. Metal stem-type numerically scaled indicating product thermometers, accurate to 2°F (1°C), shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods.

15A NCAC 18A .2808 FOOD SERVICE

In child care centers, milk and milk products for drinking purposes shall be stored in the original commercially filled container. Serving containers may be used for food service provided the unused milk is discarded. Ice shall be dispensed with scoops, tongs, or other ice-dispensing utensils or through automatic ice-dispensing equipment. Ice storage bins shall be drained through an air gap. Dispensing utensils shall be stored in the food with the dispensing utensil handle extended out of the food, in a container of water if the water is maintained at a temperature of at least 140°F (60°C), or stored clean and dry.

15A NCAC 18A .2809 FOOD SERVICE EQUIPMENT AND UTENSILS

Materials used in the construction of utensils and equipment shall be durable; corrosion-resistant; nonabsorbent; non-toxic; finished to have a smooth, easily cleanable surface; and resistant to pitting, chipping, cracking, scratching, distortion, and decomposition. Food-contact surfaces shall be smooth; free of breaks, open seams, cracks, chips, pits and other imperfections; free of sharp internal angles, corners and crevices; and accessible for cleaning and inspection without being disassembled or by easy disassembly. Nonfood contact surfaces shall be nonabsorbent with no obstructions to cleaning. Solder shall be comprised of approved, non-toxic; corrosion-resistant materials. Wood and wicker shall not be used as food-contact surfaces, except hard maple or an equivalent nonabsorbent wood may be used for cutting boards, cutting blocks or bakers' tables. Galvanized metal shall not be used for utensils or food-contact equipment. Linens shall not be used as food-contact surfaces, except that clean linen may be used in contact with bread and rolls. Product thermometers and thermometer probes shall be of metal stem-type construction.

15A NCAC 18A .2810 SPECIFICATIONS FOR KITCHENS, FOOD PREPARATION AREAS AND FOOD SERVICE AREAS

Each child care center shall have at least a two-compartment sink, drainboards or countertop space of adequate size, adequate refrigeration equipment and, when needed, adequate cooking equipment, except for child care centers located in a school that receives all food supplies prepared and ready to serve from a food service establishment permitted by a local health department, which is located at the same school campus and provides food during all hours of child care operation. Domestic or commercial kitchen equipment may be used. Child care centers using multi-service articles shall also provide a dishwasher. In lieu of a dishwasher and two-compartment sink, a three-compartment sink of sufficient size and depth to wash, rinse and sanitize utensils may be used. A separate lavatory for handwashing is required in food preparation areas. If the dishwashing area is separate from the food preparation area, an additional lavatory shall be required. A separate food preparation sink with drainboards or countertop space of adequate size shall be required when a plan review indicates that separate facilities are needed based on volume and preparation frequency. A commercial hood shall be installed when frying is used for food preparation on site. The hood shall be installed in accordance with the North Carolina Building Code and approved by the local building code enforcement agent. If food is prepared in a classroom, a food preparation area shall be provided. Water from a handwash lavatory shall not be used to prepare formula, mix dry cereals, or other foods. Toy cleaning and sanitizing may also be conducted in this food preparation area. This food preparation area shall contain an easily cleanable countertop and a lavatory and, when needed, adequate refrigeration. The food preparation counters, bottle warming equipment if used, food and food contact surfaces shall be out of reach of children and the following shall apply.

15A NCAC 18A .2812 CLEANING AND SANITIZING EQUIPMENT AND UTENSILS

In child care centers, drainboards or countertop space of adequate size shall be provided for handling of soiled utensils prior to washing and cleaned utensils following sanitizing. For child care centers originally licensed on or after April 15, 1998, drainboards or countertop space shall be no less than 8 square feet. A domestic dishwasher may be used to provide the equivalent of 4 square feet of drainboard space and other designated areas not contiguous with the sink may be utilized to meet drainboard or countertop space requirements. Drainboards or countertop space designated for clean equipment and utensils shall be on the opposite end of the sink from drainboards or countertop space designated for soiled equipment and utensils unless these areas are otherwise separated and protected from cross contamination. A testing method or equipment, used in accordance with the product manufacturer's instructions, shall be made available, convenient, and regularly used to test the strengths of these chemical sanitizing solutions to ensure the prescribed concentrations are met. After sanitizing, all equipment and utensils shall be air dried.

.2815 WATER SUPPLY

In child care centers, the water supply shall meet the requirements of 15A NCAC 18A .1700 Protection of Water Supplies. In addition, any center using a groundwater supply that serves 25 or more people shall provide documentation from the Public Water Supply Section that the well meets the requirements of 15A NCAC 18C. Water under pressure shall be provided to meet the needs of cooking, cleaning, drinking, toilets, and outside uses in accordance with the North Carolina Plumbing Code. Water heating equipment shall be provided to meet the maximum hot water requirements of the child care center. The capacity and recovery rates of water heating equipment shall be based on number and size of sinks, capacity of dishwashing machines, capacity of laundering machines, diaper changing facilities, and other food service and cleaning needs for child care centers not located in a residence. Child care centers licensed for fewer than 13 children and located in a residence may use an existing water heater, or the equivalent replacement, if all required temperatures are maintained. Hot and cold water under pressure shall be provided in all rooms where food is prepared, rooms in which utensils or equipment are washed, and other areas where water is required for cleaning and sanitizing, including diaper changing areas.

Hot water used for cleaning and sanitizing food utensils and laundry shall be provided at a minimum temperature of 120°F (49°C) at the point of use. Water in areas accessible to children shall be tempered between 80°F (27°C) and 110°F (43°C). For handwash lavatories used exclusively by school-age children, the 80°F (27°C) minimum temperature requirement shall not apply. Drinking fountains, if provided, shall comply with the North Carolina Plumbing Code, be separate from handwash lavatories, and kept clean. Outdoor drinking fountains shall be constructed to protect the spout from contamination and shall be kept clean.

.2816 LEAD POISONING HAZARDS

In child care centers, areas accessible to children shall be free of identified lead poisoning hazards as defined under G.S. 130A-131.7(7).

.2817 TOILETS

In child care centers, toilet tissue shall be provided in each toilet room and stored in a clean, dry place. The toilet room shall include or be adjacent to a handwash lavatory. Storage in toilet rooms shall be limited to toileting and diapering supplies. All toilet fixtures shall be easily cleanable, and in good repair. Toilet fixtures shall be child-sized, adapted adult toilets or potty chairs. If potty chairs are used, they shall be located and stored in a toilet room equipped with a spray-rinse toilet or utility sink. Potty chairs shall be emptied, rinsed, cleaned and disinfected after each use with a disinfecting solution as described in Paragraph (b) of this Rule.

.2818 LAVATORIES

In child care centers, lavatories shall be easily cleanable, in good repair, and kept free of storage. Lavatories shall be mounted at an appropriate height to accommodate the children, or otherwise made accessible. Any lavatory may be used for handwashing as specified in 15A NCAC 18A .2803, except for flush-rimmed sinks and those with an attached operable drinking fountain. Lavatories shall be equipped with hot and cold water or tempered water provided through mixing faucets or pre-mixing devices which provide water in the temperature range specified in Rule .2815(e) of this Section. Liquid soap and disposable towels or other hand-drying devices shall be provided at every handwash lavatory area. Handwash signs shall be posted at every handwash lavatory area.

.2819 DIAPERING AND DIAPER CHANGING FACILITIES

- (a) In child care centers, children in diapers shall be changed at stations designated for diapering or toileting. Each diaper changing station shall include a handwash lavatory. For centers licensed for fewer than 13 children and located in a residence and for diaper changing areas designated for school age children, a handwash lavatory shall be in or next to a diaper changing area.
- (b) Diapering surfaces shall be smooth, intact, nonabsorbent, easily cleanable and shall be approved by the Department.

.2820 STORAGE

In child care centers, adequate space shall be provided for the storage of equipment, furniture, toys, clothes, linens, backpacks, book bags, diaper bags, beds, cots, mats, and supplies and shall be kept clean. Shelving or other storage areas shall be provided and constructed in a manner to facilitate cleaning. Soiled laundry shall be handled and stored separately from clean laundry using separate cleanable containers. Locked storage rooms and cabinets shall include those which are unlocked with a combination, electronic or magnetic device, key, or equivalent locking device. These unlocking devices shall be kept out of the reach of a child and shall not be stored in the lock. Non-aerosol sanitizing, disinfecting, and detergent solutions, hand sanitizers, and hand lotions shall be kept out of reach of children when not in use, but are not required to be in locked storage. Medications including prescription and non-prescription items shall be stored in a locked cabinet or other locked container and shall not be stored above food. Individual cubicles, lockers, or coat hooks shall be provided for storage of coats, hats, or similar items. Coat hooks not in individual cubicles or lockers, shall be spaced at least 12 horizontal inches apart. Combs shall be labeled and stored individually. Toothbrushes shall be individually identified, allowed to air dry and protected from contamination. When a container of toothpaste is used for multiple children, the toothpaste shall be dispensed onto an intermediate surface such as waxed paper.

15A NCAC 18A .2821 BEDS, COTS, MATS, AND LINENS

In child care centers, all beds, cribs, cots, and mats shall be in good repair, stored to prevent contamination, cleaned and sanitized between users. Cribs and play pens used for sleeping shall be easily cleanable, and equipped with a firm, tight-fitting mattress made of waterproof, washable material at least two inches thick. Mats shall be of a waterproof, washable material at least two inches thick and shall be stored so that the floor side does not touch the sleeping side or by an equivalent method approved by the Department.

When in use, cribs, cots, mats and playpens shall be placed at least 18 inches apart or separated by partitions which prevent physical contact. Linen shall be laundered between users, when soiled, and at least once per week. Linen used in rooms where children in care are less than 12 months old shall be changed and laundered when soiled and at least daily. Linens shall be large enough to cover the sleeping surface. Wash cloths, bibs, and burping cloths shall not be used more than once until laundered and shall be laundered when soiled and at least daily.

.2822 TOYS, EQUIPMENT AND FURNITURE

Toys, furniture, cribs, or other items accessible to children, shall be free of peeling, flaking, or chalking paint. Water play centers shall be filled just prior to each water play session.

.2823 PERSONNEL

In child care centers, employees and their clothing shall be clean. Employees shall keep their fingernails clean.

.2824 FLOORS

In child care centers, floors and floor coverings of all food preparation, food storage, utensil-washing areas, toilet rooms, and laundry areas shall be constructed of nonabsorbent, easily cleanable material. Floors and floor coverings of all sleeping and play areas shall be constructed of easily cleanable materials.

Carpeting used as a floor covering shall be of closely woven construction, properly installed, and easily cleanable.

.2825 WALLS AND CEILINGS

All walls and ceilings shall be easily cleanable and free of peeling, flaking, chalking, or otherwise deteriorating paint. Walls and ceilings in rooms in which food is stored, handled or prepared, utensil-washing rooms, and toilet rooms shall be nonabsorbent. Acoustic and other ceiling material may be used where ventilation precludes the possibility of grease and moisture absorption. For child care centers licensed for fewer than 13 children and located in a residence, ceilings of residential construction are acceptable if kept clean and in good repair.

15A NCAC 18A .2826 LIGHTING AND THERMAL ENVIRONMENT

In child care centers, all rooms and enclosed areas shall be lighted by natural or artificial means. Lighting shall be capable of illumination to at least 50 foot-candles at work surfaces in kitchens and diaper changing areas and at children's work tables, desks and easels. Lighting shall be capable of illumination to at least 10 foot-candles of light, at 30 inches above the floor, in all other areas, including storage rooms. Shielded or shatterproof bulbs shall be used in food preparation, storage, and serving areas and in all rooms used by children.

All rooms used by children shall be heated, cooled, and ventilated to maintain a temperature between 65°F (19°C) and 85°F (30°C). Ventilation may be in the form of operable windows which are screened or by means of mechanical ventilation to the outside. Nothing in the rules of this Section requires that outdoor storage buildings be wired with electricity or provided with heating and air conditioning.

15A NCAC 18A .2827 COMMUNICABLE DISEASES AND CONDITIONS

Each child care center shall include a designated area for a child who becomes ill to the extent that she or he can no longer participate in the routine group activities. When in use, such area shall be equipped with a bed, cot or mat and a vomitus receptacle. Thermometers and all materials used in the designated area including mouthable toys shall be cleaned and sanitized after each use. Linens and disposables shall be changed after each use.

If the area is not a separate room, it shall be separated from space used by other children by a partition, screen or other means. The designated area shall be located so that health and sanitation measures can be carried out without interrupting activities of other children and staff.

15A NCAC 18A .2829 WASTEWATER

In child care centers, all wastewater shall be disposed of in a publicly-owned wastewater treatment system or by an approved properly operating on-site wastewater system under 15A NCAC 18A .1900. Septic systems shall be sized to accommodate anticipated children and staff for all shifts.

15A NCAC 18A .2830 SOLID WASTES

In child care centers, food scraps and other putrescible materials shall be placed in a plastic-lined, cleanable, covered container and removed to an exterior garbage area at least daily. Scrap paper, cardboard boxes and similar items shall be stored in containers or designated areas.

Facilities shall be provided for the washing and storage of garbage containers and mops for child care centers, except for centers licensed for fewer than 13 children and located in a residence. Cleaning facilities shall include a faucet with a threaded nozzle and water of at least 80°F (27°C) in either a designated utility sink or above a curbed impervious pad sloped to drain into a publicly-owned wastewater treatment system or by an approved properly operating on-site wastewater system in accordance with 15A NCAC 18A .1900. Can cleaning facilities approved prior to July 1, 1991 shall be approved if in good repair.

Dumpsters and other containerized systems shall be kept clean and covered. Facilities shall be provided for cleaning either on-site, or off-site through a contractual agreement.

15A NCAC 18A .2831 ANIMAL AND VERMIN CONTROL

Effective measures shall be taken to keep uncontained insects, rodents, and other vermin out of the child care centers and to prevent their breeding or presence on the premises. Traps shall only be placed in areas inaccessible to children. All openings to the outer air shall be protected against the entrance of flying insects. In food preparation areas, only fly traps, pyrethrin-based insecticides or a fly swatter shall be used for extermination of flying insects. Decks, fences, playground equipment, and other products constructed or installed after September 1, 2006 shall not be made from chromated copper arsenate (CCA) pressure-treated wood unless the use of CCA-treated wood is for an approved use listed on the CCA product label and allowed under the US EPA Supplemental Guidance on Interpretation of Revised Chromated Copper Arsenate (CCA) Wood Preservative Label, as amended. In areas accessible to children, CCA-treated wood decks, playground and recreational equipment, and structures installed or constructed:

- (1) prior to January 1, 2005; or
- (2) where EPA allows the use of CCA-treated wood, shall be sealed using an oil-based, semi-transparent sealant; oil-based clear stain; or a water-based clear stain applied at least once every two years.

At the time of the initial sealant or stain application and whenever more than two years has passed since the previous sealant application, soil under such wood shall be:

- *removed and replaced with similar material;
- *covered with at least four inches of soil, gravel, sand, sod, or other vegetation; or
- *otherwise made inaccessible.
- *Any composting areas shall be covered and maintained to prevent attracting rodents or vermin. Worm bins shall be kept covered.
- *Grass, fruit and vegetable gardens, vines on fences, and other vegetation shall be maintained in a manner which does not encourage the harborage of vermin.
- *Pets kept outdoors shall be in a designated area that is maintained and separate from the outdoor area used by the children.

15A NCAC 18A .2832 OUTDOOR LEARNING ENVIRONMENT AND PREMISES

At child care centers, the premises, including the outdoor learning environment, shall be kept clean, drained to minimize standing water, free of litter and hazardous materials, and maintained in a manner which does not encourage the harborage of vermin.

For outdoor play equipment, including all structures accessible to children, the following shall apply: Equipment shall be kept in good repair, free of peeling, flaking, or chalking paint and free of rust and corrosion;

The sandbox used in outdoor play shall be constructed to allow for drainage and shall be covered when not in use and kept clean.

When diapering and toileting facilities are provided in the outdoor learning environment, they shall be

maintained in accordance with 15A NCAC 18A .2817 and .2819 and employees and children shall wash hands in accordance with 15A NCAC 18A .2803.

Storage provided outdoors for children's toys shall be kept clean. Storage areas that are accessible to children shall be kept free of hazardous equipment and substances in accordance with 15A NCAC 18A .2820. Storage areas shall meet requirements for lighting in accordance with 15A NCAC 18A .2826 by means of opening doors, windows, sky lights, battery operated light, flashlight or electric lighting. Spare batteries shall be available for battery operated light fixtures and flashlights.

Outdoor water activity centers shall be maintained in accordance with 15A NCAC 18A .2822. Flow through water play systems shall be designed to minimize standing water. Employees and children shall wash hands in accordance with 15A NCAC 18A .2803 before and after water play.

Central vacuums that exhaust to the outdoors away from children may be used in lieu of HEPA vacuum cleaners to meet the daily vacuuming requirements in Rule .2824(c).

15A NCAC 18A .2833 SWIMMING AND WADING POOLS

At child care centers, swimming and wading pools shall be designed, constructed, operated and maintained in accordance with the Rules Governing Public Swimming Pools, 15A NCAC 18A .2500. Portable wading pools, natural bodies of water, and other unfiltered, nondisinfected containments of water shall not be utilized for recreation activities.

X. RULES GOVERNING THE SANITATION OF BED & BREAKFAST INNS

15A NCAC 18A .3000

§ 130A-247. Definitions.

Bed and breakfast inn" means a business of not more than 12 guest rooms that offers bed and breakfast accommodations to at least nine but not more than 23 persons per night for a period of less than one week, and that:

- *Does not serve food or drink to the general public for pay;
- *Serves only the breakfast meal, and that meal is served only to overnight guests of the business;
- *Includes the price of breakfast in the room rate; and
- *Is the permanent residence of the owner or the manager of the business.

.3006 FOOD SOURCES AND PROTECTION

A metal stem-type thermometer accurate to 2° F.(1° C) shall be available to check food temperatures.

.3008 FOOD SERVICE UTENSILS AND EQUIPMENT AND THEIR CLEANING

A separate lavatory, including hot and cold running water, and a combination supply faucet or tempered water shall be provided in the kitchen or an adjacent area. Soap and sanitary towels shall be provided. By January 1, 1995, potentially hazardous foods shall be kept in refrigeration units that meet National Sanitation Foundation standards or equal. Storage facilities, including residential kitchen cabinets, shall be kept clean and free of pests.

.3009 LAVATORIES AND BATHROOMS

At least one bathroom shall be provided for every two bedrooms.

All lavatory and bathing facilities shall include hot and cold running water under pressure, individual towels and soap. Floors and walls shall be constructed of non-absorbent and easily cleanable materials. All sewage and other liquid wastes shall be disposed of in a public sewer system or, in the absence of a public sewer system, by an approved, properly operating, sanitary sewage system.

.3010 WATER SUPPLY

Water supplies shall meet the requirements in 15A NCAC 18A .1700.

.3011 DRINKING WATER FACILITIES

Facilities for the dispensing of drinking water shall be of approved sanitary design. If drinking fountains are provided, they shall be of the approved angle-jet type.

.3012 BEDS: LINEN

Mattresses shall be kept clean and in good repair.

Clean bed linen, in good repair, shall be provided for each bed and shall be changed between successive guests. Clean linen shall be stored in cabinets or on shelves in linen storage areas. Soiled linen shall be handled and stored separately from clean linen.

.3013 VERMIN CONTROL: PREMISES

All windows opening to the outside shall be screened to prevent the entrance of flies and other pests, and doors opening to the outside shall be self-closing.

.3014 STORAGE: MISCELLANEOUS

Storage rooms or spaces shall be kept clean. Cleaning agents such as bleaches, detergents, and polishes shall be stored out of the reach of children. Medications under the control of the inn keeping staff shall be stored in a separate cabinet, closet, or box not accessible to children.

.3015 FLOORS: WALLS: CEILINGS: LIGHTING: VENTILATION

Floors and walls in rooms in which food is stored, prepared, handled, or served, or in which utensils are washed, and in toilet rooms, shall be non-absorbent and easily cleanable.

.3016 DISPOSAL OF GARBAGE AND TRASH

All putrescible waste shall be placed in garbage cans which are provided with approved liners such as plastic garbage bags. Rubbish, litter and other items not used in the operation of the establishment shall not be permitted to accumulate on the premises.

Garbage shall be collected and stored in standard water-tight garbage cans or other approved containers or methods and provided with tight-fitting lids.

XI. RULES GOVERNING TATTOOING

15A NCAC 18A .3200

.3201 DEFINITIONS

"Tattooing" means tattooing as defined in G.S. 130A-283.

"Tattoo Artist" means any person who engages in tattooing.

"Tattoo Establishment" means any location where tattooing is engaged in or where the business of tattooing is conducted or any part thereof. For purposes of this Section,

"Tattoo Parlor" falls within this definition.

"Tattooing Room" means a room in the tattoo establishment where tattooing is performed.

.3203 WATER SUPPLY

The water supply serving a tattoo establishment shall be an approved potable water supply. Public water supplies that meet the requirements of 15A NCAC 18C shall be approved.

When a public water supply is not available and a private water supply is used, the water supply for a tattoo establishment shall be located, constructed, maintained, and operated in accordance with the Rules Governing the Protection of Private Water Supplies, 15A NCAC 18A .1700.

.3204 SEWAGE DISPOSAL

Sewage shall be disposed of in accordance with 15A NCAC 18A .1900 or 15A NCAC 2H .0200.

.3205 SOLID WASTE MANAGEMENT AND DISPOSAL

Solid waste management and disposal for tattoo establishments shall be in accordance with 15A NCAC 13B.

.3207 CONSTRUCTION

Each tattoo establishment shall have at least one tattooing room. This room shall be separate and apart from all other areas in the establishment, and access to this room shall be restricted. Furniture and furnishings within the tattooing room shall be constructed to be easily cleanable, maintained in good repair, and kept clean. At least one lavatory with mixing faucets supplied with hot and cold running water under pressure shall be provided for every five artists for hand washing and utensil washing. Lavatories shall be accessible to the tattooing room such that tattoo artists can wash their hands and return to the tattoo room without having to touch anything with their hands. Access to these lavatories shall be restricted to the tattoo artists. Each lavatory shall be easily cleanable, in good repair, and kept free of storage. Poisons, including germicidal solutions, used in the tattoo establishment shall be stored in covered containers with labels identifying the contents. The tattooing room shall be maintained clean and in good repair. The floor of the tattooing room shall be of impervious material and shall be maintained in clean condition at all times.

.3208 OPERATION AND MAINTENANCE

Tattooing instruments and other equipment shall be cared for as follows:

- *All clean and ready-to-use instruments, dyes, carbons, and stencils shall be kept in a closed container, case, or storage cabinet while not in use. The storage cabinet shall be maintained in a sanitary manner at all times. Sterile instruments shall be kept in sterile packages or containers;
- *Only disposable needles shall be used in the tattooing process, and a new needle or set of needles shall be used on each patron;
- *Autoclaving shall be used for sterilization of the needle bar tube and needle bar of the tattoo machine before use on each patron. The needle bar tube of the tattooing machine shall be cleaned after each use and before being sterilized for use with the next patron;
- *The needles and instruments required to be sterile shall be handled with aseptic technique during the tattooing procedure so they are not contaminated before use; and
- *The effectiveness of the autoclave in killing bacterial endospores shall be tested once each month by using an endospore-impregnated strip. Results of this test shall be recorded for review annually by the department.
- *All sharps, including the needles after removal from the needle bar, shall be stored and disposed of in

containers that are rigid, puncture-resistant, and leak-proof when in an upright position.

.3209 TATTOOING PROCEDURES

Single-service individual containers of dye or ink shall be used for each patron and the container shall be discarded immediately after completing work on a patron. Any dye or ink in which the needles were dipped shall be treated likewise so as not to be used on another person.

.3210 INSECT, RODENT AND VECTOR CONTROL

The premises shall be kept clean and free of vermin at all times.

XII. RULES GOVERNING THE SANITATION OF ADULT DAY SERVICE FACILITY

15A NCAC 18A .3300

.3301 DEFINITIONS

“Adult Day Service Facility” means an establishment which provides an organized program of services including a meal, for adults during the day in a community group setting and for which a license or certificate for payment is required from the Department of Health and Human Services. It includes adult day care services, adult day health services, psychosocial rehabilitation programs and other day programs which do not provide overnight accommodations.

.3302 APPROVAL OF CONSTRUCTION AND RENOVATION PLANS

Plans drawn to scale and specifications for new adult day service facilities shall be submitted to the local health department for review and approval prior to initiating construction.

.3304 FOOD SUPPLIES

Potentially hazardous foods shall only be obtained from sources that are permitted or inspected by a health department or the North Carolina Department of Agriculture.

Adult day service facilities receiving prepared, ready-to-eat meals from outside sources shall use only catered meals obtained from a food handling establishment permitted or inspected by a health department. During transportation, food shall meet the requirements of these Rules relating to food protection and storage.

.3306 FOOD STORAGE

Opened food products shall be stored in approved, clean, tightly covered, storage containers. Containers shall be impervious and nonabsorbent. Foods not stored in the product container or package in which it was obtained, shall be stored in a tightly covered, approved food storage container identifying the food by common name. Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law. Food shall not be stored in toilet or laundry rooms, or other areas where there is a potential for contamination

Refrigerated storage:

*Refrigeration equipment shall be provided in such number and of such capacity to assure the maintenance of potentially hazardous food at required temperatures during storage.

*Hot storage:

*Hot food storage equipment shall be provided in such number and of such capacity to assure the maintenance of food at the required temperature during storage.

.3307 FOOD PREPARATION

A food temperature measuring device, accurate to $\pm 2^{\circ}$ F ($\pm 1^{\circ}$ C), shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods.

.3309 FOOD SERVICE EQUIPMENT AND UTENSILS

Material and Construction:

*Materials used in the construction of utensils and equipment shall, under normal use conditions, be durable; corrosion-resistant; nonabsorbent; non-toxic; of sufficient weight and thickness to permit cleaning and sanitizing by normal warewashing methods; finished to have a smooth, easily cleanable surface; and resistant to pitting, chipping, cracking, scratching, scoring, distortion, and decomposition;

Design and Fabrication:

*Product thermometers and thermometer probes shall be of metal stem-type construction.

*Multi-use food-contact surfaces shall be smooth; free of breaks, open seams, cracks, chips, pits and similar imperfections; free of sharp internal angles, corners and crevices; finished to have

smooth welds and joints; and accessible for cleaning and inspection without being disassembled, by disassembling without the use of tools or by easy disassembling with the use of only simple tools such as mallets, screw drivers or wrenches which are kept near the equipment.

- *Nonfood-contact surfaces shall be nonabsorbent, cleanable, and free of ledges, projections, and crevices that obstruct cleaning.
- *Interior surfaces of nonfood-contact equipment shall be designed and fabricated to allow easy cleaning and to facilitate maintenance operations.
- *Filters and other grease extracting equipment shall be readily accessible for filter replacement and cleaning.

.3310 SPECIFICATIONS FOR KITCHENS

For adult day service facilities licensed for or serving food to fewer than 30 participants:

*Domestic kitchen equipment may be used. Domestic kitchen equipment shall include at least a two-compartment sink, drainboards or countertop space of adequate size, refrigeration equipment and adequate cooking equipment. Adult day service facilities using multi-service articles shall also provide a dishwasher. In lieu of a dishwasher and two-compartment sink, a three-compartment sink with drainboards or counter top space of adequate size on each end may be used;

Salads containing potentially hazardous food shall not be prepared on-site.

A separate lavatory for handwashing is required in food preparation areas. If the dishwashing area is separate from the food preparation area, an additional lavatory shall be required in the dishwashing area. These handwashing lavatories shall be used only by food service personnel; and a commercial hood shall be installed when foods are fried on-site.

For adult day service facilities licensed for or serving food to 30 or more participants:

Approved food service equipment shall be used. When domestic refrigeration equipment is used the following provisions shall apply:

Potentially hazardous foods shall not be prepared prior to the day that such foods are to be served;

All meats, poultry, and fish shall be purchased in pre-portioned, ready-to-cook form.

Food service equipment shall include:

Where meals are prepared and multi-service articles are used, at least a three-compartment sink with drainboards or counter top space of adequate size on each end, refrigeration equipment, and cooking equipment;

Where meals are prepared and only single-service articles are used, at least a two-compartment sink with drainboards or counter top space of adequate size on each end, refrigeration equipment, and cooking equipment; or

Where no meals are prepared and only single-service articles are used, refrigeration equipment, and at least a domestic two-compartment sink with drainboards or counter top space of adequate size on each end.

A separate food preparation sink with drainboards shall be provided for the washing and processing of foods except where plan review shows that volume and preparation frequency do not require separate facilities.

A separate lavatory for handwashing is required in food preparation and food service areas. If the dishwashing area is separate from the food preparation area, an additional lavatory shall be required in the dishwashing area. These handwashing lavatories shall be used only by food service personnel.

A commercial hood shall be installed when foods are fried on-site.

.3311 CLEANING AND SANITIZING OF EQUIPMENT AND UTENSILS

Multi-use tableware shall be washed, rinsed, and sanitized after each use.

Food-contact surfaces of equipment and utensils shall be washed, rinsed, and sanitized:

Nonfood-contact surfaces of equipment shall be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles, and other debris.

.3312 MANUAL CLEANING AND SANITIZING

Adult day service facilities licensed for or serving food to 30 or more participants shall provide and use a three compartment sink with drainboards or counter top space of adequate size on each end if multi-service eating and drinking utensils are manually cleaned and sanitized.

Adult day service facilities licensed for or serving food to fewer than 30 participants that use a domestic dishwasher and two-compartment sink for sanitizing multi-service articles shall sanitize as required in Paragraph (e)(4) of this Rule. Sink compartments shall be large enough to submerge the largest items to be washed and each compartment shall be supplied with hot and cold running water.

If required under Rule .3310 of this Section, drainboards or counter top space of adequate size shall be provided for handling of soiled utensils prior to washing and cleaned utensils following sanitizing.

Drainboards or counter top space shall be no less than 24" long. For adult day service facilities licensed for or serving food to fewer than 13 participants and located in a residence, a domestic dishwasher may be used to provide the equivalent of 24" of drainboard space, and other designated areas not contiguous with the sink may be used to meet drainboard or counter top space requirements.

When hot water is used for sanitizing, the following facilities shall be provided and used:

An approved heating device or fixture installed in, on, or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least 170°F (77°C); and

A numerically scaled indicating thermometer, accurate to ±3° F (± 1.5°C), convenient to the sink for frequent checks of water temperature; and

Dish baskets of such size and design to permit complete immersion of the tableware, kitchenware, and equipment in the hot water.

.3313 MECHANICAL CLEANING AND SANITIZING

Machine or water line mounted numerically scaled indicating thermometers, accurate to ±3°F (± 1.5°C), shall be provided for commercial dishwashing equipment to indicate the temperature of the water in each tank of the machine and the temperature of the final rinse water as it enters the manifold.

Drainboards or counter top space of adequate size for the proper handling of soiled utensils prior to washing and cleaned utensils following sanitization shall be provided.

.3314 FOOD SERVICE EQUIPMENT AND UTENSIL STORAGE

Equipment and utensils shall not be placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law.

.3315 WATER SUPPLY

Running water under pressure shall be provided in sufficient quantities to meet the needs of cooking, cleaning, drinking, toilets, and outside uses without producing water pressure lower than that required by the North Carolina Plumbing Code.

The water supply shall meet the requirements of 15A NCAC 18C or 15A NCAC 18A .1700 Protection of Water Supplies.

Water heating equipment that is sufficient to meet the maximum expected requirements of the adult day service facility shall be provided. Capacity and recovery rates of hot water heating equipment shall be based on number and size of sinks, capacity of dishwashing machines, capacity of laundering machines, clothing changing facilities, and other food service and cleaning needs. Hot and cold water under pressure shall be easily accessible to all rooms where food is processed or handled, rooms in which utensils or equipment are washed, and other areas where water is required for cleaning and sanitizing, including lavatories and diaper changing areas.

.3316 DRINKING WATER FACILITIES

Drinking fountains, if provided, shall be of sanitary angle-jet design and kept clean. The pressure shall be regulated so that the individual's mouth does not come in contact with the nozzle and so that water does not splash on the floor.

.3317 TOILETS

Storage in toilet rooms shall be limited to toileting and clothing changing supplies except that cleaning supplies can be stored in toilet rooms in a locked cabinet. All toilet fixtures shall be easily cleanable, and in

good repair. If bedside commodes, bedpans or urinals are used, they shall be located in a room equipped with a spray rinse toilet or utility sink.

.3318 LAVATORIES AND BATHING FACILITIES

All lavatories and bathing facilities shall be equipped with hot and cold running water through mixing faucets except that automatic mixing faucets or pre-mixing devices which provide water at the temperature specified in Rule .3315(e) of this Section may be provided. Soap and disposable towels or heated air hand drying device shall be provided at every handwash lavatory area.

.3319 CLOTHING AND CLOTHING CHANGING

Clothing Changing surfaces shall be smooth, nonabsorbent, easily cleanable and shall be approved by the Department. Each clothing changing area shall include a handwash lavatory.

.3320 STORAGE

Rooms or spaces shall be provided for the storage of equipment, furniture, clothes, beds, cots, mats, and supplies and shall be kept clean. Shelving or other storage, constructed in a manner to facilitate cleaning, shall be provided for orderly storage of supplies and equipment. Closets, lockers, or coat hooks shall be provided for storage of coats, hats, or similar items. Personal items such as toothbrushes, dentures or combs shall be stored in containers labeled with the participant's name.

.3321 BEDS AND LINENS

All beds, chairs, cots, and mats shall be clean, in good repair and stored to protect them from splash, drip and other contamination. Individual beds used for sleeping shall be covered with waterproof, washable material and shall be equipped with individual linen.

.3322 FURNITURE, EQUIPMENT AND ACTIVITY SUPPLIES

Furniture, equipment and activity supplies provided by the adult day service facility shall be of easily cleanable construction, and shall be kept clean and in good repair.

.3324 FLOORS

Floors and floor coverings of all food preparation, food storage, utensil-washing areas, toilet rooms, maintenance rooms, utility rooms, and laundry areas shall be constructed of nonabsorbent, easily cleanable, durable material such as sealed concrete, terrazzo, ceramic tile, durable grades of linoleum or plastic, or tight wood impregnated with plastic. Carpeting used as a floor covering shall be of closely woven construction, installed to prevent hazards or obstacles to cleaning, and easily cleanable. Carpeting is prohibited in food preparation areas, equipment and utensil-washing areas, food storage areas, laundry areas, and toilet rooms

.3325 WALLS AND CEILINGS

All walls shall be non-absorbent and easily cleanable. Ceilings in rooms in which food is stored, handled or prepared, utensil-washing rooms, and toilet rooms shall be non-absorbent and easily cleanable. Acoustic ceiling material may be used where ventilation precludes the possibility of grease and moisture absorption.

.3326 LIGHTING AND THERMAL ENVIRONMENT

Lighting shall be capable of illumination to at least 50 foot-candles at food preparation work surfaces. At least 10 foot-candles of light, at 30 inches above the floor, shall be provided in all other areas, including storage rooms. Light fixtures in all areas shall be kept clean and in good repair. Completely shielded bulbs or shatterproof bulbs shall be used in food preparation, storage, and serving areas. All rooms used by participants shall be heated, cooled, and ventilated to maintain a temperature between 65°F (19°C) and 85°F (30°C). Ventilation may be in the form of operable windows which are screened or by means of mechanical ventilation to the outside.

.3327 COMMUNICABLE DISEASES AND CONDITIONS

Each adult day service facility shall include a designated area for a person who becomes ill. When in use, such area shall be equipped with a bed, cot or mat and a vomitus receptacle. All materials shall be sanitized after each use. Linens and disposables shall be changed after each use.

Facilities providing adult day health services shall have a treatment room which is separate from areas used for storage and handling of food. The treatment room shall have a hand sink or have a doorway which connects it to a room containing a sink.

.3329 WASTEWATER

All wastewater shall be disposed of in a publicly-owned wastewater treatment system or by an approved properly operating on-site wastewater system.

.3330 SOLID WASTES

Solid wastes containing food scraps or other putrescible materials shall, prior to disposal, be kept in durable, rust-resistant, nonabsorbent, water-tight, rodent-proof, and easily cleanable containers such as standard garbage cans which shall be covered with tight lids when filled or stored or not in continuous use. Facilities shall be provided for the washing and storage of all garbage cans and mops for adult day service facilities, except for facilities certified or licensed for fewer than 13 participants. Cleaning facilities shall include combination faucet, hot and cold running water, threaded nozzle, and curbed impervious pad sloped to drain into an approved sanitary sewage system.

.3331 ANIMAL AND VERMIN CONTROL: PREMISES

Animal cages, bedding, litter boxes and other pet-related items shall be kept clean. Effective measures shall be taken to keep insects, rodents, and other vermin out of the facility and to prevent their breeding or presence on the premises.

.3332 OUTDOOR AREAS

The premises, including the outdoor area, shall be kept clean, drained and free of litter and hazardous materials. Grass and other vegetation shall be maintained in a manner which does not encourage the harborage of vermin. All debris, glass, dilapidated structures, and broken equipment shall be removed. The outdoor areas shall be free from unprotected wells, grease traps, cisterns, and utility equipment.

.3333 SWIMMING AND WADING POOLS

Swimming pools, wading pools and spas shall be designed, constructed, operated and maintained in accordance with the Rules Governing Swimming Pools, 15A NCAC 18A .2500.