

**DELAWARE COUNTY HEALTH DEPARTMENT
RULES AND REGULATIONS**

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Chapter 100

GENERAL PROVISIONS

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Pursuant to the "Local Health Administration Law," Act 315 approved August 24, 1951, P.L.1304, as amended, as found in 16 P.L. §12001 et seq., the Delaware County Health Department promulgates the following Rules and Regulations:

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100.1. DECLARATION OF POLICY. The purpose of these Rules and Regulations is to provide for the protection and promotion of the health of the people of Delaware County, and to this end, these Rules and Regulations are intended to embrace all matters to which the regulatory or police powers and duties of the Delaware County Health Department extend.

100.2. GENERAL DEFINITIONS. For the purpose of these Rules and Regulations, the following definitions shall apply:

Approved: Any construction or procedure of operation which is in accordance with the standards of the Delaware County Health Department.

Board: The Delaware County Board of Health.

County: Delaware County.

Department: The Delaware County Health Department, or its authorized representative.

Director: The Delaware County Health Director or his/her authorized representative.

Emergency Occurrence: An occurrence such as a fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent food borne illness outbreak, gross unsanitary occurrence or condition or other circumstance that may endanger public health.

Municipality: Any city, town, borough, township, county, or other public body created by or pursuant to State Law, or any combination thereof acting cooperatively or jointly.

Person: Any individual, partnership, corporation, company, firm, institution, trustee, association, or any other public or private entity.

Public Facility: The definition includes, but is not limited to any facility, group, organization and/or other entity that admits individuals with little or no restriction(s). Individuals may be solicited by marketing and/or advertisement and may be subject to membership fees.

Regulated Establishment: Any public facility, whether commercial or institutional, which requires License(s) and/or Certificate(s) to operate issued by the Delaware County Health Department, or any facility that requires inspection by the Delaware County Health Department.

Secretary: The secretary of the Delaware County Board of Health.

100.3. LOCAL REGULATION.

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No city, township, borough, or other municipality located within Delaware County, except those municipalities which are exempt from the jurisdiction of the Department by Section 14 of the "Local Health Administration Law" (16 P.S. §12014), shall adopt any rule, regulation, standard, or procedure not in conformity with the Rules and Regulations of the Delaware County Health Department, and any such rule, regulation, standard, or procedure presently in existence shall be superseded to the extent that it is inconsistent with the Rules and Regulations adopted by the Department.

100.4. ENTRY AND INSPECTION OF PROPERTY, RECORDS, AND EQUIPMENT.

100.4.1. Under the authority of Section 12(c) of the "Local Health Administration Law" (16 P.S. §12012(c)), and subject to the limitations of the Constitutions of the United States and of the Commonwealth of Pennsylvania, the Director, upon showing proper identification of office, may enter and inspect any property, records, and equipment, at all reasonable times and in an emergency at any time.

100.4.2. The owner, operator, employee, or any other person having custody or control of such property, records, or equipment shall give the Director free access for the purpose of such inspection.

100.5. ALLEGED VIOLATIONS.

100.5.1. NOTICE. Whenever the Director determines that there has been a violation of any provision of these Rules and Regulations so as to cause a nuisance detrimental to the public health, he/she shall give notice of the alleged violation, in the manner provided herein, to the person responsible for compliance under these Rules and Regulations.

The notice shall:

- a. Be in writing;
- b. Specify the violation which exists, with reference to the applicable provision of these Rules and Regulations, together with a brief statement of the remedial action required; and
- c. Provide a reasonable time for the correction of any violation alleged.

100.5.2. SERVICE. A notice of violation shall be served upon the owner, operator, occupant, or any other party in interest, as the case may require. Service of the notice of violation shall be made in the following manner:

- a. By handing the notice to the person to be served; or

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- b. By handing the notice to the persons designated for receipt of service of original process under the Rules of Civil Procedure promulgated by the Supreme Court of Pennsylvania; or
- c. By mailing the notice to the last known address of the person to be served, by registered mail, postage prepaid, accompanied with a request for a return receipt; or, if service cannot be accomplished in this manner,
- d. By posting the notice of violation in a conspicuous place on the property.

100.5.3. REPEATED VIOLATIONS. The notice requirements of this section pertain only to first violations of any specified section. Upon a second and each successive violation, no notice to the alleged violator is required under this section. Where repeated violations occur at a regulated establishment, as defined in Chapter 600 of these Rules and Regulations, the License(s) and/or Certificate(s) to operate such a facility may be suspended and/or revoked in accordance with Chapter 600, §605.3.7.1.

100.6. EMERGENCY ORDERS.

100.6.1. Under the authority of Section 12(d) of the "Local Health Administration Law" (16 P.S. §12012(d)), the Director, whenever he/she determines that an emergency exists which necessitates immediate action to protect the public health, shall, without prior notice, issue a written order reciting the existence of the emergency and requiring corrective action necessary to meet the emergency.

100.6.2. Notwithstanding any other provisions of this Chapter, such emergency order shall be effective upon posting the notice of violation in a conspicuous place on the property and shall be complied with immediately.

100.7. NON-COMPLIANCE WITH EMERGENCY ORDERS.

100.7.1. In the event of the failure to comply with an order issued pursuant to any provision of these Rules and Regulations, the Director may take any action which is authorized by Section 12(d), of the "Local Health Administration Law" (16 P.S. §12012(d)), including, but not limited to, abatement of the nuisance, the cost of said abatement being recoverable from the owner of the premises where the nuisance or the cause of the nuisance was located, or from any other person who may have caused the nuisance, in the same manner as debts of like character are now collected by law, or in the manner provided by law for the collection of municipal claims.

100.7.2. In accordance with 100.7.1, immediately above, the Director may institute appropriate actions or proceedings at law or in equity to restrain, correct, or abate the violation of the order, or he/she may cause the order to be carried out at the expense of the County.

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100.7.3. Any legal action necessary to recover the expenses described in 100.7.2., immediately above, may be instituted by the Delaware County Council.

100.7.4. In lieu of, or in addition to the above procedures, the Delaware County Council may, upon the advice of the Director seek relief from a nuisance or threatened nuisance detrimental to the public health by instituting proceedings in a court of equity, in accordance with Section 12(d) of the "Local Health Administration Law" (16 P.S. §12012(d)).

100.7.5. Any action taken by the Director pursuant to this section will be reported to the Board of Health and the Delaware County Council within 24 hours.

100.8. HEARINGS AND APPEALS

100.8.1. PURPOSE. This section provides for appeals to and hearings before the Director of the Delaware County Health Department, sets forth definitions, and outlines procedures governing hearings and appeals.

100.8.2. DEFINITIONS. In addition to the definitions in 100.2. above, the following words and phrases when used in this section shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

ACTION- Any order, notice, decision, determination or ruling by the Department affecting personal or property rights, privileges, immunities, duties, liabilities or obligations of any person.

NOTICE OF APPEAL- A written appeal that complies with all of the requirements of 100.8.4 of this section.

PARTY- Includes:

- a. Any person perfecting an application for hearing or appeal under the provisions of this section;
- b. Any person permitted by the Director to intervene in a hearing or appeal conducted pursuant to the provisions of this section;
- c. The Delaware County Health Department; and
- d. Any person against whom action may be taken after hearing or opportunity for hearing.

SECTION- This section (100.8) of the Rules and Regulations of the Delaware County Health Department governing hearings and appeals.

100.8.3. RIGHT TO APPEAL. Any person aggrieved by an action of the Department and who has a direct interest in such action may file a notice of appeal.

100.8.4. APPEALS.

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- a. The notice of appeal shall be filed no later than 10 days after written notice or issuance of the action by which the appellant is aggrieved.
- b. The notice of appeal must be signed by the person aggrieved or by his or her duly authorized attorney or agent and must contain the names, addresses, and telephone numbers of the appellant and his or her duly authorized attorney or agent, if any, and shall set forth with particularity the manner in which the appellant is aggrieved by the action of the Department, the extent to which the appellant has a direct interest in the action and the grounds for his or her appeal.
- c. The notice of appeal shall be filed in the Office of the Director, Department of Health, Media, Pennsylvania.
- d. All actions of the Department shall become final 10 days after written notice or issuance if no appeal has been perfected within that period under the provisions of this section.

100.8.5. HEARINGS.

- a. The Director shall schedule a full evidentiary hearing to determine any material or substantial issue of fact raised in any notice of appeal filed under the provisions of this section. Within 20 days after receipt of a notice of appeal, the Director shall give written notice to all parties of the time and place of the scheduled hearing.
 - 1. If the parties, in writing, stipulate to all material facts, agree to waive their right to a hearing, or agree to submit all evidence in writing, by affidavit or deposition, no hearing shall be held.
 - 2. If the Director determines that a formal hearing will not contribute to a determination of an appeal raising only physical or technical issues of fact that can be resolved by inspection, examination or testing, or raising only legal issues, no hearing shall be held. In lieu of holding a formal hearing, the Director shall comply with the provisions of 100.8.8. of this section.
 - 3. If a hearing is not held, the Director may consider written materials, including, but not limited to, briefs, photographs and affidavits which, within the time prescribed by the Director, shall be filed in the office of the Director and served upon all parties.
- b. The Director, on his or her own motion, may initiate a hearing by issuing a notice of hearing, which shall notify a person of his or her right to appear and show cause why the Department should not take such action as is proposed and specified therein. All notices of hearing shall be in writing and shall be served upon all parties at least 10 days prior to the hearing and shall state the time and place of the hearing, and the proposed action of the Department.

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- c. The Director may cause notice of any hearing to be published on the Department's website and in one newspaper of general circulation.
- d. Procedure at hearing.
 - 1. Any person may be represented at a hearing by counsel. A partnership maybe represented by any of its members, a corporation or association by any of its officers, and an authority or agency by an officer, or employee duly authorized in writing to represent the authority or agency.
 - 2. Examination and cross-examination of witnesses shall be permitted by all parties.
 - 3. No document or written material of any kind shall be introduced in evidence until a copy of the document or writing is furnished to every party.
 - 4. The Director may, on his or her own motion, or at the request of any party, subpoena witnesses and any material relevant to the proceedings.
 - 5. All hearings shall be open to the public unless deemed confidential by the Director acting upon his or her own motion or upon consideration of any party's motion, for good cause shown or when confidentiality is required by law.
 - 6. The Director may provide that all testimony be stenographically recorded and may keep a full and complete record of the proceedings. In the event the Director does not provide for recording of the testimony, such testimony shall be stenographically recorded at the request of any party agreeing to pay the costs thereof.
 - 7. The person filing the appeal shall bear the burden of proof and the burden of going forward with respect to all issues.
 - 8. In hearings held pursuant to this section, the Director shall hear and admit only such testimony and evidence as is relevant to the matters and issues set forth in the notice of appeal.
 - 9. The Director may dismiss any appeal, or part thereof, upon failure of the appellant to appear at any scheduled hearing or to go forward with respect to any issue.
- e. All requests for postponements of any scheduled hearings shall be filed in writing with the Director at the Department of Health office in Media, PA, and written notice given to all parties at least three days before the date set for such hearing. All postponements shall be within the discretion of the Director.

100.8.6. DECISION OF DIRECTOR. The Director shall, within a reasonable period of time after service of all materials submitted by the parties, after close of any hearing or rehearing, or after any inspection or test is conducted under 100.8.8, render a written decision on the matter in

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controversy. The Director shall make findings, give reasons for the decision and the decision shall be served personally or by mail upon all parties.

100.8.7. CONFERENCES.

- a. The Director, on his or her own motion, or at the request of any party, may hold a conference prior to, or during, or in lieu of, a hearing for the purpose of hearing offers of settlement or compromise or for the purpose of narrowing the matters in controversy. Any agreement entered into at such conference shall be in writing and shall be signed by all parties.
- b. All parties to the proceedings shall be notified of the time and place of the conference and shall have the right to be present at the conference.
- c. The Director may close the conference to the public.

100.8.8. DISPOSITION OF APPEAL WITHOUT HEARING. Where only legal questions or physical or technical facts are at issue in an appeal, and the Director determines that a formal hearing will not contribute to a resolution of the matters in issue, he or she must, within 20 days from receipt of the notice of appeal, conduct or order the conduct of an inspection, examination, or test, or request the filing of written briefs. The Director must otherwise comply with every other provision of this section.

100.8.9. REHEARING. The Director may, at the request of any party, grant the right to a rehearing. All applications for rehearing shall be filed in the office of the Director and served upon all parties within 15 days after the date of the decision of the Director. The application shall include a short and concise statement setting forth the grounds for the request. The Director shall, within a reasonable period of time after request for rehearing, deny the rehearing or give notice of the time and place of the rehearing, and conduct that hearing in accordance with 100.8.5. of this section.

100.8.10. APPEALS TO COURT OF COMMON PLEAS. Any party who is aggrieved by any decision of the Director rendered pursuant to 100.8.6. of this section may appeal therefrom to the Court of Common Pleas of Delaware County as provided by law.

100.8.11. STAY OF PROCEEDINGS. The filing of a notice of appeal shall not stay any action by the Department or hold in abeyance any order of the Director unless a stay of proceedings is granted by the Director.

- a. A petition for stay of proceedings may be filed at any time during the pendency of an appeal in the office of the Director and shall set forth with particularity the reasons for which it is requested. Copies of any such petition shall be served on all parties.
- b. The Director may, upon petition, or on his or her own motion, grant a stay of proceedings, except that a stay may not be granted where it may result in serious and immediate danger to the public health and welfare.

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c. The grant of a stay shall suspend the effect of the appealed action of the Department, but shall not stay any action of the Department, which is not subject to the appeal, nor shall it stay the enforcement of any Department rule or regulation.

100.8.12. SERVICE. Where notice is given by United States mail, the time of service of such notice shall be the date of posting.

100.8.13. APPLICABILITY.

a. This section shall not govern procedures in informal conferences held by the Department in the ordinary course of the administration of its rules and regulations, nor shall it in any way limit the right of the Department to conduct such conferences or the right of any person to request that such conferences be held.

b. This section shall not apply to the procedures governing the employment or dismissal of Department personnel.

100.9. SEVERABILITY. If any provision of these Rules and Regulations, or the application of any provision to particular circumstances is held invalid, the remainder of these Rules and Regulations, or the application of such provision to other circumstances, shall not be affected. The Rules and Regulations are to be liberally construed by the Department and applied to promote its underlying purpose of protecting public health.

100.10. PENALTIES. Any person who violates any of the provisions of these Rules and Regulations, or who interferes with a Health Officer or any other agent of the Department in the discharge of the applicant's official duties, shall be subject to the penalty provisions of the enabling legislation for these Rules and Regulations, namely, Section 27 of the "Local Health Administration Law", Act 315, approved August 24, 1951, as amended, as found in 16 P.S. §12027.

100.11. ADOPTION BY REFERENCE. The Local Health Administration Law, Act 315, as amended, as found in 16 P.S. §12001 et seq., and its corresponding regulations, are adopted by reference. Subsequent amendments of Act 315 and its corresponding regulations are also automatically adopted.

100.12. REPEAL OF PRIOR REGULATIONS. Any rules and regulations regarding functions now covered under the Delaware County Health Department which were previously adopted and approved by the Delaware County Council, as amended, are hereby expressly repealed as of the effective date of the present Rules and Regulations.

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CHAPTER 200 PREVENTIVE MEDICINE

SECTION 200

COMMUNICABLE AND NONCOMMUNICABLE DISEASES

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ARTICLE A CONFIDENTIAL INFORMATION AND GENERAL PROVISIONS

200.1. Purpose

The purpose of this chapter is to describe the reporting requirements for reportable diseases and conditions as well as special requirements for disease control and prevention to protect the public's health.

200.2. Definitions

The following words and terms used in this chapter, unless a different meaning is plainly required by the context or a different meaning is stated in any of the several chapters, shall have the following meaning.

ACIP - The Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

ACT - The Pennsylvania Disease Prevention and Control Law of 1955 (35 P.S. § 521.2 et seq.).

ASSOCIATE - A person or animal that has been in such association with an infected person or animal or a contaminated environment as to have an opportunity to acquire the infection.

BOARD - Board of Health, appointed by the Commissioners, serves in an advisory and policy making role to the Director of Health.

CAREGIVER - The entity or individual responsible for the safe and healthful care or education of a child in a child care group setting.

CARRIER - A person who, without any apparent symptom of a communicable disease, harbors a specific infectious agent and may serve as a source of infection.

CASE - A person or animal that is determined to have or suspected of having a disease, infection or condition.

CASE REPORT FORM - The form designated by the Department for reporting a disease or condition.

CDC - Centers for Disease Control and Prevention.

CHILD - A person under 18 years of age.

CHILD CARE GROUP SETTING - The premises in which care is provided at any one time to four or more children, unrelated to the operator.

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CLINICAL LABORATORY - A laboratory for which a permit has been issued to operate as a clinical laboratory under the Clinical Laboratory Act (35 P. S. §§ 2151-2165).

COMMUNICABLE DISEASE - An illness which is capable of being spread to a susceptible host through the direct or indirect transmission of an infectious agent or its toxic product by an infected person, animal or arthropod, or through the inanimate environment.

COMMUNICABLE PERIOD - The time during which an etiologic agent may be transferred directly or indirectly from an infected person to another person, or from an infected animal to a person.

CONTACT - A person or animal known to have had an association with an infected person or animal which presented an opportunity for acquiring the infection.

DEPARTMENT – The Delaware County Health Department. Also referred to as the local health authority or local morbidity reporting office.

DIRECTOR – Also known as the Health Administrator. The Director of Health for the Delaware County Health Department.

EPIDEMIC - The occurrence in a community or region of highly contagious or rapidly spreading cases of an illness.

FDA - Food and Drug Administration.

HEALTH CARE FACILITY- A chronic disease, or other type of hospital, a home health care agency, a hospice, a long-term care nursing facility, a cancer treatment center using radiation therapy on an ambulatory basis, an ambulatory surgical facility, a birth center, and an inpatient drug and alcohol treatment facility, regardless of whether the health care facility is operated for profit, nonprofit or by an agency of the Commonwealth or local government.

HEALTH CARE PRACTITIONER - An individual who is authorized to practice some component of the healing arts by a license, permit, certificate or registration issued by a Commonwealth licensing agency or board.

HEALTH CARE PROVIDER - An individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies and insurance companies), the Commonwealth or a political subdivision, or instrumentality (including a municipal corporation or authority) thereof, that operates a health care facility.

HOUSEHOLD CONTACT - A person living in the same residence as a case, including a spouse, child, parent, relation or other person, whether or not related to the case.

INCUBATION PERIOD - The time interval between the infection of a susceptible person or animal and the appearance of signs or symptoms of the disease in question or the longest usual time in which such signs or symptoms of the disease in question normally appear.

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INFECTIOUS AGENT- Any organism, such as a virus, bacterium, fungus or parasite, that is capable of being communicated by invasion and multiplication in body tissues and capable of causing disease.

MEDICAL RECORD - An account compiled by physicians and other health professionals including a patient's medical history; present illness; findings on physical examination; details of treatment; reports of diagnostic tests; findings and conclusions from special examinations; findings and diagnoses of consultants; diagnoses of the responsible physician; notes on treatment, including medication, surgical operations, radiation, and physical therapy; and progress notes by physicians, nurses and other health professionals.

MODIFIED QUARANTINE - A selected, partial limitation of freedom of movement determined on the basis of differences in susceptibility or danger of disease transmission which is designated to meet particular situations. The term includes the exclusion of children from school and the prohibition, or the restriction, of those exposed to a communicable disease from engaging in particular activities.

MONITORING OF CONTACTS- The close supervision of persons and animals exposed to a communicable disease without restricting their movement.

OPERATOR- The legal entity that operates a child care group setting or a person designated by the legal entity to serve as the primary staff person at a child care group setting.

OUTBREAK - An unusual increase in the number of cases of a disease, infection or condition, whether reportable or not as a single case, above the number of cases that a person required to report would expect to see in a particular geographic area or among a subset of persons (defined by a specific demographic or other features).

PADOH - Pennsylvania Department of Health.

PDA - Pennsylvania Department of Agriculture.

PHYSICIAN - An individual licensed to practice medicine or osteopathic medicine within this Commonwealth.

REGULATION - Any rule, ordinance, or administrative law approved by the Board and legally promulgated.

REPORTABLE DISEASE, INFECTION OR CONDITION - A disease, infection, or condition declared reportable by the Department; any unusual or group expression of illness which, in the opinion of the Director, may be a public health concern, emergency; non-communicable diseases and conditions for which the Director or his duly authorized representative may authorize reporting to provide data and information which, in the opinion of the Director, is needed in order to effectively prevent the spread of disease and promote health and wellness.

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SECRETARY- The Secretary of the Pennsylvania Department of Health.

SEGREGATION- The separation for special control or observation of one or more persons or animals from other persons or animals to facilitate the control of a communicable disease.

SURVEILLANCE OF DISEASE - The continuing scrutiny of all aspects of occurrence and spread of disease that are pertinent to effective control.

200.3. Confidentiality

a. All information as to personal facts and circumstances obtained in connection with the administration of Public Health services conducted by the Delaware County Health Department shall be held confidential and shall be considered privileged communications.

b. Said information shall not be divulged without the consent of the individual if he/she is competent, and if he/she is incompetent or a minor child, then not without the consent of the parent, or the person in loco parentis, except as may be necessary to provide services to individuals.

200.4. Limitations on confidentiality

This Article shall not be construed to prohibit the disclosure of such confidential information in the following circumstances:

- a. Where required by law.
- b. Where required for the health and welfare of the individual.
- c. In summary, statistical, or other forms which do not identify individuals.

200.5. Custodian of records

All records and information made confidential by this Article shall be the property of the Department and shall be under the control of the Director.

200.6. Procedures for confidentiality

a. All information procured by or made available to the Department staff, both professional and clerical, shall be used by such personnel only in accordance with this Chapter; and

b. Employees of the Department and all persons dealing with the Department in connection with these programs shall be informed of the policy concerning confidential information.

ARTICLE B REPORTABLE DISEASES AND CONDITIONS

200.7. Reportable diseases and conditions

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The following communicable diseases, unusual outbreaks of illness, non-communicable diseases and conditions are to be reportable;

1. AIDS (Acquired Immunodeficiency Syndrome)
2. Amebiasis
3. Animal bite *
4. Anthrax *
5. An unusual cluster of isolates
6. Arboviruses (includes Colorado tick fever, Crimean-Congo hemorrhagic fever, dengue, Eastern equine encephalitis, St. Louis encephalitis, West Nile virus infection, Yellow fever, et al.) *
7. Botulism (all forms) *
8. Brucellosis
9. Campylobacteriosis
10. Cancer
11. CD4 T-lymphocyte test result with a count <200 cells/microliter, or a CD4 T-lymphocyte % of <14% of total lymphocytes
12. Chancroid
13. Chickenpox (Varicella)
14. Chlamydia trachomatis infections
15. Cholera *
16. Congenital adrenal hyperplasia (CAH) (<5y/old)
17. COVID-19 (SARS-CoV-2)
18. Creutzfeldt-Jakob Disease
19. Cryptosporidiosis
20. Diphtheria *

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21. Encephalitis (all types)
22. Enterohemorrhagic E. coli (shiga toxin-producing E. coli or STEC) *
23. Food poisoning outbreak *
24. Galactosemia (<5y/old)
25. Giardiasis
26. Gonococcal infections
27. Granuloma inguinale
28. Guillain-Barre syndrome
29. Haemophilus influenzae invasive disease *
30. Hantavirus pulmonary syndrome *
31. Hemorrhagic fever *
32. Hepatitis, viral, acute and chronic cases
33. Histoplasmosis
34. HIV infection
35. Influenza (laboratory-confirmed only)
36. Lead poisoning *
37. Legionellosis *
38. Leprosy (Hansen's Disease)
39. Leptospirosis (Weil's Disease)
40. Listeriosis
41. Lyme Disease
42. Lymphogranuloma venereum
43. Malaria

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44. Maple syrup urine disease (MSUD) (<5y/old)
45. Measles (Rubeola) *
46. Meningitis, (all types--not limited to invasive Haemophilus influenzae or Neisseria meningitidis)
47. Meningococcal invasive disease *
48. Mumps
49. Perinatal exposure of a newborn to HIV
50. Pertussis (whooping cough)
51. Phenylketonuria (PKU) (<5y/old)
52. Plague *
53. Poliomyelitis *
54. Primary congenital hypothyroidism (<5y/old)
55. Psittacosis (ornithosis)
56. Rabies *
57. Respiratory syncytial virus
58. Rickettsial diseases/infections (includes Anaplasmosis, Rocky Mountain Spotted Fever, Q fever, rickettsialpox, typhus, Ehrlichiosis)
59. Rubella (German measles) and congenital rubella syndrome
60. Salmonellosis
61. Severe Acute Respiratory Syndrome (SARS) *
62. Shigellosis
63. Sickle cell hemoglobinopathies (<5y/old)
64. Smallpox *

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65. Staphylococcal aureus, Vancomycin Resistant (VRSA) or Intermediate (VISA) invasive disease
66. Streptococcal invasive disease (Group A)
67. Streptococcus pneumoniae, drug resistant invasive disease
68. Syphilis (all stages)
69. Tetanus
70. Toxic shock syndrome
71. Toxoplasmosis
72. Trichinosis
73. Tuberculosis, suspected or confirmed active disease (all sites), including the results of drug susceptibility testing and genotyping
74. Tularemia
75. Typhoid fever *

**Healthcare practitioners and healthcare facilities must report within 24 hours.*

The above list of reportable diseases and conditions has been adapted from PA Code, Title 28, Chapter 27.

200.8. Rare, exotic or tropical diseases

Unusual, rare, exotic or imported communicable diseases, even if occurring only singly, shall also be reported to the Department, irrespective of whether such disease or condition is specifically listed above.

200.9. Group expression of illness or disease

The occurrence of any group expression of illness or disease, communicable or non-communicable, which may affect the public health, or be of public concern, shall be reported to the Department by any person(s) having this knowledge.

ARTICLE C REPORTING OF DISEASES

200.10. Reporting of cases by health care practitioners and health care facilities

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Every physician or health care facility is required to report a case of a disease, infection or condition related to reporting cases, if the health care practitioner or health care facility treats or examines a person who is suffering from, or who the health care practitioner or health care facility suspects, because of symptoms or the appearance of the individual, of having a reportable disease, infection or condition. Reports shall be made by phone, regular or electronic mail, fax or via electronic reporting through Pennsylvania's version of the National Electronic Disease Surveillance System (PA-NEDSS).

- a. The report shall state:
 - 1. the name of the disease or condition;
 - 2. the name and date of birth of the patient or carrier;
 - 3. the occupation of the patient or carrier;
 - 4. the name of the employer of the patient or carrier;
 - 5. the address and telephone at which the patient or carrier may be located;
 - 6. the date of onset of the disease;
 - 7. the name and telephone of the attending physician.

b. Every physician who treats a patient with a reportable communicable disease which is classed as a sexually transmitted disease (STD) shall report the case to the Department. The report shall state: diagnosis, laboratory data, and treatment of the disease; the name, age, sex, and race of the patient; and the address and telephone number at which the patient may be located.

200.11. Reporting of cases by clinical laboratories

a. A person who is in charge of a clinical laboratory in which a laboratory test of a specimen derived from the human body yields microscopical, cultural, immunological, chemical, serological, chemical, virologic, nucleic acid (DNA or RNA) or other evidence significant from a public health standpoint of the presence of a disease, infection or condition listed in subchapter b shall promptly report the findings within 24 hours except as otherwise noted.

- b. The diseases, infections and conditions to be reported include the following:
 - 1. Amebiasis
 - 2. Anthrax
 - 3. An unusual cluster of isolates
 - 4. Arboviruses
 - 5. Botulism-all forms
 - 6. Brucellosis

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7. CD4 T-lymphocyte test result with a count of less than 200 cells/uL or less than 14% of total lymphocytes (effective October 18, 2002)
8. Campylobacteriosis
9. Cancer
10. Chancroid
11. Chickenpox (varicella)
12. Chlamydia trachomatis infections
13. Cholera
14. Congenital adrenal hyperplasia (CAH) in children under 5 years of age
15. COVID-19 (SARS-CoV-2)
16. Creutzfeldt-Jakob disease
17. Cryptosporidiosis
18. Diphtheria infections
19. Enterohemorrhagic E. coli 0157 infections, or infections caused by other subtypes producing shiga-like toxin
20. Galactosemia in children under 5 years of age
21. Giardiasis
22. Gonococcal infections
23. Granuloma inguinale
24. HIV (Human Immunodeficiency Virus) (effective October 18, 2002)
25. Haemophilus influenzae infections-invasive from sterile sites
26. Hantavirus
27. Hepatitis, viral, acute, and chronic cases
28. Histoplasmosis

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29. Influenza
30. Lead Poisoning
31. Legionellosis
32. Leprosy (Hansen's disease)
33. Leptospirosis
34. Listeriosis
35. Lyme Disease
36. Lymphogranuloma venereum
37. Malaria
38. Maple syrup urine disease (MSUD) in children under 5 years of age
39. Measles (rubeola)
40. Meningococcal infections-invasive from sterile sites
41. Mumps
42. Pertussis
43. Phenylketonuria (PKU) in children under 5 years of age
44. Primary congenital hypothyroidism in children under 5 years of age
45. Plague
46. Poliomyelitis
47. Psittacosis (ornithosis)
48. Rabies
49. Respiratory syncytial virus
50. Rickettsial infections
51. Rubella

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52. Salmonella
 53. Shigella
 54. Sickle cell disease in children under 5 years of age
 55. Staphylococcus aureus Vancomycin-resistant (or intermediate) invasive disease
 56. Streptococcus pneumoniae, drug resistant invasive disease
 57. Syphilis
 58. Tetanus
 59. Toxoplasmosis
 60. Trichinosis
 61. Tuberculosis, confirmation of positive smears or cultures, including results of drug susceptibility testing and send TB isolate to PADOH lab for genotyping
 62. Tularemia
 63. Typhoid
- c. The report shall include the following, except as provided in subchapter d:
1. The name, address and telephone number of the person from whom the specimen was obtained.
 2. The date the specimen was collected.
 3. The source of the specimen (such as serum, stool, CSF, wound).
 4. The name of the test or examination performed and the date it was performed.
 5. The results of the test.
 6. The range of normal values for the specific test performed.
 7. The name address and telephone number of the physician for whom the examination or test was performed.
 8. Other information requested in case reports or formats specified by the Department.

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- d. Laboratory test results shall be reported by the person in charge of a laboratory directly to the Department through secure electronic mechanisms in a manner specified by the Department, except for the following: Reports of CAH, galactosemia maple syrup urine disease, phenylketonuria, primary congenital hypothyroidism, sickle cell disease, and cancer shall be made in the manner and to the location specifically designated by PADOH.
- e. A clinical laboratory shall submit isolates of salmonella and shigella to the Department's Bureau of Laboratories for serotyping within five (5) work days of isolation.
- f. A clinical laboratory shall submit isolates of *Neisseria meningitidis* obtained from a normally sterile site to the Department's Bureau of Laboratories for serogrouping within five (5) work days of isolation.
- g. A clinical laboratory shall send isolates of enterohemorrhagic *E. coli* to the Department's Bureau of Laboratories for appropriate further testing within five (5) work days of isolation.
- h. A clinical laboratory shall send isolates of *Haemophilus influenzae* obtained from a normally sterile site to the Department's Bureau of Laboratories for serotyping within five (5) work days of isolation.
- i. PADOH upon publication of a notice in the Pennsylvania Bulletin, may authorize changes in the requirements for submission of isolates based upon medical or public health developments when such departure is determined by the Department to be necessary to protect the health of the people of this Commonwealth. The change will not remain in effect for more than 90 days after publication unless the Board acts to affirm the change within that 90-day period.

200.12. Communicable disease reports by schools and child care group settings

- a. School nurses or appropriate representatives of child care group settings shall report the presence of suspected or confirmed reportable diseases to the Department. The nurse shall also inform the school administrator.
- b. Any unusual increase in the number of absentees among school children or those who attend Child Care Group Settings shall be reported to the Department by the school nurse or the appropriate representative of the Child Care Group Setting.

200.13. Reports by institutions

Administrators of hospitals or their designee who oversee an institution for the treatment of disease, or any institution maintaining dormitories and living quarters, or any orphanage, shall notify the Department upon admission or the occurrence in such institution of a patient with a reportable disease, and shall thereafter follow the advice and instructions of the Department for controlling such disease.

200.14. Reporting by other licensed health care practitioners

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Any chiropractor, dentist, nurse, optometrist, podiatrist, veterinarian, other licensed health practitioner having knowledge or suspicion of any reportable disease or condition shall report such disease or condition promptly to the Department.

200.15. Reporting by householders and others

Any householder, proprietor of a hotel, motel, rooming, lodging or boarding house, or any other person having knowledge or suspicion of any reportable disease or condition shall report this knowledge or suspicion promptly to the Department.

200.16. Revision of diagnosis by attending physician

Once it is reported to the Department, no diagnosis of a disease for which isolation or quarantine is required shall be revised without notification of the Director.

200.17. Reporting tuberculosis

Any private physician who treats a patient for tuberculosis, or any authorized person of a hospital, state or county institution, sanatorium, nursing or convalescent home, or tuberculosis clinic which treats a patient for tuberculosis within this County, shall promptly report (within 5 business days) the case by telephone.

200.18. Reporting outbreaks and unusual occurrences of disease

- a. A person required to report shall report an outbreak within 24 hours and in accordance relating to reporting cases.
- b. A person required to report shall report an unusual occurrence of a disease, infection or condition not listed as reportable (relating to the reporting of diseases and conditions) or defined as an outbreak within 24 hours.

200.19. Reports by the Director to the Pennsylvania Department of Health

- a. The Department shall report an outbreak by telephone on the same day that the outbreak is reported or otherwise made known to it, as follows:
 - 1. AIDS. To the HIV/AIDS Epidemiology Chapter, Division of Infectious Disease Epidemiology, Bureau of Epidemiology.
 - 2. Chancroid, chlamydia trachomatis infections, gonococcal infections, granuloma inguinale, lymphogranuloma venereum, syphilis and tuberculosis. To the Division of Tuberculosis and Sexually Transmitted Diseases, Bureau of Communicable Diseases.
 - 3. Chickenpox, diphtheria, measles, mumps, pertussis, polio, rubella and tetanus. To the Division of Immunizations, Bureau of Communicable Diseases.

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4. Other reportable diseases and conditions. To the Division of Infectious Disease Epidemiology, Bureau of Epidemiology.

- b. The Department shall report by telephone on the same day any of the following diseases is reported or otherwise made known to it, as follows:
 1. Diphtheria, measles, pertussis and polio. To the Division of Immunizations, Bureau of Communicable Diseases.

 2. Anthrax, arbovirus disease, cholera, enterohemorrhagic Escherichia coli, hantavirus pulmonary syndrome, food borne botulism, Haemophilus influenzae invasive disease in a child under 15 years of age, hemorrhagic fever, hepatitis E, human rabies, Legionellosis, plague, smallpox, typhoid fever and yellow fever. To the Division of Infectious Disease Epidemiology, Bureau of Epidemiology.

- c. The Director shall maintain records that will permit the efficient functioning of the Department for the prevention and control of communicable disease.

ARTICLE D QUARANTINE AND ISOLATION

200.20. Disease control measures

- a. The Department shall direct isolation of a person or an animal with a communicable disease or infection; surveillance, segregation, quarantine or modified quarantine of contacts of a person or an animal with a communicable disease or infection; and any other disease control measure the Department considers to be appropriate for the surveillance of disease, when the disease control measure is necessary to protect the public from the spread of infectious agents.

- b. The Department will determine the appropriate disease control measure based upon the disease or infection, the patient's circumstances, the type of facility available and any other available information relating to the patient and the disease or infection. The Department may consult with state and federal public health officials prior to taking any disease control measure.

200.21. Isolation, Quarantine and Placarding

- a. Isolation. When the isolation of a person or animal that is suspected of harboring an infectious agent is appropriate, the Department shall cause the isolation to be done promptly following receipt of the case report. If more than one jurisdiction is involved, the Department shall cause a person or animal to be isolated only after consulting with and receiving approval from the Pennsylvania Department of Health. The Department shall ensure that instructions are given to the case or persons responsible for the care of the case and to members of the household or appropriate living quarters, defining the area within which the case is to be isolated and identifying the measures to be taken to prevent the spread of disease. A modified isolation may be considered for some cases.

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b. Quarantine. If the disease is one requiring quarantine of the contacts in addition to isolation of the case, the Director shall:

1. determine the contacts who are subject to quarantine;
2. specify the place to which they shall be quarantined;
3. issue appropriate instructions;
4. and, ensure that provisions are made for the medical observation of the contacts as frequently as necessary during the quarantine period.

c. Placarding. Whenever the Department deems it necessary, placards may be utilized for the purpose of isolation or quarantine as required for the protection of public health.

d. Travel Restrictions. Until such time as determined by the County Health Director, in consultation with Board of Health, all individuals traveling to Delaware County from states or countries identified by the PADOH as areas of high amounts of a specific communicable disease or infection (and as may be updated from time-to-time) shall quarantine in accordance with the PADOH recommendations. The restrictions shall not apply to Critical Infrastructure Workers (per guidance of the CDC), other essential workers or individuals who are required to travel to or from the identified states on a daily or weekly basis for employment purposes.

200.22. Movement and release of persons and animals subject to isolation or quarantine by the action of the Department

a. A person or animal subject to isolation or quarantine by action of the Department or PADOH may be removed to another location only with the permission of the Department or PADOH.

b. The Department may order that a person or animal be released from isolation or quarantine when the Department determines that the person or animal no longer presents a public health threat.

c. Whenever a laboratory specimen is to be examined for the presence of disease-causing organisms to determine the duration of isolation or quarantine or to determine the eligibility of a person or animal for release from isolation or quarantine, the specimen shall be examined in a laboratory approved by the Department to conduct that type of examination.

ARTICLE E COMMUNICABLE DISEASE IN CHILDREN AND STAFF ATTENDING SCHOOLS AND CHILD CARE GROUP SETTINGS

200.23. Exclusion of children, and staff having contact with children, for specified diseases and infections conditions

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A person in charge of a public, private, parochial, Sunday or other school or college shall exclude from school a child, or a staff person, including a volunteer, who has contact with children, who is suspected by a physician or the school nurse of having any of the communicable diseases, infections or conditions. Readmission shall be contingent upon the school nurse, or in the absence of the school nurse, a physician, verifying that the criteria for readmission have been satisfied. The diseases, the periods of exclusion and the criteria for readmission are as follows:

- a. Diphtheria: Two weeks from the onset or until appropriate negative culture tests.
- b. Measles: Four days from the onset of rash. Exclusion may also be ordered by the Department as relating to special requirements for measles.
- c. Mumps: Nine days from the onset or until subsidence of swelling.
- d. Pertussis: Three weeks from the onset or 5 days from institution of appropriate antimicrobial therapy.
- e. Rubella: Four days from the onset of rash.
- f. Chickenpox: Five days from the appearance of the first crop of vesicles, or when all the lesions have dried and crusted, whichever is sooner.
- g. Respiratory streptococcal infections, including scarlet fever: At least 10 days from onset if no physician is in attendance or 24 hours after institution of appropriate antimicrobial therapy.
- h. Infectious conjunctivitis (pink eye): Until judged not infective; that is, without a discharge.
- i. Ringworm- The person shall be allowed to return to school, child care or other group setting immediately after the first treatment, if body lesions are covered. Neither scalp nor body lesions that are dried need to be covered.
- j. Impetigo contagiosa: Twenty-four hours after the institution of appropriate treatment.
- k. Pediculosis capitis (head lice): The person shall be allowed to return to either the school, child care or other group setting immediately after first treatment. The person shall be reexamined for infestation by the school nurse, or other health care practitioner, seven (7) days post treatment.
- l. Pediculosis corpora (body lice): After completion of appropriate treatment.
- m. Scabies: After completion of appropriate treatment.
- n. Trachoma (granular conjunctivitis): Twenty-four hours after institution of appropriate treatment.

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- o. Tuberculosis: Following a minimum of two (2) weeks adequate chemotherapy and three consecutive negative morning sputum smears, if obtainable. In addition, a note from the attending physician that the person is noncommunicable shall be submitted prior to readmission.
- p. Neisseria meningitidis. Until judged noninfective after a course of rifampin or other drug which is effective against the nasopharyngeal carriage state of this disease, or until otherwise shown to be noninfective.
- q. COVID-19(SARS-CoV-2): In accordance with the PADOH recommendations.

200.24. Exclusion of children, and staff having contact with children for showing symptoms

a. A person in charge of a public, private, parochial, Sunday or other school or college shall, following consultation with a physician or school nurse, exclude immediately a child, or staff person, including a volunteer, having contact with children, showing any of the following symptoms, unless that person is determined by the school nurse, or a physician, to be noncommunicable:

- 1. Mouth sores associated with inability to control saliva.
- 2. Rash with fever or behavioral change.
- 3. Purulent discharge from the eyes.
- 4. Productive cough with fever.
- 5. Oral or axillary temperature equal to or greater than 102° F.
- 6. Unusual lethargy, irritability, persistent crying, difficulty breathing or other signs of severe illness.
- 7. Persistent vomiting
- 8. Persistent diarrhea

b. The school shall maintain a record of the exclusion and the reasons prompting the exclusion and shall review the record to determine when unusual rates of absenteeism occur.

200.25. Readmission of excluded children, and staff having contact with children

a. A child or staff person, including a volunteer, having contact with children, excluded from a public, private, parochial or other school or college under 200.24 (relating to exclusion of children, and staff having contact with children, for showing symptoms) may not be readmitted until the school nurse or, in the absence of a school nurse, a physician, is satisfied that the condition

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for which the person was excluded is not communicable or until the person presents a statement from a physician that the person has recovered or is noninfectious.

b. A child, or staff person, including a volunteer, having contact with children, excluded for the following reasons shall be readmitted only when a physician has determined the illness to be either resolved, noncommunicable or in a noncommunicable stage:

1. Rash with fever or behavioral change.
2. Productive cough with fever.

200.26. Readmission of exposed or isolated children, and staff having contact with children

A child, or staff person, including a volunteer, having contact with children, who has been absent from school by reason of having had or because of residing on premises where there has been a disease for which isolation is required, may not be readmitted to school without the permission of the Department.

200.27. Exclusion of children, and staff having contact with children, during a measles outbreak

Children, and staff, including a volunteer, having contact with children, shall be excluded from school during a measles outbreak under the procedures relating to special requirements for measles.

200.28. Exclusion and readmission of children, and staff having contact with children, in child care group settings

a. The following conditions and circumstances also govern exclusion from and readmission to a child care group setting of a child, or a staff person, including a volunteer, who has contact with children attending the child care group setting:

1. Meningococcal meningitis or meningococemia. Until made noninfective by a course of rifampin or other drug which is effective against the nasopharyngeal carriage stage of this disease, or otherwise shown to be noninfective.
2. Haemophilus influenzae (H. flu) meningitis or other invasive H. flu disease. Until made noninfectious by a course of rifampin or other drug which is effective against the nasopharyngeal carriage stage of this disease, or otherwise shown to be noninfective.
3. Persistent Diarrhea. Until resolved or judged to be noninfective when associated with any of the following:
 - (a). Inability to prevent contamination of the environment with feces.

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- (b). Fever.
 - (c). Identified bacterial or parasitic pathogen.
4. Fever in children younger than 4 months of greater than 101° F. rectally or 100° F. axillary; in children 4-24 months of greater than 102° F. rectally or 101° F. axillary. Until resolved or judged to be noninfective.
 5. Hepatitis A, viral hepatitis unspecified, or jaundice of unspecified etiology. Until 1 week following the onset of jaundice, or 2 weeks following symptom onset or IgM antibody positivity if jaundice is not present.
 6. Shigellosis. Until the etiologic organism is eradicated relating to special requirements for shigellosis.
 7. Typhoid fever or paratyphoid fever. Until the etiologic organism is eradicated relating to special requirements for typhoid and paratyphoid fever.
 8. Exposure to an individual with meningococcal disease. Until the institution of treatment with appropriate antibiotic to eradicate the nasopharyngeal carrier state, or until proven noninfectious with nasopharyngeal cultures, or until 30 days following the exposure. Exclusion shall be postponed, until the second day following notice that exclusion will be required, to give the individual sufficient time to arrange for institution of appropriate antibiotic treatment.
- b. To facilitate the proper exclusion of sick children and staff, the caregiver at a child care group setting shall arrange for the following:
1. Instruction of staff, including volunteers, regarding exclusion and screening criteria that apply to themselves and attending children.
 2. Instruction of parents and guardians regarding exclusion criteria and that they are to notify the caregiver within 24 hours after it is determined or suspected that a child has an illness or condition for which exclusion is required.
 3. Follow-up after exclusion of a child by staff at the time the child is brought to the child care group setting to ensure that the condition which required exclusion has been resolved.

200.29. Immunization requirements for children in child care group settings

- a. Caregiver responsibilities:
1. Except as exempted in subchapter d, effective March 27, 2002 the caregiver at a child care group setting may not accept or retain a child 2 months of age or older at the setting, for more than 60 days, unless the caregiver has received a written objection to a

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child being vaccinated on religious grounds from a parent or guardian, or one of the following:

(a). For all children not exempt under subchapter d, an initial written verification from a physician, the Department of the dates (month, day and year) the child was administered any vaccines recommended by ACIP. The verification shall also specify any vaccination not given due to medical condition of the child and shall state whether the condition is temporary or permanent. The verification shall show compliance with the vaccination requirements in subchapter b.

(b). For all children for whom vaccinations remain outstanding following the caregiver's receipt of the initial written verification, subsequent written verifications from a physician, the Health Department as additional vaccinations become due. These verifications shall be prepared in the same manner as set forth in subparagraph (a), but need not repeat information contained in a previously submitted verification. The verifications shall demonstrate continuing compliance with the vaccination requirements in subchapter b.

2. If the caregiver receives a written verification under paragraph 1 explaining that timely vaccination did not occur due to a temporary medical condition, the caregiver shall exclude the child from the child care group setting after an additional 30 days unless the caregiver receives, within that 30 day period, written verification from a physician, or the Health Department that the child was vaccinated or that the temporary medical condition still exists. If the caregiver receives a written verification that vaccination has not occurred because the temporary condition persists, the caregiver shall require the presentation of a new verification at 30-day intervals. If a verification is not received as required, the caregiver shall exclude the child from the child care group setting and not readmit the child until the caregiver receives a verification that meets the requirements of this Chapter.

3. The caregiver shall retain the written verification or objection referenced in paragraphs 1 and 2 for 60 days following the termination of the child's attendance.

4. The caregiver shall ensure that a certificate of immunization is completed and signed for each child enrolled in the child care group setting. The certificates shall be updated by the caregiver to include the information provided to the caregiver under subchapter a when that additional information is received. The immunization status of each enrolled child shall be summarized and reported on an annual basis to the PA Department of Health at the time prescribed and on the form provided by the PA Department of Health.

b. Vaccination Requirements. Each child enrolled in a child care group setting shall be immunized in accordance with ACIP standards in effect on January 1, 1999, governing the issuance of ACIP recommendations for the immunization of children.

1. The standards are as follows:

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- (a). The immunization practice is supported by both published and unpublished scientific literature as a means to address the morbidity and mortality of the disease.
- (b). The labeling and packaging inserts for immunizing agent are considered.
- (c). The immunizing agent is safe and effective.
- (d). The schedule for use of the immunizing agent is administratively feasible.

2. The Department will deem an ACIP recommendation pertaining to the immunization of children to satisfy the standards in this subchapter unless ACIP alters its standards for recommending immunizations for children by eliminating a standard set forth in this subchapter and the recommendation is issued under those changed standards.

c. Notice: PADOH will place a notice in the Pennsylvania Bulletin listing publications containing ACIP recommendations issued under the standards in subchapter b. PADOH published the initial notice at 32 Pa. B. 539 (January 26, 2002). PADOH will update that list in a notice which it will publish in the Pennsylvania Bulletin within 30 days after ACIP issues a recommendation which satisfies the criteria of this chapter.

d. Exemptions:

1. This Chapter does not apply to the following:

- (a). Children attending kindergarten, elementary school or higher school who are 5 years of age or older. These caregivers shall comply with Code Chapters 3-33 (relating to immunization).
- (b). A caregiver who does not serve as a caregiver for a least 40 hours during at least one month.

2. The requirement imposed by subchapter a, to not accept a child into a child care group setting without receiving an initial written verification or objection specified in subchapter a, does not apply during a month the caregiver does not serve as a caregiver for at least 40 hours.

e. Exclusion when disease is present: Whenever one of the diseases relating in the Code 200.28 (relating to exclusion and readmission of children, and staff having contact with children, in child care group settings) has been identified within a child care group setting, the Department may order the exclusion from the child care group setting or any other child care group setting which is determined to be at high risk of transmission of that disease, of an individual susceptible to that disease in accordance with public health standards as determined by the Department.

**ARTICLE F SEXUALLY TRANSMITTED DISEASES, TUBERCULOSIS AND
OTHER COMMUNICABLE DISEASES**

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200.30. Examination of persons suspected of being infected

Whenever the Department has reasonable grounds to suspect a person of being infected with an organism causing a sexually transmitted disease, tuberculosis, or other communicable disease, or of being a carrier, but lacks confirmatory medical or laboratory evidence, the Department may require the person to undergo a medical examination and any other approved diagnostic procedure to determine whether or not the person is infected or is a carrier.

200.31. Refusal to submit to examination and treatment

a. In the event a person refuses to submit to a required examination, the Department may take any of the following actions:

1. Direct the person to be quarantined until it is determined that the person does not pose a threat to the public health by reason of being infected with a disease causing organism or being a carrier
2. File a petition in the Court of Common Pleas of Delaware County. Upon filing, the Court shall hold a hearing without a jury to ascertain whether the person named in the petition has refused to submit to an examination or treatment. Upon a finding that the person has refused to submit to an examination and that there is no valid reason for the person to do so, the Court shall order the person to submit to the examination.
3. Any person refusing to undergo an examination as provided in Chapter 7 of the Act (35 P.S. 521.7) may be committed by the Court to an institution in Pennsylvania determined by the Department to be suitable for the care of such cases.

200.32. Examination of persons detained by police authorities

a. A person taken into custody and charged with a crime involving lewd conduct or a sex offense, or a person to whom the jurisdiction of a juvenile court attaches may be examined for a sexually transmitted disease by a qualified physician appointed by the Department, by the local health authority or by the court having jurisdiction over the person so charged. If the person refuses to permit an examination or provide a specimen for laboratory tests as requested by the physician designated by the Department or local health authority, judicial action may be pursued by the Health Department to secure an appropriate remedy.

b. A person convicted of a crime or pending trial, who is confined in or committed to a State or local penal institution, reformatory or other house of correction or detention, may be examined for a sexually transmitted disease by a qualified physician appointed by the Health Department. If the person refuses to permit an examination or provide a specimen for laboratory tests as requested by the physician, judicial action may be pursued by the Health Department to secure an appropriate remedy.

200.33. Diagnosis and treatment of sexually transmitted diseases

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The Department shall provide or designate adequate facilities for the free diagnosis and, where necessary, for the preservation of the public health, free treatment of persons infected with sexually transmitted diseases. The diagnosis shall include blood tests and other tests.

200.34. Sale of drugs for sexually transmitted diseases

The sale of drugs or other remedies for the treatment of sexually transmitted diseases shall be prohibited except under prescription of physicians licensed to practice in Pennsylvania.

200.35. Prenatal examination for syphilis

a. A physician who attends, treats or examines a pregnant woman for conditions relating to pregnancy during the period of gestation or delivery shall inform the woman that he intends to take or cause to be taken, unless the woman objects, a sample of her blood at the time of the first examination (including the initial visit when a pregnancy test is positive), or within 15 days after the first examination (including the initial visit when a pregnancy test is positive), or within 15 days after the first examination, and shall submit the sample to a clinical laboratory for an approved test for syphilis.

b. The serological test required by subchapter a will be made without charge by the Department upon the request of the physician submitting the blood sample and the submission of a certificate by the physician that the patient is unable to pay.

200.36. Reporting birth and fetal deaths

In reporting every birth and fetal death, physicians and others required to make the reports shall state upon the certificate whether or not the blood test required by 35P.S. § 521.13 (a) (relating to prenatal examination for syphilis) was made. If the test was made, the date of the test shall be given, and if the test was not made it may be stated whether it was not made because, in the opinion of the physician, the test was not advisable or because the woman objected.

200.37. Diagnostic tests for sexually transmitted disease

A standard or approved test procedure for each of the sexually transmitted diseases shall be a test approved by the PADOH, and if a laboratory test is part of the approved procedure, it shall be made in a laboratory approved by the PADOH to make the tests.

200.38. Treatment of minors

A person under the age of 21 infected with a sexually transmitted disease may be given appropriate treatment by a physician. If the minor consents to undergo treatment, approval or consent of his parents or persons in loco parentis may not be necessary, and the physician may not be sued or held liable for properly administering appropriate treatment to the minor.

200.39. Prophylactic treatment of newborns

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Physicians and midwives attending women in childbirth shall instill in each eye of the newborn child, as soon as practicable after birth, either a 1.0% silver nitrate solution, or tetracycline ophthalmic ointment or solution, or erythromycin ophthalmic ointment or solution as a single application in both conjunctival sacs, or appropriate medication approved by the PADOH. If the parent or guardian of the newborn child objects on the ground that the prophylactic treatment conflicts with the parent's religious beliefs or practices, prophylactic treatment shall be withheld and an entry in the child's hospital record indicating the reason for withholding treatment shall be made and signed by the attending physician and the parent or guardian.

200.40. Prenatal examination for hepatitis B

a. A physician who attends, treats or examines a pregnant woman for conditions relating to pregnancy during the period of gestation or delivery, shall inform the woman that the physician intends to take or cause to be taken, unless the woman objects, a sample of her blood at the time of the first examination (including the initial visit when a pregnancy test is positive) or within 15 days thereafter, but no later than the time of delivery, and shall submit the sample to a clinical laboratory approved by the Department to conduct immunologic testing.

b. When a pregnant woman tests positive for hepatitis B surface antigen, a physician shall provide the appropriate prophylactic treatment to the newborn within 12 hours after birth. If the parent or guardian of the newborn child objects on the ground that the prophylactic treatment conflicts with the parent's or guardian's religious beliefs or practices, prophylactic treatment shall be withheld, and an entry in the child's hospital record indicating the reason for withholding treatment shall be made and signed by the attending physician and the parent or guardian.

ARTICLE G REGULATIONS PERTAINING TO EACH REPORTABLE DISEASE

200.41. General

This Article contains the names of reportable diseases in alphabetical order, and prescribes, in each case, the general requirements for the control of the infected individual, and his or her contacts, and his or her environment.

200.42. AIDS (Acquired Immunodeficiency Syndrome)

- a. Reporting: Report to the Department.
- b. Isolation, Blood/Body Fluid Precautions: Standard precautions
- c. Concurrent Disinfection: Of equipment contaminated with blood, all excretions, and secretions.
- d. Terminal Disinfection: Thorough cleaning.

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- e. Quarantine: None.
- f. Restrictions on infectious individuals. Restrictions on body fluid and organ donations shall conform to the following:
 - 1. Persons with evidence of HIV infection may not donate blood, plasma, semen, organs or other body tissues.
 - 2. Blood banks, sperm banks and hospitals may not accept for human use blood, plasma, semen, organs or other body tissues without obtaining prior evidence that the donor is HIV antibody negative. Transplants may be performed prior to receiving HIV test results if delay, due to performance of the test, would threaten the recipient's survival.

200.43. AMEBIASIS

- a. Reporting: Report to the Department.
- b. Isolation: Hospitalized patients shall be isolated according to standard enteric disease precautions. A case of amebiasis who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or child care until the contact has submitted two consecutive stool specimens, taken at least 24 hours apart and at least 48 hours after the last dose of any antiparasitic therapy, to an appropriate clinical laboratory for bacteriologic examination and those specimens are determined by the laboratory to be negative for *Entamoeba histolytica*.
- c. Concurrent Disinfection: Feces shall be disposed of in a sanitary manner, and hands shall be washed after defecation.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: A household contact of a case of amebiasis who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or childcare until the contact has submitted two consecutive stool specimens, taken at least 24 hours apart and at least 48 hours after the last dose of any antiparasitic therapy, to an appropriate clinical laboratory for bacteriologic examination and those specimens are determined by the laboratory to be negative for *Entamoeba histolytica*.
- f. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.44. ANIMAL BITES

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- a. Reporting: Any bite or other trauma inflicted on a human or domestic animal by an animal capable of being a reservoir for rabies shall be reported to the Department within 24 hours.
- b. Isolation: None.
- c. Concurrent Disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: No quarantine of human contacts shall be required.
- f. Quarantine of biting animals.
 - 1. Any dog, cat, or other domestic mammal that bites or otherwise potentially exposes a human to rabies shall be quarantined in a place and manner approved by the Director for at least ten days after the date of the bite.
 - 2. Any wild animal that bites or otherwise potentially exposes a human to rabies shall be immediately destroyed and its head submitted to a diagnostic laboratory provided by or certified by the Commonwealth for a rabies examination. Exceptions to the requirement of this paragraph may be granted by the Director or his representative.
 - 3. The Director may order, in writing, the killing in a humane manner of any biting animal for the purpose of a laboratory examination for rabies if it has been determined that it is necessary to preserve human health.
- g. The Director may order the owner or custodian of a biting animal to have the animal examined for rabies by a Pennsylvania licensed veterinarian at any time during the quarantine period. The cost of such examinations and any other associated cost shall be borne by the owner or guardian of the biting animal.
- h. No animal under quarantine may be moved from the place of quarantine without the written permission of the Director or his representative.
- i. No individual may fail or refuse to surrender any animal for quarantine or destruction as required in this subchapter when demand is made by the written order of the Director.

200.45. ANTHRAX

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Until lesions are healed.
- c. Concurrent disinfection: Discharges from lesions and articles soiled from such discharge shall require disinfection. Spores shall require incineration or steam sterilization under pressure, or other techniques approved by the Centers for Disease Control.

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- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: None.

200.46. ARBOVIRUSES

- a. Reporting: Report to Department within 24 hours.
- b. Isolation:
 - 1. For Arthropod-Borne Viral Arthritis and Rash: Protect patients from mosquitoes to avoid further transmission.
 - 2. For Arthropod-Borne Viral Encephalitis: depending on vector, none or none after tick removal.
 - 3. For Arthropod-Borne Viral Fevers if mosquito-borne: blood and body fluid precautions. Patient should be kept in a screened room or in quarters treated with an insecticide for at least seven (7) days after onset or until afebrile.
 - (a). If tick borne: blood and body fluid precautions. No blood donation for 4 months.
 - (b). If phlebotomine-borne: none; prevent access of sandflies to infected individuals for the first few days of illness by very fine screening or mosquito bed nets and by spraying quarters with insecticide.
 - 4. For Arthropod-Borne Viral Hemorrhagic Fevers (mosquito- borne): blood and body fluid precautions.
- c. Concurrent disinfection: None other than removing or destroying vector (e.g., ticks, sandflies) where applicable for (b. iv.) above, bloody discharges may be infective; decontaminate by heat or chlorine disinfectants.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.47. BOTULISM

- a. Reporting: Report case or suspected case to the Department within 24 hours.
- b. Isolation: None.
- c. Concurrent disinfection: None.

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- d. Terminal Disinfection: None.
- e. Quarantine: None.

200.48. BRUCELLOSIS

- a. Reporting: Report to the Department.
- b. Isolation: No isolation shall be required; drainage/secretion precautions should be used.
- c. Concurrent disinfection: Purulent discharges shall require disinfection.
- d. Terminal Disinfection: Thorough cleaning.
- e. Quarantine: None.

200.49. CAMPYLOBACTERIOSIS

- a. Reporting: Report to the Department.
- b. Isolation: Hospitalized patients shall be isolated according to standard enteric disease precautions. A case of campylobacteriosis who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or child care until asymptomatic.
- c. Concurrent disinfection: Feces and articles soiled therewith shall be disinfected.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: None.
- f. Outbreaks of campylobacteriosis
 - 1. Food or waterborne. Suspected outbreaks shall be investigated to identify the implicated food, water or raw milk to which others may have been exposed. The Department has the authority to require stool cultures on individuals involved in the outbreak. Suspect food handlers may be excluded from work until results of one stool culture is negative.
 - 2. Institutional outbreaks. The Department has the authority to conduct an epidemiologic investigation to require stool specimens on patients and employees and to exclude from work an individual who is a threat to the health of others in that institution.

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g. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.50. CHANCROID

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: Avoid sexual contact until all lesions are healed.
- f. Investigation of contacts: Search for contacts, sexual partners 2 weeks before and 2 weeks after onset. Women may be carriers. Sexual contacts should receive prophylactic treatment.

200.51. CHLAMYDIA TRACHOMATIS

- a. Reporting: Report laboratory confirmed cases to the Department.
- b. Isolation: Drainage/secretion precautions for hospitalized patients.
- c. Concurrent disinfection: Articles contaminated with urethral discharge.
- d. Terminal Disinfection: None.
- e. Quarantine: None.
- f. Investigation of contacts: Identification of sexual contacts; prophylactic treatment is recommended for sexual contacts. Neonates, who have not been given systemic treatment, are advised to have clinical evaluation and management per CDC guidance.

200.52. CHOLERA

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Enteric precautions while the patient is infectious.
- c. Concurrent disinfection: Prompt and thorough disinfection of articles contaminated with feces, vomitus, and urine shall be required. Urine and feces shall be directly flushed down the toilet. Attendants shall practice scrupulous cleanliness, and hands shall be washed with an antiseptic soap or disinfectant after handling or touching articles contaminated by feces.

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- d. Terminal disinfection: Thorough cleaning. Urinals and bedpans shall be decontaminated and sterilized.
- e. Quarantine: None.
- f. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.53. COVID-19(SARS-CoV-2)

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Patient shall be isolated in a hospital, its equivalent, or home until communicable period is over.
- c. Concurrent disinfection: Infection control precautions appropriate to interrupt spread of respiratory droplets, hand hygiene and thorough cleaning of patient rooms and bathroom facilities and appropriate disposal or washing of linens and articles contaminated by body fluids.
- d. Terminal Disinfection: Terminal disinfection shall consist of thorough cleaning and disinfection. Because of the potential for airborne transmission, unprotected individuals should not enter a vacated room until sufficient time has elapsed for air exchanges to remove potentially infectious particles. If the rate of air exchange is unknown, use reference materials to determine when a room can be safely entered. If the rate of air exchange for a room is unknown, the room should be vacated for a minimum of four hours.
- e. Quarantine: person who are known to have had close contact with individuals confirms as infected by COVID-19 should confine themselves in accordance with Department of Health recommendations.

200.53. DIPHTHERIA

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: The infected person shall be isolated until cultures from the nose and throat taken on two occasions not less than 24 hours apart, and 24 hours after cessation of antimicrobial therapy, fail to show diphtheria bacilli. Where termination of isolation by culture is impracticable, isolation may end with fair safety 14 days after onset. Where practicable, a virulence or toxigenicity test shall be made if throat cultures are reported to be positive three (3) weeks or more after onset. Isolation may be terminated if the microorganism reported present is proved avirulent or nontoxigenic.
- c. Concurrent disinfection: All articles in contact with the patient and all articles soiled by discharges of patient shall require disinfection.

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- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: All close contacts shall be isolated until the results of the bacteriologic examinations are known. Persons with positive cultures should be treated. Contacts shall be isolated until appropriate measures exist or have been taken to ensure the public health.
- f. Diphtheria carriers: A chronic diphtheria carrier is any person who has been free from the symptoms of diphtheria for four weeks or longer and who harbors virulent or toxigenic diphtheria bacilli. A chronic carrier of diphtheria bacilli may be placed under quarantine until cultures from the nose and throat on four successive occasions, not less than 24 hours apart, are negative, or until the cultures are found to be avirulent or nontoxigenic. When appropriate medical and surgical measures to eliminate the carrier state fail, the Department may release the carrier from quarantine when such a release is not detrimental to the public health.

200.54. ENCEPHALITIS

- a. Reporting: Report to the Department.
- b. Isolation: Appropriate for confirmed or suspected etiologic agent.
- c. Concurrent disinfection: Appropriate for confirmed or suspected etiologic agent.
- d. Terminal disinfection: Appropriate for confirmed or suspected etiologic agent.
- e. Quarantine: None, except as may be indicated by the suspected etiologic agent.

200.55. FOOD POISONING OUTBREAK

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Appropriate for confirmed or suspected etiologic agent.
- c. Concurrent disinfection: Appropriate for confirmed or suspected etiologic agent.
- d. Terminal disinfection: Appropriate for confirmed or suspected etiologic agent.
- e. Quarantine: None.

200.56. GIARDIASIS

- a. Reporting: Report to the Department
- b. Isolation: Hospitalized patients shall be isolated according to standard enteric disease precautions. A case of giardiasis who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or child care until asymptomatic.

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- c. Concurrent disinfection: Feces and articles soiled therewith shall be disinfected. Direct discharge of feces may be made into modern and adequate sewage disposal systems without preliminary disinfection.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: None.
- f. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.57. GONOCOCCAL INFECTIONS

- a. Reporting: Report laboratory confirmed cases to the Department.
- b. Isolation: None, except for newborns with gonococcal ophthalmia neonatorum, for whom isolation may be terminated after 24 hours of adequate and effective therapy under medical supervision.
- c. Concurrent disinfection: Care shall be taken in the disposal of discharges from lesions and articles soiled from such discharges.
- d. Terminal disinfection: None.
- e. Quarantine: None.
- f. Investigation of contacts: Identification of sexual contacts; prophylactic treatment is recommended for sexual contacts. Neonates, who have not been given systemic treatment, are advised to have clinical evaluation and management per CDC guidance.

200.58. GUILLAIN-BARRE SYNDROME

- a. Reporting: Report to the Department.
- b. Isolation: None, except as may be required for an underlying contagious etiology.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.59. HAEMOPHILUS INFLUENZAE INVASIVE DISEASE

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- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Respiratory isolation is required until 24 hours after initiation of effective therapy.
- c. Concurrent disinfection: None.
- d. Quarantine. No isolation of contacts. Recommend observing contacts under 4 years old, especially infants, including those in household, child care centers and nurseries, for signs of illness, especially fever.
- e. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.60. HEPATITIS A, Acute

- a. Reporting: Report to the Department.
- b. Isolation: For acute cases of Hepatitis A, enteric precautions shall be observed during first 2 weeks of illness and at least one week after onset of clinical jaundice. Blood and body fluid precautions shall be observed until specific diagnosis of HA is made. Cases of Hepatitis A who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or child care for a period of two weeks after onset of illness or for as long as indicated by the results of appropriate laboratory examinations.
- c. Concurrent disinfection: Feces and articles soiled therewith shall be disinfected. Direct discharge of feces may be made into modern and adequate sewage disposal systems without preliminary disinfection.
- d. Terminal disinfection: None.
- e. Quarantine: None.
- f. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.61. HEPATITIS B, Acute and Chronic

- a. Reporting: Report to the Department.
- b. Isolation: Isolation precautions shall be observed in handling blood or blood products and excretions until one week after cessation of signs and symptoms of the disease or until two weeks

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after onset of illness, whichever is longer. Blood and blood products containing hepatitis B surface antigen shall be considered infectious.

- c. Concurrent disinfection: Equipment contaminated with blood, serum or other excretions shall be disinfected.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.62. HEPATITIS non A/ non B (including HEPATITIS C)

- a. Reporting: Report to the Department.
- b. Isolation: Universal precautions shall be observed in handling blood, blood products, or body fluids until one week after resolution of signs and symptoms of the disease.
- c. Concurrent disinfection: Equipment contaminated with blood, serum, or other excretions shall be disinfected.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.63. HISTOPLASMOSIS

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent Disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.64. LEAD POISONING

- a. Reporting: Report to the Delaware County Health Department all cases of possible or suspected lead poisoning in children through six (6) years of age. Report all other elevated lead levels in children over seven (7) years of age, adults, and pregnant women, to the PA Department of Health for referral and follow-up.
- b. Isolation: None.
- c. Concurrent disinfection: None.

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d. Terminal disinfection: None.

e. Quarantine: None:

200.65. LEGIONELLOSIS

a. Reporting: Report to the Department within 24 hours.

b. Isolation: None.

c. Concurrent disinfection: None.

d. Terminal disinfection: None.

e. Quarantine: None.

200.66. LEPTOSPIROSIS

a. Reporting: Report to the Department.

b. Isolation: Blood/body fluid precautions.

c. Concurrent disinfection: Articles soiled with discharges, including urine, shall be disinfected.

d. Terminal disinfection: Thorough cleaning.

e. Quarantine: None.

200.67. LISTERIOSIS

a. Reporting: Report to the Department.

b. Isolation: None.

c. Concurrent Disinfection: None.

d. Terminal Disinfection: None.

e. Quarantine: None.

200.68. LYME DISEASE

a. Reporting: Report to the Department.

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- b. Isolation: None.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.69. LYMPHOGRANULOMA VENEREUM

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent disinfection: Care shall be taken in the disposal of discharges from lesions and articles soiled from such discharges.
- d. Terminal disinfection: None.
- e. Quarantine: None.
- f. Investigation of contacts: Identification of sexual contacts; prophylactic treatment is recommended for sexual contacts. Neonates, who have not been given systemic treatment, are advised to have clinical evaluation and management per CDC guidance.

200.70. MALARIA

- a. Reporting: Report to the Department.
- b. Isolation: For hospitalized patients, blood/body fluid precautions. Patients should be in mosquito-proof area.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.71. MEASLES (RUBEOLA)

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Infected persons shall be restricted to the premises from onset of prodrome through the first five (5) days of rash.

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- c. Concurrent disinfection: All articles soiled with secretions of the nose and throat shall be disinfected.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: Whenever measles or rubeola is determined to be present in a school population, the Director may do the following:
 - 1. Determine the immunity status of the school population with a specific focus on identifying which individuals are presumed susceptible. Measles immunity is defined as:
 - (a). Documentation of receiving two doses of live virus measles vaccine, the first dose being on or after 12 months of age, and the second dose at least 4 weeks after the first.
 - (b). Serologic evidence of measles antibodies.
 - (c). Diagnosis of having had measles disease as documented by a physician.
 - 2. Order exclusion of the presumed susceptibles from the school until one of the following conditions is met:
 - (a). The susceptible person is vaccinated with live attenuated measles vaccine.
 - (b). The susceptible person presents serological evidence of measles immunity. The serological evidence is the presence of antibody to measles determined by the hemagglutination inhibition test or a comparable test.
 - (c). No cases of measles have occurred for a 14-day period.

200.72. MENINGITIS, ALL TYPES

- a. Reporting: Report to the Department.
- b. Isolation: Appropriate for confirmed or suspected etiologic agent.
- c. Concurrent disinfection: Appropriate for confirmed or suspected etiologic agent.
- d. Terminal disinfection: Appropriate for confirmed or suspected etiologic agent.
- e. Quarantine: None. Surveillance may be conducted, however, at the discretion of the Department.

200.73. MENINGOCOCCAL DISEASE

- a. Reporting: Report to the Department within 24 hours.

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- b. Isolation: The infected person shall be appropriately isolated until 24 hours after start of chemotherapy.
- c. Concurrent disinfection: Discharges from nose and throat and articles soiled therewith shall be disinfected.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: None. Surveillance may be conducted at the discretion of the Department.
- f. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.74. MUMPS

- a. Reporting: Report to the Department.
- b. Isolation: The infected person shall be appropriately isolated until five (5) days after the onset of the parotid swelling.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: Whenever mumps is determined to be present in a school population, the Director may do the following:
 - 1. Determine the immunity status of the school population with a specific focus on identifying which individuals are presumed susceptible. Mumps immunity is defined as:
 - (a). Documentation of receiving one or more doses of live virus mumps vaccine, the first dose being on or after 12 months of age, and the second dose at least four (4) weeks after the first.
 - (b). Serologic evidence of mumps antibodies.
 - (c). Diagnosis of having had mumps disease as documented by a physician.
 - 2. Order exclusion of the presumed susceptibles for 26 days after the onset of parotitis in the last person diagnosed in their vicinity (school, work, etc.) until one of the following conditions is met:
 - (a). The susceptible person is vaccinated with live attenuated mumps vaccine.

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(b). The susceptible person presents serological evidence of measles immunity. The serological evidence is the presence of antibody to measles determined by the hemagglutination inhibition test or a comparable test.

(c). No cases of measles have occurred for a 26-day period.

200.75. PERINATAL EXPOSURE OF A NEWBORN TO HIV

a. Reporting: Report to the Department.

b. Isolation: None.

c. Concurrent disinfection: None.

d. Terminal disinfection: None.

e. Quarantine: None.

200.76. PERTUSSIS (WHOOPING COUGH)

a. Reporting: Report to the Department.

b. Isolation: The patient shall be restricted to his own premises and separated from susceptible infants and children for a period of 21 days after onset or five (5) days after the institution of appropriate antimicrobial therapy.

c. Concurrent disinfection: Discharges from the nose and throat, and articles soiled from such discharges shall be disinfected.

d. Terminal disinfection: Thorough cleaning.

e. Quarantine: None. Household and close social contacts should receive post-exposure prophylaxis.

200.77. PHENYLKETONURIA

a. Reporting: Report to the Pennsylvania Department of Health.

b. Isolation: None.

c. Concurrent disinfection: None.

d. Terminal disinfection: None.

e. Quarantine: None.

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200.78. PLAGUE

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Rid patients and their clothing of fleas with an effective insecticide. All patients shall be hospitalized if practical, and reasonable aseptic precautions shall be taken for patients with bubonic plague. Patients with primary pneumonic plague or patients developing plague pneumonia shall be isolated.
- c. Concurrent disinfection: Sputum, blood and all body secretions and articles soiled from such shall require disinfection.
- d. Terminal disinfection: Terminal disinfection shall consist of thorough cleaning. Persons having expired from plague shall be handled with strict aseptic precautions.
- e. Quarantine: Contact quarantine shall be required as deemed necessary by the Director.

200.79. POLIOMYELITIS

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Isolation shall be up to two weeks from the date of onset or, if longer, for the duration of fever.
- c. Concurrent disinfection: Throat discharges, feces and articles soiled from such discharges shall require disinfection. In communities with modern and adequate sewage disposal, feces and urine can be discharged directly into sewers without preliminary disinfection.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: Quarantine shall be at the direction of the Director.

200.80. PSITTACOSIS (ORNITHOSIS)

- a. Reporting: Report to the Department.
- b. Isolation: Isolation shall be maintained during febrile acute stages. Nurses caring for patients with a cough shall wear adequate masks. Coughing patients should be instructed to cough into paper tissues.
- c. Concurrent disinfection: All discharges shall be disinfected.
- d. Terminal disinfection: Terminal disinfection shall consist of thorough wet cleaning and exposure to sunlight.

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e. Quarantine: No quarantine shall be required for household contacts. Buildings having housed birds, however, shall not be used by human beings until thoroughly cleaned, disinfected, and infected birds have been destroyed or adequately treated. Additional regulations pertaining to Psittacosis are found under Article H of this Chapter.

f. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.81. RABIES

a. Reporting: Report to the Department within 24 hours.

b. Isolation: Infected persons shall be isolated through the duration of the illness. Immediate attendants shall be warned of the hazard of infection through the saliva of the patient.

c. Concurrent disinfection: Saliva and articles soiled from saliva shall be disinfected.

d. Terminal disinfection: Thorough cleaning.

e. Quarantine: No quarantine of contacts shall be required. However, search for rabid animals and for persons and other animals exposed should be pursued.

f. Tissue or organs of infected patients shall not be donated for transplantation.

200.82. RICKETTSIAL DISEASES/INFECTIONS

a. Reporting: Report to the Department.

b. Isolation: Appropriate for confirmed or suspected etiologic agent.

c. Concurrent disinfection: Appropriate for confirmed or suspected etiologic agent.

d. Terminal disinfection: Appropriate for confirmed or suspected etiologic agent.

e. Quarantine: Appropriate for confirmed or suspected etiologic agent.

200.83. RUBELLA (GERMAN MEASLES AND CONGENITAL RUBELLA SYNDROME)

a. Reporting: Report to the Department.

b. Isolation: Infected persons shall be appropriately isolated for seven (7) days after the appearance of the rash. Strict isolation of infants with congenital rubella syndrome must be affected since such infants may be infectious for up to a year.

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- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: No quarantine of contacts shall be required. Exclude children from school and adults from work for seven (7) days after onset of rash.

200.84. SALMONELLOSIS

- a. Reporting: Report to the Department. Bacterial isolates shall be sent to the PADOH's Bureau of Laboratories for serotyping within five (5) work-days of isolation.
- b. Isolation: Hospitalized patients shall be isolated according to standard enteric disease precautions. A case of salmonellosis who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or childcare until asymptomatic.
- c. Concurrent disinfection: Feces, urine, and other infectious body discharges and articles soiled therewith shall be disinfected. In communities with modern and adequate sewage disposal systems, feces and urine may be disposed of directly into the sewer without preliminary disinfection.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: None.
- f. Outbreaks of salmonellosis. Investigations of outbreaks of salmonellosis shall conform to the following:
 - 1. Foodborne: Suspected foodborne outbreaks of salmonellosis shall be investigated. The Department has the authority to require stool cultures on individuals involved in the outbreak. Suspect food handlers may be excluded from work until the results of their stool cultures are negative.
 - 2. Institutional outbreaks: The Department has the authority to conduct an epidemiologic investigation, to require stool specimens on patients and employees, and to exclude from work an individual who is a threat to the health of others in that institution.
- g. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.85. SHIGELLOSIS

- a. Reporting: Report to the Department. Bacterial isolates shall be sent to the PADOH's Bureau of Laboratories for serotyping within five (5) work-days of isolation.

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- b. Isolation: Hospitalized patients shall be isolated according to standard enteric disease precautions. A case of shigellosis who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or childcare until they have two (2) consecutive negative stool specimens at least 48 hours after any antimicrobial therapy and at least 24 hours apart.
- c. Concurrent disinfection: Feces and other infectious body discharges and articles soiled therewith shall be disinfected. In communities with modern and adequate sewage disposal systems, feces and urine may be disposed of directly into sewer without preliminary disinfection.
- d. Terminal disinfection: Thorough cleaning
- e. Quarantine: A household contact of a case of shigellosis who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or child care until they have two (2) consecutive negative stool specimens at least 48 hours after any antimicrobial therapy and at least 24 hours apart.
- f. Restrictions on infected persons. If a case or household contact is not a foodhandler or pregnant, no follow-up stool cultures are required.
- g. Outbreaks of shigellosis:
 - 1. Foodborne: All suspected foodborne outbreaks of shigellosis must be investigated. The Department has the authority to require stool cultures on all individuals involved in the outbreak. Suspect foodhandlers may be excluded from work until the results of their stool cultures are negative.
 - 2. Institutional outbreaks: The Department has the authority to conduct an epidemiologic investigation, to require stool specimens on all patients and employees, and to exclude from work any individual who is a threat to the health of others in that institution.
- h. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.86. SMALLPOX

- a. Reporting: Report to the Department within 24 hours.
- b. Isolation: Infected persons shall be appropriately isolated until their last smallpox scab falls off.

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- c. Concurrent disinfection: The virus can spread through these materials or through the objects contaminated by them, such as bedding or clothing. People who cared for smallpox patients and washed their bedding or clothing had to wear gloves and take care to not get infected.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: None.

200.87. SYPHILIS

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent disinfection: In adequately treated cases, no concurrent disinfection shall be required. Care shall be taken in the disposal of discharges from open lesions and articles soiled from such discharges.
- d. Terminal disinfection: Thorough cleaning.
- e. Quarantine: None.
- f. Prenatal examination: A prenatal examination for syphilis shall be required as prescribed by CDC guidance.

200.88. TETANUS

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.89. TOXIC SHOCK SYNDROME

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.

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- e. Quarantine: None.

200.90. TOXOPLASMOSIS

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.91. TRICHINOSIS

- a. Reporting: Report to the Department.
- b. Isolation: None.
- c. Concurrent disinfection: None.
- d. Terminal disinfection: None.
- e. Quarantine: None.

200.92. TUBERCULOSIS

a. Reporting: Any private physician who treats a patient for tuberculosis or any authorized person of a hospital, State or County institution, sanitarium, nursing or convalescent home or tuberculosis clinic which treats a patient for tuberculosis within Delaware County shall promptly report (within 5 work days) the case in the manner prescribed in 200.10 of this Chapter.

b. Isolation: Any person having tuberculosis in its communicable stage shall be isolated in the following manner: Isolation for tuberculosis shall be established at the usual residence of the patient suffering from tuberculosis whenever facilities for adequate isolation of the infectious patient are available in the home and where the patient will accept such isolation. Isolation of the patient treated at home shall consist of instruction in the need to cover the mouth and nose when coughing or sneezing and careful handling and disposal of sputum. Since control of infection is best achieved by prompt, specific drug therapy which reduces infectiousness and results in sputum conversions, the result of sputum examination is used to determine how long the patient needs to remain at home.

c. Title 28 PA Code, Chapter 27.161 states that if isolation for persons infected with tuberculosis cannot be accomplished or maintained at the usual residence of the patient and

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whenever in the opinion of the Department such a person is a menace to others by reason of his refusal to submit to treatment, or his habits, or his neglect of treatment, such isolation shall be enforced by removing the patient to an institution in Delaware County or elsewhere in Pennsylvania determined by the Department to be suitable for the care and treatment of such cases. Isolation of patients treated in hospitals shall consist of an appropriate form of respiratory isolation.

d. Release from isolation criteria for patient with pulmonary/laryngeal TB:

1. Drug susceptible TB:

Sputum Acid Fast Bacilli smear positive, and /or NAA positive or patient receiving treatment as suspected pulmonary TB : must meet all of the following criteria:

(a). Have (3) consecutive negative AFB sputum smears collected at least 8 hours apart and at least 1 early morning specimen.

(b). Have completed standard 4 drug anti-TB therapy for two (2) weeks OT therapy.

(c). Exhibits clinical improvement.

(d). Have no risk factors for drug resistance. If positive resistance risk, request PADOH lab to send specimen to CDC for MDDR testing.

2. MDR/or XDR confirmed TB: Discharge from isolation patient must meet all the following criteria:

(a). Patient must have resolution of fever and near resolution of cough (clinical improvement).

(b). Demonstrated adherence of DOT therapy. Receiving and tolerating appropriate drug resistant TB regimen (consultation with New Jersey Medical School Global Tuberculosis Institute).

(c). Have three consecutive negative AFB cultures.

e. Concurrent disinfection: M. tuberculosis is primarily transmitted only through air, not by surface contact. There are no special precautions necessary for handling of dishes, laundry, clothing and personal items. Decontamination of air may be achieved by ventilation; may be supplemented by ultraviolet light. Health-care facilities should observe the guidelines below:

2005 Guidelines for Preventing the Transmission of Mycobacterium tuberculosis in Health-Care Settings, https://www.cdc.gov/mmwr/preview/mmwrhtml/rr5417a1.htm?s_cid=rr5417a1_e

f. Terminal disinfection: No special requirements are indicated. Normal procedures should be followed.

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g. Quarantine and commitment: Quarantine or commitment may be established at the discretion of a qualified health officer in accordance with the provisions of 200.21 of this Chapter. Contacts themselves shall not be considered as public health problems unless proven by examination to be active infectious cases of tuberculosis. All household contacts and other intimate contacts shall be required to have a tuberculin test or chest x-ray, or both. If lesions suspicious of tuberculosis are found on x-ray of contacts, laboratory studies shall be conducted as are necessary to determine whether or not such patients represent public health problems.

h. Treatment Standards:

1. Directly observed therapy (DOT) is required for all TB cases/suspects.

2. For tuberculosis cases/suspects being managed by private physicians, the Director of Health, being ultimately responsible for appropriate treatment, shall have access to all patient records and tuberculosis treatment plans to ensure that the diagnosis, treatment and management are performed according to the most current CDC guidelines.

200.93. TULAREMIA

a. Reporting: Report to the Department.

b. Isolation: None. Standard precautions.

c. Concurrent disinfection: Discharges from ulcer, lymph nodes, or conjunctival sac shall be disinfected.

d. Terminal disinfection: Thorough cleaning.

e. Quarantine: None.

200.94. TYPHOID AND PARATYPHOID

a. Reporting: Report to the Department within 24 hours.

b. Isolation: Hospitalized patients shall be isolated according to the recommended standard enteric disease isolation procedures. A case of typhoid or paratyphoid who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or childcare until they have three (3) consecutive negative stool specimens at least 24 hours apart and no earlier than 1 month after onset. Patient must be off antibiotics for at least 48 hours prior to obtaining specimens.

c. Concurrent disinfection: Feces, urine, and articles soiled therewith shall require disinfection. In communities with modern and adequate sewage disposal systems, feces and urine may be disposed of directly into the sewer without preliminary disinfection.

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- d. Terminal disinfection: Thorough cleaning.

- e. Quarantine: All household contacts shall be cultured to identify any chronic carrier. An asymptomatic household contact of typhoid or paratyphoid case who prepares or serves food for public consumption, who attends or works in a child care group setting in a capacity which requires contact with children, or who provides direct patient care shall be required to cease work or childcare until they have two (2) consecutive negative stool specimens at least 24 hours apart. A symptomatic contact should be treated as a case.

- f. Restrictions on infected persons:
 - 1. Convalescents from typhoid shall have their stools examined bacteriologically once a month to determine if they are chronic carriers of the organism. If the stools are negative for three consecutive months, they are not considered as carriers and may be discharged from any further investigation.

 - 2. Chronic carriers: Individuals who excrete the typhoid bacillus in their stools for greater than one year are considered as chronic carriers of the typhoid bacillus. These individuals shall not be allowed to work in an occupation that prepares or serves food for public consumption, including patient care or care of children or the elderly in an institutional setting, and they shall not change their address without notifying the Department.

- g. Outbreaks of typhoid:
 - 1. Foodborne: All suspected foodborne outbreaks of typhoid/paratyphoid must be investigated. The Department has the authority to require stool specimens on all individuals involved in the outbreaks and may exclude from work or childcare at the discretion of the Director or his designee.

 - 2. Institutional outbreaks: The Department has the authority to conduct an epidemiologic investigation, to require stool specimens on all patients and employees, and to exclude from work any individual who is a threat to the health of others in that institution.

 - 3. Other requirements or procedures: Refer to Epidemiology Manual for the Identification, Investigation and Control of Infectious Diseases, Division of Infectious Disease Epidemiology, Pennsylvania Department of Health.

200.95. YELLOW FEVER

- a. Reporting: Report to the Department.

- b. Isolation: No isolation shall be required; however, the patient shall be protected from mosquitoes for the first three days in a mosquito- proof room.

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- c. Concurrent disinfection: No disinfection shall be required; however, the home of the patient and all houses in its vicinity shall be sprayed promptly with an insecticide having residual action.
- d. Terminal disinfection: None.
- e. Quarantine: None.

ARTICLE H MISCELLANEOUS: ANIMALS, DISPOSITION OF HUMAN BODIES

200.96. Disease from animals

Any disease, infection or condition that occur due to contact with an animal will be investigated by the Department. Animal health or animal trade issues shall be handled, as appropriate, by PDA.

200.97. Disposition of property and remains of infected persons

- a. No person may give, lend, sell, transmit or expose, without previous cleaning and a certificate from the health authorities attesting to the cleaning of bedding, clothing, rags or other articles which have been exposed to contamination from bubonic plague, smallpox (variola, varioloid) or anthrax, except where the transmission of the articles is made with proper precautions and with the permission of the health authorities for the purpose of having them cleaned.
- b. At the discretion of the Department, no person may rent a room, house or part of a house in which there has been a person suffering from a communicable disease without having the room, house or part of a house and articles therein, previously cleaned to the satisfaction of the Department. The keeping of a hotel, boarding house or an apartment house shall be deemed as renting part of a house to a person who shall be admitted as a guest into the hotel, boarding house or apartment house.
- c. In the preparation for burial and transportation of a body of a person who has died of an infectious disease, it shall be the duty of the undertaker or person acting as such to prepare the body in accordance with any current guidance, as approved by the Department, for that specific disease or condition. Regulations of 028 Pa. Code § 1.25 shall be followed.
- d. Services held in connection with the funeral of a person who has died with a disease for which isolation or quarantine is required, may be public but shall be private when so ordered by the health authorities of the jurisdiction in which the services shall be held. The attendance at private funerals shall include only the immediate relatives of the deceased and the necessary number of pallbearers.

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CHAPTER 200 PREVENTIVE MEDICINE

SECTION 202

VETERINARY PUBLIC HEALTH AND ZOOONOTIC DISEASE

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ARTICLE A PURPOSE AND DEFINITIONS

202.1. PURPOSE

The purpose of this section is to provide for the protection of the public's health by requiring in the manner prescribed herein: The reporting of certain animal diseases; the reporting of animal bites; the examination, confinement, quarantine and isolation of affected and/or offending animals; and other measures which are hereby promulgated. The pertinent sections and paragraphs of Chapter 200. Subchapter F, as they relate to veterinary public health and zoonotic diseases, are incorporated herein by reference.

202.2. DEFINITIONS

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- 202.2.1. The Act - as in §200.5 of these Rules and Regulations.
- 202.2.2. At-large - This term is used herein to describe a situation of any domestic animal running or roaming free and unrestrained, outside of its owner's premises.
- 202.2.3. Confinement - the physical securing of an animal within the limits of its owner's residence; or, if taken outside the residence limits, the animal is secured by a collar/harness and leash/lead and handled by a responsible person capable of controlling the animal; during the period of official confinement animals shall be segregated from contact with other animals or people other than the owner or his agent.
- 202.2.4. Dangerous - Risky, hazardous, likely to cause harm.
- 202.2.5. Domestic animal - Animals which normally live with or near humans and which are cared for by those humans (including but not limited to, dog, cat, cow, horse). This definition excludes wild animals even though they may be believed to be "domesticated".
- 202.2.6. Euthanasia - Humane destruction of an animal utilizing acceptable drugs and technique.
- 202.2.7. Exotic - of foreign origin; not native to the region.
- 202.2.8. High Risk Animal - Animals which are recognized as being high risk with regard to the transmission of rabies (including, but not limited to, wolf, bat, skunk, fox, raccoon, bobcat.)
- 202.2.9. Isolation - as in §200.5 of these Rules and Regulations.
- 202.2.10. Menagerie - Any collection of wild or unusual animals, kept in cages or other enclosures, for exhibition or other purposes.
- 202.2.11. Owner - Any person owning or having custody of an animal while it is residing in Delaware County. In cases of disputed ownership, the principal occupant or proprietor of the premises in which the animal is residing shall be considered the owner of the animal. Any animal harbored or allowed about the premises or cared for longer than 48 hours shall be considered owned by the person(s), firm, or corporation having a right of property.
- 202.2.12. Petting Zoo - Any collection of one or more domestic and/or wild animals, as defined in these regulations, where direct contact with the animals by the public is permitted for recreational, entertainment, educational or other purposes, and where such contact may reasonably be seen to result in potential exposure to the animals' bodily fluids or excreta.
- 202.2.13. Poison - A substance which, on ingestion, inhalation, absorption, application, injection, or development within the body, in relatively small amounts, produces injury to the body cells or tissues by its physical and/or chemical action(s).

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202.2.14. Quarantine - as in §200.5 of these Rules and Regulations.

202.2.15. Rabies Immunization - for public health purposes means the vaccination of domestic animals with a vaccine approved by and administered in a manner consistent with the recommendations of the manufacturer of the vaccine, the Centers for Disease Control, and the Association of Public Health Veterinarians. This shall in no way be deemed contradictory to, nor shall it preclude, the economically permissible program of non-professional administration of such vaccines as permitted by the Commonwealth's Department of Agriculture under 7 PA "Code §16.61 et seq. (Subchapter D) provided that the conditions specified in 7 PA Code §16.64 and 16.65 shall prevail in any situation involving a threat to the public health and/or any residents of the County of Delaware.

202.2.16. Segregation - as in §200.5 of these Rules and Regulations

202.2.17. Venom - A poisonous or toxic substance normally secreted by a serpent, insect or other animal.

202.2.18. Veterinarian - A graduate of an approved School of Veterinary Medicine, licensed to practice the science and art of Veterinary Medicine by the Commonwealth of Pennsylvania.

202.2.19. Wild animal - Those animals which normally inhabit and/or are indigenous to an area in a state of nature not under the control of man. This definition includes all such animals even though they be subsequently "domesticated".

202.2.20. Zoonotic Disease (Zoonosis) - A disease that is normally seen or inherent in animals but is capable of being transmitted secondarily to people.

ARTICLE B REQUIREMENTS

202.3. REPORTING

202.3.1. All animal bites of humans are reportable to the Delaware County Health Department as described in §200.6 and §200.46.

202.3.2. It shall be the responsibility of any person having knowledge of any zoonotic disease, suspected or diagnosed in an animal, to report said condition to the Department.

202.4. CONFINEMENT OF BITING ANIMAL

202.4.1. Any warm blooded domestic animal which has bitten, or which is suspected of having bitten any person shall be confined for a period of not less than 10 days, or longer at the discretion of the Director, and in a manner approved by the Department. Offending animal/animals shall be examined by a licensed Veterinarian, at the owner's expense, and shall be certified as to health status by said Veterinarian before release from confinement by the Department.

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202.4.2. The Department may delegate enforcement of §202.4.1, to local enforcement officers or dog/animal control officers.

202.5. DISCRETIONARY EUTHANASIA AND TESTING

202.5.1. Any warm-blooded animal, which has bitten a person shall be tested for rabies if the owner of said animal chooses euthanasia as opposed to confinement.

202.6. MANDATORY EUTHANASIA AND TESTING

202.6.1. If during the official confinement period (§202.4) said animal exhibits a change in behavior or health, compatible with a diagnosis of rabies, the owner and the veterinarian shall report same to the Department and shall cause the animal to be euthanized and tested for rabies.

202.6.2. Wild and exotic animals which have bitten humans shall be euthanized whenever possible and the brain of said animal sent to a state approved laboratory for rabies examination.

202.6.3. Any warm-blooded animal exhibiting signs and symptoms compatible with rabies infection may be ordered euthanized by the Director for the purpose of laboratory examination for rabies.

202.7. IMPORTATION AND DISPOSITION OF HIGH RISK ANIMALS

202.7.1. Animals which are recognized as high risk with regard to the transmission of rabies, including but not limited to raccoons, foxes, bats, and skunks, shall not be sold, or in any way distributed or offered for sale or distribution within Delaware County.

202.7.2. Animals which are recognized as high risk shall not be imported or housed in Delaware County except for authorized zoos, exhibitions and for research institutions utilizing said animals.

202.7.3. No high risk wild animal shall be imported into nor housed within Delaware County for any purpose whatever, without first obtaining permission of the Pennsylvania Game Commission.

202.8. MANDATORY RABIES VACCINATION

202.8.1. As prescribed by State Law, all dogs three months of age or older, and which reside in Delaware County for a period of ten (10) days or more are required to be immunized against rabies by a licensed Veterinarian.

202.8.2. All cats three months of age or older residing in Delaware County for a period of ten (10) days or more shall be vaccinated against rabies by a licensed Veterinarian and as prescribed by State Law.

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202.8.3. All dogs and cats three months of age or older which are imported into Delaware County shall be appropriately immunized by a licensed Veterinarian at least two weeks prior to importation into the county. Said animals shall be accompanied by a health certificate which certifies health status of said animal by a licensed veterinarian.

202.9. EMERGENCY PROVISIONS

202.9.1. Declaration of Rabies Infested Areas: Whenever the Director shall have evidence, and/or reasonable suspicion to believe that an area is infested with terrestrial (land-animal) rabies, he shall be empowered to declare said area a "Rabies Infested Area", and to promulgate the presumptive boundaries of said infested area.

202.10. UNLAWFUL DISPOSITION OF BITING ANIMALS

It shall be unlawful for any person to release, or allow to escape, or to hide, or to destroy, permit or order to be destroyed, any animal susceptible to rabies, which has bitten or in any way potentially exposed, a human being to rabies until the existence and/or presence of rabies has been excluded to the satisfaction of the attending Veterinarian and this Department.

ARTICLE C MISCELLANEOUS PROVISIONS

202.11. PSITTACOSIS - RECORDS OF THE SALE, PURCHASE OR EXCHANGE OF PSITTACINE BIRDS

202.11.1. Any and all dealers who purchase, sell, exchange, or give away any bird of the psittacine family shall keep a record for a period of two years for each such transaction. This record shall include the number and types of birds purchased, sold, exchanged, or given away, the date of the transaction, and the name and address of the person from whom purchased, to whom sold or given away, or with whom exchanged. All records shall be available for official inspection at reasonable times.

(Cross Reference - This section cited in 28 Pa. Code §27.130 (relating to psittacosis [Ornithosis]); and §27.184 (relating to violation of regulations).

202.11.2. Procurement of birds where psittacosis exists - No person who sells, exchanges, gives away, or otherwise disposes of psittacine birds shall procure such birds from any source where psittacosis is known to exist.

(Cross Reference - This section cited in 28 Pa. Code §27.130 (relating to psittacosis [Ornithosis]); and §27.184 (relating to violation of regulations).

202.11.3. Occurrence of psittacosis - The occurrence of a case of psittacosis in the human or avian family shall be cause for the health authorities of competent jurisdiction to make an epidemiologic investigation to determine the source of infection.

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202.11.4. Psittacine birds or other birds found on the same premises where there is a diagnosed case of human or avian psittacosis shall be quarantined or destroyed as prescribed by the health authorities. Aviaries, pet shops, or other sources from which such birds were procured shall be quarantined until it can be determined that psittacosis does not exist in such premises. If the quarantine is not maintained, by those responsible to do so, the health authorities may seize and destroy the quarantined bird or birds for which quarantine was ordered. Bodies of birds destroyed shall be disposed of in a manner which shall preclude and prevent insofar as possible any and all dissemination of the infecting organisms in question.

(Cross Reference - This section cited in 28 Pa. Code §27.130 (relating to psittacosis [Ornithosis]); and §27.184 (relating to violation of regulations).

202.11.5. Violation of regulations - The act provides that inspection and prosecution for violation of §§27.181 - 27.183 of this title (relating to psittacosis) may be made or brought by any agent of the health authorities or agent of any agency authorized by the Department to investigate and prosecute such violations. The investigation or prosecution shall be in accordance with the provisions of the act.

(Cross Reference - This section cited in 28 Pa. Code §27.130 (relating to psittacosis [Ornithosis]).

202.11.6. For purposes of these regulations, the psittacine family of birds shall be considered as including, but not limited to: parrots, budgies, parakeets, etc.

202.12. IMPORTATION AND SALE OF LIVE TURTLES

No live turtles shall be sold or in any way distributed or offered for sale or distribution within this Commonwealth on or after July 1, 1972, except where the seller or distributor of the turtles shall warrant to the satisfaction of the Department that each shipment of turtles is free from Salmonella and/or Arizona contamination. The Pennsylvania Department of Health in its discretion, may waive the requirements of this section for live turtles sold or distributed within this Commonwealth for the purposes of research, other zoological purposes, or for food.

202.13. PETTING ZOOS AND SIMILAR COLLECTIONS OF ANIMALS ACCESSIBLE TO THE PUBLIC

202.13.1. Every such petting zoo, or similar collection of animals, where close personal contact is allowed between the animals and the members of the public, shall conform to the following requirements/conditions, as a minimum:

202.13.1.1 Any wild or non-domestic animals must meet the requirements of the Pennsylvania Game Commission.

202.13.1.2 Any domestic or farm animals must meet the requirements of the Pennsylvania Department of Agriculture.

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202.13.1.3. Any and all such animals, birds, reptiles or mammals, shall be under the care of a Pennsylvania-licensed Veterinarian, and/or shall meet the requirements of the local humane agency having local jurisdiction over such matters.

202.13.1.4. In all petting zoos and similar places appropriate signage/notice shall be placed in the immediate area, plainly visible to all visitors, advising them that the potential exists for contact with animal excreta or germs/pathogens, and directing them to thoroughly wash their hands after such contact and before eating or touching their hands to their eyes, nose or mouth. Alternatively, clearly legible handouts (pamphlets, flyers) carrying the same basic prevention message, shall be distributed upon admission to every parent, guardian, teacher, or other competent responsible adult visiting the facility.

202.13.1.5. Within the premises in question appropriate handwashing facilities shall be made available nearby, shall be made known to the public and shall be maintained in an adequate and hygienic manner, for the use of said visitors as well as any facility staff members.

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CHAPTER 200 PREVENTIVE MEDICINE

SECTION 203

POISONOUS, VENOMOUS, DANGEROUS AND EXOTIC ANIMALS

203.1. Any and all animals utilized in shows and menageries shall be housed in a humane manner and displayed in a manner which prohibits their noxious or dangerous contact with the public.

203.2. Any and all dangerous, exotic animals, particularly those classified as wild, carnivorous and/or predatory, including but not limited to bears, lions, tigers, ocelots, chimpanzees, venomous snakes and other dangerous exotic animals are banned and restricted from any residency in the County of Delaware, unless otherwise exempted by these regulations.

203.3. Circuses, shows, fairs, zoological gardens, research programs, and large animal Veterinary centers, and state-licensed breeders and dealers are exempted from said ban, supra, so long as they shall conform to and/or exceed any and all applicable state and federal law/regulatory licensing and inspection requirements, as well as all applicable Delaware County Health Department regulations as contained in §203.1, pertinent to safe housing and display requirements.

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Chapter 300

FOOD SAFETY AT RETAIL FOOD FACILITIES

300.1. POLICY AND PURPOSE

300.1.1. The purpose of this Chapter is to provide for the protection of the public health by promulgating and adapting regulations for food safety at retail food facilities.

300.1.2. The provisions of this Chapter are adopted in accordance with the duties imposed upon the Delaware County Health Department under Act 106 of 2010: The Retail Food Facility Safety Act (3Pa.C.S.A. §§5701-5714) and The Food Safety Act (3Pa.C.S.A. §§5721-5737) and the Local Health Administration Law Act 315 approved August 24, 1951, P.L. 1304, as amended, as found in 16 P.L. §12001 et seq.

300.1.3. The provisions of this Chapter shall apply to all municipalities in Delaware County which come under the jurisdiction of the Department, and they apply equally to all persons.

300.2. ADOPTION BY REFERENCE OF THE PA FOOD CODE

a. The Pennsylvania Department of Agriculture Food Code (“PDA Food Code”) establishes definitions, sets forth standards for management and personnel, food operations and equipment and facilities, and provides for retail food facility plan review, licensing, inspection, and employee restriction.

b. The PDA Food Code - Chapter 46 of 2014, PA Code 7, is hereby adopted by reference and are made a part of the Department’s Rules and Regulations, as fully as if herein set forth at length. This includes the most current version of the U.S. Food & Drug Administration Food Code.

Chapter 46 of the PA Department of Agriculture’s Food Code;
<http://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/007/chapter46/chap46toc.html&d=>

c. These Rules and Regulations and the PDA Food Code shall be enforced by the Department in accordance with the provisions contained herein.

300.3. CERTIFICATION OF PERSON IN CHARGE

300.3.1. Every Person in Charge of a public food-service facility shall:

a. Have successfully completed a course in food-handling acceptable to the Department, i.e., a ServSafe (or other nationally recognized program certificate) and shall have received a certification thereof from the Department as a certified food safety manager.

b. Be responsible for at least the following:

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1. The supervision and instruction of his/her food service workers in the techniques of sanitary food handling and proper maintenance of the food establishment.
 2. Notifying the Department in writing within five (5) days after his/her change of employment.
 3. Renewing his or her certification by completing the required course work prior to the expiration date listed on the present certificate.
 4. Monitoring staff and notifying the proprietor of necessity to remove anyone with signs of active illness from food service line.
 5. Requesting the proprietor to immediately report instances of foodborne communicable disease to the Health Department.
 6. Immediately contact the regulatory authority in the event of a fire, flood, extended interruption of water or electrical service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross unsanitary occurrence, or other emergency in the food establishment which may affect food safety or endanger public health.
- c. Ensure that there is a certified food safety manager as a full time employee and designated as the certified food safety manager at only one food facility location within Delaware County.
- d. Ensure that a certified food safety manager is on duty during all hours the facility is open and/or preparing foods.
- 300.3.2. A Certified Food Safety Manager is required to reapply for certification every five (5) years. At no time shall the public food service facility be without the services of a Certified Food Safety Manager who has a current and valid certification with the Department.
- 300.3.3. Whenever the Department determines that the holder of a certification as a Person in Charge is in violation of any provision of this Section, the Department is authorized to suspend, or revoke said certification. Once revoked, that person may not be the holder of a certification in Delaware County within a time period determined by the Department and not less than six months.
- 300.3.4. The certification is granted to the Certified Food Safety Manager and shall be posted in a prominent place in the public food service facility in which said Person in Charge is employed or is working. The certificate is the property of the Department is nontransferable and shall not be duplicated by anyone other than the Department.
- 300.3.5. Exemption for certified food safety manager may be granted to a retail food establishment which has submitted a written request of exemption to the Department and fit one of the following categories:

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300.5.2. Exceptions.

a. Prepackaged food.

1. Retail food facilities where only commercially prepackaged food is handled and sold are exempt from this chapter.
2. Retail food facilities that handle and sell food other than commercially prepackaged food are exempt from this chapter during time periods or work shifts when only commercially prepackaged food is sold.

b. Nonpotentially hazardous food.

1. Retail food facilities that handle only nonpotentially hazardous food are exempt from this chapter.
2. Retail food facilities that handle and sell potentially hazardous food are exempt from this chapter during time periods or work shifts when only nonpotentially hazardous food is handled and sold.

c. Food establishments. Food establishments, as defined in 3 Pa.C.S.A. 5722, are exempt from this Chapter.

d. Exempt retail food facilities.--Except as set forth in 3 Pa.C.S.A. 6504(c)(2) (relating to certification of employees), the following retail food facilities are exempt from this chapter.

1. A retail food facility managed by an organization which is a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)).
2. A retail food facility managed on a not-for-profit basis by an organization which is a volunteer fire company or an ambulance, religious, charitable, fraternal, veterans, civic, agricultural fair or agricultural association or any separately chartered auxiliary of any of the above associations.
3. A retail food facility managed by an organization which is established to promote and encourage participation and support for extracurricular recreational activities for youth of primary and secondary public, private and parochial school systems on a not-for-profit basis. This paragraph does not apply to organized camps.

300.4. FEES Fee(s) accompanying application for certified food safety managers and retail food facilities shall be in accordance with the most current fee schedule provided by the department.

300.5. ADOPTION BY REFERENCE OF THE PA RETAIL FOOD FACILITIES LICENSING REQUIREMENTS

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General requirement - it shall be unlawful for any proprietor to conduct or operate a retail food facility without first obtaining a license for each retail food facility as provided for in 3 Pa.C.S.A.§5703. All provisions under 3 Pa.C.S.A.§5703 are adopted with the exception of (j) Fees, as the County may set their own fees by resolution of Council.

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CHAPTER 400 HOUSING AND INSTITUTIONS

Section 401

HOUSING AND ROOMING HOUSES

<u>Section</u>	<u>Subject</u>
401.1.	PURPOSE
401.2.	STATEMENT OF POLICY
401.3.	DEFINITIONS
401.4.	MIXED USE
401.5.	INSPECTION OF AND ACCESS TO DWELLINGS
401.6.	NOTICE OF VIOLATIONS, HEARING, EMERGENCIES, AVAILABILITY OF RECORDS
401.7.	NON-COMPLIANCE WITH ORDERS
401.8.	DWELLINGS UNFIT FOR HUMAN HABITATION
401.9.	MINIMUM STANDARDS FOR ROOMING HOUSES
401.10.	BASIC EQUIPMENT AND FACILITIES
401.11.	LIGHT, VENTILATION, AND HEATING
401.12.	SAFETY FROM FIRE
401.13.	SPACE, USE AND LOCATION
401.14.	SAFE AND SANITARY MAINTENANCE
401.15.	RESPONSIBILITY OF OWNER AND OCCUPANTS
401.16.	DISCONTINUANCE OF REQUIRED SERVICES

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401.1. PURPOSE.

This section provides Rules and Regulations which:

- a. Establish minimum standards governing utilities, facilities, and other physical objects and conditions essential to make dwellings safe, sanitary, and fit for human habitation.
- b. Establish minimum standards governing the condition and maintenance of dwellings, dwelling units, rooming houses, and rooming units.
- c. Fix certain responsibilities and duties on owners, operators, and occupants of dwellings, dwelling units, rooming houses, and rooming units.
- d. Require permits for the operation of rooming houses.
- e. Authorize preliminary area surveys of dwellings.
- f. Authorize the inspection of dwellings, and the condemnation of or removal of dwellings unfit for human habitation.
- g. Provide penalties for non-compliance with the standards and requirements set forth herein.

401.2. STATEMENT OF POLICY

It is hereby declared that inadequate provisions for light and air, insufficient protection against fire, unsanitary conditions, improper heating, overcrowding, dilapidation and disrepair of dwellings and premises, and the occupancy or existence of dwellings unfit for human habitation in Delaware County endanger the health, safety, morals, welfare, and reasonable comfort of the citizens of Delaware County, and that the establishment and maintenance of proper housing standards and the rehabilitation of housing are essential to the public health and welfare.

401.3. DEFINITIONS

The following words and terms, when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise:

ACCESSORY STRUCTURE - A building, the use of which is customarily incidental to that of the dwelling unit, and which is on the same lot as the main building.

APPROVED SEWER SYSTEM - A community sewerage system approved by the Pennsylvania Department of Environmental Resources, or an individual sewage disposal system approved by the Department in accordance with Chapter 500. §504. of these Rules and Regulations.

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BASEMENT - A portion of any building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

CELLAR - A portion of a building located partly or wholly underground and having half of more of its clear floor-to-ceiling height below the average grade of the adjoining ground.

CENTRAL HEATING - A heating system permanently installed and adjusted so as to provide the distribution of heat to all habitable rooms, bathrooms, and water closet compartments from a source outside of these rooms.

COMMUNICATING CORRIDOR - An enclosed passageway in a dwelling unit connecting a habitable room with another habitable room, water closet compartment, or bathroom, or an enclosed passageway in a rooming house connecting a habitable room with another habitable room in the same rooming unit or with a water closet compartment or bathroom used by the occupant of the habitable room.

DWELLING - Any building or structure, or part thereof, occupied, or intended or designed to be occupied as the home, residence, shelter, or sleeping place of one or more persons.

DWELLING UNFIT FOR HUMAN HABITATION - Any dwelling which, by reason of serious deficiencies in drainage, plumbing, water supply, light, heat, ventilation, floor area, and rodent or pest control facilities, or by reason of dilapidation, disrepair, or other similar conditions, or because of the need for major repairs to the roofs, walls, ceilings, floors, stairs, or other parts of the dwelling, is in the judgement of the Director, unsanitary or unsafe and constitutes a serious hazard to the health of the occupants of the dwelling, or to the public.

DWELLING UNIT - A room or group of rooms located within any dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating for the exclusive use of the occupants thereof.

EGRESS - See "Exit", below.

EMERGENCY - Any situation requiring immediate action to protect the health or welfare of any occupant of a dwelling.

EXIT - A way of departure from the interior of a building or structure to the exterior at street or grade level, including doorways, passageways, hallways, corridors, stairways, ramps, fire escapes, and all other facilities necessary for egress or escape.

EXTERIOR PROPERTY AREAS - Any open space on the premises, and vacant open space on adjacent premises.

EXTERMINATION - The control and elimination of insects, rodents, or other pests by: eliminating their harborage places; removing or making inaccessible materials that may serve as their food; poisoning, spraying, fumigating, or trapping; or any other recognized and legal pest elimination methods approved by the Director.

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GARBAGE - All putrescible wastes (except sewage and body waste); included in this term are animal and vegetable offal.

HABITABLE ROOM - A room or enclosed floor space used or intended to be used for living, sleeping, shelter, cooking, or eating purposes; excluded from this term are bathrooms, water closet compartments, laundries, pantries, foyers, public halls, communicating corridors, stairways, closets, and storage spaces.

LET FOR OCCUPANCY or LET - To permit possession or occupancy of a dwelling, dwelling unit, rooming house, or rooming unit by a person who shall be the legal owner of record thereof, or his agent, pursuant to a written or unwritten lease, agreement, or license or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

MULTIPLE DWELLING - Any dwelling containing more than two (2) dwelling units.

OCCUPANT - Any person (including an owner or operator) who lives, sleeps, cooks, or eats in a dwelling unit, or who lives and sleeps in a rooming unit.

OPERATOR - Any person, whether or not he is the owner, who has charge, care or control of any dwelling unit, rooming house, or rooming unit.

OWNER - A person who, alone or jointly or severally with others:

a. Has legal or equitable title to a dwelling, dwelling unit, rooming house, or rooming unit, either with or without possession of said dwelling, dwelling unit, rooming house, or rooming unit;

or

b. Has charge, care or control of a dwelling, dwelling unit, rooming house, or rooming unit, either as agent of the owner or as administrator, trustee, or guardian of the estate of the owner.

PLUMBING OR PLUMBING FIXTURES - All of the following supplied facilities and equipment: gas pipes; gas-burning equipment; water heating facilities; water pipes; garbage disposal units; waste pipes; water closets; sinks, installed dishwashers; lavatories; bathtubs; shower baths; installed clothes-washing machines; catch basins; drains; vents; and any other similar supplies and fixtures, together with all connections to water, sewer, or gas lines.

PREMISES - A lot, plot, or parcel of land, including the buildings and structures thereon.

PUBLIC NUISANCE –

a. The physical condition or use of any premises regarded as a public nuisance at common law; or

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b. Any physical condition, use or occupancy of any premises or its appurtenances which is considered an attractive nuisance to children, including (but not limited to) abandoned wells, shafts, basements, excavations, and unsafe fences or structures; or

c. Any premises which has unsanitary sewerage or plumbing facilities; or

d. Any premises which is designated as unsafe for human habitation under this Section: or

e. Any premises which is manifestly capable of being a fire hazard, or which is so manifestly unsafe or unsecure as to endanger persons or property; or

f. Any premises from which the plumbing, heating, and/or other facilities required by this Section have been removed, or from which utilities have been disconnected, destroyed, removed, or rendered ineffective, or for which the required precautions against trespassers have not been provided.

REFUSE - All non-putrescible wastes, generally regarded and classified as rubbish, trash, junk, and similar designations.

ROOMING HOUSE - Any dwelling, or part thereof, containing one or more rooming units, in which space is let by the owner or operator to three (3) or more persons who are not husband, wife, son, daughter, parent, grandparent, sister, or brother of the owner or operator, whether or not it is operated for profit, including boarding houses for infants, children, and the aged.

SEWAGE - Any substance which contains any of the waste products or excrement or other discharge from the bodies of human beings or animals, and any biological, chemical, radioactive, or other noxious or deleterious substance which is harmful or inimical: to the public health; to animal or aquatic life; or to the use of water for domestic water supply or for recreation. Sewage shall include kitchen and laundry waste.

ROOMING UNIT - A room or group of rooms located within any dwelling and forming a single habitable unit with facilities for living and sleeping, but not for cooking or eating purposes.

SUPPLIED - Installed, furnished, or provided by or under the control of the owner or operator, at his expense.

TEMPORARY HOUSING - Any tent, trailer, or other structure used for human shelter which is designed to be transportable, and which is not attached to the ground, to another structure, or to any utilities system, on the same premises for more than thirty (30) consecutive days.

401.4. MIXED USE

401.4.1. Whenever any dwelling contains both dwelling units and rooming units, the dwelling units shall comply with the applicable requirements of this Section for dwelling units, and the rooming units shall comply with the applicable requirements of this Section for rooming houses.

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401.4.2. Whenever one or more rooming units in a dwelling containing both dwelling units and rooming units are let to three (3) or more persons who are not husband, wife, son, daughter, parent, grandparent, sister, or brother of the operator, the part of the dwelling so used shall also comply with the applicable requirements of this Section for rooming houses.

401.4.3. Whenever any building or structure is occupied in part as a dwelling and in part for industrial or commercial purposes, that part of the building or structure occupied as a dwelling shall comply with the applicable requirements of this Section.

401.5. INSPECTION OF AND ACCESS TO DWELLINGS

401.5.1. Under the authority of Section 12 (c) of the "Local Health Administration Law" (16 P.S. §12012(c)), and subject to the limitations of the Constitutions of the United States and of the Commonwealth of Pennsylvania, the Director is authorized and directed to enter and inspect any dwelling for the purpose of determining compliance with the provisions of this Section.

401.5.1.1. For this purpose, the Director is authorized, upon showing proper identification of office, to enter and inspect any dwelling, dwelling unit, rooming house, rooming unit, or any part thereof, at all reasonable times, and in an emergency at any time.

401.5.1.2. The owner, operator, or occupant of any dwelling, dwelling unit, rooming house, or rooming unit shall give the Director free access for the purpose of inspecting any such dwelling.

401.5.1.3. If permission to enter any premises or any part thereof for the purpose of inspection is denied, or an area is locked or otherwise not freely accessible and permission to enter cannot be obtained, the Director shall promptly apply for a search or inspection warrant to a court of competent jurisdiction and shall supply all necessary affidavits and testimony to indicate that there is a reasonable or probable cause to conduct an inspection.

401.5.1.4. For the purpose of this §401.5. a "reasonable or probable cause to gain access and inspect" shall include, without being limited to, the following:

- a. That the inspection of the said area is part of a planned routine inspection being conducted pursuant to a systematic or concentrated enforcement program, of the Rules and Regulations, in that portion of Delaware County; or
- b. That the Director has knowledge or information that a violation of this Section may exist; or
- c. That said entry is for the purpose of reinspecting a previous notice of violations.

401.5.2. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times and after reasonable notice has been given, for the purpose of conducting inspections to determine whether violations of this Section may exist, or for the purpose of making such repairs

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or alterations as are necessary to effect compliance with the provisions of this Section or with any lawful Rule or Regulation adopted or any lawful order issued pursuant to the provisions of this Section.

401.6. NOTICE OF VIOLATIONS, HEARING, EMERGENCIES, AVAILABILITY OF RECORDS

401.6.1. NOTICE. Whenever the Director determines that there has been a violation of any provision of this Section so as to cause a nuisance detrimental to the public health he shall give notice, of the alleged violations, in the manner provided herein, to the person responsible for compliance under this Section. The notice, in accordance with Section 12(d) of the "Local Health Administration Law" (16 P.S. §12012(d)), shall:

- a. Be in writing;
- b. Include a brief description of the real estate, sufficient for identification;
- c. Specify the violation which exists, with reference to the applicable provisions of this Section, together with a brief statement of the remedial action required;
- d. Provide a reasonable time, not to exceed thirty (30) days, for the correction of any violation alleged.

401.6.2. SERVICE. A notice of violation shall be served upon the owner, operator, occupant, or any other party in interest, as the case may require. Service of the notice of violation shall be made in the following manner:

- a. By handing the notice to the person to be served; or
- b. By handing the notice to the persons designated for receipt of service of original process under the Rules of Civil Procedure promulgated by the Supreme Court of Pennsylvania; or
- c. By mailing the notice to the last known address of the person to be served by registered mail, postage prepaid, accompanied with a request for a return receipt; or, if service cannot be accomplished in this manner,
- d. By posting the notice of violation, in a conspicuous place, on the premises described in the notice.

401.6.3. EMERGENCY ORDERS: ACTION BY DIRECTOR WITHOUT PRIOR NOTICE.

401.6.3.1. Under the authority of Section 12(d) of the "Local Health Administration Law" (16 P.S. §12012(d)), the Director, whenever he determines that an emergency exists which necessitates immediate action to protect the public health, shall, without prior notice, issue a written order

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reciting the existence of the emergency and requiring whatever action he deems advisable to meet the emergency.

401.6.3.2. Notwithstanding the provisions of §401.6.1., 2., and 3., of this Section, above, this order shall be effective upon service and shall be complied with immediately.

401.6.4. **AVAILABILITY OF RECORDS.** Every notice of violation, and every record of proceedings occurring subsequent to the notice of violation until the final disposition of the matter, shall be public and available for inspection; however, the Director may prescribe reasonable regulations regarding the time and manner of inspection.

401.7. NON-COMPLIANCE WITH ORDERS

In the event of the failure to comply with an order issued pursuant to any provision of this Section, the Director may take any action which is authorized by Section 12(d) of the "Local Health Administration Law" (16 P.S. §12012(d)).

401.8. DWELLINGS UNFIT FOR HUMAN HABITATION

401.8.1. NOTICES AND HEARINGS.

401.8.1.1. Whenever the Director determines that a dwelling is unfit for human habitation, he shall give notice to the owner to repair or alter the dwelling. The notice, in accordance with Section 12(d) of the "Local Health Administration Law" (16 P.S. §12012(d)), shall:

- a. Be in writing;
- b. Include a brief description of the real estate, sufficient for identification;
- c. Include a statement of the reasons why the notice is being issued;
- d. Indicate the repairs or alterations necessary to render the dwelling fit for human habitation;
- e. Specify a reasonable time for performance; and
- f. Inform the owner of his right to a hearing.

401.8.1.2. Service of the notice shall be made in accordance with §401.6.2., above.

401.8.1.3. Any person aggrieved by the notice shall have the right to a hearing, in accordance with Chapter 100. §100.8., of these Rules and Regulations.

401.8.2. ORDER TO VACATE.

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401.8.2.1. If the owner fails to comply with the order to repair or alter the dwelling, the Director, under the authority of Section 12(d) of the "Local Health Administration Law" (16 P.S. §12012(d)), may issue a further written order requiring all occupants to vacate the dwelling within thirty (30) days from the date the order is served.

401.8.2.2. Service of this order shall be made in accordance with §401.8.5., below.

401.8.2.3. Upon issuance of an order to vacate, the Director shall placard the dwelling as unfit for human habitation. Only the Director shall be able to remove said placard.

401.8.2.4. A dwelling vacated in accordance with the order shall not be occupied by any person until written approval is secured from the Director after the conditions which render the dwelling unfit have been corrected and the Director has removed the placard from the dwelling.

401.8.2.5. The owner of the dwelling shall be liable for failure of the occupants to vacate the dwelling as required by this §401.8.2.

401.8.3. **DEMOLITION.**

401.8.3.1. The Director shall make periodic inspections of any dwelling vacated as unfit for human habitation or any other vacant dwelling.

401.8.3.2. Whenever an inspection of the dwelling discloses that the dwelling, by reason of its being a rat harborage or for any other health reason, has become a public nuisance or a serious hazard to the health of the public, the Director, under the authority of 16 P.S. §12012(d), shall issue a written notice requiring the owner, within a reasonable time specified in the notice, to remove or demolish the dwelling.

401.8.3.3. Service of the notice shall be made in accordance with §401.8.5., below.

401.8.3.4. Any person aggrieved by the notice shall have the right to a hearing, in accordance with Chapter 100. §100.6., of these Rules and Regulations.

401.8.4. **EMERGENCY ORDER TO VACATE.**

401.8.4.1. Whenever the Director determines that an emergency exists, which, for the protection of the public health, necessitates the vacation of a dwelling unfit for human habitation unless there is an immediate repair or alteration of the dwelling, he shall, under the authority of 16 P.S. §12012 (d.), without prior notice, issue a written order reciting the existence of the emergency and requiring whatever action he deems advisable to meet the emergency.

401.8.4.2. This order shall be effective upon service and shall be complied with immediately.

401.8.4.3. If the owner fails to comply with the order, the Director shall issue a further written order requiring all occupants to vacate the dwelling immediately and shall also placard the dwelling as unfit for human habitation.

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401.8.4.4. Service of any order required by this §401.8.4., shall be made in accordance with §401.8.5., below.

401.8.4.5. A dwelling vacated in accordance with the order shall not be occupied by any person until written approval is secured from the Director and the Director has removed the placard from the dwelling.

401.8.5. SERVICE AND POSTING OF NOTICES AND ORDERS.

401.8.5.1. Every notice or order required by §401.8.5.2., .3, .4, shall be served in the following manner:

- a. By handing the notice to the person;
- b. By handing the notice to the persons designated for receipt of service of original process under the Rules of Civil Procedure promulgated by the Supreme Court of Pennsylvania; or, if service cannot be accomplished in this manner;
- c. By mailing the notice to the last known address of the owner by registered mail, postage prepaid, accompanied with a request for a return receipt; or, if service cannot be accomplished in this manner;
- d. By presenting the notice to the agent of the owner, to the operator, or to an occupant of the dwelling.

401.8.5.2. In addition to the service required by §401.8.5.1., a copy of every notice or order shall be posted in a conspicuous place on the dwelling.

401.9. MINIMUM STANDARDS FOR ROOMING HOUSES

401.9.1. GENERAL REQUIREMENT. No owner, operator, or other person shall occupy or let to another person any rooming house or rooming unit which does not comply with the following minimum standards for rooming houses.

401.9.2. COMPLIANCE WITH THE STANDARDS OF OTHER SUBSECTIONS. Every rooming house and every rooming unit shall be in compliance with the minimum standards set forth by the following subsections of this §401:

- a. §401.10. (basic equipment and facilities);
- b. §401.11. (light, ventilation, and heating);
- c. §401.12. (safety from fire);
- d. §401.13. (space, use, and location);

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- e. §401.14. (safe and sanitary maintenance);
- f. The provisions of §401.15. which deals with the responsibilities of an owner or operator of a rooming house.
- g. §401.15. (discontinuance of required services).

401.9.3. BATHROOM FACILITIES.

401.9.3.1. Every rooming house shall be equipped with at least one (1) flush water closet, one (1) lavatory basin, and one (1) bathtub or shower for each six persons or fraction thereof within the rooming house, including members of the family of the owner or operator if they share the use of these facilities.

401.9.3.2. In a rooming house in which rooms are let only to males, flush urinals may be substituted for not more than one-half (1/2) of the required number of water closets.

401.9.3.3. All such facilities shall be properly connected to approved water and sewerage systems.

401.9.4. BEDDING AND TOWELS.

401.9.4.1. Where bedding, bed linen, or towels are supplied in a rooming house, the owner or operator shall maintain the bedding in a clean and sanitary manner.

401.9.4.2. The owner or operator shall also furnish clean bed linen and towels at least once each week, and prior to the letting of any room to a new occupant.

401.10. BASIC EQUIPMENT AND FACILITIES.

401.10.1. **RESPONSIBILITY FOR COMPLIANCE.** No owner, operator, or other person shall occupy or let to another person any dwelling, dwelling unit, rooming house, or rooming unit which does not comply with the following minimum standards for basic equipment and facilities. No dwelling, dwelling unit, rooming house, or rooming unit, or any premises containing such areas shall fail to comply with the following minimum standards for basic equipment and facilities.

401.10.2. BATHROOM FACILITIES.

401.10.2.1. Every dwelling, other than a rooming house, in existence prior to the effective date of this Section or to be constructed in the future shall be provided with at least one flush water closet, one lavatory basin, and one bathtub or shower within the dwelling.

401.10.2.2. Every rooming house shall meet the requirements for bathroom facilities that are promulgated in §401.9.3., above.

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401.10.2.3. None of the facilities described in this §401.10.2., shall be located in a basement or cellar, except by written approval of the Director. If the approval of the facilities is denied, a hearing may be requested in accordance with Chapter 100. §100.8., of these Rules and Regulations.

401.10.3. **KITCHEN SINKS.** Every dwelling unit shall contain an installed kitchen sink which:

- a. shall be located in the kitchen;
- b. is approved by the Department;
- c. provides at all times an adequate amount of heated and unheated running water under pressure; and
- d. is connected to a sewer system approved by the Department.

401.10.4. **WATER SUPPLY.** Every dwelling unit and rooming house shall be supplied with piped running water under pressure to provide an adequate, safe, and sanitary water supply to every fixture connected with the water supply and drainage system.

401.10.5. **WATER HEATING FACILITIES.**

401.10.5.1. Every dwelling shall have water heating facilities which are properly installed, maintained in safe and good working condition, properly connected with the water supply system required in §401.10.4., above, and capable of heating water to a temperature of not less than one-hundred twenty degrees Fahrenheit (120° F.) which will permit an adequate amount of hot water to be drawn at every required kitchen sink, lavatory basin, bathtub, or shower.

401.10.5.2. The water heating facilities shall be capable of meeting the requirements of this §401.10.5. even when the heating facilities required under §401.11.5. below, are not in operation.

401.10.6. **GARBAGE AND REFUSE.**

401.10.6.1. **FACILITIES REQUIRED.** Every dwelling unit shall be supplied by the occupant with adequate garbage and refuse storage facilities, except that in the case of multiple dwellings, and rooming houses the owner or operator shall be responsible for supplying such facilities. Garbage and refuse storage facilities shall be made of metal or equivalent material, shall be watertight and provided with tight covers which shall be kept securely closed at all times. The type and location of garbage and refuse storage and disposal facilities shall be subject to approval by the Director.

401.10.6.2. **RESPONSIBILITY FOR PROPER STORAGE AND DISPOSAL.** The occupant of every dwelling unit or rooming unit shall be responsible for the storage of garbage and refuse in a clean and sanitary manner in accordance with the provisions of this §401.10.6. Except where

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otherwise provided in this §401.10.6., the occupant of every dwelling unit where an incinerator is used shall be responsible for the clean and sanitary disposal of any residue remaining after incineration. Where an incinerator is used in a multiple dwelling for more than one dwelling unit or in a rooming house, the owner or operator shall be responsible for the clean and sanitary disposal of any residue remaining after incineration.

401.10.6. **INCINERATOR.** Incinerator shall comply with applicable Federal, State and/or Local Air Pollution Standards.

401.10.7. **INSTALLATION AND MAINTENANCE.**

401.10.7.1. Every gas pipe, water pipe, garbage disposal unit, waste pipe, water closet, flush urinal, sink, installed dishwasher, lavatory basin, bathtub, shower, installed clothes washing machine, catch basin, drain, vent, gas burning fixture, any device connected with the water supply and drainage system, or any other similar fixture, together with all connections to water, sewer, or gas lines shall be cleanable and shall be: installed and maintained in good, sanitary working condition; free from defects, leaks, and obstruction; in adherence to common plumbing practices; and in accordance with the laws of the Commonwealth of Pennsylvania and these Rules and Regulations.

401.10.7.2. Every kitchen sink, lavatory basin, water closet, flush urinal, bathtub, or shower shall be connected to the water supply system and to a sewer system which is subject to the approval of the Department and/or the Pennsylvania Department of Environmental Resources.

401.11. LIGHT, VENTILATION, AND HEATING

401.11.1. **RESPONSIBILITY FOR COMPLIANCE.** No owner, operator, or other person shall occupy or let to another person any dwelling, dwelling unit, rooming house, or rooming unit which does not comply with the following minimum standards for light, ventilation, and heating; and no dwelling, dwelling unit, rooming house, or rooming unit, or any premises containing such areas, shall fail to comply with the following minimum standards for light, ventilation, and heating.

401.11.2. **LIGHTING.**

401.11.2.1. Every habitable room, bathroom, water closet compartment, or laundry, shall have at least one window or skylight facing outdoors, provided that if connected to an area or room used seasonally (i.e., a porch), then adequate daylight must be possible through this interconnection.

401.11.2.2. The minimum total window or skylight area measured between stops for every habitable room shall be at least ten per cent (10%) of the floor area of such rooms.

401.11.2.3. The minimum total window or skylight area measured between stops for every bathroom, water closet compartment, or laundry shall be at least eight per cent (8%) of the floor area of such rooms.

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401.11.2.4. If light obstruction structures are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the total required window area.

401.11.2.5. All windows and skylights shall be enclosed with glass or other approved materials.

401.11.3. VENTILATION.

401.11.3.1. Every habitable room, bathroom, water closet, compartment, and laundry room shall have at least one (1) window or skylight facing directly to the outdoors, equipped with suitable hardware, so that if connected to a room or area used seasonally, then adequate ventilation must be possible through this interconnection.

401.11.3.2. The total openable area of the window or skylight area in every habitable room, bathroom, water closet compartment, and laundry room shall be equal to at least forty-five per cent (45%) of the minimum window area size or minimum skylight-type window size, as required in §401.11.2., above, except where there is supplied some other device (i.e., gravity duct or mechanical ventilation) supplying adequate ventilation as required by these Rules and Regulations.

401.11.4. ELECTRIC FIXTURES AND OUTLETS. Every dwelling shall be supplied with electricity. Within each dwelling:

401.11.4.1. Every habitable room shall contain at least two (2) separate duplex wall-type electric convenience outlets, and one (1) supplied ceiling-type electric light fixture or one (1) switch controlled outlet. Additional outlets shall be required to power electrical appliances serviced by temporary wiring.

401.11.4.2. Every water closet compartment, bathroom, laundry room, laundry area, and furnace room shall contain one (1) ceiling-or wall-type electric light fixture; and each bathroom, laundry room, or laundry area shall contain, in addition, one (1) convenience outlet.

401.11.4.3. Every outlet and fixture shall be installed in an approved manner on circuits properly equipped with "S" type fuses or circuit breakers and maintained in good and safe working condition.

401.11.4.4. No obvious shock hazard shall exist.

401.11.4.5. No temporary wiring shall be used, except extension cords which run directly from portable electrical equipment to convenience outlets, and which do not lie underneath floor covering materials or extend through doorways, transoms, or other similar apertures through structural elements. Extension cords shall not exceed twelve (12) feet in length.

401.11.4.6. Every public hallway and stairway in every multiple dwelling and rooming house shall be adequately lighted at all times by natural and/or electric light, so as to provide, in all parts thereof, at least five (5) foot candles of light at the tread or floor level.

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401.11.4.7. Every public hallway and stairway in a structure containing two (2) or more units shall be adequately lighted at all times by natural or electric light, so as to provide, in all parts thereof, at least five (5) foot candles of light at the tread or floor level, except, however, that if conveniently located light switches are supplied to turn on lights when required, full-time lighting shall not be required.

401.11.5. **HEATING.**

401.11.5.1. From September 1 to June 1 every dwelling shall have heating facilities which are properly installed, maintained in safe and good working condition, and capable of safely and adequately heating all habitable room, rooms containing a water closet, bathtub, or shower, and communicating corridors within dwelling units and rooming houses, to a temperature of at least seventy degrees Fahrenheit (70° F.) (21.1°C.) at a distance of three (3) feet above floor level.

401.11.5.2. From September 1 to June 1, in every dwelling unit and every rooming unit, when the control of supplied heat is the responsibility of a person other than the occupant, a temperature of at least seventy degrees Fahrenheit (70°F. (21.1°C.)) shall be maintained in all habitable rooms, bathrooms, and water closet compartments, measured at a distance of thirty-six inches (36") above the floor level in a location where the sensing device is not exposed to a condition of abnormal heat gain or loss.

401.11.5.3. Responsibility for compliance with this §401.11.5. shall be upon the person who occupies as owner-occupant or lets to another for occupancy any dwelling, dwelling unit, or rooming unit; where the occupant of a dwelling or dwelling unit agrees to furnish the required heating devices, the person who lets to another for occupancy shall provide sufficient flue connections, and fuel connections, and fuel storage facilities at convenient points so as to permit the proper installation of such heating devices.

401.11.5.4. The Director may prohibit the use of any heating device which constitutes a danger to health or safety.

401.12. SAFETY FROM FIRE.

401.12.1. **RESPONSIBILITY FOR COMPLIANCE.** No owner, operator, or other person shall occupy or let to another person any dwelling, rooming house, dwelling unit, or rooming unit which does not comply with the following minimum standards for safety from fire; also, no dwelling rooming house, dwelling unit, or rooming unit, or any premises containing such areas, shall fail to comply with the following minimum standards for safety from fire.

401.12.2. **FLAMMABLE LIQUIDS.** No dwelling unit or rooming unit shall be located within a building containing any establishment handling, dispensing, or storing flammable liquids in any quantity which endangers the lives of the occupants.

401.12.3. Every dwelling unit and every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level and shall be so located so as to be accessible

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without going through another dwelling unit or rooming unit. Exit doors shall swing in the line of egress.

401.12.4. In buildings containing two or more units, every hallway, stairway, corridor, exit, fire escape door, and other means of egress shall be kept clear at all times. No transoms shall be permitted between rooms. Fire protection in hallways, stairways, corridors, and other interior means of egress shall be of three-quarter (3/4) hour fire resistive construction. Doors opening onto public halls shall be three-quarter (3/4) hour rated or shall be one and three-quarter inch (1 3/4") flush wood doors with a solid lumber core. Fire separation between dwelling and rooming units shall be of one (1) hour fire resistive construction. Each of these means of egress shall lead directly to grade.

401.12.5. In buildings containing two or more units, windows leading to fire escapes shall have openings large enough to provide safe and adequate means of egress, with sills not over thirty-six inches (36") above inside floor level. The height of a window sill above a fire escape balcony platform or landing shall not exceed eight inches (8"). Windows shall be maintained in fully operable condition at all times.

401.12.6. Storage rooms and storage lockers or closets shall not be used for the storage of junk, rubbish, waste or inflammable materials.

401.12.7. There shall be at least two (2) means of egress available for all multi-unit houses or rooming houses exceeding two (2) stories above the basement, one of which shall be an interior enclosed stairway, and every two (2) story multi-unit house having more than six (6) apartments or having more than twenty-five hundred square feet (2500 sq. ft.) in area floor, shall have at least two (2) separate exits.

401.12.7.1. Exterior stairs shall be constructed entirely of metal or other noncombustible materials, attached to noncombustible material, with pipe handrails, or equivalent materials, on both sides of stairway and platforms.

401.12.7.2. The fire escape shall be designed to support a live load of one-hundred (100) pounds per square foot.

401.12.7.3. Doorways leading to existing fire escapes shall be of one and three-quarter inch (1 3/4") thick solid core wood doors or the equivalent thereof. Any glass in the door shall be wired glass.

401.12.8. Where only one (1) means of exit from a dwelling unit or rooming unit above the first floor is required in structures containing more than one (1) story, it shall be an interior enclosed stairway.

401.13. SPACE, USE AND LOCATION.

401.13.1. **RESPONSIBILITY FOR COMPLIANCE.** No owner, operator, or other person shall occupy or let to another person any dwelling, rooming house, dwelling unit, or rooming unit

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which does not comply with the following minimum standards for space, use, and location; also, no dwelling, rooming house, dwelling unit, or rooming unit, or any premises containing such areas, shall fail to comply with the following minimum standards for space, use, and location.

401.13.2. **TOTAL FLOOR AREA.** Every dwelling unit shall have at least one-hundred fifty (150) square feet of floor area for the first occupant, at least one-hundred (100) square feet of additional habitable floor area for each of the next three (3) occupants, and at least seventy-five (75) square feet of additional habitable floor area for each additional occupant.

401.13.3. **SLEEPING ROOM AREA.**

401.13.3.1. Every room occupied for sleeping purposes in dwelling units shall contain at least seventy (70) square feet of floor area for the first occupant and at least twenty (20) additional square feet of floor area for each additional occupant.

401.13.3.2. Every room in a rooming house occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room in a rooming house occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over, and at least thirty- five (35) square feet of floor area for each occupant under twelve years of age.

401.13.4. **OCCUPANCY OF BASEMENTS AND CELLARS.** No basement or cellar shall be used as a habitable room or dwelling unit unless:

- a. The floors and walls are substantially watertight;
- b. The total window area, total openable area, and ceiling height are in accordance with this Section; and
- c. The required minimum window area of every habitable room is entirely above the grade of the ground adjoining such window area, not including stairwells or access ways.

401.13.5. Basement or cellar occupancy shall be permitted in single-family dwellings without meeting the requirements of §401.13.4.

401.14. SAFE AND SANITARY MAINTENANCE.

401.14.1. **RESPONSIBILITY FOR COMPLIANCE.** No owner, operator, or other person shall occupy or let to another person any dwelling, rooming house, dwelling unit, or rooming unit which does not comply with the following minimum standards for safe and sanitary maintenance; also, no dwelling, rooming house, dwelling unit, or rooming unit, or any premises containing such areas, shall fail to comply with the following minimum standards for safe and sanitary maintenance.

401.14.2. **FOUNDATIONS AND EXTERIORS.** Every foundation, exterior wall, and exterior roof shall be: substantially weathertight, watertight, and rodent proof; kept in sound

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condition and good repair; and safe to use and capable of supporting the load which normal use may cause to be placed thereon.

401.14.3. FLOORS, INTERIOR WALLS, AND CEILINGS.

401.14.3.1. Every floor, interior wall, and ceiling shall be: substantially rodent proof; kept in sound condition and good repair; and safe to use and capable of supporting the load which normal use may cause to be placed thereon.

401.14.3.2. Every interior wall and ceiling in a dwelling shall be maintained so as to be free of holes or cracks, and loose plaster or other materials, the collapse of which may cause bodily injury to a person.

401.14.3.3. The surface of every interior wall and ceiling shall be finished with paint, wallpaper, or equivalent material, so as to be reasonably smooth, clean, tight, and easily cleaned.

401.14.4. WINDOWS AND DOORS.

401.14.4.1. Every window, exterior door, and basement or cellar door and hatchway shall be substantially weathertight, watertight, and rodent proof and shall be kept in sound condition and good repair.

401.14.4.2. All entrance doors into a dwelling unit or rooming unit shall be maintained in sound condition and good repair.

401.14.5. STAIRS, PORCHES, AND APPURTENANCES.

401.14.5.1. Every inside and outside stair, porch, and any appurtenance thereto shall be: safe to use; capable of supporting the load that normal use may cause to be placed thereon; and kept in sound condition and good repair.

401.14.5.2. Structurally sound handrails shall be provided on any steps containing five (5) risers or more.

401.14.5.3. Porches and/or balconies located more than three feet (3') higher than the adjacent area shall have structurally sound protective handrails thirty-six inches (36") high, and if unenclosed, balusters spaced no less than six inches (6") apart shall be provided.

401.14.6. **PLUMBING FIXTURES.** Every plumbing fixture shall be: properly installed and maintained in a sanitary working condition; and free from defects, leaks and obstructions.

401.14.7. **FLOORS.** The floor of every kitchen, bathroom, or toilet room shall be reasonably impervious to water and easily kept in a clean and sanitary condition.

401.14.8. **BASEMENT OR CELLAR WINDOWS.** Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement or cellar which might

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provide an entry for rodents, shall be supplied with a screen or other device which will effectively prevent the entrance of any said rodents.

401.14.9. **RODENT CONTROL.** Every dwelling, rooming house, dwelling unit, and rooming unit shall comply with applicable provisions of Chapter 600. §603. (relating to control of rodents).

401.14.10. **FENCES.** All fences shall be maintained in a structurally sound and safe condition.

401.14.11. **SIDEWALKS, DRIVEWAYS, AND CURBS.** All sidewalks, driveways, off-street parking areas, and curbs shall be: maintained in a safe and hazard-free condition and in a manner which will permit proper drainage.

401.15. RESPONSIBILITY OF OWNER AND OCCUPANTS

Where in this Section, the obligation for observances is not otherwise clearly designated, the respective responsibilities of the owner, operator, and occupants are as follows:

401.15.1. Every occupant of a dwelling, dwelling unit, or rooming unit shall maintain in a clean and sanitary condition that part of the dwelling, dwelling unit, and yard which he occupies and controls.

401.15.2. Every owner or operator of a two-unit dwelling, multi- unit dwelling, or rooming house shall maintain in a clean and sanitary condition the shared, public, owner, and operator controlled areas of the dwelling and yard.

401.15.3. **DISPOSAL OF REFUSE AND GARBAGE.**

401.15.3.1. Every occupant of a dwelling or dwelling unit shall dispose of all refuse and garbage by placing it in containers which are watertight, rodent proof and equipped with tight-fitting covers. Every occupant shall provide such facilities for his own unit and shall maintain them.

401.15.3.2. The owner or operator of a multi-unit dwelling shall furnish common storage of disposal facilities and shall maintain them. Every owner or operator of a rooming house shall dispose of all refuse and garbage in furnished common storage. Containers as described in §401.15.3.1. above, are the minimum acceptable standard for common storage.

401.15.4. **EXTERMINATION OF INSECTS AND RODENTS.**

401.15.4.1. Every occupant of a dwelling containing a single-dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests. In a two-unit dwelling or a multi-unit dwelling, the occupant shall, unless a lease indicates otherwise, be responsible for such extermination whenever his dwelling unit is the only one infested. When, however, infestation in a two-unit dwelling or a multi-unit dwelling is caused by failure of the owner or operator to maintain the entire dwelling in a rodent proof or substantially insect-proof condition, extermination shall be the responsibility of the owner or operator.

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401.15.4.2. Every owner or operator shall be responsible for extermination of any insects, rodents, or other pests whenever infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public area of any two-unit dwelling or any multi-unit dwelling.

401.15.4.3. Every owner or operator of a rooming house shall be responsible for the extermination of any insects, rodents, or other pests in the rooming house or on the premises.

401.15.5. **PLUMBING, KITCHEN, BATHROOM, AND OTHER FIXTURES.** Every occupant of a dwelling unit or a rooming unit shall, unless a lease indicates otherwise, keep all plumbing, kitchen, bathroom, and other fixtures in the unit in a clean and sanitary condition, and shall exercise proper and reasonable care in their use and maintenance.

401.16. DISCONTINUANCE OF REQUIRED SERVICES

No owner, operator, or occupant shall cause any service, facility, equipment, or utility, which is required to be supplied under this Section, to be removed, shut off, or discontinued in any occupied dwelling or dwelling unit let or occupied by him, except for such reasonable and temporary interruption as may be necessary while actual repairs, replacement, or alterations are in the process of being made, or during temporary emergencies.

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CHAPTER 400 HOUSING AND INSTITUTIONS

SECTION 402

**CONTROL OF SANITATION IN ORGANIZED
CAMPS AND CAMPGROUNDS**

<u>Section</u>	<u>Subject</u>
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402.1.2.	DEFINITIONS.
402.1.3.	SUBMISSION OF PLANS TO DEPARTMENT
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402.3.	TOILET FACILITIES.
402.4.	SANITARY STATIONS.
402.5.	GARBAGE AND REFUSE.

402.1. GENERAL PROVISIONS.

402.1.1. **PURPOSE.** The purpose of this Section is to provide for the protection of the public health and welfare by establishing regulations regarding the use and maintenance of organized camps and campgrounds, in the manner provided herein.

402.1.2. **DEFINITIONS.**

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CAMPGROUND - Any portion of land used for the purpose of providing a space or spaces for trailers or tents for camping purposes, regardless of whether a fee has been charged for leasing, renting, or occupancy of such space.

GARBAGE - All putrescible wastes (except sewage and body waste); including but not limited to animal and vegetable offal.

ORGANIZED CAMP - A combination of programs and facilities established for the primary purpose of providing an outdoor group living experience for children, youths, and adults, with social, recreational, and educational objectives, and operated and used for five (5) or more consecutive days during one or more seasons of the year.

PERSON - Any individual, firm, partnership, company, corporation, trustee, association, county, authority, the Commonwealth, or any public or private entity.

PLUMBING - Gas pipes and gas burning equipment, water heating facilities, water pipes, garbage disposal units, waste pipes, water closets, sinks, lavatories, bathtubs, shower baths, catch basins, drains, vents, and other similar supply fixtures, together with all connections to water, sewer, and gas lines.

REFUSE - All non-putrescible wastes generally regarded and classified as rubbish, trash, junk, and similar designations.

SANITARY STATION - A facility used for disposing of sewage from trailer holding tanks.

SEWAGE - Any substance that contains any of the waste products or excrements or other discharge from the bodies of human beings or animals, and any noxious or deleterious substance being harmful or inimical to: the public health; animal or aquatic life; or the use of water for domestic water supply or for recreation.

SEWERAGE SYSTEM - Any community or individual system, publicly or privately owned, for the collection and disposal of sewage and industrial wastes of a liquid nature, including various devices for the treatment of such sewage or industrial wastes.

TENT - A portable lodging unit usually made of skins, canvas, plastic, or strong cloth, which is stretched and usually sustained by poles, and which is dependent upon separate toilet and lavatory facilities.

TRAILER - A vehicular, portable structure, which is built on, or designed to be built on, a chassis or wheels, or constructed as an integral part of a self-propelled vehicle for use as a temporary dwelling for travel, recreation, and vacation.

TRAILER OR TENT SPACE - A parcel of land in an organized camp or campground for the placement of a single trailer or tent, and the exclusive use of its occupants.

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WATER SUPPLY - A source or sources of water, as well as any and all water treatment, storage, transmission, and distribution facilities.

402.1.3. SUBMISSION OF PLANS TO DEPARTMENT.

402.1.3.1. Before work is begun in the construction, remodeling or alteration of an organized camp or campground, or in the conversion of an existing establishment or facility to an organized camp or campground, two (2) sets of properly prepared plans and specifications shall be submitted to and approved by the Department.

402.1.3.2. The plans and specifications shall include, where applicable, data relating to the grounds, buildings, equipment, sewage disposal, water supply (including plumbing), refuse disposal, and such other information as may be required by the Department.

402.1.4. FOOD SERVICE. Where food service is provided in an organized camp or campground, the food service facilities and operations shall comply with the relevant provisions of Chapter 300 (relating to food), of these Rules and Regulations.

402.1.5. WATER SUPPLY.

402.1.5.1. All water used in the operation of an organized camp or campground shall be provided from a supply approved by the Department. Approval of a water supply shall be based upon satisfactory compliance with the Department's standards for water supplies, as they are promulgated in Chapter 500. §501. of these Rules and Regulations.

402.1.5.2. The water supply shall be a minimum of 50 gallons/person/day and shall meet the Department's bacteriological and chemical water standards, as found in Chapter 500. §501.

402.1.5.3. An unapproved water supply shall be made inaccessible to the public in a manner deemed satisfactory to the Department.

402.1.6. PLUMBING.

402.1.6.1. Plumbing shall be so sized, installed, and maintained as: to carry adequate quantities of water to required locations throughout the organized camp or campground; and, to properly convey sewage and liquid wastes from the establishment to the sewerage or sewage disposal system.

402.1.6.2. Plumbing shall serve to prevent contamination of the water supply and shall not create an insanitary condition or nuisance.

402.1.7. SEWAGE DISPOSAL.

402.1.7.1. All sewage disposal systems serving an organized camp or campground shall be approved by the Department.

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402.1.7.2. Approval shall be based upon satisfactory compliance with the provisions of: Chapter 500. §503. of these Rules and Regulations; and, the "Clean Streams Act of 1937", as amended (35 P.S. §691.1 et seq.).

402.1.8. BATHING PLACES. The construction, modification, maintenance, and operation of any bathing place in an organized camp or campground shall be subject to the provisions of: Chapter 600. §602. of these Rules and Regulations; and, the "Public Bathing Law" (35 P.S. §672 et seq.).

402.1.9. VECTOR CONTROL. Adequate measures for the control of arthropods and rodents which the Department deems a public health hazard shall be taken in a manner satisfactory to the Department, in accordance with Chapter 600. §603. of these Rules and Regulations.

402.1.10. WAIVER OF REQUIREMENTS. The Department may waive compliance with one or more provisions of this Chapter for specific events as long as the lives and health of the public or the persons on the premises will not be adversely affected thereby.

402.2. PERMITS.

402.2.1. GENERAL REQUIREMENTS.

402.2.1.1. No person shall operate at any place within the jurisdiction of the Department, and no person shall permit to be operated on his premises within the jurisdiction of the Department, any organized camp or campground, unless the operator or owner possesses a valid permit from the Department.

402.2.1.2. Such permit shall be in addition to the registration requirements of organized camps that are found in 35 P.S. §3001 et seq.

402.2.2. APPLICATION.

402.2.2.1. Application for a permit shall be made to the Department on forms provided by the Department.

402.2.2.2. Each application for a permit shall state: the name and address of the applicant; the name and address of the owner or manager of such organized camp or campground; and, the location of the said organized camp or campground; in addition to any other information required by the Department.

402.2.3. ISSUANCE.

402.2.3.1. The Department will issue a permit for the operation of an organized camp or campground if it is satisfied that the provisions of this Section have been met.

402.2.3.2. No permit shall be refused unless the applicant has been afforded an opportunity for a hearing, in accordance with Chapter 100. §100.8. of these Rules and Regulations.

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402.2.3.3. The permit shall be valid for one (1) calendar year from date of issuance unless revoked or suspended by the Department.

402.2.3.4. A separate permit shall be issued for each organized camp or campground and shall not be transferable or assignable.

402.2.3.5. The fee for each said permit shall be that which is provided for in Chapter 700. §701. of these Rules and Regulations.

402.2.4. **REVOCAION AND SUSPENSION.** A permit may be revoked or suspended at any time if the Department finds that the organized camp or campground is maintained, operated, or occupied in violation of any provision of this Section.

402.3. TOILET FACILITIES.

402.3.1. **GENERAL REQUIREMENT.** All organized camps and campgrounds shall provide toilet facilities on the premises for the public, which are separate for each sex.

402.3.2. **DESIGN.** All toilet facilities, including rooms and fixtures, shall be of a sanitary design and readily cleanable.

402.3.3. **MAINTENANCE.** All toilet facilities shall be kept in a clean condition and in good repair.

402.3.4. **TOILET ROOM.** Each toilet room shall meet the following requirements:

- a. Doors shall be self-closing;
- b. Adequate ventilation to the outside shall be provided;
- c. Toilet tissue shall be provided;
- d. Easily cleanable receptacles shall be provided for waste materials; and
- e. Waste receptacles shall be covered.

402.3.5. **ORGANIZED CAMPS.**

402.3.5.1. Toilet facilities in organized camps shall be provided in the ratios indicated in the following table:

Number of Persons	Number of Toilet Seats		Number of Lavatories		Number of Urinals
	Male	Female	Male	Female	Male
1-20	1	2	1	2	1

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Each additional 20 persons	+1	+1	+1	+1	+1
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402.3.5.2. Urinals specifically designed for females may be provided in lieu of toilet seats but shall not consist of more than one-third (1/3) of the required number of toilet seats.

402.3.5.3. Organized camps which do not provide overnight lodging and serve a minimum of one meal per day shall not be subject to the requirements in 402.3.5.1. but shall provide toilet and lavatory facilities as deemed adequate by the Department.

402.3.6. CAMPGROUNDS.

402.3.6.1. Toilet facilities in campgrounds shall be in addition to the requirements for sanitary stations as indicated in §402.4., below, and shall be provided in the ratios indicated in the following table:

Number of Tent or Trailer Spaces	Number of Toilet Seats		Number of Lavatories		Number of Urinals
	Male	Female	Male	Female	Male
1-15	1	1	1	1	1
16-30	1	2	1	2	1
31-45	2	2	3	3	1
46-60	2	3	3	3	1
61-80	3	4	4	4	2
81-100	3	4	4	4	2
Each additional 1-100 spaces	+1	+1	+1	+1	+1

402.3.6.2. Urinals specifically designed for females may also be provided in lieu of toilet seats, but for not more than one-third (1/3) of the required number of toilet seats.

402.3.7. SOAP AND TOWELS.

402.3.7.1. At all lavatories in new and existing organized camps and campgrounds where campers do not provide their own soap and individual towels, soap and single-service towels shall be provided.

402.3.7.2. The use of a common towel shall be prohibited.

402.4. SANITARY STATIONS.

402.4.1. GENERAL REQUIREMENT. All new organized camp or campground operations which provide parking spaces for trailers shall provide sanitary stations, in order that the removal

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and disposal of sewage from trailer holding tanks shall be accomplished in a sanitary manner. All such sanitary stations shall be maintained in such a manner as to prevent overflows.

402.4.2. **RATIO.** Each newly organized camp or campground shall provide a sanitary station in the ratio of one (1) for every one hundred (100) trailer spaces or fractional part thereof.

402.4.3. **CONSTRUCTION.** Each sanitary station shall consist of at least the following:

402.4.3.1. A four-inch (4 inch) sewer pipe which shall be connected to an approved sewage disposal system, surrounded at the inlet end by a concrete apron sloped to the drain;

402.4.3.2. A suitable fly-tight cover, which shall be provided to the four-inch (4 inch) sewer pipe; and

402.4.3.3. A water outlet, with the necessary appurtenances and connected to a water supply system to permit a washdown of the immediately adjacent areas after each use.

402.4.4. **PUBLIC WARNING.** Each water outlet used for washdown purposes at sanitary stations shall conspicuously display at all times a sign stating: "Notice! This Water For Flushing and Cleaning Purposes Only".

402.5. GARBAGE AND REFUSE.

402.5.1. **COLLECTION.** The collection of all garbage and refuse shall be conducted in a sanitary manner and as often as necessary in order to prevent a nuisance.

402.5.2. **STORAGE.**

402.5.2.1. All garbage and refuse containing food wastes shall, prior to disposal, be kept in leakproof, nonabsorbent, rust and corrosion resistant containers of adequate number, which shall be kept covered with tight fitting lids, when filled, stored, or not in continuous use; however, any other manner of garbage and refuse storage may be used if approved by the Department.

402.5.2.2. All other refuse shall be stored in containers, rooms, or areas of sufficient number and size, in a manner so as to prevent arthropod or rodent problems and other nuisances.

402.5.3. **DISPOSAL.** When disposal of garbage or refuse is accomplished within or upon the premises of the organized camp or campground, the disposal facilities shall be operated and maintained so as not to create a nuisance or a health hazard; also, this disposal should comply with the relevant provisions of Chapter 500. of these Rules and Regulations.

402.5.4. **CLEANING OF AREA.** Adequate cleaning facilities shall be provided, and each container, room or area shall be thoroughly cleaned after each emptying or removal of garbage and refuse.

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CHAPTER 400 HOUSING AND INSTITUTIONS

SECTION 403

MOBILE HOME PARKS

<u>Section</u>	<u>Subject</u>
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403.2.	SCOPE
403.3.	DEFINITIONS
403.4.	SUBMISSION OF PLANS TO DEPARTMENT
403.5.	LICENSE TO OPERATE
403.6.	WATER SUPPLY
403.7.	PLUMBING
403.8.	SEWAGE DISPOSAL
403.9.	BATHING PLACES
403.10.	VECTOR CONTROL
403.11.	ABANDONED MOBILE HOMES
403.12.	LOCATION
403.13.	FIRE AND ELECTRICITY
403.14.	GARBAGE, REFUSE AND SOLID WASTE
403.15.	PROPERTY AND GROUNDS
403.16.	TOILET FACILITIES

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403.1. PURPOSE. The purpose of this Section is to provide for the protection and promotion of the public health by establishing regulations regarding the licensing, construction, remodeling, alteration, operation, maintenance, and environmental sanitation of mobile home parks, in the manner provided herein.

403.2. SCOPE. The provisions of this Chapter 400 §403 shall apply to all mobile home parks under the jurisdiction of the Delaware County Health Department. The inspections of these mobile home parks will be based on this Chapter 400. §403 and any other applicable chapter of the Rules and Regulations of the Delaware County Health Department.

403.3. DEFINITIONS. The following words and terms, when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise:

DEPARTMENT - The Delaware County Health Department.

DEPENDENT MOBILE HOME - A mobile home which is not equipped with a toilet and bathtub or shower.

EMERGENCY - Any situation requiring immediate action to protect the health, environment, or safety of any occupant of a mobile home park, or the public.

GARBAGE - All putrescible wastes (except sewage and body wastes) including animal and vegetable offal.

INDEPENDENT MOBILE HOME - A mobile home equipped with toilet and bathtub or shower.

MOBILE HOME - Any structure intended for, or capable of, human habitation, with or without wheels, and capable of being driven, propelled, transported, or towed from place to place. The term, however, shall not include transport trucks or vans equipped with sleeping space for a driver(s).

MOBILE HOME PARK - Any site, lot, field, or tract of land, privately or publicly owned or operated, upon which two (2) or more spaces are located, whether operated for or without compensation. Jurisdiction of the Delaware County Health Department shall be retained and shall be in full force and effect in the event that said space(s) as herein defined, is situated on any site(s), lot(s), field(s), and/or tract(s) of land contiguous with and/or adjacent to another site(s), etc., containing one or more spaces.

PLUMBING - Gas pipes and gas burning equipment, water heating facilities, water pipes, garbage disposal units, waste pipes, water closets, sinks, lavatories, bathtubs, shower fixtures, together with all connections to water, sewer, and gas lines.

PUBLIC WATER SYSTEM - A system which provides water to the public for human consumption which has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals daily at least 60 days out of the year. The term includes collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection

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with the system. The term includes collection or pretreatment storage facilities not under such control which are used in connection with the system. The term also includes a system, which provides water for bottling or bulk hauling for human consumption. Water for human consumption includes water that is used for drinking, bathing and showering, cooking, dishwashing or maintaining oral hygiene.

REFUSE - All non-putrescible wastes generally regarded and classified as rubbish, trash, junk, debris, and similar designations.

REGULATED ESTABLISHMENT - Any facility, whether commercial or institutional, which requires a license to operate issued by the Delaware County Health Department or any facility that requires inspection by the Delaware County Health Department (DCHD), Food and Drug Administration (FDA), United States Department of Agriculture (USDA), or Pennsylvania Department of Agriculture (PDA).

SEMI-PUBLIC WATER SUPPLY - A water system including wells, pumps and piping equipment which supplies water to one or several facilities such as industrial or commercial establishments, parks, camps, hotels, motels, schools, institutions, eating and drinking establishments, or a water supply which serves two (2) or more dwelling units, and is not a public water system as defined by the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et seq.).

SERVICE BUILDING - A building housing toilet facilities for men and women, with a slop closet and laundry facilities, and with separate bath or shower accommodations.

SEWAGE - A substance that contains the waste products or excrement or other discharge from the bodies of human beings or animals and noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation. The term includes any substance which constitutes pollution under the Clean Streams Law.

SEWAGE FACILITIES - A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into the waters of this Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste.

SOLID WASTE - Any garbage, refuse, industrial, lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, waste- water treatment plant or air pollution control facility.

SOURCE - Any well, spring, cistern, infiltration gallery, stream, reservoir, pond, or lake from which, by any means, water is taken either intermittently or continuously for use in a mobile home park.

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SPACE - A plot of ground upon which one mobile home is or will be located.

TOILET FACILITIES - Water closets, privies, urinals, chemical toilets, and the rooms provided for installation of these units.

WASH BASIN - A basin or bowl used for the purpose of obtaining personal cleanliness.

WATER CLOSET - Sanitary facilities for defecation equipped with a hopper or tray and a device for flushing the bowl by water, located within the compartment.

VECTOR - Any organism, including but not limited to rats, bats, mice, cockroaches, fleas, flies, mites, mosquitoes, and ticks, which is capable of transmitting a pathogen to man, or capable of causing food to become unclean, unwholesome, spoiled, adulterated, or unsafe for human consumption.

WATER SUPPLY - A source or sources of water, and any or all water collection, treatment, storage and distribution facilities used in connection with a public or semi-public water system.

WATERS OF THIS COMMONWEALTH - Rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs, and other bodies or channels of conveyance of surface and underground water, or of their parts, whether natural or artificial, within or on the boundaries of this Commonwealth.

403.4. SUBMISSION OF PLANS TO DEPARTMENT

403.4.1. Before work is begun in the construction, remodeling, or alteration of any mobile home park, or in the conversion of an existing establishment or facility to a mobile home park, the Act 537 Sewage Facilities Planning process must be completed.

403.4.2. Before work is begun in the construction, remodeling, or alteration of a mobile home park or in the conversion of an existing establishment or facility to a mobile home park, one (1) sets of properly prepared plans and specifications shall be submitted to and given written approval by the Department. Within forty-five (45) days after submission of complete plans, the Department will either approve or disapprove the plans.

403.4.3. The plans and specifications shall include, where applicable, data related to the following:

- a. Surrounding Grounds
- b. Buildings
- c. Equipment
- d. Sewage Disposal system components

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- e. Water Supply (including plumbing layout)
- f. Garbage, Refuse and Solid Waste Storage and Disposal
- g. Such other information as may be required by the Department.
- h. Sewage facilities and water supply or water supply well systems on adjacent properties that are within 100' of the property line, or a note on the plan clearly stating that no such facilities exist within 100' of the property line.

403.5. LICENSE TO OPERATE.

403.5.1. GENERAL REQUIREMENT. Mobile Home Parks are Regulated Establishments. No person shall establish, maintain, conduct, or operate a mobile home park at any place within the jurisdiction of the Department, and no person shall permit to be operated on his premises (within the jurisdiction of the Department) any mobile home park, unless the owner or operator of said mobile home park possesses a valid License to Operate such facility.

403.5.2. APPLICATION.

403.5.2.1. Application for a License to Operate shall be made annually to the Department on forms provided by the Department.

403.5.2.2. Renewal License applications must be submitted to this Department with the appropriate fee thirty (30) days prior to the expiration date of the existing license.

403.5.2.3. The application and accompanying fee shall be based on the total number of spaces approved within the park, not only those which are occupied at the time the application is made.

403.5.3. ISSUANCE. The License to Operate will be issued annually on the basis of satisfactory compliance with the provisions of the Rules and Regulations of the Delaware County Health Department, and shall be:

- a. nontransferable; and
- b. subject to suspension or revocation upon finding the mobile home park not in compliance with the Rules and Regulations of the Delaware County Health Department.

403.5.4. FEES. The fee for which said License to Operate shall be that which is provided for in Chapter 700, §701. of these Rules and Regulations.

403.5.5. REFUSAL. The Department may refuse to issue a License if a mobile home park does not meet the requirements of this §403, or any of the Rules and Regulations of the Department. The Department shall state in writing to the applicant the reason for such refusal.

403.5.6. REVOCATION AND SUSPENSION.

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403.5.6.1. A License to Operate may be revoked or suspended at any time if the Department finds that the mobile home park is established, maintained, conducted, operated, or occupied in violation of any provision of this Section. The mobile home park shall be required to close and/or cease operation if a situation is present which is inimical to the health of the occupants.

403.5.6.2. Any person operating a mobile home park whose License to Operate has been suspended or revoked, or who has received notice from the Department that his License to Operate will be suspended or revoked, shall have the right to a hearing, in accordance with Chapter 100. §100.8, of these Rules and Regulations.

403.5.7. **EMERGENCY.** When an emergency situation exists that poses an immediate threat to the health and safety of the residents of a Mobile Home Park or the public, the Department may require the park owner to take immediate actions to minimize or eliminate the threat.

403.6. WATER SUPPLY.

403.6.1. All water used in the operation of a mobile home park shall be provided from a water supply approved by the Department. If a well is used as the water supply, such approval shall be based upon satisfactory compliance with the Department's standards for water supplies, as they are promulgated in Chapter 500. §501 of these Rules and Regulations.

403.6.2. Water used in the operation of a mobile home park shall be adequate in quantity and shall meet the Department's bacteriological, chemical, and physical water standards, as found in Chapter 500. §501.

403.6.2.1. Well Water sampling for Mobile Home Parks shall comply with 605.3.3., relating to Water Quality Monitoring Requirements and 605.3.4., relating to Water Quality Requirements.

403.6.2.2. All water samples shall be analyzed by a Pennsylvania Department of Environmental Protection(PA. DEP) approved laboratory.

403.6.3. Any unapproved water supply, such as an agricultural well, shall be made inaccessible to the public.

403.6.4. Mobile Home Parks meeting the definition of "Public Water System" as listed in the Pennsylvania Safe Drinking Water Act (35 P.S. §721.1 et seq.), and as defined in this chapter, must comply with all of the applicable provisions of that Act.

403.7. PLUMBING

403.7.1. Plumbing shall be so sized, installed, and maintained as: to carry adequate quantities of water to required locations throughout the mobile home park; and, to properly convey sewage and liquid wastes from each mobile home to the sewerage or sewage disposal system. Determination of the adequacy of quantities of water carried, and determination of the proper conveyance of sewage and liquid waste shall be based on the PA DEP Sewage Facilities

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Regulations, and the Regulations, provisions, conditions and terms of the most current edition of "The International Plumbing Code", as published by the International Code Council (ICC) at the time of construction.

403.7.2. Plumbing shall serve to prevent contamination of the water supply and shall not create an unsanitary condition or nuisance.

403.8. SEWAGE DISPOSAL

403.8.1. All sewage facilities serving a mobile home park shall be approved by the Department. No person may install or construct an individual or community on-lot sewage system, or install, construct, occupy or use a mobile home or a building to be served by that system without first obtaining a permit from this Department.

403.8.2. Approval shall be based upon satisfactory compliance with any and all provisions of: Chapter 500. §502 and §503 of these Rules and Regulations; and, "The Clean Streams Law" (35 P.S. §691.1 et seq.) and Act 537 known as "The PA Sewage Facilities Act" as amended (35 P.S. §759, et seq.).

403.8.3. No individual or community sewage disposal system, individual or community sewerage system, privy, cesspool, or other receptacle for sewage shall be constructed, maintained or used which directly or indirectly drains or discharges over or upon the surface of the ground or into the Waters of this Commonwealth.

403.9. BATHING PLACES

403.9.1. The construction, modification, maintenance and operation of any bathing place in a mobile home park shall be subject to the provisions of: Chapter 600. §602 of these Rules and Regulations; and, the "Public Bathing Law" (35 P.S. §672, et. seq.).

403.10. VECTOR CONTROL

403.10.1. Adequate measures for the control of vectors which the Department deems a public health hazard shall be taken in a manner satisfactory to the Department, in accordance with Chapter 500. §502 and Chapter 600. §603 of these Rules and Regulations.

403.10.2. Unmounted automobile tires shall be stored in a manner that will prevent them from holding water.

403.11. ABANDONED MOBILE HOMES

403.11.1. Any abandoned or unoccupied mobile home shall be removed unless it is parked on a space provided with appropriate utility services.

403.11.2. Any and all abandoned, demolished, destroyed and/or dismantled mobile homes or parts thereof shall be removed from the mobile home park.

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403.12. LOCATION

403.12.1. The site for any proposed mobile home park shall be well-drained and the site shall not be adjacent to swamps, marshes, or breeding places for vectors.

403.12.2. At any mobile home park site, good natural drainage will be required, and the drainage shall not endanger the water supply. Where ditching is done, it shall not create accident hazards.

403.12.3. Fuel Storage and Use

a. Liquefied petroleum gas shall not be used at individual mobile homes unless containers are properly connected by copper or other suitable metallic tubing.

b. Bottled gas (for cooking or eating purposes) shall not be used at individual mobile home sites unless it is properly connected by continuous (non-sectional) copper or other suitable metallic tubing.

c. No fuel combustion unit shall be used in any mobile home unless it is vented to the outside of the mobile home.

d. No cylinder containing liquefied petroleum gas, bottled gas, or fuel oil shall be located in or under a mobile home, nor within five (5) feet of a door thereof.

403.13. FIRE AND ELECTRICITY

a. Electricity - an electrical outlet supply at least one-hundred ten (110) volts shall be supplied for each mobile home space. The installation shall comply with State and/or local laws or codes. No electric line shall be permitted to lie on the ground. All mobile homes shall be grounded in accordance with local and State Regulations.

b. Electrical Safety Inspections - The electrical installations at all mobile home parks, and any additions or modifications to such installations, prior to being placed in service, and every five (5) years thereafter shall be inspected and approved by a reputable electrical inspection agency. One copy of the approval certificate shall be posted on the premises and a duplicate copy shall be forwarded to the Department.

c. Fire Extinguishers - Fire extinguishers of a type approved by the Fire Underwriter Laboratories (a B-C classification type), bearing the Underwriter's label, shall be required at each mobile home unit within a mobile home park. Such extinguishers shall be recharged in accordance with the manufacturer's recommendations.

403.14. GARBAGE, REFUSE AND SOLID WASTE

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403.14.1. **COLLECTION.** The collection of all garbage, refuse and solid waste shall be conducted in a sanitary manner and as often as necessary to prevent a nuisance and/or a health hazard.

403.14.2. **STORAGE.**

403.14.2.1. All garbage and refuse containing food wastes shall, prior to disposal, be kept in leak-proof, non-absorbent, rust and corrosion-resistant containers of adequate number, which shall be kept covered with tight-fitting lids. However, any other manner of garbage and refuse storage may be used if approved by the Department.

403.14.2.2. All other refuse and solid waste shall be stored, in a manner so as to prevent vector harborage, infestations or other nuisances.

403.14.3. **DISPOSAL.** All garbage, refuse and solid waste shall be properly disposed in a permitted disposal site.

403.14.4. **CLEANING OF AREA.** Adequate cleaning facilities shall be provided, and each container, room, or area shall be thoroughly cleaned after emptying or removal of garbage and refuse.

403.15. PROPERTY AND GROUNDS.

403.15.1. The property and grounds of a mobile home park shall be maintained in a clean, clutter-free and sanitary condition.

403.15.2. Only furniture intended for outdoor use, such as patio or garden furniture, shall be outdoors, on decks, or porches. No interior furniture shall be placed outdoors except for the purpose of pickup and disposal. This includes refrigerators and other appliances.

403.15.3. **Roads and Parking Areas**

a. All roads and parking areas at mobile home parks shall be paved or treated to control dust.

b. Parking areas shall be provided to accommodate at least one motor vehicle for each mobile home space.

403.15.4. **Space Limitations**

a. There shall be a space of not less than fifteen (15) feet between each mobile home, building, and structure, which space limitation must be in compliance with local building codes.

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b. There shall be a space of not less than ten (10) feet between a mobile home and a street, road, or highway, which space limitation must be in compliance with local building codes.

c. An unoccupied mobile home shall not be allowed to remain in a mobile home park unless it is parked on a space provided with appropriate utility services.

403.16. TOILET FACILITIES

403.16.1. Service Building

Each mobile home park which has space for one or more dependent mobile homes shall provide a service building with adequate toilet facilities.

403.16.2. Waiver of Service Building Requirement

The service building requirement may be waived when, in the opinion of the Department, suitable toilet, lavatory, shower, or bathtub facilities are available within a reasonable distance to the residents of the mobile home park.

403.16.3. Service Building Facilities

Service buildings shall contain toilet facilities, including rooms and fixtures for each sex. Such facilities shall be kept in a clean condition and in good repair.

403.16.4. Toilet Room Requirements

Each toilet room shall meet the following requirements:

- a. Doors shall be self-closing;
- b. Adequate ventilation to the outside shall be provided;
- c. Toilet tissue shall be provided;
- d. Easily cleanable receptacles shall be provided for waste materials; and
- e. Waste receptacles shall be kept covered.

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403.16.5. Ratio of Urinals and Toilets

Urinals and toilets in service buildings shall be provided in the ration indicated in the following table:

URINALS	TOILETS		
MOBILE HOME SPACES	MEN	MEN	WOMEN
1 to 30	1	2	3
31 to 60	2	4	6
60 to 100	2	6	8
101 to 160	4	9	13

403.16.6. Ratio of Lavatory Sinks

Lavatory sinks in service buildings shall be provided in the ratio indicated in the following table:

MOBILE HOME SPACES	MEN	WOMEN
1 to 30	3	3
31 to 60	6	6
61 to 100	8	8
101 to 160	11	11

403.16.7. Ratio of Showers and Tubs

Showers and tubs in service building shall be provided in the ratio indicated ion the following table:

MOBILE HOME SPACES	MEN	WOMEN
1 to 30	2	2
31 to 60	4	4
61 to 100	6	6
101 to 160	9	9

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CHAPTER 400 HOUSING AND INSTITUTIONS

SECTION 404

SANITATION OF INSTITUTIONS

<u>Section</u>	<u>Subject</u>
404.1.	GENERAL PROVISIONS
404.1.1.	PURPOSE
404.1.2.	DEFINITIONS
402.1.3.	SUBMISSION OF PLANS TO DEPARTMENT
404.2.	GENERAL STANDARDS
404.3.	OUTBREAKS OF GASTROINTESTINAL DISEASE IN THE FACILITY
404.4.	PUBLIC NOTIFICATION

404.1. GENERAL PROVISIONS.

404.1.1. PURPOSE.

404.1.1.1. The purpose of this Section is to provide for the protection and promotion of the public health and welfare by establishing regulations regarding the operation, maintenance, and sanitation of institutions, in the manner provided herein.

404.1.1.2. The provisions of this Section shall apply to all those areas under the jurisdiction of the Delaware County Health Department and shall apply to all existing institutions and those hereafter constructed, reconstructed, altered or remodeled.

404.1.1.3. The provisions of this Section shall not excuse failure to comply with the rules and regulations of any governmental agency having the authority to regulate institutions.

404.1.2. DEFINITIONS. The following words and terms, when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise:

GARBAGE - All putrescible wastes (except sewage and body waste) including but not limited to animal and vegetable offal.

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INSTITUTION - A facility or establishment which is operated or maintained for the purpose of providing care, treatment, or custody of two (2) or more persons not related to the proprietor or his/her agent, and which includes (without being limited to): convalescent homes; nursing homes; short and long term rehabilitation facilities; homes for the aged; assisted living facilities; county institutions; maternity homes; facilities providing care for dependent, neglected, or delinquent children; detention homes; day care centers for children and/or adults; hospitals; schools for emotionally disturbed and retarded children; boarding homes for infants and children and any other type of residential facility for which residents or their families are charged a fee.

REFUSE - All non-putrescible wastes, generally regarded and classified as rubbish, trash, junk, and similar designations.

SEWAGE - Any substance which contains any of the waste products, excrements, or other discharge from the bodies of human beings or animals and any noxious or deleterious substance which is harmful or inimical to: the public health; animal or aquatic life; or the use of water for domestic water supply or for recreation.

SEWERAGE SYSTEM - Any community or individual system, publicly or privately owned, for the collection and disposal of sewage and industrial wastes of a liquid nature, including various devices for the treatment of such sewage or industrial wastes.

SOLID WASTES - All refuse (including garbage), and all putrescible material originating from the preparation, cooking, and consumption of food, market produce, and institutional wastes.

SOURCE - Any well, spring, cistern, infiltration gallery, stream, reservoir, pond, or lake from which, by any means, water is taken either intermittently or continuously for use by the public.

WATER SUPPLY - A source or sources of water, and any or all water treatment, storage, transmission, and distribution facilities.

WATERS OF THE COMMONWEALTH - Any and all rivers, streams, creeks, rivulets, lakes, dammed water, ponds, springs, and all other bodies of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.

404.1.3. SUBMISSION OF PLANS TO DEPARTMENT.

404.1.3.1. Before work is begun in the construction, remodeling, or alteration of an institution, or in the conversion of an existing establishment or facility to an institution, two (2) sets of properly prepared plans and specifications shall be submitted to and approved by the Department.

404.1.3.2. The plans and specifications shall include, where applicable, data relating to the grounds, buildings, equipment, sewage disposal, water supply, refuse disposal, and such other information as may be required by the Department.

404.2. GENERAL STANDARDS.

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404.2.1. WATER SUPPLY.

404.2.1.1. All institutions not connected to a public water supply shall be provided with an adequate supply of safe, potable water as required by Chapter 500. §501. of these Rules and Regulations.

404.2.1.2. Every supply outlet or connection to a fixture or appliance shall be protected against backflow.

404.2.1.3. Hot water outlets delivering water above 110°F. temperature, must have a mixing valve.

404.2.2. SEWAGE DISPOSAL.

404.2.2.1. Where an institution is not connected to a public sewer system, it shall dispose of its sewage by a method approved by the Department as required by Chapter 500. §503. of these Rules and Regulations.

404.2.2.2. The sewage disposal facility shall be operated and maintained so as not to create a public health hazard or pollute the waters of the County.

404.2.3. INSECT AND RODENT CONTROL.

404.2.3.1. Each institution shall be maintained in such a manner, through the use of proper sanitary measures, as to prevent and control the infestation or harborage of insects and rodents and other vermin.

404.2.3.2. Each institution shall comply with the relevant provisions of Chapter 600. §603. of these Rules and Regulations.

404.2.4. SOLID WASTES.

404.2.4.1. STORAGE. All solid wastes shall be stored in fly- tight, nonabsorbent containers.

404.2.4.2. TRANSPORTATION AND DISPOSAL. All solid wastes shall be transported and disposed of so as not to create a health hazard or nuisance. Solid wastes which contain infectious materials such as dressings, bandages, and other similar materials, shall be kept separate from other solid wastes and shall be stored and disposed of so as not to create a health hazard. Solid waste transportation and disposal shall comply with the relevant provision of Chapter 500. §504. of these Rules and Regulations.

404.2.5. BATHING PLACES. The construction, modification, maintenance, and operation of any bathing place in an institution shall be subject to the provisions of: Chapter 600. §602. of these Rules and Regulations; and, the "Public Bathing Law" (35 P.S. §672 et seq.).

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404.2.6. LAUNDRY. Laundry shall be handled, transported, stored, and processed in a manner so as to prevent the spread of infectious organisms.

404.2.7. FOOD SERVICE.

404.2.7.1. All food service facilities and operations shall be approved by the Department.

404.2.7.2. Approval of food service facilities and operations shall be based upon satisfactory compliance with the relevant provisions of Chapter 300 (relating to food protection) of the Rules and Regulations.

404.3. OUTBREAKS OF GASTROINTESTINAL DISEASE IN THE FACILITY

404.3.1. Incorporation by Reference of Other Applicable County Rules and Regulations: The terms, definitions, reporting and other requirements of Chapter 200, Preventive Medicine, as currently amended, and of Chapter 404. Sanitation of Institutions, as currently amended, are hereby incorporated by reference, as essential components of this Sub-chapter.

404.3.1.2 An institutional outbreak shall be suspected and reported to the Department when 5% of residents on one unit are ill or 2 or more residents and/or staff have sudden onset of unexpected, recurrent nausea, vomiting, and/or diarrhea and stomach cramping with no other apparent cause. This reporting is in addition to that required by the PA Department of Health.

404.3.1.3. When such an outbreak occurs, the following requirements set forth in this subsection 404.3 shall be instituted and remain in effect for the duration of the outbreak.

404.3.2. HANDWASHING.

404.3.2.1. Frequent, vigorous hand washing with soap or hand sanitizer and hot running water under pressure shall be practiced by employees, volunteers, clients and visitors. All employees, volunteers, clients and visitors shall wash their hands:

- Upon arriving at work
- After using the toilet, changing diapers, cleaning up vomitus or diarrhea, handling soiled clothes or linens
- After contact with a symptomatic person
- Immediately before eating meals or snacks
- Before preparing food or serving food to patients/residents
- As dictated by food service and care giving standards, and
- Immediately before exiting the building

404.3.3. DISINFECTION OF ENVIRONMENTAL SURFACES

404.3.3.1. Either chlorine bleach or disinfectants approved by the U.S. Environmental Protection Agency (EPA) for use in controlling Norovirus outbreaks shall be used on environmental surfaces during an outbreak period. The approved disinfectant shall have to have

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been registered by the EPA with specific claims for activity against Noroviruses or against feline calicivirus (FCV) as a surrogate for Norovirus.

404.3.3.2. Chlorine bleach is to be applied to hard, non-porous, environmental surfaces at a minimum concentration of 1000 ppm (generally a dilution of 1 part household bleach solution to 50 parts water). This concentration has been demonstrated in the laboratory to be effective against surrogate viruses with properties similar to those of Norovirus.

404.3.3.3. All disinfectants shall be used on clean surfaces for maximum performance. In areas with high levels of soiling and resistant surfaces, up to 5000 ppm chlorine bleach may be used.

404.3.3.4. There shall be an increase in the frequency of routine cleaning of wards, bathrooms and toilets. Frequently touched objects, such as doorknobs, faucets, hallway railings, elevator car railings, tabletops, countertops, hand-holds of physical therapy equipment, toilet rails and bath rails, shall be cleaned and disinfected several times per day with an approved disinfectant as described above.

404.3.3.5. Vomitus and feces shall be quickly cleaned using a standard protocol. Flush any vomitus and/or stool in the toilet and disinfect the surrounding area.

404.3.4. Personal Protective Equipment (PPE): Healthcare facility employees shall be supplied with, and shall use, appropriate PPE (gloves/mask/gown/eye protection) when working with disinfectants and when cleaning and sanitizing potentially contaminated surfaces.

404.3.5. **EMPLOYEE HEALTH REPORTING**

404.3.5.1. Upon arriving to work each day, a facility operator shall require all food employees, all caregivers, and all volunteers to report to the person in charge any information about their health and activities as they relate to diseases transmissible through food, or transmissible by contact, droplet or airborne means, to include symptoms associated with an acute gastrointestinal illness, such as any of the following symptoms with an abrupt onset:

- Vomiting and/or nausea
- Diarrhea
- Stomach cramping

All symptomatic food service employees shall remain off work until 72 hours after their illness is resolved. All other symptomatic staff and volunteers shall remain off work until 48 hours after their illness is resolved.

404.3.5.2. Any food items which may have been contaminated by an ill kitchen employee shall be properly disposed of, except when, in the case of a reportable outbreak, at the direction of the Department, such items must temporarily be saved for health inspectors to obtain samples for laboratory testing.

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404.3.6. **SANITIZERS IN FOOD SERVICE:** Only those sanitizers approved for use in food service and registered by the EPA for use on food contact surfaces, shall continue to be used in food service areas during Norovirus or Norovirus-like outbreak periods. Any deviation may result in chemical adulteration of food items.

404.3.7. **NO BARE HAND CONTACT OF READY-TO-EAT FOODS:** Except when washing fruits and vegetables, food employees shall not contact exposed, ready-to-eat foods with their bare hands, but shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves or dispensing equipment.

404.3.8. **CONSUMER SELF-SERVICE OPERATIONS:** During an outbreak period there shall be no consumer self-service operations such as buffets and salad bars.

404.3.9. **LAUNDERING AND CARPET CLEANING**

404.3.9.1. Clothing or linens/bedding which may be contaminated with the virus, especially after an episode of illness, shall be immediately washed with as little handling as possible, and with minimal agitation. Launder such items with hot water and detergent on the maximum cycle length and machine dry.

404.3.9.2. Clean soiled carpets and soft furnishings with hot water and detergent or steam clean. Dry vacuuming is not recommended since the virus may become airborne.

404.4. PUBLIC NOTIFICATION

Public notification of the outbreak shall be posted at the facility and shall remain posted throughout the outbreak period, or until permission to remove it is granted by the appropriate public health authority.

404.4.1. Posted notices shall be on durable material and placed so as to assure reaching visitors, residents, employees or newcomers.

404.4.2. Notices shall be posted at entryways, on bulletin boards, outside administrative offices, and at any other appropriate central locations.

404.4.3. The format shall be such that everyone passing by will see and read the most important information first. This shall consist of:

- A title designed to catch their attention,
- information on the population at risk,
- actions which employees, clients, volunteers, and visitors should take,
- a short description of the outbreak situation, and
- where to obtain additional information.

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CHAPTER 400 HOUSING AND INSTITUTIONS

SECTION 405

CHILDHOOD LEAD POISONING PREVENTION REGULATION

<u>Section</u>	<u>Subject</u>
405.1.	PURPOSE
405.2.	DEFINITIONS
405.3.	TESTING PROCEDURES: STANDARDS
405.4.	DETERMINATION OF HEALTH HAZARD
405.5.	NOTICE OF HEALTH HAZARD
405.6.	HEALTH EXAMINATION
405.7.	HAZARD REDUCTION OR ABATEMENT
405.8.	PROTECTION OF OCCUPANTS
405.9.	OTHER
405.10.	EXEMPTIONS

405.1. PURPOSE. The purpose of this Chapter is to protect and promote public health through the identification and elimination of lead-based paint hazards.

405.2. DEFINITIONS. The following words, terms and phrases when used in this Chapter shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

ABATEMENT – a set of measures designed to eliminate or reduce lead based paint hazards.

The term includes but is not limited to the following:

1. The removal of lead-based paint and lead-contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead-painted surfaces or fixtures and the removal or covering of lead- contaminated soil.

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2. The preparation, cleanup, disposal and post-abatement, clearance-testing activities associated with these measures. iii. Less-than-full abatement whereby the sources of lead contamination are reduced sufficiently to create a “lead-safe” environment rather than a “lead-free” environment.

The term does not include renovation and remodeling or landscaping activities by contractors whose primary intent is not to permanently eliminate or reduce lead-based paint hazards, but is instead to repair, restore or remodel a given structure or dwelling.

The term does not include renovation and remodeling activities conducted by homeowners in their homes.

CHEWABLE SURFACE – surfaces, including but not limited to, windowsills, window frames, doorframes, handrails, toys, furniture, food utensils, and other appurtenances offering a biting surface to a child or other persons.

CHILD-OCCUPIED FACILITY – a building or portion of a building, constructed prior to 1978, visited regularly by the same child, six (6) years of age or under, on at least two different days within any week (Sunday through Saturday period), provided that each day’s visit lasts at least three (3) hours, and the combined weekly visit lasts at least six (6) hours, which may include, but are not limited to, public and private day care centers, preschools and school classrooms.

DEPARTMENT – Delaware County Health Department.

DWELLING - a building or structure occupied, designed or intended to be occupied as a place for human habitation or use, or any part thereof, including an accessory building or structure belonging thereto or usually enjoyed therewith and any institutional structure such as an orphanage, school or day care center.

DWELLING UNIT – any room or group of rooms located within a dwelling and forming a single-habitable unit, with facilities which are used or intended to be used for living, or any part hereof.

ELEVATED BLOOD LEAD LEVEL– any case where the serum blood lead level of a person is equal to or greater than the level defined as elevated by the Centers for Disease Control.

ENCAPSULATION– the application of a substance that forms a barrier between lead-based paint and the environment using a liquid-applied coating (with or without reinforcement materials) or an adhesively bonded covering material.

ENCLOSURE - the use of rigid, durable construction materials that are mechanically fastened to the substrate in order to act as a barrier between lead-based paint and the environment.

EXPOSED SURFACE – all interior surfaces of a dwelling or dwelling unit and those exterior surfaces of a dwelling or dwelling unit, which are

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readily accessible to children six (6) years of age or under, or other persons who have demonstrated an evidence of lead poisoning, such as stairs, decks, porches, railings, windows, doors and siding. Any area in the vicinity of a dwelling or dwelling unit subject to contamination from flaking or peeling lead based materials is also considered an exposed surface. HAZARD REDUCTION – action or actions to significantly reduce or eliminate exposure to lead in any dwelling, dwelling unit or on any premises, which may include, but not limited to: relocation of occupants, prepping of a painted surface, covering of lead-contaminated soil, clean-up of lead-contaminated dust, and measures to maintain paint.

LEAD-BASED PAINT– paint or other surface coatings, that contain lead equal to or greater than 1.0 milligram per square centimeter or 0.5 percent by weight (equivalent units are: 5,000 micrograms per gram, 5,000 milligrams per kilogram, or 5,000 parts per million by weight). Surface coatings include: paint, shellac, varnish, or any other coating, including wallpaper, which covers painted surfaces.

OCCUPANT – any person, living, sleeping, cooking, eating in or having actual possession of a dwelling unit or rooming unit.

OPERATOR- any person who has charge, care or control of a building or part thereof in which dwelling units or rooming units are let.

OWNER – a holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not.

PREMISES – a lot, plot or parcel of land, including all facilities and improvements thereon.

RENOVATION AND REMODELING ACTIVITIES – activities whose primary intent is not to permanently eliminate or reduce lead- based paint hazards, but is instead to repair, restore, or remodel a given structure or dwelling.

SUBSTRATE – The material underneath paint. Substrates should be classified into one of six types: brick, concrete, drywall, metal, plaster, or wood.

SURFACE – the outermost layer or superficial area of materials, of which a dwelling unit is constructed; excluding paint, plaster or putty of the interior or exterior of a dwelling unit; including but not limited to the outermost layer or superficial area of walls, ceilings, floors, stairs, windows, window sills, window frames, window sashes, doors, door frames, baseboard and woodwork of a dwelling or dwelling unit.

TEMPORARY OR INTERIM HAZARD REDUCTION– means repair and housekeeping measures that can be undertaken immediately, safeguarding occupants until permanent abatement or hazard reduction can be completed as set forth and approved by the Department. Interim measures should include the provision of smooth and cleanable surfaces.

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XRF ANALYZER – a machine that utilizes X-Ray Fluorescence (XRF) to test for the presence of lead-based paint.

405.3. TESTING PROCEDURES: STANDARDS

a. If there is found the presence of flaking, peeling, chipping or loose paint, plaster or structural material in or around any building used for housing, or regularly for other sustained activities by a person or persons determined to have an elevated blood lead level, specimens of the flaking, peeling, chipping or loose paint, plaster or structural material shall be collected as samples to determine whether or not the materials contain lead. In lieu of taking samples, the surface may be tested with an XRF analyzer and/or other instruments approved by the Department.

b. Owner/operator will bear the cost associated with sampling, including all samples collected and submitted for analysis by the Department.

c. The chemical determination of the lead content in surface materials may be made by the quantitative measurements of samples of those materials. Lead content of any surface material in excess of one-half of one percent (0.5%) by dry weight shall be in violation of this Ordinance.

d. The physical determination of the lead content of surface material may be made by non-destructive measurements using radioisotope XRF Analyzers, or other instruments approved by the Department. Lead content in surface materials in excess of 1.0 milligrams per square centimeter of surface when tested by this method shall be in violation of this Ordinance.

e. Lead content in soil in excess of 400 ug/g must follow with lead reduction measures/abatement. An accredited lab approved by the Department must measure lead soil content. Failure to reduce a lead hazard in soil will be in violation of this Ordinance.

405.4. DETERMINATION OF HEALTH HAZARD

a. Any lead source shall be considered a health hazard to children six (6) years of age or under, or other persons who have demonstrated an evidence of lead poisoning, IF:

1. Said lead source exists in or about, but not limited to, a dwelling, dwelling unit, school, day care facility, church, or recreational facility, in which children or other persons who have demonstrated an evidence of lead poisoning commonly reside or visit; and

2. Said lead source is a child-occupied facility; AND

3. Said lead source is determined to be on any flaking or peeling surface or exposed surface and/or on any chewable surface and contain more than 0.5 percent lead by weight of non-volatile content, or in excess of 1.0 milligram per square centimeter of surface when tested by a radioisotope x-ray fluorescent analyzer or other instrument approved by the Department.

405.5. NOTICE OF HEALTH HAZARD

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The Department shall report the findings of a lead source health hazard immediately to all occupants of the affected dwelling unit(s) and to the owner/operator of the building. The Department may cause to have prominently posted on all entrances to the said dwelling unit(s) a notice as follows:

**THIS PROPERTY HAS BEEN IDENTIFIED AS A LEAD HAZARD BY THE
DEPARTMENT OF HEALTH.**

Such notice shall not be removed without the approval of the Department. A report of the finding shall be given to other persons or agencies as required by law.

405.6. HEALTH EXAMINATION

When a lead source health hazard is found in a dwelling, the Department will recommend lead testing for all children six (6) years of age or under; and pregnant women who reside in the said dwelling, as determined by the Department.

405.7. HAZARD REDUCTION OR ABATEMENT

a. When the Department determines that any lead source creates a health hazard to children six (6) years of age or under, and pregnant women, or other persons who have demonstrated an evidence of lead poisoning, the Department shall issue a written order to the owner and/or operator to significantly reduce or eliminate the hazard. This order shall be sent by certified mail, return receipt requested to the last known address of the owner/operator. In addition, the Department shall post the order on the dwelling described in the order. The Department shall have the authority to require the family to seek alternate housing.

b. Within thirty (30) days following receipt of the written order, or posting of the property, whichever is earlier, the owner shall submit to the Department a written plan and schedule for either total abatement or effective lead hazard reduction. Said plan and schedule shall specify in detail the means, methods, materials and dates by which correction will be achieved and submitted to the department for approval prior to hazard reduction or abatement. Failure to receive the Department's approval prior to hazard reduction and/or abatement will be a violation of this ordinance.

c. Dry sanding, dry scraping, heat guns, the use of an open flame torch, uncontained abrasive blasting, uncontained water blasting, the use of power grinders, sanders, drills, wire brushes on electric drills and rotostrippers, and/or chemical strippers containing methylene chloride are prohibited techniques for abatement or hazard reduction unless approved by the Department.

d. Promptly upon receipt of the plan and schedule, the Department shall approve or disapprove such plan and schedule. Notice of any disapproval shall be accompanied by specific reason therefore. Upon receipt of such notice, the owner shall, within fourteen (14) days, resubmit the plan and schedule with such revisions as are necessary to remove the objections. Upon disapproval of a second plan by the Department, the owner shall be issued a written notice

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indicating schedule and method of abatement or effective hazard reduction, which will be required to bring the dwelling into compliance. The owner shall complete abatement of the lead hazard within thirty (30) days after receiving notification from the Department that the schedule has been approved unless the Department extends the time for compliance.

e. The Department shall make a determination of those cases where, due to a lead poisoning emergency, the severity and/or extent of the identified lead hazard, and/or the projected time necessary to carry out total abatement or effective hazard reduction, protective interim hazard reduction is to be provided for occupants forthwith, prior to plan submission and implementing abatement or hazard reduction. In such cases, the department must approve the methods of protective interim hazard reduction and shall inspect the involved premises to assure they are effectively implemented.

f. Final compliance with the Departmental written order shall be contingent upon a determination by the Department that the owner has successfully completed the approved abatement/ hazard reduction plan. This determination will be based on visual inspection by the Department and the result of other clearance testing as may be required by the Department, and, in those instances involving hazard reduction, implementation of an ongoing maintenance program approved by the Department.

g. In the event the dwelling or dwelling unit or premises in which a lead hazard is found is vacated, the Department must be contacted, and a visual inspection must be completed by the Department to ensure that the ongoing maintenance program is adhered to prior to the premises being reoccupied.

h. Clearance sample collection shall be conducted by the Department. Samples collected are to be analyzed by a state certified laboratory with the cost of analysis to be borne by the owner/operator of the involved premises.

i. In those instances where interim hazard reduction or hazard reduction has been required and approved by the Department, the Department shall conduct compliance follow-up inspections as necessary to assure that the involved premises continue to be a safe environment, free from lead hazards.

405.8. PROTECTION OF OCCUPANTS

a. No owner or landlord found to be in violation of the Sections of this Chapter may evict, or cause to be evicted, occupants of any dwelling, dwelling unit, apartment or building found to be in violation of such Chapter, where the occupants have children, for the purpose of avoiding corrective maintenance which may have been ordered by the Department, the Court or any other appropriate authority.

b. In the event the dwelling or dwelling unit or premises in which a lead hazard is found is vacated by the occupant who occupied same at the time of the issuance or corrective notice referred to in Section 405.5 "Notice of Health Hazard" such dwelling, dwelling unit or premises shall not be let or occupied by any other person until such corrective notice is complied with.

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405.9 OTHER

In those instances where environmental investigation by the Department indicates lead sources other than paint, soil, household items, or other premise-specific features are contributing significantly to elevated blood lead levels, the Department shall advise governmental agencies responsible for enforcing applicable State and Federal laws and regulations of such findings.

405.10 EXEMPTIONS

The Department may, on a case-by-case basis, approve an alternative procedure for abatement or effective hazard reduction of a lead hazard violation, provided that the owner or operator submits a written description of an alternative procedure to the Department and demonstrates that compliance with procedures specified in Section 405.7, Hazard Reduction are not practical or feasible, or that the proposed alternative procedure provides the equivalent control and level of protection.

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CHAPTER 400 HOUSING AND INSTITUTIONS

SECTION 406

CHILD DAY CARE CENTERS

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406.3.	DEFINITIONS
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406.5.	WATER SUPPLY
406.6.	SEWAGE DISPOSAL
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406.11.	TOXIC MATERIAL
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- 406.21. TOOTHBRUSHES**
 - 406.22. DIAPERING REQUIREMENTS**
 - 406.23. SANITIZERS AND SANITIZATION PROCEDURES**
 - 406.24. REST EQUIPMENT**
 - 406.25. FOOD SERVICE**
 - 406.26. ANIMALS**
 - 406.27. WATER ACTIVITIES**
 - 406.28. LAUNDRY**
 - 406.29. OUTBREAKS OF GASTROINTESTINAL DISEASE IN THE FACILITY**
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§406. CHILD DAY CARE CENTERS.

406.1. PURPOSE.

406.1.1. The purpose of this section is to provide for the protection and promotion of the public health and welfare by establishing regulations regarding the operation, maintenance, and sanitation of child day care centers, in the manner provided herein.

406.1.2. The provisions of this section shall apply to all those areas under the jurisdiction of the Delaware County Health Department and shall apply to all existing child day care centers and those hereafter constructed, reconstructed, altered or remodeled.

406.1.3. The provisions of this section shall not excuse failure to comply with the rules and regulations of any governmental agency having the authority to regulate child day care centers.

406.2. APPLICABILITY.

406.2.1. These regulations shall apply to all facilities determined to be Child Day Care Centers by the Pennsylvania Department of Welfare, as defined in Pennsylvania Chapter 3270.

406.3. DEFINITIONS.

CRNP - Certified Registered Nurse Practitioner.

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CHILD DAY CARE CENTER - The premises in which care is provided at any one time for seven or more children unrelated to the operator.

COMMUNICABLE DISEASE - An illness due to an infectious agent or its toxic products which is transmitted, directly or indirectly, to a susceptible host from an infected person, animal, or arthropod, or via an intermediate host, vector, or the inanimate environment.

DEPARTMENT - The Delaware County Health Department.

EASILY CLEANABLE - A characteristic of a surface that allows effective removal of soil by normal cleaning methods, is dependent on the material, design, construction and installation of the surface, and varies with the likelihood of the surface's role in introducing pathogenic or toxigenic agents or other contaminants directly to humans as they contact the surface or indirectly to humans by cross-contamination via an intermediate animal or inanimate object that may contact the surface.

FACILITY PERSON - A staff person, a substitute staff person, a volunteer, a food service person, a janitorial person or another adult who serves in or is employed by a facility.

GARBAGE - All putrescible wastes (except sewage and body waste) including but not limited to animal and vegetable offal.

NON-ABSORBENT - Having the characteristics of plastic, vinyl, or stainless steel that prevents water from penetrating the surface.

POTENTIALLY HAZARDOUS FOOD - A food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish or other ingredients capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

REFUSE - All nonputrescible wastes, generally regarded and classified as rubbish, trash, junk, and similar designations. Refuse for the purpose of this chapter shall include source separated recyclable material, which are materials separated from municipal waste at the point of origin for the purpose of recycling.

SEWAGE - A substance which contains any of the waste products, excrements or other discharges from the bodies of human beings or animals, and noxious or deleterious substances being harmful or inimical to the public health; or to animal or aquatic life; or to the use of water for domestic supply or for recreation.

SEWAGE FACILITIES - A system of sewage collection, conveyance, treatment and disposal that will prevent the discharge of untreated or inadequately treated sewage or other wastes onto the surface of the ground or into the Waters of the Commonwealth, and otherwise provide for the safe and sanitary treatment and disposal of sewage or other wastes.

SMOOTH - An even or level surface with no roughness or projections that render it difficult to clean.

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SOLID WASTES - A material; whose original purpose has been completed and which is directed to a disposal or processing facility or is otherwise disposed. Solid waste includes solid, liquid or semisolid or contained gaseous materials.

SOURCE - A well, spring, cistern, infiltration gallery, stream, reservoir, pond, or lake from which, by any means, water is taken either intermittently or continuously for use by the public.

STAFF PERSON - A person included in the regulatory ratio under the provisions of Title 55 of the Pennsylvania Code, Chapter 3270 who is responsible for child care activities.

WATER SUPPLY - A source or sources of water, as well as any and all water treatment, storage, transmission and distribution facilities.

WATERS OF THE COMMONWEALTH - Rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs and other bodies or channels of conveyance of surface and underground water, or of their parts, whether natural or artificial, within or on the boundaries of this Commonwealth.

406.4. GENERAL PROVISIONS.

406.4.1. Certificate of Compliance.

406.4.1.1. A certificate of compliance shall be obtained from the Pennsylvania Department of Public Welfare, under the provisions of Title 55 of the Pennsylvania Code, Chapter 3270, before a child day care center begins operations.

406.4.2. Certificate of Registration.

406.4.2.1. A person shall not operate a child day care center without a Certificate of Registration issued by the Department.

406.4.2.2. A certificate of registration shall be issued on the basis of satisfactory compliance with these Rules and Regulations.

406.4.2.3. A certificate of registration shall be issued for a period not to exceed 12 months.

406.4.2.4. Application for an annual Certificate of Registration shall be made to the Department on the application form provided by the Department.

406.4.2.5. Application for annual Certificate of Registration renewal shall be submitted to the Department with the appropriate fee thirty days prior to the expiration date of the existing certificate.

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406.4.2.6. Certificates of Registration are nontransferable. When the ownership of the child day care center changes or if the child day care center is leased by the owner, it is the responsibility of the new owner or lessee to secure a Certificate of Registration in his/her name.

406.4.3. SUBMISSION OF PLANS TO DEPARTMENT.

406.4.3.1. Before work is begun in the construction, remodeling, or alteration of a child day care center, or in the conversion of an existing establishment or facility to a child day care center, properly prepared plans and specifications shall be submitted to and approved by the Department.

406.4.3.2. The plans and specifications shall include, where applicable, data relating to the grounds, buildings, equipment, sewage disposal, water supply, solid waste storage and disposal, and such other information as may be required by the Department.

406.4.4. INSPECTION

406.4.4.1. Subject to the limitations of the Constitutions of the United States and the Commonwealth of Pennsylvania, a representative of the Department, upon showing proper identification of office, may enter and inspect any child day care center at all reasonable times, and, in an emergency, at any time.

406.4.4.2. All child day care centers located within the jurisdiction of the Department shall be operated and maintained in compliance with these Rules and Regulations.

406.4.4.3. When it is determined by the Department, after inspection, that any child day care center is not being operated and/or maintained in compliance with these Rules and Regulations, the Department shall have the power to, without prior notice, issue emergency order(s).

406.4.4.4. When emergency order(s) are issued, the owner or other responsible person shall have the right to a hearing pursuant to Chapter 100, §100.8, of these Rules and Regulations.

406.4.4.5. Day care centers in operation prior to the effective date of these regulations, which would require capital expenditures to fully meet all of the design, construction and equipment requirements of these regulations, may be deemed acceptable if in good repair and capable of being maintained in a sanitary condition and pose no hazard to the health of the day care center occupants.

406.5. WATER SUPPLY

406.5.1. All water used in the operation of a day care center shall be provided from a supply approved by the Department. Approval of a water supply shall be based upon satisfactory compliance with the construction standards for individual water supplies that are promulgated in Chapter 500, §501 of these Rules and Regulations, and the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et. seq.).

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406.5.2. The water supply shall be adequate in quantity and shall meet the bacteriological and chemical water standards of the Department, as found in Chapter 500, §501 and the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et. seq.). Unapproved water supplies shall be made inaccessible to the public in a manner deemed satisfactory to the Department.

406.5.3. All day care centers not connected to a public water supply shall meet the periodic monitoring and testing requirements as stated in Chapter 600, §605 of these Rules and Regulations.

406.6. SEWAGE DISPOSAL

406.6.1. All sewage facilities serving a day care center shall be approved by the Department.

406.6.2. Approval of the sewage facilities shall be based upon satisfactory compliance with the standards for individual sewage disposal systems as described in Chapter 500, §503 of these Rules and Regulations, and the Clean Streams Law (35 P.S. §691.1 et seq.).

406.7. CONSTRUCTION. Construction, remodeling or alterations of structures during child day care center operations shall be isolated from areas where children are present and done in a manner that will prevent hazardous or unhealthy conditions.

406.8. PLUMBING

406.8.1. Plumbing shall be sized, installed, and maintained to: carry adequate quantities of water to required locations throughout the day care center; prevent contamination of the water supply; and properly convey sewage and liquid wastes from the establishment to the sewage facilities.

406.8.2. The plumbing shall be installed and maintained so as not to create an unsanitary condition or nuisance. Any faucet with threads which could allow a hose to be attached must be provided with an approved backflow prevention device.

406.9. INSECT AND RODENT CONTROL

406.9.1. Effective measures must be adopted, when necessary, to prevent infestation with insects, rodents, or other vectors, in accordance with the standards established in Chapter 600, §603 of these Rules and Regulations. Pesticide application, when necessary, shall be conducted by a pest control applicator/operator certified by the Pennsylvania Department of Agriculture and in accordance with the pesticide label and all required federal and state laws. The day care center premises shall be kept in such condition as to eliminate the harborage, food and water conditions conducive to insect, rodent or other vector infestations.

406.9.2. All day care centers shall have an Integrated Pest Management Plan in place.

406.10. SOLID WASTES

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406.10.1. All garbage and refuse containing food waste shall be kept in leak-proof, nonabsorbent, rust and corrosion-resistant containers, which shall be kept covered with tight-fitting lids, when filled or stored or not in continuous use. Other means of garbage and refuse storage may be used if it is approved by the Department and it is in accordance with the provisions of Chapter 500, §504 of these Rules and Regulations.

406.10.2. All other refuse shall be stored in containers, rooms, or areas of sufficient number and size and in a manner so as to prevent insect and/or rodent problems and other nuisances.

406.10.3. Each waste container, room, or area shall be maintained in a sanitary manner and cleaned as often as necessary in order to prevent a nuisance. When disposal of garbage and refuse (such as composting) is accomplished within or upon the premises of the day care center, the disposal facilities shall be operated and maintained so as not to create a nuisance or a health hazard.

406.10.4. In general, all garbage and refuse storage, collection and disposal operations shall comply with the provisions of Chapter 500, §504 of these Rules and Regulations.

406.11. TOXIC MATERIALS

406.11.1. Cleaning materials and other toxic materials shall be kept in an area that is locked or made inaccessible to children.

406.11.2. Cleaning materials and other toxic materials shall be stored in an original labeled container or in a container that specifies the content and stored away from food, food preparation areas and child care spaces.

406.11.3. Cleaning materials and other toxic materials shall be used in a way that does not contaminate play surfaces, food, food preparation areas and does not constitute a hazard to the children.

406.12. PHYSICAL FACILITY

406.12.1. Conditions at the facility may not pose a threat to the health or safety of the children.

406.12.2. Every exterior wall, roof, foundation, porch and stair shall be structurally sound, weather-tight, and water-tight and shall be finished to control mold, dust and entry of insects or rodents into the child care space.

406.12.3. Every interior floor, stair, wall and ceiling shall be structurally sound and shall be finished to control exposure of the occupants to levels of toxic fumes, dust, mold, ventilation, heating, lighting or noise deemed hazardous.

406.12.4. Floors, walls, ceilings and other surfaces, including the facility's outdoor play space surfaces shall be kept clean, in good repair and free from visible hazards.

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406.12.5. Wall and floor coverings shall be of such type and quality as will assure safe and sanitary conditions.

406.12.6. Protective receptacle covers shall be placed in electrical outlets accessible to children 5 years of age or younger.

406.13. HOT WATER PIPES AND OTHER SOURCES OF HEAT

406.13.1. Hot water pipes and other sources of heat exceeding 110° F that are accessible to children shall be equipped with a protective guard or shall be insulated to prevent direct contact.

406.13.2. Plumbing fixtures shall be provided with a constant supply of hot water within a reasonable period of time. A reasonable time is assumed to be a period not to exceed three minutes.

406.14. HEATING, VENTILATION AND AIR CONDITIONING

406.14.1. All heating, air conditioning (where applicable) and ventilation equipment shall be maintained in sound operating condition and good repair.

406.14.2. Heating, air conditioning (where applicable) and ventilation systems shall provide uniform heating, ventilation and/or air conditioning to all child care areas.

406.14.3. Where window and door screens are utilized for ventilation, screens shall be properly secured to prevent falls and maintained in good repair.

406.14.4. The indoor air temperature shall be maintained a minimum of 65°F.

406.14.5. If the indoor temperature exceeds 82°F in a child care space, a means of mechanical air circulation shall be utilized.

406.15. LIGHTING. All day care centers and parts thereof, shall maintain adequate luminance levels by artificial or natural light, to provide for proper sanitation and safety in accordance with typical industry practices and guidelines.

406.16. TOILET AREAS

406.16.1. In all toilet areas the floors, floor coverings, walls, and wall coverings shall be designed, constructed, and installed so they are smooth, non-absorbent and easily cleanable; floor and wall junctures shall be coved to provide a proper seal.

406.16.2. Toilet fixtures shall be of sanitary design, easily cleanable and in good repair.

406.16.3. Toilet areas shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed, except during cleaning or maintenance. However, doors are not required where toilet rooms are structured with adequate sight barriers to prohibit direct vision to the toilets or urinals from the entranceway. Toilet rooms shall be adequately vented to the outside.

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406.16.4. A toilet facility shall be supplied with toilet tissue at all times. Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered.

406.16.5. Storage in toilet areas shall be limited to toileting and diapering supplies.

406.16.6. Restroom fixtures shall be child-sized, properly adapted adult toilets or training chairs for young toddlers.

406.17. HANDWASHING FACILITIES

406.17.1. Handwashing facilities shall be located in or directly adjacent to all toilet rooms and shall be conveniently located to all diaper changing locations.

406.17.2. A handwashing sink shall be equipped to provide hot water between 90°F and 110°F through a mixing valve or combination faucet. Hot water temperatures shall be monitored regularly to ensure compliance with the above.

406.17.3. A constant supply of soap and paper towels individual towels or other approved means of hand drying shall be available at all handwashing sinks.

406.17.4. Self-closing, slow-closing, or metered faucets shall provide a flow of water for at least 15 seconds without the need to reactivate the faucet.

406.18. HANDWASHING PRACTICES

406.18.1. Facility persons and children shall wash their hands at a handwashing sink with tempered water, soap and approved means of hand drying as often as necessary to prevent the spread of disease and/or contamination of surfaces.

406.18.2. In the case of infants, the infant's hands may be washed after each individual diaper change with single-use, pre-moistened towelettes.

406.18.3. The facility person shall ensure that a child's hands are washed with soap and water immediately after diaper changing and toileting.

406.19. **MOP SINKS.** At least one utility sink or one curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste. Utility sinks and curbed cleaning facilities shall be provided with hot and cold running water under pressure.

406.20. CONDITION OF PLAY EQUIPMENT

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406.20.1. Toys play equipment and other indoor and outdoor equipment used by the children shall be clean, in good repair and free of rough edges, sharp corners, pinch and crush points, splinters and exposed bolts.

406.20.2. Toys soiled by secretion or excretion shall be washed, rinsed and sanitized before they are reused. A disinfecting solution of ½ teaspoon of 5.25% liquid chlorine bleach to one quart of water is acceptable for this use.

406.20.3. In infant and toddler rooms, mouth-contact surfaces shall be washed, rinsed and sanitized at least daily and more frequently if necessary.

406.20.4. If unsafe areas or conditions are in or near an outdoor play space, fencing or natural barriers are required to restrict children from those unsafe areas or conditions.

406.21. TOOTHBRUSHES. If tooth brushing is conducted, each child shall have a labeled toothbrush, which is stored bristles up and in a manner to protect from cross contamination.

406.22. DIAPERING REQUIREMENTS

406.22.1. Infants and toddlers shall be diapered at areas designated exclusively for diapering.

406.22.2. Changing tables shall be of sturdy construction and be maintained in good repair and safe condition.

406.22.3. Diapering surfaces shall be smooth, nonabsorbent, and easily cleanable.

406.22.4. Diapering surfaces shall not be used for the storage of equipment or other objects.

406.22.5. Diapering surfaces shall be cleaned with a mild solution of water and detergent and sanitized after each changing. A sanitizing solution of 500 to 800 parts per million of chlorine or equivalent shall be used on diaper changing surfaces after each diaper change and allowed to air dry. A disinfecting solution of 2-3 teaspoons of 5.25% liquid chlorine bleach per quart of water or ¼ cup of 5.25% liquid chlorine bleach per gallon of water is acceptable for this use. Products registered with the U.S. Environmental Protection Agency as hospital grade germicides or disinfectants or as disinfectants for safe use in schools, child care centers, institutions or restaurants may alternatively be used (consistent with label directions).

406.22.6. If bleach solutions are used they shall be made fresh daily.

406.22.7. In lieu of cleaning and sanitizing surfaces after each change, an individual single-use changing pad or other single-use surface covering may be used.

406.22.8. All sanitizers shall be used consistent with the manufacturer's label direction.

406.22.9. Disinfectants and sanitizers solutions shall be used from separate and properly labeled, hand pump spray bottles.

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406.22.10. Facility persons shall wear disposable gloves during the diaper changing process.

406.22.11. Gloves shall be discarded after use with each child.

406.22.12. Instructions providing information to facility persons in proper methods of diaper changing and handwashing shall be posted in each diaper changing area.

406.23. SANITIZERS AND SANITIZATION PROCEDURES

406.23.1. Written procedures for preparation and use of sanitization and disinfection solutions shall be on file at the facility.

406.23.2. A test kit or other device that accurately measures the concentration in mg/L or parts per million of sanitizing solution(s) mixed on-site.

406.24. REST EQUIPMENT

406.24.1. Individual clean age-appropriate rest equipment shall be provided for preschool toddler and infant children as agreed between the child's parent and the operator. The rest equipment shall be labeled for the use of a specific child and used only by the specified child.

406.24.2. All beds, cribs, cots, and mats shall be in good repair and easily cleanable; stored to protect them from splash, drip and other contamination; cleaned regularly; and sanitized between users.

406.24.3. Linens, blankets, and rest equipment shall be cleaned monthly at a minimum. The operator shall arrange a cleaning schedule with the parent.

406.24.4. Linens shall be stored with the individual mat or cot until laundered or stored individually for each child in a designated area if taken off the mats or cots. Linens used for more than one child shall be laundered between users.

406.24.5. Soiled bedding shall be cleaned before it is reused.

406.25. FOOD SERVICE

406.25.1. Facilities to be used for the storing, preparation, and serving of food must meet the requirements of the Chapter 300 of these Rules and Regulations, Pennsylvania Chapter 46 and "Public Eating and Drinking Place" Act (35 P.S. §655.1 et seq.).

406.25.2. A facility shall have an operable, clean refrigerator used to store potentially hazardous foods. The refrigerator shall be capable of maintaining food at 41° F or below. An operating thermometer shall be placed in the refrigerator.

406.26. ANIMALS

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406.26.1. Any pet or animal present at the facility, indoors or outdoors shall conform to the relevant provisions of Chapter 220, §202 (relating to veterinary public health and zoonotic disease) of these Rules and Regulations.

406.26.2. All contact between pets, animals and children shall be supervised by a facility person. Reptiles and amphibians shall not be made accessible to children.

406.26.3. Non-domesticated animals (such as farm animals) shall not be allowed to roam freely inside or outdoors. Outdoor animal areas shall be enclosed and made inaccessible to the children.

406.26.4. A designated sink shall be provided for bathing of pets and animals as well as cleaning cages.

406.26.5. Pet and animal wastes shall be cleaned up immediately by a facility person in areas accessible to children.

406.27. WATER ACTIVITIES

406.27.1. Bathing Places.

406.27.1.1. The construction, modification, maintenance, and operation of any bathing place in a child day care center shall be subject to the provisions of Chapter 600 §602 of these Rules and Regulations; and the "Public Bathing Law" (35 P.S. §672 et seq.).

406.27.1.2. A sanitizing solution shall be added to water in a wading pool that does not have continuous disinfection and recirculation. An acceptable sanitizing solution is 3/4 teaspoon of bleach added to 50 gallons of water.

406.27.1.3. A wading pool that does not have continuous disinfection and recirculation shall be emptied daily.

406.27.1.4. A water play table, or a container used for water play that contains unfiltered water shall be emptied daily.

406.28. LAUNDRY. Laundry shall be handled, transported, stored, and processed in a manner so as to prevent the spread of infectious organisms.

406.29. OUTBREAKS OF GASTROINTESTINAL DISEASE IN THE FACILITY

406.29.1. The terms, definitions, reporting and other requirements of Chapter 200, Preventive Medicine, as currently amended, and of Chapter 400, §404, Sanitation of Institutions, as currently amended, are hereby incorporated by reference as essential components of this subchapter.

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406.29.2 An institutional outbreak shall be suspected and reported to the Department when two (2) or more children and/or staff have sudden onset of unexpected, recurrent nausea, vomiting, and/or diarrhea and stomach cramping with no other apparent cause. This reporting is in addition to that required by the Pennsylvania Department of Health.

406.29.3. When such an outbreak occurs, the requirements set forth in Chapter 400, §404, Subsection 404.3 shall be instituted and remain in effect for the duration of the outbreak (cf. 200.5.18.1.15 of these Rules and Regulations).

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CHAPTER 500 WATER, WELLS, NUISANCES, SEWAGE AND LIQUID WASTE

SECTION 501

**WATER WELL CONSTRUCTION, MONITORING WELLS, AND INDIVIDUAL,
SEMI-PUBLIC AND PUBLIC WATER SUPPLIES, AND GEOTHERMAL
BOREHOLES**

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- 501.14. Specialized Well Construction
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501.1. PURPOSE. The purpose of these Rules and Regulations is to establish minimum standards for the location, construction, alteration, decommissioning, water quality, and minimum water quantity of water wells and water well installation; to require a permit for the construction of any well, including water supply wells, production wells, test wells, test borings, and monitoring wells; the installation of pumping equipment and other appurtenances; the drilling of vertical boreholes used for the installation of ground source heat pump equipment; consistency for regulated establishments; to license all Well Contractors, Geothermal Well Installation Contractors, and Pump Installation Contractors. After the effective date of adoption of these Rules and Regulations, no well (individual, semi- public, public, monitoring, agricultural or geothermal borehole) shall be constructed, repaired, modified, or maintained by any regulated establishment, or any pump installed, repaired or replaced, contrary to the provisions of these Rules and Regulations.

501.2. LOCAL REGULATION. No city, township, or borough located within Delaware County shall adopt any rule, regulation, standard or procedure not in conformity with the standards, Rules and Regulations or procedures of the Delaware County Health Department, and any regulation, ordinance, standard or procedure presently in existence shall be superseded to the extent that it is inconsistent with the rules, regulations, standard or procedures adopted by the Department.

501.3. SCOPE. Except where clearly noted in the text, the provisions of this Chapter 500, §501 shall apply to all wells serving individual, semi-public, or public water supply systems, monitoring wells, test wells, agricultural and wells and boreholes drilled for the use of/installation of ground source heat pump equipment. Nothing in this Chapter 500, §501 is construed to exempt a public water system from the requirements of the Pennsylvania Safe Drinking Water Act, (35 P.S. 721.1 et seq.)

501.4. DEFINITIONS. For the purpose of these Rules and Regulations, the following definitions shall apply, unless the context clearly indicates otherwise:

501.4.1. "Abandoned Well": Any well that is no longer equipped in such a manner as to be able to draw groundwater. This shall include wells where the pump, piping and/or electrical components have been disconnected or removed, or any well where the drilling process has been completed in excess of ninety (90) days and the well has not been approved for use as a supply by the Department (for new construction the ninety (90) day period begins on the final approval date of the sewage system); or, wells that have not been used as a supply on a continuous basis for a period of one year; or, wells which are in such a state of disrepair that continued use for the purpose of obtaining ground water is impracticable, (such impracticability shall be determined by the

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Department); or, any well which has been replaced by a new well or a public water supply. Test wells and monitoring wells shall be considered Abandoned Wells when their use on a regular or prescribed basis has been discontinued.

501.4.2. "Agricultural Water Supply": Any water supply used specifically for irrigation of crops, irrigation of recreational or institutional grasslands, the watering of farm animals or other livestock, where the use of such water supply shall not be intended for human consumption.

501.4.3. "Alteration": Any action which necessitates entering a well with drilling tools; altering the physical structure or depth of the well, including casing extensions.

501.4.4. "Annular Space": The space between two (2) cylindrical objects, one of which surrounds the other, such as the space between a borehole and a casing pipe and a liner pipe.

501.4.5. "ANSI": American National Standards Institute.

501.4.6. "API": American Petroleum Institute.

501.4.7. "Approval to Use": Written approval to use the well obtained from the Department in accordance with §501.7.8 within ninety (90) days of the completion of the well drilling process or, if for an emergency well, within ten (10) days of the completion of the well drilling process and final approval of the sewage system.

501.4.8. "Aquifer": A geological formation that contains and transmits water.

501.4.9. "Areas of Concern": A confirmed area of contamination (plume) associated with, but not limited to, Superfund sites.

501.4.10. "ASTM": American Society for Testing Materials.

501.4.11. "AWWA": American Water Works Association.

501.4.12. "Backfilling": The addition of coarse materials during the process of sealing a borehole for the purpose of decommissioning a well.

501.4.13. "Back Siphonage": The flowing back of used, contaminated, or polluted water from a plumbing fixture or vessel or other sources into a potable water supply pipe due to negative pressure in such pipe.

501.4.14. "Casing": An impervious durable pipe placed in a well to prevent the walls from caving in and to seal off surface drainage or undesirable water, gas or other fluids and prevent them from entering the well.

501.4.15. "Closed-Loop Geothermal Borehole": A boring drilled to facilitate the installation of a pipe loop or tubing for a ground source heat pump system whether circulating water, heat transfer fluid or refrigerant using direct exchange.

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501.4.16. "Coliform": All of the aerobic and facultative anaerobic, gram negative, non-spore forming, rod-shaped bacteria which are capable of fermenting lactose with gas formation within forty-eight (48) hours at thirty-five degrees Celsius (35°C).

501.4.17. "Community Water System": A water system which serves at least fifteen (15) service connections used by year-round residents or regularly serves at least twenty-five (25) year-round residents.

501.4.18. "Construction of Wells": All acts necessary to obtain groundwater, verify the availability of groundwater, monitor the quality of groundwater, artificially recharge groundwater, or to install geothermal appurtenances. Construction of wells includes the location and excavation or drilling of the well, or installation of geothermal appurtenances, but excludes the installation of pumps and pumping equipment. This definition does not include an excavation made for the purpose of obtaining or for prospecting for oil, natural gas, minerals, or products of mining or quarrying, or for inserting media to re-pressure oil or natural gas formations or for storing petroleum, natural gas, or other products and services.

501.4.19. "Cross Connection": An arrangement allowing either a direct or indirect connection through which backflow, including back siphonage, can occur between the drinking water in an individual water supply well or a public water system and a system containing a source or potential source of contamination; or allowing treated water to be removed from any public water system, used for any purpose or routed to any device or pipes outside the public water system, and returned to the public water system. The term does not include connections to devices totally within the control of one or more public water systems and connections between water mains.

501.4.20. "Decommissioning": The process of properly filling and sealing a well, in accordance with these Rules and Regulations.

501.4.21. "Department": The Delaware County Health Department, or its authorized representative(s).

501.4.22. "Flowing Well": A well that yields water by artesian pressure at the ground surface.

501.4.23. "Geothermal Well": A vertical well or borehole constructed to facilitate the installation of, or connection to, equipment used for the purpose of heating or cooling a facility. These shall include wells drilled as supply and/or return wells for open-loop systems; or closed-loop geothermal boreholes.

501.4.24. "Geothermal Well Installation Contractor": Any individual in immediate supervision of and/or responsible for the drilling of boreholes used for the purpose of geothermal heating or cooling of a facility. This individual shall be licensed as a Well Contractor and a Geothermal Well Installation Contractor by the Department. This individual is responsible for construction, pipe loop installation and grouting of boreholes used for the installation of closed-loop ground source heat pump systems.

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501.4.25. "Ground Source Heat Pump Equipment": Any components of a heating or cooling system installed in a well or borehole. This shall include pumps for supply wells used solely for heating or cooling and pipe loops for use in closed-loop applications using a heat transfer fluid or direct exchange systems.

501.4.26. "Groundwater": Water within the earth below the water table within the zone of saturation. Groundwater includes both water under water table conditions and confined within deep aquifers.

501.4.27. "Grout": A permanent water tight joint or connection made by filling with concrete, neat cement, bentonite, or other approved impervious material between the casing and the undisturbed formation surrounding the well or between two (2) strings of casing, or sealing a closed-loop geothermal borehole.

501.4.28. "Individual Water Supply": A system including wells, pumps, and piping equipment, which supplies water to a private structure and does not meet the criteria of "Semi-Public Water Supply" or "Public Water Supply".

501.4.29. "International Ground Source Heat Pump Association (IGSHPA) ": An international association that has established accepted standards for the installation of ground source heat pump equipment.

501.4.30. "Installation of Pumps and Pumping Equipment": The procedure employed in the placement and preparation for operation of pumps and pumping equipment, including all construction involved in making entrance to the well and establishing seals.

501.4.31. "Monitoring Well": A well used to obtain samples of groundwater for the purpose of water quality analysis. These wells may also function as part of the remediation treatment process.

501.4.32. "New Construction": Any new building or structure whether residential, commercial, agricultural, or industrial on a property. New construction also includes any change in the use of an existing structure.

501.4.33. "Non-Community Water System": A public water system, which is not a community water system.

501.4.34. "NSF": National Sanitation Foundation.

501.4.35. "Pitless Adapter": A device or assembly of parts which will permit water to pass through the wall of the well casing or extension, and which provides access to the well and to the parts of the water system within the well in a manner to prevent entrance of pollution into the well and the water produced.

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501.4.36. "Plume": Area of identified, delineated groundwater or soil contamination considered to be a threat to the environment or human health, such as, but not limited to a Superfund site.

501.4.37. "Pumps and Pumping Equipment": Any equipment or materials utilized or intended for use in mechanically withdrawing or obtaining groundwater, including but not limited to piping, seals and tanks, together with fittings and controls.

501.4.38. "Pump Installation Contractor": Any individual engaged in the business of installing or repairing pumps, pumping equipment, drop pipes, pitless adapters, and any other equipment used for the extraction and conveyance of water from the aquifer to the distribution, heating or cooling system of the structure to be served.

501.4.39. "Public Water System": A system which provides water to the public for human consumption which has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. The term includes collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term includes collection or pretreatment storage facilities not under such control which are used in connection with the system. The term also includes a system, which provides water for bottling or bulk hauling for human consumption. Water for human consumption includes water that is used for drinking, bathing and showering, cooking, dishwashing or maintaining oral hygiene.

501.4.40. "Regulated Establishment": Any public facility, whether commercial or institutional, which requires License(s) and/or Certificate(s) issued by the Delaware County Health Department to operate or any facility that requires inspection by the Delaware County Health Department.

501.4.41. "Relocation": Any change in location of a proposed well which deviates from the permitted location.

501.4.42. "Second Well": Any well drilled on a property where an existing water supply well already exists.

501.4.43. "Semi-Public Water Supply": A water system including wells, pumps and piping equipment which supplies water to one or several facilities such as industrial or commercial establishments, parks, camps, hotels, motels, schools, institutions, eating and drinking establishments or a water supply which services two (2) or more dwelling units and is not a public water system as defined by the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et seq.)

501.4.44. "Test Wells": Wells drilled for the sole purpose of measuring groundwater quantity and availability.

501.4.45. "VOC": Volatile Organic Compounds, as defined by the United States Environmental Protection Agency.

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501.4.46. "Well": Any vertical excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition or artificial recharge of groundwater or for the installation of ground source heat pump equipment. This includes but is not limited to test wells, test borings, geothermal and monitoring wells, in addition to wells to be utilized as individual or semi-public or public water supplies.

501.4.47. "Well Contractor": Any individual in immediate supervision of and/or responsible for the construction, test pumping or equipping or development of any well. Such individual shall have a minimum of three years "hands on" experience in the actual drilling, casing and grouting of water wells and be licensed by the Department.

501.4.48. "Well Completion Form": A form, available on the Department's web page, which includes the Department's permit number, the township in which the well was drilled, the owner's name and address, the specific site location, the type of material used for grouting, the number of bags used for grouting, the date the well was drilled, the depth of the well, the well distance to the house, the name of the well driller, the well driller's license number from the Department and the well driller's signature.

501.4.49. "Well Modification": Changes made to an existing well that include casing extensions, pitless adapter installations, additional water supply lines, or other well or well system changes that may be required to facilitate continued use of the well as a supply of water.

501.4.50. "Well Seal": An approved device or method used to protect a well casing or water system from the entrance of any external pollutant at the point of entrance into the casing of a pipe, electric conduit or water level measuring device.

501.4.51. "Well System": When there are two (2) or more wells being utilized in an individual, semi-public, or public water supply system.

501.5. REGULATED ESTABLISHMENTS.

501.5.1. When a well is used as the water supply for a Regulated Establishment, new wells shall conform to the location and construction standards of these Rules and Regulations. Existing wells shall meet the construction of §501.8.2, and the water quality requirements as addressed in Chapter 600, §605.

501.5.1.1. Existing wells intended to serve new Regulated Establishments must meet the location distance of 100 feet from any sewage absorption area (including cesspools) and 50 feet from any septic tank in accordance with Chapter 500, §501 and §503.

501.5.1.2. Regulated Establishments that are issued a license to operate by the FDA, USDA or the PDA may be exempt from the location and construction requirement of these Rules and Regulations, provided that the facility meets all other applicable standards of the Department and the State or Federal Government regulations.

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501.5.2. All water supply wells servicing Regulated Establishments must continually meet all of the water quality standards under these Rules and Regulations (§501.13.2) as addressed in Chapter 600, §605.

501.6. LICENSES.

501.6.1. Any individual engaging or intending to engage in business as a well contractor or pump installation contractor shall first obtain from the Department a license to conduct such business. The Department shall license all well contractors, geothermal well installation contractors, or pump installation contractors. Geothermal Well Installation Contractors must also be licensed by Department as a well contractor. Each such applicant must demonstrate professional competence and an understanding of the Department well regulations by passing an examination prepared by the Department in order to qualify for such license. This section shall not apply to any individuals who perform labor or services at the direction and under the direct supervision of a licensed well contractor or pump installation contractor.

501.6.2. Licenses issued pursuant to this Section are not transferable and shall be renewed annually. A license will be renewed without examination for an ensuing year by making application not later than thirty (30) days after the expiration date and paying the annual renewal fee, which shall accompany said application.

501.6.2.1. Every company engaging in the business of well construction or pump installation shall employ at least one properly licensed well installation contractor and/or pump installation contractor.

501.6.3. After thirty (30) days elapse from the date of expiration of the license, a license to engage in the business as a well contractor, geothermal well installation contractor or pump installation contractor will be issued only upon completion and submission of a license application, satisfactorily passing the appropriate contractor examination and submission of the appropriate fee.

501.6.4. Whenever the Department determines that the holder of any license issued pursuant to this Section has violated any provision of these Rules and Regulation, the Department is authorized to take legal action against the license holder and/or suspend or revoke any such license. Any individual aggrieved by the action of the Department shall be afforded the opportunity of a hearing as provided in Chapter 100 of these Rules and Regulations.

501.7. PERMIT PROCEDURE.

501.7.1. General.

501.7.1.1. All individual, semi-public or public water supplies, geothermal wells, monitoring wells and test wells require a permit and shall be constructed in strict compliance with the specifications set forth in this Section of these Rules and Regulations.

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501.7.1.1.1. Permits issued for public water supply wells will be for “construction only”. Final approval for the use of public water supply wells will be granted by the Pennsylvania Department of Environmental Protection (PA DEP), in accordance with Title 25, PA Code, Chapter 109, Safe Drinking Water.

501.7.1.2. A permit is required prior to the installation, repair, or alteration of any well, casing, well water supply line for new construction, additional water supply line, or pitless adapter. A permit is required prior to the beginning of the installation of a water supply system or of any building(s) for which such a system is to be installed. Geothermal wells are required to be permitted. No permit will be required by the Department for the installation of a water service line that is connected to a public water supply distribution system.

501.7.1.3. All individual, semi-public or public water supplies, geothermal wells, monitoring wells and test wells constructed pursuant to these Rules and Regulations shall be constructed or altered by a duly licensed well contractor, geothermal well installation contractor, or pump installation contractor who is licensed as set forth in this Section of the Rules and Regulations. The licensed well or geothermal well installation contractor is responsible for taking all reasonable precautions to insure compliance with all isolation distances as set forth in these Rules and Regulations.

501.7.2. Permit Applications.

501.7.2.1. The application for a permit for the installation of an individual, semi-public or public water supply, geothermal well, monitoring well, test well must be made by a contractor, appropriately licensed by the Department, in the name of the real property owner or equitable owner with written documentation to the Department. No well permit can be issued for a property proposing new construction unless the property will be served by public sewerage, or there is a valid sewage permit in effect. All well permit applications for new construction must be issued in the same name as the issued sewage permit, except for those instances where the property is serviced by public sewerage, or when the sewage permit has received prior approval from the Department.

501.7.2.2. Either a Department licensed well contractor or a Department licensed pump installation contractor may make application in the name of the real property owner for a well modification permit when it is necessary to make such changes as the extension of the well casing, addition or replacement of a pitless adapter, add an additional water supply line, or any other changes necessary to facilitate continued use of the well or well system as a water supply.

501.7.2.3. The contractor shall sign applications in the Driller Declaration space provided on the application whether they are a well contractor or pump installation contractor. The name of the contractor shall also be printed here and the contractor Department license number is required.

501.7.2.4. The application shall contain such information as the Department deems necessary, including the information found in either the Well Permit Application Form or additional information as may be required by the Department to insure that the proposed construction or

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installation complies with this section. Applications for geothermal wells shall be made on the Well Permit Application Form. Current forms must be used.

501.7.2.4.1. The signature of the well driller on the application is verification by the driller that the well can physically be constructed in the selected location.

501.7.2.5. Permits for well construction shall be issued or denied within seven (7) working days after receipt of a completed well application. When the Department has found a well construction permit application to be incomplete, or the Department is unable to verify the information submitted, the applicant shall be notified in writing that additional information or clarification is required. The Department's time for acting upon a permit shall be extended fifteen (15) days beyond the date of receipt of the supplementary or amendatory information.

501.7.2.6. No well permit will be issued whenever a municipality or other government agency determines, and declares in writing, that the well is not consistent with local ordinances, that the existence of the well will interfere with remediation activities, or that public health may be endangered by the use of the well.

501.7.3. Permit Conditions.

501.7.3.1. If the well contractor hired to drill the well is not the contractor named on the issued permit application, the Department must be notified in writing by the new driller prior to the installation of the well.

501.7.3.2. The well must be drilled in the permitted location. Any deviation from the permitted location must be approved in writing by the Department prior to the start of the drilling process. Failure to comply with this requirement will result in legal action being taken against the property owner and/or the well drilling contractor.

501.7.3.2.1. The Department may require wells not drilled in the permitted location to be properly decommissioned if the location violates the isolation distances required in Section 501.8.1. Location of these Rules and Regulations.

501.7.3.2.2. Where a well was drilled in a location other than the permitted location, or as approved by the Department, a new permit application indicating the location of the well borehole and the appropriate fee for the well must be submitted for review.

501.7.4. Permit Expiration.

501.7.4.1. If construction or installation of an individual, semi-public or public water supply, geothermal well and any building or structure for which such water supply system or ground source heat pump equipment is to be installed has not commenced within three (3) years from the date of issuance of the permit, the well construction permit shall expire. A new well construction permit shall be obtained prior to the commencement of said construction or installation. Permits for well modifications shall also be subject to this condition.

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501.7.4.2. Permits for monitoring wells and test wells shall expire one (1) year from the date of issuance if construction of the well has not commenced.

501.7.5. Permit Revocation.

501.7.5.1. A well construction permit shall be revoked by the Department at any time for any one or more of the following reasons, which shall be incorporated into a written revocation:

501.7.5.2. When any change has occurred in the physical conditions of any lands which will materially affect the operation of an individual, semi-public or public water supply.

501.7.5.3. When information material to the issuance or approval of the well construction permit has been falsified.

501.7.5.4. When the decision of the Department fails to conform to the provisions of this Section.

501.7.5.5. When the permittee has violated the provisions of this Section.

501.7.5.6. When the sewage permit has been revoked by the Department.

501.7.5.7. When the sewage permit has expired.

501.7.6. Permit Appeals.

501.7.6.1. Upon receipt by the applicant of a notice of denial or revocation of a well construction permit, the applicant may request a hearing in accordance with the provisions of Chapter 100, §108 of the Rules and Regulations of the Department.

501.7.7. Reuse or Changes in Use of Existing Wells.

501.7.7.1. Use of a water well constructed prior to March 21, 1983, may be considered for use as a water supply for new construction only if written documentation is submitted to this Department by a well driller licensed by the Department verifying that the well meets all of the construction standards as stated in these Rules and Regulations, except wells meeting the conditions of §501.5.1.1. A water quality analysis must be conducted and found to be in conformance with the standards as set forth in §501.13. Wells drilled after March 21, 1983, shall be considered for use as a supply for new construction or regulated establishments only if this Department has granted prior written "Approval to Use".

501.7.7.2. Whenever there is a change in use of the water supply (e.g.: residential to commercial or vice versa) the well shall comply with §501.7.7.1, above.

501.7.8. Well Permit Approval to Use.

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501.7.8.1. No individual, semi-public or public water supply shall be used, and no structure served by an individual, semi-public or public water supply shall be occupied unless the individual, semi-public or public water supply receives an "Approval to Use" from the Department. For public water supply wells the "Approval to Use" will be for the construction of the well only (see §501.7.1.1.1) No geothermal well shall be used without being given "Approval to Use" by the Department. Well Modification permits also require an "Approval to Use" to be given by the Department.

501.7.8.1.1. The "Approval to Use" will be issued after submission of a properly completed: 1) Well Permit from the Department; 2) water quality report, for water supply and open-loop geothermal wells, completed by a PA DEP approved laboratory which complies with all parameters outlined in §501.13 (Water Quality); 3) Well Completion Form (for all wells).

501.7.8.1.2. A site inspection may be conducted by the Department at any time during the construction process.

501.7.8.1.3. The Department must Global Positioning System (GPS) locate all monitoring wells before "Approval to Use" will be granted. A monitoring well or test well shall not be used until it has received written "Approval to Use" from the Department.

501.7.8.1.4. Any public water supply well or well system shall not be used until the owner receives approval from the PA DEP.

501.7.8.1.5. Second wells, deepened wells or altered wells intended for human consumption on existing properties must submit all required paperwork necessary to receive "Approval to Use" from the Department no more than thirty (30) days from the completion of the drilling process.

501.7.9. Emergency Well Construction.

501.7.9.1. If an emergency condition exists where the lack of water poses an immediate and significant danger to the health and welfare of persons, livestock, domestic fowl, or crops, then the Department shall issue a well construction permit within twenty-four (24) hours of receipt of the completed permit application. It is the responsibility of the well contractor and/or property owner or tenant to substantiate that an emergency condition exists by submission of a signed statement to the Department.

501.7.9.1.1. Emergency well construction permits will not be issued over the telephone except in such instances when the Department is closed for a period of time in excess of twenty-four (24) hours, and then only to replace an existing water supply where the lack of water poses an immediate and significant threat to human health or when the Department determines that other exceptional circumstances exist. When permits are issued over the telephone the well contractor must submit the required signed statement and the completed well application to the Department by 9:00 A.M. on the next regularly scheduled Department workday.

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501.7.9.2. The drilling process for an emergency well construction must begin within twenty-four (24) hours of receipt of the permit or verbal approval or said permit/verbal approval is void except when inclement weather conditions or other abnormal circumstances occur.

501.7.9.3. The well contractor must have a copy of the well permit and plot plan or verbally approved well permit number in his possession at the specific job site during all aspects of the well drilling process.

501.7.9.4. Wells constructed to abate an emergency condition and permitted in accordance with §501.7.9.1 must submit the well completion information within ten (10) days after the issuance of the permit or verbal approval to drill. Water quality testing must be submitted for final “Approval To Use” within thirty (30) calendar days of the issuance of the permit, or where applicable, verbal permission to construct the well has been given.

501.7.10. Submission of Required Construction Information.

501.7.10.1. Within ninety (90) days of the completion of the well drilling process of the first well to serve as a water supply on a property, the Well Completion Form information, including drilling and grouting information must be submitted to the Department. “Approval to Use” the well will not be granted until all of the requirements outlined in §501.8 and §501.11 have been satisfied.

501.7.10.2. If the pump is installed at the time of well construction the pump installation information should be submitted with the well completion information. If the pump is installed at a later date the pump information must be submitted within ten (10) days of the installation of the pump.

501.7.10.3. Within ninety (90) days of the completion of the pump installation for new well installations the water quality analysis, as required in §501.13 of these Rules and Regulations, must be submitted to the Department.

501.7.10.4. For Second wells or deepened wells on existing properties the Well Completion Form information and Water Quality Testing must be submitted to the Department no more than thirty (30) days from the completion of the drilling process. “Approval to Use” the well will not be given until all of the requirements of §501.8, §501.11, and §501.13 have been satisfied.

501.7.10.5. For Well Modification permits, the contractor must submit a detailed account of the exact changes made to the well or well system.

510.7.10.6. Neither the well contractor nor the pump installation contractor shall refuse to submit the information required above due to the nonpayment for his/her services.

501.7.10.7. Failure to comply with these Rules and Regulations will result in legal action being taken against the property owner/equitable owner and/or well contractor and/or pump installation contractor.

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501.8. DRILLED WATER SUPPLY WELLS

501.8.1. Location.

501.8.1.1. The source of supply shall be from a water bearing formation drawn not less than twenty-five (25) feet from the ground surface.

501.8.1.2. Wells shall be located at a point free from flooding and at a higher elevation wherever possible and at the following minimum distances to existing or potential sources of pollution:

Sources of Pollution

Minimum isolation distances from the proposed water supply well to the features listed below:

<u>Water Related</u>	<u>Minimum Distance</u>
1. Delineated wetlands or floodplains	25 feet
2. Lakes, ponds, streams, spring prone areas or other surface waters	25 feet
3. Rainwater pits, rain gardens	25 feet
4. Storm drains (piped or sealed collection systems)	10 feet
5. Surface drainageways	10 feet
6. Retention or detention basins from the high water level	25 feet

<u>Sewage Related</u>	<u>Minimum Distance</u>
1. Bio-solids disposal areas and septage disposal sites	300 feet
2. Farm silos, barnyards, manure pits or tanks or other storage areas of animal manure	100 feet
3. Subsurface or surface installed sewage absorption areas, cesspools, sewage seepage pits, the wetted perimeter of spray irrigation system absorption areas, the edge of drip irrigation absorption areas (two (2) feet from the drip tubing)	100 feet
4. Septic tanks, aerobic tanks, sewage pump tanks, holding tanks	50 feet
5. Gravity sewer lines and drains carrying domestic sewage or industrial waste (except when the sewer line is cast iron pipe with either watertight lead caulked joints or joints filled with neoprene gaskets, or if solvent welded Schedule 40 (or SDR equivalent) or better polyvinylchloride (PVC) pipe)	50 feet (10 feet)
6. Sewage drains carrying domestic sewage or industrial waste under pressure (except welded steel pipe or solvent welded Schedule forty (40) or equivalent or better PVC pipe or concrete encased pipe)	50 feet (10 feet)

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<u>Chemical Related</u>	<u>Minimum Distance</u>
1. Preparation area or storage area of hazardous spray materials fertilizers, or chemicals; salt piles	300 feet
2. Surface or subsurface containers or tanks of over 1,000 gallons used for the storage of materials that cannot be properly renovated by passage through the soil. This includes, but is not limited to, gasoline and all other petroleum products. (except where tank installation meets current PA DEP Under Ground Storage Tank Regulations. Documentation must be supplied)	300 feet (100 feet)
3. Surface or subsurface containers or tanks of 1,000 gallons or less used for the storage of materials, which cannot be properly renovated by passage through the soil. This includes, but is not limited to, gasoline and all other petroleum products. For example, the type of tanks frequently found in homes using oil for heating purposes	30 feet
4. Graveyards, cemeteries	100 feet
5. Landfills	300 feet up gradient and ¼ mile down gradient

<u>Miscellaneous</u>	<u>Minimum Distance</u>
1. Building foundations except for buildings enclosing just water wells and/or water well pumps	30 feet
2. Mobile Homes	30 feet
3. Wooden structures on concrete or dirt floors	30 feet
4. Driveways, parking lots or paved areas	10 feet
5. Curbed (6" minimum) driveways, parking lots or paved areas	5 feet
6. Property lines, all right-of-ways, easements	10 feet
7. Metal or masonry storage buildings on a cement slab	10 feet
8. Any other source of pollution	As approved

501.8.1.3. Any proposed deviation from the distances prescribed in §501.8.1.2 above must be approved in writing by the Department, with reasons stated for such deviation.

501.8.1.4. The isolation distances above may require special consideration when the proposed well is to be located in a Ground Water Area of Concern, as noted in §501.15.

501.8.2. CONSTRUCTION.

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501.8.2.1. Casing.

501.8.2.1.1. All wells serving as a water supply shall be equipped with a watertight and durable wrought iron or steel well casing having a minimum thickness of 0.1875 inches or PVC plastic casing having a minimum thickness of 0.175 inches. The sections of casing shall be joined together by threaded couplings or joints, by welding, or glued plastic coupling. The casing shall be carried to a minimum depth of twenty (20) feet and then extended an additional five (5) feet into firm bedrock or other impervious strata and grouted in place. Well casing material must be resistant to the corrosiveness of the water and to the stresses to which it will be subjected during installation, and the grouting operation. Casing and grouting materials must be compatible. The criteria established in the current version of AWWA Standard A100 must be followed. Casings shall terminate a minimum of one (1) foot above the surrounding, finished surface grade and shall not be cut shorter. All casings for water supply or geothermal return wells shall be fitted with an insect resistant well cap.

501.8.2.1.2. Ferrous casings shall be new pipe meeting ASTM or API specifications for water well construction and have full circumference welds or threaded pipe joints.

501.8.2.1.3. Non-ferrous casings shall meet appropriate ANSI/ASTM or NSF Standards for well casing applications as outlined in the current version of AWWA Standard A100. Non-ferrous casing materials shall not impart any taste, odor, or toxic substances to the well water. Non-ferrous casing, if used, shall not be driven. The casing shall be placed a minimum of five (5) feet into the consolidated formation with an annular opening of three (3) inches or larger so that the grout may be placed in accordance with the provisions of §501.

501.8.2.2. Casing Upgrades.

501.8.2.2.1. Whenever maintenance such as pump, drop pipe, foot valve, or electrical wiring repair or replacement is done to an existing well where the casing terminates at or below the surrounding surface grade, the casing shall be extended so that it meets the requirement of §501.8.2.1.1, in that the casing shall extend to a minimum of one (1) foot above the surrounding finished surface grade. Casings that terminate in well pits shall be extended a minimum of one (1) foot above the surrounding ground surface and the pit shall be eliminated.

501.8.2.2.2. Casings of existing wells that terminate at or below the surrounding finished grade may be extended by welding steel extensions to existing casings where practicable, utilizing full circumference welds; glued PVC coupling joints; or any other method specifically approved by the Department.

501.8.2.2.3. In all cases where a casing is extended, a pitless adapter and an insect resistant well cap must be installed.

501.8.2.3. Grout Materials.

501.8.2.3.1. All grout information (type of cement or bentonite and number of bags of cement or bentonite used for grouting) must be submitted in writing on the current Well Completion Form

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(available on the Department's web site) to the Department by the well driller within ninety (90) days of completion of the well drilling process.

501.8.2.3.2. In all well installations an annular space shall be provided between the well casing and the earth formation. The annular space shall be completely filled with approved grout materials, in one continuous operation, under pressure, from the bottom to the natural land surface, within twenty-four (24) hours after completion of the drilling. In the event that grouting is done following the completion of all drilling operations, care must be taken to prevent the entrance of driller's mud into the annulus during the completion of the borehole by the use of a rubber packer or other acceptable method. The annular space shall be completely cleared of all obstructions prior to the placement of the grout material. Exterior grouting methods must be used in this instance. The casing shall be sealed effectively against entrance of water from water bearing zones that are subject to pollution. During the installation of the pitless adapter, grout material may be removed from the exterior of the casing in order to provide a watertight seal between the casing and the pitless adapter.

501.8.2.3.3. The annular space of all well installations must be filled with one of the following listed grout materials:

1. Neat cement grout – API Class G (or Class B similar to ASTM C150 Type II). A maximum of 6% by weight bentonite and two percent by weight of calcium chloride may be added.
2. Bentonite grout – pure powdered sodium bentonite with at least 20% solids mixed with water. Hydration of the bentonite must be delayed until the bentonite mix has been placed down the well.

501.8.2.3.4. In all well installations if rapid loss of grout material occurs during placement, coarse fill material (e.g., sand, gravel, crushed stone) may be used in the zone(s) in which the rapid loss is occurring. The remainder of the annular space shall be grouted as provided below. In no case shall pouring, dumping or shoveling of grout material into the annular space be deemed an approved method of grout placement.

501.8.2.4. Grout Placement.

501.8.2.4.1. The minimum annular space of 1½ inches around the entire outside of the casing shall be provided by drilling a borehole three (3) inches larger than the outside diameter of the casing to be inserted. All grout shall be placed by pumping through the tremie pipe. The entire interval to be grouted shall be open and without obstructions. Washing or jetting with water is recommended for cleaning the borehole and may serve to remove obstructions caused by caving which otherwise would prevent a proper grout. The tremie pipe should extend from the surface to the bottom of the interval to be grouted. The tremie pipe may be raised slowly as the grout is placed provided that the discharge end of the tremie pipe remains submerged in the emplaced grout at all times until grouting is completed. In the event of interruption in the grouting

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operations, the bottom of the tremie pipe shall be raised above the grout level and should not be re-submerged until the air and water have been displaced from the tremie pipe.

501.8.2.4.2. If caving conditions are experienced on wells deeper than thirty (30) feet, the annular space shall be grouted from the point where caving occurred or from a depth of thirty (30) feet, whichever is greater, to land surface.

501.8.2.4.3. If the annular space cannot be grouted in accordance with these Rules and Regulations, the well shall be decommissioned and sealed in accordance with §501.17.

501.8.2.4.4. Other grouting methods and materials may be used subject to prior written approval of the Department.

501.8.3. Pit Installations.

501.8.3.1. Pit Installations for new well construction will only be allowed when specifically approved by the Department. Pit installations are where the casing terminates in an open space, constructed below the ground surface. If the installation of a well pit is permitted it shall comply with the following requirements: Well pits shall be maintained free of water at all times. The floor of the pit shall be a watertight reinforced concrete platform at least four (4) inches thick poured around the casing and shall be provided with a watertight seal. The floor of the pit shall extend at least two (2) feet from the center of the casing in all directions. In all cases, the pit shall be sized to allow adequate working space. The casing shall extend above the floor for at least twelve (12) inches. An insect resistant well cap shall be installed. The surface of the floor shall be pitched toward a drain that has a minimum diameter of four (4) inches and discharged by gravity to the surface of the ground in an area not subject to flooding or to a basement that is effectively protected against flooding. Drain openings shall be effectively screened to prevent the entrance of insects and rodents. The drain shall not be connected to any sewer or other drain. The pit shall have watertight reinforced concrete walls four (4) inches thick or equivalent, which provide for an effective watertight seal against the floor. The top of the pit shall be a watertight reinforced monolithic concrete slab at least four (4) inches thick, which shall be sealed with the wall so as to effectively prevent the entrance of water. The top of the pit shall not be more than six (6) inches below the ground surface. A durable watertight manhole shall be installed in the top of the pit centered over the casing and effectively sealed with the top to prevent the entrance of water. This manhole shall be at least twenty-four (24) inches in diameter. It shall extend at least three (3) inches above the surrounding ground surface and be covered by an impervious durable cover of concrete, steel, or equivalent material that overlaps the manhole vertically by at least two (2) inches. The manhole cover shall be effectively secured to the manhole by bolting, locking or equivalent means, and shall be kept secured. Pit installations shall not be used in areas subject to flooding by ground or surface water or where the ground water level rises to within one (1) foot of the bottom of the proposed pit. When pipes enter the pit, the annular space between the pipes and the wall shall be effectively sealed by a watertight permanent seal.

501.8.4. Pitless Installations.

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501.8.4.1. Pitless installations are those installations where the casing terminates above the ground surface.

501.8.4.2. Where pitless installations are used, they shall be of a design that provides an effective seal against the entrance of ground or surface water into the well, access casing, and into the piping leading to the pump. All buried suction lines shall be effectively encased, or otherwise protected to prevent external damage or contamination. Pitless installations must be so designed as to be structurally sound and to provide for ready removal of drop piping without excavation. Pitless adapters shall be installed at a minimum depth of thirty (30) inches so that it will be safely below the frost line, but no deeper than forty-eight (48) inches. The access casing shall be effectively protected against corrosion and shall extend at least twelve (12) inches above the natural ground or surrounding finished grade surface. The ground level or surrounding finished grade surface at this point shall be elevated above the adjacent ground level and graded to drain away in all directions. The top of the access shall be effectively sealed against the entrance of water, insects, and rodents. An insect resistant cap shall be installed. The pitless adapter shall not be submerged in water or used in areas used by automobiles and other vehicles.

501.8.4.3. Where surface installations (i.e., hand pumps, pump rooms, etc.) are used, a watertight reinforced concrete platform at least four (4) inches thick and extending for at least two (2) feet in all directions from the center of the casing shall be poured around the casing to provide an effective watertight seal with the casing, or shall be made watertight with an effective permanent seal. The surface of the platform shall slope to the edges. The casing shall extend above the slab at least twelve (12) inches and shall be effectively sealed against the entrance of contamination. An insect resistant well cap shall be installed where appropriate. All pumping equipment shall be protected against freezing. If a pump room is proposed, it shall be so sized to allow adequate working space.

501.8.4.4. Small hand pumps that are designed to be mounted as auxiliary pumps and factory designed to replace the well cap may be installed directly on the top of the casing, provided that they function as an insect resistant cap.

501.8.5. Venting.

501.8.5.1. Where an insect resistant cap cannot be used and venting is required, a pipe with the opening facing downward shall be required. Such venting shall be designed to effectively protect against the entrance of insects and rodents.

501.9. PUMPS AND OTHER EQUIPMENT.

501.9.1. Hand Pump Installations.

501.9.1.1. The pump head shall be designed and constructed to prevent contamination from reaching the water chamber and other interior surfaces of the pump.

501.9.1.2. The pump shall be designed and constructed to provide an effective watertight seal with the well casing or stored water reservoir.

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501.9.1.3. The pump cylinder or foot valve shall be installed below the pumping level of the well.

501.9.1.4. The pump shall be designed where necessary for protection against freezing.

501.9.1.5. The well shall be chlorinated after the pump is installed in accordance with section 501.10.

501.9.1.6. All pump information must be submitted in writing by the pump installer on the Department's Well Completion Form.

501.9.2. Power Pump Installations

501.9.2.1. The base of a power pump installed directly over a well casing or pipe sleeve shall be designed to provide an effective watertight seal with the casing or pipe sleeve.

501.9.2.2. All power pumps shall be installed on a firm base in an area free from flooding.

501.9.2.3. Where power pumps are installed in pits, the pits shall meet the requirements of Section 501.8.2.4. In addition, the pit shall be ventilated with a pipe of a diameter of at least one and one-half (1½) inches.

501.9.2.4. Location and installations of the pump and all related equipment shall permit convenient access, removal, maintenance and repair.

501.9.2.5. The pump suction opening shall be placed at least two (2) feet below the maximum drawdown of the water in the well. However, the pump suction opening shall be placed at a sufficient distance from the bottom of the well so as to prevent agitation of accumulated sediment.

501.9.2.6. The well shall be chlorinated after the pump is installed in accordance with section 501.10.

501.9.2.7. All pump information must be submitted in writing by the pump installer on the Department's Well Completion Form.

501.9.3. Submersible Pumps.

501.9.3.1. Submersible pumps must be installed using a pitless adapter.

501.9.3.2. The pump shall be set off the bottom of the borehole a sufficient distance so that sediment will not be drawn into the pump.

501.9.3.3. Pumps shall be wired in accordance with the requirements of the pump manufacturer and local electrical codes.

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501.9.3.4. The well shall be chlorinated after the pump is installed in accordance with §501.10.

501.9.3.5. All pump information must be submitted in writing by the pump installer on the Department’s Well Completion Form within ninety (90) days of completion of the drilling process.

501.9.4. Well Cap and Well Cap Replacement.

501.9.4.1. Well casings shall be finished with either a sanitary well seal or an insect resistant cap unless they are fitted with a power pump as noted above. Whenever a pump is repaired or replaced, the pump installer shall insure that an insect resistant well cap is installed on the well. Caps other than insect resistant caps shall be replaced with insect resistant caps. If an existing insect resistant cap is to be reinstalled on a well, the pump installer shall inspect the condition of the cap and either clean or replace the cap as necessary to insure that the integrity and operation of the well is maintained.

501.10. DISINFECTION.

501.10.1. Following the completion of the construction of an individual, semi-public or public water supply, and installation of the pumping equipment, or alterations, repair or maintenance work, the well shall be pumped continuously until the water discharged is clear. The well, pump, piping system, and other fixtures, shall be treated with a water solution containing a concentration of not less than 100 parts per million of free chlorine. Chlorine tablets may be put into the well before the pump or foot valve assembly is lowered into the borehole to ensure chlorination of the entire depth of the water column. A portion of the chlorine solution shall be recirculated directly to the well in order to insure proper agitation. The water shall not be used for a minimum of six (6) hours, but overnight is recommended due to this being a minimal water use period. Other combinations of concentration and time intervals may be used that are demonstrated to be equally effective.

NOTE: The well owner or users should be informed of the disinfection process because some users may be sensitive to chlorine. Additionally, the possible reaction between chlorine and high iron concentrations should be discussed.

501.10.2. Disposal of the purged water shall be at a point so as to minimize adverse effects to aquatic life and, further, the purged water shall not be discharged into or over any sewage disposal system tanks or absorption area. One ounce of dry calcium hypochlorite (70% available chlorine), dissolved in fifty-two and one-half (52.5) gallons of water, makes a 100-ppm strength disinfectant solution. Various proportions can be worked out using the approximate quantities shown in the following table:

Diameter of The Well Casing	Water Standing In Well	Amount of Dry Powder (HTH or equivalent) to Make at least 110 ppm Chlorine Solution
4 inches	100 feet (65.5 gallons)	3 tablespoonful or ¼ cup

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6 inches	100 feet (147 gallons)	7 tablespoonful or ½ cup
8 inches	100 feet (261 gallons)	12 tablespoonful or ¾ cup
10 inches	100 feet (408 gallons)	1 ¼ cups
12 inches	100 feet (587 gallons)	1 ¾ cups

501.11. Individual Water Supply System Volume Standard and Yield Requirements.

501.11.1. Volume Standard.

501.11.1.1. Any individual water supply system must be capable of providing four-hundred and eighty (480) gallons of water in a 2-hour period, at least once each day.

501.11.1.2. If the sustained yield of the individual well or individual well system does not meet the total individual water supply system standard, sufficient storage shall be required. A combination of borehole capacity and/or a storage tank may be used to provide storage capacity.

501.11.1.3 Volume information must be reported using the Well Completion Information form.

501.11.2. Minimum Yield Requirements.

501.11.2.1. All potable water supply wells intended to serve as an individual water supply shall be approved for yield in accordance with this section. Replacement wells servicing existing improved properties may be exempt from this requirement or wells servicing new construction may be released from this requirement at the discretion of the Department.

501.11.2.2. The criteria for approval shall be a minimum well yield of one (1) gallon per minute. If a new water supply well does not meet this requirement a second well shall be required. If the combined yield of this well system does not provide the required yield, the Department will allow the use of this well system, utilizing the appropriate release agreement, provided the well system meets the Individual Water Supply System Volume Standard in §501.11.1. The permittee may propose to construct additional wells in an attempt to meet the yield requirement.

501.11.2.3. For wells with yields of two (2) gallons per minute or less, a minimum of four hundred (400) gallons of storage capacity shall be provided. Borehole storage shall be measured from the pump level to the top of the static water column. Wells with yields between two (2) and four (4) gallons per minute shall provide the storage capacity required to meet the individual Water Supply System Volume Standard described in §501.11.1.

501.11.2.4. Yield information must be reported using the Well Completion Information form.

501.11.2.5. The minimum well yield requirements set forth in this section are deemed sufficient to supply an adequate quantity of water for normal indoor household or equivalent usage. A supplemental source of water may be needed to support outdoor or other non-consumptive uses.

501.12. CROSS CONNECTIONS.

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501.12.1. Every potable water distributing pipe shall be protected against cross connection with, or backflow from, any plumbing fixture or other piece of equipment or appliance capable of affecting the quality of the potable water by having the outlet end from which the water flows spaced a minimum distance of twice the diameter of the water supply pipe above the flood level rim of the receptacle into which the potable water flows, except:

501.12.2. Where it is not practical to provide this minimum distance, the connection to the fixture, equipment, or appliance shall be equipped with a backflow prevention assembly.

501.12.3. For semi-public water supplies, the Department shall require a backflow prevention device be installed at any fixed potable water outlet to which a hose may be connected. The Department will note the presence of the device during the site inspection.

501.12.4. Public water systems shall comply with the requirements of the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et seq.)

501.13. WATER QUALITY.

501.13.1. General.

501.13.1.1. The water quality of all public water supplies shall be regulated by the Pennsylvania Safe Drinking Water Act, (35 P.S. 721.1 et seq.)

501.13.1.2. The water quality analysis for all individual and semi-public water supply wells shall be in compliance with this Section.

501.13.1.3. The water quality analysis for all second or additional wells or deepened wells shall be completed by the well contractor immediately after well construction and completion of the chlorination process.

501.13.1.4. Wells that have been modified must submit, at a minimum, water quality analysis for bacteria. However, additional water quality analysis may be required at the discretion of the Department.

501.13.1.5. All water samples to be tested must be drawn by a trained PA DEP certified laboratory employee or a well driller contractor or pump installation contractor licensed by the Department.

501.13.1.6. All water test results to be submitted to the Department must contain the following information: 1) permittee's name; 2) address of origin of sample; 3) township of origin of sample; 4) Well Permit number issued by the Department; 5) the name of the person who took the water sample; 6) statement indicating if the sample was treated or untreated.

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501.13.1.7. An original laboratory analysis report of the water quality of a supply well will be accepted for final approval to use. Copies of the test results may be accepted if electronically transmitted from the lab directly to the Department.

501.13.1.8. Falsification of any document submitted to the Department may result in the initiation of legal action against the property owner and/or the responsible party.

501.13.2. Water Quality for Individual and Semi-Public Water Supplies.

501.13.2.1. Microbiological Water Quality Requirements. Procedures for testing for microbiological contaminants shall be approved by and conducted by a laboratory certified by the Commonwealth of Pennsylvania for the technique used. Evidence of such tests shall be given to the Department verifying that the tests have been conducted by a laboratory approved by the PA DEP.

501.13.2.2. Microbiological, Physical and Chemical Water Quality Requirements. Individual and semi-public water supplies must meet the following standards:

<u>Parameter</u>	<u>Limits</u>	<u>Units</u>
Total Coliform	<1 cfu/100	ml
Residual Chlorine	0	mg/LPpm*
Turbidity	5	NTU
Nitrate	10	mg/L as N
pH	5.5 to 8.5	----
Arsenic	0.01	mg/L
Iron	0.3	mg/L
Manganese	0.05	mg/L
Chloride	250.0	mg/L
Total Dissolved Solids (TDS)	500	mg/L
MBAS	0.5	mg/L

*All Microbiological samples must include a check for Residual Chlorine. The presence of Residual Chlorine will invalidate the Total Coliform results.

<u>Parameter</u>	<u>Limits</u>	<u>Units</u>
Volatile Organic Compound		mg/L
Benzene	0.005	mg/L
Carbon Tetrachloride	0.005	mg/L
O-Dichlorobenzene	0.6	mg/L
Para-Dichlorobenzene	0.075	mg/L
1,2-Dichloroethane	0.005	mg/L
1,1-Dichloroethylene	0.007	mg/L
cis-1,2-Dichloroethylene	0.07	mg/L
trans-1,2-Dichloroethylene	0.1	mg/L
Dichloromethane	0.005	mg/L

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1,2-Dichloropropane	0.005 mg/L
Ethylbenzene	0.7 mg/L
Monochlorobenzene	0.1 mg/L
Styrene	0.1 mg/L
Tetrachloroethylene	0.005 mg/L
Toluene	1.0 mg/L
1,2,4-Trichlorobenzene	0.07 mg/L
1,1,1-Trichloroethane	0.2 mg/L
1,1,2-Trichloroethane	0.005 mg/L
Trichloroethylene	0.005 mg/L
Vinyl Chloride	0.002 mg/L
Xylenes (total)	10.0 mg/L

501.13.2.2.1. All water quality tests must be conducted for each category listed in §501.13.2.2 by a laboratory approved by the PA DEP.

501.13.2.2.2. The water supply should be run and purged sufficiently to clear the effects of the construction process and chlorination performed after the pump was installed. Failure to perform this step may result in unsatisfactory water quality analysis results.

501.13.2.2.3. Treatment of the water supply is required if Total Coliform, Turbidity, Nitrates + Nitrites, Arsenic or VOC exceed the limits in §501.13.2.2.

501.13.2.2.4. When the pH value is above 8.5, or below 5.5, treatment is required. If the pH value is between 6.5 and 5.5 treatment will be recommended.

501.13.2.2.5. If Iron, Manganese, pH, Chloride, or MBAS levels are in excess of the above listed standards in §501.13.2.2, treatment is recommended.

501.13.2.2.6. When a treatment unit has been installed to correct a condition requiring treatment (§501.13.2.2.3, or §501.13.2.2.4) the Department must conduct an inspection to verify the installation of the treatment unit(s), and note the function, make and model number of any installed treatment unit(s). Treatment units must be installed according to the manufacturer specifications.

501.13.2.3. For either individual or semi-public water supplies, additional analyses and treatment of the water shall be required if the Department has reason to suspect that harmful substances are present in the water in amounts that are significantly adverse to human health, safety, or comfort.

501.14. SPECIALIZED WELL CONSTRUCTION.

501.14.1. Test Wells.

501.14.1.1. Test wells require a permit and must meet the isolation distances and construction standards of §501.8 of these Rules and Regulations for water supply wells.

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501.14.1.2. Test wells are temporary and therefore are not permitted as permanent supply wells. Once the intended use of the well has been completed, the well must be decommissioned according to §501.17 of these Rules and Regulations.

501.14.1.3. Test wells may be converted for use as a permanent supply well. To be converted for use as a supply well, the owner must submit a new application and the applicable fee for a new well permit to this Department and meet the requirements of §501.8 and §501.13 of these Rules and Regulations.

501.14.1.4. The converted test well will not be granted “Approval for Use” until the following is submitted to the Department a copy of the Well Completion Form, a water quality analysis showing that the water meets the requirements of §501.13, and documentation that the supply well meets the individual supply system standard in §501.11.1 and the minimum yield requirements in §501.11.2.

501.14.1.5. Failure to comply with these Rules and Regulations regarding test wells may result in the initiation of legal action against the property owner by the Department.

501.14.2. MONITORING WELLS.

501.14.2.1. Permitting.

501.14.2.1.1. Due to the variability in the information to be obtained, ground water monitoring wells shall not be subject to strict compliance with the isolation distances given in §501.8.1, of these Rules and Regulations. However, the construction of each monitoring well requires a construction permit issued by the Department. Each monitoring well must be designed to minimize potential contamination of the aquifer and to maximize the information obtained from each installation.

501.14.2.1.2. Small diameter, direct push coring holes (sometimes referred to as “Geo-Probe holes”), intended to be open for a very short time are considered to be monitoring wells and do require a permit.

501.14.2.2. Permit Applications.

501.14.2.2.1. The Monitoring Well Application Required Information form must be submitted as part of the application for every monitoring well that will be permitted.

501.14.2.2.2. Every application for a monitoring well permit shall include a plot plan that accurately shows 1) the location of the proposed borehole; 2) a master plan showing all other existing monitoring wells on the parcel, with the permit number issued by the Department and project ID (e.g.: OW2, MW2 or RW2, etc.).

501.14.2.2.3. Small diameter, push core hole projects proposing single or multiple holes may combine all such coring holes on a specific, single parcel onto a single application and provide a

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master plan diagram showing the location of all coring holes created on that parcel. Holes on adjoining parcels will require a separate application and master plan diagram.

501.14.2.3. Completion Paperwork.

501.14.2.3.1. Completion information shall be submitted to the Department by the well driller within five (5) working days following the construction of each monitoring well or push core series on a single property. This will include applicable sections of the Well Completion Form. No yield information is required for these wells.

501.14.2.3.2. The Department must be alerted that a monitoring well has been constructed, and an appointment made so that they may GPS locate the borehole.

501.14.2.4. Up-Keep, Reporting and Decommissioning.

501.14.2.4.1. Continued up-keep, safe operation and maintenance, and eventual decommissioning of all monitoring wells or push core holes shall be the ultimate responsibility of the property owner.

501.14.2.4.2. If the monitoring well is owned by a permittee who is not the property owner, the property owner must be provided with an enforceable, written agreement acknowledging the responsibility of the permittee or his successors.

501.14.2.4.3. The permittee or assigned agent, as listed on the Monitoring Well Application Required Information form, shall be responsible to respond to the Department's Annual Status Report of the operational status of the well. The response is required within ninety (90) days from receipt of the Monitoring Well Status Report letter from the Department.

501.14.2.4.4. When any monitoring well is no longer actively used, or it is determined that it will no longer be used or is no longer necessary, it must be decommissioned by the permittee or legal successors within thirty (30) days of that determination, and the Department must be provided with a report on the Well Decommissioning form, according to §501.17 of these Rules and Regulations.

501.14.2.5. Non-Compliance.

501.14.2.5.1. Failure to comply with the above Rules and Regulations relating to ownership, reporting, the operation and maintenance, or decommissioning of any monitoring well may result in legal action being initiated against the permittee and/or property owner by the Department.

501.14.3. GEOTHERMAL WELLS.

501.14.3.1. Open-loop Geothermal Systems.

501.14.3.1.1. Open-loop geothermal delivery wells and return each require a separate permit.

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501.14.3.1.2. Open-loop geothermal delivery and return wells that depend on groundwater supplies for heating and cooling must meet all Rules and Regulations in §501.8.

501.14.3.1.3. Open-loop geothermal delivery well must be tested for all specified water quality standards listed in §501.13.2.2.

501.14.3.1.4. Open-loop geothermal delivery well will also be used as a drinking water supply, all water quality requirements in §501.13.2.2, must be met.

501.14.3.1.5. Open-loop geothermal wells systems must include a return well and may not discharge directly or indirectly into surface waters.

501.14.3.1.6. Open-loop geothermal return wells do not require water quality analysis.

501.14.3.2. Closed-loop Geothermal Boreholes.

501.14.3.2.1. Permitting.

501.14.3.2.1.1. Closed-loop geothermal boreholes shall be permitted in accordance with §501.7.

501.14.3.2.1.2. All Closed-loop geothermal boreholes that are part of the project may be included on a single application, and a single permit for the project will be issued. A master plot plan showing the numbered location of each borehole must be included. Fees are calculated based on the current fee schedule.

501.14.3.2.1.3. If a casing is intended to be left in the borehole as a permanent part of the final construction configuration the Department must be notified at the time the application is submitted.

501.14.3.2.2. Location.

501.14.3.2.2.1. The following minimum isolation distances to existing or potential sources of pollution shall be maintained:

Source of Pollution

Minimum isolation distances from the proposed closed-loop borehole to the facilities listed below:

<u>Water Related</u>	<u>Minimum Distance</u>
1. Delineated wetlands, flood plains lakes, ponds or other surface waters	10 feet
2. Rainwater pits and rain gardens	10 feet
3. Storm drains, retention basins storm water stabilization ponds	10 feet
<u>Sewage Related</u>	<u>Minimum Distance</u>
1. Subsurface sewage absorption areas elevated sand mounds, cesspools, sewage seepage pits	50 feet

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- | | |
|--|---------|
| 2. Spray irrigation site perimeter, sewage sludge and septage disposal sites | 50 feet |
| 3. Septic tanks, aerobic tanks, sewage pump tanks, holding tanks | 25 feet |
| 4. Sewer drains, public sewer laterals | 5 feet |

Chemical Related

Minimum Distance

- | | |
|--|---------------|
| 1. Preparation area or storage area of hazardous spray materials, fertilizers or chemicals, salt piles. | 300 feet |
| 2. Surface or subsurface containers or tanks of greater than 1,000 gallons used for storage of materials that cannot be properly renovated by passage through soil. This includes, but is not limited to, gasoline and all other petroleum products. | 300 feet |
| 3. Surface or subsurface containers or tanks of 1,000 gallons or less used for storage of materials which cannot be properly renovated by passage through soil. This includes, but is not limited to, gasoline and all other petroleum products. For example, the type of tanks frequently used in homes using oil for heating purposes. | 30 feet |
| 4. Identified NPL Site (Superfund Sites) plume area | As per US EPA |

Miscellaneous

Minimum Distance

- | | |
|---|-------------|
| 1. Property lines, all right-of-ways, easements | 10 feet |
| 2. Any other source of pollution | As approved |

501.14.3.2.2.2. Any proposed deviation from the isolation distances prescribed in §501.14.3.2.2.1, above must be approved in writing by the Department, with reasons stated for such deviation.

501.14.3.2.3. Construction.

501.14.3.2.3.1. Casings are not required for closed-loop geothermal boreholes that are grouted from bottom to top with bentonite grouting material. Casings are required for any installation that does not include bentonite grout from bottom to top of the borehole. There are specific conditions required for each method of construction.

501.14.3.2.3.2. Closed-loop geothermal boreholes shall be located, drilled and finished in a manner that will protect the borehole structure from damage from surface activities or other natural occurrences so that the quality of the local groundwater cannot be affected.

501.14.3.2.3.2.1. Boreholes must be vertical and may not be drilled at any angle. Only vertical closed-loop geothermal boreholes require a permit. Horizontal geothermal loop installations do not require a permit.

501.14.3.2.3.3. The well contractor shall be responsible for insuring that the borehole is drilled in the permitted location. The well contractor shall be responsible for the final grouting after the pipe loop has been installed.

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501.14.3.2.3.4. Casings Included in the Finished Borehole.

501.14.3.2.3.4.1. Casings may be necessary to hold the borehole open during the drilling process.

501.14.3.2.3.4.2. When a casing is left in the borehole as a permanent part of the final construction configuration, then the casing shall be extended into bedrock as if constructing a water supply well. Grouting the annular space with a grout as specified in §501.8.2.3.3 is required.

501.14.3.2.3.4.3. The well contractor shall be responsible for insuring that the pipe loop is installed in accordance with the specifications of the ground source heat pump system manufacturer and the pipe manufacturer, and that the finished borehole is properly grouted or backfilled.

501.14.3.2.3.4.4. Whenever material other than bentonite grout is used as the backfill material, the borehole must meet the isolation distances required for water supply wells in §501.8.1.2.

501.14.3.2.3.4.5. Whenever material other than bentonite grout is the backfill material, the contractor must grout the borehole with bentonite from fifteen (15) feet below the bottom of the casing to the surface.

501.14.3.2.3.4.6. The required grouting material for these boreholes shall be sodium bentonite. The bentonite shall conform to the grouting standard specified in §501.8.2.3.3. The use of thermally enhanced bentonite grout is allowed.

501.14.3.2.3.5. Casings Not Included in the finished Borehole.

501.14.3.2.3.5.1. Closed-loop geothermal boreholes that do not include a casing as part of the final construction configuration shall be grouted from bottom to top. Sands and gravels may not be used as backfill material.

501.14.3.2.3.5.2. The well contractor shall be responsible for insuring that the pipe loop is installed in accordance with the specifications of the ground source heat pump system manufacturer and the pipe manufacturer, and that the finished borehole is properly grouted.

501.14.3.2.3.5.3. Pipe loops used in closed-loop geothermal boreholes shall be made of materials acceptable to the International Ground Source Heat Pump Association.

501.14.3.2.3.5.4. Grouting shall be placed using a tremie pipe.

501.14.3.2.3.5.5. The required grouting material for these boreholes shall be sodium bentonite. The bentonite shall conform to the grouting standard specified in §501.8.2.3.3. The use of thermally enhanced bentonite grout is allowed.

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501.14.4. AGRICULTURAL WATER SUPPLIES.

501.14.4.1. Agricultural water wells must meet all isolation requirements as noted in §501.8.1.2.

501.14.4.2. Wells used specifically for irrigation of crops, irrigation of recreational or institutional grasslands, or other non-consumptive use are not required to have water quality analyses.

501.14.4.3. Wells used for watering dairy livestock should comply with all Pennsylvania Department of Agriculture requirements and best management practices.

501.14.4.4. Agricultural wells may not have dual use providing water for human consumption unless the well has been approved for human consumption.

501.14.4.5. An agricultural water supply well may be converted to use as a potable supply for human consumption by following the requirements of §501.14.1, (relating to the conversion of Test Wells) only if it meets all of the isolation distance requirements of §501.8.1.2, and §501.8.2.3, (relating to proper grouting).

501.15. GROUND WATER AREAS OF CONCERN.

501.15.1. No new individual or public water supply well, test well, geothermal well or agricultural water supply well may be permitted, and no new individual or public water supply well, test well, geothermal well or agricultural water supply well may be constructed, within the delineated Plume Area of a contaminated site unless the United States Environmental Protection Agency (US EPA) or the PA DEP agree and provide written documentation that installation of the well will not have any impact on the Plume or remediation effort.

501.15.2. If no other source of water can be supplied where there is a documented need within an identified plume area, the Department will work directly with US EPA or PA DEP to evaluate the options available and the potential risks.

501.15.3. If a well is acceptable to US EPA or PA DEP within an identified plume area, the Department will require testing of the new well for the contaminants known to be associated with the specific site. In the event analyses indicate contaminants to be above drinking water standards set forth by the US EPA or PA DEP, treatment of the water supply will be required until such time as analyses indicate contaminants to be below standards set forth by US EPA or PA DEP. A PA DEP approved laboratory must conduct all water tests. All test results must be submitted to the Department.

501.15.4. Whenever a new water supply well is drilled within a plume area the well owner(s) shall be responsible for testing their well water on an annual basis for the contaminants known to be associated with the specific site.

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501.15.5. In instances when the US EPA and/or the PA DEP have determined, and provided written documentation, that the permitting of a well may interfere with clean-up efforts of a nearby groundwater contamination, the Department may rely upon said documentation to deny the well permit.

501.15.6. Water supply or agricultural wells drilled in areas adjacent to active or inactive permitted landfills sites shall meet the isolation distance requirements in §501.8.1.2, Chemical Related.

501.16. WATER SOURCE REPLACEMENTS

501.16.1. Whenever a public water supply or another well replaces an existing well, it shall be the responsibility of the property owner to have the existing well properly decommissioned by a licensed well contractor in accordance with §501.17, Decommissioning of Wells, of these Rules and Regulations. No well shall exist in an abandoned state.

501.16.2. All wells that are to be decommissioned, or wells that are removed from use or a useable status, such as abandoned wells, or any well that meets the definition of an abandoned well according to §501.4.1, shall be decommissioned according to the requirements of §501.17, Decommissioning of Wells.

501.16.3. A well that has been replaced by another well shall not be required to be decommissioned if the property owner has made written request to the Department to maintain the well for purposes that will not endanger groundwater, the environment or public health and has received written approval to maintain the well from the Department. Wells maintained for landscaping use must be fitted with a backflow prevention device.

501.16.4. A well that has been replaced by a public water supply shall not be required to be decommissioned if the property owner has submitted a written request to the Department for approval to continue to maintain the well, and has received written approval to maintain the well from the Department. The well must be physically disconnected from the domestic water supply plumbing as a means of preventing cross-connection contamination of the public water supply. Wells maintained for landscaping use must be fitted with a backflow prevention device.

501.16.5. Wells that have been replaced by public water supplies shall not be used or maintained when any federal, state or local agency has determined that the continued use or maintenance of the well could interfere with the cleanup of contaminated groundwater or a contaminated site.

501.17. DECOMMISSIONING OF WELLS

501.17.1. The Department must be notified in writing within thirty (30) days by a well contractor and/or property owner when a well meets the criteria of an abandoned well under §501.4.1, of these Rules and Regulations. All wells considered to be abandoned shall be filled and sealed by licensed well contractor licensed by the Department in accordance with the procedures for decommissioning listed in this section. Written notification and proper documentation of

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decommissioning shall be submitted to the Department on the Well Decommissioning Form within thirty (30) days from the point that the subject well has met the criteria of, or otherwise been determined to be, an abandoned well according to §501.4.1, in such a manner as to prevent the borehole being sealed from acting as a channel for pollution, or the escape of subterranean gases. A report, as required above, of the method of sealing and the materials used shall be filed with the Department.

501.17.2. Decommissioning shall be completed in accordance with the applicable standards of the American Water Works Association, as periodically revised. These standards currently include the following:

501.17.3. Sealing Requirements. Before sealing operations are initiated, the borehole or well shall be measured for depth and checked and cleared of obstruction.

501.17.4. Casing Removal. Removal of the casing from some boreholes may be necessary to ensure placement of an effective seal.

501.17.5. Exception to Removing Casing. If a casing cannot be readily removed, it may need to be perforated to ensure the proper sealing required.

501.17.6. Sealing Material and Placement. Concrete, cement grout, bentonite or sealing clay shall be used as primary sealing materials and shall be placed from bottom to top by a method that will prevent segregation or dilution of materials.

501.17.7. Records of Decommissioning Procedures. Complete, accurate records shall be kept of the entire decommissioning procedure.

501.17.8. Quantity of Materials Used. The quantity of sealing material used shall be recorded.

501.17.9. Changes Recorded. Any changes in the well made during the sealing, such as perforating the casing, or removal of casings, shall be recorded.

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CHAPTER 500 WATER, WELLS, NUISANCES, SEWAGE AND LIQUID WASTE

SECTION 502 NUISANCES

<u>Section</u>	<u>Subject</u>
502.1	Purpose
502.2.	Definitions
502.3.	Sewage Disposal
502.3.1.	Construction and Use of Receptacles
502.3.2.	Cleansing of Receptacles
502.3.3.	Transportation of Sewage
502.3.4.	Disposal of Sewage
502.3.5.	Public Accommodations
502.3.6.	Accessibility of Public Sewers
502.3.7.	Discharge of Wash Water
502.4.	Decaying Matter
502.4.1.	Disposal of Decaying Matter
502.4.2.	Accumulation of Manure
502.4.3.	Dead Animal Carcasses
502.5.	Water
502.5.1.	Stagnant Water
502.5.2.	Water Supply
502.6.	Industrial Establishments
502.7.	Open Burning
502.8.	General Standards and Abatement of Nuisances

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502.1. Purpose. The purpose of this Section is to provide for the protection and promotion of the public health by promulgating regulations regarding sewage disposal, decaying matter, industrial waste, water supply, and other operations and conditions which may constitute a nuisance detrimental to the public health.

502.2. Definitions. The following words and terms, when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise:

502.2.1. "Community sewage system": A sewage facility, whether publicly or privately owned, for the collection of sewage from two or more lots, or two or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one or more of the lots or at another site.

502.2.2. "Establishment": Any industrial establishment, mill, factory, tannery, paper or pulp mill, garage, mine, quarry, and each and every other industry, plant or works.

502.2.3. "Garbage": All putrescible wastes (except sewage and body waste); including but not limited to animal and vegetable offal.

502.2.4. "Individual sewage system": A system of piping, tanks, or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into the waters of this Commonwealth, or by means or conveyance to another site for final disposal.

502.2.5. "Industrial waste": Any liquid, gaseous, radioactive, solid, or other substance, not sewage, which results from any manufacturing or industry, or from any establishment (as defined in 502.2.2. above), as well as any mine drainage, silt, coal mine solids, rock, debris, dirt, and clay from coal mines, coal collieries, breakers, or other coal processing operations. This term shall include all substances whether or not they are generally characterized as waste.

502.2.6. "Premises": A lot, plot, or parcel of land, including the buildings and structures thereon.

502.2.7. "Refuse": All nonputrescible wastes, generally regarded and classified as rubbish, trash, junk, and similar designations.

502.2.8. "Sewage": Any substance which contains any of the waste products, excrement, or other discharge from the bodies of human beings or animals, and any biological, chemical, radioactive, or other noxious or deleterious substance which is harmful or inimical: to the public health; to animal or aquatic life; or to use of water for domestic water supply or for recreation. This term shall include kitchen and laundry waste.

502.2.9. "Solid waste": All combinations of ashes, garbage, refuse, hazardous material, combustible materials, and industrial wastes, or any part thereof, which are not disposed of under a permit issued by the Pennsylvania Department of Environmental Protection.

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502.2.10. "Vector" (of disease): An animal or insect which transmits infectious diseases from one person or animal to another by biting the skin or mucous membrane, or by depositing infective material on the skin, food, or other object.

502.2.11. "Water Supply": A source or sources of water, as well as any and all water treatment, storage, transmission, and distribution facilities.

502.2.12. "Waters of this Commonwealth": Rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs, and other bodies or channels of conveyance of surface and underground water, or of their parts, whether natural or artificial, within or on the boundaries of this Commonwealth.

502.3. SEWAGE DISPOSAL.

502.3.1. Construction and Use of Receptacles.

502.3.1.1. No individual sewage system, community sewage system, privy, cesspool, or other receptacle for sewage shall be constructed, maintained, or used so that vectors may have access to the sewage contained therein.

502.3.1.2. No individual sewage system, community sewage system, privy, cesspool, or other receptacle for sewage shall be constructed, maintained, or used which directly or indirectly drains or discharges over or upon the surface of the ground or into the Waters of this Commonwealth, except as specifically permitted under sections 202 and 207 of the Clean Streams Law (35 P.S. §§ 691.202 and 691.207) and individual residential spray irrigation system permitted by local agencies under section 7.3 of the act (Act 537) (35 P.S. § 750.7c).

502.3.1.3. All sewage disposal systems and their components shall be constructed and maintained in accordance with the Pennsylvania Sewage Facilities Act, Act 537; Chapter 500 § 502 and Chapter 500 § 503 of these Rules and Regulations; and municipal Act 537 Plan requirements.

502.3.2. Cleansing of Receptacles.

502.3.2.1. All individual sewage systems, community sewage systems, privies, cesspools, urinals or other receptacles for sewage shall be emptied or cleansed at sufficiently frequent intervals to prevent the contents from overflowing.

502.3.2.2. Cleansing of septic tanks shall be in compliance with Chapter 500 § 504, 504.4 and 504.5 of these Rules and Regulations.

502.3.3. Transportation of Sewage.

502.3.3.1. The transportation of sewage shall be accomplished in water tight containers with tight fitting covers which are approved by the Department. Such containers shall be thoroughly cleansed after each use.

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502.3.3.2. Transporting Liquid Waste shall be in conformance with Chapter 500 § 504, 504.4 of these Rules and Regulations.

502.3.4. Disposal of Sewage.

502.3.4.1. No sewage shall be placed on the surface of the ground, buried, or otherwise disposed of where it is likely to gain access to any Waters of this Commonwealth, unless approved and licensed by the Department and/or the Pennsylvania Department of Environmental Protection. The use of animal wastes as fertilizer is permissible as long as it adheres to the requirements of an established Nutrient Management Plan or Manure Management Plan.

502.3.4.2. The contents of individual sewage systems, community sewage systems, privies, cesspools, urinals, or other receptacles for sewage shall not be used on any ground on which vegetables, which are eaten uncooked by humans, are being grown.

502.3.4.3. Disposal of Liquid Waste shall be in conformance with Chapter 500 § 504, 504.4, and 504.5 of these Rules and Regulations.

502.3.5. Public Accommodations.

502.3.5.1. Sufficient and suitable free privy or toilet accommodations, as determined by the Department, shall be provided at all buildings and premises which are open to the public. Such accommodations must be well lighted and ventilated.

502.3.6. Accessibility of Public Sewers.

502.3.6.1. No individual sewage disposal system, privy, cesspool, or similar receptacle for sewage shall be constructed, maintained, or used on premises where a sewer which is part of a sewer system from which sewage is discharged in the Waters of this Commonwealth under a permit from the Pennsylvania Department of Environmental Protection, is "accessible" (as this word is defined in the appropriate State, county or local law regulating public sewers.)

502.3.6.2. Connections to public sewers shall be in conformance to the requirements of the Pennsylvania Department of Environmental Protection and local municipal requirements.

502.3.7. Discharge of Wash Water.

502.3.7.1. No kitchen, bathtub, shower, or laundry water shall be allowed to discharge or flow over or upon the surface of the ground, or into the Waters of this Commonwealth, and shall, instead, be discharged to a treatment tank.

502.4. DECAYING MATTER.

502.4.1. Disposal of Decaying Matter.

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502.4.1.1. No garbage, offal, pomace, dead animals, (except for solid waste, which regulated by Chapter 500 §504 of these Rules and Regulations), shall be thrown, deposited, cast, or permitted to accumulate upon the ground, in or on any ravine, ditch or gutter, on any street, highway, or thoroughfare; or anywhere where it is likely to gain access to or to contaminate the Waters of this Commonwealth.

502.4.1.2. The transportation of organic waste shall be: effected in watertight vehicles or containers; properly covered to avoid spillage; cleansed at sufficient intervals to prevent obnoxious odors; and in accord with the provisions of Chapter 500, § 504 of these Rules and Regulations, where applicable.

502.4.2. Accumulation of Manure.

502.4.2.1. Manure shall not be allowed to accumulate in any place where it may contaminate any source of drinking water or any Waters of this Commonwealth, or where it may contribute to the breeding of vectors so as to become a nuisance detrimental to the public health.

502.4.3. Dead Animal Carcasses.

502.4.3.1. Carcass of any dead animal not killed for food shall be removed and disposed of by burial or incineration or some other sanitary method, within twenty-four (24) hours after death.

502.4.3.2. If the carcass is buried, it shall be placed so that every part shall be covered by at least two (2) feet of earth, at a location not less than: one hundred (100) feet from any Waters of this Commonwealth; and ten (10) feet from the seasonably high ground water table and/or bedrock formation. This location shall not be subject to overflow by the Waters of this Commonwealth.

502.4.3.3. In all cases of death from communicable disease, the carcass shall be thoroughly enveloped in unslaked lime.

502.5. WATER.

502.5.1. Stagnant Water.

502.5.1.1. No person shall maintain or permit to be maintained any pond, privy vault, cesspool, well, cistern, rain barrel, individual sewage system, community sewage system, or other receptacle or system containing water, unless such receptacle or system is constructed or maintained in a manner to prevent the breeding of mosquitoes, flies, or vectors of disease.

502.5.2. Water Supply.

502.5.2.1. No owner, operator, or occupant of any premises shall maintain any well, spring, cistern, or other source of water supply used for drinking or household purposes to which the public has or may have access, which is polluted, or which is so situated or constructed that it may become polluted in any manner, which may render such water supply injurious to the public health.

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502.6. INDUSTRIAL ESTABLISHMENTS AND INDUSTRIAL WASTES.

502.6.1. No person maintaining a slaughterhouse, rendering works, depository of dead animals, glue works, tannery, wool washing establishment, paper mill, dye works, dairy, creamery, cheese factory, milk station, or similar establishment; or engaged in the manufacture of gas, chemicals, explosives, fertilizers, or similar products; or in the business of soap making, fish oil extraction, bone boiling, or any similar occupation; or maintaining any other "establishment" that is defined in Subsection 502.2.2., above, shall allow any of the following:

502.6.1.1. Any noxious gases, which are deleterious or detrimental to public health, to escape into the air.

502.6.1.2. Any substance, which is deleterious or detrimental to public health, to:

- a. accumulate upon the premises;
- b. be thrown or allowed to discharge into any street, roadway, or public place; or
- c. be thrown or allowed to discharge into any Waters of this Commonwealth.

502.6.2. All "establishments" (as defined in 502.2.2., above), including (but not limited to) slaughterhouses, rendering works, bone boiling establishments, depositories for dead animals, garbage disposal works, piggeries, and similar establishments which handle organic matters, shall have an adequate water supply for the purpose of keeping the establishment clean and sanitary. All floors, in each establishment, shall be constructed of concrete or other impervious material, and shall have adequate provision for drainage to: a cesspool or other individual sewage disposal system which is approved by the Department; or, a community sewerage system which is approved by the Pennsylvania Department of Environmental Protection.

502.6.3. No pigsty, piggery, livestock operation, or any other, similar operation or facility shall be built or maintained: on marshy ground; on land subject to overflow; where it may prejudicially affect any water supply; where, as a source of vector breeding, it may become a menace to the public health; or where it may otherwise affect the Waters of this Commonwealth. The following requirements shall also be met for any of these said operations or facilities:

- a. If garbage is fed to pigs or any other livestock, provision shall be made so that all unconsumed garbage shall be removed daily and disposed of by burial or incineration.
- b. All garbage shall be handled and fed upon platforms of concrete or other impervious material.
- c. Unslaked lime, hypochlorite of lime, borax, or mineral oil shall be used daily in sufficient quantities to prevent the breeding of mosquitoes, flies, or vectors.

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502.6.4. No livestock, feedlot, spraying dock, loading and unloading dock, or any other such facility or operation shall be located so as to allow sewage to have direct or indirect access to the Waters of this Commonwealth. An exception shall be made, however, for any livestock crossing.

502.7. OPEN BURNING.

502.7.1. No person, municipality, or authority shall burn any refuse or solid waste except at a site permitted and licensed for such use by the Pennsylvania Department of Environmental Protection.

502.8. GENERAL STANDARDS AND ABATEMENT OF NUISANCES

a. No person shall do or assist in any act which is or may be detrimental to the public health or the life or health of any individual unless the act is authorized by law. No person shall fail to do any reasonable act or take any necessary precaution to protect human life and health.

b. No person shall commit or maintain a nuisance and no person shall allow such a nuisance to exist or to be created in respect of any matter, thing, property, or premises which he/she/they owns or controls.

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CHAPTER 500 WATER, WELLS, NUISANCES, SEWAGE AND LIQUID WASTE

SECTION 503

**INDIVIDUAL SEWAGE DISPOSAL AND ADMINISTRATION OF SEWAGE
FACILITIES ACT**

<u>Section</u>	<u>Subject</u>
503.1.	Policy and Purpose
503.2.	Adoption by Reference of the Sewage Facilities Program
503.3.	Fees
503.4.	Rural Residence Permit Requirement
503.4.1	Delaware County Rural Residence

503.1. POLICY AND PURPOSE.

503.1.1. The purpose of this Section is to provide for the protection of the public health by promulgating and adopting regulations for the installation of individual sewage systems and community sewage systems.

503.1.2. The provisions of this Section are adopted in accordance with the duties imposed upon the Department under: the "Pennsylvania Sewage Facilities Act" (35 P.S. §750.1 et seq. as amended); and, the "Local Health Administration Law" (16 P.S. §12001 et seq. as amended).

503.1.3. The provisions of this Section shall apply to all municipalities in Delaware County which come within the jurisdiction of the Department, and they shall apply equally to all persons.

503.2. ADOPTION BY REFERENCE OF THE "SEWAGE FACILITIES PROGRAM". "Title 25. Rules and Regulations; Part I. Department of Environmental Protection; Sub part C. Protection of Natural Resources, Article I. Land Resources; Chapter 71. Administration of Sewage Facilities Planning Program, as amended, Chapter 72. Administration of Sewage Facilities Permitting Program, and Chapter 73. Standards for Onlot Sewage Treatment Facilities", as amended, are hereby adopted by reference and are made a part of the Department's Rules and Regulations, as fully as if herein set forth at length."

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503.3. FEES. Fee(s) accompanying application for sewage permit(s) shall be in accordance with Chapter 700 §701 of these Rules and Regulations.

503.4. RURAL RESIDENCE PERMIT REQUIREMENT. All property owners, regardless of property size, intending to install an individual or community on-lot sewage disposal system must first obtain a permit from the Department. The installation must meet the standards and requirements of Chapter 73 of the Rules and Regulations of the PA Department of Environmental Protection and the requirements of Section 503 of the Rules and Regulations of the Delaware County Health Department.

503.4.1. DELAWARE COUNTY RURAL RESIDENCES. In accordance with the power reserved to the Department by Chapter 500, Section 503, Section E. 72.22(e) of these Rules and Regulations, a permit shall be required for all rural residences located within the jurisdiction of the Department, in accordance with the terms of this Section 503.

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CHAPTER 500 WATER, WELLS, NUISANCES, SEWAGE AND LIQUID WASTE

SECTION 504

SOLID AND LIQUID WASTE MANAGEMENT

<u>Section</u>	<u>Subject</u>
504.1.	Purpose
504.2.	Definitions
504.3.	Standards
504.4.	Liquid Waste Operators License
504.5.	Liquid Waste Disposal
504.6.	Solid Waste

504.1. PURPOSE. This section provides regulations which:

504.1.1. Establish minimum standards for the regulation of the handling, transporting, storage and disposal of solid and liquid waste material, essential to prevent public health hazards in Delaware County;

504.1.2. Establish minimum standards governing the condition and maintenance of solid and liquid waste disposal facilities, vehicles, and other equipment;

504.1.3. Fix certain responsibilities and duties on the owners, operators, and others who are in control of the handling, transporting, storage, and disposal of solid and liquid waste material.

504.2. DEFINITIONS

504.2.1. All definitions, except for those given in 504.2.2, immediately below, pertaining to the handling, transportation, and disposal of solid and liquid waste shall be in accord with those found in the "Pennsylvania Sewage Facilities Act" (the Act of January 24, 1966, P.L. 1535, No. 537, as amended, 35 P.S. §750.1 et seq.), the "Pennsylvania Solid Waste Management Act" (the act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. §6018.101-1003 et seq.), and those

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Rules and Regulations of the Pennsylvania Department of Environmental Protection (as found in 25 P.S. §75.1 et seq.), adopted pursuant thereto.

504.2.2. The following words and terms, in addition to those described in 504.2.1, immediately above, when used in this Section, shall have the following meanings:

504.2.2.1. "Liquid Waste": Sewage pumped from septic tanks, cesspools, holding tanks, or privies, or chemical toilets, not containing liquids or materials classified as toxic, industrial, or hazardous waste.

504.2.2.3. "Liquid Waste Hauler": Any person who engages in the business of pumping and transporting liquid waste within Delaware County.

504.2.2.4. "Solid Waste": Any waste, including but not limited to municipal, residual, or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials which are not disposed of under a permit issued by the Pennsylvania Department of Environmental Protection.

504.3. STANDARDS

504.3.1. All standards pertaining to the handling, transportation, and disposal of all solid and liquid waste shall be in accord with those found in the "Pennsylvania Sewage Facilities Act, as amended (35 P.S. §750.1 et seq.), and the Pennsylvania Solid Waste Management Act, as amended (35 P.S. §6018.101-1003 et seq.). Any Rules and Regulations adopted by the Pennsylvania Department of Environmental Protection with reference hereto, after the effective date of this Section 504 shall be incorporated by reference as if fully set forth herein.

504.4. LIQUID WASTE OPERATIONS LICENSE

504.4.1. No person shall pump or otherwise remove liquid waste from any container designed to receive such waste or transport any liquid waste without having obtained from the Department a current and valid license to pump and transport such liquid waste.

504.4.2. Each person applying for a license to pump and transport liquid waste shall make written application on a form provided by the Department.

504.4.2.1. The application must be accompanied by a check payable to the Treasurer of Delaware County, in accordance with Chapter 700, Subsection 701 of the Rules and Regulations.

504.4.2.2. Each liquid waste disposal facility used by the applicant shall be listed on the application. Any changes in the disposal sites must be submitted to, and approved by, this Department prior to any such changes.

504.4.2.3. Each vehicle used by the applicant shall be listed on the application. Each vehicle shall require a separate Delaware County Health Department license. Any change in the liquid

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waste transport vehicles must have prior approval of this Department before said vehicle operates in Delaware County.

504.4.2.4. Any new liquid waste transport vehicle must be licensed by this Department prior to operating in Delaware County.

504.4.3. Licenses to Pump and Transport Liquid Waste shall expire one (1) calendar year from date of issuance, and application for renewal thereof shall be made in writing within thirty (30) days preceding this expiration date.

504.4.4. No person shall use a vehicle to pump and transport liquid waste in Delaware County unless that vehicle has a current and valid license from this Department. Meeting the conditions of licensing is not contingent on the operational status of the vehicle. If a vehicle is listed on the license application but is not being used to pump and transport liquid waste in Delaware County, the Hauler must sign a certification under penalty of false swearing that the vehicle is not being used to haul liquid waste.

504.4.5. Annual inspections of all vehicles that are licensed by the applicant to transport liquid waste and/or the re-inspection of vehicles that failed this annual inspection, or new vehicles purchased after the initial annual inspection is completed, shall be completed within a time frame agreed upon by the applicant and the department. This time frame shall not exceed 60 calendar days.

504.4.5.1. Each vehicle shall have a Vehicle Identification Number (VIN), Vehicle Registration Number (License Tag number), and Delaware County License Number that matches exactly to that listed on the application.

504.4.5.1.1 Each vehicle shall have the Delaware County License Number in a conspicuous place on both sides of the vehicle, in letters not less than three (3) inches in size, in a color contrasting the background, and which is preceded by "DCHD".

504.4.5.2. Vehicles shall have no detectable leaks of liquid waste from the tank.

504.4.5.3 Each vehicle used to pump liquid waste shall be so equipped as to ensure that each receptacle or container shall be thoroughly cleaned in such a manner as to effectively remove all solids and scum.

504.4.6. No person, including any owner or applicant of a licensed vehicle to pump and transport liquid waste in Delaware County shall alter, repair, replace, or enlarge any part of an on-lot sewage disposal system in conflict with the "Pa. Sewage Facilities Act", as amended (35 P.S. §750.1 et seq.

504.4.7. All septic tanks must be pumped out through the manhole in the center of the tank. No person is to pump the contents of the tank out through the septic tank inspection port. Nor may

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they alter the tank by replacing the four inch inspection port with an inspection port of a larger diameter.

504.4.8. Any license to pump and transport liquid waste may be revoked or suspended upon failure to comply with the following: a) the conditions of the license; and/or, b) any of these Rules and Regulations; and/or c) written order of the Director or his/her designee.

504.4.9 Failure to comply with these regulations may result in legal action being taken against the Liquid Waste Hauler and/or owner of the Liquid Waste Hauler Company. A minimum fine of \$100.00 may be assessed against the Liquid Waste Hauler or company, not to exceed \$1000.00 for subsequent offenses and may include the revocation of the County license, as authorized by the Solid Waste Management Act (35 P.S. 6018.606).

504.4.10. Any person whose license has been revoked or suspended shall:

504.4.10.1. Receive written notification thereof from the Director or his/her designee clearly stating that the Liquid Waste Hauler License has been revoked; and

504.4.10.2. Have the right to a hearing, as promulgated in Chapter 100, 1105, of these Rules and Regulations.

504.5. LIQUID WASTE DISPOSAL

504.5.1. It shall be unlawful for any person, municipality, or authority to dump or deposit, or permit dumping or depositing of, any liquid wastes onto or beneath the surface of the ground unless the site has a current and valid permit from the Pennsylvania Department of Environmental Protection for the disposal of such wastes.

504.6. SOLID WASTE

504.6.1. TRANSPORTATION.

504.6.1.1. No person shall transport solid waste in any vehicle which is not completely covered or enclosed in such a manner as to prevent: the attraction of arthropods; the escape of obnoxious odors; or the spillage, littering, or leaking of the contents upon the ground or roadways.

504.6.1.2. Each transport vehicle shall be frequently cleaned and maintained in a sanitary condition.

504.6.1.3. Each transport vehicle shall be constructed of materials that are readily cleanable.

504.6.2. STORAGE. All containers for the storage of solid waste shall: completely confine the material; be rodent and insect proof; not be subject to rust and corrosion; be regularly cleaned and maintained in a sanitary condition; and, be approved by the Department.

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504.6.3. DISPOSAL. It shall be unlawful for any person, municipality, or authority to burn, dump, deposit, or litter, or permit dumping or depositing of, any solid wastes onto the surface of the ground, into holes dug upon the ground, or into the waters of Delaware County without having obtained a Solid Waste Disposal Site Permit from the Pennsylvania Department of Environmental Protection.

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CHAPTER 600 MISCELLANEOUS STANDARDS AND REQUIREMENTS

SECTION 601

ENVIRONMENTAL SCHOOL HEALTH

<u>Section</u>	<u>Subject</u>
601.1.	GENERAL POLICY
601.2.	DEFINITIONS
601.3.	INSPECTIONS
601.4.	PLAN REVIEW
601.5.	WATER SUPPLY
601.6.	PLUMBING
601.7.	SEWAGE DISPOSAL
601.8.	FOOD SERVICE
601.9.	HEALTH AND SAFETY IN SCHOOLS
601.10.	ANIMALS
601.11.	PHYSICAL FACILITY
601.12.	TOILET AND HANDWASHING FACILITIES
601.13.	LOCKER ROOMS
601.14.	VECTOR CONTROL
601.15.	LIGHTING
601.16.	GARBAGE AND REFUSE STORAGE, COLLECTION, AND DISPOSAL
601.17.	BATHING PLACES

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601.1. GENERAL POLICY. The provisions of this Section shall apply equally to all public, private and parochial schools conducting educational programs, in any municipality under the jurisdiction of the Delaware County Health Department.

601.2. DEFINITIONS. The following words and terms, when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise:

601.2.1. "Garbage": All putrescible wastes (except sewage and body waste); including but not limited to animal and vegetable offal.

601.2.2 "Refuse": All nonputrescible wastes generally regarded and classified as rubbish, trash, junk, and similar designations which have been rejected by the owner or possessor as useless or worthless to him.

601.2.3. "Schools": School buildings, including grounds, where there are training facilities for teaching children, or offering instruction in any branch of knowledge, including public, private, parochial, charitable, vocational, or any other institution intended for teaching from kindergarten to twelfth grade, on a classroom or organized basis.

601.2.4. "Sewage": Any substance which contains any of the waste products or excrements or other discharges from the bodies of human beings or animals, and any noxious or deleterious substances which are harmful or inimical: to the public health; to animal or aquatic life; or to the use of water for domestic water supply or for recreation.

601.2.5. "Sewage Facilities": A system of sewage collection, conveyance, treatment and disposal that will prevent the discharge of untreated or inadequately treated sewage or other wastes onto the surface of the ground or into the Waters of this Commonwealth, and otherwise provide for the safe and sanitary treatment and disposal of sewage or other wastes.

601.2.6. "Source": Any well, spring, cistern, infiltration gallery, stream, reservoir, pond, or lake from which, by any means, water is taken, either intermittently or continuously, for use by the public.

601.2.7. "Waters of this Commonwealth": All rivers, streams, creeks, rivulets, lakes, dammed water, ponds, springs, and all other bodies of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth.

601.2.8. "Water Supply": A source or sources of water, as well as any and all water treatment, storage, transmission, and distribution facilities.

601.3. INSPECTIONS

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601.3.1. Subject to the limitations of the Constitutions of the United States and of the Commonwealth of Pennsylvania, a representative of the Department, upon showing proper identification of office, may enter and inspect any school at all reasonable times, and, in emergency, at any time.

601.3.2. A Certificate of Inspection will be issued to all schools located within the jurisdiction of the Department upon compliance with these Rules and Regulations.

601.3.3. When it is determined by the Department, after inspection, that any school is not operated and/or maintained in compliance with these Rules and Regulations, the Department shall have the power to, without prior notice, issue emergency order(s).

601.3.4. When emergency order(s) are issued, the owner or other responsible person shall have the right to a hearing pursuant to Chapter 100, §100.8, of these Rules and Regulations.

601.3.5. Schools in operation prior to the effective date of these regulations, which would require capital expenditures to fully meet all of the design, construction and equipment requirements of these regulations, may be deemed acceptable if in good repair and capable of being maintained in a sanitary condition and pose no hazard to the health of the school occupants.

601.4. PLAN REVIEW

601.4.1. Before work is begun in the construction, remodeling, or alteration of a school, or in the conversion of an existing establishment or facility to a school, properly prepared plans and specifications shall be submitted to and approved by the Department.

601.4.2. Plans and specifications shall include, where applicable, data relating to: the grounds, buildings, equipment; sewage disposal; water supply, including plumbing; refuse disposal; and any other information which may be required by the Department.

601.5. WATER SUPPLY

601.5.1. All water used in the operation of a school shall be provided from a supply approved by the Department. Approval of a water supply shall be based upon satisfactory compliance with the construction standards for individual water supplies that are promulgated in Chapter 500, §501, of these Rules and Regulations and the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et. seq.).

601.5.2. The water supply shall be adequate in quantity and shall meet the bacteriological and chemical water standards of the Department, as found in Chapter 500, §501 and the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1 et. seq.). Unapproved water supplies shall be made inaccessible to the public in a manner deemed satisfactory to the Department.

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601.5.3. All schools not connected to a public water supply shall meet the periodic water quality monitoring and testing requirements as stated in Chapter 600, §605 of these Rules and Regulations.

601.6. PLUMBING

601.6.1. Plumbing shall be sized, installed, and maintained to carry adequate quantities of water to required locations throughout the school; prevent contamination of the water supply; and properly convey sewage and liquid wastes from the establishment to the sewage facilities.

601.6.2. The plumbing shall be installed and maintained so as not to create an unsanitary condition or nuisance. Any faucet with threads which could allow a hose to be attached must be provided with an approved backflow prevention device.

601.6.3. Plumbing fixtures shall be provided with a constant supply of hot water within a reasonable period of time. A reasonable time is assumed to be a period not to exceed three minutes.

601.7. SEWAGE DISPOSAL

601.7.1. All sewage disposal systems serving a school shall be approved by the Department.

601.7.2. Approval of the sewage disposal system shall be based upon satisfactory compliance with the standards for individual sewage disposal systems as described in Chapter 500, §503 of these Rules and Regulations, and the Clean Streams Law (35 P.S. §691.1 et seq.).

601.8. FOOD SERVICE

601.8.1. Facilities to be used for the storing, preparation, and serving of food must meet the requirements of Chapter 300 of these Rules and Regulations, Pennsylvania Food Code Chapter 46 and “Public Eating and Drinking Place” Act (35 P.S. §655.1 et seq.).

601.8.2. Home Economics, Life Skills or similar programs in a School that are used for instructional purposes or enrichment, are not required to meet the requirements of the PA Food Code Chapter 46.

601.9. HEALTH AND SAFETY IN SCHOOLS

601.9.1. The buildings, grounds, play area equipment, and appurtenances of schools shall be constructed and maintained so as to minimize health and accident hazards.

601.9.2. All space, including basement areas, shall be maintained in a clean, dry condition, without the presence of unnecessary material in storage.

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601.9.3. Cleaning materials and other toxic materials shall be kept in an area that is locked or made inaccessible to students.

601.9.4. Cleaning materials and other toxic materials shall be stored in an original labeled container or in a container that specifies the content. Toxic materials shall be stored away from foods, food preparation areas and student activity areas.

601.9.5. Cleaning materials and other toxic materials shall be used in a manner that does not contaminate student activity areas, food, food preparation areas and does not constitute a hazard to the students.

601.9.6. Heating, ventilation and/or air conditioning systems shall provide uniform heating, ventilation and/or air conditioning (where applicable) throughout the school facility. All heating devices shall be adequately vented in an approved manner.

601.9.7. Where window and door screens are utilized for ventilation, screens shall be maintained in good repair.

601.10. ANIMALS

601.10.1. Any pet or animal present at the facility, indoors or outdoors shall conform to the relevant provisions of Chapter 200, §202 (relating to veterinary public health and zoonotic disease) of these Rules and Regulations.

601.11. PHYSICAL FACILITY

601.11.1. Every exterior wall, roof, foundation, porch, and stair shall be structurally sound, weather-tight, and water-tight. They shall be finished to control mold, dust, and entry of insects and/or rodents into the facility.

601.11.2. Every interior floor, stair, wall and ceiling shall be structurally sound and shall be finished to control exposure of the occupants to hazardous levels of toxic fumes, dust, mold or noise.

601.11.3. Floors, walls, ceilings and other surfaces, including the facility's outdoor activity areas shall be kept clean, in good repair and free from visible hazards.

601.11.4. Wall and floor coverings shall be of such type and quality as will ensure safe and sanitary conditions.

601.12. TOILET AND HANDWASHING FACILITIES

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601.12.1. Separate toilet facilities for each sex shall be provided on the premises of schools, for the students. Toilet facilities shall be of sanitary design and readily cleanable. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition, and in good repair.

601.12.2. Toilet areas shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed, except during cleaning or maintenance. However, doors are not required where toilet rooms are structured with adequate sight barriers to prohibit direct vision to the toilets or urinals from the entranceway. Toilet rooms shall be adequately vented to the outside.

601.12.3. A toilet facility shall be supplied with toilet tissue at all times. Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered.

601.12.4. Each toilet facility shall be provided with a handwashing sink(s) supplied with hot and cold water under adequate pressure.

601.12.5. Handwashing facilities shall be located in the classroom in all grades from kindergarten through grade two, and in other rooms where the activities require frequent handwashing.

601.12.6. A handwashing sink shall be equipped to provide hot water between 90°F and 110°F through a mixing valve or combination faucet. Hot water temperatures shall be monitored regularly to ensure compliance with the above.

601.12.7. A constant supply of soap and paper towels individual towels or other approved means of hand drying shall be available at all handwashing sinks.

601.12.8. A self-closing, slow-closing or metering faucet shall provide a flow of water for at least 15 seconds without the need to reactivate the faucet.

601.12.9. Where staff may be required to assist students in a toilet facility, then applicable diapering requirements outlined in Chapter 400, §406 of these Rules and Regulations shall apply.

601.13. LOCKER ROOMS

601.13.1. Whenever any school is provided with a locker room and necessary appurtenances, they shall be maintained in a safe and sanitary condition. Floors, Walls and ceilings shall be smooth, easily cleanable and maintained in good repair.

601.14. VECTOR CONTROL

601.14.1. Effective measures must be adopted, when necessary, to prevent infestation with insects, rodents, or other vectors, in accordance with the standards established in Chapter 600, §603 of these Rules and Regulations. Pesticide application, when necessary, shall be conducted by

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a certified pest control applicator/operator and in accordance with the pesticide label and all required federal and state laws. The school premises shall be kept in such condition as to eliminate the harborage, food and water conditions conducive to insect, rodent or other vector infestations.

601.14.2 All schools shall have an Integrated Pest Management Plan in place.

601.15. LIGHTING

601.15.1. All schools and parts thereof, shall maintain adequate luminance levels by artificial or natural light, to provide for proper sanitation and safety in accordance with typical industry practices and guidelines.

601.16. GARBAGE AND REFUSE STORAGE, COLLECTION, AND DISPOSAL

601.16.1. All garbage and refuse containing food waste shall be kept in leak-proof, nonabsorbent, rust and corrosion-resistant containers, which shall be kept covered with tight-fitting lids, when filled or stored or not in continuous use. Other means of garbage and refuse storage may be used if it is approved by the Department and it is in accordance with the provisions of Chapter 500, §504 of these Rules and Regulations.

601.16.2. All other refuse shall be stored in containers, rooms, or areas of sufficient number and size in a manner so as to prevent insect and/or rodent problems and other nuisances.

601.16.3. All garbage and refuse storage, collection and disposal operations shall comply with the provisions of Chapter 500, §504 of these Rules and Regulations.

601.17. BATHING PLACES

601.17.1. The construction, modification, maintenance, and operation of any bathing place in a school shall be subject to the provisions of Chapter 600, §602 of these Rules and Regulations, and the provisions of the "Public Bathing Law" (35 P.S. §672 et seq.).

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CHAPTER 600 MISCELLANEOUS STANDARDS AND REQUIREMENTS

SECTION 602 PUBLIC BATHING PLACES

<u>Section</u>	<u>Subject</u>
602.1.	PURPOSE AND DEFINITIONS
602.2.	GENERAL PROVISIONS
602.3.	WATER SUPPLY SOURCE
602.4.	WATER QUALITY FOR SWIMMING OR RECREATIVE BATHING
602.5.	GENERAL SAFETY
602.6.	HYGIENE
602.7.	BATHER PREPARATION FACILITIES
602.8.	UNSAFE PLUMBING CONNECTIONS
602.9.	ELECTRICAL SAFETY
602.10.	SEWAGE DISPOSAL
602.11.	VECTOR CONTROL
602.12.	GARBAGE AND REFUSE
602.13.	FOOD

602.1. PURPOSE AND DEFINITIONS.

602.1.1. The purpose of this Section is to protect the public health by establishing minimum standards for the design, operation, and maintenance of public bathing places.

602.1.2. The following words and terms, when used in this Section, have the following meanings, unless the context clearly indicates otherwise:

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602.1.2.1. "Air gap": The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle.

602.1.2.2. "Backflow": The flow of water or other liquids, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than the approved source.

602.1.2.3. "Bather": A person using a public bathing place in the water or adjoining deck area for the purpose of swimming, water sports or other recreational activity.

602.1.2.4. "Bather load": The total number of bathers in a recreational swimming establishment.

602.1.2.5. "Bathing beach": A body of natural water impounded or flowing, of such size in relation to the bathing load that the quality and quantity, confined or flowing, need be neither mechanically controlled for the purpose of purification nor contained in an impervious structure.

602.1.2.6. "Certified lifeguard": An individual who has a current certificate in lifeguarding, issued by a lifeguard certifying authority, as recognized by the Commonwealth in a notice published yearly in the Pennsylvania Bulletin.

602.1.2.7. "Commonwealth": The Department of Health of the Commonwealth of Pennsylvania.

602.1.2.8. "Cross-connection": Any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other steam, gas, a chemical, or water of unknown or questionable safety, whereby there may be a flow from one system to the other, the direction depending on the pressure differential between the two systems.

602.1.2.9. "Department": The Delaware County Health Department.

602.1.2.10. "Garbage": All putrescible wastes, except sewage and body waste, including animal and vegetable offal.

602.1.2.11. "Hot Tub or Spa": A structure, designed to contain water, having a maximum depth of 48 inches used in conjunction with water recirculation systems or air injection, and utilizing hot, cold, or ambient temperature water which is not emptied after each individual use.

602.1.2.12. "Maximum bather load": The maximum number of bathers that the recreational swimming establishment is designed to accommodate, as defined in the plans and specifications submitted as part of the permit application using the guidelines set forth in the Department's publication, Public Bathing Place Manual.

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602.1.2.13. "National Electrical Code": The National Electrical Code published by the National Fire Protection Association.

602.1.2.14. "Person": An individual, partnership, corporation, association, municipality, county, authority, the Commonwealth or other private or public entity.

602.1.2.15. "Public bathing place": An outdoor or indoor place used for amateur, professional or recreative swimming or bathing whether or not a fee is charged for admission or for the use of the place, exclusive of a bathing place at a private, single-family residence which is used solely by the owner of the residence, his family and their personal guests.

602.1.2.16. "Recreational swimming establishment": A facility that is designed, constructed or designated for use by individuals for the primary purpose of swimming, if a fee is charged for admission.

(i) The term includes swimming pools, water rides, wave pools and swimming beaches and other outdoor swimming facilities.

(ii) The term excludes those facilities owned by condominiums, other property owner associations, rental arrangements that include three or more families or social units, hotels or motels, campgrounds, private clubs and private organizations which do not provide access to the general public, swimming facilities used exclusively for hydrotherapy and residential swimming facilities used solely by the owner of a residence, the owner's family and personal guests.

602.1.2.17. "Refuse": All nonputrescible wastes generally regarded and classified as rubbish, trash, junk and similar designations which have been rejected by the owner or possessor thereof as useless or worthless to him.

602.1.2.18. "Rope and float line": A continuous line, at least 1/4 inch in diameter, that is supported by buoys and attached to opposite sides of a swimming pool.

602.1.2.19. "Sewage": Any substance which contains any of the waste products or excrements or other discharges from the bodies of human beings or animals, and any noxious or deleterious substance being harmful or inimical: to the public health; or to animal or aquatic life; or to the use of water for domestic supply or for recreation.

602.1.2.20. "Sewerage system": Any community or individual system, whether publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, including various devices for the treatment of such sewage or industrial wastes.

602.1.2.21. "Source": A well, spring, cistern, infiltration gallery, stream, reservoir, pond, or lake from which, by any means, water is taken either intermittently or continuously for use by the public.

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602.1.2.22. "Swimming pool": A body of water of such size in relation to the bathing load that the quality and quantity of the water confined must be mechanically controlled for the purpose of purification and contained in an impervious structure.

602.1.2.23. "Turnover period": The number of hours required to completely replenish the water in a pool or recirculate a quantity of water equal to the capacity of the pool.

602.1.2.24. "Vector": Any organism, including but not limited to, rats, bats, mice, cockroaches, fleas, flies, mites, mosquitoes, and ticks, which is capable of transmitting a pathogen to man, or capable of causing food to become unclean, unwholesome, spoiled, adulterated, or unsafe for human consumption.

602.1.2.25. "Wading pool": A body of water designed for use by children which is not deeper than three feet and of such size in relation to the bathing load that the quality and quantity of the water confined must be mechanically controlled for the purpose of purification and contained in an impervious structure.

602.1.2.26. "Waters of the Commonwealth": All rivers, streams, creeks, rivulets, lakes, dammed water, ponds, springs, and all other bodies of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.

602.1.2.27. "Water supply": A source or sources of water, as well as any and all water treatment, storage, transmission and distribution facilities.

602.2. GENERAL PROVISIONS

602.2.1. CONSTRUCTION PERMIT. A permit shall be obtained from the local municipality prior to the construction, alteration, modification, or operation of a public bathing place. Construction permits shall be issued based on compliance with the PA Uniform Construction Code.

602.2.2. COMMONWEALTH PUBLIC BATHING PLACE PERMIT. A Public Bathing Place Permit shall be obtained from the Commonwealth before a public bathing place located in the Commonwealth begins operations. When the ownership of the public bathing place changes or if the public bathing place is leased by the owner, it is the responsibility of the new owner or lessee to secure a Commonwealth Public bathing Place Permit in his name.

602.2.3. CERTIFICATE OF REGISTRATION. A person may not operate a public bathing place without a Certificate of Registration issued by the Department. The Certificate of Registration covers all pools, including wading, diving, racing, water slides, hot tubs, etc. that are operated at a particular site.

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602.2.3.1. Certificates of Registration expire on April 30 and shall be renewed annually.

602.2.3.2. Application for an annual Certificate of Registration shall be made to the Department on the application form provided by the Department.

602.2.3.3. Certificates of Registration are nontransferable. When the ownership of the public bathing place changes or if the public bathing place is leased by the owner, it is the responsibility of the new owner or lessee to secure a Certificate of Registration in his name.

602.2.4. **PESTICIDE APPLICATOR CERTIFICATION.** Applicators of general use pesticides, including chlorine, bromine, and algacides, shall obtain Pesticide Applicator

Certification in Category 24 (Swimming Pools), in accordance with the PA Code, Chapter 128 (Pennsylvania Pesticide Rules and Regulations).

602.2.5. **MAINTENANCE OF REGULATIONS AND CERTIFICATES.**

602.2.5.1. A copy of this Section, the Construction Permit from the municipality, the Public Bathing Place Permit from the Commonwealth, the Certificate of Registration issued by the Department, and all other applicable certification/inspection documents shall be available on-site at each public bathing place for the information of the public.

602.2.6. **INSPECTION.**

602.2.6.1. Subject to the limitations of the Constitutions of the United States and the Commonwealth of Pennsylvania, the Department, upon showing proper identification of office, may enter and inspect any public bathing place at all reasonable times, and, in an emergency, at any time.

602.2.6.2. All public bathing places located within the jurisdiction of the Department shall be operated and maintained in compliance with these Rules and Regulations.

602.2.6.3. When it is determined by the Department, after inspection, that any public bathing place is not being operated and/or maintained in compliance with these Rules and Regulations, the Department shall have the power to suspend or revoke the Certificate of Registration for said place.

602.2.6.4. When any Certificate of Registration is suspended or revoked in accordance with these Rules and Regulations, the owner or other responsible person shall have the right to a hearing pursuant to Chapter 100, §108, of these Rules and Regulations.

602.2.7. **MANAGEMENT OF THE PUBLIC BATHING PLACE.**

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602.2.7.1. A capable person or pool service company shall be in charge of the public bathing places and shall be responsible for the proper maintenance and use of the public bathing place as provided in:

602.2.7.1.1. The Public Bathing Law (35 P.S. §627 et seq.)

602.2.7.1.2. The permit and certificates issued for the public bathing place; and

602.2.7.1.3. The provisions of this Section.

602.2.8. APPROVAL BY DEPARTMENT.

602.2.8.1. A deviation from approved plans or specifications affecting the safety of bathers, treatment process or quality of water shall be approved by the Department in writing before the changes are made. A treatment process or protective measure may not be added to, altered, or discontinued without approval from the Department.

602.3. WATER SUPPLY SOURCE.

602.3.1. All water used for drinking, food preparation, cleaning or personal hygiene purposes at public bathing places shall be provided from a supply approved by the Department. Such approval shall be based upon satisfactory compliance with 25 PA Code Chapter 109 (related to safe drinking water).

602.3.1.1. The water supply shall be in adequate quantity and shall meet the bacteriological and chemical water standards of the Department.

602.3.1.2. Unapproved water supplies shall be made inaccessible to the public in a manner deemed satisfactory to the Department.

602.3.2. Drinking water facilities shall be provided at all public bathing places.

602.4. WATER QUALITY FOR SWIMMING OR RECREATIVE BATHING.

602.4.1. GENERAL STANDARD. The water used at all public bathing places for swimming or recreative bathing shall meet the bacteriological, chemical, physical and radiological standards of the Department.

602.4.2. CIRCULATION. Water shall be introduced to and withdrawn from the pool so as to provide adequate, uniform circulation and adequate, uniform disinfectant residual throughout the entire pool.

602.4.3. RECIRCULATION AND FILTRATION.

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602.4.3.1. All pools shall be provided with a recirculation and filtration system capable of maintaining bacteriological, chemical and physical standards established by this Section.

602.4.3.2. Where sand or anthrafilt filters are used, equipment shall be provided capable of continuously adding with reasonable accurate dosage, coagulant ahead of the filters.

602.4.3.3. A flow meter or other device shall be provided to continuously measure flow rate in the recirculation system. The indicator shall have a range of readings appropriate for the anticipated flow rate, shall be located where it is readily accessible for reading and maintenance and installed according to manufacturer's recommendations.

602.4.4. **TURNOVER PERIODS.**

602.4.4.1. The turnover period for wading pools, spray pools, and zero-depth entry areas shall be two (2) hours or less.

602.4.4.2. The turnover period for a wave pool shall be four (4) hours or less.

602.4.4.3. The turnover period for hot tubs and spas shall be thirty (30) minutes or less.

602.4.4.4. The turnover period for all other public bathing places shall be six (6) hours or less.

602.4.5. **CLARITY OF THE POOL.** All water in the pool shall be sufficiently clear to permit the bottom of the deepest portion to be readily visible from pool side. Water clarity shall be determined by meeting one of the following criteria:

602.4.5.1. A black disk six (6) inches in diameter placed at the point which is greatest in depth is clearly visible from the deck around the deep area.

602.4.5.2. The protective cover over the main drain is clearly visible from the deck around the deep area. The protective cover over the main drain shall be painted a contrasting color in relationship to the color of the pool floor.

602.4.6. **OVERFLOW FACILITIES AND BOTTOM CLEANING.**

602.4.6.1. Overflow facilities shall be provided and water levels in the pool maintained to effectively remove scum, debris, or other floating matter.

602.4.6.2. The bottom of the pool shall be vacuumed or otherwise cleaned as frequently as necessary to keep the bottom free of all foreign matter.

602.4.7. **SWIMMING POOL CONTAMINATION.**

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602.4.7.1. All pools shall be maintained in such a manner as to assure that the bacteriological quality of the water meets or exceeds the standards established by this Department. Pool water sampling and analysis shall be conducted by a laboratory which complies with Subsection 602.4.11. The water in a swimming pool or wading pool shall be considered contaminated when one of the following conditions exist:

602.4.7.1.1. More than one, ten milliliter portion of any sample shows a positive test for coliform organisms when multitube fermentation technique is used or more than one coliform organism per fifty milliliters is found when the membrane filter is used.

602.4.7.1.2. Two consecutive samples show a positive test for coliform organisms in any ten milliliter portion of any sample when the multitube fermentation technique is used or more than one coliform organism per fifty milliliters is found when the membrane filter test is used.

602.4.7.1.3. Two of any ten consecutive samples show a positive test for coliform organisms in any of the ten milliliter portions of any sample when the multitube fermentation technique is used or more than one coliform organism per fifty milliliters is found when the membrane filter test is used.

602.4.8. BATHING BEACH CONTAMINATION.

602.4.8.1. The water in bathing beaches shall be considered contaminated for bathing purposes when one of the following conditions exists:

602.4.8.1.1. The Department determines that any substance is being discharged or may be discharged into the water and is or may be hazardous to the health of persons using the bathing beach.

602. 4.8.1.2. The E. coli density of a water sample taken from the bathing beach exceeds 235 per 100 milliliters.

602.4.8.2. The E. coli density in all water samples taken from the bathing beach, in any 30-day period during the bathing beach's operating season, exceeds a geometric mean of 126 per 100 milliliters.

602.4.8.3. Use of a bathing beach found to be contaminated shall be discontinued until written approval to reopen the bathing beach for swimming or bathing is obtained from the Department. The Certificate of Registration holder shall prominently post legible signs measuring at least 8" by 11" at all entrances to the bathing beach area informing the public that the bathing beach is closed, and that swimming or bathing is prohibited. The approval to reopen shall be given by the Department when the Department finds that the waters of such bathing beach are no longer contaminated.

602.4.9. DISINFECTION OF POOL WATER.

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602.4.9.1. When chlorine or a hypochlorite compound is used for disinfection, the free chlorine residual in the water in all parts of the pool when in use shall be at least 2.0 milligrams per liter and no higher than 5.0 milligrams per liter. Combined chlorine levels should not exceed 2.0 milligrams per liter.

602.4.9.2. When bromine is used for disinfection, the bromine residual in the water in all parts of the pool when in use shall be at least 4.0 milligrams per liter and no higher than 10.0 milligrams per liter.

602.4.9.3. The pH value in the water shall be at least 7.2 and no higher than 7.6.

602.4.9.4. The total alkalinity of the water shall be between 80 and 120 milligrams per liter,

602.4.9.5. When cyanuric acid is used as a stabilizer, the concentration may not exceed 50 milligram per liter in the water in all parts of the pool when in use. Cyanuric acid shall be used in outdoor pools only.

602.4.9.6. Other disinfection materials or methods may be used after approval by the Department when they have been adequately demonstrated to:

602.4.9.6.1. provide a satisfactory residual effect which is easily measured;

602.4.9.6.2. work as effectively as the chlorine concentrations required by §602.4.9.1. of this section; and

602.4.9.6.3. create no danger to public health, create no objectionable physiological effects, or impart no toxic properties to the water.

602.4.9.7. Testing kits shall be provided for making the necessary tests for residual disinfection and pH. The kit for disinfectant residual shall be accurate within 0.1 milligrams/liter of chlorine or equivalent. The pH kit shall be accurate within 0.2 pH units. When the pool is in use tests shall be made at least twice daily or more often if required by the Department.

602.4.9.8. ACCESS TO DISINFECTANT EQUIPMENT AND CHEMICALS. All disinfectant equipment shall be installed in such a manner as to be accessible only to authorized persons. All disinfection chemicals shall be stored and used in compliance with the recommendations specified by the manufacturer.

602.4.9.9. MATERIAL SAFETY DATA SHEETS (MSDS). Copies of MSDS sheets for all pool chemicals shall be maintained in compliance with the Federal Superfund Amendments and Reauthorization Act (SARA).

602.4.10. WATER SAMPLES.

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602.4.10.1. Samples of water used for swimming or bathing shall be collected and analyzed for purity. Pool water sampling and analysis shall be conducted by a laboratory which complies with §602.4.11.

602.4.10.2. A bacteriological analysis shall be made at least once each week of a sample collected during the period of maximum use of the public bathing place. A copy of the test report shall be filed weekly with the Department. Additional analyses of additional samples shall be furnished by the person or pool service company in charge upon notification by the Department.

602.4.10.3. Copies of the reports of analyses shall be maintained by the person or pool service company in charge for at least two years and made available to the Department upon request.

602.4.10.4. The laboratory conducting the bacteriological testing shall report test results exceeding the criteria specified in Subsections 602.4.7. and 602.602.4.8. to the Department within 24 hours of the availability of the laboratory result.

602.4.11. **LABORATORY TESTING.**

602.4.11.1. Testing and analysis of water samples shall be performed by competent personnel at a drinking water environmental laboratory that is required to register with the Department of Environmental Protection and is in compliance with 27 Pa.C.S. Chapter 41 (relating to environmental laboratory accreditation), known as the Environmental Laboratory Accreditation Act, and the regulations promulgated there under. Testing of the water samples shall be performed in accordance with the procedure provided in the Standard Methods for the Examination of Water and Wastewater, 20th edition, published jointly by the American Public Health Association and the American Water Works Association, as amended, or in accordance with any other method approved by the United States Environmental Protection Agency for the testing of E. coli in water samples taken from waters designated for primary contact recreation.

602.4.11.2. The laboratory shall document the method used to complete the tests of the water samples and make the documentation available to the Department upon request.

602.4.12. **RECORDS OF TEST.** Daily records of test and of the operation of the public bathing place shall be kept on forms satisfactory to the Department and copies thereof shall be filed monthly, or more often if required, with the appropriate office of the Department.

602.5. GENERAL SAFETY

602.5.1. **REDUCTION OF HAZARDS.**

602.5.1.1. Construction, equipment, operation and maintenance at all public bathing places shall be such as to reduce to a practical minimum the danger of injury to persons from drowning, falls, collisions, fires, nuisances or hazard of any kind.

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602.5.1.2. All public bathing places shall be in compliance with all Federal, State, and Local laws regarding certified drain covers and other safety requirements, specifically including the Public Bathing Law (35 P.S. § § 672—680d) and the “International Building Code of 2015”, as amended from time to time, which adopts, by reference, the “International Swimming Pool and Spa Code of 2015.”

602.5.1.3. All main drain outlets shall be covered by a grating that cannot be easily removed by bathers, will not pose a tripping hazard and is designed to prevent entrapment.

602.5.1.4. The temperature of the water in any public bathing place shall not exceed 104°F.

602.5.2. CERTIFIED LIFEGUARDS.

602.5.2.1. All lifeguards shall be certified by a lifeguard certifying authority recognized by the Commonwealth and published annually in the Pennsylvania Bulletin.

602.5.2.2. NUMBER OF LIFEGUARDS.

602.5.2.2.1. A recreational swimming establishment shall have on duty an adequate number of certified lifeguards to protect the safety of bathers. To ensure an adequate number of certified lifeguards, the person or pool service company in charge of a recreational swimming establishment shall comply with the following requirements:

602.5.2.2.1.1. At least one certified lifeguard for every 4,000 square feet of water surface area, plus one certified lifeguard for any fraction thereof, equal to or greater than 1,000 square feet, shall be on duty at the waterside at all times the recreational swimming establishment is open to use by bathers for general swim purposes. At no time may there be less than two certified lifeguards present and available to aid bathers when the recreational swimming establishment is open to the general public for recreational swimming.

602.5.2.2.1.1.1. The water surface area means the total surface area of water accessible to the bathers, including any wading pools.

602.5.2.2.1.1.2. The water surface area may be reduced by closing portions of the swimming area with a rope and float line, provided that adequate notification and supervision to prevent patrons from entering the closed portions of the swimming area is maintained. For the purposes of this section, “adequate” means sufficient to accomplish the task, but it does not require any additional certified lifeguards above the minimum number established in this section.

602.5.2.2.1.1.3. Under circumstances when the ability of a certified lifeguard to survey 4,000 square feet of water surface area is impaired, such as when the size or shape, or both, of the recreational swimming establishment prevents the certified lifeguard from monitoring the assigned

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area from a designated location, the Department may require additional certified lifeguards to assure the safety of the bathers.

602.5.2.2.1.2. The bather load of the recreational swimming establishment may not exceed the maximum bather load as defined in the permit application.

602.5.2.2.1.3. During periods when swim meets, swim team practices, learn-to-swim programs, lifeguard training, or other special events in which the use of the recreational swimming establishment is restricted to only those persons participating in the special events, at least one certified lifeguard, whose sole duty is to protect the bathers, shall be present at waterside during the event.

602.5.2.2.1.4. When a wading pool is open to the public, the certified lifeguard shall have an unobstructed view of the entire wading pool from a certified lifeguard's assigned station. If the certified lifeguard does not have an unobstructed view, an additional certified lifeguard shall be on duty to guard only the wading pool.

602.5.2.2.1.5. If the recreational swimming establishment has a diving board or water slide, a certified lifeguard shall be on duty to monitor the diving well or catch area when the diving board or water slide is open to the public.

602.5.2.2.1.5.1. The certified lifeguard shall be stationed within 50 feet of the diving well or slide catch area.

602.5.2.2.1.5.2. If the swimming area includes both a diving well and slide catch area, or the recreational swimming establishment has multiple slides or diving boards, a certified lifeguard may not be assigned to monitor both areas unless that lifeguard is stationed within 50 feet of each and can monitor both areas simultaneously.

602.5.2.2.1.5.3. If the diving well or slide catch area is physically separated from the main swimming area, a certified lifeguard shall be assigned to monitor the diving well or slide catch area exclusively, and the water surface area of the diving well or slide catch area shall be excluded from the water surface area of the recreational swimming establishment for the purpose of determining the number of additional certified lifeguards required under §602.5.2.1.1.1.

602.5.2.2.1.6. While on duty to watch bathers, a certified lifeguard may not be assigned other tasks which may divert attention from the safety of the bathers, or which are outside the lifeguard's training and certification.

602.5.2.2.1.7. **SIGNAGE FOR NON-RECREATIONAL SWIMMING ESTABLISHMENTS.** Whenever a bathing place that is not a recreational swimming establishment, as defined in Section 602.1.2.16., is opened for use and no certified lifeguard service is provided, warning signs shall be placed in plain view of the entrances and inside the

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pool area which state "WARNING - NO LIFEGUARD ON DUTY", in characters at least four (4) inches in height.

602.5.3. LIFESAVING EQUIPMENT.

602.5.3.1. The following minimum lifesaving equipment and first aid equipment shall be provided and shall be readily available for emergency use at each public bathing place:

602.5.3.1.1. Reaching devices: One or more reaching devices. These devices may include, but are not limited to, poles, ropes and reasonable means to extend a person's reach.

602.5.3.1.2. Flotation devices: One or more buoys. These devices may include, but are not limited to, life jackets or flotation devices that can support an adult in water.

602.5.3.1.3. First-aid kit: a standard 24 unit, American National Standards Institute (ANSI)-accredited first-aid kit.

602.5.3.1.4. Backboard: a backboard made to the specifications of the American Red Cross or other emergency medical agency. The backboard shall be equipped with head and neck immobilizers and restraining straps.

602.5.3.1.5. Telephone: an operable telephone with a list of emergency telephone numbers.

602.6. HYGIENE

602.6.1. GENERAL. The common use of drinking cups, towels, hair brushes, or other toilet articles shall be prohibited.

602.6.2. EMPLOYEE HEALTH. No person having a disease in a stage which is communicable, or likely to become so, shall be employed at a public bathing place.

602.6.3. BATHER HEALTH. Persons with signs of illness or disease or with skin rashes or sores or with bandages shall be excluded from public bathing places except where certified by a physician not to have a disease in a communicable stage.

602.6.4. BATHING SUITS AND TOWELS. Bathing suits and towels furnished to bathers shall be thoroughly cleaned and dried each time they are used in such a manner as to preclude the transmission of disease and shall be stored in a clean and sanitary manner.

602.7. BATHER PREPARATION FACILITIES

602.7.1. Adequate bather preparation facilities shall be available to all users of the public bathing place.

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602.7.2. Bather preparation facilities shall be provided with separate dressing facilities, showers, lavatories, toilets and appurtenances for each sex unless such facilities are otherwise readily available to all users of the public bathing place, except that dressing facilities and showers shall not be required at bathing beaches.

602.7.3. Bather preparation facilities shall be designed and constructed so that good sanitation can be maintained throughout the building at all times and so that injury to the bather is reduced to a practical minimum.

602.7.3.1. Each shower and lavatory shall have running water under pressure and shall be supplied with hot and cold water. Hot water of at least 100°F shall be provided through a mixing valve or combination faucet.

602.7.3.2. Soap dispensers with soap and single-use hand towels or hand dryers shall be provided at all lavatories.

602.7.3.3. Toilet paper shall be provided in each locker room and restroom.

602.7.3.4. Interior walls and floors shall be surfaced with material which is readily cleanable, and the floors drained to prevent standing water.

602.7.3.5. Sufficient lighting shall be provided to promote cleanliness.

602.7.3.6. Ventilation and heating shall be such as to provide for the comfort of the bather.

602.8. UNSAFE PLUMBING CONNECTIONS

602.8.1. Plumbing shall be so sized, installed and maintained as to carry adequate quantities of water to required locations throughout the public bathing place, to prevent contamination of the water supply, to properly convey sewage and liquid wastes from the establishment to the sewerage or sewage disposal system and to prevent creation of an insanitary condition or nuisance.

602.8.2. CROSS-CONNECTIONS.

602.8.2.1. Cross connections shall not be permitted.

602.8.2.2. A cross-connection shall be considered broken when a minimum air gap of at least twice the diameter of the water pipe is provided where potable water enters the pool and where pool water or water from the recirculation system is discharged to a sewer system.

602.8.3. BACKFLOW PREVENTION.

602.8.3.1. Backflow shall not be permitted. A potable water distributing pipe shall be considered as protected against backflow from any plumbing fixture or other piece of equipment

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or from any appliance capable of affecting the quality of the water in the potable water supply where an air gap at least twice the diameter of the water supply pipe has been provided.

602.8.3.2. Where it is not practicable to provide such minimum air gap, the connection to the fixture, equipment or appliance shall be equipped with a backflow preventer assembly of a type and at a location approved by the Department.

602.8.3.3. The Department may require that a backflow preventer assembly of a type and at a location approved by the Department be installed at any fixed water outlet to which a hose may be connected and used in contact with liquids or other substances.

602.9. ELECTRICAL SAFETY

602.9.1. **INSTALLATION STANDARDS.** The electrical installation at all public bathing places shall comply with and be maintained in accordance with requirements of the latest edition of the National Electrical Code except that installations prior thereto shall comply with the requirements of the then current edition of the National Electric Code.

602.9.2. **UNDERWATER LIGHTS.**

602.9.2.1. All swimming pools with underwater lights, regardless of the date of the light's installation, shall comply with the latest edition of the National Electrical Code requirements pertaining to underwater lights.

602.9.2.2. If defects in the electrical installations of underwater lights are found, the light fixtures shall be disconnected immediately and repaired or replaced within the time period required by the Department. Where requested by the inspection agency, the pool shall be drained to provide for proper inspection of the underwater lights.

602.9.3. **WIRING.** All electrical wiring where exposed and accessible to bathers shall be in rigid conduit or electrical metallic tubing and all boxes, fittings and accessories used in damp or wet locations shall be so installed and equipped as to prevent the entrance of water.

602.9.4. **DISTRIBUTION CENTERS.** Distribution centers, where fused switches or circuit breakers are grouped, shall be enclosed and located so as to be inaccessible to all except authorized persons.

602.9.5. **OVERHEAD CONNECTORS.**

602.9.5.1. The crossing of outdoor public bathing places by open overhead electrical conductors shall be prohibited.

602.9.5.2. Overhead electrical conductors crossing playgrounds contiguous to outdoor bathing places shall comply with the requirements of the current edition of the National Electrical Code.

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602.9.6. GROUNDING REQUIREMENTS.

602.9.6.1. All metal fences, railings, or other appurtenances on which a broken electrical conductor might fall shall be effectively grounded.

602.9.6.2. All water and other piping to and from the public bathing place, including inlet and outlet pipes, shall be metallicity bonded together and adequately connected to the same grounding electrode used to ground the neutral conductor of the electrical system. This shall be in addition to the grounding requirements for electrical equipment and circuits as required by the current edition of the National Electric Safety Code.

602.9.6.3. **GROUND FAULT CIRCUIT INTERRUPTERS.** All electrical equipment and wiring shall be equipped with ground fault circuit interrupters.

602.9.7. LOCATION OF EQUIPMENT.

602.9.7.1. Pumps, filters and other mechanical and electrical equipment shall be enclosed in such a manner as to be accessible only to authorized persons.

602.9.7.2. Construction and drainage shall be such as to avoid the entrance or accumulation of water in the vicinity of the electrical equipment.

602.9.8. **INSPECTION OF INSTALLATIONS.** The electrical installations at all public bathing places, and any future additions or modifications to such installations, prior to being placed in service and every three years thereafter, shall be inspected and approved in accordance with these regulations by an electrical inspection agency approved by the Department and evidence, in duplicate, of such approval by this agency forwarded to the Department. If electrical defects are noted by the electrical inspection agency, a copy of the inspection report shall be forwarded to the Department immediately by the person or pool service company in charge or the electrical inspection agency.

602.10. SEWAGE DISPOSAL

602.10.1. All sewerage systems serving public bathing places shall be approved by the Department. Such approval shall be based upon satisfactory compliance with the provisions of Chapter 500, §502, 503, and 504 of these Rules and Regulations, the "Sewage Facilities Act" (35 P.S. §691.1 et seq.), and the "Clean Streams Law" (35 P.S. §691.1 – 691.1001).

602.10.2. Any discharge of filter backwash and other pool waste water to the Waters of the Commonwealth shall be approved in the permit issued by the Commonwealth.

602.11. VECTOR CONTROL

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602.11.1. Adequate measures for the control of arthropods and rodents which the Department deems a public health hazard shall be taken in a manner satisfactory to the Department, and in accordance with the provisions of Chapter 600, §603 of these Rules and Regulations.

602.12. GARBAGE AND REFUSE

602.12.1. COLLECTION. The collection of all garbage and refuse shall be conducted in a sanitary manner and as often as necessary in order to prevent a nuisance.

602.12.2. STORAGE.

602.12.2.1. All garbage and refuse containing food wastes shall, prior to disposal, be kept in leak-proof, non- absorbent, rust and corrosion resistant containers of adequate number, which shall be kept covered with tight fitting lids, when filled or stored or not in continuous use, but any other manner of garbage and refuse storage may be used if approved by the Department.

602.12.2.2. All other refuse shall be stored in containers, rooms or areas of sufficient numbers and size in a manner so as to prevent arthropod or rodent problems and other nuisances.

602.12.3. DISPOSAL. Where disposal of garbage or refuse is accomplished within or upon the premises of the public bathing place, the disposal facilities shall be operated and maintained so as not to create a nuisance or a health hazard.

602.12.4. CLEANING OF AREA. Adequate cleaning facilities shall be provided, and each container, room or area, shall be thoroughly cleaned after each emptying or removal of garbage and refuse.

602.13. FOOD. Where food service is provided, the food service facilities and operations shall comply with the provisions of Chapter 300 of these Rules and Regulations.

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CHAPTER 600 MISCELLANEOUS STANDARDS AND REQUIREMENTS

SECTION 603 CONTROL OF VECTORS

<u>Section</u>	<u>Subject</u>
603.1.	PURPOSE
603.2.	DEFINITIONS
603.3.	GENERAL VECTOR CONTROL
603.4.	RAT CONTROL
603.5.	REQUIREMENTS OF BAT-PROOFING
603.6.	CONTROL OF INVERTEBRATE VECTORS

603.1. PURPOSE. This section provides Rules and Regulations for the protection of the public health by controlling or preventing the spread of vectorborne diseases by eradication of vectors, by vector-proofing of structures, and by maintenance of buildings and properties in a condition not conducive to vector harborage.

603.2. DEFINITIONS. For the purposes of these Rules and Regulations, the following definitions apply:

603.2.1. "Bat-proofing": Construction to seal all actual or potential openings in the exterior of a building in order to prevent the ingress of bats into a building from the exterior.

603.2.2. "Building": Any structure capable of providing harborage for rats or other vectors, whether public or private, regardless of intended purpose, or relative state of dilapidation or destruction, or whether or not construction is complete.

603.2.3. "Eradication": The elimination or control of vectors by any or all accepted measures. These measures include, but are not limited to, removal of food, water, and harborage, poisoning, trapping, or any other recognized and legal methods approved by the Director.

603.2.4. "Garbage": Putrescible solid wastes resulting from animal, grain, fruit or vegetable matter.

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603.2.5. "Harborage": Condition which provides shelter or protection for vectors, favoring their multiplication and continued existence.

603.2.6. "Infestation": The presence of any vector in numbers great enough to present a condition detrimental to the public health.

603.2.7. "Invertebrate Vector": An arthropod capable of transmitting a pathogen to man, or capable of causing food to become unclean, unwholesome, spoiled, adulterated, or unsafe for human consumption.

603.2.8. "Pest Control Operator": A commercial pesticide applicator certified by the Pennsylvania Department of Agriculture to apply restricted use pesticides for household and health related pest control.

603.2.9. "Premises": A lot, plot, or parcel of land, including the buildings and structures thereon.

603.2.10. "Ratproofing": Construction to prevent the ingress of rats into a building, consisting of

sealing all actual or potential openings into a building with materials impervious to rodent gnawing.

603.2.11. "Refuse": Nonputrescible waste generally regarded and classified as rubbish, trash, junk, and similar designations.

603.2.12. "Vector": Any organism, including but not limited to, rats, bats, mice, cockroaches, fleas, flies, mites, mosquitoes, and ticks, which is capable of transmitting a pathogen to man, or capable of causing food to become unclean, unwholesome, spoiled, adulterated, or unsafe for human consumption.

603.3. GENERAL VECTOR CONTROL

603.3.1. Whenever there is evidence of a vector infestation on any premises, so as to present a condition detrimental to the public health, then it shall be required that vector eradication measures be instituted and maintained until the premises are vector free.

603.3.2. Whenever an extensive vector infestation exists on any premises, so as to present a condition detrimental to the public health, then it shall be required that a pest control operator be obtained in order to institute satisfactory vector eradication measures.

603.4. RAT CONTROL

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603.4.1. It is hereby required that all premises shall be maintained in a condition not conducive to rat harborage or to afford rats a food source.

603.4.2. Whenever there is evidence of rats harboring on any premises, then it shall be required that rat eradication measures be instituted and maintained until the premises are rat free.

603.4.3. Requirement of Rat-proofing: It is hereby required that all buildings shall be rat-proofed, free of rats, and maintained in a rat-proofed and rat free condition.

603.4.4. Closing of Facilities: Whenever conditions establish extensive rat harborage at an occupied building, the Director is empowered, after due notification in accordance with Chapter 100, Subsection 100.5, to close said building until rat eradication measures have been instituted and the building made rat-proof.

603.4.5. Destruction of Facilities: Whenever conditions establish extensive rat harborage at a building and corrective measures in accordance with Subsection 603.4.1. through 603.4.4. have not been instituted within sixty (60) days from notification, the Director is empowered to institute emergency measures, including, but not limited to, the destruction of said building in accordance with the powers and duties conferred upon the Director under the authority of Section 12(d) of the "Local Health Administration Law" (16 P.S. subsection 12012 (d)).

603.4.6. Food for Animals: All food or feed intended for the feeding of farm animals, pets, or other animals shall be stored under rat-proof containment.

603.4.7. It is hereby required that all garbage upon which rats may feed shall be placed and stored, until collected, in leak-proof, non-absorbent, corrosion-resistant containers which shall be kept covered with tight-fitting lids when filled or stored.

603.4.8. It shall be unlawful for any person to place, leave, dump, or permit to accumulate any garbage or refuse on any premises, alley, street, or roadway so that same shall or may afford food or harborage for rats.

603.4.9. It shall be unlawful for any person to permit to accumulate on any premises or alley any lumber, boxes, barrels, firewood, or similar materials, so that same shall or may afford harborage for rats, unless same shall be placed on open racks that are elevated not less than eighteen (18) inches above the ground, and not less than twelve (12) inches from the interior or exterior walls of any building.

603.5. REQUIREMENTS OF BAT-PROOFING. Whenever a building is affording harborage for bats so as to present a condition detrimental to the public health or occupants, then it shall be required that said building shall be free of bats, bat- proofed, and maintained in a bat-proofed and bat-free condition.

603.6. CONTROL OF INVERTEBRATE VECTORS

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603.6.1. It is hereby required that all premises shall be maintained in a condition not conducive to the breeding of invertebrate vectors or to afford such vectors harborage.

603.6.2. Whenever there is evidence of an invertebrate vector infestation on any premises, then it shall be required that vector eradication measures be instituted and conditions affording such vectors harborage be abated.

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CHAPTER 600 MISCELLANEOUS STANDARDS AND REQUIREMENTS

SECTION 604 MASS GATHERINGS

<u>Section</u>	<u>Subject</u>
604.1.	GENERAL PROVISIONS.
604.1.1.	PURPOSE
604.1.2.	DEFINITIONS
604.2.	PERMITTING REQUIREMENTS
604.2.1.	GENERAL REQUIREMENTS
604.2.2.	SUBMISSION OF PLANS AND SPECIFICATIONS TO DEPARTMENT
604.2.3.	APPLICATION
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604.3.	SANITATION
604.3.1.	FOOD AND FOOD SERVICE
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604.3.5.	TOILET AND LAVATORY FACILITIES
604.3.6.	GARBAGE AND REFUSE
604.3.7.	VECTOR CONTROL
604.4.	MISCELLANEOUS REQUIREMENTS
604.4.1.	DUTIES OF PERMITTEE

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- 604.4.2. SLEEPING AREAS
 - 604.4.3. FIRST-AID AND MEDICAL FACILITIES
 - 604.4.4. LOCATION; GROUNDS
 - 604.4.5. TRAFFIC CONTROL
 - 604.4.6. FLAMMABLE LIQUIDS OR MATERIALS
 - 604.4.7. PERFORMANCE BOND
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604.1. GENERAL PROVISIONS

604.1.1. PURPOSE. The purpose of this Section is to provide for the protection of the public health, welfare, and safety by promulgating regulations regarding the establishment, maintenance, operation, and promotion of mass gatherings, in the manner provided therein.

604.1.2. DEFINITIONS. The following words and terms, when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise:

604.1.2.1. "Communicable disease": An illness due to an infectious agent, or its toxic products, which is transmitted directly or indirectly to a well person from: an infected person, animal, or arthropod; or through the agency of an intermediate host, vector, or the inanimate environment.

604.1.2.2. "Drinking water": Water provided or used for human consumption or for lavatory or culinary purposes.

604.1.2.3. "Garbage": All putrescible wastes (except sewage and body waste): included in this term are animal and vegetable offal.

604.1.2.4. "Mass Gathering": Any anticipated gathering of people, either outdoors or in temporary facilities where in the opinion of the County Health Director, in consultation with the Board of Health feels that a potential public health problem may exist, may recommend to the County Commissioners that such assemblage be subject to applicable rules and regulations of the Board of Health.

604.1.2.5. "Operator": Any person who has charge, care, or control of, or who promotes a mass gathering.

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604.1.2.6. "Plumbing": All of the following facilities and equipment: water pipes, waste pipes, drains, vents, water closets, sinks, trays or tubs, catch basins, and any other, similarly supplied fixtures, together with all connections to water systems or sewerage systems.

604.1.2.7. "Refuse": All nonputrescible wastes generally regarded and classified as rubbish, trash, junk, and similar designations which have been rejected by the owner or possessor thereof as useless or worthless.

604.1.2.8. "Service building": A building housing toilet facilities for men and women, with separate bath or shower accommodations.

604.1.2.9. "Sewage": Any substance that contains any of the waste products, excrement, or other discharge from the bodies of human beings or animals, and any noxious or deleterious substances which are harmful or inimical: to the public health; to animal or aquatic life; or to the use of water for domestic water supply or for recreation.

604.1.2.10. "Sewerage system": Any community or individual system, publicly or privately owned, for the collection and disposal of sewage and industrial wastes of a liquid nature, including various devices for the treatment of such sewage or industrial wastes.

604.1.2.11. "Source": Any well, spring, cistern, infiltration gallery, stream, reservoir, pond, or lake from which, by any means, water is taken either intermittently or continuously for use by the public.

604.1.2.12. "Toilet facilities": Water closets, privies, urinals, chemical toilets, and the rooms provided for installation of these units.

604.1.2.13. "Wash basin": A basin or bowl used for the purpose of obtaining personal cleanliness.

604.1.2.14. "Water closet": Sanitary facilities for defecation equipped with a hopper or tray and a device for flushing the bowl by water, located within the compartment.

604.1.2.15. "Water supply": A source or sources of water, and any or all water treatment, storage, transmission, and distribution facilities.

604.1.2.16. "Waters of the Commonwealth": Any and all rivers, streams, creeks, rivulets, lakes, dammed water, ponds, springs, and all other bodies of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.

604.2. PERMITTING REQUIREMENTS.

604.2.1. GENERAL REQUIREMENTS.

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604.2.1.1. No person shall establish, maintain, operate, or promote a mass gathering at any place within the jurisdiction of the Department, and no person shall permit to be operated on his property any mass gathering, unless the operator of said mass gathering and the owner of the property on which it operates, together apply for and obtain, from the Department, a valid permit to operate a mass gathering.

604.2.1.2. In the alternative if the operator exhibits to the Department a valid contract for use and/or rental of owner's property, the owner need not be joined in the application to the Department as set forth above.

604.2.1.3. No permit shall be issued until inspection of the premises, facilities and equipment of the location has been made by the Department, and the location is found to be adequate for the protection of the public health.

604.2.2. SUBMISSION OF PLANS AND SPECIFICATIONS TO DEPARTMENT.

604.2.2.1. Before work is done in the construction of the facilities of, or in the advertising or other preparation for a mass gathering, the operator shall submit in duplicate and receive approval of such plans, specifications, and reports which the Department deems necessary for the protection and promotion of the public health.

604.2.2.2. These plans, specifications, and reports shall include, where applicable, data relating to: food and sanitary food service; water supply; plumbing; sewage disposal; toilet and lavatory facilities; refuse storage and disposal; vector control; sleeping areas and facilities; first aid and medical facilities; and, such other information as may be required by the Department.

604.2.2.3. These plans, specifications, and reports shall accompany the operator's application for a permit to hold or promote the mass gathering, as described in 604.2.3.3. below.

604.2.3. APPLICATION.

604.2.3.1. Application for permit to operate a mass gathering shall be made to the Department on forms provided by the Department.

604.2.3.2. This application shall be made, by the operator, at least fifteen (15) days before the first day of advertising for the mass gathering, and at least forty-five (45) days before the first day of its actual operation.

604.2.3.3. Water and sewage facilities, herein provided for and required, shall be constructed and operational not later than forty-eight (48) hours before the first day of the mass gathering's actual operation.

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604.2.3.4. This said application shall be accompanied by the plans, (in duplicate) specifications and reports as the Department may require, as provided for in 604.2.2. of this Section, above.

604.2.3.5. Each application for a permit to operate a mass gathering shall state: the name and address of the applicant; the name of the municipality in which the mass gathering shall be located; a brief description of the facilities and equipment which shall be used at the mass gathering; and, such other information as the Department may require.

604.2.3.6. A separate permit shall be required for each mass gathering.

604.2.3.7. Fee-the fee for each said permit shall be that which is provided for in Chapter 700 §701 of these Rules and Regulations.

604.2.4. ISSUANCE. The permit to operate a mass gathering will be issued on the basis of satisfactory compliance with the provisions of this Section, on forms provided by the Department, and shall be:

604.2.4.1. nontransferable; and

604.2.4.2. subject to suspension or revocation upon finding the mass gathering not in compliance with these provisions.

604.2.5. REVOCATION AND SUSPENSION.

604.2.5.1. A permit may be revoked or suspended at any time if the Department finds that the mass gathering is maintained, operated, or occupied in violation of any provision of this Section.

604.2.5.2. The Department may order a mass gathering to close and cease operation if a situation is present which is inimical to the public health.

604.2.5.3. A permit may be revoked upon request of the permittee or upon abandonment of operation.

604.2.5.4. Any person operating, conducting, or promoting a mass gathering whose permit has been suspended or revoked, or who has received notice from the Department that his permit will be suspended or revoked, shall have the right to a hearing, in accordance with Chapter 100, §108 of these Rules and Regulations.

604.2.6. **POSTING OF PERMIT.** A permit issued for the operation of a mass gathering shall be posted in a conspicuous place on the property of the mass gathering or shall be kept on file; this permit shall be made available by the operator on request.

604.3. SANITATION

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604.3.1. FOOD AND FOOD SERVICE. The food service facilities, equipment, services, and operations at a mass gathering shall comply with the relevant provisions of Chapter 300 of these Rules and Regulations.

604.3.2. WATER SUPPLY.

604.3.2.1. All water used in the operation of a mass gathering shall be provided from a supply approved by the Department. Such approval shall be based upon satisfactory compliance with the Department's construction standards for water supplies, as they are promulgated in Chapter 500, §501 of these Rules and Regulations.

604.3.2.2. The water supply shall meet the Department's bacteriological and chemical water standards, as found in Chapter 500, §501.

604.3.2.3. Drinking water shall be adequate in quantity and readily accessible to those in attendance at the mass gathering.

604.3.2.4. A common drinking utensil shall not be provided or allowed to be used. Any drinking fountain shall be of approved sanitary design and construction.

604.3.2.5. Any interruption in the treatment of a drinking water supply shall be reported immediately to the Department. No change in the source of, or in the method of treatment of, a drinking water supply shall be made without first notifying the Department and securing its approval to do so.

604.3.3. PLUMBING.

604.3.3.1. Plumbing shall be so sized, installed, and maintained as: to carry adequate quantities of water to required locations throughout the premises of the mass gathering; and, to properly convey sewage and liquid wastes from the premises to the sewerage or sewage disposal system.

604.3.3.2. Plumbing shall serve to prevent contamination of the water supply and shall not create an unsanitary condition or nuisance.

604.3.4. SEWAGE DISPOSAL.

604.3.4.1. Adequate facilities shall be provided and maintained for the satisfactory collection, treatment, and disposal of sewage.

604.3.4.2. All sewage disposal systems serving a mass gathering shall be approved by the Department or the Pennsylvania Department of Environmental Resources.

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604.3.4.3. Approval shall be based upon satisfactory compliance with the provisions of: Chapter 500, §503 of these Rules and Regulations: and, the "Clean Streams Act of 1937", as amended (35 P.S. §691.1 et seq.).

604.3.5. TOILET AND LAVATORY FACILITIES.

604.3.5.1. Toilet facilities adequate for the capacity of the mass gathering shall be provided. These facilities shall be so located as to be conveniently available and shall be so constructed and maintained that they will not be offensive. Separate toilet facilities shall be arranged for each sex. Toilet facilities shall be provided in the ratio of one (1) seat per 100 persons or fraction thereof.

604.3.5.2. Each toilet room shall meet the following requirements:

604.3.5.2.1. Doors shall be self-closing;

604.3.5.2.2. Adequate ventilation to the outside shall be provided;

604.3.5.2.3. Toilet tissue shall be provided;

604.3.5.2.4. Easily cleanable receptacles shall be provided for waste materials; and

604.3.5.2.5. Waste receptacles shall be covered.

604.3.5.3. All privies shall be so located and constructed that they will not, by leakage, or seepage, pollute a water supply, surface water, or adjacent ground surface, and shall be constructed in accordance with the requirements of Chapter 500, §504 of these Rules and Regulations.

604.3.5.4. Suitable and adequate lavatory facilities shall be provided which are convenient to the toilets and privies, as well as to the food-handling facilities. Lavatory facilities shall be provided in a ratio of at least one (1) per each one-hundred (100) persons or fraction thereof.

604.3.6. GARBAGE AND REFUSE.

604.3.6.1. COLLECTION. The collection of all garbage and refuse shall be conducted in a sanitary manner and shall be removed from the facilities at least once every twenty-four (24) hours or at more frequent intervals if necessary to prevent a nuisance.

604.3.6.2. STORAGE.

604.3.6.2.1. All garbage and refuse containing food wastes shall, prior to disposal, be kept in leak-proof, non- absorbent, rust and corrosion-resistant containers of adequate number, which shall be kept covered with tight fitting lids, when filled, stored, or not in continuous use; however, any other manner of garbage and refuse storage may be used if approved by the Department.

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604.3.6.2.2. All other refuse shall be stored in containers, rooms, or areas of sufficient number and size, in a manner as to prevent arthropod or rodent problems and other nuisances.

604.3.6.3. DISPOSAL. When disposal of garbage or refuse is accomplished within or upon the premises of a mass gathering, the disposal facilities shall be operated and maintained so as not to create a nuisance or a health hazard and shall comply with the pertinent requirements of these Rules and Regulations and of those promulgated by the Pennsylvania Department of Environmental Resources.

604.3.6.4. CLEANING OF AREA. Adequate cleaning facilities shall be provided, and each container, room or area shall be thoroughly cleaned after each emptying or removal of garbage and refuse.

604.3.7. VECTOR CONTROL.

604.3.7.1. All grasses on the premises of the mass gathering shall be mowed one week prior to the event and shall be effectively sprayed with insecticides approved by the Department.

604.3.7.2. All other measures for the control of arthropods and rodents shall be taken in a manner satisfactory to the Department, in accordance with Chapter 600, §603 of these Rules and Regulations.

604.4. MISCELLANEOUS REQUIREMENTS.

604.4.1. DUTIES OF PERMITTEE.

604.4.1.1. CARRIERS OF COMMUNICABLE DISEASE. No individual known to be a possible transmitter of a communicable disease shall be employed at a mass gathering, in any capacity.

604.4.1.2. CARE OF CHILDREN. Children under twelve (12) years of age not accompanied by an adult at a mass gathering shall be provided with adequate and competent adult supervision exercised by a supervisor or supervisors present on the property.

604.4.1.3. SUPERVISION OF PREMISES. A person to whom a permit to promote or hold a mass gathering has been issued shall provide a competent individual to be in charge of the property who shall be on or available to the property during reasonable hours of a day while the property is occupied or open for occupancy.

604.4.1.4. REGULATION OF NUMBER OF PERSONS ATTENDING. The permittee shall take such security measures as are necessary in order to regulate and limit the number of persons attending the mass gathering to that level authorized in the permit issued by the Department.

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604.4.1.5. **RESPONSIBILITY FOR CLEAN-UP.** The permittee shall provide a competent individual to supervise the clean-up operations at the termination of the mass gathering, in a manner which is satisfactory to the Department.

604.4.1.6. **GENERAL RESPONSIBILITY.** The person to whom a permit is issued shall comply with the provisions of this Section and with all conditions stated in the permit.

604.4.2. SLEEPING AREAS. An overnight camping area or areas, clearly marked, shall be provided for each mass gathering which is in operation for more than twenty-four (24) hours.

604.4.3. FIRST-AID AND MEDICAL FACILITIES. Satisfactory arrangements shall be made by the permittee to assure adequate first-aid and medical supervision and facilities at, or readily available to, the mass gathering.

604.4.4. LOCATION; GROUNDS

604.4.4.1. The site for any proposed mass gathering shall be well-drained, and the site shall not be adjacent to swamps, marshes, or breeding places for insects and rodents.

604.4.4.2. At any such site, good natural drainage shall be required, and the drainage shall not endanger the water supply. Where ditching is done, it shall not create accident hazards.

604.4.4.3. A site map showing the location of all facilities shall be posted at all entrances and at other convenient locations so that they are readily accessible to each person attending the mass gathering. Adequate signs shall also be used to locate all facilities.

604.4.5. TRAFFIC CONTROL.

604.4.5.1. A mass gathering site shall be provided with a network of interior roads to be kept clear at all times for service and emergency vehicles and shall be serviced by access roads which will permit an adequate flow of traffic and ensure the free passage of emergency vehicles.

604.4.5.2. Provision shall be made for traffic control measures that will preclude hazards to vehicular and pedestrian traffic.

604.4.6. FLAMMABLE LIQUIDS OR MATERIALS. The operator of a mass gathering shall see to it that no flammable or volatile liquids or materials shall be stored in or adjacent to the area of the gathering and that adequate firefighting equipment is available to protect the life and health of the people attending the mass gathering.

604.4.7. PERFORMANCE BOND. The operator of a mass gathering shall provide a minimum performance bond of \$1.00 (one dollar) per person likely to attend, in order to guarantee full compliance with; the provisions of this Section; the other Rules and Regulations of the Department; and, any other applicable State or local laws.

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CHAPTER 600 MISCELLANEOUS STANDARDS AND REQUIREMENTS

SECTION 605

REGULATED ESTABLISHMENTS

<u>Section</u>	<u>Subject</u>
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605.1. Purpose.

605.1.1. The purpose of these Rules and Regulations is to provide necessary public health oversight for those Regulated Establishments that are not specifically addressed through the provisions of other regulatory programs. Regulated Establishments covered by this section shall be those establishments utilizing a Water Supply Well as their source of water which provide products and or services to the public such that their operation or existence may impact the health of any segment of the public through association with food, water or sewage related criteria. Water Supply Wells servicing Regulated Establishments that do not meet the definition of a Public Water Supply under the provisions of the Pennsylvania Safe Drinking Water Act shall comply with this Section.

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605.2. Definitions.

605.2.1 The following words or terms, when used in this section, shall have the following meanings unless the context clearly indicates otherwise:

605.2.1.1. “Blackwater”: Liquid and solid sewage generated through toilet or urinal usage.

605.2.1.2. “Emergency Occurrence”: An occurrence such as a fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent food borne illness outbreak, gross unsanitary occurrence or condition or other circumstance that may endanger public health.

605.2.1.3. “Graywater”: Sewage drained from sinks, tubs, showers, dishwashers, clothes washers, and other non-toilet or urinal sources.

605.2.1.4. “PA DEP”: Pennsylvania Department of Environmental Protection.

605.2.1.5. “MCL”: Maximum Contaminant Level.

605.2.1.6. “Regulated Establishment”: Any public facility, whether commercial or institutional, which requires License(s) and/or Certificate(s) to operate issued by the Delaware County Health Department, or any facility that requires inspection by the Delaware County Health Department.

605.2.1.7. “Public Facility”: The definition includes, but is not limited to any facility, group, organization and/or other entity that admits individuals with little or no restriction(s). Individuals may be solicited by marketing and/or advertisement and may be subject to membership fees.

605.2.1.8. “Sewage”: A substance that contains the waste products or excrement or other discharge from the bodies of human beings and noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or use of water for domestic water supply or for recreation. The term includes any substance that constitutes pollution under the Clean Streams Law and may be described using the terms of Blackwater and/or Graywater.

605.2.1.9. “Sewage Facilities”: A system of sewage collection, conveyance, treatment and disposal that will prevent the discharge of untreated or inadequately treated sewage or other wastes into the waters of the Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other wastes.

605.2.1.10. “Temporary Food Facility”: A food facility that operates for a period of no more than 14 consecutive days in a fixed location and in conjunction with a single event or celebration (such as a fair, festival, carnival or other transitory gathering).

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605.2.1.11. “VOC”: Volatile organic compounds as defined by the United States Environmental Protection Agency.

605.2.1.12. “Well”: Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition or artificial recharge of groundwater, or for the installation of ground source heat pump equipment.

605.2.1.13. “Water Supply Well”: Any well that is used as a supply of water, used for drinking, washing, or other human contact.

605.3. Regulated Establishments

605.3.1. General Requirements

605.3.1.1. Regulated Establishments utilizing a water supply well as their source of water shall comply with this and all other Delaware County Health Department Rules and Regulations that will protect the health and safety of individuals and the environment with respect to food, water quality and sewage disposal.

605.3.2. Food Facilities

605.3.2.1. A Temporary Food Facility utilizing a water supply well as their source of water shall meet water quality monitoring requirements by sampling the source of water in each calendar quarter in which the facility operates.

605.3.2.2. Water quality sampling results from water supply wells must be available no less than 2 weeks prior to the beginning of operation in any particular calendar quarter.

605.3.2.3. Water quality samples from water supply wells shall not be collected more than 30 days prior to the beginning of the calendar quarter in which the Temporary Food Facility operates.

605.3.2.4. Temporary Food Facilities shall comply with all Delaware County Health Department licensure requirements relating to Temporary Events.

605.3.2.5. All food facilities operating for periods longer than those prescribed as Temporary Events shall comply with all Delaware County Health Department licensure requirements relating to annually licensed establishments, as found in Delaware County Health Department Rules and Regulations, Chapter 300.

605.3.3. Water Supply Wells and Sewage Disposal Facilities

605.3.3.1. Water Supply Wells.

605.3.3.1.1. Water supply wells used by Regulated Establishments to provide for drinking,

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washing or any human contact shall initially comply with the current water quality standards of Delaware County Health Department Rules and Regulations, Chapter 500, specifically, 501.13.2.2. The well casing shall meet 501.8.2.1.1. and 501.8.2.2.1. in that all well casings shall extend at least 12” (1 ft.) above the surrounding finished grade and an insect resistant cap shall be installed.

605.3.3.1.2. Existing wells intended to serve new Regulated Establishments must meet the location distance of 100 ft. from any sewage absorption area (including cesspools) and 50 ft. from any septic tank in accordance with Chapter 500, Subsections 501 and 503.

605.3.3.2. Sewage Disposal Facilities.

605.3.3.2.1. Individual or Community sewage disposal facilities that serve Regulated Establishments shall comply with the provisions of Delaware County Health Department Rules and Regulations, Chapter 500, § 503.

605.3.3.2.2. No structure may be occupied or used in any manner until the individual or community sewage disposal facilities are deemed adequate to treat the volume of sewage effluent generated by the specific use of the structure or property. New sewage disposal facilities servicing new structures shall be approved through the sewage permitting process. Public sewerage facilities shall verify the capacity to service the structure or property in writing.

605.3.3.2.3. Where individual sewage disposal facilities are utilized to service a Regulated Establishment, all liquid wastes generated by the establishment, including: kitchen; laundry or other graywater; and water softener backwash, shall be discharged to a treatment tank that has been sized based on the flow generated by the specific use in accordance with the requirements for individual or community sewage disposal systems under the current Pa. Code.

605.3.3.2.4. No sewage facilities, whether public or private, may discharge untreated or partially treated sewage effluent to the surface of the ground or into the waters of the Commonwealth, except as permitted under section 202 and 207 of the Clean Streams Law.

605.3.4. Water Quality Monitoring Requirements

605.3.4.1. General Requirement.

605.3.4.1.1. Regulated Establishments utilizing a water supply well as their source of water shall monitor the water supply for contamination on a frequency established by the Department in this section of the regulations to ensure that the water supply is safe to use for its intended purpose.

605.3.4.2. Continuously Operating Facilities.

605.3.4.2.1. Regulated Establishments utilizing a water supply well as their source of water that operate continuously throughout the year shall monitor the water supply for Total Coliform

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Bacteria. One water sample per calendar quarter shall be collected and analyzed for Total Coliform. The results of the analysis shall be reported to the Department by the 15th day of the month following the end of the calendar quarter.

605.3.4.2.2. If the required analysis for Total Coliform Bacteria results in the presence of coliform, the water supply must be disinfected and resampled. If analysis of the resample continues to result in the presence of coliform, a permanent disinfection system will be required.

605.3.4.2.3. Regulated Establishments utilizing a water supply well as their source of water that operate continuously during the year shall monitor the water supply for Nitrates and Nitrites. One water sample per year shall be collected and analyzed for Nitrates and Nitrites. The results of the sampling and analysis shall be reported to the Department by the end of the first quarter of the following year.

605.3.4.2.4. If the required analysis for Nitrates and Nitrites results in a concentration greater than 10 mg/L (or ppm), a permanent treatment system will be required. All laboratory analyses results must be reported to the Department as specified in this section.

605.3.4.2.5. The Department reserves the right to require the collection, analysis and result reporting of additional sampling for Total Coliform and Nitrates and Nitrites at any time. Random check samples may be taken by Department staff without prior notice to the Regulated Establishment.

605.3.4.2.6. The Department reserves the right to require testing for any water quality parameters, such as, but not limited to, VOCs, if the Department determines that such testing is necessary to protect public health and the environment.

605.3.4.3. Non-Continuously Operating Facilities.

605.3.4.3.1. Regulated establishments utilizing a water supply well as their source of water that do not operate continuously throughout the year, shall monitor the water supply for Total Coliform Bacteria. With the exception of Temporary Food Facilities, one water sample per 90 day period shall be collected and analyzed for Total Coliform during any period of operation. When there is a gap in periods of operation, one sample shall be collected and analyzed 14 to 30 days prior to the next period of operation, if that period begins 90 or more days from the previous sample collection. If the new period of operation begins less than 90 days from the previous sample collection, one sample must be collected and analyzed within 90 days from the previous sampling. The results of all laboratory analyses must be reported to the Department within 14 days from the sample collection.

605.3.4.3.2. Temporary Food Facilities utilizing a water supply well as their source of water shall monitor the water supply for Total Coliform Bacteria. One water sample shall be collected and analyzed 14 to 30 days prior to the submission of the permit application to the Department. Results of the analysis must be submitted to the Department with that application.

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605.3.5. Water Quality Requirements.

605.3.5.1. General Requirements.

605.3.5.1.1. Water quality for the Regulated Establishment utilizing a water supply well as their source of water shall conform to the following requirements:

605.3.5.2. Microbiological Water Quality Requirements: Total Coliform Analysis shall be performed in accordance with procedures approved by the PA DEP. The laboratory performing the analysis must be certified by the PA DEP for the technique used. For the water to be considered safe to use, the result of the analysis must be an absence of coliform.

605.3.5.3. Nitrates + Nitrites Water Quality Requirements: Analyses for Nitrates and Nitrites shall be performed in accordance with procedures approved by the PA DEP. The laboratory performing the analysis must be certified by the PA DEP for the technique used. For the water to be considered safe to use, the analysis result must be a concentration of 10 mg/L (or ppm) or less.

605.3.5.4. Other Required Water Quality Monitoring: The Department reserves the right to require testing for any water quality parameters, such as, but not limited to, VOCs, if the Department determines that such testing is necessary to protect public health and the environment. When it is determined that other water quality parameters must be tested this testing shall be performed in accordance with procedures approved by the PA DEP. The laboratory performing the analysis must be certified by PA DEP for the technique used. For the water to be considered safe for use the analysis must show that any levels of contamination detected are below the MCL for that chemical.

605.3.6. Emergency Occurrences

605.3.6.1. Electrical Service and Systems.

6.5.3.6.1.1. Except as specified in Subsection 6.5.3.5.1.3., electrical service to all regulated establishments shall be provided by an electrical serving utility approved by the Pennsylvania Public Utility Commission.

6.5.3.6.1.2. The electrical installations at all regulated establishments shall comply with and be maintained in accordance with requirements of the latest edition of the National Electrical Code, except that installations prior thereto shall comply with the requirements of the then current edition of the National Electric Code.

6.5.3.6.1.3. Alternative electrical services may be considered for approval provided the service is reliable for the time period of use as provided for in the following: 6.5.3.6.1.3.1. There is an action plan, approved in writing by the Department, established to immediately identify and to immediately respond to deficiencies.

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6.5.3.6.1.3.2. The electrical service interruption is temporary, not to exceed a time period of seventy-two (72) hours, due to electrical service interruptions caused by physical damage to the electrical service equipment. Regulated establishments must notify the Department within four (4) hours of the loss of electrical service, in addition to requirements for food facilities, as outlined in Pennsylvania Chapter 46, Subsection 46.1144(5).

605.3.6.2. Distribution, Delivery and Retention of Water.

605.3.6.2.1. Water shall be received from a source in compliance with the following:

605.3.6.2.1.1. A properly constructed and maintained service connection or lateral from public water system that is approved by the Department of Environmental Protection in accordance with Title 25 Pa. Code Chapter 109 (relating to safe drinking water).

605.3.6.2.1.2. One or more of the following that shall be constructed, maintained and operated in accordance with Title 25 Pa. Code Chapter 109: Water supply well, water pumps, pipes, hoses, connections and other appurtenances. Water transport vehicles and water containers are also included.

605.3.6.2.2. Alternative water services may be considered for approval provided the service is reliable for the time period of use as provided for in 605.3.5.2.2.1. and 605.3.5.2.2.2.

605.3.6.2.2.1. There is an action plan, approved in writing by the Department, established to immediately identify and to immediately respond to deficiencies.

605.3.6.2.2.2. The water service interruption is temporary, not to exceed a time period of seventy-two (72) hours, due to water service interruptions caused by physical damage to the water service equipment. Regulated establishments must notify the Department immediately of the loss of water service, in addition to requirements for food facilities, as outlined in Pennsylvania Chapter 46, Subsection 46.1144(5).

605.3.7. Pest Control

605.3.7.1. Pesticide Applicator Certification: In a regulated establishment, general use pesticides may only be applied by an individual who has obtained a Pesticide Applicator Certification, in accordance with the Pennsylvania Code, Chapter 128 (Pennsylvania Pesticide Rules and Regulations).

605.3.8. Administrative Determinations

605.3.8.1. Suspension and/or Revocation of Licenses/Certificates.

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605.3.8.1.1. Whenever the Delaware County Health Department determines that the holder of any License(s) and/or Certificate(s) has violated any provision of Delaware County Rules and Regulations and/or Pennsylvania Chapter 46, the Delaware County Health Department is authorized to suspend or revoke any such License(s) and/or Certificate(s).

605.3.8.1.2. Any operator of a regulated establishment who, after investigation or inspection made by the Delaware County Health Department, has repeatedly failed or refused after a reasonable interval, as determined under the circumstances by the Department, to correct conditions found to constitute a violation of the Delaware County Rules and Regulations and/or Pennsylvania Chapter 46, shall have their License(s) and/or Certificate(s) revoked.

605.3.8.1.3. Any person aggrieved by the action of the Delaware County Health Department shall be afforded the opportunity of a hearing, as provided for in Chapter 100.8 of the Rules and Regulations.

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SECTION 701

LICENSE, INSPECTION AND SERVICE FEES.

701.1. GENERAL PROVISIONS. In accordance with Section 10.(f), Section 11.(c), and Section 21 of the "Local Health Administration Law" (16 P.S. §12010(f), 12011(c), and 12021), the Department is expressly authorized to establish appropriate fee schedules for its various services, as part of its regular administrative function.

Upon the recommendation of the Director and upon approval of the Board of Health, the fee schedules may be reviewed and updated from time to time as may be deemed necessary for the orderly and efficient administration of the Department and its programs and services.