

**DELAWARE COUNTY HEALTH DEPARTMENT
RULES AND REGULATIONS**

CHAPTER 600 MISCELLANEOUS STANDARDS AND REQUIREMENTS

SECTION 601

ENVIRONMENTAL SCHOOL HEALTH

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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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SECTION 602 PUBLIC BATHING PLACES

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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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604.3.3.	PLUMBING
604.3.4.	SEWAGE DISPOSAL
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

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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.