

ORDINANCE 03-13

**AN ORDINANCE TO ADOPT CERTAIN RULES AND REGULATIONS FOR TOURIST ACCOMMODATIONS, TO ADOPT RULES AND REGULATIONS FOR SWIMMING POOLS, SPAS AND RECREATIONAL WATER PARKS, TO ADOPT RULES AND REGULATIONS FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS, TO ADOPT RULES AND REGULATIONS FOR FOOD SERVICE**

WHEREAS, the City of Sky Valley finds it to be in the best interests of the citizens of Sky Valley to adopt certain public health regulations pertaining to tourist accommodations, swimming pools, spas and recreational water parks, on-site sewage management systems, and food service,

THE COUNCIL OF THE CITY OF SKY VALLEY HEREBY ORDAINS:

Section I. The Code of Ordinances of the City of Sky Valley, Georgia are hereby amended to add the following:

1. The rules of the Department of Human Resources, Chapter 290-5-18, Tourist Accommodations, as the same exists or as amended, are adopted by reference as if fully set out herein.

2. The rules of the Department of Human Resources, Public Health, Chapter 290-5-57, Swimming Pools, Spas, and Recreational Water Parks, as the same exists or as amended, are adopted by reference as if fully set out herein.

3. The rules of the Department of Human Resources, Public Health, Chapter 290-5-26, On-Site Sewage Management Systems, as the same exists or as amended, are adopted by reference as if fully set out herein.

4. The rules of the Department of Human Resources, Public Health, Chapter 290-5-14, Food Service, as the same exists or as amended, are adopted by reference as if fully set out herein.

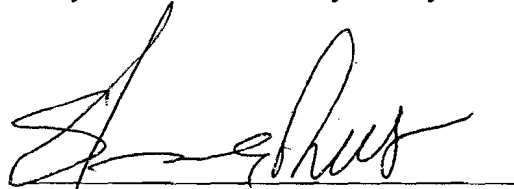
II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

III. THIS ORDINANCE WILL BECOME EFFECTIVE UPON ADOPTION BY THE CITY COUNCIL AND APPROVED BY THE MAYOR AS PROVIDED BY THE CHARTER OF THE CITY OF SKY VALLEY.

It is so ordained and approved by vote of the City Council of the City of Sky Valley this 16<sup>th</sup> day of October, 2003.

Approved:

  
W. Delano Moore, Mayor

  
Steve Brett, Council President

  
Carolyn Burgess, Councilor

  
Sharon Jones, Councilor

Attest:

  
Linda Wells, City Clerk

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Howell Nunnally, Councilor

  
Britt Whitaker, Councilor

Read and introduced on the 16<sup>th</sup> day of October, 2003.  
Adopted on the 16<sup>th</sup> day of October, 2003.

Rules and Regulations

# Food Service

Chapter 290-5-14

RABUN COUNTY ENVIRONMENTAL HEALTH  
19 LIBRARY CIRCLE  
CLAYTON, GA 30525



**RULES  
OF  
DEPARTMENT OF HUMAN RESOURCES  
PUBLIC HEALTH**

**CHAPTER 290-5-14  
FOOD SERVICE**

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**290-4-14-.01 Definitions. Amended. The following definitions shall apply in the interpretation and enforcement of this Chapter.**

(a) "Approved" means acceptable to the health authority based on its determination as to conformance with applicable standards and/or good public health practice.

(b) "Commissary" means a catering establishment, restaurant, or any other place in which food, containers, or supplies are kept, handled, prepared, packaged or stored for subsequent transport, sale or service elsewhere.

(c) "Corrosion-Resistant Material" means a material which maintains its original surface characteristics under prolonged influence of environmental conditions and of food, cleaning compounds, and sanitizing solutions.

(d) "County Board of Health" means the Board of Health as established by the O.C.G.A. 31-3-1 or other law.

(e) "Department" means the Department of Human Resources, State of Georgia.

(f) "Easily Cleanable" means readily accessible nonabsorbent and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

(g) "Employee" means the permit holder, individuals having supervisory or management duties and any other person working in a food service establishment.

(h) "Enough" means occurring in such quantity and quality or scope as to fully satisfy demand or need.

(i) "Equipment" means all stoves, ranges, hoods, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, ice machines, slicers, and similar items, other than utensils, used in the operation of a food-service establishment.

(j) "Food" means any raw, cooked, or processed edible substances, beverage, ice or ingredient used or intended for use or for sale in whole or in part for human consumption.

(k) "Food-Contact Surfaces" means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip or splash back onto surfaces normally in contact with food.

(l) "Food-Processing Establishment" means a commercial establishment in which food is manufactured or packaged for human consumption. The term does not include a food service establishment, retail food store, or commissary operation.

(m) "Food Service Establishment" means establishments for the preparation and serving of meals, lunches, short orders sandwiches, frozen desserts, or other edible products. The term includes restaurants; coffee shops; cafeterias; short order cafes; luncheonettes; taverns; lunchrooms, places which manufacture, wholesale, or retail sandwiches or salads; soda fountains; institutions, both public and private; food carts; itinerant restaurants; industrial cafeterias; catering establishments; food vending machines and vehicles and operations connected therewith; and similar facilities by whatever name called. The term "food service establishment" shall not mean a "food sales establishment," as defined in Code Section 26-2-21, which does not provide seating or facilities for consumption of food on the premises.

NOTE: "Food Sales Establishment" means retail and wholesale grocery stores; retail seafood stores and places of business; food processing plants, except those food processing plants which are currently required to obtain a license from the Commissioner under any other provision of law; bakeries; confectioneries; fruit, nuts and vegetable stores and places of business, and similar establishments, mobile or permanent, engaged in the sale of food primarily for consumption off the premises. This term shall not include "food service establishments" as defined in Code Section 26-2-370.

(n) "Health Authority" means the Department, or the County Board of Health acting as its agent.

(o) "Hermetically Sealed Container" means a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its content after processing.

(p) "Kitchenware" means all multiuse utensils other than tableware used in the storage, preparation, conveying, or serving of food.

(q) "Law" includes Federal, State and local statutes and rules.

(r) "Mobile Food Unit" means a Trailer, Pushcart, Vehicle Vendor, or any other conveyance operating off the premise of a permitted food service establishment.

(s) "Packaged" means bottled, canned, cartoned, or securely wrapped.

(t) "Permit" means authorization granted by the health authority to the management to operate a food service establishment and signifies satisfactory compliance with these rules.

(u) "Person" means any individual, firm, partnership, corporation, trustee or association, or combination thereof.

(v) "Person in Charge" means the individual present in a food service establishment who is the designated supervisor of the food service establishment at the time of inspection. If no individual has been designated as the supervisor, then any employee present is the person in charge.

(w) "Potable" means water intended for human consumption that meets the bacteriological and chemical requirements of the Federal Environmental Protection Agency's Safe Drinking Water Act, or other regulatory agency having equivalent authority.

(x) "Potentially Hazardous Food" means any perishable food which has as an ingredient milk or milk products, eggs, meat, poultry, fish, shellfish, or other foods or other ingredients in such forms as are capable of supporting rapid and progressive development of infectious or disease causing agents. The term does not include foods which have a pH level of 4.6 or below or a water activity value of 0.85 or less.

(y) "Restricted Food Service Operation" means a food service operation that serves only food products that requires cooking immediately prior to serving.

(z) "Safe Materials" means articles manufactured from or composed of materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any food. If materials used are food additives or color additives as defined in the Federal Food, Drug, and Cosmetic Act they are "safe" only if, as used, they are not food additives or color additives as defined in the Act and are used in conformity with all applicable regulations of the U.S. Food and Drug Administration.

(aa) "Safe Temperatures" as applied to potentially hazardous foods means temperatures of 41°F (5°C) or below, or 140°F (60°C) or above.

(bb) "Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to destroy disease causing agents and not leave a residue which would be considered harmful.

(cc) "Sealed" means free of cracks or other openings which permit the entry or passage of moisture or vermin.

(dd) "Servicing Area" means a location with specific provisions for supplying cleaning and servicing a mobile food unit.

(ee) "Single-Service Articles" means articles intended for one use only, such as cups, containers, lids or closures; plates, knives, forks, spoons, stirrers, toothpicks, paddles, straws, placemats, napkins, doilies, wrapping materials; and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic, or other readily destructible materials that cannot be cleaned and sanitized by an approved method.

(ff) "Special Food Service Operation" includes Mobile Food Unit, Temporary Food Service Operation and Restricted Food Service Operation.

(gg) "Tableware" means all multiuse eating and drinking utensils, including flatware (knives, forks and spoons).

(hh) "Temporary Food Service Operation" means any food-service establishment which operates at the same location for a temporary period of time, not to exceed 14 consecutive days, in conjunction with a fair, carnival, circus, public exhibition or similar transitory gathering.

(ii) "Utensil" means any implement, tableware and/or kitchen-ware used in the storage, preparation, transportation or serving of food.

Authority O.C.G.A. Sec. 26-2-373. Administrative History. Original Rule entitled "Purpose" was filed and effective on July 19, 1965 as 270-5-6-.01. Amended: Rule repealed and a new Rule entitled "Definitions" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.01. Filed June 10, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

#### **290-5-14-.02 Provisions. Amended.**

##### **(1) Permit:**

(a) It shall be unlawful for any person to operate a food service establishment, or mobile food unit, a temporary food service operation or a restricted food service operation without having first obtained a valid food service permit from the health authority pursuant to this Chapter;

(b) Permits are invalidated by change of ownership or location;

(c) Prior to the issuance of the permit to new or existing establishments the applicant shall provide evidence of satisfactory compliance with the provisions of these rules and all other provisions of laws which apply to the location, construction and maintenance of food service establishments and the safety of persons therein;

(d) The permit shall be prominently displayed at all times, as near the main entrance as practicable;

(e) The permit shall be property of the health authority and shall be returned within seven days to the local health authority when the food service establishment ceases to operate or is moved to another location or when the permit is revoked;

(f) Any addition of a "food item" that changes the method of food preparation must be reported to the health authority prior to implementation.

##### **(2) Application for a permit:**

(a) The management of the food service establishment or a mobile food unit, a temporary food service operation or a restricted food service operation shall submit to the local health authority an application for a permit at least ten (10) days prior to the anticipated date of opening and commencement of the operation of the food service establishment or a mobile food unit, a temporary food service operation or a restricted food service operation.

(b) The application shall be prepared in duplicate on forms provided by the Department. The original shall be forwarded to the local health authority and the copy retained by the management.



(c) The application for a temporary and restricted food service operation shall show the inclusive dates of the proposed operation.

(3) Plans:

(a) Submission of Plans: Properly prepared plans and specifications must be submitted for review and approval when a food service establishment is constructed or extensively remodeled, or when an existing structure is converted to use as a food service establishment.

(b) Plans and Specifications: The plans and specifications shall be submitted to the health authority of the county in which the food service establishment will be constructed at least fourteen (14) days prior to beginning construction. The plans shall indicate the proposed layout, arrangement, mechanical plans, and construction materials of work areas, and the type and model of proposed fixed equipment and facilities.

Authority O.C.G.A. 26-2-371-373, 31-2-4. Administrative History. Original Rule entitled "Policy" was filed and effective on July 19, 1965 as 270-5-6-02. Amended: Rule repealed and a new Rule entitled "Provisions" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.02. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 20, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

**290-5-14-.03 Food Care. Amended.**

(1) Food Supplies:

(a) Food shall be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption.

(b) Food shall be obtained from approved sources that comply with all laws relating to food processing and shall have no information on the label that is false or misleading.

(c) The use of food in hermetically sealed containers that was not prepared in a food processing establishment is prohibited.

(d) Fluid milk and fluid milk products used or served shall be pasteurized and shall meet the Grade A quality standards as established by law. Dry milk and dry milk products shall be made from pasteurized milk and milk products.

(e) Fresh and frozen shucked shellfish (oysters, clams, or mussels) shall be packed in non-returnable packages identified with the name and address of the original shell stock processor, shucker-packer, or repacker, and the interstate certification number issued according to law. Shell stock and shucked shellfish shall be kept in the container in which they were received until they are used. Each container of unshucked shell stock (oysters, clams, or mussels) shall be identified by an attached tag that states the name and address of the original shell stock processor, the kind and quantity of shell stock, and an interstate certification number issued by an approved shellfish control agency. The food service management shall retain on file for at least 90 days information pertaining to the source of shellfish products.

(f) All bakery products shall have been prepared in permitted food service establishments or in an approved food processing establishment; provided, that the health authority may accept other sources which are in compliance with applicable State and local laws and regulations. Bakery products which

contain potentially hazardous foods shall be prepared and handled in accordance with all requirements for potentially hazardous foods.

(g) Only clean whole eggs, with shell intact and without cracks or checks, or pasteurized liquid, frozen, or dry eggs or pasteurized dry egg products shall be used, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used.

(h) Only game animals as specified below may be received for sale or service.

1. Game animals will be approved for sale or service which are commercially raised for food slaughtered and processed under a voluntary inspection program that is conducted by the agency that has animal health jurisdiction, or are under a routine inspection program conducted by a regulatory agency other than the agency that has animal health jurisdiction and be raised, slaughtered, and processed according to the laws governing meat and poultry as determined by the agency that has animal health jurisdiction and the agency that conducts the inspection program. The agencies shall consider factors such as the need for antemortem and postmortem examination by a veterinarian or a veterinarian's designee, approved by the regulatory authority.

2. Exotic species of animals including animals raised for exhibition purposes in a zoo or circus will be approved for sale or service that meet subparagraph (h) 1. or receive antemortem and postmortem examination by a veterinarian or a veterinarian's designee, approved by the regulatory authority, and are slaughtered and processed according to laws governing meat and poultry as determined by the agency that has animal health jurisdiction and the agency that conducts the inspection program.

(2) Food Protection:

(a) At all times, including while being stored, prepared, displayed, served, or transported, food shall be protected from potential contamination, including toxic materials, dust, insects, rodents, unclean equipment and utensils, unnecessary handling, cross contamination, coughs and sneezes, flooding, drainage, and overhead leakage or overhead drippage from condensation.

(b) The temperature of potentially hazardous food shall be 41°F (5°C) or below, or 140°F (60°C) or above at all times, except as otherwise provided in this Chapter.

(c) In the event of a fire, flood, power outage, or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at required temperatures, the person in charge shall immediately contact the health authority. Upon receiving notice of this occurrence, the health authority shall take whatever action that it deems necessary to protect the public health.

(3) Food Storage:

(a) Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in an approved, clean, and covered container except during necessary periods of preparation of service.

1. Container covers shall be tight fitting, impervious, nonabsorbent and of safe material.

2. Solid cuts of meat shall be protected by being covered in refrigerated storage, except that quarters or sides of meat may be hung uncovered on clean sanitized hooks if no food product is stored beneath the meat.

(b) Containers of food shall be stored a minimum of 6 inches above the floor in a manner that protects the food from splash and other contamination, and that permits easy cleaning of the storage area.

(c) Food and containers of food shall not be stored under exposed plumbing, tubes and refrigeration components or otherwise located where contamination may occur. This requirement does not apply to automatic fire protection sprinkler heads.

(d) Food not subject to further washing or cooking before serving shall be stored in a way that protects it against cross-contamination from food requiring washing or cooking.

(e) Packaged food shall not be stored in contact with water or undrained ice. Wrapped sandwiches shall not be stored in direct contact with ice.

(f) Bulk food such as cooking oil, syrup, salt, sugar, and flour shall be stored in an approved, clean and covered container with the contents identified by common name.

(g) Enough conveniently located refrigeration facilities or effectively insulated facilities shall be provided to assure the maintenance of perishable and potentially hazardous food at required temperatures during storage. Each refrigerated facility storing potentially hazardous food shall be provided with a numerically scaled thermometer, accurate to  $\pm 3^{\circ}\text{F}$  measuring the air temperature in the warmest part of the facility and located to be easily readable.

(h) Potentially hazardous foods requiring refrigeration after preparation shall be placed in shallow pans not to exceed four (4) inches in depth and shall be rapidly cooled by refrigeration to an internal temperature of  $41^{\circ}\text{F}$  ( $5^{\circ}\text{C}$ ) or below within four (4) hours. Rapid cooling may be accelerated by using smaller portions, chilling in refrigerator and/or agitation. Accumulated times in the danger zone,  $41^{\circ}\text{F}$  ( $5^{\circ}\text{C}$ ) to  $140^{\circ}\text{F}$  ( $60^{\circ}\text{C}$ ) shall not exceed four (4) hours.

(i) Frozen food shall be kept frozen and should be stored at a temperature of  $0^{\circ}\text{F}$  or below.

(j) Ice used for cooling stored food and food containers shall not be used for human consumption, except that such ice may be used for cooling tubes conveying beverages or beverage ingredients to a dispenser head.

(k) Enough conveniently located hot food storage facilities shall be provided to assure the maintenance of food at the required temperature during storage. Each hot food facility storing potentially hazardous food shall be provided with a numerically scaled thermometer, accurate to  $\pm 3^{\circ}\text{F}$ , measuring the air temperature in the coolest part of the facility and located to be easily readable.

(l) Where it is impractical to install thermometers on equipment or insulated food transport carriers a product thermometer must be available and used to check internal food temperature. The internal temperature of potentially hazardous food requiring hot storage shall be  $140^{\circ}\text{F}$  or above except during necessary periods of preparation.

(4) Food Preparation:

(a) Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross-contamination.

(b) Raw fruits and vegetables shall be thoroughly washed with potable water under pressure before being cooked or served. A separate sink shall be provided for this purpose.

(c) All potentially hazardous foods requiring cooking except as stated below shall be cooked to heat all parts of the food to a temperature of at least 140°F (60°C).

1. Except as specified in subparagraph 2, raw animal foods such as unpasteurized eggs, fish, poultry, meat and foods containing these raw animal foods, shall be cooked to heat all parts of the food to a temperature and for a time that are at least:

a. 145°F (63°C) or above for 15 seconds for:

(1) Shell eggs that are broken and prepared in response to a consumer's order and for immediate service, and

(2) Fish and meat that are not specified in b. of this section:

b. For pork and game animals, comminuted fish and meats, injected meats and eggs that are not prepared as specified in subparagraph 1. a. (1) of this section, 155°F (68°C) for 15 seconds.

c. For rare roast beef, an initial internal temperature of at least 130°F (54°C) shall be obtained and rare beef steak shall be cooked to a temperature of 130°F (54°C). Roast beef must be rapidly reheated to 165°F (74°C). Because of shorter cooking time, roast beef cannot be cooked in a microwave oven.

d. 165°F (74°C) or above for 15 seconds for field-dressed wild game animals, poultry, stuffed fish, stuffed meat, stuffed pasta, stuffed poultry or stuffing containing fish, meat or poultry.

2. Except for establishments serving a highly susceptible population such as the sick, elderly and children, subparagraph 1 of this section does not apply if the food is a raw animal food such as raw marinated fish; raw molluscan shellfish; steak tartare; or a partially cooked food such as lightly cooked fish, rare meat and soft cooked eggs that is served or offered for sale in a ready-to-eat form and the consumer is informed that to assure its safety, the food should be cooked as specified under paragraph 1. of this section. Notification shall be given by brochures, delicacy or menu advisories, label statements, table tents, placards or other effective written means of the significantly increased risk associated with eating such foods in raw or undercooked form. The notification shall read as follows:

**ADVISORY: THE CONSUMPTION OF RAW OR UNDERCOOKED FOODS SUCH AS MEAT, FISH AND EGGS WHICH MAY CONTAIN HARMFUL BACTERIA, MAY CAUSE SERIOUS ILLNESS OR DEATH.**

3. Raw animal foods cooked in a microwave oven shall be rotated and stirred throughout or midway during cooking to compensate for uneven distribution of heat, covered to retain surface moisture and heated an additional 25°F (14°C) above the temperature specified in subparagraph 1. of this section with

the exception of roast beef, to compensate for shorter cooking times. The food shall be allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

(d) Reconstituted dry milk and dry milk products may be used in instant desserts and whipped products, or for cooking and baking purposes.

(e) Nondairy creaming, whitening, or whipping agents may be reconstituted on the premises only when they will be stored in sanitized, covered containers not exceeding one-half gallon in capacity and rapidly cooled to and maintained at 45°F or below.

(f) Dry milk products may be used as an ingredient in nutritional supplement or prescription formulas when served immediately after preparation.

(g) Liquid, frozen, dry eggs and egg products shall be used only for cooking and baking purposes.

(h) When potentially hazardous foods that have been cooked and then refrigerated, are to be served hot, they shall be reheated rapidly to 165°F or higher throughout before being served or before being placed in a hot food storage facility. Steam tables, bainmaries, warmers, and similar hot food holding facilities are prohibited for the rapid reheating of potentially hazardous foods.

(i) A metal stem-type numerically scaled thermometer, accurate to  $\pm 3^\circ\text{F}$ , shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods.

(j) Potentially hazardous foods shall be thawed:

1. In refrigerated units at a temperature not to exceed 41°F (5°C); or
2. Under potable running water of a temperature of 70°F (21°C) or below with sufficient water velocity to agitate and float off loose food particles into the overflow; or
3. In a microwave oven only when the food will be immediately transferred to conventional cooking facilities as part of continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave; or
4. As part of the conventional cooking process, additional time must be allowed for product to reach required internal temperature.

(k) For special events, foods requiring only cooking may be prepared, if served immediately, in an outside area on the premise of a permitted food service establishment. Prior approval must be obtained from the health authority.

(5) Food Display and Service:

(a) Potentially hazardous food shall be kept at an internal temperature of 41°F (5°C) or below or at an internal temperature of 140°F (60°C) or above during display and service, except that rare roast beef shall be held for service at a temperature of at least 130°F (54°C). Animal products which are to be consumed raw must be served at a temperature of 41°F (5°C) or below.

1. Milk and milk products for drinking purposes shall be provided to the consumer in an unopened, commercially filled package not exceeding 1 pint in capacity, or drawn from a commercially filled container stored in mechanically refrigerated bulk milk dispenser. Where a bulk dispenser for milk and milk products is not available and portions of less than ½ pint are required for mixed drinks, cereal, or dessert service, milk and milk products may be poured from a commercially filled container or not more than ½ gallon capacity.

2. Cream or half and half shall be provided in an individual service container, protected pour-type pitcher, or drawn from a refrigerated dispenser designed for such service.

3. Nondairy creaming or whitening agents shall be provided in a individual service container, protected pour-type pitcher, or drawn from a refrigerated dispenser designed for such service.

(b) Condiments, seasonings and dressings for self-service use shall be provided in individual packages, from dispensers, or from containers protected in accordance with Rule .03 subparagraph (5)(g).

1. Condiments provided for table or counter service shall be individually portioned, except that catsup, non-potentially hazardous dressings and sauces may be served in the original container or approved pour-type dispenser.

2. Sugar for consumer use shall be provided in individual packages or in an approved pour-type dispenser.

(c) Ice for consumer use shall be dispensed only by employees using a scoop that has a handle and is constructed of approved materials, tongs, or other ice-dispensing utensils or through automatic self-service, ice-dispensing equipment.

1. Ice-dispensing utensils shall be stored on a clean surface or in the ice with dispensing utensil's handle extended out of the ice.

2. Ice transfer container shall be stored and used in a way that protects the container and ice from contamination.

3. Ice storage bins shall be drained through an air gap or indirect connection.

(d) To avoid unnecessary manual contact with food, other than ice, suitable dispensing utensils shall be used by employees or provided to consumers who serve themselves. Between uses during service, dispensing utensils shall be:

1. Stored in the food with the dispensing utensil handle extended out of the food; or

2. Stored clean and dry; or

3. Stored in running water; or

4. Stored either in a running water dipper well, or clean and dry in the case of dispensing utensils and malt collars used in preparing frozen desserts.

(e) Once served to a consumer or placed on the table for service, portions of food shall not be served again, except that; unopened packaged food, other than potentially hazardous food, still in sound condition, may be re-served.

(f) Foods that have not been served to a consumer or exposed to contamination by the consumer may be re-served when handled and reprocessed as required by Rule .03, subparagraphs (2), (3), and (4).

(g) Food on display shall be protected from consumer contamination by the use of packaging or by the use of easily cleanable counter, serving line or salad bar protective devices, display cases, or by other effective means.

1. Protective devices for counters, serving lines, salad bars and other similar food displays in public eating establishments shall be designed (see Rule .10) and constructed so as to intercept contaminants which may be expelled from the customer's mouth or nose.

2. All food, whether on display, being prepared for service or placed for consumer self-service must be protected from contamination from consumers standing or sitting within eight (8) feet of the food.

3. Enough hot or cold food facilities shall be available to maintain the required temperature of potentially hazardous food on display.

4. All requirements of paragraph (5) shall be met until the food product is received by the consumer.

5. All food display facilities shall be designed or operated to minimize contact by consumer.

(h) The presentation of food orders and limited tableside finishing, such as tossing salad and flaming desserts, is permissible from a permitted food service establishment in an adjoining outdoor seating area. Outdoor salad bars or unenclosed dessert carts are prohibited.

(i) Clean tableware for self-service consumers returning to the service area for additional food shall be provided. A public notice to this effect shall be posted in a conspicuous place in the service area. Beverage cups and glasses are exempt from this requirement.

(6) Food Transportation:

(a) During transportation, food and food utensils shall be kept in covered containers or completely wrapped or packaged so as to be protected from contamination and spoilage.

(b) Foods in original individual packages do not need to be overwrapped or covered if the original package has not been torn or broken.

(c) During transportation, including transportation to another location for service or catering operations, potentially hazardous food shall be maintained at 45°F or below for cold foods or 140°F or above for hot foods.

Authority O.C.G.A. 26-2-373, 31-2-4. Administrative History. Original Rule entitled "Permits Required" was filed and effective on July 19, 1965 as 270-5-6-.03. Amended: Rule repealed and a new Rule entitled "Food Supplies" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.03. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Food Care" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

**290-5-14-.04 Personnel. Amended.**

(1) Employee Health:

(a) No person, while infected with or suspected of having a disease that can be transmitted by food or who is a carrier of microorganisms that cause such a disease or while afflicted with a boil, a cut or wound, or an acute respiratory infection, shall be permitted, by management, to work in a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces or transmitting disease to other persons.

(b) The manager or person in charge of the establishment shall promptly notify the health authority when any employee of a food service establishment is known or suspected of having an infectious disease or one that can be transmitted by food.

(2) Personal Cleanliness:

(a) Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, and immediately after using tobacco products, eating, drinking, using the toilet, or being potentially contaminated by other means.

(b) Employees shall keep their fingernails clean and trimmed.

(c) Approved measures should be taken to prevent perspiration from contaminating foods, food contact surfaces, equipment and utensils.

(3) Clothing:

(a) The outer layer of clothing of all employees shall be clean.

(b) Employees preparing, handling and serving food shall use effective and clean, disposable or easily cleanable nets or other hair restraints approved by the health authority, worn properly to restrain loose hair.

(4) Employee Practices:

(a) Employees shall consume food or use tobacco products only in approved designated areas separate from preparation and serving areas.

(b) Employees shall not use tobacco in any form while engaged in food preparation or service, nor while in areas used for equipment of utensil washing or for food preparation.

(c) Employees shall handle soiled tableware in a way that minimizes contamination of their hands.



(d) Employees shall maintain a high degree of personal cleanliness and shall use good hygienic practices during all working periods in the food service establishment.

Authority O.C.G.A. 26-2-373; 31-2-4. Administrative History. Original Rule entitled "Application; Filing of" was filed and effective on July 19, 1965 as 270-5-6-.04. Amended: Rule repealed and a new Rule entitled "Food Protection" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.04. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Personnel" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

#### **290-5-14-.05 Equipment and Utensils. Amended.**

##### **(1) Materials:**

(a) Multiuse equipment and utensils shall be constructed of and repaired with safe materials, including finishing materials; shall be corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable, and durable under conditions of normal use. Equipment, utensils, and single-service articles shall not impart odors, color, or taste, nor contribute to the contamination of food.

(b) If solder is used, it shall be composed of safe materials and be corrosion resistant.

(c) Hard maple or equivalently nonabsorbent material that meets the general requirements set forth in subparagraph (1)(a) of this Rule may be used for cutting blocks, cutting boards, salad bowls, and baker's tables. The use of wood as a food-contact surface under other circumstances is prohibited.

(d) Safe plastic or safe rubber or safe rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition, crazing, chipping, and distortion, that are of sufficient weight and thickness to permit cleaning and sanitizing by normal dishwashing methods, and which meet the general requirements set forth in subparagraph (1)(a) of this Rule, are permitted for repeated use.

(e) Mollusk and crustacea shells may be used only once as a serving container.

(f) Single-service articles shall be made from clean, sanitary, safe materials. Re-use of single service articles is prohibited. Wood may be used for single-service articles, such as chop sticks, stirrers, or ice cream spoons.

##### **(2) Design and Fabrication:**

(a) All equipment and utensils, including plastic ware, shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, breaking, bulking, pitting, chipping, and crazing.

1. Food-contact surfaces shall be easily cleanable, smooth, and free of breaks, open seams, cracks, chips, pits, internal corners, and crevices and similar imperfections.

2. Cast iron may be used as a food-contact surface only if the surface is heated, such as in grills, griddle tops, and skillets.

3. Threads shall be designed to facilitate cleaning; ordinary "V" type threads are prohibited in food-contact surfaces, except that in equipment such as ice makers or hot oil cooking equipment and hot oil filtering systems, such threads shall be minimized.

(b) Equipment containing bearings and gears requiring unsafe lubricants shall be designed and constructed so that the lubricant cannot leak, drip or be forced into food or onto food-contact surfaces. Only safe lubricants shall be used on equipment designed to receive lubrication of bearings and gears on or within food-contact surfaces.

(c) Tubes conveying beverages or beverage ingredients to dispensing heads may be in contact with stored ice: Provided, that such tubes are fabricated from safe materials, are grommeted at entry and exit points to preclude moisture (condensation) from entering the ice machine or the ice storage bin, and are kept clean. Drainage or drainage tubes from dispensing units shall not pass through the ice machine or the ice storage bin.

(d) Sinks and drain boards shall be self-draining.

(e) Unless designed for in-place cleaning, food-contact surfaces shall be accessible for cleaning and inspection:

1. without being disassembled; or
2. by disassembling without the use of tools; or
3. by easy disassembling with the use of only simple tools such as a mallet, a screwdriver, or a wrench kept available near the equipment.

(f) Equipment intended for in-place cleaning shall be so designed and fabricated that:

1. cleaning and sanitizing solutions can be circulated throughout a fixed system using an effective cleaning and sanitizing procedure; and
2. cleaning and sanitizing solutions will contact all interior food-contact surfaces; and
3. the system is self-draining or capable of being completely emptied.

(g) Fixed equipment designed and fabricated to be cleaned and sanitized by pressure spray methods shall have sealed electrical wiring, switches, and connections.

(h) Thermometers required for immersion into food or cooking media shall be of metal stem type construction, numerically scaled, and accurate to  $\pm 3^{\circ}\text{F}$ .

(i) Surfaces of equipment not intended for contact with food, but which are exposed to splash or food debris or which otherwise require frequent cleaning, shall be designed and fabricated to be smooth, washable, free of unnecessary ledges, projections, or crevices, and readily accessible for cleaning, and shall be of an approved material and in such repair as to be easily maintained in a clean and sanitary condition.

(j) Ventilation hoods and devices shall be designed or operated to prevent grease or condensation from collecting on walls and ceilings, and from dripping into food or onto food-contact surfaces. Filters or other grease extracting equipment shall be readily removable for cleaning and replacement if not designed to be cleaned in place.

(k) Equipment that was installed in a food service establishment prior to the effective date of this Rule, and that does not fully meet all of the material, design and fabrication requirements of this Rule shall be deemed acceptable in that establishment if it is in good repair, capable of being maintained in a sanitary condition, and the food-contact surfaces are nontoxic. Replacement equipment and new equipment acquired after the effective date of this Rule shall meet the requirements of this Rule.

(l) Establishments permitted prior to the acceptance of these amendments shall comply immediately with this Rule or may be allowed a maximum of two years to comply if existing equipment needs remodeling or new equipment must be acquired in order to maintain food at or below 41°F. Existing equipment must be updated with change of ownership. All existing equipment must be maintained properly including routine cleaning of coils and all other parts of the cooling system. Proper food handling is mandatory to ensure that the minimal temperature requirement is obtained by pre-cooling foods and minimizing opening of cooling units. Existing equipment which cannot maintain foods at 41°F must maintain foods at or below 45°F. Upon equipment failure, replacement equipment must be capable of maintaining food at or below 41°F.

(3) Equipment Installation and Location:

(a) Equipment, including ice makers and ice storage equipment, shall not be located under exposed plumbing, tubes and refrigeration components or otherwise located where contamination may occur. This requirement does not apply to automatic fire protection sprinkler heads.

(b) Equipment that is placed on tables or counters, unless portable, shall be sealed to the table or counter or evaluated on legs to provide at least a 4-inch clearance between the table or counter and equipment and shall be installed to facilitate the cleaning of the equipment and adjacent areas.

1. Equipment is portable within the meaning of this section if:

(i) it is small and light enough to be moved easily by one person; and

(ii) it has no utility connection, or has a utility connection that disconnects quickly, or has a flexible utility connection line of sufficient length to permit the equipment to be moved for easy cleaning.

(c) Floor-mounted equipment, unless easily movable, shall be:

1. sealed to the floor; or

2. installed on a raised platform of concrete or other smooth masonry in a way that meets all the requirements for sealing or floor clearance; or

3. elevated on approved legs to provide at least a 6-inch clearance between the floor and equipment, except that vertically mounted floor mixers may be elevated to provide at least a 4-inch clearance between the floor and equipment if no part of the floor under the mixer is more than 6 inches reach for cleaning access.

4. sufficient space shall be provided for easy cleaning between, behind, and above all fixed equipment. If exposed to seepage, the space between the adjoining equipment or adjacent walls or ceilings shall be sealed.

(d) Equipment is easily movable if:

1. it is mounted on wheels or casters; and
2. it has no utility connection or has a utility connection that disconnects quickly, or has a flexible utility line of sufficient length to permit the equipment to be moved for easy cleaning.

(e) Aisles and working spaces between units of equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties readily without contamination of food or food-contact surfaces by clothing or personal contact. All easily movable storage equipment such as pallets, racks, and dollies shall be positioned to provide accessibility to working areas.

Authority O.C.G.A. 26-2-373, 31-2-4. Administrative History. Original Rule entitled "Permits, Granting and Validity" was filed and effective on July 19, 1965 as 270-5-6-.05. Amended: Rule repealed and a new Rule entitled "Preparation" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.05. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Equipment and Utensils" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

### **290-5-14-.06 Cleaning, Sanitization and Storage of Equipment and Utensils. Amended.**

#### **(1) Equipment and Utensil Cleaning and Sanitization:**

(a) After each use tableware shall be washed, rinsed, sanitized, and air dried only. A spoon or other utensil, once used for tasting food, shall not be reused until it has been cleaned and sanitized.

(b) To prevent cross-contamination, kitchenware and food-contact surfaces of equipment shall be washed, rinsed, and sanitized after each use and following any interruption of operations during which time contamination may have occurred.

(c) Where equipment and utensils are used for the preparation of potentially hazardous foods on a continuous basis, utensils and the food-contact surfaces of equipment shall be washed, rinsed, and sanitized at intervals throughout the day on an approved schedule based on food temperature, type of food, and amount of food particle accumulation.

(d) The food-contact surfaces of grills, griddles, and similar cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once a day; except that this shall not apply to hot oil cooking equipment and hot oil filtering systems. The food-contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil.

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

(f) Cloths use for wiping food spills on tableware, such as plates or bowls being served to the consumer, shall be clean, dry and used for no other purpose.

(g) Moist cloths and sponges shall be clean and rinsed frequently in one of the approved sanitizing solutions listed in subparagraph (2)(e) of this Rule and shall be stored in a freshly prepared sanitizing solution between uses.

1. Moist cloths and sponges used for wiping food spills on kitchenware and food-contact surfaces of equipment shall be used for no other purpose.

2. Moist cloths and sponges used for cleaning non-food-contact surfaces of equipment such as counters, dining table tops and shelves shall be used for no other purpose.

(2) Manual Cleaning and Sanitizing:

(a) For manual washing, rinsing, and sanitizing of utensils and equipment, a sink with not fewer than three compartments shall be provided and used. These sinks shall not be used for the preparation of food, such as thawing and washing of vegetables. Sink compartments shall be large enough to accommodate utensils, and each compartment of the sink shall be supplied with hot and cold potable water under pressure. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments shall be washed, rinsed, and sanitized manually or cleaned through pressure spray methods.

(b) Drain boards or easily movable dish tables of adequate size shall be provided for proper handling of soiled utensils prior to washing and for cleaned utensils following sanitizing and shall be located so as not to interfere with the proper use of the dishwashing facilities.

(c) Equipment and utensils shall be preflushed or prescraped and, when necessary, presoaked to remove gross food particles and soil.

(d) Manual washing, rinsing, and sanitizing shall be conducted in the following sequence:

1. preflush or prescraped, when necessary presoaked;
2. sinks shall be cleaned prior to use;
3. utensils shall be thoroughly washed in the first compartment with warm detergent solution that is kept clean;
4. utensils shall be rinsed free of detergent and abrasives with clean warm water in the second compartment;
5. utensils shall be sanitized in the third compartment according to one of the methods included in subparagraph (2)(e) 1. thru 4. of this Rule;
6. utensils shall be air dried only.

(e) The food-contact surfaces of all equipment and utensils shall be sanitized by:

1. immersion for at least one-half ( $\frac{1}{2}$ ) minute in clean, hot water at a temperature of at least 170°F;  
or
2. immersion for at least one minute in a clean solution containing at least 50 parts per million of available chlorine as hypochlorite and at a temperature of at least 75°F; or
3. immersion for at least one minute in a clean solution containing at least 12.5 parts per million of available iodine and having a pH not higher than 5.0 and at a temperature of at least 75°F; or

4. immersion in a clean solution containing any other chemical sanitizing agent allowed under 21 Code of Federal Regulation 178.1010 or its successor that will provide the equivalent bactericidal effect of a solution containing at least 50 parts per million of available chlorine as hypochlorite at a temperature of at least 75°F for one minute.

(f) Large equipment which cannot be immersed must be sanitized by:

1. Rinsing, spraying, or swabbing with a chemical sanitizing solution of at least twice the strength required for the particular sanitizing solution under subparagraph (2)(e) of this Rule in the case of equipment too large to sanitize by immersion.

2. In the case of equipment in which steam can be confined, may be treated with steam free from materials of additives other than those specified in 21 Code of Federal Regulation 173.310 or its successor.

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

1. an integral heating device or fixture, installed in, on, or under the sanitizing compartment of the sink, capable of maintaining the water at a temperature of at least 170°F, and

2. a numerically scaled thermometer, accurate to  $\pm 3^\circ\text{F}$ , convenient to the sink for frequent checks of water temperature; and

3. dish baskets of such size and design to permit complete immersion of the tableware and kitchenware in the hot water.

(h) When chemicals are used for sanitization, they shall not have concentration higher than the maximum allowed under 21 Code of Federal Regulation 178.1010 or its successor and a test kit or other device that accurately measures the concentration of that solution, in parts per million, shall be provided and used according to recommended procedure.

(3) Mechanical Cleaning and Sanitizing:

(a) Cleaning and sanitizing may be done by spray-type or immersion dishwashing machines or by any other type of machine, device or procedure if it is demonstrated that it thoroughly cleans and sanitizes utensils. These machines and devices shall be properly installed and maintained in good repair. Machines and devices shall be operated in accordance with manufacturer's instructions, and utensils and equipment placed in the machine shall be exposed to all dishwashing cycles. Automatic detergent dispensers, wetting agent dispensers, and liquid sanitizer injectors, if any, shall be properly installed and maintained.

(b) The pressure of final rinse water supplied to spray-type dishwashing machines shall not be less than 15 nor more than 25 pounds per square inch measured in the water line immediately adjacent to the final rinse control valve. A ¼-inch IPS valve, with a pressure gauge installed, shall be provided immediately upstream from the final rinse control valve to permit checking the flow pressure of the final rinse water on all spray-type dishwashing machines installed after the effective date of this Rule.

(c) Machine or water line mounted numerically scaled thermometers, accurate to  $\pm 3^{\circ}\text{F}$ , shall be provided to indicate the temperature of the water in each tank of the machine and the temperature of the final rinse water as it enters the manifold.

(d) Rinse water tanks shall be protected by baffles, curtains, or other effective means to minimize the entry of wash water into the rinse water. Conveyors in dishwashing machines shall be accurately timed to assure proper exposure times in wash and rinse cycles in accordance with manufacturer's specifications attached to the machines.

(e) Separate drain boards shall be provided for the proper handling of soiled utensils prior to washing and for cleaned utensils following sanitization. Such drain boards shall be of adequate size and shall be located and constructed as not to interfere with the proper use of the dishwashing facilities. This does not preclude the use of easily movable dish tables for the storage of soiled utensils or for the storage of clean utensils following sanitization.

(f) Kitchenware and tableware shall be flushed or scraped and when necessary, soaked to remove gross food particles and soil prior to being washed in a dishwashing machine unless a prewash cycle is a part of the dishwashing machine operation. Utensils shall be placed in racks, trays or baskets, or on conveyors, in a way that food-contact surfaces are exposed to the unobstructed application of detergent wash and clean rinse waters and that permits free draining.

(g) Machines (single-tank, stationary-rack, door-type machines and spray-type glass washers) using chemicals for sanitization may be used; provided that,

1. The temperature of the wash water shall not be less than  $120^{\circ}\text{F}$ .

2. The wash water shall be kept clean.

3. Chemicals added for sanitization purposes shall be automatically dispensed.

4. Kitchenware and tableware shall be exposed to the final chemical sanitizing rinse in accordance with manufactures' specifications for time and concentration. After sanitization, all equipment and utensils shall be air dried only.

5. The chemical sanitizing rinse water temperature shall be not less than  $75^{\circ}\text{F}$  nor less than the temperature specified by the machine's manufacturer.

6. Chemical sanitizers used shall meet the requirements of 21 Code of Federal Regulation 178-1010.

7. A test kit or other device that accurately measures the parts per million concentration of the solution shall be available and used according to recommended procedure.

(h) Machines using hot water for sanitizing may be used provided that wash water and pumped rinse water shall be kept clean and water shall be maintained at not less than the temperature listed below.

1. Single-tank, stationary-rack, dual-temperature machine:

Wash Temperature..... 150°F  
Final rinse temperature..... 180°F

2. Single-tank, stationary-rack, single-temperature machine:

Wash temperature..... 165°F  
Final rinse temperature..... 165°F

3. Single-tank, conveyer machine:

Wash temperature..... 160°F  
Final rinse temperature..... 180°F

4. Multitank conveyor machine:

Wash temperature..... 150°F  
Pumped rinse temperature..... 160°F  
Final rinse temperature..... 180°F

5. Single-tank, pot, pan, and utensil washer (either stationary or moving-rack):

Wash temperature..... 140°F  
Final rinse temperature..... 180°F

(i) All dishwashing machines shall be thoroughly cleaned at least once a day or more often when necessary to maintain effective cleaning and sanitizing of utensils.

(4) Equipment and Utensil Storage:

(a) Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Spoons, knives, and forks shall be touched only by their handles. Cups, glasses, bowls, plates, and similar items shall be handled without contact with inside surfaces or surfaces that contact the user's mouth.

(b) Cleaned and sanitized utensils and equipment shall be stored at least 6 inches above the floor in a clean, dry location in a way that protects them from contamination by splash, dust, and other means. The food-contact surfaces of fixed equipment shall also be protected from contamination. Equipment and utensils shall not be placed under exposed plumbing, tubes and refrigeration components or otherwise located where contamination may occur. This requirement does not apply to automatic fire protection sprinkler heads.

(c) Utensils shall be air dried only before being stored or shall be stored in self-draining position.

(d) Glasses and cups shall be stored inverted. When stacked a clean rack shall be used between each layer. Other stored utensils shall be covered or inverted, wherever practical. Facilities for the storage of knives, forks, and spoons at self-service locations shall protect these articles from contamination and



present the handle of the utensil to the consumer.

(e) Single-service articles shall be stored at least 6 inches above the floor in closed cartons or containers which protect them from contamination and shall not be placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads.

(f) Single-service articles shall be handled and dispensed in a manner that prevents contamination of surfaces which may come in contact with food or with the mouth of the user.

(g) Single-service knives, forks and spoons packaged in bulk shall be inserted into holders or be wrapped by an employee who has washed his hands immediately prior to storing or wrapping the utensils. Unless single-service knives, forks and spoons are prewrapped or prepackaged, holders shall be provided to protect these items from contamination and present the handle of the utensil to the consumer.

(h) Pre-setting flatware is acceptable when:

1. Flatware is pre-set immediately prior to the food serving period; all flatware, including unused settings, is washed and sanitized following each use of the table; and all pre-set flatware is washed and sanitized following the serving period.

2. Pre-set flatware is properly wrapped.

3. Pre-set flatware for banquets complies with subparagraph 1. or 2. above, or in lieu thereof, the room is closed to the public, and unwrapped flatware is pre-set within a reasonable time prior to the serving period.

(i) The storage of food equipment, utensils or single-service articles in toilet rooms or vestibules is prohibited.

Authority 26-2-373, 31-2-3. Administrative History. Original Rule entitled "Display of Permit" was filed and effective on July 19, 1965 as 270-5-6-.06. Amended: Rule repealed and new Rule entitled "Storage" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.06. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Cleaning, Sanitization and Storage of Equipment and Utensils" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

#### **290-5-14-.07 Sanitary Facilities and Controls. Amended.**

(1) Water Supply:

(a) Enough potable water for the needs of the food service establishment shall be provided from a source constructed and operated according to applicable State or local plumbing code as amended.

(b) Bottled and packaged potable water shall be obtained from a source that complies with all laws and shall be handled and stored in a way that protects it from contamination. Bottled and packaged potable water shall be dispensed from the original container.

(c) Enough water under pressure at the required temperatures shall be provided to all equipment that use water and at approved temperatures at all fixtures.

(d) Steam used in contact with food or food-contact surfaces shall be free from any materials or additives other than those specified in 21 Code of Federal Regulation 173.310 or its successor.

(e) Ice for human consumption shall be made from potable water.

(2) Sewage: All sewage, including liquid waste, shall be disposed of by a public sewerage system or by a sewage disposal system constructed and operated according to applicable State or local plumbing code as amended. Non-water-carried sewage disposal facilities are prohibited, except as permitted by Rule .09, subparagraph (2)(a) through (r) of this Chapter (pertaining to temporary food service operations) or as permitted by the health authority in remote areas or because of special situations.

(3) Plumbing:

(a) All plumbing shall be sized, installed, and maintained according to applicable State or local plumbing code as amended. There shall be no cross-connection between the potable water supply and any non-potable water supply nor any source of pollution through which the potable water supply might become contaminated.

(b) A non-potable water system is permitted only for purposes such as air-conditioning and/or fire protection and only if the system is installed according to law and the non-potable water does not contact, directly or indirectly, food, potable water, equipment or surfaces that contact food, or utensils. The piping of any non-potable water system shall be adequately and durably identified, such as by distinctive yellow-colored paint, so that it is readily distinguished from piping which carries potable water. Such piping shall not be connected to equipment or have outlets in the food-preparation area.

(c) The potable water system shall be installed to preclude the possibility of backflow. Devices shall be installed to protect against backflow and back siphonage at all fixtures and equipment where an air gap at least twice the diameter of the water supply inlet is not provided, between the water supply inlet and the fixture's flood level rim. A hose shall not be attached to a faucet unless a backflow prevention device is installed.

(d) Grease traps, when used, shall be located to be easily accessible for frequent cleaning.

(e) Garbage grinders, when used, shall be installed and maintained according to law.

(f) Except for properly trapped open sinks, there shall be no direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment, or utensils are placed. When a dishwashing machine is located within 5 feet of a trapped floor drain, the dishwasher waste outlet may be connected directly on the inlet side of a properly vented floor drain trap if permitted by applicable State or local plumbing code as amended.

(4) Toilet Facilities:

(a) Toilet facilities for food service employees and in all new establishments, patrons toilet facilities, shall be provided and installed in accordance with applicable State or local plumbing code as amended, shall be the number required by such code and shall be accessible at all times. When not on the same premises location shall be approved by the health authority.

(b) Toilets and urinals shall be designed to be easily cleanable.

(c) Toilet rooms shall be completely enclosed and shall have tight fitting, self-closing, doors with solid surfaces, which shall be closed except during cleaning or maintenance, except as provided by law.

(d) Toilet fixtures and receptacles shall be kept clean and in good repair. A supply of toilet tissue in an appropriate, wall mounted holder shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms used by women shall have covered waste receptacle(s).

(5) Lavatory Facilities:

(a) Lavatories shall be at least the number required by the applicable plumbing code as amended, and shall be located in food preparation areas, and other areas deemed necessary by the health authority, to permit convenient use by all employees.

(b) Lavatories shall be accessible to employees at all times.

(c) Lavatories shall also be located in or immediately adjacent to toilet rooms or vestibules. Sinks used for food preparation or for washing equipment or utensils shall not be used for handwashing.

(d) Each lavatory shall be supplied with warm water by means of a mixing valve, combination faucet or other mechanisms approved by the health authority. Any self-closing, slow-closing, or metering faucet used shall be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet. Steam mixing valves are prohibited.

(e) A supply of hand-cleaning soap or detergent shall be available at each lavatory. A supply of sanitary towels dispensed from an approved dispenser or a hand-drying device providing heated air shall be conveniently located in each lavatory area. Common towels are prohibited. If sanitary towels are used, easily cleanable waste receptacles shall be conveniently located near the handwashing facilities.

(f) Lavatories, soap dispensers, hand-drying devices, waste receptacles, and all related equipment shall be kept clean and in good repair.

(6) Garbage and Refuse:

(a) Garbage and refuse shall be kept in durable, easily cleanable, insect-proof, and rodent-proof containers that do not leak and do not absorb liquids. A sufficient number of garbage containers shall be provided and used. Plastic bags or wet-strength paper bags shall be used to line these containers.

(b) Containers used in food preparation and utensil washing areas shall be kept covered after they are used, and emptied and cleaned at least once a day. Each container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate food, equipment, utensils, or food preparation areas. Suitable facilities, meeting the requirements of Rule .08, subparagraph (3)(b) of this Chapter shall be provided and used for washing containers.

(c) Containers stored outside the establishment including dumpsters, compactors and compactor systems shall be easily cleanable, shall be provided with tight-fitting lids, doors or covers, and shall be kept

covered when not in actual use. Soiled containers shall be cleaned at a frequency to minimize insect and rodent attraction. In containers designed with drains, drain plugs or screening shall be in place at all times, except during cleaning.

(d) Liquid waste from compacting or cleaning operations shall be disposed of as sewage.

(e) Garbage and refuse on the premises shall be stored in a manner to make them inaccessible to insects and rodents. Plastic bags or wet-strength paper bags or baled units containing garbage or refuse when placed on the outside of the establishment must be stored in approved covered containers. Cardboard or other packaging material not containing garbage or food waste need not be stored in covered containers if bundled or baled.

(f) Garbage or refuse storage rooms, if used, shall be constructed of easily cleanable, nonabsorbent, washable materials, shall be kept clean, shall be insect-proof and rodent-proof and shall be large enough to store the garbage and refuse containers that accumulate and shall be adequately ventilated.

(g) Outside storage areas or enclosures shall be large enough to store the garbage and refuse containers that accumulate and shall be kept clean. Garbage and refuse containers, dumpsters and compactor systems located outside shall be stored on or above a smooth surface of nonabsorbent material such as concrete or machine-laid and sealed asphalt that is kept clean and maintained in good repair.

(h) Garbage and refuse shall be disposed of often enough to minimize the development of an obnoxious odor and the attraction of insects and rodents.

(i) Garbage or refuse shall not be burned. Incineration shall be in accordance with law.

(7) Insect and Rodent Control:

(a) Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

(b) All openings to the outside shall be effectively protected against the entrance of rodents and insects. Outside openings shall be protected by tight-fitting self-closing doors, screening, controlled air currents, or other means. Screen doors shall be self-closing, and screens for windows, doors, skylights, transoms, intake and other openings to the outside shall be tight-fitting and free of breaks. Screening material shall not be less than 16 mesh to the inch.

(c) Each insecticide and rodenticide must be approved by the U.S. Environmental Protection Agency for use in food service establishments and shall be used in accordance with label directions.

(d) Insect control devices such as time dispensers, electronic devices must be installed in accordance with guidelines established by the health authority.

Authority O.C.G.A. 26-2-373, 31-2-4. Administrative History. Original Rule entitled "Processing of Application" was filed and effective on July 19, 1965 as 270-5-6-.07. Amended: Rule repealed and a new Rule entitled "Display and Service" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.07 Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Sanitary Facilities and Controls" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

**290-5-14-.08 Construction and Maintenance of Physical Facilities. Amended.**

**(1) Floors:**

(a) Floors and floor coverings of all food preparation, food storage, utensil washing areas, and the floor of all walk-in refrigerating units, dressing rooms, locker rooms, toilet rooms and vestibules shall be constructed of smooth, durable, nonabsorbent, easily cleanable material such as but not limited to quarry tile, terrazzo, ceramic tile, and durable grades of linoleum or plastic, and shall be maintained in good repair. Nothing in this section shall prohibit the use of nonabsorbent antislip floor products in areas where necessary for safety reasons.

(b) Floors and floor coverings used in other areas shall be properly installed, easily cleanable by conventional methods, and maintained in good repair. Carpeting is prohibited in food preparation, equipment-washing and utensil-washing areas, in food storage areas, and in toilet room areas where urinals or toilet fixtures are located.

(c) The use of sawdust, wood shavings, peanut hulls, or similar material as a floor covering is prohibited.

(d) Properly installed, trapped floor drains shall be provided in floors that are water-flushed for cleaning or that receive discharges of water or other fluid waste from equipment, or in areas where pressure spray methods for cleaning equipment are used. Such floors shall be constructed of terrazzo, ceramic tile or similar nonabsorbent materials, and shall be graded to drain.

(e) Mats and duckboards shall be of nonabsorbent, grease resistant materials and of such size, design, and construction as to facilitate their being easily cleaned. Duckboards shall not be used as storage racks.

(f) In all new or extensively remodeled establishments the junctures between walls and floors shall be covered and sealed in the food preparation, food storage, and utensils-washing rooms and areas, and in walk-in refrigeration facilities, dressing or locker rooms and toilet rooms. In all other areas, the juncture between walls and floors shall be sealed.

(g) Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the floor or present a safety hazard.

**(2) Walls and Ceilings:**

(a) Walls and ceilings, including doors, windows, skylights, and similar closures, shall be maintained in good repair.

(b) The walls, including nonsupporting partitions, wall coverings, and ceilings of walk-in refrigeration facilities, food preparation areas, food storage, equipment-washing and utensil-washing areas, toilet rooms and vestibules shall be light colored, smooth, nonabsorbent, and easily cleanable. Concrete or pumice blocks used for interior wall constructions in these locations shall be filled, sealed and finished to provide a smooth, easily cleanable surface.

(c) Studs, joists, and rafters shall not be exposed in walk-in refrigerating units, food preparation areas, equipment-washing and utensil washing areas, toilet rooms and vestibules. If exposed in other rooms, or areas, they shall be finished to provide an easily cleanable surface.

(d) Exposed utility service lines and pipes shall be installed in away that does not obstruct or prevent cleaning of the walls and ceilings or present a safety hazard.

(e) Light fixtures, vent covers, wall-mounted fans, decorative materials, and similar equipment attached to walls and ceilings shall be easily cleanable and shall be maintained in good repair.

(f) Wall and ceiling covering materials shall be attached and sealed so as to be easily cleanable.

### (3) Cleaning of Physical Facilities:

(a) Cleaning of floors and walls, except emergency cleaning of floors, shall be done during periods when the least amount of food is exposed, such as after closing or between meals. Floors, mats, duckboards, walls, ceilings, and attached equipment and decorative materials shall be kept clean. Only dustless methods of cleaning, wet cleaning, or the use of dust-arresting sweeping compounds with brooms are acceptable.

(b) At least one utility sink or curbed cleaning facility shall be provided and used for cleaning of garbage containers, mops or similar wet floor cleaning tools and for the disposal of mop water or similar liquid waste. Such facilities shall have a floor drain and be supplied with hot and cold running water, under pressure or steam. The use of lavatories, utensil-washing or equipment-washing, or food preparation sinks for this purpose is prohibited.

### (4) Lighting:

(a) Permanently fixed artificial light sources shall be installed to provide at least 20 foot candles of light on all food preparation surfaces and at equipment or utensil-washing work levels.

(b) Permanently fixed artificial light sources shall be installed to provide, at a distance of 30 inches from the floor:

1. at least 20 foot candles of light in utensil and equipment storage areas and in lavatory and toilet areas; and

2. at least 10 foot candles of light in walk-in refrigerating units, dry food storage areas, and in all other areas. This shall also include dining areas during cleaning operations.

(c) Shielding to protect against broken glass falling into food shall be provided for all artificial lighting fixtures located over, by, or within food storage, preparation, service, and display facilities, and facilities where utensils and equipment are cleaned and stored.

(d) Infrared or other heat lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed.

(5) Ventilation:

(a) All rooms shall have sufficient mechanical ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall be installed, cleaned, and operated according to law and, when vented to the outside, shall not create an unsightly, harmful or unlawful discharge.

(b) Intake and exhaust air ducts shall be designed and maintained to prevent the entrance of dust, dirt, and other contaminating materials.

(6) Dressing Rooms and Locker Areas: Enough lockers or other suitable facilities shall be provided and used for the orderly storage of employee clothing and other belongings. Lockers or other suitable facilities shall be located only in the designated dressing rooms or areas containing only sealed packaged food and/or single service articles. If employees routinely change clothes within the establishment, rooms or areas shall be designated and used for that purpose.

(7) Poisonous or Toxic Materials:

(a) There shall be present in food service establishments only those poisonous or toxic materials necessary for maintaining the establishment, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.

(b) Containers of poisonous or toxic materials shall be prominently marked "poison" and distinctly labeled for ingredients according to law for easy identification of contents. The use of food containers for storage of toxic materials is prohibited.

(c) Poisonous or toxic materials necessary for the maintenance of the establishment consist of the following two categories:

1. insecticides and rodenticide; and

2. detergents, sanitizers, related cleaning or drying agents and caustics, acids, polishes and other chemicals.

(d) Each of the categories set forth in subparagraph (c) of this Rule shall be stored physically separate from each other and from foods. All poisonous or toxic materials shall be stored in cabinets or in a similar physically separate place used for no other purpose. This requirement does not prohibit a convenient supply of detergents or sanitizers at utensil or dishwashing stations.

(e) Bactericides, cleaning compounds or other compounds intended for use on food-contact surfaces shall not be used in a way that leaves a toxic residue on such surfaces or that constitutes a hazard to employees or other persons.

(f) Poisonous or toxic materials shall not be stored or used in a way that may contaminate food, food-contact surfaces, equipment, or utensils, nor in a way that constitutes a hazard to employees or other persons, nor in a way other than in full compliance with the manufacturer's labeling.

(g) Personal medication shall not be stored in food storage, preparation or service areas.

(h) First-aid supplies, if provided, shall be stored and used in a way that prevents them from contaminating food and food-contact surfaces.

(8) Premises:

(a) Food service establishments and all parts of property used in connection with their operations shall be kept free of litter.

(b) The walking and driving surfaces of all exterior areas of food service establishments shall be a hard surface of gravel or similar material effectively treated to facilitate maintenance and minimize dust. These surfaces shall be graded to prevent pooling and shall be kept free of litter.

(c) Only articles necessary for the operation and maintenance of the food service establishment shall be stored on the premises.

(d) The traffic of unnecessary persons through the food-preparation and utensil-washing areas is prohibited.

(e) Food service operations shall be physically and functionally separated from facilities or areas used for household purposes.

(f) Laundry facilities in a food service establishment shall be restricted to the washing and drying of linens, cloths, uniforms, and aprons necessary to the operation. If such items are laundered on the premises, an electric or gas dryer shall be provided and used.

(g) Separate rooms shall be provided for laundry facilities except that such operations may be conducted in storage rooms containing sealed packaged foods and/or single-service articles.

(h) Clean clothes and linens shall be stored in a dry, clean place and protected from contamination until used.

(i) Soiled clothes and linens shall be stored in a way that does not contaminate food, utensils, or equipment in nonabsorbent containers or washable laundry bags until removed for laundering.

(j) Maintenance and cleaning tools such as brooms, dry and wet mops, vacuum cleaners and similar equipment shall be maintained and stored in a way that does not contaminate food, utensils, equipment, or linens and shall be stored in an orderly manner.

(k) Live animals, including birds and turtles, shall be excluded from within the food service. This exclusion does not apply to edible fish, crustacea, shellfish or to fish in aquariums. Patrol dogs accompanying security or police officers or guide/service dogs accompanying handicapped persons or trainers of such dogs, shall be permitted in dining areas or other public access areas.

Authority O.C.G.A. 26-2-373, 31-2-4. Administrative History. Original Rule entitled "Inspection of Premises" was filed and effective on July 19, 1965 as 270-5-6-.06. Amended: Rule repealed and a new Rule entitled "Transportation" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.08. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Construction and Maintenance of Physical Facilities" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.



**290-5-14-.09 Special Food Service Operations. Amended.**

**(1) Mobile Food Units:**

(a) Mobile food units shall comply with the requirements of this Chapter, except as otherwise provided in this subparagraph and in subparagraph (1)(b) of this Rule. The health authority may impose additional requirements to protect against health hazards related to the conduct of the food service establishment as a mobile operation, may prohibit the sale of some or all potentially hazardous food, and when no health hazard will result, may modify requirements of this Rule relating to physical facilities, except those requirements of subparagraphs (1)(e) and (f) and (3)(a) and (b) of this Rule.

(b) Mobile food units serving only food prepared, prepackaged in individual servings, transported and stored under conditions meeting the requirements of the Chapter, or beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment, need not comply with requirements of this Chapter pertaining to the necessity of water and sewage systems nor to those requirements pertaining to the cleaning and sanitization if the required equipment for cleaning and sanitization exists at the commissary or other approved base of operation.

(c) The health authority may waive requirements relating to temperature control and sanitization requirements when a unit operates on the premises and as an extension of a fixed, permitted food service establishment.

(d) Mobile food units shall provide only individually wrapped single-service articles for use by the consumer.

(d) A mobile food unit requiring a water system shall have a potable water system under pressure. The system shall be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing, and handwashing in accordance with the requirements of this regulation. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease, and it shall be kept capped unless being filled. The water inlet shall be provided with a connector of a size or type that will prevent its use for any other service. All water distribution pipes or tubing shall be constructed and installed in accordance with the requirements of this Chapter.

(f) If liquid waste results from the operation of a mobile food unit, the waste shall be stored on the unit in a permanently installed retention tank that is of at least 15 percent larger capacity than the water supply tank. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connector shall be located lower than the water inlet connector to preclude contamination of the potable water system.

(g) Mobile food units shall operate from a commissary or other fixed food service establishment and shall report at least daily to such location for all supplies and for all cleaning and servicing operations. The commissary or other fixed food service establishment used as a base of operation for mobile food units shall be constructed and operated in compliance with the requirements of this Chapter. When not in use units shall be properly stored at the commissary or base of operation. Units serving only food prepared, prepackaged in individual serving and beverages that are not potentially hazardous and are dispensed from covered urns or other approved methods are exempt from the requirements of this subparagraph.

(h) A mobile food unit servicing area shall be available and shall include at least overhead protection for any supplying, cleaning, or servicing operation. There shall be a location and equipment for the flushing and drainage of liquid wastes separate from the location and equipment provided for water servicing and for the loading and unloading of food and related supplies. The servicing area will be required where only packaged food is placed on the mobile food unit or where mobile food units do not contain waste retention tanks.

1. The surface of the servicing area shall be constructed of a smooth, nonabsorbent material, such as concrete or machine-laid and sealed asphalt and shall be maintained in good repair, kept clean, and be graded to drain.

2. The construction of the walls and ceilings of the servicing areas is exempted from the provisions of Rule .08 subparagraphs (2)(a) through (f) of this Chapter.

(i) Potable water servicing equipment shall be installed according to law and shall be stored and handled in a way that protects the water and equipment from contamination.

(j) The mobile food unit liquid waste retention tank, where used, shall be thoroughly flushed and drained during the servicing operation. All liquid waste shall be discharged to a sanitary sewerage disposal system in accordance with Rule .07 subparagraph (2) of this Chapter.

(k) All mobile food units shall be identified by a sign or lettering indicating the name and address of the owner, the operator and the permit number. The permit, or copy thereof, and the current inspection report must be displayed for public view and protected from inclement weather.

(2) Temporary Food Service Operations:

(a) A temporary food service operation means any food service establishment which operates at the same location for a temporary period of time, not to exceed 14 consecutive days in conjunction with a fair, carnival, circus, public exhibition, or similar transitory gathering.

(b) A temporary food service operation which does not comply fully with Rule .03 through .08 of this Chapter may be permitted to operate when food preparation and service are restricted and the operation meets fully the requirements set forth in Rule .09, subparagraphs (2)(a) through (r).

(c) The health authority may impose additional requirements to protect against health hazards related to the conduct of the temporary food service operation.

(d) Those potentially hazardous foods requiring limited preparation only, such as seasoning and cooking, may be prepared and served. The preparation of other potentially hazardous foods, including pastries filled with cream or synthetic cream, custards, and similar products, and salads containing meat, poultry, eggs or fish is prohibited.

(e) Any potentially hazardous food that has been prepared, stored and transported under conditions meeting the requirements of this Chapter, is stored at a temperature of 45°F or below or at a temperature of 140°F or above in facilities meeting the requirements of this Chapter may be served.

(f) Ice that is consumed or that contacts food shall be made under conditions meeting the requirements of this Chapter. The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet strength paper bags filled and sealed at the point of manufacture. The ice shall be held in these bags until it is dispensed in a way that protects it from contamination.

(g) Equipment shall be located and installed in a way that prevents food contamination and that also facilitates cleaning the establishment.

(h) Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Effective shields for such equipment shall be provided, as necessary, to prevent contamination.

(i) Temporary food service operations shall provide only individually wrapped single-service articles for use by the consumer.

(j) Facilities for cleaning and sanitizing utensils and equipment shall be provided at the temporary site or permitted base of operation. Such items shall be cleaned and sanitized at least daily or more often if prescribed by the health authority.

(k) When food is prepared on the site, a system capable of producing enough hot water for cleaning and sanitizing utensils and equipment shall be provided on the premises.

(l) Storage of packaged food in contact with water or undrained ice is prohibited. Wrapped sandwiches shall not be stored in direct contact with ice.

(m) All sewage including liquid waste shall be disposed of according to law.

(n) A convenient handwashing facility shall be available for employee handwashing. This facility shall consist of, at least, warm running water, soap, and individual paper towels.

(o) Floors within food preparation and display areas shall be constructed of concrete, asphalt, tight wood, or other similar material kept in good repair and clean.

(p) Doors to food preparation areas shall be solid or screened and shall be self-closing. Screening material used for walls, doors, or windows shall be at least 16 mesh to the inch.

(q) Counter-service openings shall not be larger than necessary for the particular operation conducted. These openings shall be provided with tight-fitting solid or screened doors or windows to restrict the entrance of flying insects. Counter-service openings shall be kept closed, except when in actual use.

(r) All food preparation and food display areas shall be adequately protected from dust, contamination by patrons, and from insects by provision of walls, ceilings, shields, screens or other approved barriers or devices. Open, unprotected display or service of food is prohibited.

### (3) Restricted Food Service Operation:

(a) A restricted food service operation is a food service operation that serves only food products that require cooking immediately prior to serving. Any persons desiring to cook food in any place other than

a permitted food service establishment must apply for and receive a restricted food service operation permit from the health authority. The applicant must describe the proposed operation and the food items to be cooked and served.

(b) A restricted food service operation shall be exempt from the requirements of this Chapter except as otherwise provided in this Rule. The health authority may impose additional requirements to protect against health hazards and when no health hazard will result may modify the requirements of this Rule.

(c) A restricted food service operation shall be restricted to the serving of only food products which require cooking immediately prior to serving. Potentially hazardous foods may be cooked provided they are served hot (140°F or above) directly to the individual consumer, or are protected thereafter by a method approved by the health authority and served within 60 minutes.

(d) Foods cooked and served from restricted food service operations shall comply with the provisions of Rule .03, subparagraphs (1)(a), (b) and (c), and 2(a) and (b) of this Chapter.

(e) Suitable utensils must be provided to eliminate hand contact with the cooked product.

(f) All utensils and equipment shall be cleaned periodically as prescribed by the health authority.

(g) Food handlers shall comply with Rule .04 paragraphs (1), (2), (3), and (4) of this Chapter.

(h) Non-potentially hazardous foods which are displayed in bulk or require cooling prior to packaging must be protected from contamination until served or packaged.

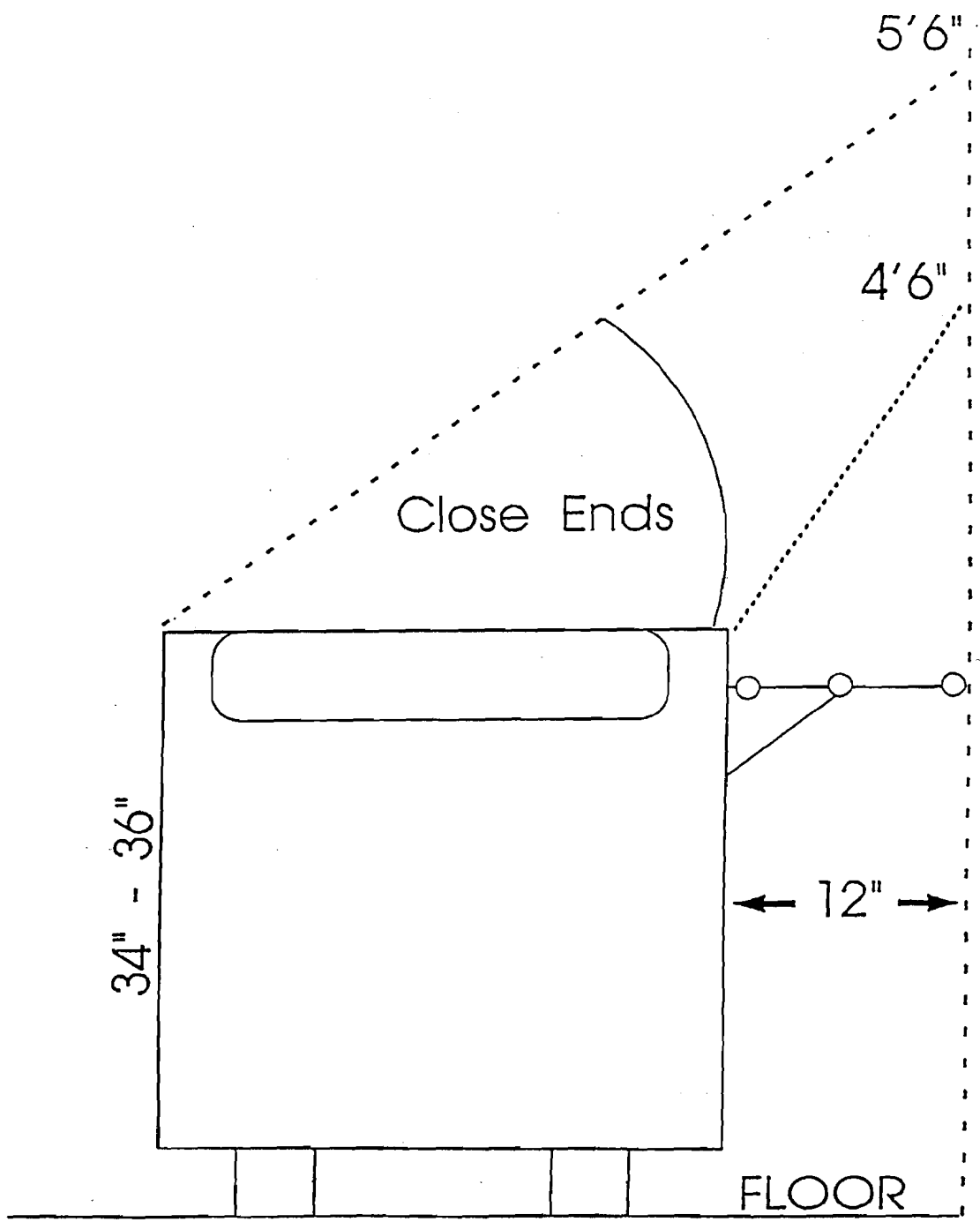
(i) Overhead protection shall be provided for cooking area.

Authority O.C.G.A. 26-2-373, 31-2-4. Administrative History. Original Rule entitled "Routine Inspection" was filed and effective on July 19, 1965 as 270-5-6-.09. Amended: Rule repealed and a new Rule entitled "Poisonous and Toxic Materials" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.09. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Special Food Service Operation" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed July 11, 1995; effective July 31, 1995.

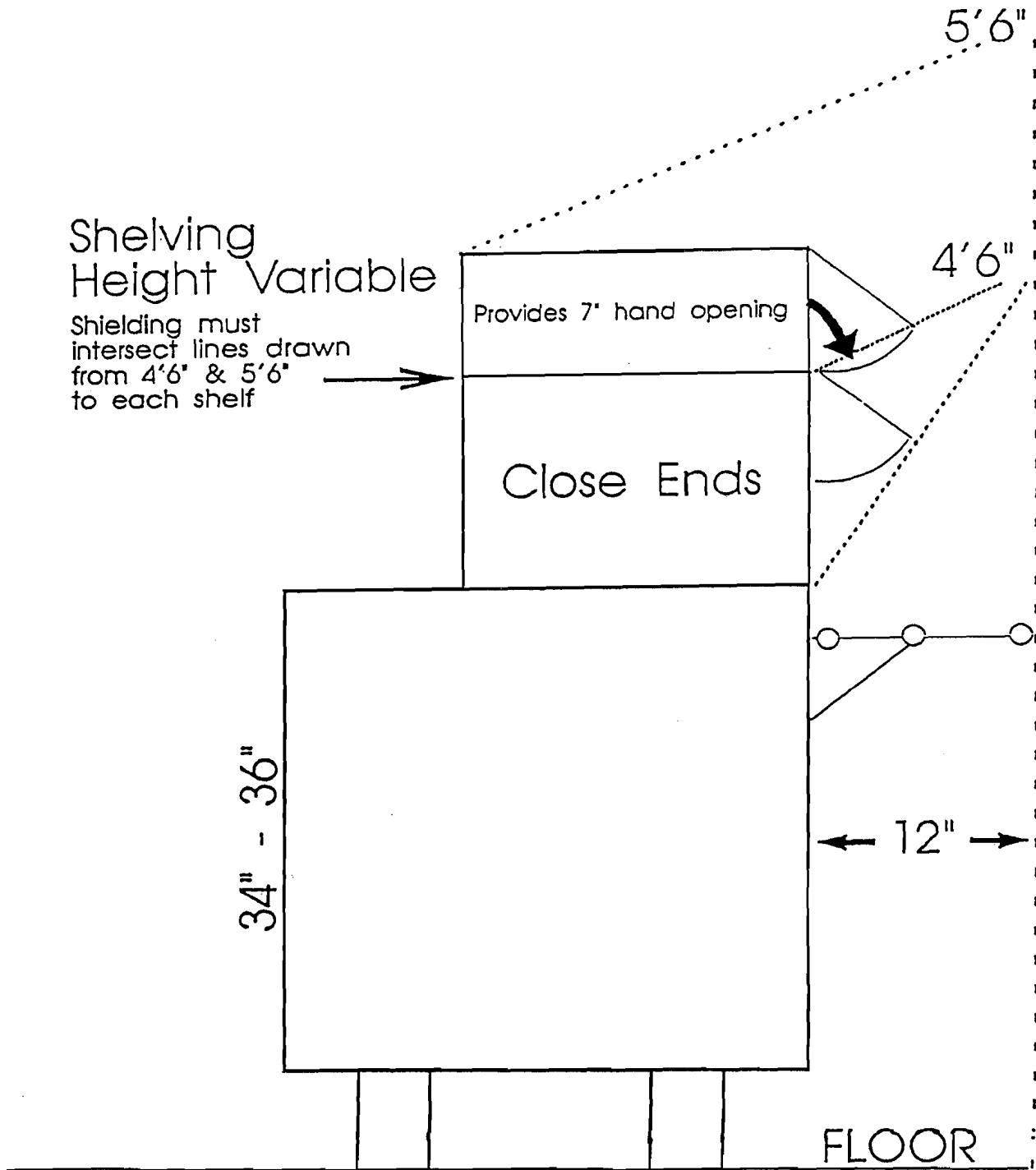
290-5-14-.10: Protective Shielding. Amended.

(1) Minimum Requirements:

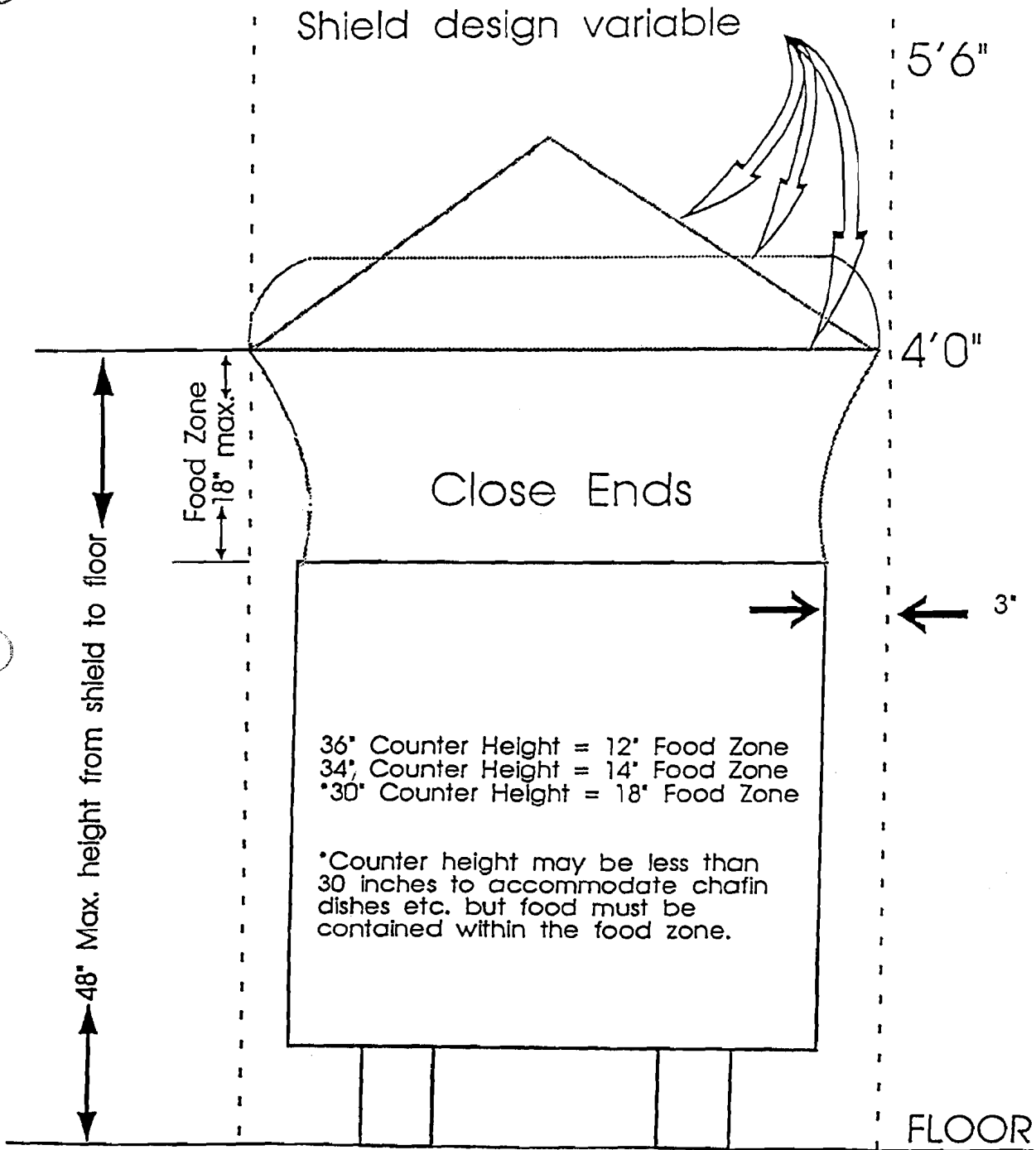
(a) Cafeteria Shield



(b) Cafeteria - Self-Service



(c) Buffet or Smorgasbord Shielding



Authority O.C.G.A. Secs. 26-2-373, 31-2-4. Administrative History. Original Rule entitled "Violations" was filed and effective on July 19, 1965 as 270-5-6-14-.10. Amended: Rule repealed and a new Rule entitled "Personnel" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.10. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Protective Shielding" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-14-.11 Compliance Procedures. Amended.**

(1) Permits:

(a) Issuance: Permits shall be issued by the health authority. Such permits shall be valid until suspended or revoked.

(b) Suspension or Revocation: The health authority shall have the power and authority to suspend or revoke permits for failure to comply with the provisions of this Chapter. When an application for a permit is denied or the permit previously granted is to be suspended or revoked, the applicant or holder thereof shall be afforded notice and hearing as provided in O.C.G.A. Chapter 31-5, Article 1. If an application is denied or a permit is suspended or revoked, the applicant or holder of the permit must be notified in writing, specifically stating any and all reasons why the action was taken. The purpose of these procedures is to state the minimum actions to be taken to fulfill the obligation of the Health Authority in assuring compliance with the regulations when the continued operation of a restaurant presents a substantial and imminent health hazard to the public or when a food service establishment is in flagrant or continuing violation of this Chapter. Suspension is effective upon service of a written notice thereof, and food service must cease immediately. The notice must state the basis for the suspension and advise the permit holder of the right to a preliminary hearing on request within 8 working hours. If requested, the preliminary hearing will be held by an experienced supervisory level employee of the Health Authority not directly involved in the suspension. The rules of evidence will not apply, but both the Health Authority and the permit holder may present witnesses, records and argument. The hearing official will be authorized immediately to rescind or modify the suspension or to continue the suspension with or without conditions. If the suspension is not rescinded, the permit holder will have the right on request to an evidentiary hearing. If a hearing is not requested, upon correction of all violations, owner may request an inspection to reinstate permit.

(c) Notice of Hearing: For the purpose of this Chapter a notice of hearing is properly served when delivered in person or by registered or certified mail.

(2) Inspections:

(a) Inspection Frequency: An inspection of a food service establishment shall be performed at least twice annually. Additional inspections of the food service establishment shall be performed as often as necessary for the enforcement of this Chapter.

(b) Access: Representatives of the health authority, after proper identification, shall be permitted to enter any food service establishment or operation at any reasonable time for the purpose of making inspections to determine compliance with this Chapter. Should access be denied, an inspection warrant may be obtained as authorized in O.C.G.A. Chapter 31-5, Article 2.

(c) Report of Inspection: When the health authority makes an inspection of a food service establishment or operation, the findings shall be recorded on an inspection report form provided for this purpose. Upon the completion of the inspection, the evaluating official shall have management or its representative sign the inspection report form. Management's signature shall not necessarily indicate agreement with the findings noted on the inspection form. The most current inspection report shall be posted in public view.



(d) Correction of Violations: Violations of this Chapter are categorized according to their potential for creating a health hazard to the consumer. All violations shall be recorded on an inspection report form. Enforcement shall be as follows:

1. Category I: Violations of the following provisions of this Chapter are deemed to create an imminent threat to the public health and an imminent health hazard to the consumer. Category I requirements are:

Rule .03, Subparagraphs: (1)(a),(b),(c),(d),(e),(f)&(g);  
(2)(a),(b)&(c); 3)(d),(e),(g),(h),(i),(j),(k)&(l);  
(4)(a),(b),(c),(d),(e),(f),(g),(h),(i),(j) &(k);  
(5)(a),(g) 3. & 4.;  
(6)(c)

Rule .04, Subparagraphs: (1)(a)&(b);  
(2)(a);  
(4)(c);

Rule .06, Subparagraphs: (2)(a)&(g) 1.;  
(3)(a),(e)&(f);

Rule .07, Subparagraphs: (1)(a),(b),(d)&(e);  
(3)(a);  
(4)(a);  
(5)(a)&(b);

Rule .08, Subparagraphs: (7)(f);

Rule .09, Subparagraphs: (1)(b),(e),(f)&(i);  
(2)(d),(e),(f),(i),(j)&(n);  
(3)(c),(d),(e)&(g);

Violations of these provisions must be corrected immediately upon the food service establishments' receipt of the Inspection Report citing Category I Violations. Failure to correct these violations to the satisfaction of the health authority may result in such emergency action as deemed necessary by the health authority including actions pursuant to O.C.G.A. §§ 31-5-2(b); 31-5-9(a).

2. Category II: Violations of the following provisions of this Chapter are deemed to be critical operational and maintenance violations which, if not corrected, increases the potential for causing foodborne illness. Category II requirements are:

Rule .03, Subparagraphs: (2)(a);  
(3)(a) 2.,(b),(c),(f),(g),(h),(k)&(l);  
(4)(j);  
(5)(a) 1., 2. & 3., (b) 1. & 2., (c) 1. & 2.,(d)  
1., 2., 3. & 4.,(e),(f),(g) 2., 4. &  
5.,(h)&(i); (6)(a);

Rule .04, Subparagraphs: (2)(b)&(c);  
(3)(a)&(b);  
(4)(a),(b)&(d);

Rule .05, Subparagraphs: (1)(a),(b),(c),(d),(e)&(f);  
(2)(a) 1., 2. & 3.,(b),(c),(d),(e) 1. &  
2.,(f) 1.,  
2. & 3.,(g),(h),(i),(j)&(k);

Rule .06, Subparagraphs: (1)(a),(b),(c),(d),  
(e) 1., 2., 3., & 4., (f) 1. & 2.;  
(g) 2.&(h);  
(3)(a),(b),(c),(d),(e),(f),(g) 1., 2., 3.,  
4., 5., 6.& 7.,(h) 1., 2., 3., 4. & 5.,  
&(i);  
(4)(a),(b),(c),(d),(e),(f),(g),(h) 1., 2.  
&3. &(i);

Rule .07, Subparagraphs: (1)(b)&(c);  
(5)(c)&(e);  
(6)(b);  
(7)(c);

Rule .08, Subparagraphs: (3)(b);  
(7)(a),(b),(d),(e),(g)&(h);  
(8)(j)&(k);

Rule .09, Subparagraphs: (1)(b)&(d);  
(2)(e),(f),(h),(i),(j),(k)&(r);  
(3)(f),(g),(h)&(i);

Rule .10, Subparagraphs: (1)(a),(b)&(c).

Violations of these provisions must be corrected within 72 hours of the food service establishments' receipt of the inspection report citing Category II Violations. Failure to make timely corrections to the satisfaction of the health authority of Category II Violations may subject the food service establishment to suspension or revocation of its permit pursuant to subparagraph 290-5-140.11(1)(b).

3. Category III: Category III requirements are general requirements that establishments must meet to maintain an environment conducive to good food management practices and to meet expectations of the consumer. Category III requirements are:

Rule .03, Subparagraphs: (5)(c) 3.,(g) 1.& 5.;

Rule .05, Subparagraphs: (3)(a),(b) 1.,(c) 1., 2., 3. & 4.,(d) 1.& 2.  
&(e);

Rule .06, Subparagraphs: (2)(g)&(3);

Rule .07, Subparagraphs: (2);  
(3)(a),(b),(c),(d),(e)&(f);  
(4)(a),(b),(c)&(d);  
(5)(d),(e)&(f);  
(6)(a),(b),(c)(d),(e),(f),(g),(h)&(i);  
(7)(a),(b)&(d);

Rule .08, Subparagraphs: (1)(a),(b),(c),(d),(e),(f)&(g);  
(2)(a),(b),(c),(d),(e)&(f);  
(3)(a)&(b);  
(4)(a),(b) 1.& 2.,(c)&(d);

Rule .09, Subparagraphs: (1)(f),(g),(h) 1.&2.,(j)&(k)  
(2)(g),(m),(o),(p)&(q);

Rule .10, Subparagraph: (1)(a),(b)&(c);

Rule .11, Subparagraph: (2)(c).

Violations of Category III items must be corrected within a reasonable time period for correction as determined by the health authority. Failure to correct Category III Violations within such time period may subject the food service establishment to suspension or revocation of its permit pursuant to subparagraph 290-5-14-.11(1)(b).

(3) Examination, Condemnation and Public Notice:

(a) Examination of Food: Food may be examined or sampled by the health authority when necessary to determine freedom from adulteration or misbranding.

(b) Condemnation of Food: The health authority may, upon written notice to the owner or person in charge, place a hold order on any food which he determines or has probable cause to believe to be unwholesome or otherwise adulterated, or misbranded. Under a hold order, food shall be permitted to be suitably stored. No food subject to a hold order shall be used, served, or removed from the establishment. Immediate destruction shall be ordered and accomplished if there is risk to the public health.

(c) Public Notice: The health authority may ban or require the posting of a public notice when a food service establishment uses products which have been determined to have detrimental effects on the consumer or as required by law.

(4) Procedure When Infection is Suspected: When the health authority has reasonable cause to suspect possible disease transmission by an employee of a food service establishment, it may secure a morbidity history of the suspected employee or make any other investigation as indicated and shall take appropriate action. The health authority may require any or all of the following measures:

(a) The immediate exclusion of the employee from employment in food service establishment;

(b) The immediate closing of the food service establishment concerned until, in the opinion of the

health authority, no further danger of disease outbreak exists;

(c) Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease;

(d) Adequate medical examination and laboratory examination of appropriate specimen from the employee and from other employees.

(5) Enforcement: The administration and enforcement of these rules and regulations shall be as prescribed in O.C.G.A. Chapter 31-5.

(6) Penalty: Any person who violates any provision of this Article or any rule or regulation promulgated under O.C.G.A. Chapter 26-2, Article 13 by the health authority shall be guilty of a misdemeanor.

Authority O.C.G.A. 26-2-371 & 372, 375-377, 31-2-1, 31-2-4, Chapter 31-5. Administrative History. Original Rule entitled "Denial, Suspension or Revocation" was filed and effective on July 19, 1965 as 270-5-6-.11. Amended: Rule repealed and a new Rule entitled "Food Equipment and Utensils" adopted. Filed January 25, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.11. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Compliance Procedures" adopted. Filed July 10, 1986; effective July 30, 1986. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-14-.12 Repealed.**

Authority Ga. L. 1964, pp. 507, 559. Administrative History. Original Rule entitled "Administrative Hearings" was filed and effective on July 19, 1965 as 270-5-6-.12. Amended: Rule repealed and a new Rule entitled "Equipment Installation" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.12. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed. Filed July 10, 1986; effective July 30, 1986.

#### **290-5-14-.13 Repealed.**

Authority Ga. 1964, pp 507, 559. Administrative History Original Rule entitled "Personal Service" was filed and effective on July 19, 1965 as 270-5-6-.13. Amended: Rule repealed and a new Rule entitled "Cleanliness of Equipment and Utensils" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.13. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed, Filed July 10, 1986; effective July 30, 1986.

#### **290-5-14-.14 Repealed.**

Authority Ga. L. 1964, pp. 507, 559. Administrative History. Original Rule entitled "Unwholesome Food or Food Products" was filed and effective on July 19, 1965 as 270-5-6-.14. Amended: Rule repealed and a new Rule entitled "Storage and Handling of Cleaned Equipment and Utensils" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.14. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed. Filed July 10, 1986; effective July 30, 1986.

#### **290-5-14-.15 Repealed.**

Authority Ga. L. 1964, pp. 507, 559. Administrative History. Original Rule entitled "Withhold from Sale Orders" was filed and effective on July 19, 1965 as 270-5-6-.15. Amended: Rule repealed and a new Rule entitled "Single-Service Article" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.15. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed. Filed July 10, 1986; effective July 30, 1986.

#### **290-5-14-.16 Repealed.**

Authority Ga. L. 1964, pp. 507, 559. Administrative History. Original Rule entitled "Condemnation" was filed and effective on July 19, 1965 as 270-5-6-.16. Amended: Rule repealed and a new Rule entitled "Sanitary Facilities and Controls" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-6-.16. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed. Filed July 10, 1986; effective July 30, 1986.

#### **290-5-14-.17 Repealed.**

Authority Ga. L. 1964, pp 507, 559. Administrative History. Original Rule entitled "Communicable Diseases" was filed and effective on July 19, 1965 as 270-5-6-.17. Amended: Rule repealed and a new Rule entitled "Vermin Control" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.17. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed. Filed July 10, 1986; effective July 30, 1986.

#### **290-5-14-.18 Repealed.**

Authority Ga. L. 1964, pp. 507, 559. Administrative History. Original Rule entitled "Permits, Suspension in Emergency" was filed and effective on July 19, 1965 as 270-5-6-.18. Amended: Rule repealed and a new Rule entitled "Other Facilities and Operations" adopted. Filed January 24, 1967; effective February 12, 1967. Amended: Rule renumbered as 290-5-14-.18. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed. Filed July 10, 1986; effective July 30, 1986.

Rules and Regulations  
**Tourist Accommodations**  
Chapter 290-5-18



**RULES  
OF  
DEPARTMENT OF HUMAN RESOURCES**

**CHAPTER 290-5-18  
TOURIST ACCOMMODATIONS**

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**290-5-18-.01 Definitions. Amended.** The following definitions shall apply in the interpretation and enforcement of these rules:

(a) "Tourist Accommodation" means a Tourist Court as defined in O.C.G.A. Chapter 31-28 as any facility consisting of two or more rooms or dwelling units providing lodging and other accommodations for tourists and travelers and includes tourist courts, tourist cottages, tourist homes, trailer parks, trailer courts, motels, motor hotels, hotels, and any similar place by whatever name called and any food, beverage, laundry, recreational or other facilities or establishments operated in conjunction therewith. This definition includes any facility consisting of two or more rooms or dwelling units either joined together or separate on a common piece of property, furnished for pay and further includes campgrounds, recreational vehicle parks and bed and breakfast inns.

(b) "Bed and Breakfast Inn" means an establishment of 20 guestrooms or less, which serves food only to its registered guests, and serves only a breakfast or similar early morning meal and an appropriate light snack in which the price of the food is included in the price of the overnight accommodation. For purposes of these rules, "Bed and Breakfast Inn" refers to an establishment in which the predominant relationship between the occupants thereof and the owner or operator of the establishment is that of innkeeper and guest."

(c) "Tourist" or "Traveler" is defined as anyone who has a home address somewhere else other than where he is spending the night.

(d) "Operator" means the person who has the duty and responsibility of overall management of the tourist accommodation or his representative.

(e) "Person" means any individual, partnership, corporation and association and may be extended and be applied to bodies, politic and corporate.

(f) "Continental Breakfast" is defined as and may include any non-potentially hazardous food which has been prepared commercially and is served to the customer out of the original container in which it was purchased. It may also include non-potentially hazardous beverages such as coffee and hot tea served in the container in which it was prepared. It may include potentially hazardous foods such as milk, cream, butter and cheese only if served

in single serving commercially packaged original containers. Likewise, juices and condiments including jams, jellies, sugar, salt and pepper may be served only in single serving commercially packaged original containers.

(g) "Potentially Hazardous Food" means any perishable food which has as an ingredient milk or milk products, eggs, meat, poultry, fish, shellfish or other foods or other ingredients in such forms as are capable of supporting rapid and progressive development of infectious or disease causing agents. The term does not include foods which have a pH level of 4.6 or below or a water activity value of 0.85 or less.

(h) "Residential Kitchen" means a kitchen within a bed and breakfast inn used for the owners private use as well as preparation of a breakfast meal for guests.

(i) "Trailer" means any house trailer, trailer coach, mobile home, motor home or other similar unit so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

(j) "Dependent Trailer" means a trailer which is dependent upon a service building housing toilet facilities.

(k) "Independent Trailer" means a trailer which has its own holding tank for waste and/or can be connected directly to a sewer connection.

(l) "Trailer Space" means a plot of ground within a trailer park designated for the accommodation of one trailer.

(m) "Premises" means and includes all physical buildings, appurtenances, parking lots and all property owned and/or used by the tourist accommodation.

(n) "Employee" means any person who is paid, volunteers or otherwise is engaged in the operation of the tourist accommodation.

(o) "County Board of Health" means the County Board of Health established by the Georgia Health Code (O.C.G.A. Sec 31-3-1) or its representative.

(p) "Department" means the Department of Human Resources of the State of Georgia.

(q) "Health Authority" means the County Board of Health if functioning in the administration and enforcement of O.C.G.A. Chapter 31-28 and the rules, regulations and standards adopted thereunder; and if not so functioning, the Department.

Authority O.C.G.A. Sec. 31-28-5. Administrative History. Original Rule entitled "Foreward" was filed and effective on July 19, 1965, as 270-5-13-.01. Amended: Rule repealed and a new Rule entitled "Definitions" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.01. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.02 Provisions. Amended.**

##### **(1) Permit**

(a) Any person operating a tourist accommodation shall possess and display prominently in public view and as designated by the health authority, a valid permit issued by the health authority on forms prepared by the Department.

(b) To be eligible for a permit the tourist accommodation shall be in satisfactory compliance with these rules and regulations and the provisions at law which apply to the location, construction and maintenance of tourist accommodations and the safety of persons therein.



(c) Application for a permit to operate such tourist accommodations shall be made in duplicate upon forms provided by the Department. Such forms shall be completed in all details and signed by the applicant or his authorized agent and submitted at least 10 days before the scheduled opening. The original shall be filed with the Health Authority.

(d) Upon receipt of an application for permit the Health Authority shall review the application and shall take such action relative to approve or deny the permit as is provided in accordance with the provisions of O.C.G.A. Chapter 31-28 and these regulations.

(e) The permit if granted or a statement of reasons if denied shall be forwarded to the tourist accommodation operator by the Health Authority.

(f) A permit shall not be transferable with respect to person or location.

(g) The permit shall be the property of the health authority and shall be returned within seven days to the local health authority when the tourist accommodation ceases to operate or is moved to another location.

(h) Where local, state or federal rules and regulations apply which are deemed more stringent, they shall apply in lieu of the applicable section(s) herein.

(2) Plans: Plans and specifications for remodeling tourist accommodations and construction of new tourist accommodations must be submitted for review and approval. Plans must be submitted fourteen (14) days prior to beginning construction. The plans shall indicate the proposed layout and arrangement of rooms in establishment and what each is to be used for. Mechanical and plumbing details must be shown as well as construction materials to be used on floors, walls and ceilings. Additional plans for kitchen will be required if food is to be prepared and served to guests. A copy of the menu or list of foods to be served will be required also. If no construction changes are to be made to an existing building, requirement for plans will be at the discretion of the health authority.

(3) Private Camps: Camps or facilities owned and operated solely for members only will be inspected only at the health authority's discretion or upon request by the owner or operator.

Authority O.C.G.A. Secs. 31-28-2 and 31-28-5. Administrative History. Original Rule entitled "Authority (Quotation)" was filed and effective on July 19, 1965 as 270-5-13-.02. Amended: Rule repealed and a new Rule entitled "Provisions" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.02. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

### **290-5-18-.03 Procedures. Amended.**

(1) All tourist accommodations shall be subject to inspection at reasonable hours no less than twice annually and as often as is deemed necessary by the health authority to insure adequate compliance with the provisions of these rules.

(2) The operator may accompany the health authority representative on tours of inspection, shall be given the opportunity to sign the completed inspection report and retain a copy for the tourist accommodation's file.

(3) The signature of the operator shall not mean his agreement with all of the findings recorded thereon, but shall mean his receipt of the report and the notification of alleged non-compliances with the rules.

(4) The report of inspection shall be recorded on a form provided by the Department. This report will show violations found, corrective actions necessary for compliance with this rule, date of inspection, signature of person making inspection and the date when it is anticipated corrections to violations will be completed.

(5) The entire report shall be discussed at the time of inspection with the tourist accommodation operator and explained.

(6) The most recent inspection report shall be posted in public view near the main entrance of the tourist accommodation, in a location determined by the health authority.

(7) The health authority shall review all reports on reinspection and on the basis of corrective measures taken shall institute such action as is deemed proper in accordance with the provisions of O.C.G.A. Chapter 31-28 and these regulations.

Authority O.C.G.A. Secs. 31-28-6 and 43-21-51. **Administrative History.** Original Rule entitled "Definitions" was filed and effective on July 19, 1965 as 270-5-13-.03. Amended: Rule repealed and a new Rule entitled "Procedures" adopted. Filed October 18, 1967. Amended: Rule renumbered as 290-5-18-.03. Filed June 10, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.04 Employee Health and Safety**

(1) No person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds or sores shall work in any area of a tourist accommodation in any capacity in which there is a likelihood of such a person contaminating bedding and other surfaces with pathogenic organisms or transmitting disease to other individuals and no person known or suspected of being affected with any such disease or condition shall be employed in such an area or capacity. When there is reason to suspect that any employee has contracted any disease in communicable form or has become a carrier of such a disease, the employee shall be (a) removed from the tourist accommodation premises; or (b) his service be restricted to some area of the establishment where there would be no danger of transmitting disease.

(2) Employees, other than clerical employees, shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as necessary to keep them clean and after smoking, eating, drinking or using the toilet. Employees shall keep their fingernails clean. Employees shall maintain a high degree of personal cleanliness and conform to other good hygienic practices.

Authority O.C.G.A. Sec. 31-28-5. Original Rule entitled "Permit" was filed and effective on July 19, 1965 as 270-5-13-.04. Amended: Rule repealed and a new Rule entitled "Water Supply" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.04. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled "Employee Health and Safety" adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.05 Water Supply. Amended.**

(1) The water supply shall comply with all Federal, State and local laws and/or ordinances related to safe drinking water.

(2) Cold running water under pressure shall be provided to all equipment that uses water. Hot and cold running water under pressure shall be provided to all lavatories, bathing facilities, laundry facilities, and all water-using equipment where eating and drinking utensils are washed. In all new tourist accommodations and where possible in existing tourist accommodations, hot water in all guest rooms shall not exceed 120°F.

(3) The water supply shall be adequately protected to preclude the possibility of back siphonage. Below grade stop and wastes cocks or hose bibs shall not be used.

(4) Hose used for filling trailer water tanks shall be stored under sanitary conditions, used for no other purposes and be so handled that back siphonage cannot occur and that contaminants will not be introduced into the trailer's water tank.

(5) Where water glasses, ice buckets and other multi-use utensils are used, they shall be cleaned and sanitized, in a manner approved by the health authority, after each occupancy. Where approved sanitizing methods are not provided, single service paper or plastic cups shall be made available in lieu of glasses and shall be used only once. In lieu of sanitizing ice buckets, a sanitary, food grade, plastic bag, large enough to line the bucket and overlap the top edge may be provided for use by one occupancy only.

(6) Single service items shall be commercially pre-wrapped to protect against contamination. Water glasses and other multi-use utensils shall be protected from contamination in a manner approved by the health authority. Equipment, utensils, dishes, etc. in kitchenettes provided for guest use, shall be kept clean. Dishwashing detergent shall be provided for guest use.

(7) Drinking fountains shall be constructed of impervious material and shall have an angle-jet nozzle above the overflow rim of the bowl. The nozzle shall be protected by a non-oxidizing guard and the bowl shall be constructed of an easily cleanable material.

(8) Where self-service ice is provided, it shall be from an approved water supply. In all new tourist accommodations and in existing tourist accommodations machines are replaced, only automatic dispensing ice machines will be allowed. In existing tourist accommodations permitted prior to the adoption of this rule, self-service ice-storage bins presently being used may be continued, provided that the machines are maintained in good repair and capable of being properly cleaned. Scoops, ice buckets and other ice handling equipment shall be of easily cleanable material and construction, shall be stored in a clean place and shall be kept clean. Glass ware shall not be used to scoop ice.

Authority O.C.G.A. Sec. 31-28-5. Administrative History. Original Rule entitled "Procedures" was filed and effective on July 19, 1965 as 270-5-13-.05. Amended: Rule repealed and a new Rule entitled "Toilet Facilities" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.05. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled "Water Supply" adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.06 Toilet Facilities. Amended.**

(1) Toilet, lavatory and bathing facilities shall be provided at all tourist accommodations except as provided in paragraphs (9) and (12) of this section. Such facilities shall be easily accessible, convenient and available to patrons at all times.

(2) Bedrooms in permanent structures shall be provided with private or connecting baths except, however, central toilet facilities may be used to serve bed and breakfast inns and existing multi-storied tourist accommodations provided toilet facilities are within the building, located on each floor and adequate by determination of the health authority, to serve the tourists therein.

(3) Toilet rooms and fixtures shall be kept clean and in good repair. Walls and ceilings shall be constructed of easily cleanable materials and shall be kept clean and in good repair.

(4) Toilet, lavatory and bathing facilities shall be ventilated. Where ventilation ducts are used, ducts from toilet rooms shall not be connected into return ventilation ducts to any other room.

(5) Toilet rooms, lavatories and bathing facilities shall be provided with soap, artificial light and hot and cold water under pressure.

(6) Unused, individually wrapped soap or liquid soap dispensed from approved containers shall be provided in guest rooms. Soap furnished in public wash rooms or baths shall be dispensed from approved containers in such a manner that contamination of the contents by individual contact is impossible.

(7) Individual towels shall be provided in guest rooms and shall have been laundered, since last used, by a method approved by the health authority used. If fabric bath mats are provided, they shall have been laundered or cleaned since last used. Towels, whenever provided in the public wash rooms or baths, shall be individual towels and if cloth, shall have been laundered since last used.

(8) Toilet tissue shall be provided in a dispenser at each toilet.

(9) Where dependent trailers are located, central toilet facilities shall be provided for each ten trailer spaces or fraction thereof, and for each ten dwelling units of non-permanent structure, or fraction thereof, with not less than one commode, one lavatory and one tub or shower head for each sex. In addition, at least one urinal shall be provided in each central toilet designated for men. It is not required for independent trailer sites to have access to central toilet facilities.

(10) Central toilets shall be plainly marked, separate for each sex, lighted at night and located within 200 feet of the dwelling units or trailer spaces served.

(11) Anti-slip tubs, slip strips, appliques or slip-proof mats shall be provided in each bathing facility and shall be kept clean and in good repair.

(12) Remote, primitive or wilderness campsites may not be required to provide toilet facilities in accordance with this rule, at the discretion of the health authority. If facilities are not provided in accordance with this rule, a sign shall be posted at main entrance notifying campers of what facilities are/are not available.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Appeal to Superior Court" was filed and effective on July 19, 1965 as 270-5-13-.06. Amended: Rule repealed and a new Rule entitled "Sewers" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.06. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new rule entitled "Toilet Facilities" adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.07 Sewers. Amended.**

(1) Sewers shall be designed in accordance with recognized engineering practices for the estimated sewage flow and shall be laid with watertight joints to a grade that will insure a self-cleaning velocity. Sewers shall be constructed of durable materials properly vented and shall be installed at sufficient depth to withstand anticipated loads or other equally suitable means for protection of the pipe shall be used.

(2) Each independent trailer space shall be provided with a sewer connection not less than three inches in diameter. Suitable fittings shall be provided at each sewer connection to permit a watertight junction to be made with the trailer outlet. Each sewer connection shall be so constructed that it can be closed and when not in use shall be capped to prevent escape of odors.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Requirements" was filed and effective on July 19, 1965 as 270-5-13-.07. Amended: Rule repealed and a new Rule entitled "Sewage Disposal" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.07. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 24, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled "Sewers" adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.08 Sewage Disposal. Amended.**

(1) Connection shall be made to a public sewer whenever possible and feasible as determined by the health authority or other appropriate governmental agency.

(2) Where public sewers are not available, as determined by the local governing agency, sewage disposal shall be provided to effectively dispose of all water carried wastes in a sanitary manner. No sewage, waste water, or other liquid effluent shall be discharged in such manner as to enter surface or subsurface water except following a treatment process approved prior to construction in conformity with existing State and local laws. Such sewage disposal systems shall be constructed and maintained in a manner to prevent the creation of unsanitary conditions. Existing private sewage disposal systems giving satisfactory service as determined by the health authority may be approved by said authority.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Housing Requirements" was filed and effective July 19, 1965 as 270-5-13-.08. Amended: Rule repealed and a new Rule entitled "Plumbing" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.08. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Sewage Disposal" adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-.09 Plumbing. Amended.** All plumbing in tourist accommodations shall comply with State and local laws, ordinances or regulations. In the absence of State and local laws, ordinances or regulations, the provisions of the current "Southern Plumbing Code" as published by the American Society of Mechanical Engineers shall prevail.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Toilet Rooms" was filed and effective on July 19, 1965 as 270-5-13-.09. Amended: Rule repealed and a new Rule entitled "Refuse Disposal" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.09. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled Plumbing adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-.10 Garbage and Refuse Disposal. Amended.**

(1) At least one health authority approved indoor container for waste shall be provided for each indoor dwelling unit to be rented. Containers shall be constructed of durable metal or other materials which do not leak, do not absorb liquids and do not support combustion. Such containers shall be thoroughly cleaned on the inside and outside each time they are emptied unless liners are used.

(2) All outside refuse or garbage storage containers shall be constructed of durable metal or other approved types of materials, which do not leak and do not absorb liquids and shall be provided with tight-fitting lids or covers and shall, unless kept in a special vermin proof room or enclosure, be kept covered when stored. Each container shall be located within 100 feet of dwelling units or trailer spaces or in a location approved by the health authority and shall be cleaned at such frequency as to prevent a nuisance or odor.

(3) Adequate cleaning facilities shall be provided and each garbage and/or recycling storage room, enclosure or container shall be thoroughly cleaned after the emptying or removal of refuse or garbage. Areas surrounding these rooms, enclosures and containers shall be kept clean and orderly. Liquid waste resulting from the cleaning of containers shall be disposed of as sewage.

(4) Refuse shall be collected in accordance with municipal practices where available. Where such services are not available the tourist accommodation shall dispose of the refuse in compliance with all Federal, State, local laws and or ordinances.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Laundry Room" was filed and effective on July 19, 1965 as 270-5-13-.10. Amended: Rule repealed and a new Rule entitled "Insect and Rodent Control" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.10. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984. Filed March 28, 1984. Amended: Rule repealed and a new Rule entitled "Garbage and Refuse Disposal" adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-.11 Insect and Rodent Control. Amended.**

(1) Effective measures, approved by the health authority, intended to eliminate the presence of rodents and flies, roaches and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

(2) Openings to the outside shall be effectively protected against the entrance of rodents and shall be protected against the entrance of insects by tight-fitting doors, closed windows, screening, controlled air currents or other means. Screen doors shall be self-closing and screens for windows, doors, skylights, transoms and other openings to the outside shall be tight-fitting and free of breaks. Screening materials shall not be less than sixteen mesh to the inch. Screen doors for sliding patio doors will not be required to be self closing except in food service, preparation and utensil washing areas of permitted food service establishment kitchens and bed and breakfast inns.

Authority O.C.G.A. Sec 31-28-5. **Administrative History.** Original Rule entitled "Water Supply" was filed and effective on July 19, 1965 as 270-5-13-.11. Amended: Rule repealed and a new Rule entitled "Housing" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.11. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Construction Layout and Furnishings" adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled "Insect and Rodent Control" adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-.12 Construction, Layout and Furnishings. Amended.**

(1) Floors, walls, ceilings, windows, doors and all other appurtenances shall be of sound construction, properly maintained in good repair and shall be kept clean. In all new constructed and extensively remodeled residential kitchens used in bed and breakfast inns, coved base molding may be required. Walls and ceilings in residential kitchens shall be easily cleanable and light colored. Recognition of a bed and breakfast inn's historical integrity should be considered.

(2) Ventilation shall be provided for all rooms. Where ventilation is provided by means of windows, they shall open directly to the outside air and the openable window area of each room shall be not less than 1/20 of the floor area served. Where ventilation is provided by other means, it shall be at the rate of one complete change of air each twenty minutes so as to provide comfortable living conditions, remove objectionable odors and fumes and prevent excessive condensation. Ventilation systems shall be subject to applicable State and local fire prevention requirements and building codes.

(3) All rooms shall be well lighted. When natural light fails to provide sufficient illumination, evenly distributed artificial light shall be provided to maintain a lighting intensity of not less than ten (10) foot candles at 30" above floor levels.

(4) Furniture, draperies, carpets and other accessories shall be maintained in good repair and shall be kept clean.

(5) Washable mattress pads or covers shall be used on all mattresses. Beds, mattresses, springs, slats, mattress pads, mattress and bed coverings, pillow and pillow covers shall be clean and free from vermin. Each bed shall be provided, as a minimum, with two (2) sheets and one (1) pillow and pillowcase. Sheets and pillowcases shall be changed daily during occupancy and after each occupancy with freshly laundered linens. During occupancy, daily changing of linens may be waived if written notice is given to the occupant.

(6) Sleeping quarters must be separated by a wall from the food preparation, food storage and food service areas of a bed and breakfast inn.

Authority O.C.G.A. Sec 31-28-5. Administrative History. Original Rule entitled "Plumbing" was filed and effective on July 19, 1965 as 270-5-13-.12. Amended: Rule repealed and a new Rule entitled "Fire Protection" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.12. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Heating" adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled "Construction, Layout and Furnishings" adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-.13 Heating and Fire Safety. Amended.**

(1) The construction and installation of the heating appliances shall be such that all of the flue gases shall be carried to the outside of building through the flue outlet.

(2) Unvented combustion type heaters shall not be installed and/or used on the premises.

(3) All automatic natural gas heating equipment shall be equipped with automatic safety pilot. All liquefied petroleum gas burning appliances shall be equipped with 100% safety cut-off pilot.

(4) Gas water heaters shall not be installed in bathrooms and bedrooms or closets connected thereto.

(5) Each gas-fired heating unit shall be inspected at least annually by a qualified heating contractor before its use at the onset of cool weather. Points to be inspected are proper construction and installation, malfunctions and adjustments of controls and burners, faulty heat exchangers and vent obstructions. Any defects found on inspection

must be corrected by a qualified heating contractor prior to use of the equipment. Upon request, the operator shall provide evidence of inspection and/or correction of any deficiency.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Sewers" was filed and effective on July 19, 1965 as 270-5-13-.13. Amended: Rule repealed and a new Rule entitled "Heating" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.13. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Food Service" adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled "Heating and Fire Safety" adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.14 Swimming Pools. Amended.**

(1) Regulations of the Department and/or county (whichever is applicable) shall be applicable in the design, construction, operation and maintenance of swimming pools operated in conjunction with a tourist accommodation.

(2) If a swimming pool at a bed and breakfast inn cannot comply with applicable regulations, it must be enclosed with a fence at least four (4) feet in height with a locked gate and used only by family members. In such case, guests shall not be allowed to use swimming pool.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Sewage Disposal" was filed and effective on July 19, 1965 as 270-5-13-.14. Amended: Rule repealed and a new Rule entitled "Food Services" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.14. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule entitled "Swimming Pools" adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-.15 Laundry Rooms. Amended.** Where laundry facilities are provided, they shall be separate from other facilities, of sound construction and shall be kept clean and in good repair. Laundry rooms for guest use shall be vented to the exterior and shall be well lighted, ventilated and separate from tourist accommodation laundry facility. Laundry equipment shall be provided with hot and cold water under pressure. Dryers shall be vented to the outside.

Authority O.C.G.A. Sec. 31-28-5. **Administrative History.** Original Rule entitled "Heating" was filed and effective on July 19, 1965 as 270-5-13-.15. Amended: Rule repealed and a new Rule entitled "Laundry Rooms" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.15. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

#### **290-5-18-.16 Grounds. Amended.**

(1) The grounds of a tourist accommodation shall be graded to drain. Serviceable walks and driveways shall be provided.

(2) Grounds shall be kept clean and free of litter. Space beneath building and trailers shall be kept clean.

(3) All walkways, porches and hallways shall be maintained in good repair. Only articles necessary to the operation and maintenance of the establishment shall be stored on the premises.

(4) There shall be not less than 15 feet clear space between trailers and building, nor less than 10 feet between trailers and internal driveways within the trailer park.

(5) Each trailer space shall be distinctly marked. Trailer spaces shall abut on a well-defined all-weather driveway of not less than 20 feet of unobstructed width and such driveway shall have clear access to a public thoroughfare.

(6) Grounded and weather-proof electrical outlets supplying at least 115 volts shall be provided at each trailer space. Power lines shall be located under ground or suspended at least 18 feet above ground. All electrical work and materials shall comply with State and local laws, ordinances or regulations. In the absence of such State and local laws, ordinances or regulations, the provisions of appropriate sections of the "Southern Standard Building Code" as published by the Southern Standards Building Codes Conference shall prevail.

Authority O.C.G.A. Secs. 31-28-5. **Administrative History.** Original Rule entitled "Refuse Disposal" Disposal" was filed and effective on July 19, 1965 as 270-5-13-.16. Amended: Rule repealed and a new Rule entitled "Grounds" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.16. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-17 Food Service. Amended.**

(1) Food service facilities with exception only to bed and breakfast inns shall comply with provisions of O.C.G.A. Chapter 26-2. Art. 13 and the rules, regulations and standards adopted thereunder.

(2) If a tourist accommodation does not have a food service permit with exception to a bed and breakfast inn, it will be allowed to serve only a continental breakfast. If a continental breakfast is served, the following requirements shall be followed.

(a) A minimum two-compartment sink, large enough to fully immerse the largest utensil used and a refrigerator which can maintain food temperatures at or below 41°F (5°C) shall be required. The need for a refrigerator may be waived if no potentially hazardous foods are served.

(b) Condiments containing potentially hazardous ingredients and milk must be stored in refrigerator.

(c) A thermometer, accurate to  $\pm 3^{\circ}\text{F}$  ( $\pm 1.5^{\circ}\text{C}$ ) shall be provided in refrigerator and located to be easily readable.

(d) Only single service disposable plates, cups and utensils will be used.

(e) Ice used for keeping displayed foods cold must be constantly drained and cannot be used in beverages. If ice is needed for beverages, it must be dispensed from self service machines or presented in cups pre-filled by the management. Pre-filling shall be done only with the use of an approved ice scoop.

(3) A bed and breakfast inn may serve a full meal prepared in a residential kitchen located within the inn, if the following requirements are met.

(a) Limited Service: Food may only be prepared for guests staying in rooms located in the bed and breakfast inn. No catering off the premises will be allowed.

(b) Food Supplies:

1. Food shall be in sound condition and safe for human consumption. Food shall be obtained from sources that comply with the applicable laws relating to food safety. The use of food in hermetically sealed containers that was not prepared in a food processing establishment is prohibited. However, jams, jellies and preserves made at the bed and breakfast inn from naturally high-acid fruits may be served to guests.

2. Fluid milk and fluid milk products used shall be pasteurized and shall comply with applicable law. Dry milk and milk products used shall be made from pasteurized milk and milk products and shall be used only in cooking. Raw milk shall not be provided or used.

3. Only clean shell eggs meeting applicable grade standards or pasteurized liquid, frozen or dry eggs or pasteurized dry egg products shall be used.

4. Only ice which has been manufactured with potable water and handled in a sanitary manner shall be used.

(c) Food Protection:

1. All food shall be prepared, stored, displayed, dispensed, placed, transported, sold and served so as to be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage or other contamination.



2. The temperature of potentially hazardous foods shall be 41°F (5°C) or below or 140°F (60°C) or above at all times, except during necessary times of preparation.

(a) Establishments permitted prior to the effective date of these "Rules" shall comply immediately with this Rule or may be allowed a maximum of two years to comply if existing equipment needs remodeling or new equipment must be acquired in order to maintain food at or below 41°F. Existing equipment must be updated with change of ownership. All existing equipment must be maintained properly including routine cleaning of coils and all other parts of the cooling system. Proper food handling is mandatory to ensure that the minimal temperature requirement is obtained by pre-cooling foods and minimizing opening of cooling units. Existing equipment which cannot maintain foods at 41°F must maintain foods at or below 45°F. Upon equipment failure, replacement equipment must be capable of maintaining food at or below 41°F.

(b) A thermometer accurate to  $\pm 3^\circ\text{F}$  shall be provided for each refrigeration unit, shall be located to indicate the air temperature in the warmest part of the unit and shall be affixed to be readily visible.

(c) Containers of potentially hazardous food displayed for service may be placed in an ice bed or held by a similar means which maintains the food at or below 41°F. An accurate easily readable metal probe thermometer suitable for measuring the temperature of food shall be readily available on the premises.

3. Hermetically sealed packages shall be handled so as to maintain product and container integrity.

4. Containers of food shall be stored a minimum of 6 inches above the floor in a manner that protects the food from splash and other contamination and that permits easy cleaning of the storage area.

5. Pets may be present on the premises, but shall be kept out of food preparation and dining areas at all times. This exclusion shall not apply to fish in aquariums. Guide/service dogs accompanying handicapped persons or trainers of such dogs, shall be permitted in dining areas.

6. Laundry facilities may be present in the residential kitchen, but shall not be used during food preparation and service.

7. Cooking facilities in the residential kitchen shall not be available to guests.

8. No insecticide, rodenticide, or other poisonous substance shall be stored in any food preparation area, except in a separate enclosure provided for that purpose. All poisonous substances, detergents, bleaches, cleaning compounds, or any other injurious or poisonous material shall be specifically and plainly labeled as to contents and hazardous use and shall be specifically and plainly labeled as to contents and hazardous use and shall be stored only in their original, labeled container. None of these products shall be used or stored in a manner which may cause contamination or adulteration of food, food contact surfaces, or utensils.

(d) Food Preparation:

1. Food shall be prepared with a minimum of manual contact. Food shall be prepared on food-contact surfaces and with utensils that are clean and have been sanitized.

2. Raw fruits and raw vegetables that will be cooked, cut or combined with other ingredients or that will be otherwise processed into food products by the food establishment shall be thoroughly cleaned with potable water in sinks or containers that have been washed and sanitized before being used.

3. Potentially hazardous food processed by cooking shall be cooked to heat all parts of the food to a minimum temperature of 140°F (60°C) except that shell eggs and unground meat and fish shall be cooked to an internal

temperature of 145°F (63°C) or above for 15 seconds. Pork and ground meat or fish shall be cooked to an internal temperature of 155°F (68°C) for 15 seconds. Roast beef and beef steak shall be cooked to an internal temperature of 130°F (54°C). Poultry or any stuffed meat, poultry or fish shall be cooked to an internal temperature of 165°F (74°C) for 15 seconds.

4. Potentially hazardous foods shall be cooked and immediately served to guests. The following food handling practices shall be prohibited.

- a. Cooling and reheating prior to service.
- b. Hot holding for more than two hours.
- c. Service of leftovers.

5. All frozen food shall be kept frozen until ready for preparation. No food which has been thawed shall be refrozen unless it has been cooked or processed. Potentially hazardous foods shall be thawed:

(a) In refrigerated units at a temperature not to exceed 41°F (5°C); or

(b) Under potable running water at a temperature of 70°F (21°C) or below, with sufficient water velocity to agitate and float off loose food particles into the overflow and for a period of not to exceed that reasonably required to thaw the food; or

(c) In a microwave oven only when the food will be immediately transferred to conventional cooking units as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven; or

(d) As part of the conventional cooking process.

(e) Food Display and Service:

1. Employees serving food shall use tongs, other utensils or wear plastic gloves.
2. When food is displayed for customer self service, it will not be necessary to have protective sneeze shields as long as the following guidelines are met.

a. Potentially hazardous foods are kept at or below 41°F (5°C) or at or above 140°F (60°C).

b. Food is displayed no more than two hours.

c. No open food or potentially hazardous foods is reserved or reused.

d. Tongs or other suitable utensils are provided so that there is no hand contact with the food.

(f) Health and Practices:

1. No person, while infected with a disease in a communicable form that can be transmitted by foods, or who is a carrier of organisms that cause such a disease, or while affected with a boil, infected wound, or acute respiratory infection, shall work in any capacity in which there is a likelihood of such person contaminating food or food contact surfaces with pathogenic organisms or transmitting disease to other persons.

2. Persons engaged in food preparation, service and warewashing operations shall wear clean clothing and thoroughly wash their hands and the exposed portions of their arms with soap or detergent and warm water before starting work, after smoking, eating or using the toilet and as often as is necessary during work to keep them clean. Employees shall keep their fingernails trimmed and clean. All bed and breakfast inns permitted or extensively remodeled after the effective date of this rule shall provide facilities exclusively for handwashing within or adjacent to each kitchen. In bed and breakfast inns existing prior to the effective date of these "Rules", the utensil washing sink may be used for handwashing. Soap and paper towels in dispensers must be provided.

3. Persons engaged in food preparation shall wear a hair net, cap or other suitable covering which restrains all loose hairs and shall maintain a high degree of personal cleanliness and conform to good hygienic practices during all working periods.

4. Employees shall consume food or use tobacco only in designated areas. Such designated areas shall not be located in food preparation areas or in areas where the eating or tobacco use of an employee may result in contamination of food, equipment or utensils.

(g) Equipment and Utensils:

1. Equipment and utensils shall be constructed and repaired with safe materials, including finishing materials; shall be corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable and durable under conditions of normal use. Single service articles shall be made from clean, sanitary, safe materials. Equipment, utensils and single service articles shall not impart odors, color, taste nor contribute to the contamination of food.

2. Safe plastic or safe rubber or safe rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition, grazing, chipping and distortion, that are of sufficient weight and thickness to permit cleaning and sanitizing by normal warewashing methods are permitted for repeated use.

3. Single service articles shall not be re-used.

4. All equipment and utensils shall be maintained in good repair.

(h) Cleaning and Sanitization of Equipment and Utensils

1. Food utensils and equipment shall be stored in a manner to avoid contamination.

2. Food contact surfaces and sinks shall be smooth and easily cleanable.

3. Food contact equipment, surfaces, tableware and utensils shall be cleaned and sanitized prior to food preparation for the public and after each use.

4. Sinks, basins or other receptacles used for cleaning of equipment and utensils shall be cleaned before use.

5. Equipment and utensils shall be pre-flushed or pre-scraped and, when necessary, presoaked to remove food particles and soil.

6. Manual cleaning and sanitizing shall be conducted as follows:

a. For manual cleaning and sanitizing of cooking equipment, utensils and tableware, three compartments shall be provided and used. The health authority may allow the use of compartments other than sinks.

b. All five steps of the warewashing process shall be completed: pre-rinsing or scraping; application of cleaners

for soil removal; rinsing to remove cleaning chemicals; sanitization and air drying.

c. Sanitizing may be accomplished by immersion or sanitizing in place with the use of a 50 ppm chlorine solution or 12.5 ppm iodine solution or other chemical sanitizer which meets the requirements of 21 Code of Federal Regulation 178.1010.

d. Wash, rinse and sanitizing solutions shall be maintained in a clean condition.

e. Water for washing and rinsing shall be maintained at 110°F (43°C) or above. Water for sanitizing shall be maintained at 75°F (24°C) or above. If using iodine for sanitization, water shall be at a pH not higher than 5.0.

f. A test kit or device that measures the parts per million concentration of the sanitizing solution shall be used each time the sanitizing solution is changed.

7. Mechanical cleaning and sanitizing shall be conducted as follows:

a. A commercial dishwasher must be certified by NSF standards or equivalent, in good repair and operating to manufacturer's specifications.

b. If using a non-commercial dishwasher, it must remove all physical soil from all surfaces of dishes and must be equipped with a high temperature rinse cycle such as a sani-cycle and all cycles on the machine must be used (prewash, wash, sanitizing rinse) or if no high temperature rinse cycle is provided, the hot water supplied to the machine must be at a minimum of 155°F (68°C). The operator shall use daily, a maximum registering thermometer or a heat thermal label to determine that the sanitizing rinse water temperature is a minimum of 155°F (68°C). The dishwasher must be installed and operated according to manufacturer's instructions for the highest level of sanitization possible when sanitizing residential kitchen facilities' utensils and tableware. A copy of the instructions must be available on the premises at all times.

8. There shall be sufficient area or facilities such as portable dish tubs and drain boards for the proper handling of soiled utensils prior to washing and of cleaned utensils after sanitization so as not to interfere with safe food handling, handwashing and the proper use of dishwashing facilities. Equipment, utensils and tableware shall be air dried only.

Authority O.C.G.A. Sec. 31-28-5. Administrative History. Original Rule entitled "Insect and Rodent Control" was filed and effective on July 19, 1965 as 270-5-13-.17. Amended: Rule repealed and a new Rule entitled "Enforcement" adopted. Filed October 18, 1967; effective November 6, 1967. Amended: Rule renumbered as 290-5-18-.17. Filed June 10, 1980; effective June 30, 1980. Amended: Rule repealed and a new Rule of the same title adopted. Filed March 28, 1984; effective April 27, 1984. Amended: Rule repealed and a new Rule entitled "Food Service" adopted. Filed March 5, 1996; effective March 25, 1996.

**290-5-18-.18 Enforcement:** The administration and enforcement of these rules and regulations shall be as prescribed in the Official Code of Georgia, Annotated, Chapter 31-5.

Authority O.C.G.A. Secs. 31-28-3 and 31-28-4. Rule entitled "Enforcement" adopted. Filed March 5, 1996; effective March 25, 1996.

Rules and Regulations

**SWIMMING POOLS, SPAS AND  
RECREATIONAL WATER  
PARKS**

Chapter 290-5-57

**RULES  
OF  
DEPARTMENT OF HUMAN RESOURCES  
PUBLIC HEALTH**

**CHAPTER 290-5-57  
SWIMMING POOLS, SPAS  
AND RECREATIONAL WATER PARKS**

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**290-5-57-.01 Definitions.** The following definitions shall apply in the interpretation and enforcement of this chapter.

- (a) "Abrasion Hazard" means a sharp or rough surface that would scrape the skin by chance during normal use.
- (b) "Accessible" means easily exposed for inspection and the replacement of materials and/or parts with the use of tools.
- (c) "Air Induction System" means a system whereby a volume of air (only) is induced into a hollow ducting in a spa floor, bench or other location. The air induction system is activated by a separate air power blower.
- (d) "Air Pump Assist Backwash" means the compressing of a volume of air in the filter effluent chamber (by means of an air compressor or by the water pressure from the recirculating pump) which when released, rapidly decompresses and forces water in the filter chamber through the elements in reverse, dislodging the filter aid and accumulated dirt, carrying it to waste.
- (e) "Alkalinity" means the amount of bicarbonate, carbonate or hydroxide compounds present in water solution. See also "Total Alkalinity."
- (f) "Backwash" means the process of thoroughly cleansing the filter medium and/or elements and the contents of the filter vessel by the reverse flow of water through the filter.
- (g) "Barrier" means a fence, safety cover, wall, building wall or a combination thereof, which completely surrounds or covers the swimming pool or spa and obstructs access to the swimming pool, spa or recreational water park.
- (h) "Bather" means any person using a swimming pool, spa or recreational water park and adjoining deck area for the purpose of water sports, recreation therapy or related activities.

- (i) "Bather Load" means the number of persons in the pool/spa area at any given moment or during any stated period of time.
- (j) "Beginner's Area" means those water areas in pools which are three feet or less in water depth.
- (k) "Booster Pump System" means a system whereby one or more hydrotherapy jets are activated by the use of a pump which is completely independent of the filtration and heating system of a spa. It may also mean a device used to provide hydraulic support for certain types of equipment such as cleaning systems, gas chlorinators and solar systems.
- (l) "Breakpoint Chlorination" means the addition of a sufficient amount of chlorine to water to destroy the combined chlorine present.
- (m) "Brominator" means a device to apply or to deliver a bromine disinfectant to water at a controlled rate.
- (n) "Cartridge" means a depth, pleated, or surface-type filter component with fixed dimensions that is designed to remove suspended particles from water flowing through the filter.
- (o) "Chemical Feeder" means a mechanical device for applying chemicals to pool or spa water.
- (p) "Chloramine" means a compound formed when chlorine combines with nitrogen or ammonia that causes eye and skin irritation and has a strong, objectionable odor.
- (q) "Chlorinator" means a device to apply or to deliver a chlorine disinfectant to water at a controlled rate.
- (r) "Chlorine Generator" means equipment that generates chlorine, hypochlorous acid or hypochlorite on site for disinfection and oxidation of water contaminants.
- (s) "Circulation Equipment" means the mechanical components that are part of a circulation system in a pool or spa. Circulation equipment may be, but is not limited to categories of pumps, hair and lint strainers, filters, valves, gauges, meters, heaters, surface skimmers, inlet/outlet fittings and chemical feeding devices. The components have separate functions, but when connected to each other by piping, perform as a coordinated system for purposes of maintaining pool or spa water in a clear, sanitary and desirable condition.
- (t) "Circulation System" means an arrangement of mechanical equipment or components, connected by piping to a pool or spa in a closed circuit. The function of a circulation system is to direct water from the pool or spa, causing it to flow through the various system components for purposes of clarifying, heating, purifying and returning the water back to the original body of water.
- (u) "Clarifier" means a chemical that coagulates and neutralizes suspended particles in water. There are two types: inorganic salts of aluminum or iron and water-soluble organic polyelectrolyte polymers. Also called coagulant or flocculent.
- (v) "Contact Concentration" means the concentration of a chemical in a flow of water. This concentration depends on the rate of addition, the flow rate of the water and the efficiency of the mixing. It is calculated using the equation (assumes complete mixing):  $\text{Amount of Chemical (gpm) / Water Flow Rate (gpm)} \times 4.41 = \text{Contact Concentration (mg/L)}$ .
- (w) "Coping" means the cap on the pool or spa wall that provides a finishing edge around the pool or spa. Can be formed, cast in place, pre-cast, or pre-fabricated from metal or plastic materials.

(x) "Country Club" means a location with facilities for golf, other outdoor sports and social activities for which members pay a membership fee other than a daily fee, periodically for the use of facilities and services by them and their guests. Fraternal organizations may be included in this definition.

(y) "Cove" means the radius between the pool or spa wall and the pool or spa floor.

(z) "Cover" means something that protects and/or shelters, a swimming pool or spa.

(aa) "Cyanuric Acid" means a chemical that helps reduce the excess loss of chlorine in water due to the ultraviolet rays of the sun. It is also called stabilizer, isocyanuric acid, conditioner or triazinetrione.

(bb) "Decks" means those areas immediately adjacent to or attached to a pool or spa that are specifically constructed or installed for use by users for sitting, standing or walking.

(cc) "Deep Areas" means water depths in excess of five feet (5') (1.42m).

(dd) "Department" means the Department of Human Resources, State of Georgia.

(ee) "Diatomite" means the filtering medium of a diatomaceous earth filter composed of microscopic fossil skeletons of the "diatom," a tiny freshwater marine plankton.

(ff) "Disinfectant" means energy or chemicals to kill undesirable or pathogenic (disease-causing) organisms that have a measurable residual at a level adequate to make the desired kill.

(gg) "Diving Board" means a recreational mechanism for entering a swimming pool, consisting of a semirigid board that derives its elasticity through the use of a fulcrum mounted below the board.

1. Jump Board - A recreational mechanism that has a coil spring, leaf spring or comparable device located beneath the board which is activated by the force exerted in jumping on the board.

2. Stationary Diving Platform - Stationary diving platforms are used for diving and are constructed or located on site. They may be natural or artificial rocks, pedestals or other items.

(hh) "DPD (Diethyl-p-phenylene diamine)" means a reagent and test method that specifically measures bromine or free available and total chlorine; producing a series of colors from pale pink to dark red.

(ii) "Effective Filter Area" means total surface area through which the designed flow rate will be maintained during filtration.

(jj) "Effluent" means the water that flows out of a filter, pump or other device.

(kk) "Feet of Head" means a basis for indicating the resistance in a hydraulic system, equivalent to the height of a column of water that would cause the same resistance (100 feet of head equals 43 pounds per square inch).

(ll) "Filter" means a device that removes undissolved particles from water by recirculating the water through a porous substance (a filter medium or element).



(mm) "Filter Element" means a device within a filter tank designed to entrap solids and conduct water to a manifold, collection header, pipe, or similar conduit and return it to the pool or spa. A filter element usually consists of a septum and septum support or a cartridge.

(nn) "Free Available Chlorine (FAC)" means that portion of the total chlorine remaining in chlorinated water that has not combined with ammonia or nitrogen compounds and will react chemically with undesirable or pathogenic organisms.

(oo) "Handhold/Handrail" means a device that can be gripped by a user for the purpose of resting and/or steadying him/herself. It is not limited to but may be located inside or outside the pool or spa or as part of a set of steps or deck-installed equipment.

(pp) "Hardness" means the amount of calcium and magnesium dissolved in water; measured by a test kit and expressed as parts per million (ppm) of equivalent calcium carbonate.

(qq) "Health Authority" means the Georgia Department of Human Resources - Environmental Health Section or the County Board of Health - Environmental Health Office; whoever has immediate jurisdiction.

(rr) "Hydrotherapy Spa" means a unit that may have a therapeutic use but which is not drained, cleaned or refilled for each individual. It may include, but not be limited to, hydrotherapy jet circulation, hot water/cold water mineral baths, air induction bubbles or any combination thereof. Industry terminology for a spa includes, but is not limited to, "therapeutic pool," "hydrotherapy pool," "whirlpool," "hot spa," etc.

(ss) "Influent" means the water entering a filter or other device.

(tt) "Multiple Filter-Control Valve" means a multiport valve having a number of control positions for various filter operations that combines in one unit the function of two or more single valves.

(uu) "Nonswimming Area" means any portion of a pool where water depth, offset ledges or similar irregularities would prevent normal swimming activities.

(vv) "Organic Matter" means perspiration, urine, saliva, suntan oil, cosmetics, lotions, dead skin and similar debris introduced to water by users and the environment.

(ww) "Orthotolidine (OTO)" means an colorless reagent that reacts with chlorine or bromine to produce a series of yellow-to-orange colors which indicate the amount of chlorine or bromine in water.

(xx) "Overflow System" means a system for the removal of pool/spa surface water through the use of overflows, surface skimmers and surface water collection systems of various design and manufacture.

(yy) "pH" means a value expressing the relative acidity or basicity of a substance, such as water, as indicated by the hydrogen ion concentration.

(zz) "Pool" means any artificial water holding structure with a closed-loop circulation of water through a water treatment system with a return to the structure.

1. "Private Pool" means any constructed pool, permanent or nonportable, that is intended for noncommercial use as a swimming pool by not more than one (1) owner family and their guests.

2. "Public Swimming Pool" means any structure, chamber, or tank containing an artificial body of water used by the public for swimming, diving, wading, recreation or therapy, together with buildings, appurtenances and equipment used in connection with the body of water, regardless of whether a fee is charged for its use. The term includes municipal, school, hotel, or motel pools and any pool to which access is granted in exchange for payment of a daily fee. The term shall also include pools and spas operated by or serving camps, churches, day care centers, group home facilities of twelve or more clients, institutions, parks, state agencies, condominiums, mobile home parks, recreational vehicle parks, associations, health clubs, special purpose pools and recreational water park attractions.

3. "Therapeutic Pool" means a pool used in physical programs operated by medical facilities licensed by the Department and operated by a licensed physical therapist.

4. "Permanently Installed Swimming Pool" means a pool that is constructed in the ground or in a building in such a manner that it cannot be readily disassembled for storage.

5. "Inground Swimming Pool" means any pool where the sides rest in partial or full contact with the earth.

(aaa) "Potable Water" means any water, such as an approved domestic water supply, which is bacteriologically safe and otherwise suitable for drinking.

(bbb) "PPM" means an abbreviation for parts per million. The unit of measurement used in chemical testing which indicates the parts by weight in relation to one million parts by weight of water. It is essentially identical to the term milligrams per liter (mg/L).

(ccc) "Precipitate" means a solid material which is forced out of a solution by some chemical reaction and which may settle out or remain as a haze in suspension (turbidity).

(ddd) "PSI" means an abbreviation for pounds per square inch.

(eee) "Rate of Flow" means the quantity of water flowing past a designated point within a specified time, such as the number of gallons flowing in one minute (gpm).

(fff) "Rated Pressure" means that pressure that is equal to or less than the designed pressure and appears on the data plate of the equipment.

(ggg) "Recreational Water Park" means a facility or area together with associated buildings, appurtenances and equipment, that is designated for public bathing or swimming.

(hhh) "Rehabilitation" means the activity of restoring all or part of a pool or spa structure and its component parts back into good condition including the rebuilding and/or replacing of worn and broken parts or components.

(iii) "Removable" means capable of being disassembled with the use of only simple tools such as a screwdriver, pliers or wrench.

(jjj) "Return Inlet" means the opening or fitting through which the water under positive pressure returns into a pool or spa.

(kkk) "Return Piping" means that piping through which water is returned to the pool.

(lll) "Ring Buoy" means a ring-shaped floating buoy capable of supporting a user.

(vvv) "Surface Skimming System" means perimeter-type overflows, surface skimmers and surface water collection systems of various design and manufacture which permit the continuous removal of floating debris and surface water to the filter.

(www) "Test Kit" means a device used to monitor specific chemical or agent residual or demands in pool or spa water.

(xxx) "Time Clock" means a mechanical device that automatically controls the periods that a pump, filter, chlorinator, heater, blower and other electrical devices are running.

(yyy) "Total Alkalinity" means the ability or capacity of water to resist change in pH; also known as the buffering capacity of water. Measured with a test kit and expressed as ppm.

(zzz) "Total Available Chlorine (TAC)" means the sum of both the free available and combined chlorines.

(aaaa) "Turbidity" means the cloudy condition of water due to the presence of extremely fine particulate materials in suspension that interfere with the passage of light.

(bbbb) "Turnover Rate" means the period of time (usually in hours) required to circulate a volume of water equal to the pool or spa capacity.

(cccc) "Vacuum" means the reduction of atmospheric pressure within a pipe, tank, pump or other vessel. Vacuum is measured in inches of mercury. One inch (1") of mercury is equivalent to one and thirteen hundredths feet (1.13') of head. The practical maximum vacuum is thirty inches (30") of mercury or thirty three and nine tenths feet (33.9') of head.

(dddd) "Waterline" The waterline shall be defined in one of the following ways:

1. Skimmer System. The waterline shall be at the midpoint of the operating range of the skimmers when there are no users in the pool or spa.

2. Overflow System. The waterline shall be at the top of the overflow rim.  
Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.02 Scope.**

(1) These rules prescribe minimum design, construction and operation requirements that are intended to protect the health and safety of the public in swimming pools, spas and recreational water parks.

(2) These rules are intended to cover certain aspects of the design, equipment, operation, installation, new construction and rehabilitation of swimming pools, spas and recreational water parks. Where adequate standards do not exist and these rules do not provide sufficient guidance for consideration of innovations in design, construction and operation of proposed pools, spas or recreational water parks the Department will establish requirements necessary to protect the health and safety of the pool patrons.

(3) These rules shall not apply to private swimming pools and hot tubs/spas, apartment complex pools, country club pools, subdivision pools which are open only to residents of the subdivision and their guests, therapeutic pools, therapeutic chambers drained, cleaned and refilled after each individual use nor to religious ritual baths used solely for religious purposes.

(4) All pools, existing and newly constructed, shall meet these rules except as allowed for in (5) below.

(5) Public swimming pools constructed or remodeled prior to December 31, 2000, that do not meet specific design and construction requirements of this Chapter, shall not be required to comply with design and construction requirements other than requirements related to the abatement of suction hazards. By January 1, 2003, public swimming pools constructed or remodeled prior to December 31, 2000, shall comply with all other rules for public swimming pools adopted by the Department of Human Resources.

(6) No single drain, single-suction outlet public swimming pool shall be allowed to operate unless a protective cover is properly installed.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

### **290-5-57-.03 Provisions.**

#### **(1) Permit.**

(a) It shall be unlawful for any person to operate a public pool, spa or recreational water park, without having first obtained a valid operating permit from the health authority pursuant to this Chapter.

(b) Permits are invalidated by change of ownership.

(c) Each individually treated pool will operate under a separate permit.

(d) Prior to the issuance of a permit to new or existing public pools, spas or recreational water park attractions, the applicant shall provide evidence of satisfactory compliance with the provisions of these rules and all other provisions of laws which apply to the location, construction and maintenance of the pool, spa or recreational water park and the safety of persons therein.

(e) The permit shall be prominently displayed at all times, as close to the main entrance as practicable, as determined by the health authority.

(f) The permit shall be the property of the health authority and shall be returned within seven days to the local health authority when the pool, spa or recreational water park ceases to operate, has a change of ownership or where the permit is revoked.

(g) An operating permit shall not be valid for more than twelve (12) months.

#### **(2) Application for Initial Operating Permit.**

(a) The management of a public pool, spa or recreational water park shall submit to the health authority an application to operate a swimming pool, spa or recreational water park attraction at least fourteen (14) days prior to the start of construction.

(b) The application shall be prepared in duplicate on forms provided by the Department. The original shall be forwarded to the health authority and a copy retained by the management.

**(3) Plans.**

(a) Submission of Plans. Properly prepared plans and specifications must be submitted to the local health authority for review, approval and issuance of a construction permit when a public swimming pool, spa or recreational water park attraction is constructed or extensively remolded or renovated or when an existing structure is converted to use as a public pool, spa or recreational water park attraction.

(b) Plans and Specifications. The plans and specifications shall be submitted to the health authority of the county in which the pool, spa or recreational water park is constructed at least fourteen (14) days prior to beginning construction. The plans shall indicate, at a minimum, the proposed layout, the mechanical plans, the construction materials and the type and model of proposed equipment.

(c) A minimum of two (2) sets of drawings of the construction project shall be submitted, containing complete details so as to clearly document to the health authority the work to be undertaken. Additional sets of drawings may be required. Drawings shall be complete and shall comply with standard architectural/engineering practice. The maximum bathing load shall be stated on the plans.

(d) Complete specifications of the project shall accompany the prints including manufacturer's cut sheets and/or specifications on all equipment and hydraulics analysis.

(e) Any additional data required by the health authority for purpose of clarification, anticipated use or to support any changes in design or scope of the project must be submitted prior to issuance of a permit to construct.

(f) One (1) signed and approved set of the construction plans shall remain at the construction sight at all times during construction.

(g) The swimming pool, spa or recreational water park shall be built in compliance with the plans as approved unless subsequent written approval of changes has been given by the health authority.

(h) The swimming pool, spa or recreational water park owner or agent shall notify the health authority at specific, predetermined stages of construction and at the time of completion of the pool to allow inspections.

(i) A construction permit is valid for twelve (12) months from the date of issue. After this time the health authority may require resubmission of plans and specifications and issuance of a new construction permit if the project has not begun or has not been completed.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.04 Structural Design.**

(1) The structural design and materials used shall be in accordance with generally accepted good structural engineering practices.

(2) Sand or earth shall not be permitted as an interior finish in a swimming pool or spa.

(3) In climates subject to freezing temperatures, the pool or spa shell and appurtenances, piping, filter system, pump and motor and other components shall be designed and constructed to facilitate protection from damage due to freezing.

(4) The surfaces within the pool or spa intended to provide footing for users shall be designed to provide a slip-resistant surface that is ridged and puncture and tear resistant.

(5) The roughness or irregularity of such surfaces shall not be constructed so as to cause injury or discomfort to the feet during normal use.

(6) The colors, patterns or finishes of the pool interior shall not obscure the existence or presence of objects or surfaces within the pool.

(7) Swimming pools and spas as well as all appurtenances shall be constructed of materials which are: nontoxic to man and the environment; impervious and enduring; withstanding of design stresses; and will provide a watertight structure with a smooth and easily cleaned surface without cracks or joints, excluding structural joints, or to which a smooth, easily cleaned surface finish is applied or attached. Materials of manufacture for swimming pools and spas shall be capable of fulfilling the design, installation and intended use requirements in these rules. The materials of manufacture, components and accessories used in public spas shall comply with the following:

(a) **Plumbing.** All plumbing shall be sized, installed, and maintained according to applicable State Regulations and/or local plumbing codes. Written evidence shall be provided from a licenced plumbing contractor or the plumbing inspector, as required by the local health authority, of compliance with the plumbing code.

(b) **Electrical Systems.** All electrical wiring, equipment, and installation, including the grounding of pool components, shall conform with the national, state and local electrical codes. Written evidence shall be provided from a licenced electrical contractor or electrical inspector, as required by the local health authority, of compliance with all electrical codes.

(c) **Recirculation and Treatment Systems and other Components.** All recirculation and treatment system equipment and all other components such as filters, recessed automatic surface skimmers, ionizers, ozone generators, heaters, disinfection feeders, and chlorine generators must be tested and approved using the current NSF Standard Number 50, "Circulation System Components and Related Materials for Swimming Pool, Spas/Hot Tubs." If standards do not exist for a specific product, the manufacturer must work with NSF or the American National Standards Institute (ANSI) or other approved agency to develop such standards to the approval of the local health authority. Written evidence shall be provided from the designing engineer that all recirculation and treatment systems and all components used in the installation meet these standards.

(d) **Material Surfaces.** All material surfaces that come in contact with the user shall be finished so that they do not constitute a cutting, pinching, puncturing or abrasion hazard under casual contact and intended use. All materials shall be maintained in accordance with manufacturer's instructions.

(e) **Compatibility.** Combinations of different materials shall be chemically and mechanically compatible for their intended use and environment.

(8) Roofs or canopies over pools or spas shall be constructed so that water run-off does not drain into the spa.  
Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

#### 290-5-57-.05 Dimensional Design.

(1) No limits are specified for the shape of swimming pools, spas or recreational water park attractions except that consideration shall be given to shape from the standpoint of safety and circulation of the water.

(a) There shall be no protrusions, extensions, means of entanglement or other obstructions in the swimming area which can cause the entrapment or injury of the user.

(b) There shall be construction tolerances allowed on all dimensional designs. Overall length, width and depth in the deep end of a swimming pool may vary plus or minus three inches ( $\pm 3"$ ). All other overall dimensions in a swimming pool and in a spa may vary plus or minus two inches ( $\pm 2"$ ), unless otherwise specified. The designed waterline shall have a maximum construction tolerance at the time of completion of the work of plus or minus one-fourth inch ( $\pm 1/4"$ ) for pools and spas with adjustable weir surface skimming systems and of plus or minus one-eighth inch ( $\pm 1/8"$ ) for pools and spas with nonadjustable surface skimming systems.

(c) The size of pools shall be governed by the requirements of the activities for which the installation is intended.

(2) **Walls.** Walls shall not be greater than eleven degrees ( $11^\circ$ ) from plumb for a minimum depth of two feet nine inches ( $2'9"$ ) from the waterline in deep areas or two feet three inches ( $2'3"$ ) in the shallow areas. Below these depths the wall may be radiused to join the floor.

(3) **Floor Slopes.** Floor slopes in pools shall, at a minimum, be in compliance with the following.

(a) All slopes shall be uniform.

(b) The slope of the floor from the shallow end wall towards the deep end shall not exceed one foot in twelve feet ( $1':12'$ ) to the point of the first slope change.

(c) The point of the first slope change shall be defined as the point at which the floor slope exceeds one foot in twelve feet ( $1':12'$ ) and shall not occur at a depth greater than five ( $5'$ ) feet.

(d) The slope of the floor from the point of the first slope change to the deep end shall not exceed one foot in three feet ( $1':3'$ ). Such slopes are not intended to provide any less water depth than those specified if the pool is intended for diving.

(e) Transitional radius from wall to floor where floor slopes join the wall shall comply with the following:

1. The radius shall have its center no less than two feet nine inches ( $2'9"$ ) below the waterline in deep areas or two feet six inches ( $2'6"$ ) in the shallow area.

2. The radius shall be tangent at the point where the radius either meets the wall or the floor.

3. The radius ( $R$ ) shall be at least equal to or greater than the depth of the pool minus the vertical wall depth measured from the waterline or tolerance allowed in Rule .05 (2) minus three inches ( $-3"$ ) to allow draining to the main drain. ( $R$  minimum = Pool depth - Vertical wall depth -  $3"$ )

(4) **Water depths.** Water depths at the shallow end of the swimming area shall be a maximum of three feet six inches ( $3'6"$ ) except for racing pools which must have a minimum depth of three feet six inches ( $3'6"$ ).

(a) The beginners' area of a pool shall be visually set apart from, but may be adjoined to, the shallow area and shall not adjoin the deep area.

(b) The transition point or point of slope change of the pool from the beginners' area to the shallow area and from the shallow area to the deep area and at the points of separation of diving, slide and amusement areas shall be visually set apart with a rope and float line, depth markers and a four inch ( $4"$ ) minimum width row of floor tile, painted line or similar means of a color contrasting with the bottom. In diving pools with a constant slope, the shallow area shall be visually set apart from the deep area with a rope and float line, depth markers and a four inch ( $4"$ ) minimum width row

of floor tile, painted line or similar means of a color contrasting with the bottom. The health authority may waive the need for a rope and float line in swim-out areas or similar construction where deemed necessary.

(5) Diving areas in pools shall conform to the minimum water depths, areas, slopes and other dimensions shown in Rule .05(6). If a wall exists, then it shall conform with the 5:1 slope in the Point D dimension and the  $L_{1-2,3,4}$  dimensions.

(a) When diving equipment is installed, it shall conform to the specifications set forth in Rule .06(7) and shall be located in the diving area of the pool so as to provide the minimum dimensions as shown in Rule .05(6).

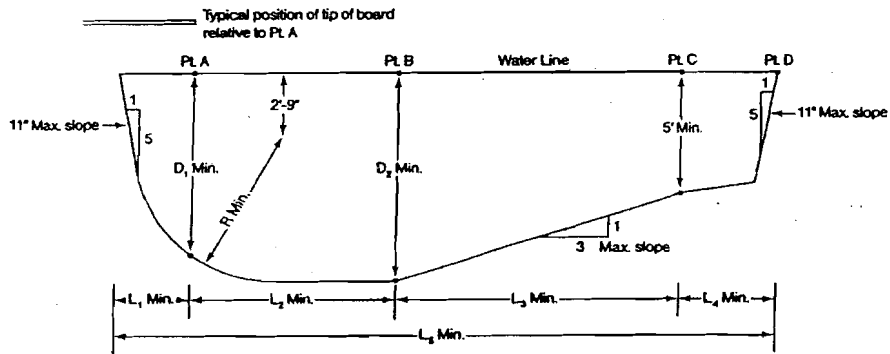
(b) The tip of the diving equipment shall be located at Point A shown in the diagram in Rule .05 (6) (a), which is the reference point of all other dimensions.

(c) There shall be a completely unobstructed clear vertical distance of thirteen feet (13') above any diving board measured from the center of the front end of the board. This area shall extend horizontally at least eight feet (8') behind, eight feet (8') to each side and sixteen feet (16') ahead of Point A shown in the diagram in Rule .05 (6) (a).

(d) Public pools with diving facilities in excess of three (3) meters in height or pools designed for platform diving shall comply with the dimensional design requirements of the Federation Internationale de Natation Amateur (FINA), U.S. Diving, National Federation of State High School Associations (NFSHSA), or similar authority.

**(6) Minimum Dimensions for Diving Portion of Pools.**

(a) Diagram showing points where dimensions are measured. Note that the shallow portion of the pool is not shown.



NOTE:  $L_2$  is a minimum dimension to allow sufficient length opposite the board. This may of course be lengthened to form the shallow portion of the pool.



(b) Minimum dimensions for points given in diagram (a).

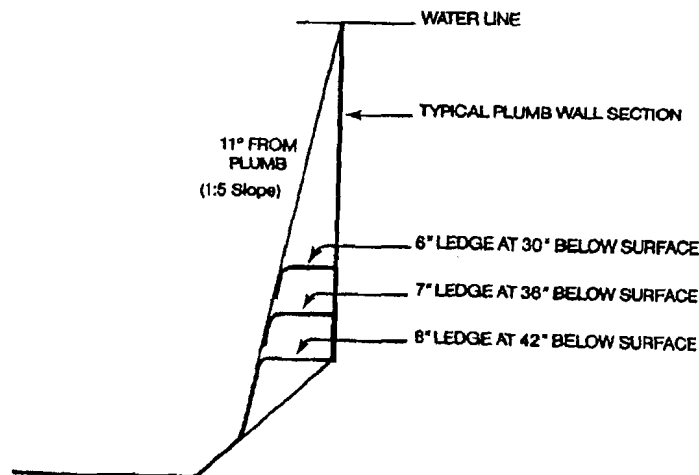
RELATED DIVING EQUIPMENT		MINIMUM DIMENSIONS								MINIMUM WIDTH OF POOL AT:		
MAX DIVING BOARD LENGTH	MAX BOARD HEIGHT OVER WATER	D <sub>1</sub>	D <sub>2</sub>	R	L <sub>1</sub>	L <sub>2</sub>	L <sub>3</sub>	L <sub>4</sub>	L <sub>5</sub>	PTA	PTB	PTC
10'	26" (2/3 meter)	7'-0"	8'-6"	5'-6"	2'-6"	8'-0"	10'-6"	7'-0"	28'-0"	16'-0"	18'-0"	18'-0"
12'	30" (3/4 meter)	7'-6"	9'-0"	6'-0"	3'-0"	9'-0"	12'-0"	4'-0"	28'-0"	18'-0"	20'-0"	20'-0"
16'	1 Meter	8'-6"	10'-0"	7'-0"	4'-0"	10'-0"	15'-0"	2'-0"	31'-0"	20'-0"	22'-0"	22'-0"
16'	3 Meter	11'-0"	12'-0"	8'-6"	6'-0"	10'-6"	21'-0"	0	37'-6"	22'-0"	24'-0"	24'-0"

1. L<sub>2</sub>, L<sub>3</sub>, and L<sub>4</sub> combined, represent the minimum distance from the tip of the board to pool wall opposite diving equipment.

2. Placement of boards shall observe the following minimum dimensions. With multiple board installations minimum pool widths must be increased accordingly.

- Deck Level Board to Pool Side 8'
- 1 Meter Board to Pool Side 10'
- 3 Meter Board to Pool Side 11'
- 1 Meter or Deck Level Board to 3 Meter Board 10'
- 1 Meter or Deck Level Board to another 1 Meter or Deck Level Board 8'
- 3 Meter to another 3 Meter Board 10'

(7) **Offset Ledges.** When provided, offset ledges shall fall within eleven degrees (11°) from plumb starting at the junction of the pool wall and waterline and shall have a slip-resistant surface. The outer two inch (2") edge shall be painted a contrasting color. The maximum width shall be eight inches (8"). The typical allowable dimensions are based on the depths shown below.



(8) **Underwater Seat Benches.** Underwater seat benches in pools, when provided, shall have a maximum horizontal seat bench depth of twenty inches (20") below the waterline, be visually set apart by having the outer two inches (2") of each seat painted in a contrasting color, have a slip-resistant surface, and shall be located fully outside of the required minimum diving water envelope if the pool is intended for use with diving equipment. Underwater seat benches shall be permitted in the deep end of the pool only if they are either completely recessed, shaped to be compatible with the shape of the pool wall, or in a corner of the pool.

(9) **Maximum User Load and Pool Size.** Maximum user load at all public pools except spas, shall follow the standards given in table (a) below. Tables (b) 1. and (b) 2. are to be used only to establish the minimum pool size allowable:

(a) The user load shall be the maximum number of people allowed in the swimming pool at one time. Use of the table in calculating the bathing load shall be cumulative.

	Shallow Instruction or Wading Area	Deep Area (not including the Diving Area)	Diving Area (per each diving board)	Entry Area for all other devices including slides.
Pools with Minimal deck areas (smaller than the pool surface area)	18 square feet per user	20 square feet per user	300 square feet per user	150 square feet per device
Pools with deck area at least equal to water surface, up to twice the surface area of the water	15 square feet per user	18 square feet per user	300 square feet per user	150 square feet per device
Pools with deck area at least twice the water surface area	12 square feet per user	15 square feet per user	300 square feet per user	150 square feet per device

(b) Maximum bathing load per number of living or dwelling units shall be used only to establish the minimum pool size allowable. The use of these tables in calculating the bather load shall be cumulative. These tables do not apply to spas.

1. **Swimming Pools with Transient Bathers.**

Number of Units	Bathers per Unit
0 - 100	0.65 bathers/unit
101 - 250	0.50 bathers/unit
251 - 500	0.15 bathers/unit
501 - plus	0.05 bathers/unit

2. Swimming Pools with Non-Transient Bathers.

<u>Number of Units</u>	<u>Bathers per Unit</u>
0 - 100	0.75 bathers/unit
101 - 200	0.65 bathers/unit
201 - 300	0.40 bathers/unit
301 - 500	0.15 bathers/unit
501 - plus	0.10 bathers/unit

(c) The maximum user load in a spa at one time shall not exceed one (1) person per nine (9) square feet of surface area.

(10) **Wading Pool Water Depth.** Wading pools shall be separate and physically set apart from beginning or shallow water areas of swimming pools by at least six feet (6') of deck. Where a wading pool is adjacent to any deep water area, a minimum four foot (4') high barrier shall be installed separating the two pools.

(a) Wading pools shall have a maximum water depth of twenty-four inches (24"). The water depth at the perimeter shall not exceed eighteen inches (18"). Water depths may be reduced from the above maximums and brought to zero at the most shallow point.

(b) Walls in wading pools shall be vertical or within 11° of vertical except for the lower six inches (6") which shall be radiused to the floor. Walls shall not extend more than six inches (6") above the waterline at any point.

(c) Floors of wading pools shall be uniform, sloped to drain with a maximum slope of one foot in twelve feet (1':12') vertical to horizontal.

(11) **Spa Water Depth.** The maximum water depth in a spa shall be four feet (4') measured from the waterline. Exceptions may be made for spas designed for a special purpose.

(a) Multi-level seating in a spa may be provided, but the maximum water depth of any seat or sitting bench shall be twenty-eight inches (28") measured from the waterline.

(b) The spa shall be provided with a suitable handhold around its perimeter in areas where water depths exceed three feet six inches (3'6"). Handholds shall be provided no further apart than four feet (4') and may consist of any one or a combination of the following options:

1. Coping, ledges, radiused flanges or decks along the immediate top edge of the spa shall provide a suitable slip-resistant handhold located not more than twelve inches (12") above the waterline; or
2. Ladders, steps or seat ledges; or
3. A secured rope or railing at or not more than twelve inches (12") above the waterline.

(c) The slope of the floor in a spa shall not exceed one foot in twelve feet (1':12') vertical to horizontal.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.06 Decks and Deck Equipment.**

(1) These requirements shall be for decks and deck equipment and shall apply at the time of construction.

(a) Deck(s) shall be designed and installed in accordance with the engineering practices required in the area of installation. This includes the design and quality of subbase when required, concrete mix design, reinforcing, joints, etc. If a concrete deck is selected, in the absence of specific local engineering practices, the work shall be performed in accordance with the recommended practices of the latest edition of American Concrete Institute (ACI) Standard 302.1R-80, "Guide for Concrete Floor and Slab Construction."

(b) Decks, ramps, coping and similar step surfaces shall be slip-resistant and easily cleanable.

(c) Special features in or on deck(s) such as markers or brand insignias shall conform to this Chapter.

(d) Risers for steps for the deck shall be uniform and have a minimum height of three and three-fourths inches (3 3/4") and a maximum height of seven and one-half inches (7 1/2"). The minimum tread depth shall be ten inches (10").

(e) Excavation areas shall be adequately compacted when they support the deck(s).

(f) The deck, including coping, shall have a minimum four feet (4') width of continuous, unobstructed walking area maintained at all times.

(g) A minimum four foot (4') deck width shall be provided on the sides and rear of any diving equipment. A deck clearance of twenty-four inches (24") shall be provided around any other deck equipment that is thirty-six inches (36") or less in height above the deck. A deck clearance of thirty-six inches (36") shall be provided around all other deck equipment.

(h) A four foot (4') minimum, continuous unobstructed deck, which may include the coping, shall be provided around at least 50 percent or more of a spa.

(i) The minimum slope of the deck(s) shall be one-eighth inch per one foot (1/8":1') vertical to horizontal.

(j) The maximum voids between adjoining concrete slabs, and/or between concrete slabs and expansion joint material, shall be three-sixteenths inch (3/16") of horizontal clearance with a maximum difference in vertical elevation of one-fourth inch (1/4").

(k) Construction joints where pool coping meets the deck(s) shall be watertight and shall not allow water to pass to the ground beneath.

(l) The areas where the deck(s) join the pool and spa coping shall be designed and installed so as to protect the coping and its mortar bed from damage as a result of reasonable movement of adjoining deck(s).

(m) Joints in deck(s) shall be provided to minimize the potential for cracks due to a change in elevations, separation of surfaces or movement of the slab.

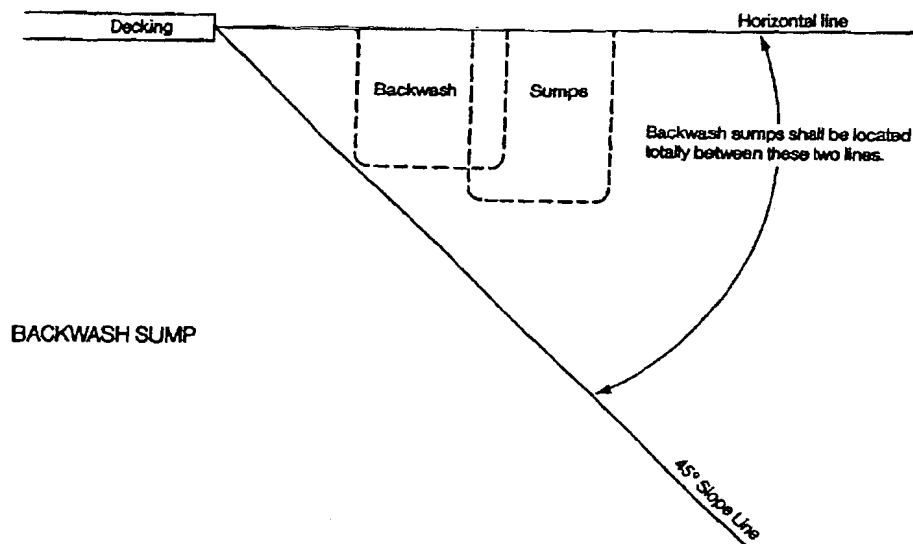
(n) The areas where the deck(s) join concrete work shall be protected by expansion joints to protect the pool adequately from the pressures of relative movements.

(o) Deck(s) shall be edged, have a radius, or be otherwise relieved to eliminate sharp corners.

(p) Deck(s) shall be sloped to effectively drain either to perimeter areas or to deck drains. Drainage shall remove pool and spa splash water, deck cleaning water and rain water without leaving standing water.

(q) Site drainage shall be provided to direct all perimeter deck drainage as well as general site and roof drainage away from the pool. When required, yard drains shall be installed to prevent the accumulation or puddling of site water in the general area of the deck(s) and related improvements.

(r) **Backwash Sump.** If used, an open pit or leaching design for backwash sump purposes shall be located so that it falls completely below adjacent deck(s) and fully outside a line projected 45° downward and away from such deck(s), or shall be designed to accommodate local soil conditions and the volume of backwash.



(s) Circulation system piping, other than that integrally included in the manufacture of the pool or spa, shall be subject to an induced static hydraulic pressure test (sealed system) at fifty (50) pounds per square inch (psi) for at least thirty (30) minutes or longer as determined by the local health authority. This test shall be performed before the deck is poured and the pressure shall be maintained through the deck pour.

(t) Valves installed in or under any deck shall provide a minimum ten inch (10") diameter access cover and valve pit to facilitate servicing.

(u) A hose bibb and a vacuum breaker shall be provided for washing down the entire deck area.

(v) The deck area will be kept clean of all trash and debris.

(2) **Entry/Exit.** All pools except spas, shall have at least two (2) means of entry/exit located so as to serve both ends of the pool. These shall consist of ladders, stairs or recessed treads, or a walking entry and may be used in combination. All treads shall have slip-resistant surfaces.

(a) Where water depths are twenty-four inches (24") or less at the pool wall, such areas shall be considered as providing their own natural mode for entry/exit.

(b) For pools or water areas over thirty feet (30') in width, both sides of the deep portions of the pool shall have entries/exits provided.

(c) A means of entry/exit for the shallow end shall be located between the shallow end wall and the cross section at Point C, while a means of entry/exit for the deep end shall be between the deep end wall and the cross section at Point B as shown in Rule .05(6).

(d) A means of entry/exit shall be provided at a minimum of every seventy-five (75) linear feet of pool wall or fraction thereof.

(e) Stairs, ladders and recessed treads shall be located to not interfere with racing lanes if applicable.

(3) **Pool Stairs.** The design and construction of protruding and recessed pool stairs shall conform to the following:

(a) Step treads shall have a minimum unobstructed horizontal depth of ten inches (10") and a minimum unobstructed surface area of two hundred forty (240) square inches.

(b) Risers at the centerline of the treads shall have a maximum uniform height of ten inches (10"), with the bottom riser height allowed to vary from two inches (2") to not more than ten (10").

(c) Each set of stairs shall be provided with at least one (1) handrail to serve all treads and risers. Handrails shall conform to the following standards:

1. Handrails, if removable, shall be installed in such a way that they cannot be removed without the use of tools.

2. The leading edge of handrails facilitating stairs and pool entry/exit shall be no more than eighteen inches (18") plus or minus three inches ( $\pm 3$ "), horizontally from the vertical plane of the bottom riser (where applicable).

3. The outside diameter of handrails shall be between one inch (1") and one and nine-tenths inches (1.9").

(d) Underwater seats, benches or swimouts may be provided as part of the stairs or recessed treads.

(4) **Pool Ladders.** The design and construction of pool ladder(s) shall conform to the following standards:

(a) Pool ladders shall be made entirely of corrosion-resisting materials.

(b) Ladders shall provide two (2) handholds or two (2) handrails.

(c) Below the water level, there shall be a clearance of not less than three inches (3") nor more than six inches (6") between any ladder tread edge, measured from the pool wall side of the tread and the pool wall.

(d) The clear distance between ladder handrails shall be a minimum of seventeen inches (17") and a maximum of twenty-four inches (24").

(e) There shall be a uniform height between ladder treads, with a seven inch (7") minimum distance and a twelve inch (12") maximum distance.

(f) Ladder treads shall have a minimum horizontal depth of one and one-half inches (1 ½").

(5) **Recessed Treads.** The design and construction of recessed treads in the pool wall shall conform to the following standards:

(a) Recessed treads at the centerline shall have a uniform vertical spacing of twelve inches (12") maximum and seven inches (7") minimum.

(b) The vertical distance between the pool coping edge, deck or step surface and the uppermost recessed tread shall be a maximum of twelve inches (12").

(c) Recessed treads shall have a minimum depth of five inches (5") and a minimum width of twelve inches (12").

(d) Recessed treads shall drain into the pool to prevent the accumulation of dirt.

(e) Each set of recessed treads shall be provided with a set of handrails/ grabrails/handholds to serve all treads and risers.

(6) **Spa Entry/Exit.** Spas shall have a means of entry/exit at a minimum of every fifty feet (50') or portion thereof, where water depths are greater than twenty-four inches (24").

(a) Rule .06 (4) and (5) shall apply to ladders and recessed treads in spas.

(b) Spas shall be equipped with at least one handrail (or ladder equivalent) for each fifty feet (50') of perimeter or portion thereof, to designate the point of entry and exit.

1. Handrails shall be installed in such a way that they cannot be removed without the use of tools.

2. The leading edge of a handrail in the spa shall be no more than eighteen inches (18") plus or minus three inches (±3") horizontally from the vertical plane of the bottom riser (where applicable).

3. The outside diameter of handrails shall be between one inch (1") and one and nine-tenths inches (1.9").

(c) The design and construction of spa steps and seat benches, where used, shall conform to the following standards:

1. Step treads shall have a minimum unobstructed horizontal depth of ten inches (10") for a minimum continuous width of twelve inches (12"). Step treads shall have slip-resistant surfaces.

2. Riser heights shall not be greater than twelve inches (12"). Where the bottom tread serves as a bench or seat, the bottom riser may be a maximum of fourteen inches (14") above the spa floor.

3. The first and last risers need not be uniform but shall comply with riser height requirements as noted above. The first (top) riser is measured from the finished deck.

4. Intermediate risers, those between the first and last risers, shall be uniform in height.

5. Each set of steps shall be provided with at least one (1) handrail to serve all treads and risers.

6. The outer two inch (2") edge of each step shall be painted a contrasting color.

(7) **Supports for Diving Equipment.** Supports, platforms, stairs and ladders for diving equipment shall be designed to carry the anticipated loads. Stairs and ladders shall be of corrosion-resisting material, easily cleanable and with slip-resistant tread.

(a) All diving stands higher than twenty-one inches (21") as measured from the deck to the top butt end of the board shall be provided with stairs and/or a ladder. Step treads shall be self-draining.

(b) Platforms and diving equipment of one (1) meter or higher shall be protected with guard rails which shall be at least thirty inches (30") above the diving board and extend to the edge of the pool wall. All platforms or diving equipment higher than one (1) meter shall have guard rails which are at least thirty-six inches (36") above the diving board and extend to the edge of the pool wall.

(8) **Diving Equipment.** Diving equipment shall be designed for swimming pool use and shall be installed in accordance with the manufacturer's recommendations.

(a) Diving equipment manufacturers shall provide installation instructions and specifications with each unit.

(b) A label shall be permanently affixed to the diving equipment or jump board and shall include:

1. manufacturer's name and address,
2. board equipment length,
3. identification as to diving or jump board,
4. fulcrum setting specifications (if applicable).

(c) Diving equipment shall have slip-resistant tread surfaces.

(d) Diving equipment shall be permanently anchored to the pool deck. The edge of the board at the tip end shall be level with the water surface. The tip end of the board over the pool water surface may be higher than the butt end of the board.

(e) Maximum board height over the water shall have plus three inches (+3") tolerance.

(f) The maximum construction tolerance of the tip of the board from Point A as shown in Rule .05(6) shall be plus or minus three inches ( $\pm 3$ "). The diving equipment shall be in compliance with Rule .05(5).

(9) The requirements of the U.S. Consumer Product Safety Commission (CPSC) Standard for Swimming Pool Slides as published in the Code of Federal Regulations, 16 CFR Part 1207, shall be used for standards relating to swimming pool slides. Installation and use instructions shall be provided with each unit by the manufacturer.

(10) Play structures and other equipment shall be governed by other appropriate authorities such as building codes, U.S. Consumer Product Safety Commission (CPSC) standards, and amusement ride regulations.  
Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.



**290-5-57-.07 Circulation Systems.**

(1) A circulation system consisting of pumps, piping, return inlets and suction outlets, filters and other necessary equipment shall be provided for complete circulation of water through all parts of the pool.

(a) The equipment for a swimming pool shall be of adequate size to turn over the entire pool water capacity at least once every six (6) hours unless otherwise specified in (c) below. The equipment for a spa shall be of adequate size to turn over the entire spa water capacity at a minimum of once every thirty (30) minutes. This system shall be designed to give the proper turnover rate based on the manufacturer's recommended maximum pressure flow of the filter in dirty media condition of the filter, immediately prior to cleaning the filter.

(b) In pools other than those listed in (c) below, built prior to December 31, 2000, the turnover rate must be at least once every eight (8) hours. Upon rehabilitation of a pool which includes piping and/or circulation equipment changes, or by January 1, 2003, whichever is sooner, a six (6) hour turnover rate will be met if possible as determined by the health authority.

(c) Turnover rates for pools by type:

<b>Spas</b>	<b>30 minutes</b>
Zero - Depth pools/Spray Pads	30 minutes
Wading Pools (without any interactive equipment)	30 minutes
Wading/Interactive Play Pools (maximum depth, 24 inches)	60 minutes
Slide Plunge Pools, Flumes and Plunge/Falling Entry Pools      All Other	60 minutes
Wave Pools	3 hours
Continuous Water Course/Rivers	4 hours
Water Attraction/Equipment Pump Reservoir Tanks	30 minutes
Dual Use Swimming Pools (swimming pools with a slide or other feature with an average depth exceeding 24 inches)	4 hours

(d) Timing devices will be allowed for the purpose of turning off the circulation system during times when a pool is not being used. Timing devices must be set to provide at least one complete turnover immediately prior to the pool reopening.

(e) Water clarity shall be maintained. When standing at the pool's edge at the deep end, the main drain covers or a standard black and white disc shall be clearly visible. When standing at a spa's edge, the deepest portion of the spa floor shall be visible in a still condition.

(f) Circulation system components which require replacement or servicing shall be accessible for inspection, repair or replacement and shall be installed in accordance with the manufacturer's instructions.

(g) Where equipment sizing falls within the scope of NSF International testing, materials and equipment used in the circulation system shall comply with the appropriate requirements of NSF International Standard 50.

(h) Pool and spa equipment shall be properly supported to prevent damage from misalignment, settlement, etc. The equipment shall be mounted so as to minimize the potential for the accumulation of debris and moisture, following manufacturer's instructions.

(2) **Water Velocity.** The water velocity in the pool or spa piping for discharge piping shall be a minimum of five feet (5') per second, but shall not exceed ten feet (10') per second [except for copper pipe where the velocity shall not exceed eight feet (8') per second], and for suction piping, shall be a minimum of four feet (4') per second, but shall not exceed six feet (6') per second, unless summary calculations are provided to show that the greater flow is possible with the pump and piping provided.

(a) Pool and spa piping shall be sized to permit the rated flows for filtering and cleaning without exceeding the maximum head of the pump.

(b) The pump shall be sized to deliver the required flow rate against the total system head involved.

(3) **Piping and Fittings.** The circulation system piping and fittings shall be nontoxic, shall be considered to be process piping and shall be of material able to withstand operating pressures and operating conditions.

(a) Pool and spa piping subject to damage by freezing shall have a uniform slope in one direction equipped with valves for adequate drainage. Pool and spa piping shall be supported at sufficient intervals to prevent entrapment of air, water or dirt. Provisions shall be made for expansion or contraction of pipes.

(b) Equipment shall be designed and fabricated to drain the pool or spa water from the equipment, together with exposed face piping, by removal of drain plugs and manipulating valves, or by other methods. Refer to manufacturer's recommendations for specific information on draining the system.

(4) **System Condition.** Gauges shall be provided as follows:

(a) A pressure or vacuum gauge or other means of indicating system condition shall be provided in the circulation system in an easily readable location.

(b) A flow meter measuring the rate of flow through the filter system with an appropriate range readable in gallons per minute (GPM) and accurate within ten (10) percent actual flow shall be provided. The flow indicator shall be capable of measuring from one-half (1/2) to at least one and one-half (1 1/2) times the design flow rate. The gauge shall be located after the filtering equipment and in such location on the return line, so as to measure the total amount of water returning to the pool according to the manufacturer's installation specifications.

(5) **Water Clarity and Chemistry.** The circulation system shall be capable of maintaining water clarity and water chemistry requirements and shall operate 24 hours per day, except when an automatic timing device is installed that will allow at least one complete turnover, immediately prior to beginning the next period of operation.

(6) **Instructions.** Operation and maintenance instructions shall be provided for the circulation system.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.08 Filters.**

(1) **Design.** Filters shall be designed so that after cleaning per manufacturer's instructions, the system can provide the water clarity noted in Rule .07(1)(e)

(a) Filter sizing shall be per NSF International Standard 50 with the specific maximum flow rates per surface area based on media used.

(b) Filters shall be designed so that filtration surfaces can be inspected and serviced.

(2) **Internal Pressure.** On pressure-type filters, a means shall be provided to permit the release of internal pressure.

(a) Any filter incorporating an automatic internal air release as its principal means of air release shall have lids which provide a slow and safe release of pressure as a part of its design.

(b) Any separation tank used in conjunction with any filter tank shall have a manual means of air release or a lid which provides a slow and safe release of pressure as it is opened as a part of its design.

(3) **Instructions.** Pressure filters and separation tanks shall have operation and maintenance instructions permanently installed on the filter or separation tank and shall include a precautionary warning statement not to start up the system after maintenance without first opening the air release and properly reassembling the filter and separation tank. The statement shall be visible and noticeable within the area of the air release.

(4) **Piping.** Piping furnished with the filter shall be of suitable material capable of withstanding one and one-half (1 ½) times the working pressure. The suction piping shall not collapse when there is a complete shutoff of flow on the suction side of the pump.

(5) A sight glass shall be installed on the waste discharge line of pressure filters so that the progress of filter washing can be observed.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.09 Pumps and Motors.**

(1) **Sizing.** A pump and motor shall be provided for circulation of the pool and spa water. Performance of all pumps shall meet or exceed the conditions of flow required for filtering and cleaning (if applicable) the filters against the total dynamic head developed by the complete system. Where applicable, pumps shall comply with the NSF International Standard 50, or Underwriters Laboratories (UL) Standard 1081.

(2) **Strainer or Screen.** With all pressure filter systems, a cleanable strainer or screen shall be provided upstream of the circulation pump(s) to remove solids, debris, hair, lint, etc.

(3) Pump(s) and motor(s) shall be accessible for inspection and service.

(4) **Safe Operation.** The design and construction of the pump(s) and component parts shall provide for safe operation.

(5) **Pump Seal.** Where a mechanical pump seal is provided, components of the seal shall be corrosion-resisting and capable of operating under conditions normally encountered in pool operation.

(6) **Capability.** Motor(s) shall be capable of operating the pump under full load with a voltage variation of plus or minus ten ( $\pm 10$ ) percent from the nameplate rating. If the maximum service factor of the motor is exceeded (at full voltage), the manufacturer shall indicate this on the pump curve.

(7) **Overload Protection.** All motors shall have thermal or current overload protection, either built in or in the line starter, to provide locked rotor and running protection.

(8) When the pump is below the waterline, valves shall be installed on permanently connected suction and discharge lines, located in an accessible place outside the walls of the pool, where they shall be readily and easily accessible for maintenance and removal of the pump.

(9) Pressure or vacuum gauges shall be installed on all public pools and spas.

(a) The pump vacuum gauge shall be installed as close to the suction side of the pump as possible while still maintaining an accurate reading.

(b) The pressure gauge shall be installed downstream from the pump, on the face piping ahead of the filter or on top of the filter in the area of greatest filter pressure.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

#### **290-5-57-.10 Return Inlets and Suction Outlets.**

(1) **Location.** Return inlet(s) and suction outlet(s) shall be provided and arranged to produce a uniform circulation of water and maintain a uniform disinfectant residual throughout the pool or spa. Where skimmers are used, the return inlet(s) shall be located so as to help bring floating particles within range of the skimmers.

(a) A swimming pool shall have a minimum of two (2) return inlets regardless of pool size. The number of return inlets shall be based on two (2) inlets per six hundred (600) square feet of pool surface area or one inlet every fifteen feet of perimeter or fraction thereof, whichever is greater. Return inlet(s) from the circulation system shall be designed not to constitute a hazard to the user.

(b) All pools shall be provided with at least two main drain suction outlets in the lowest point of the pool floor. The spacing of the main drains shall be at least five feet (5'), but not greater than twenty feet (20') on centers nor more than fifteen feet (15') from each side wall.

(c) All spas shall have a minimum of two (2) suction outlets provided for each pump in the suction outlet system, separated by a minimum of three feet (3') or located on two (2) different planes; i.e. one (1) on the bottom and one (1) on the vertical wall or one (1) each on two (2) separate vertical walls. These suction outlets shall be plumbed such that water is drawn through them simultaneously through a common line to the pump.

(2) Suction outlets shall be provided with a cover that has been tested and approved by a nationally recognized testing laboratory and shall comply with ANSI/ASME A112.19.8M-1987, Suction Fittings For Use in Swimming Pools, Wading Pools, Spas, Hot Tubs and Whirlpool Bathtub Appliances.

(3) Net openings in each floor outlet covering or grating shall be at least four times the area of the discharge pipe and provide sufficient area so that the maximum velocity of the water passing the grate will not exceed one and one-half feet per second ( $1\frac{1}{2}$ fps).

- (a) The width of openings in grating shall be not less than one eighth inch (1/8") and not more than one half inch (1/2").
  
- (b) The pool or spa shall not be operated if the outlet grate is missing, broken or secured in such a way that it can be removed without the use of tools.
  
- (4) **Entrapment Avoidance.** If the suction outlet system, such as a filtration system, booster system, automatic cleaning system, solar system, etc., has a single suction outlet or multiple suction outlets which can be isolated, each suction outlet shall protect against user entrapment by as many of the following as necessary:
  - (a) An antientrapment device installed immediately upstream of the pump,
  - (b) An antivortex cover,
  - (c) A grate, twelve inches by twelve inches (12" x 12") or larger, and/or
  - (d) Other means.
  
- (5) Where provided, the vacuum cleaner fitting(s) shall be located in an accessible position(s) at least six inches (6") and no greater than eighteen inches (18") below the minimum operating water level or as an attachment to the skimmer(s).

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.11 Surface Skimmer Systems.**

- (1) A surface skimming system shall be provided on all swimming pools and spas and shall be designed and constructed to skim the pool or spa surface when the water level is maintained within the operational parameters of the system's rim or weir device. Surface skimming devices shall comply with NSF International Standard 50.
  
- (2) Skimming devices shall be designed and installed so as not to constitute a hazard to the user.
  
- (3) **Automatic Surface Skimmers.** Where automatic surface skimmers are used as the sole overflow system in pools, at least two (2) surface skimmers shall be provided for the first five hundred (500) square feet or fraction thereof of the water surface area and one (1) skimmer shall be provided for each additional five hundred (500) square feet of surface area. In spas, one (1) skimmer shall be provided for each one hundred (100) square feet of surface area. Nominal recessed areas such as stairs, swimouts, spas, etc., shall not be considered in the calculation. When skimmers are used, they shall be located to maintain effective skimming action over the entire surface of the pool or spa.
  
- (4) **Perimeter Surface Skimmer (Gutter).** Where a perimeter type surface skimming system is used as the sole surface skimming system, this system shall extend completely around the perimeter of the pool except at steps or recessed ladders. The lip of the gutter shall be level and shall be designed to serve as a handhold for bathers. The perimeter surface skimming system shall be connected to the circulation system with a system surge capacity of not less than one (1) gallon for each square foot of pool surface or two and one half (2 1/2) gallons for each square foot of spa surface.
  
- (5) The hydraulic capacity of the overflow system shall be capable of handling one hundred (100) percent of the circulation flow.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.12 Lighting and Electrical Requirements.**

(1) Artificial lighting shall be provided for all indoor and outdoor pools and spas. Lighting shall be adequate to illuminate the entire swimming pool enclosure without glare. All installations shall comply with local building code requirements. Ground-fault interrupters must be provided. Lighting in dressing rooms, sanitary facilities, equipment rooms and concessions shall comply with local code requirements.

(a) For outdoor pools used for night swimming and all indoor pools and spas, a minimum of 30 foot candles shall be maintained at the surface of pool and deck areas where underwater lighting is utilized. A minimum of 50 foot candles shall be maintained at the surface of pool and deck areas where underwater lighting is not utilized. More light may be required as deemed necessary by the Health Authority and/or by other codes which apply.

(b) Where underwater lighting is used, the following rules shall apply:

1. For public pools with less than 800 sq. ft. of pool surface area, a minimum of 500 watts of underwater lighting is required.

2. For all public pools with 800 sq. ft. or larger surface area, at a minimum, one and one half (1.5) watts per sq. ft. of surface area is required. The lighting shall be evenly spaced around the pool to prevent glare.

3. In all diving pools and all pools over 1000 sq. ft. with diving areas to 12 feet in depth, two (2) watts per sq. ft. of surface area is required. In all pools with diving wells deeper than 12 feet, at least three (3) watts per sq. ft. of surface area must be provided within the diving well.

(c) For outdoor pools, when not being used for night swimming or recreation, a minimum of 10 foot candles shall be maintained at the surface of pool and deck areas. Motion detector type lights are acceptable.

(2) No switches, starters, panel boards or similar electrical equipment shall be located in areas readily accessible to bathers while in the pool or on the designated deck area.

(3) No overhead wiring shall pass within twenty (20) feet (horizontal distance) of the pool enclosure. No electrical outlets shall be located within ten (10) feet of the pool edge.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.13 Heaters.**

(1) **Sizing.** A heater will be properly sized according to the volume of water, square footage of surface area and manufacturer's recommendations.

(2) **Water Temperature.** The owner/operator shall routinely check the in-pool or in-spa water to ensure that the temperature does not exceed 104°F. If adjustments are necessary, those adjustments shall be performed in accordance with manufacturer's instructions or by a qualified technician. A thermometer shall be available to measure the temperature of the water. It may be attached or floating or available to the operator at all times.

(3) **Installation.** The heater(s) shall be installed in accordance with all federal, state and local codes as well as the manufacturer's recommendations.

(a) **Support.** The heater shall be installed on a surface with sufficient structural strength to support the heater when it is full of water and operating. The heater shall be level and not able to move after plumbing, gas and/or electrical connections are completed.

(b) **Ventilation.** Fossil fuel heaters shall have adequate ventilation in order to assure proper operation.

(c) **Make Up Air.** Make up air shall be sufficient for proper operation.  
Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.14 Air Blower and Air Induction Systems.**

(1) **Entry Devices.** This rule pertains to all devices and systems which induce or allow air to enter the spa either by means of a power pump or passive design.

(2) **Air Intake Source.** Air intake sources shall not induce water external to the spa unit, dirt or contaminants, into the spa.

(3) **Make Up Air.** When installing an air blower within an enclosure or indoors, adequate ventilation is a necessity. The air induction system shall be installed in accordance with any applicable codes and the manufacturer's recommendations for air openings to the enclosure.

(4) **Accessibility.** The air blower shall be accessible for inspection and service.

(5) **Air Passages.** Integral air passages shall be pressure tested at the time of manufacture to provide structural integrity to a value of one and one-half (1 ½) times the intended working pressure.  
Authority O.C.G.A. 31-45-1 et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.15 Water Supply.**

(1) The water supply for public pools and spas, showers, lavatories, drinking fountains and any other uses in conjunction with the public pool shall be from an approved and potable source and shall be approved by the local health authority before use. Water in the pool shall meet the requirements of Rule .17 before the pool is used by bathers..

(2) No direct mechanical connection shall be made between the potable water supply and the swimming pool, chlorinating equipment or the system of piping for the pool, unless it is protected against backflow and back-siphonage in a manner approved by the health authority or through an air gap meeting the latest American National Standards Institute Standard A112.1.2 or other equivalent means approved by the health authority.

(3) An over-the-rim spout, if used, shall be located under a diving board, adjacent to a ladder or otherwise properly shielded so as not to create a hazard. Its open end shall have no sharp edges and shall not protrude more than two inches (2") beyond the edge of the pool.

(4) Backwash water may be discharged into a sanitary sewer through an approved air gap or into an approved subsurface disposal system or by other means approved by the health authority.  
Authority O.C.G.A. 31-45-1 et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

(p) As soon as a container is empty, the valve shall be closed and the lines disconnected. The outlet cap shall be applied promptly and the valve protection hood attached. The open end of the disconnected line shall be plugged or capped promptly to keep atmospheric moisture out of the system.

(4) **Training.** Personnel responsible for the operation of the disinfection agent equipment shall be properly trained in the operation of that equipment, the procedure for performing and interpreting the necessary chemical field tests and the appropriate emergency procedures.

(5) **Test Kits.** Every pool shall be supplied with an accurate and reliable testing kit capable of measuring any agent that is introduced into the water of the pool, including: the determination of pH, free available chlorine (FAC), total available chlorine (TAC) if chlorine is used, bromine or other chemical disinfectant residuals, cyanuric acid (if used), total alkalinity, calcium hardness, and copper and silver (if a copper or copper/silver ionization unit has been installed). The local health authority shall, upon request, be supplied a field testing kit for any agents introduced into the water supply. If a field testing kit is not available, the agent cannot be introduced until standards for testing have been established by, and written approval has been obtained from, the health authority. The Orthotolidine test (OTO) is unacceptable since it cannot distinguish FAC and TAC.

(6) **Daily Record.** A daily record will be kept of all chemical testing and temperatures recorded for all spas and self inspections performed.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.



290-5-57-.17 Chemical Operational Parameters.

The chemical operational parameters in swimming pool or spa water shall not exceed the maximum level or be lower than the minimum level given in the following parameters. Where no minimum or maximum is given, additional information is within this Chapter to assist the pool operator.

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
<b>(1)</b>				
<b>Disinfectant Levels</b>				
Free chlorine, ppm.				
All public pools except as listed below:	1.5	1.5-3.0	5.0	<p>In a pool, hot weather/heavy use may require operation at or near maximum levels. Regular superchlorination is recommended (see Remedial Practices below).</p> <p>In a spa, during hours of operation, test the water hourly and record results. Maintain this range continually and shock treat at the end of the daily use period.</p>
1. Spas	3.0	3.0-5.0	10.0	
2. Activity/interactive/Wading Pools	3.0	3.0-5.0	10.0	
3. Continuous Water Course/Rivers	2.0	2.0-5.0	5.0	
4. Dual Use Pools	2.0	2.0-5.0	5.0	
5. Falling Entry Pools	2.0	2.0-5.0	5.0	
6. Wading Pools	3.0	3.0-5.0	10.0	
7. Wave Pools	2.0	2.0-5.0	5.0	
8. Water Attraction Pump Reservoirs	3.0	3.0-5.0	10.0	
9. Zero-Depth Pools	3.0	3.0-5.0	10.0	
Free Chlorine in stabilized pools	3.0	3.0-5.0	10.0	

	Minimum	Ideal	Maximum	Comments
<b>(1) Disinfectant Levels (con't)</b>				
Combined chlorine, ppm	None	None	0.2	High combined chlorine results in reduced chemical efficacy. Take remedial action to establish break point chlorination (See Remedial Practices below). Other signs of combined chlorine: -Sharp chlorine odor -Eye irritation -Algae growth
Bromine, ppm	2.0	Pool 3.0-5.0 Spa 4.0-6.0	Pool 8.0 Spa 10.0	In a spa, during hours of operation, test the water hourly and record results. Maintain this range continually and shock treat at the end of the daily use.
Iodine, ppm	Levels not established	-----	-----	Note: Local health department officials should be consulted before use.
<b>(2) Chemical Values</b>				
pH	7.2	7.4-7.6	7.8	If pH is: Too High: -Low chlorine efficiency -Scale formation -Cloudy Water Too Low: -Rapid dissipation of disinfectant -Eye discomfort -Plaster and concrete etching -Corrosion of metals & vinyl liner damage

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
(2) Chemical Values (con't)				
Total alkalinity (buffering), ppm as CaCo <sub>3</sub>	60	80-100 for calcium hypo- chlorite and lithium hypo- chlorite and sodium hypo- chlorite  100-120 For sodium dichlor, trichlor, chlorine gas and bromine com- pounds	180	If total alkalinity is: Too Low:      Too High: - pH bounce    - Cloudy water - Corrosion    - Increased tendency       scaling potential - pH tends to be too high

	Minimum	Ideal	Maximum	Comments
(2) Chemical Values (con't)				
Total dissolved solids (TDS), ppm	300	1000-2000	3000	<p>These values are offered as guidelines rather than absolute values to indicate concern for accumulation of impurities in the course of operation. Excessive high TDS may lead to hazy water, corrosion of fixtures, etc., and can be reduced by partial draining with addition of fresh water.</p> <p>High initial TDS may indicate poor water quality due to corrosive mineral salts, humus or organic matter. Consult local water authority.</p> <p>Increasing TDS indicates build up of impurities to be controlled by partial drain/refill with fresh water.</p>
Calcium hardness, ppm, as CaCO <sub>3</sub>	150	200-400 to balance water	500-1000+	<p>Operations of pools, spas and hot tubs at maximum hardness will depend on alkalinity (buffering) requirements of the sanitizer used. Maximum alkalinity and lower pH must be used with maximum hardness (over 500 ppm)</p>

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
<b>(2) Chemical Values (con't)</b>				
Heavy metals, ppm	None	None	copper 1.0  silver 0.1	If heavy metals, such as copper, iron, manganese, silver are present: -Staining may occur -Water may discolor -Chlorine dissipates rapidly -Filter may plug -May indicate pH too low, corrosion, etc.
<b>(3) Biological Values</b>				
Algae	None	None	None	If algae are observed: -Shock treat pool (See Remedial Practices, Shock treatment) -Supplement with brushing and vacuuming. -Use approved algicide according to label directions (See Remedial Practices below)
Bacteria	None	None		If bacteria count exceeds maximum allowed: -Superchlorinate and follow proper maintenance procedures -Maintain proper disinfectant residual.

	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
(4) Stabilizer (if used)				
Cyanuric acid, ppm	10	30-50	100	<p>If stabilizer is:</p> <p>Too High:      Too Low:</p> <p>-May exceed local health department regulation -May reduce chlorine efficacy</p> <p>-Chlorine Residual rapidly destroyed by sunlight</p> <p>Note: Stabilizer is not needed in indoor or brominated pools and spas.</p>
Superchlorination frequency	Pool- Monthly	Pool- Every other week  Spa - Daily	Pool- Weekly when the temperature is over 85°F	Note: Some high use pools may need superchlorination three times a week or more as a preventative measure or when combined chlorine is over 0.2 ppm.

	Minimum	Ideal	Maximum	Comments
(5) Remedial Practices (con't)				
Superchlorination to establish break point dosage in ppm.				<p>When combined chlorine is over 0.2 ppm, superchlorinate by adding ten times the combined chlorine ppm (eg. If combined chlorine is 0.3 ppm, superchlorinate by adding 3 ppm chlorine)</p> <p>Applied at the end of daily usage, hold this level for 1-4 hours to clarify the water, remove ammonia (combined chlorine), and to kill any algae present.</p> <p>Can also be applied when no bathers are present and as required to maintain clear water and the required halogen residual.</p>
Shock treatment, dosage in ppm	10	-----	-----	Nonchlorine oxidizers are not considered biocidal, but may reduce organic contaminants.
Clarifying/Floccing frequency	-----	When needed	-----	Use all clarifiers following manufacturer's directions.
Algicides				Follow manufacturer's directions. Use E.P.A. registered products.

	Minimum	Ideal	Maximum	Comments
(5) Remedial Practices (con't)				
Water replacement				Water in spas that have high bather use may require partial or complete replacement of water periodically to dilute dissolved solids, to maintain water clarity and to do necessary routine maintenance.
Foam	None	None	None	Foam may harbor persistent microorganisms. If foaming is not adequately controlled, consider daily shock treatment, water replacement or an appropriate antifoam agent. Follow manufacturer's directions.



	<u>Minimum</u>	<u>Ideal</u>	<u>Maximum</u>	<u>Comments</u>
<b>(6) Temperature</b> °F	--	78°-82°F or Bather preferenc e	104°F	<p>If temperature is:</p> <p>Too High:</p> <ul style="list-style-type: none"> <li>-Health hazard</li> <li>-Bather discomfort</li> <li>-Excessive fuel requirement</li> <li>-Increased evaporation</li> <li>-Increased scaling potential</li> <li>-Increased use of disinfectants</li> <li>-Increase potential for corrosion</li> </ul> <p>Too Low:</p> <ul style="list-style-type: none"> <li>-Bather discomfort</li> <li>-Increase chance of hyperthermia</li> </ul>
<b>(7) Water Clarity</b> Water turbidity	Must be able to see main drain covers or a standard black and white disc laying on the bottom of the deepest portion of the pool.	--	--	<p>If water is turbid:</p> <ul style="list-style-type: none"> <li>- Disinfectant level may be low</li> <li>- Filtration system may be inoperative</li> <li>- Improper chemical balance</li> <li>- Bottom should be clearly visible at the deepest part of the pool or spa.</li> <li>- Consult remedial practices</li> </ul>

	Minimum	Ideal	Maximum	Comments
(8) Oxidizers			<u>m</u>	
Ozone, low output generators	--	--	0.1	Serves as oxidizer of water contaminants.
Contact concentration mg/L when ozone is injected and not removed prior to entry into pool.	0	0	0.05	Indoor installations should have adequate ventilation.
Above pool and spa levels				
(9) Oxidizer Reduction Potential				
ORP	650 MV	--	--	When chlorine or bromine is used as the primary disinfectant, ORP can be used as a supplemental measurement of proper sanitizer activity. The use of ORP testing does not eliminate or supersede the need for testing the sanitizer level with standard test kits and ORP reading may be affected by a number of factors including (1) pH, (2) probe film and (3) cyanuric acid. Follow manufacturer's recommendations.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

#### 290-5-57-.18 Specific Safety Features.

(1) **Handholds.** A public pool shall be provided with a suitable handhold around its perimeter in areas where depths exceed three feet six inches (3'6"). Handholds shall be provided no further apart than four feet (4') and shall consist of any one (1) or a combination of the items listed below:

(a) Coping, ledge or deck along the immediate top edge of the pool which provides a slip-resisting surface of at least four inches (4") minimum horizontal width and located at or not more than twelve inches (12") above the waterline; or

(b) Ladders, stairs or seat ledges; or

(c) A railing placed at or not more than twelve inches (12") above the waterline.

(2) **Rope and Float Line.** A rope and float line shall be provided within one foot (1') of and on the shallow side of the break in grade between the shallow and deep portions of the swimming pool, with its position marked with visible floats at not greater than seven foot (7') intervals.

(a) The rope and float line shall be securely fastened to wall anchors of corrosion-resisting materials and of the type which shall be recessed or have no projection that will constitute a hazard when the line is removed.

(b) The line shall be of sufficient size and strength to offer a good handhold and support loads normally imposed by users.

(3) **Depth Markers for Swimming Pools.** Depth of water in feet shall be plainly and conspicuously marked at or above the waterline on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The word or abbreviation for "feet" must be specified.

(a) Depth markers on the vertical pool wall shall be positioned to be read from the water side.

(b) Depth markers on the deck shall be within eighteen inches (18") of the water edge and positioned to be read while standing on the deck facing the water.

(c) Depth markers shall be slip-resistant.

(d) Depth markers shall be installed at the maximum and minimum water depths and at all points of slope change.

(e) Depth markers shall be installed at intermediate increments of water depth not to exceed two feet (2'), nor spaced at distances greater than twenty-five foot (25') intervals.

(f) Depth markers shall be arranged uniformly on both sides and both ends of the pool.

(g) Depth markers on irregularly shaped pools shall designate depths at all major deviations in shape as well as conform to the foregoing articles.

(h) Depth markers shall have a four inch (4") minimum height. Numbers shall be of contrasting color to the background on which they are applied, and the color shall be of a permanent nature.

(4) **Depth Markers for Spas.** Public spas shall have permanent depth markers with numbers a minimum of four inches (4") high plainly and conspicuously visible from all obvious points of entry and in conformance with (a) thru (f) below and be in accordance with ANSI/UL 969 "Marking and Labeling Apparatus".

(a) There shall be a minimum of two depth markers per spa, regardless of spa size or shape.

(b) Depth markers shall be spaced at no more than twenty-five feet (25') intervals and shall be uniformly located around the perimeter of the spa.

(c) Spas shall have the maximum water depth clearly marked on the deck wall.

(d) Depth markers shall be positioned on the deck within eighteen inches (18") of the water line.

(e) Depth markers shall be positioned to be read while standing on the deck facing the water.

(f) Depth markers in or on the deck surfaces shall be slip-resisting.

(5) **Clock.** All public facilities shall have a clock which is visible to spa users.

(6) **Water Temperature.** The maximum temperature in a spa shall not exceed 104°F (40°C).

(a) The spa operator shall be provided with an accurate thermometer ( ±1°F tolerance) and shall periodically check to ensure that the maximum temperature does not exceed 104°F.

(b) A means to determine the spa temperature with a ±1°F tolerance shall be provided to the user.

(7) **Lifeguards.** All owners, managers, or lifeguards, if provided, in charge of, or working at, public swimming pools, spas or recreational water parks shall be responsible for the supervision and safety of the pool, spa or recreational water park.

(a) If lifeguards and safety assistants are provided, they shall be qualified as lifeguards by holding current, nationally recognized certifications in Lifeguarding, Adult/child/infant CPR and First Aid.

(b) If lifeguards are provided, their lifeguard certification, CPR and first aid certificates or photocopies thereof shall be maintained at the facility and be available to the local health authority for inspection.

(8) **Lifesaving Equipment.** All public swimming pools shall have lifesaving equipment conspicuously and conveniently on hand at all times. Lifesaving equipment for special purpose pools may be exempted from this requirement or the requirements will be provided as deemed necessary by Health Authority. The following will be provided:

(a) A light, strong pole not less than twelve feet (12') long, including a body hook shall be provided.

(b) A minimum one-fourth inch (1/4") diameter throwing rope as long as one and one-half (1 ½) times the maximum width of the pool or fifty feet (50'), whichever is less, to which has been firmly attached a ring buoy with an outside diameter of approximately fifteen inches (15") or a similar flotation device which is U.S. Coast Guard approved, shall be provided.

(c) A telephone which is hard wired and affixed, with posted names and phone numbers of the nearest available police, fire, ambulance service and/or rescue unit, and /or 911, if available.

(9) **Barriers.** All outdoor swimming pools and spas shall be provided with a barrier.

(a) The top of the barrier shall be at least forty-eight inches (48") above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be four inches (4") measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (4").

(b) Openings in the barrier shall not allow passage of a four inch (4") diameter sphere.

(c) Solid barriers which do not have openings such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(d) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than forty-five inches (45"), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed one and one-fourth inches (1 1/4") in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed one and one-fourth inches (1 1/4") in width.

(e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is forty-five inches (45") or more, spacing between vertical members shall not exceed four inches (4"). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed one and one-fourth inches (1 1/4") in width.

(f) Maximum mesh size for chain link fences shall be one and one-fourth inches (1 1/4") square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than one and one-fourth inches (1 1/4").

(g) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be no more than one and one-fourth inches (1 1/4").

(h) Access gates shall also comply with the requirements of this Rule and shall be equipped to accommodate a locking device. Pedestrian access gates shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than fifty-four inches (54") from the bottom of the gate, (a) the release mechanism shall be located on the pool side of the gate at least three inches (3") below the top of the gate and (b) the gate and barrier shall have no opening greater than one-half inch (1/2") within eighteen inches (18") of the release mechanism.

(i) There shall not be direct access from any dwelling into the pool enclosure.

(j) Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps then: 1. the ladder or steps shall be capable of being secured, locked or removed to prevent access; or 2. the ladder or steps shall be surrounded by a barrier which meets the requirements of this section. When the ladder or steps are secured, locked or removed any opening created shall not allow the passage of a four inch (4") diameter sphere.

(k) Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

(l) A spa with a safety cover that complies with ASTM F1346, "Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs" shall be exempt from the provisions of this section. Swimming pools with safety covers shall not be exempt from the provisions of this document.

**(10) Warning/Safety Signs For Swimming Pools.** Signs shall be provided as follows:

(a) The words "No Diving" shall be permanently visible at the edge of the deck for water five feet (5') or less. Placement should conform to that outlined for depth markers in (3)(a) thru (h) of this rule.

(b) Where no lifeguard is on duty, a sign shall be placed in clear view at or near the entrance to the pool and shall state in clearly legible letters at least four inches (4") high "WARNING - NO LIFE GUARD ON DUTY".

(c) The same sign in (b) or an additional sign will state the following rules in clearly legible letters at least two inches (2") high:

1. Unattended solo bathing is prohibited.
2. Children shall not use pool without an adult in attendance.
3. Children, three years old and younger, as well as any child not potty trained, must wear snug fitting plastic pants or a water resistant swim diaper.
4. No glass articles allowed in or around pool.
5. No food, drink or wrappers shall be permitted within ten feet (10') of the swimming pool or spa.
6. No running or rough play allowed.
7. No spitting, spouting of water or blowing nose in pool.
8. No "cut-offs" allowed.
9. Only one bather at a time allowed on diving board.
10. Diving area must be clear of other patrons before diving is permitted.
11. No swimming allowed during heavy rain or when thunder and lightning can be seen or heard.

(11) **Warning/Safety Signs For Spas.** Signs shall be provided as follows:

(a) Signage which states safety, emergency and operational aspects of the spa, shall be prominently located. As a guide, for the language and layout of the safety signs reference ANSI Z 535 series of standards for Safety Signs and Colors and ANSI/UL 1563 1987 "Standards for Electric Hot Tubs, and Associated Equipment".

(b) Warning/Safety signs for spas shall be in clear view of the spa and prominently displayed. Signs shall state the spa's address, the location of the nearest telephone with references that emergency telephone numbers are posted at the location. These emergency telephone numbers should include the name and phone number of the nearest available police, fire or ambulance service and/or "911" if available. Signs shall include, but not be limited to the following messages:

1. Risk of Fetus Damage. Hot water exposure limitations vary from person to person. Pregnant women and small children should not use spa prior to medical consultation.
2. Risk of Drowning. Other persons suffering from heart disease, diabetes, high or low blood pressure and other health problems should not enter the spa without prior medical consultation and permission from their doctor.
3. Risk of Drowning. Do not use the spa while under the influence of alcohol, narcotics or other drugs that cause sleepiness and drowsiness or raise/lower blood pressure.
4. Risk of Drowning. Use caution when bathing alone. Overexposure to hot water may cause nausea, dizziness and fainting. Lower water temperatures are recommended for extended use (exceeding 10-15 minutes) and for young children.

5. Risk of Drowning. Do not allow the use of or operate spa if the suction fitting is missing, broken or loose.
6. Risk of Child Drowning. Unsupervised use by children is prohibited.
7. Risk of Injury. Before entering, check spa temperature before each use. The spa temperature should not exceed 104°F.
8. Risk of Injury. Enter and exit slowly.
9. Risk of Injury. Keep all breakable objects out of the spa area.
10. Risk of Shock. Never place electrical appliances (telephone, radio, tv., etc.) within five feet (5') of the spa.
11. Risk of Shock. The spa shall not be operated during severe weather conditions. (e.g., electrical storms, tornadoes, etc.)

(12) In all swimming pools built prior to December 31, 2000 which have floor slopes greater than that allowed in this chapter or which have other construction variances to this chapter, the health authority may require a warning sign stating the possible hazard to be posted in public view.

(13) **Obstructions and Entrapment Avoidance.** There shall be no obstructions that can cause the user to be entrapped or injured. Types of entrapment can include, but not be limited to, such things as wedge or pinch-type openings and rigid, nongiving cantilevered protrusions.

(14) At least one (1) drinking fountain shall be provided and available to users at the pool site.

(15) A minimum of one (1) rinse shower shall be provided on the pool deck of all public pools and spas with bather loads of fifty (50) or less. An additional rinse shower shall be provided for each additional one hundred (100) bathers. Authority O.C.G.A. Secs. 31-45-1, et eq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.19 Dressing Facilities.** Adequate dressing facilities for pools, spas and recreational water parks should be provided unless these facilities are provided in connection with the general premises for other purposes and are of adequate capacity and number and in close proximity to the pool. Handicapped accessible dressing and sanitary facilities shall be designed and provided in accordance with state or local requirements and can be included as part of the required total number of water closets, shower heads, lavatories, etc.

(1) Dressing facilities, when provided, shall be provided with separations for each sex with no interconnection. The rooms shall be well-lighted, drained, ventilated and of good construction with impervious materials. They shall be developed and planned so that good sanitation can be maintained throughout the building at all times.

(2) Partitions between portions of the dressing room area, screen partitions, shower, toilet and dressing room booths shall be of durable material not subject to damage by water and shall be designed so that a waterway is provided between partitions and floor to permit thorough cleaning of the walls and floor areas with hoses and brooms.

(3) When dressing facilities are provided, a minimum of two (2) shower heads shall be provided for the first one-hundred (100) bathers of each sex. One (1) additional shower head for each sex shall be added for each additional fifty (50) male or female users. These showers, when provided, may be used in place of the deck showers. However, the use of deck showers will not be substituted for the above dressing facility showers.

(4) Hot and cold water under pressure shall be provided in dressing facility showers.

(5) Floors of the dressing facility shall be free of joints or openings and shall be continuous throughout the areas. Floors shall have a slip-resistant surface that shall be relatively smooth to insure thorough cleaning. Floor drains shall be provided and floors shall be sloped not less than one-fourth inch (1/4") per foot toward the drains to insure positive drainage.

(6) An adequate number of three-fourths inch (3/4") hose bibbs shall be provided for flushing down the dressing facility interior.

(7) **Lavatories.** Lavatories and toilets shall be provided for all public pools and spas. The minimum criteria for lavatories and toilets for public pools shall be based upon the maximum bathing load as established.

(a) All public pools shall provide one (1) water closet, one (1) lavatory and one (1) urinal for the first fifty (50) male users. One (1) additional water closet, lavatory and urinal shall be provided for each additional one hundred fifty (150) male users or fraction thereof.

(b) All public pools shall provide two (2) water closets and two (2) lavatories for the first fifty (50) female users. One (1) additional water closet and lavatory shall be provided for each additional one hundred (100) female users or fraction thereof.

(c) All spas shall provide at least one (1) water closet and lavatory for each sex.

(d) Soap dispensers for providing either liquid or powdered soap shall be provided at each lavatory. The dispenser shall be of all metal or plastic type with no glass permitted in these units.

(e) At least one (1) paper towel dispenser or hand blow dryer shall be provided for every three lavatories.

(f) An unbreakable mirror shall be provided over each lavatory.

(g) Toilet paper holders shall be provided at each water closet.

(h) Soap, paper towels and toilet tissue shall be provided in all dispensers.

(i) Fixtures shall be installed in accordance with local plumbing codes and shall be properly protected against back-siphonage.

(j) Fixtures shall be designed so that they may be readily and frequently cleaned and disinfected. Frequent cleaning and disinfecting shall not cause damage.

(k) At least one (1) trash receptacle will be available in toilet areas.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

#### **290-5-57-.20 Recreational Water Parks and Special Purpose Pools.**

(1) **Deviation from requirements.** A recreational water park attraction may deviate from the requirements of this code if and to the extent:



(a) An exception from this code is necessary to accommodate the special use of the facility; and

(b) The design and construction of the attraction are within the limits of sound engineering practice and present no health or safety hazard.

**(2) Zero-Depth pools.**

(a) The water supply for a zero-depth pool must, at all times, meet the requirements relating to water quality set forth in Rule .17 of this Chapter.

(b) The zero-depth pool must be equipped, at its lowest point, with an unvalved drain of sufficient capacity and design to prevent the accumulation of water in the pool.

(c) For zero-depth-entry pools, the floor slope shall be at a one foot in fifteen feet (1':15') vertical to horizontal or gentler slope.

(d) Zero-depth pools must be located at the shallow end of deeper water swimming pools and must be separated from them by at least six feet (6') of deck or by a separate barrier or fence meeting the requirements of this code.

**(3) Wading pools.**

(a) Wading pools must be located at the shallow end of the main pool and must be separated from it by a separate barrier or fence meeting the requirements of this code.

(b) Underwater lights are prohibited in wading pools.

**(4) Water slides.**

(a) A water slide must consist of one or more flumes, falling-entry pools or slide runouts, a pump reservoir, and facilities for the disinfection and chemical treatment of the water.

(b) The structural design of a water slide and the materials used in its construction must conform with generally accepted structural engineering practices and must provide a sound, durable structure that will safely sustain all the dead loads, live loads, liquid hydrostatic and earth pressures encountered.

(c) Any components or accessories of a water slide that come into contact with bathers must be assembled, arranged and finished so that their external surfaces and edges do not present an injury hazard to the skin of users under casual contact.

(d) The owner of a water slide and the registered engineer who designs the slide are responsible for the safe design and construction of the entire facility.

**(e) Flumes.**

1. Each flume of a water slide must be water-tight. Its surfaces must be inert, nontoxic, smooth and easily cleaned.

2. If a tube-type flume is used, it must be designed or ventilated to prevent a hazardous concentration of toxic disinfectant fumes under all circumstances of operation.

3. All curves and turns in a flume must be:

- (i) Designed so that the impact of users with the walls of the flume does not present a hazard; and
  - (ii) Banked so that the forces on the bathers keep them safely inside the flume under all foreseeable circumstances of operation. Bathers must not become airborne.
4. In curved sections of a flume, the design of the wall of the flume must cause the outward thrust of the body of the bather to be dissipated towards the centerline of the flume.
  5. All slopes in a flume must be designed so that the speed of the bathers does not reach a point at which a safe equilibrium of dynamic forces cannot be maintained on any curve or turn in the flume.
  6. In sections of a flume where bathers can stop, provision must be made by design or modification to prevent bathers from falling out of the flume.
  7. The construction, dimensions and methods of mechanical attachment of a flume must provide a smooth and continuous surface through the entire length of the flume. Any misalignment of joints in a sectional flume must not exceed one-eighth inch 1/8".
  8. The walls of any flume must be designed so that the continuous and combined action of hydrostatic, dynamic and static loads, as well as normal environmental deterioration do not damage the flume bed to the extent of creating a structural failure that presents a hazard of injury to users or that requires frequent patch repairs that may weaken the structural integrity of the flume.

(f) **Flume exit.**

1. The exit of any flume must be designed to ensure that bathers enter the falling-entry pool or slide runout at a safe speed and angle of entry.
2. If a slide has two or more flumes and there is a point of intersection between the centerlines of any two flumes, the distance between that point and the point of exit for each intersecting flume must not be less than twenty feet (20'), or thirty feet (30') if any user exits a flume at high speed.

(g) **Exit into falling entry pool.** If users exit the flume of a water slide into a falling-entry pool:

1. The flume must be horizontal and perpendicular to the wall of the pool at the point of exit;
2. The flume must be designed with an exit system that provides for safe entry into the falling-entry pool or slide runout with an exit grade for the last ten feet (10') that does not exceed ten percent (10%). Present practices for safe entry include a water backup, a deceleration distance, and body attitude control. Other methods are acceptable as long as safe exit velocities and proper body attitudes are assured under normal use;
3. The flume exit must be flush with the vertical wall of the pool at the point of exit and not more than two (2) inches above, nor less than six (6") inches below, the normal operating level of the pool; and
4. The distance between:

- (i) The side wall of the pool and that portion of the flume exit nearest the wall must be not less than five feet (5') at the point of exit;

(ii) The centerline of the flume and the centerline of any adjacent flume must not be less than six feet (6') at the point of exit;

(iii) The point of exit and the side of the pool opposite the bathers as they exit, excluding any steps, must not be less than twenty feet (20') if the flume ends above or below the normal operating water level of the pool.

**(h) Falling-Entry pools.**

1. If a splash pool is used at a water slide, it must be located at the base of the slide.

2. Except as otherwise provided in this subsection, the water depth in a falling-entry pool at the end of the flume must be a minimum of three and one-half feet (3 1/2') from the normal operating water level to the floor. This depth must be maintained for distance of not less than twenty feet (20') from the point of exit from the flume or other falling-entry feature, or not less than thirty feet (30') if the point of exit is even with the normal operating water level. The health authority may waive these requirements if a special exit system is used that ensures a safe exit from the flume and safe entry to the falling-entry pool.

3. Beyond the area of level floor required above, in the area of the pool opposite the point of exit from the flume or other falling-entry feature, the floor of the falling-entry pool may have a constant slope upward of not more than 1 foot in 7 feet (1':7')

4. If steps are provided instead of exit ladders or stepholes with handrails, a handrail must be provided at the steps opposite the point of exit from each flume or falling-entry feature.

(i) **Decks.** A deck must be provided along the exit side of the falling-entry pool and along one or more of the other sides of the pool. The pump and reservoir must be accessible by a deck not less than three feet (3') wide.

**(j) Means of access.**

1. A concrete walkway, steps, stairway or ramp must be provided between the falling-entry pool and the top of the flume.

2. The walkway or other means of access must:

(i) Not retain standing water;

(ii) Conform to the structural requirements of the local building code;

(iii) Not be less than four feet (4') wide;

(iv) Be provided with handrails;

(v) Have a slip-resistant surface;

(vi) Be separated from the flume by a physical barrier that is located far enough from the flume to prevent it from being contacted by users of the flume.

**(k) Slide runouts.**

1. Slide runouts, if used, must have an exit opening or step, unless one or both of the walls of the runout are not more than twelve inches (12") in height.
2. Slide runouts must be designed with adequate length and water depth and sloped so as to bring the user to a safe stop.

**(l) Pump reservoirs.**

1. Pump reservoirs used in water slides must have sufficient volume to contain not less than two (2) minutes of combined flow from all water treatment and flume pumps or must contain enough water to ensure that the falling-entry pool will maintain a constant water depth.
2. The interior of pump reservoirs must be water-tight with a hard trowel or equivalent, slip-resistant finish.
3. Pump reservoirs must be accessible only to authorized persons. Intakes to the slide pump must be designed to allow cleaning without danger of trapping the operator.

**(m) Control of water.**

1. A surge-free automatic water makeup system with a manual override must be provided and constructed so that the normal operating water level of the falling-entry pool is maintained at all times. An approved backflow prevention device must be provided.
2. The velocity of water at the weir or inlet grate must not exceed one and one-half feet per second (1 ½ fps).
3. The slide or other falling-entry feature may not be used if the main drain of the falling-entry pool is not clearly visible from the deck with the flume water turned off.

**(n) Posting notice of prohibited conduct.** The operator of a water slide or other falling-entry feature shall post one or more warning signs at the entrance to the facility. Each sign must state that the following types of conduct are prohibited within the facility:

1. Running, standing, kneeling, rotating, tumbling or stopping in any flume or tunnel.
2. Horseplay.
3. Diving or flipping while exiting from a flume.
4. Use of the slide while under the influence of alcohol or drugs.
5. Use of the flume by more than one person at a time.
6. Failure to obey the instructions of the pool attendant or lifeguard.
7. Failure to keep hands inside the flume while using the slide.
8. Failure to leave the falling-entry pool promptly after exiting from the slide.

9. The possession of any glass, bottle or food in or near any pool.
10. Entry into an area of grass or other vegetation.
11. The possession of any toy or can.
12. The use of any clothing on the slide other than the usual swimwear.
13. Wearing any bracelet, watch or other jewelry.
14. Failure to shower before using the slide.

(o) **Precautions for safety.**

1. At all times while a water slide is open for use, an attendant must be on duty at each falling-entry pool or runout. The attendant shall serve as the safety director of the slide. In that capacity, the attendant shall control crowds, keep bathers moving through the pool or runout in an orderly fashion, and control any unsafe behavior in the lower flumes, in the pool or runout, or on the decks at the base of the slide.

2. At all times while the slide is open for use, an attendant must be on duty at each entrance to a flume. The attendant shall control bathers near the entrance, regulate the departure of each bather down the slide and control any unsafe behavior in the upper flumes.

3. Radio communication, or other means of communication acceptable to the health authority, must be provided between the flume entry attendant and the splash pool or slide runout attendant.

4. Each water slide must have a means to allow the flume entry attendant to monitor the slide exit.

(5) **Activity pools.** Amusement devices used in activity pools must be designed and maintained so that their surfaces are smooth, nontoxic and easily cleanable. The devices must not pose a safety or health hazard to users and must not interfere with circulation or disinfection of the water.

(6) **Wave pools.**

(a) The generation of waves more than three feet (3') in height in a wave pool, regardless of the depth of the pool, must not continue for more than 15 minutes at a time.

(b) The wave pool must not be used if the main drain is not clearly visible from the deck with the wave generating equipment turned off.

(c) Bathers must gain access to the wave pool at the shallow or beach end. The sides of the pool must be protected from unauthorized entry into the pool by the use of a fence or other comparable barrier.

(d) Wave pools must be provided with handholds at the static water level. These handholds must be self-draining and must be installed so that their outer edge is flush with the pool wall. The design of the handholds must ensure that body extremities will not become entangled during wave action.

(e) Life jackets must be provided free for use by bathers who request them.

(f) Each permanent station for pool attendants and lifeguards must be provided with a clearly labeled and readily accessible emergency shut-off switch for the control of the wave action.

(g) An audible warning system must be provided to alert bathers of the beginning of wave generation.

(h) Stepholes and handrails must be provided at one or more locations along the wall of the wave pool. The stepholes and handrails must extend down the wall so they will be accessible during wave generation at the lowest water level. The distance between the handrail and the wall must not exceed six (6") inches.

(7) **Child amusement lagoons.** Devices used in child amusement lagoons must be designed and maintained so that their surfaces are smooth, nontoxic and easily cleanable. The devices must not pose a safety or health hazard to bathers and must not interfere with circulation or disinfection of the water.

(8) **Watercourse rides.**

(a) Handrails, steps, stairs, and booster inlets for watercourse rides must not protrude into the watercourse.

(b) The watercourse must not be narrower than twelve feet (12') and not deeper than three and one half (3 ½') feet.

(c) An approved method of exit must be provided at least every two hundred (200') feet along the watercourse.

(d) A deck must be provided along at least one side of the watercourse.

(e) The design velocity of the water in a watercourse ride must not exceed two miles per hour (2 mph).

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.21 Food Service.**

(1) Food Service facilities shall comply with provisions of Article 13 of O.C.G.A. Chapter 26-2 and the rules and regulations adopted thereunder.

(2) Eating, drinking and smoking shall not be permitted within the waters of the pool, spa or recreational water park but are permitted on the deck area at a distance of least ten feet (10') horizontally away from the water's edge.

(3) Food and beverages shall only be served in nonbreakable containers.

(4) Covered trash containers shall be provided where food and/or beverages are available and allowed to be consumed.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

**290-5-57-.22 Operation and Management.** All swimming pools and spas covered by this Chapter shall be maintained under the supervision and direction of a properly trained operator who shall be responsible for the sanitation, safety and proper maintenance of the pool and all physical and mechanical equipment and records.

(1) Training for the operator can be obtained by completion of the National Swimming Pool Foundation's Certified Pool/Spa Operator's Course or state or local training course, if available, or similar course as approved by the Georgia Department of Human Resources, Division of Public Health, Environmental Health Section.

(2) Upon completion of any swimming pool or spa, the manager and his operators shall be given complete written and oral instructions by the builder as well as operational guidance of the pool, all equipment and the maintenance of the swimming pool water.

(3) The bathing load limit shall be observed by the management. The maximum number of users to be allowed in a pool at one time shall be based on Rule .05(9) in this Chapter.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.

### 290-5-57-.23 Compliance Procedures.

(1) A swimming pool, spa or recreational water park shall not operate until such time as the appropriate application has been submitted to the health authority, on the prescribed forms provided and a valid operating permit has been issued by the health authority.

(2) **Suspension or Revocation.** The health authority shall have the power and authority to suspend or revoke permits for failure to comply with the provisions of this Chapter. When an application for a permit is denied or the permit previously granted is to be suspended or revoked, the applicant or holder thereof shall be afforded notice and hearing as provided in O.C.G.A. Chapter 31-5, Article 1. If an application is denied or a permit is suspended or revoked, the applicant or holder of the permit must be notified in writing, specifically stating any and all reasons why the action was taken. The purpose of these procedures is to state the minimum actions to be taken to fulfill the obligation of the health authority in assuring compliance with the regulations when the continued operation of a swimming pool, spa or recreational water park presents a substantial and imminent health hazard to the public or when a swimming pool, spa or recreational water park is in flagrant or continuing violation of this Chapter. Suspension is effective upon service of a written notice thereof, and operation must cease immediately. The notice must state the basis for the suspension and advise the permit holder of the right to a preliminary hearing on request within 72 hours. If requested, the preliminary hearing will be held by an experienced supervisory level employee of the health authority not directly involved in the suspension. The rules of evidence will not apply, but both the health authority and the permit holder may present witnesses, records and argument. The hearing official will be authorized to immediately rescind or modify the suspension or to continue the suspension with or without conditions. If the suspension is not rescinded, the permit holder will have the right on request to an evidentiary hearing. If a hearing is not requested, upon correction of all violations, the owner may request an inspection to reinstate the permit.

(a) Items that are considered substantial and imminent health hazards include the following:

1. During operation, disinfectant levels are less than the minimum given in Rule .17. If the level of the disinfectant used is not given in Rule .17, the disinfectant must be approved and kept at levels determined necessary by the health authority.

2. During operation, the pH is less than the minimum or more than the maximum levels allowed in Rule .17.

3. The pump, automatic disinfectant equipment or other equipment necessary for continuous filtration and disinfection of the swimming pool, spa or recreational water park attraction is not working.

4. The water turbidity is such that the main drain cover or a standard black and white disc laying on the bottom of the deepest portion of the pool cannot be seen.

5. **Fecal Incidents.** Fecal incidents shall be reported to the local health authority at the time the incident is noticed. The swimming pool will be closed for a period of time as calculated in the United States Environmental Protection Agency's (EPA) guidance manual, "Disinfection Profiling and Benchmarking." The closure time for the swimming pool

shall be the time required to achieve the correct contact value (CT, mg-min/L) for a 3-log inactivation of Giardia cysts by free chlorine, at a pH of 6.0 to 9.0.

6. Other hazards as determined by the health authority.

(b) All other violations of items on the inspection report will be corrected as deemed appropriate by the health authority.

(c) In lieu of suspension or revocation of a permit, a swimming pool, spa or recreational water park attraction may be allowed to voluntarily close until such time as the violations are corrected.

(3) **Notice of Hearing.** For the purpose of this Chapter, a notice of hearing is properly served when delivered in person or by registered or certified mail to the owner or authorized agent of the swimming pool, spa or recreational water park.

(4) A swimming pool, spa or recreational water park shall not be placed in operation initially until appropriate inspections show compliance with the requirements of this Chapter with no items violated on the inspection report.

(5) The health authority shall inspect the swimming pool, spa, or recreational water park for compliance. Swimming pools, spas, or recreational water parks which open on or after April 1 and which close on or before October 31 shall be inspected at least once during the period of operation. All other swimming pools, spas, or recreational water parks shall be inspected at least twice each year. Additional inspections may be made as determined necessary by the health authority. The pool or spa operator shall receive a copy of the inspection and place it in a location protected from the weather in public view as designated by the health authority.

(6) **Inspection Report.** The inspection report used, will be as adopted by the Georgia Department of Human Resources.

(a) An unsatisfactory rating will be given when any substantial health hazard is violated as described in (2) (a) of this rule; when any two or more other items on the inspection report are violated or when any violation is repeated on a follow-up inspection.

(b) A satisfactory rating will be given when no more than one non-substantial health hazard is violated and when there are no repeated violations on a follow-up inspection.

(7) Representatives of the health authority, after proper identification, shall be permitted to enter any swimming pool or spa facility or property of any recreational water park at any reasonable time for the purpose of making inspections to determine compliance with this Chapter. Should access be denied, an inspection warrant may be obtained as authorized in Article 2 of O.C.G.A. Chapter 31-5.

(8) **Enforcement.** The administration and enforcement of these rules and regulations shall be as prescribed in O.C.G.A. 31-5.

Authority O.C.G.A. Secs. 31-45-1, et seq. Filed Oct. 22, 2001; effective Nov. 11, 2001.