



Central Connecticut Health District

Sanitary Code

**505 Silas Deane Highway
Wethersfield, CT 06109**

Adopted May 17, 2007

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Preamble

The purpose of this code is to protect and promote public health within the Central Connecticut Health District. Adopted under the authority of the General Statutes of the State of Connecticut, Section 19a-243, Subsection (a), this code provides for rules and regulations within the areas of food service establishments, sewage disposal, water supplies, public swimming pools, bathing places and public bathing establishments and action where imminent health hazards are present.

This code, adopted on May 17, 2007 supersedes previous codes and ordinances adopted by member towns and has an effective date of May 17, 2007 and is in force throughout the Central Connecticut Health District.

CHAPTER 1 GENERAL PROVISIONS

SECTION 1.1 DEFINITIONS

For the purpose of this code,

“Authorized Agent” means the person designated by the Director of Health to act for the Director of Health in the performance of any duties. The Authorized Agent shall be program certified where appropriate.

“Board of Health” means the Board of Health of the Central Connecticut Health District.

“Commissioner of Health” means the Commissioner of the Department of Public Health, State of Connecticut.

“Connecticut Public Health Code” means the Public Health Code of the State of Connecticut, as may be amended from time to time, established in accordance with Connecticut General Statutes, Chapter 368a, Section 19a-36, as amended.

“Director of Health” means the Director of Health of the Central Connecticut Health District who is charged with the responsibility and authority for preserving and improving the public health and preventing the spread of diseases.

“Health District” means the Central Connecticut Health District established under Connecticut General Statutes, Chapter 368f, Sections 19a-240 through Section 19a-246, as amended.

“Imminent Health Hazard” means a condition which is likely to cause an immediate threat to life or serious risk of damage to the health, safety, and welfare of the public if no immediate action is taken.

“License” shall mean the whole or any part of a certificate of approval, or similar form of permission which may be required of any person or persons by the provisions of these regulations. Said license shall be in writing and shall be issued only by the Director of Health or by his duly authorized agent.

“Non-Profit Organization” means 1) an organization holding a tax exempt status as defined by the United States Internal Revenue Code, Section 501(c)(3) and which is exempt from local real estate and personal property tax (if owned) under Connecticut General Statute, Section 12-81 or 2) religious groups or 3) schools or 4) youth organizations or 5) agencies funded in whole or in part by tax dollars from Health District member towns or 6) Federal, State or local government facility.

“Owner” means any individual, partnership, association, corporation, company, governmental agency, club or organization of any kind, and includes the plural.

“Person” means any individual, firm, corporation, association, partnership, company, organization, institution, public or municipal body, or other legal entity of any kind including municipal corporations, government agencies, or subdivisions thereof, including the plural, as well as the singular.

“Person in Charge” means the owner, designated employee or employee who is the apparent supervisor of the operation at the time of inspection. If no individual employee is the apparent supervisor, then any employee present at the time of inspection may be considered the person in charge.

“Public Place” means any permanent or temporary place, premises, building or group of buildings which is freely accessible to person other than employees; or any of the above which is open to the public for the purpose of conducting business or for public gatherings of any character.

SECTION 1.2 EMERGENCY POWERS

In the event of an imminent health hazard, the Director of Health may take whatever action is deemed necessary to protect public health in accordance with applicable statutes, regulations, codes and rules.

SECTION 1.3 SEVERABILITY

If any provision or application of this code is held invalid for any reason, that invalidity shall not affect other provisions or applications of the code.

SECTION 1.4 SUPPLEMENTARY PROVISIONS

In the case of any items not specifically included in this code, the Connecticut Public Health Code or applicable Public Health Statutes shall apply.

SECTION 1.5 CONFLICT OF REGULATIONS

In any case where a provision of this code is found to be in conflict with a regulation existing on the effective date of this code, then the provision which establishes the higher standard for the promotion and protection of the health and safety of people shall prevail.

SECTION 1.6 FINES AND PENALTIES

Any person who shall violate any of the provisions of this Code shall be punished by a fine of not more than one hundred dollars (\$100.00) or imprisoned not more than three months or both. Each day that such a violation occurs, shall constitute a separate violation.

SECTION 1.7 FEES

The Central Connecticut Health District Board of Health may establish reasonable fees to defray the cost of the administration and issuance of permits, licenses, approvals and other associated activities. These fees may be changed and/or added to at any regular meeting of the Central Connecticut Health District Board of Health meeting. A copy of the Fee Schedule is available from the Central Connecticut Health District, 505 Silas Deane Highway, Wethersfield, CT 06109.

SECTION 1.8 INJUNCTION

In addition to all other remedies, the Director of Health may seek to enjoin violators of this Code and of the Connecticut Public Health Code as authorized under Connecticut General Statute, Section 19a-206.

SECTION 1.9 APPEAL

Any person aggrieved by an order issued by the Director of Health may, not later than three business days after the date of receipt of such notice or order, appeal to the Commissioner of Health, who shall thereupon immediately notify the Director of Health and examine into the merits of such case, and may vacate, modify or affirm such order.

CHAPTER 2 FOOD SERVICE ESTABLISHMENTS

SECTION 2.1 DEFINITIONS

For the purpose of this chapter,

“Approved Source” means a source which complies with applicable federal, state or local regulations.

“Catering Food Service” means a food establishment which involves the sale or distribution of food and drink prepared in bulk at one geographic location for service in individual portions at another location, or which involves preparation and service of food on public or private premises not under ownership or control of the operator of such service.

“Class I, II, III, IV” – as defined by the Connecticut Public Health Code.

“Consumer Advisory” means a brochure, label statement, deli case or menu advisory targeted at vulnerable consumers who, due to certain health conditions, may be at increased risk for food borne illness when eating raw or undercooked potentially hazardous foods.

“Food” means any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use or for sale, in whole or in part, for human consumption.

“Food Service Establishment” means any place where food is prepared and intended for individual portion service and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term includes but is not limited to grocery stores, restaurants, hotels, taverns, bars, rest homes, schools, camps, industrial feeding establishments, commissaries, catering establishments or any eating place, whether fixed or mobile. The term does not include a kitchen in a private home where food is prepared or served and not offered for sale. The term does not include a bed-and-breakfast operation that prepares and offers food to the guests if such operation is owner occupied and has a total building occupant load of not more than 16 persons including the owner and occupants, and has no provisions for cooking or warming food in the guest rooms, and breakfast is the only meal offered, and placards are posted at the registration area which read “this establishment is exempt from Section 19-13-B42 of the Connecticut Public Health Code”.

“Food Facility” means any food establishment, temporary food establishment, catering food service, food store or itinerant food vending business.

“Food Preparation” means the conversion of any food product into a state ready for human consumption.

“Food Store or Grocery Store” means any place which sells or dispenses for sale at wholesale or retail any groceries, prepackaged foods, whole or bulk bakery products, whole vegetables and fruits, raw meat or fish or packaged dairy products.

“Itinerant Food Vendor” means any food establishment which serves food or drink from an approved conveyance without a fixed location and without connection to a water supply or a sewage disposal system.

“Owner” means any individual, partnership, association, corporation, company, governmental agency, club or organization of any kind, and includes the plural.

“Potentially Hazardous Food” means any food or food ingredient, natural or synthetic, that is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms, or the slower growth of *Clostridium botulinum*. The term includes but is not limited to foods of animal origin, cooked foods of plant origin, garlic in oil, cut melons and raw sprouts. The term does not include foods with a water activity of 0.85 or less and/or a pH of 4.6 or less.

“Prepackaged” means that the individual food portion is completely wrapped to preclude contamination. All prepackaged food shall be prepared and packaged in an approved food facility.

“Qualified food Operator” means a food operator employed in a full time position who has demonstrated knowledge of safe food handling techniques. A full time position means thirty (30) hours per week or the number of hours per week that the food service establishment is open for business, whichever is less. A qualified food operator will be required in those food service establishments designated as either a Class III or Class IV food service operation as defined in the Connecticut Public Health Code.

“Seasonal Establishment” means a food service establishment which is seasonal in nature and operates for a period of time not to exceed six months in any one year.

“Temporary Food Establishment” means a food service establishment that operates at a fixed location for a temporary period of time, for 14 consecutive days or less in any thirty (30) day period,, in conjunction with a carnival, circus, public exhibition, fair, festival, celebration concert, show, or similar transitory gathering, or any kind of event that is advertised and open to the general public, with or without admission fee. The term does not include events which are not advertised nor open to the general public.

SECTION 2.2 LICENSE REQUIRED

Any person, firm or corporation owning, operating or maintaining, within any city, town or political subdivision comprising the Central Connecticut Health District, any food service establishment or place where food or beverage is served to the public shall possess a valid license issued by the Health District.

SECTION 2.3 APPLICATION AND ISSUANCE OF LICENSE

- A. Any owner desiring to operate a food service establishment shall, at least ten (10) working days prior to the opening of a new food service establishment or the expiration of an existing license or the change of ownership, make written application for a license on forms provided by the Health District. Such application shall be submitted prior to start of construction, remodeling or conversion. Such application shall include, but not be limited to, the name and address of the person responsible for the operation of the food service establishment, the type and location of the food service establishment and the signature of each owner or authorized representative. If the application is for a temporary food service establishment, it shall also include the dates of the proposed operation.
- B. The application shall be accompanied by the appropriate fee.
- C. Prior to the issuance of final approval for license, the Director of Health or his authorized agent, who shall be a certified food service sanitation officer, shall inspect the food service establishment to determine compliance with the provisions of this Chapter, the Connecticut Public Health Code, any other applicable codes, regulations or statutes.
- D. The Director of Health shall issue a new license to the applicant if the inspection reveals that the food service establishment complies with the requirements of this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes. Licensed facilities must comply with the requirements of this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.
- E. All licenses shall expire on June 30 of each year, unless otherwise indicated, and may be renewed for another year upon application and payment of an annual fee, provided that the food service establishment is in compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.
- F. In the case of a transfer of ownership of an existing food service establishment to a new owner, the new owner shall submit an application for a license on forms provided by the Health District. The establishment shall be brought into compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes by correcting all violations before a license to operate can be issued. The license is not transferable.

SECTION 2.4 INSPECTIONS / RIGHT OF ENTRY

The Director of Health or his authorized agent, who shall be a certified food service sanitation officer, shall be permitted, after proper identification, to enter at any reasonable time any food service establishment for the purpose of making inspections, as deemed necessary by the Director of Health or his authorized agent, to determine compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.

The Director or his authorized agent shall be permitted to examine the records of the establishment to obtain information pertaining to food and supplies purchased, received, used or proposed to be used and persons employed or proposed to be employed, but not including financial records. By application for licensure, the owner or operator gives permission for records examination as set forth in this section.

SECTION 2.5 SUSPENSION OF LICENSE

The Director of Health may suspend any license to operate a food service establishment if the license holder does not comply with the requirements of this Chapter, the Connecticut Public Health Code or any other applicable code, regulation or statute.

In the event that the Director of Health or his duly authorized representative finds unsanitary or other conditions in the operation of the food service establishment which in his judgment constitutes a violation of this Chapter, the Connecticut Public Health Code or any other applicable code, regulation or statute, the Director of Health may issue a written notice of intent to suspend the license to the license holder or operator citing such conditions, specifying the corrective action to be taken and specifying the time period within which such action shall be taken and, if deemed necessary, order immediate correction.

If correction is not made in the stated time, the license shall be suspended and a written order issued to the owner or operator to cease the operation of the food service establishment. Food service operations shall immediately cease upon receipt of the order.

One (1) copy of the order to cease food service operations shall be posted by the owner upon the inner surface of the window of the front entrance door of the food service establishment or upon the nearest window thereto in such a manner as to be clearly visible to the general public from the exterior of such establishment. Said order to cease operations shall not be defaced or removed by any person except the Director of Health, or his authorized agent.

SECTION 2.6 REVOCATION OF LICENSE

The Director of Health may, after providing opportunity for hearing and appeal, revoke a license for serious or repeated violations of any of the requirements of this Chapter, the Connecticut Public Health Code, other applicable codes, regulations or ordinances, or for interference with the Director of Health or his authorized agent in the performance of their duties. Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation and that the license shall be revoked at the end of ten (10) days following service of such notice unless an appeal is filed with the Director of Health by the license holder within forty-eight (48) business hours of receipt of the notice. If no appeal is filed within forty-eight (48) business hours, the revocation of the license becomes final.

SECTION 2.7 SERVICE OF NOTICE

Written notices and orders provided for in this Chapter shall be deemed to have been properly served when a copy of the notice or order has been delivered personally or sent by certified mail, return receipt requested, to the owner, permit holder or person in charge of the food service establishment. Such written notices and orders shall also be deemed to have been properly served provided it has been posted on the front entrance door of the food service establishment or upon the nearest window thereto in such a manner as to be clearly visible to the general public from the exterior of the establishment. Said notice shall not be defaced or removed by any person except the Director of Health or his Authorized Agent. A copy of any such notice or order shall be filed in the records of the Director of Health.

SECTION 2.8 REINSTATEMENT OF LICENSE

- A. Suspension. Whenever a license has been suspended, the holder of the suspended license may make a written request for license reinstatement. Within ten (10) days following receipt of a written request, including a statement signed by the applicant that, in his opinion, the conditions causing the suspension have been corrected, the Director of Health or his authorized agent shall make a re-inspection. If the applicant is found to be in compliance with the requirements of this Chapter, the Connecticut Public Health Code, other applicable codes, regulations or statutes, and the conditions responsible for the suspension have been corrected, the license shall be reinstated.
- B. Revocation. After a period of thirty (30) days from the date of revocation, a written application may be made for the issuance of a new license. Procedures delineated in this Chapter for obtaining a new license shall be followed.

SECTION 2.9 APPEALS

A. The owner or operator of a food service establishment aggrieved by a written notice or any order described above may, within forty-eight (48) hours after the receipt of such notice and/or order, appeal to the Director of Health who shall thereupon immediately examine the merits of such case and may vacate, modify or affirm such written notice or order. The owner or operator of a food service establishment who is aggrieved by such action of the Director of Health may, not later than three business days after the date of receipt of such notice or order, appeal to the Commissioner of Health who shall thereupon immediately notify the authority from whose order the appeal was taken and examine the merits of such case and may vacate, modify or affirm such action in accordance with the CT General Statutes.

SECTION 2.10 SUBMISSION OF PLANS

Whenever a food service establishment is constructed or remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for the public health related aspects of such construction, remodeling or conversion shall be submitted to the Director of Health or his authorized

agent for review and approval before construction, remodeling or conversion is begun. The plans and specifications shall include, but not be limited to the menu, the proposed layout, arrangement of work and storage areas, construction materials and the type and model of proposed equipment and facilities, which must be National Sanitation Foundation (NSF) approved or its equal. The Director of Health or his authorized agent shall approve the plans and specifications, in writing, if they meet the requirements of this Chapter, the Connecticut Public Health Code and other applicable codes, regulations or statutes. No food service establishment shall be constructed, remodeled or converted except in accordance with plans and specifications approved by the Director of Health or his authorized agent.

SECTION 2.11 PRE-OPERATIONAL INSPECTIONS

Whenever plans and specifications are required by Section 2.10 of this Chapter to be submitted to the Director of Health or his authorized agent, the Director of Health or his authorized agent shall inspect the food service establishment prior to its beginning operation to determine compliance with the approved plans and specifications and with the requirements of this Chapter, the Connecticut Public Health Code and other applicable codes, regulations or statutes.

SECTION 2.12 FOOD EXAMINATIONS/HOLD ORDERS/CONDEMNATION

Food may be examined or sampled by the Director of Health or his authorized agent as often as necessary for enforcement of this Chapter or the Connecticut Public Health Code.

- A. Hold Order. The Director of Health or his authorized agent may, upon written notice to the owner or person in charge specifying with particularity the reasons therefore, place a hold order on any food or beverage which he believes is unfit for human consumption. The Director of Health or his authorized agent shall tag, label or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served or moved from the establishment.

The Director of Health shall permit storage of the food under conditions specified in the hold order unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that an appeal may be filed with the Director of Health within forty-eight (48) business hours and that if no appeal is filed, the food shall be destroyed. The Director of Health shall hold an appeal hearing, if so requested, and on the basis of evidence produced at that hearing, the hold order may be vacated or the owner or person in charge of the food may be directed, by written order, to denature or destroy such food or to bring it into compliance with the provisions of this Chapter or the Connecticut Public Health Code.

- B. Condemnation. Food shall be subject to immediate condemnation by the Director of Health when it is found to be unfit for human consumption by reason of: appearance; odor; decomposition; adulteration; contamination by exposure to fire, water, smoke or heat; lack of proper temperature maintenance; animal or insect contact; or exposure to non-food chemicals. Said action of condemnation shall only be used when, in the opinion of the Director of Health, there is substantial risk that

the suspected food would otherwise be used for human consumption, or if the license holder agrees to the grounds for the condemnation.

SECTION 2.13 FOOD FROM ESTABLISHMENTS OUTSIDE OF CENTRAL CONNECTICUT HEALTH DISTRICT

Food from food service establishments outside the jurisdiction of the Central Connecticut Health District may be sold within the Health District if such food service establishments conform to the provisions of the Connecticut Public Health Code or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the Director of Health or his authorized agent may accept reports from responsible authorities in other jurisdictions where such food service establishments are located.

CHAPTER 3 PUBLIC SWIMMING POOLS

SECTION 3.1 DEFINITIONS

For the purpose of this chapter,

“Owner” means any individual, partnership, association, corporation, company, governmental agency, club or organization of any kind, and includes the plural.

“Public Pool” means an artificial basin constructed of concrete, steel, fiberglass or other relatively impervious material intended for recreational bathing, swimming, diving or therapeutic purposes, which is located either indoors or outdoors and is provided with a controlled water supply and which is not used or intended to be used as a pool at a single-family residence. The term also includes a pool located at a single-family residence which is used or intended to be used for commercial or business purposes. The term "public pool" includes any related equipment, structures, areas and enclosures that are intended for the use of the pool patrons or pool staff such as toilet, dressing, locker, shower and pool equipment rooms.

SECTION 3.2 LICENSE REQUIRED

Any person, firm or corporation owning, operating or maintaining, within any city, town or political subdivision comprising the Central Connecticut Health District, any public swimming pool shall possess a valid license issued by the Health District.

SECTION 3.3 APPLICATION AND ISSUANCE OF LICENSE

- A. Any owner desiring to operate a public swimming pool shall, at least ten (10) working days prior to opening a new public pool or at least ten (10) working days prior to the expiration of an existing license or at least ten (10) working days prior to the change of ownership, make written application for a license on forms provided by the Health District. Such application shall include but not be limited to, the name and address of the person responsible for the operation of the public swimming pool, the type and location of the pool and the signature of each owner or authorized representative.
- B. The application shall be accompanied by the appropriate fee.
- C. Prior to the issuance of final approval for a license, the Director of Health or his authorized agent shall inspect the swimming pool to determine compliance with the provisions of this Chapter, the Connecticut Public Health Code, any other applicable codes, regulations or statutes.
- D. The Director of Health shall issue a license to the applicant if the inspection reveals that the swimming pool complies with the requirements of this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes. Licensed facilities must comply with the requirements of this Chapter, the

Connecticut Public Health Code and any other applicable codes, regulations or statutes.

- E. All licenses shall expire on April 30 of each year, unless otherwise indicated, and may be renewed for another year upon application and payment of an annual fee provided that the swimming pool is in compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.
- F. In the case of a transfer of ownership of an existing swimming pool to a new owner, the new owner shall submit an application for a license on forms provided by the Health District. The swimming pool shall be brought into compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes by correcting all violations before a license to operate can be issued. The license is not transferable.

SECTION 3.4 INSPECTIONS/RIGHT OF ENTRY

The Director of Health or his authorized agent shall be permitted, after proper identification, to enter at any reasonable time any public swimming pool for the purpose of making inspections, as deemed necessary by the Director of Health or his authorized agent, to determine compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.

SECTION 3.5 SUSPENSION OF LICENSE

The Director of Health may suspend any license to operate a public swimming pool if the license holder does not comply with the requirements of this Chapter, the Connecticut Public Health Code or any other applicable code, regulation or statute.

In the event that the Director of Health or his duly authorized representative finds unsanitary or other conditions in the operation of the public swimming pool which in his judgment constitutes a violation of this Chapter, the Connecticut Public Health Code or any other applicable code, regulation or statute, the Director of Health may issue a written notice of intent to suspend the license to the license holder or operator citing such conditions, specifying the corrective action to be taken and specifying the time period within which such action shall be taken and, if deemed necessary, order immediate correction.

If correction is not made in the stated time, the license shall be suspended and a written order issued to the owner or operator to cease the operation of the public swimming pool. The operation of the public swimming pool shall immediately cease upon receipt of the order.

One (1) copy of the order to cease the operation of the public swimming pool shall be posted by the owner upon the inner surface of the window of the front entrance door of the public swimming pool, or upon the nearest window thereto, or upon the entrance gate in such a manner as to be clearly visible to the general public from the exterior of

such facility. Said order to cease operations shall not be defaced or removed by any person except the Director of Health, or his authorized agent.

SECTION 3.6 REVOCATION OF LICENSE

The Director of Health may, after providing opportunity for hearing and appeal, revoke a license for serious or repeated violations of any of the requirements of this Chapter, the Connecticut Public Health Code, other applicable codes, regulations or ordinances, or for interference with the Director of Health or his authorized agent in the performance of their duties. Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation and that the license shall be revoked at the end of ten (10) days following service of such notice unless an appeal is filed with the Director of Health by the license holder within forty-eight (48) business hours of receipt of the notice. If no appeal is filed within forty-eight (48) business hours, the revocation of the license becomes final.

SECTION 3.7 SERVICE OF NOTICE

Written notices and orders provided for in this Chapter shall be deemed to have been properly served when a copy of the notice or order has been delivered personally or sent by certified mail, return receipt requested, to the owner, permit holder or person in charge of the public swimming pool. Such written notices and orders shall also be deemed to have been properly served provided it has been posted on the front entrance door of the public swimming pool or upon the nearest window or entrance gate thereto in such a manner as to be clearly visible to the general public from the exterior of the facility. Said notice shall not be defaced or removed by any person except the Director of Health or his Authorized Agent. A copy of any such notice or order shall be filed in the records of the Director of Health.

SECTION 3.8 REINSTATEMENT OF LICENSE

- A. Suspension. Whenever a license has been suspended, the holder of the suspended license may make a request for license reinstatement. Within ten (10) days following receipt of such request, the Director of Health or his authorized agent shall make a re-inspection. If the applicant is found to be in compliance with the requirements of this Chapter, the Connecticut Public Health Code, other applicable codes, regulations or statutes, and the conditions responsible for the suspension have been corrected, the license shall be reinstated.
- B. Revocation. After a period of thirty (30) days from the date of revocation, a written application may be made for the issuance of a new license. Procedures delineated in this Chapter for obtaining a new license shall be followed.

SECTION 3.9 APPEALS

A. The owner or operator of a public swimming pool aggrieved by a written notice or any order described above may, within forty-eight (48) hours after the receipt of such notice and/or order, appeal to the Director of Health who shall thereupon immediately examine the merits of such case and may vacate, modify or affirm such written notice or order. The owner or operator of a public swimming pool who is aggrieved by such action of the Director of Health may, not later than three business days after the date of receipt of such notice or order, appeal to the Commissioner of Health who shall thereupon immediately notify the authority from whose order the appeal was taken and examine the merits of such case and may vacate, modify or affirm such action in accordance with the CT General Statutes.

SECTION 3.10 KNOWLEDGEABLE OPERATOR

A person knowledgeable in the operation of a public swimming pool and in pool water chemistry and testing shall be on duty on the premises where the pool is located whenever the pool is open for use. Names of supervisory personnel shall be submitted to the Director of Health annually and whenever a change in such personnel occurs.

SECTION 3.11 DISINFECTION AND TESTING OF WATER

Pool water shall be disinfected by an automatic disinfectant feeder which imparts a measurable residual at all times when the pool is in use. These chemical feeders shall comply with the standards of the National Sanitation Foundation or other standards approved by the Commissioner of Health.

SECTION 3.12 RECORDKEEPING

A pool operation record including all test results shall be maintained on a daily basis by the pool operator. Immediately prior to the daily opening of the pool for use, tests shall be made to determine the amount of residual disinfectant and the pH. These tests shall be repeated at sufficient frequency during periods of bather use to assure that an adequate disinfectant level and pH value are maintained. Whenever tests indicate that an inadequate disinfectant level or inappropriate pH value is present, immediate action shall be taken to reestablish an appropriate disinfectant level and/or pH value.

SECTION 3.13 EQUIPMENT

Equipment rooms and equipment shall be kept in good repair and in a clean and sanitary condition.

SECTION 3.14 FIRST AID

Every public pool shall be equipped with an American National Red Cross standard twenty-four-unit first aid kit or equivalent. The first aid kit shall be kept filled and ready for use.

SECTION 3.15 TELEPHONES

There shall be a telephone or other suitable device for emergency communication readily available in the immediate vicinity of each pool. This telephone or device shall be on the premises where the pool is located.

SECTION 3.16 FOOD, DRINK AND ANIMALS PROHIBITED

Food, drink or animals shall not be allowed in the area of the pool.

CHAPTER 4 ROOMING UNITS

SECTION 4.1 DEFINITIONS

For the purpose of this chapter,

“**Accessory Structure**” means a subordinate building customarily incident to a principal building on the same lot.

“**Building**” means a type of structure with exterior walls, erected and framed of component structural parts, designated for the housing, shelter, enclosure and support of individuals, which contains one or more rooming units as defined herein.

“**Connecticut Building Code**” means the Building Code of the State of Connecticut.

“**Garbage**” means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

“**Infestation**” means the presence or evidence of presence within or contiguous to a structure or premises of insects, rodents, vermin or other pests.

“**Premises**” means a lot, plot or parcel of land, excluding the buildings or structures thereon.

“**Rooming Unit**” means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping purposes which is leased or rented to the public by its owner and/or its operator on a commercial or for-profit basis, including tourist courts, motels and motor courts, but excluding single-family, duplex and apartment units.

“**Rubbish**” means combustible and noncombustible waste materials, except garbage, and including the residue from burning wood, coal, coke and other combustible material; paper, rags, wood, rubber, tree branches, yard trimmings, tin cans, metal, mineral matter, glass and dust and other similar materials.

“**Tenant**” means the occupant of a rooming unit.

SECTION 4.2 APPLICABILITY

- A. Every premises and the exterior and interior portion of a building which contains a rooming unit, as defined herein, shall comply with the provisions of this code.
- B. In the event of any inconsistency between this Code and any other applicable state statute, regulation, municipal ordinance or other law, the provision which provides the greatest protection for the health, safety and welfare of the people shall prevail.

SECTION 4.3 LICENSE REQUIRED

Any person, firm or corporation owning, operating or maintaining, within any city, town or political subdivision comprising the Central Connecticut Health District, any rooming unit shall possess a valid license issued by the Health District.

SECTION 4.4 APPLICATION AND ISSUANCE OF LICENSE

- A. Any owner desiring to operate a rooming unit shall, at least ten (10) working days prior to the opening of a new rooming unit, or the expiration of an existing license, or the change in of ownership, make written application for a license on forms provided by the Health District. Such application shall include, but not be limited to, the name and address of the person responsible for the operation of the rooming unit, the type and location of the rooming unit and the signature of each owner or authorized representative.
- B. The application shall be accompanied by the appropriate fee.
- C. Prior to the issuance of final approval for license, the Director of Health or his authorized agent shall inspect the rooming unit to determine compliance with the provisions of this Chapter, the Connecticut Public Health Code, any other applicable codes, regulations or statutes.
- D. The Director of Health shall issue a new license to the applicant if the inspection reveals that the rooming unit complies with the requirements of this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes. Licensed facilities must comply with the requirements of this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.
- E. All licenses shall expire on May 30 of each year, unless otherwise indicated, and may be renewed for another year upon application and payment of an annual fee, provided that the rooming unit is in compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.
- F. In the case of a transfer of ownership of an existing rooming unit to a new owner, the new owner shall submit an application for a license on forms provided by the Health District. The rooming unit shall be brought into compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes by correcting all violations before a license to operate can be issued. The license is not transferable.

SECTION 4.5 INSPECTIONS/RIGHT OF ENTRY

The Director of Health or his authorized agent shall be permitted, after proper identification, to enter at any reasonable time any rooming unit for the purpose of making inspections, as deemed necessary by the Director of Health or his authorized agent, to determine compliance with this Chapter, the Connecticut Public Health Code and any other applicable codes, regulations or statutes.

SECTION 4.6 SUSPENSION OF LICENSE

The Director of Health may suspend any license to operate a rooming unit if the license holder does not comply with the requirements of this Chapter, the Connecticut Public Health Code or any other applicable code, regulation or statute.

In the event that the Director of Health or his duly authorized representative finds unsanitary or other conditions in the operation of the rooming unit which in his judgment constitutes a violation of this Chapter, the Connecticut Public Health Code or any other applicable code, regulation or statute, the Director of Health may issue a written notice of intent to suspend the license to the license holder or operator citing such conditions, specifying the corrective action to be taken and specifying the time period within which such action shall be taken and, if deemed necessary, order immediate correction.

If correction is not made in the stated time, the license shall be suspended.

SECTION 4.7 REVOCATION OF LICENSE

The Director of Health may, after providing opportunity for hearing and appeal, revoke a license for serious or repeated violations of any of the requirements of this Chapter, the Connecticut Public Health Code, other applicable codes, regulations or ordinances, or for interference with the Director of Health or his authorized agent in the performance of their duties. Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation and that the license shall be revoked at the end of ten (10) days following service of such notice unless an appeal is filed with the Director of Health by the license holder within forty-eight (48) business hours of receipt of the notice. If no appeal is filed within forty-eight (48) business hours, the revocation of the license becomes final.

SECTION 4.8 SERVICE OF NOTICE

Written notices and orders provided for in this Chapter shall be deemed to have been properly served when a copy of the notice or order has been delivered personally or sent by certified mail, return receipt requested, to the owner, permit holder or person in charge of the rooming unit. Such written notices and orders shall also be deemed to have been properly served provided it has been posted on the front entrance door of the main office or upon the nearest window thereto in such a manner as to be clearly visible to the general public from the exterior of the facility. Said notice shall not be defaced or removed by any person except the Director of Health or his Authorized Agent. A copy of any such notice or order shall be filed in the records of the Director of Health.

SECTION 4.9 REINSTATEMENT OF LICENSE

- A. Suspension. Whenever a license has been suspended, the holder of the suspended license may make a written request for license reinstatement. Within ten (10) days following receipt of a written request, including a statement signed by the applicant that, in his opinion, the conditions causing the suspension have been corrected, the Director of Health or his authorized agent shall make a re-inspection. If the applicant is found to be in compliance with the requirements of this Chapter, the Connecticut Public Health Code, other applicable codes, regulations or statutes, and the conditions responsible for the suspension have been corrected, the license shall be reinstated.
- B. Revocation. After a period of thirty (30) days from the date of revocation, a written application may be made for the issuance of a new license. Procedures delineated in this Chapter for obtaining a new license shall be followed.

SECTION 4.10 APPEALS

- A. The owner or operator of a rooming unit aggrieved by a written notice or any order described above may, within forty-eight (48) hours after the receipt of such notice and/or order, appeal to the Director of Health who shall thereupon immediately examine the merits of such case and may vacate, modify or affirm such written notice or order. The owner or operator of a rooming unit who is aggrieved by such action of the Director of Health may, not later than three business days after the date of receipt of such notice or order, appeal to the Commissioner of Health who shall thereupon immediately notify the authority from whose order the appeal was taken and examine the merits of such case and may vacate, modify or affirm such action in accordance with the Connecticut General Statutes.

SECTION 4.11 STANDARDS FOR ROOMING UNITS

- A. Every rooming unit shall be equipped with a complete bathroom fixture group consisting of a flush water closet, lavatory basin and bathtub or shower in good working condition and installed and maintained in a manner prescribed by the Health District, the Connecticut Public Health Code, the Connecticut Building Code and any other applicable code, regulation or Statute of the State of Connecticut. Said fixture group shall be properly connected to an approved disposal system and to an approved pressure water system.
- B. All bathroom fixtures shall be maintained in a sanitary condition.
- C. Linen, blankets, bed coverings and mattresses shall be clean and well maintained. Clean sheets and pillow cases shall be provided for each new occupant and/or provided on a weekly basis. All clean linen, blankets and other laundry shall be stored in a separate area in a sanitary and organized manner.
- D. Drinking cups provided by the management shall be either single-service throwaway-type or glass which is sanitized and wrapped at each change of occupancy.

- E. Extermination necessary to prevent infestation shall be provided by a professional exterminator registered in the State of Connecticut.
- F. All floor coverings shall be maintained in a clean and sanitary manner and in good repair.
- G. Adequate window screening shall be provided.
- H. All storage areas shall be maintained in a clean, sanitary and organized manner, free from combustible, flammable materials. Such materials shall be stored as approved by the municipal Fire Marshal.
- I. Every rooming unit shall be equipped with heating facilities which are properly installed and maintained in safe and acceptable working condition and are capable of safely and adequately heating all habitable rooms and bathrooms located therein to a minimum temperature of 65° F. Hot water shall be provided to a minimum of 110° F. as measured at the tap or discharge point.
- J. Every room occupied for sleeping purposes shall contain at least 500 cubic feet of air to each occupant over 12 years of age and at least 300 cubic feet of air for each occupant less than 12 years of age.
- K. No rooming unit may contain temporary kitchen facilities including but not limited to a hot plate or similar resistance heating coil device. The use of resistance heating coil type cooking devices, including but not limited to stoves, hot plates, electric frying pans, toasters and toaster ovens, is prohibited in rooming units. Microwave ovens and coffee makers listed by Underwriters Laboratories, Inc. and rated not to exceed 110 volts are permitted only if the owners of the property hire a licensed electrician to certify to the municipal Building Official that the existing electrical system is capable of supporting the use of additional appliances in each room.

SECTION 4.12 STANDARDS FOR ALL PREMISES

- A. All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon.
- B. All premises shall be kept free from species of weeds or plant growth which are noxious or detrimental to the public health and/or in excess of a height of six inches.
- C. All premises shall be maintained in a clean and sanitary condition, free from any accumulation of rubbish or garbage.
- D. All premises shall have sufficient containers kept secure in a sanitary condition for the disposal of garbage and rubbish.

SECTION 4.13 STRUCTURAL STANDARDS

- A. All principal and accessory buildings shall be maintained structurally sound and in good repair.

- B. Every foundation, exterior wall, roof and all other exterior surfaces shall be maintained in a workmanlike state of maintenance, and repair shall be kept in such condition as to exclude rodents. The foundation elements shall adequately support the building at all points.
- C. Every exterior and interior wall shall be free of holes, breaks, loose or rotting boards or timbers and any other condition which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All exterior and interior surface material must be adequately protected with paint, stain or siding in accordance with acceptable standards, and all siding material must be kept in good repair.
- D. Stairs and other exit facilities shall be adequate for safety, as provided in the Connecticut Building Code and shall comply with the following subsections:
 - (1) Every stair, every porch and every appurtenance attached thereto shall be constructed so as to be safe to use and capable of supporting the loads to which it is subjected, as required by the Connecticut Building Code, and shall be kept in sound condition and good repair.
 - (2) Where deemed necessary for safety, every flight of stairs which is more than two risers high shall have handrails located as required by the Connecticut Building Code, and every porch which is more than two risers high shall have handrails so located and of such design as required by the Connecticut Building Code. Every handrail and balustrade shall be firmly fastened and shall be maintained in good condition.
- E. Every window, exterior and basement hatchway shall be substantially tight and shall be kept in sound condition and repair.
- F. Every window shall be fully supplied with glass window panes or an approved substitute which are without open cracks and holes.

SECTION 4.14 ELECTRICAL STANDARDS

- A. Each rooming unit shall have electric service and outlets and/or fixtures capable of providing at least three watts per square foot of floor area and shall have at least one floor or wall type outlet for each 60 square feet or fraction thereof of floor area. In no case shall there be fewer than two outlets.
- B. Convenient switches for turning on one light in each room or passageway shall be located so as to permit the area ahead to be lighted.
- C. Every public hall and stairway in buildings containing three or more rooming units shall be adequately lighted at all times so as to provide at least six foot candles of light at the tread or floor level.
- D. Every public hall and stairway in buildings containing not more than two rooming units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed in place of full-time lighting.

SECTION 4.15 TENANT RESPONSIBILITIES

All tenants shall be responsible for maintaining the rooming unit in which he or she resides and shall exhibit a degree of personal hygiene within the rooming unit so as to maintain safe and sanitary conditions in compliance with this Chapter. At no time shall a tenant infringe upon any neighboring rooming units due to odor, vermin or any other result emanating from poor sanitary practices.