



SANTA CRUZ COUNTY HEALTH CODE

PROPOSED CHANGES

SANTA CRUZ COUNTY HEALTH SERVICES
2150 N. Congress Drive, Suite #115 - Nogales, AZ 85621

CHAPTER 1 – HEALTH PROVISIONS

Regulation 1 - Short title.

The ordinances codified herein and any future ordinances enacting rules and regulations that are adopted for inclusion herein may be cited and shall be known as the “health code.”

Regulation 2 - Scope and legal authority.

- A. The health code, adopted and contained herein, and the enforcement thereof by the Santa Cruz County Health Services Department (“department”) or any peace officer, shall be liberally construed and applied to protect the public health and prevent unhealthful or unsanitary conditions or public nuisances.
- B. These rules and regulations are adopted pursuant to Arizona Revised Statutes (A.R.S.) §§ 11-251, 36-136, 36-184, and 36-187.

Regulation 3 - Definitions.

The following definitions apply throughout the health code unless a different meaning is clearly indicated by the context or stated in the chapter of the health code where a definition appears:

- A. “A.A.C.” means Arizona Administrative Code.
- B. “A.R.S.” means Arizona Revised Statutes.
- C. "Board of Health" means the county board of health.
- D. "Board of Supervisors" means the county board of supervisors.
- E. "Certificate of approval to construct" means approval to construct or remodel a regulated establishment.
- F. “C.F.R.” means the Code of Federal Regulations.
- G. “County” means Santa Cruz County, Arizona.
- H. "Department" means the county health services department.
- I. "Fixed" means attached to the land in a physical place.
- J. “F.D.A.” means the federal Food and Drug Administration.
- K. "Health officer" means the director of the county health services department or his authorized representative.
- L. “Person” means the state, a municipality, a district or other political subdivision, a cooperative, institution, corporation, company, firm, partnership or individual
- M. “Public nuisance” is defined in A.R.S. § 36-601 and this definition is incorporated herein by reference and adopted into the health code.

- N. "Regulated establishment" means an entity required to obtain a permit issued by the department in order to conduct all or some of its operations.
- O. "Requested inspection" means a health and sanitation inspection of a non-regulated establishment requested by the establishment or a regulating agency.

Regulation 4 - Plan approval required.

The following regulated establishments are required to submit plans and specifications for the department's approval for the construction or substantial alteration of their facilities:

- A. Food establishments;
- B. Ice manufacturing or beverage plants;
- C. Food manufacturers/Food processors;
- D. Wineries, breweries, and distilleries;
- E. Public and semi-public aquatic facilities;
- F. Motels, hotels, and tourist courts;
- G. Mobile home, recreational vehicle (R.V.), and travel trailer parks;
- H. Schools and their facilities regulated by Title 9 of the Arizona Administrative Code (A.A.C.);
- I. Campgrounds and children's camps; and
- J. Private sewage collection and disposal systems.

Regulation 5 - Application for approval to construct.

- A. Before any regulated establishment constructs or enters into a contract for the construction or substantial alteration of any facility listed in Regulation 4 of this chapter of the health code, above, it must apply to the department for approval. The application must be submitted at least thirty (30) days before the proposed start date of the project and shall be accompanied by the appropriate fee and the following:
 - 1. Scaled drawings from a registered architect/engineer or drafts person of the work to be done. Sufficient detail must be shown on the drawings to make clear to the department what work is to be done. All scaled drawings may be submitted in person or electronically, with the exception of those for mobile food, limited manufacturing, and catered food sites, which must be submitted in person;
 - 2. Complete specifications to supplement the drawings; and
 - 3. Additional data as may be required by the health officer, including a design report describing the project and the basis of design, design data, and other pertinent information necessary to give the health officer a clear understanding of the work to be undertaken.

- B. When such projects involve the installation, repair, or alteration of an on-site wastewater system, the provisions of Chapter 11, Regulation 3 of the health code must be complied with and a county Septic License must be obtained.

Regulation 6 - Certificate of approval to construct.

If plans and specifications submitted to the department comply with the requirements of the health code, the health officer will issue a certificate of approval to construct. If construction is not completed within one (1) year of the certificate's date of issuance, the certificate becomes void and invalid unless a written extension of time is granted by the health officer beforehand.

Regulation 7 - Construction in compliance with approved plans.

All work shall conform to the approved plans and specifications. Should it be necessary or desirable to make any material change in the design of the approved regulated establishment which will affect the capacity, hydraulic conditions, flow, operating unit, or sanitary feature of the proposed work, the regulated establishment shall submit revised plans and specifications, together with a written statement of the reason for the change, to the health officer for review. Before any material change is undertaken by the regulated establishment, it shall first be approved by the health officer before it is undertaken. Minor revisions not affecting the capacity, hydraulic conditions, flow, operating unit or sanitary feature of the regulated establishment will be permitted during construction without further approval, however, plans clearly showing such alterations must be filed with the department at the completion of the entire project.

Regulation 8 - Access to construction sites for inspection.

- A. The regulated establishment shall permit the health officer to inspect its construction site at any time prior to the issuance of a certificate of approval to construct.
- B. The health officer is permitted to inspect any regulated establishment during construction to ensure that work on it is being completed in accordance with department approved plans and specifications.

Regulation 9 - Notification required for final inspection.

The regulated establishment shall notify the department at least ten (10) days before the work is scheduled to be completed to allow the health officer to conduct a final inspection of the work.

Regulation 10 - Extension of certificate of approval to construct.

A regulated establishment may request a six (6) month extension of the certificate of approval to construct by submitting a written request to the department and the appropriate fee. Any additional six (6) month extensions shall be requested in the same manner. The department may deny an extension if the plans no longer comply with the health code.

Regulation 11 - Operating permit required.

- A. No person shall conduct an operation or operate a regulated establishment for which a permit is required without holding the necessary and valid operating permit to do so unless this is otherwise provided for in the health code.

- B. Applicants must complete an application form provided by the department.
- C. Applicants must comply with all applicable laws, rules, and regulations.
- D. Operating permits are valid for one (1) year from the date of issuance unless they are subsequently suspended or revoked.
- E. An operating permit is not transferable from person to person, place to place, or regulated establishment to regulated establishment.
- F. Operating permits must be placed in a conspicuous location visible to the public and approved by the department.
- G. An operating permit is required for the following:
 - 1. Food establishments, including each operation of a food establishment;
 - 2. Ice manufacturing or beverage plants;
 - 3. Food manufacturers/Food processors;
 - 4. Wineries, breweries, and distilleries;
 - 5. Public and semi-public aquatic facilities;
 - 6. Motels, hotels, resorts, and tourist courts;
 - 7. Mobile home, recreational vehicle (R.V.) and travel trailer parks;
 - 8. Schools and their facilities regulated by Title 9 of the A.A.C.;
 - 9. Campgrounds and children's camps;
 - 10. Solid waste haulers; and
 - 11. Liquid and industrial waste haulers.
- H. Operating permit and late fees.
 - 1. A regulated establishment shall renew its operating permit annually and pay an annual operating permit fee prior to the expiration date of the operating permit.
 - 2. If a regulated establishment fails to renew its operating permit and pay the annual operating fee prior to the expiration date of the operating permit, the department shall assess a late payment fee against the regulated establishment in addition to the operating permit fee. The regulated establishment shall pay the annual operating permit fee and late payment fee within thirty (30) days from the expiration date of the operating permit.
 - 3. If a regulated establishment fails to pay the annual operating permit fee and late payment fee within thirty (30) days from the expiration date of the operating permit, its operating permit shall no longer be valid and the regulated establishment shall immediately cease its operations.

4. A regulated establishment holding an invalid operating permit may apply to the department for a new operating permit and it will be subject to compliance with all current applicable laws, rules, and regulations.
 5. A regulated establishment that operates without a valid operating permit may be subject to having notices posted at its entrances stating that it does not possess the mandatory operating permit. The regulated establishment shall not remove or alter these notices until it obtains a valid operating permit.
- I. The department may suspend an operating permit upon written notice to the permit holder that an immediate and imminent danger to public health exists. Where the danger to the public is not immediate and imminent, the department must provide five (5) days written notice to the permit holder of the imminent suspension of the operating permit before it is actually suspended.
 - J. A regulated establishment shall allow the health officer to inspect its facility at any time.

Regulation 12 – Fees.

- A. A regulated establishment shall pay an inspection fee to the department before the health officer conducts an inspection.
- B. The department shall assess this fee according to the current fee schedule established by the county board of supervisors.

Regulation 13 - Hearing procedure.

- A. **Notice of adverse action.** The department shall notify a regulated establishment of any adverse action that has been taken or will be taken against it by the department. In providing this notification, the department shall inform the regulated establishment of its right to appeal the department's action.
- B. **Right of appeal.** A regulated establishment adversely affected by the actions of the department may submit a request for appeal to the health officer. The request must be written and submitted within ten (10) days from the date the notice of the adverse action is provided by the department. In the event the adverse action is taken pursuant to A.R.S. § 36-601(B), the regulated establishment's time for submitting an appeal is fifteen (15) days. If the regulated establishment does not submit a timely, written request for appeal, the department's action becomes final.
- C. **Appointment of hearing officer.** Upon receiving a request for appeal, the director of the department shall appoint a hearing officer to hold a hearing on the matter within twenty (20) days from the date the director receives the timely, written request for appeal. The hearing officer shall be an impartial person trained in law and knowledgeable of the health code and any other applicable laws, rules, or regulations.
- D. **Notification of hearings.** The hearing officer shall notify a regulated establishment that has submitted a timely, written request for appeal of the date, time, and place for the hearing on the appeal.
- E. **Rights of parties at hearing.** The regulated establishment and department may appear on their own behalf or through counsel, submit evidence, and examine witnesses by direct, cross, and redirect examinations. A corporation shall appear only through counsel or a corporate officer.

- F. **Conduct of hearing.** The hearing officer shall conduct the hearing in a manner consistent with due process under the federal and Arizona constitutions and any other applicable law. Witnesses shall be sworn in before testifying and their testimony shall be recorded either by manual transcription or a recording device. The cost of transcribing such testimony shall be paid for by the party requesting the transcription. The hearing officer shall all receive relevant, probative, or material evidence and shall exclude all irrelevant, immaterial, or unduly repetitious evidence. The formal rules of evidence need not be followed. The party who initiated the appeal bears the burden of proof and it is by a preponderance of the evidence. The hearing officer may issue subpoenas pursuant to A.R.S. § 12-2212.
- G. **Hearing officer's recommendation.** Within five (5) days from the hearing's completion, the hearing officer shall submit a written recommendation to the health officer that affirms or denies the appeal. This recommendation shall contain findings of fact and conclusions of law in support of the recommendation.
- H. **Health officer's decision.** Within three (3) days of receiving the hearing officer's recommendation, the health officer shall notify the regulated establishment of his or her decision to either affirm or deny the appeal. The director's decision is final and may not be appealed.
- I. **Notice.** Whenever the department is required to provide notice, it shall provide it in a manner that is reasonably calculated under the then-existing circumstances to inform the recipient of the notice of an action that has been or will be taken against it. The department may provide notice by certified mail plus regular mail, personal service, or hand-delivery and it is effective at the time of the mailing, personal service, or hand-delivery, whichever is earlier.

Regulation 14 - Violation; Penalty.

- A. A person or regulated establishment who violates any provision of the health code is guilty of a Class 3 misdemeanor offense, as provided for by A.R.S. § 36-191, unless otherwise indicated herein or elsewhere in the A.R.S. The penalties for a misdemeanor offense are set forth in A.R.S. § 13-707.
- B. The health officer may refer a violation of the health code to a peace officer for investigation or to the county attorney's office for prosecution.
- C. The health officer may seek injunctive relief in a court of law against a person or regulated establishment that violates any provision of the health code.
- D. The health officer may proceed against a person or regulated establishment as authorized under A.R.S. § 36-602.

CHAPTER 2 – FOOD ESTABLISHMENTS

Regulation 1 - Applicability.

All food establishments in the county must comply with the Chapters 1 and 2 of the health code, the 2017 Food and Drug Administration (F.D.A.) Food Code, including Annex 1, subpart 8-903, and Annex 7, Guide 3-B, 21 Code of Federal Regulations (C.F.R.) 117, and Title 9, Chapter 8, Article 1 of the Arizona Administrative Code (A.A.C.). Any conflicts or inconsistencies between these legal authorities are resolved in the following order of priority: (1) Health code; (2) F.D.A. Food Code; (3) C.F.R.; and (4) A.A.C.

Regulation 2 - Definitions.

- A. "Annual temporary food establishment" means a temporary food establishment that may operate at multiple special events and only provides non-potentially hazardous or non-time/temperature controlled for safety (T.C.S.) food.
- B. "Commissary" means an approved fixed-food establishment that stores, prepares, portions, or packages food for service elsewhere or that provides a service area for mobile food establishments.
- C. "Farmers market" means an organized group of stalls or booths where farmers or other vendors sell their produce or food products directly to consumers.
- D. "Micro market" means an unattended food establishment where commercially prepackaged T.C.S. food, or ready-to-eat fruits and vegetables are offered for sale to employees of a business.
- E. "Mobile food establishment" means a food establishment that is designed to be readily moveable and mounted on a motorized vehicle frame or vehicle-drawn, a pushcart, or a structure that is not permanently attached to the land.
- F. "New establishment" means an establishment that is new, an existing establishment that has changed ownership, or an establishment that has been closed for more than six (6) months and has changed ownership.
- G. "Pushcart" means a non-self-propelled vehicle that is limited to serving ready-to-eat foods.
- H. "Ready-to-eat foods" means food that that is normally eaten in its raw state or any other food, including a processed food, for which it is reasonably foreseeable that the food will be eaten without further processing that would significantly minimize biological hazards.
- I. "Re-inspection" means an inspection to check whether violations of the health code or any other applicable law have been corrected.
- J. "Routine inspection" means a comprehensive inspection determining compliance with all aspects of the health code and any applicable law.
- K. "Seasonal food establishment" means a temporary food establishment that operates for a period of no more than four (4) months on a predetermined schedule in conjunction with a single or regular event at a single location.
- L. "T.C.S. food" means food that is time and temperature controlled for food safety.

- M. "Temporary food establishment" means a food establishment that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event.

Regulation 3 - Mobile food establishments; Generally.

A. Construction requirements.

1. Exterior.

- a. A mobile food establishment must permanently affix the business name to at least two (2) structural sides of the unit in four (4) inch or taller lettering. The business name must be clearly visible to the consumer at the service window, at any entrance to the mobile food establishment, and on at least one (1) other side of the establishment.
- b. Food service openings are limited to two hundred and sixteen (216) square inches each (e.g., twelve [12] inches tall x eighteen [18] inches wide), and must be equipped with a screen (sixteen [16] mesh per square inch minimum) or solid door that must be closed when not in use. Multiple service openings must be at least eighteen (18) inches apart from each other.
- c. All waste disposal connections must be of different size or type than those used for supplying potable water. The waste connection must be located lower than the water inlet connection to prevent contamination of the potable water system. Wastewater outlets must be greater than one (1) inch and potable water inlets must be no larger than three-quarters (3/4) of an inch unless otherwise approved by the department. Potable water system inlets must be capped when not in use.
- d. All exterior water system connections must include an approved backflow prevention device.

2. Interior.

- a. The cab or driving portion must be completely separated from the food preparation and serving areas by a wall or door.
- b. Doors to the food preparation and serving areas must be self-closing and kept closed.
- c. A three-compartment sink equipped with two integral metal drain boards must be permanently installed. Each compartment must either be at least twelve (12) inches wide, twelve (12) inches long, and ten (10) inches deep or ten (10) inches wide, fourteen (14) inches long, and ten (10) inches deep, and each drain board must be at least one hundred and forty-four (144) square inches. A metal shelf may be used instead of one (1) drain board, if approved by the department.
- d. A self-contained hand washing sink of at least nine (9) inches wide, nine (9) inches long, and five (5) inches deep with integral splash-guards must be permanently installed with a potable water tank with a minimum ten (10) gallon capacity and fifteen (15) percent greater capacity waste tank. The flow rate of hot and cold water to the sink basin must be at least one-half (1/2) gallon per minute.
- e. Interior walls and ceilings must be light in color.

- f. A pressurized potable water system, supplying hot and cold water, with a minimum capacity of thirty (30) gallons, must be permanently installed. A liquid waste storage tank with a capacity at least fifteen (15) percent larger than the potable water storage tank is required for all mobile food establishments serving any open food or drink. This provision does not apply to pushcarts.

B. Additional operating permit requirements.

1. Mobile food establishments must operate from an approved commissary and provide a commissary agreement to the department as a part of the documents submitted during a plan review for a new permit, at permit issuance or renewal, and upon request of the department or health officer. Trucks and pushcarts that only sell or dispense individually packaged, commercially processed items from an approved source are exempt from providing a commissary agreement.
2. Mobile food establishments must notify the department of any substantial changes to their daily operations within one (1) week of the change. A global tracking device must be permanently installed on the mobile unit.
3. Mobile food establishments serving T.C.S. food must log their visits to the approved commissary or fixed food establishment. The log must be in a format approved by the department and kept with the commissary at all times.

C. Operations.

1. Mobile food establishments must report at least daily to their approved commissary for supplies, food storage, vehicle and equipment cleaning, waste disposal, and service operations.
2. T.C.S. food must be prepared on the same day of sale or service. T.C.S. food must not be held over from a previous day's operation unless otherwise approved by the department. Time without temperature control may not be used by mobile food establishments.
3. Food preparation must be limited to cooking, reheating, or assembling ingredients that have been prepared at the commissary.
4. All food preparation and storage must be done at the commissary or inside the mobile unit unless the department approves a deviation from this rule.
5. When in transit, all windows and vents to the food preparation area must be closed and all food must be completely covered or wrapped or placed in closed containers.
6. All tea except instant tea must be brewed with boiling water.
7. Food offered for self-service must be wrapped or packaged in a manner that prevents contamination.
8. Ice for consumption or ice that contacts food must be made from potable water.
9. Bacon-wrapped hotdogs must be pre-wrapped at the commissary.
10. Mobile food establishments must not reuse consumer service ware.

11. Mobile food establishments must not connect to water or waste water systems except during servicing operations at a commissary or as approved by the department.
12. All water tanks, pumps and hoses must be flushed and sanitized before being placed in service after construction, repair, modification, or periods of non-use longer than seven (7) days. Potable water tanks must be flushed and sanitized monthly.
13. Wastewater holding tanks must be emptied into an approved sewage disposal system.
14. The potable water tank must be filled using an approved food grade potable water hose that is not used for any other purpose.
15. Grease must be disposed of in a manner approved by the department (e.g., using a tallow company or storing and disposing the greasing at a landfill).
16. When a mobile food establishment operates at the same site for more than two (2) hours, sanitary toilet facilities for employees must be available within two hundred (200) feet of the unit. Mobile food establishments located further than two hundred (200) feet from a sanitary toilet must provide a portable toilet unit for employees.
17. Mobile food establishments selling or dispensing open food or beverages must provide employees with hot and cold potable water, hand washing soap, and sanitary towels.
18. The operating area must be kept clean and free from refuse at all times.
19. A mobile food establishment must not be located within one hundred (100) feet of a petting, riding, or holding area for animals unless dust and runoff are controlled.

D. Commissary.

1. All commissaries, including qualifying restaurants, must obtain a permit as a commissary.
 2. A commissary located outside of the county must provide a copy of its current operating permit issued by the applicable health services department (or its equivalent) and a copy of a health inspection report issued by its regulatory authority within the previous six (6) months.
 3. A commissary may service a limited number of mobile food establishments. The health officer determines the maximum number of mobile food establishments that a commissary is able to support based on the menu items, volume of food being prepared or stored, capacity of the commissary equipment, and capacity of the mobile unit equipment.
4. Reports.
- a. A commissary must submit reports to the department disclosing the names, addresses, and operating license numbers of all mobile food establishments using the commissary in accordance with the following schedule:
 - i. Monthly and annually at the time of permit renewal for the commissary;

- ii. Within ten (10) days after a commissary adds or removes a mobile food establishment; and
 - iii. Upon request by the department or health officer.
 - b. Failure to submit any report to the department is grounds for the revocation of the commissary's operating permit.
5. Servicing area.
- a. A commissary must provide a servicing area for the mobile food establishment. Within the servicing area, separate areas must be provided for:
 - i. Flushing and drainage of liquid wastes;
 - ii. Potable water servicing; and
 - iii. Loading and unloading of food and related supplies.
 - b. The surfaces in the servicing area must be constructed of smooth non-absorbent material, such as concrete or machine-laid asphalt, and must be maintained in good repair, kept free of visible dirt and debris, and graded to drain.
 - c. If the servicing area has walls, they must be maintained in good condition and kept sanitary.
 - d. Potable water servicing equipment must be installed according to applicable plumbing requirements and must be stored and handled in a way that protects the water and equipment from contamination.

Regulation 4 - Temporary, seasonal, and farmers market food establishments.

A. Available permits.

- 1. A food establishment may obtain a temporary, seasonal, or annual temporary permit based on the duration and location of its operations. Annual temporary permits are limited to non-potentially hazardous food or non-T.C.S. food.
- 2. A food establishment offering only food samples may obtain a temporary, seasonal, or annual temporary sampling permit.
- 3. A food establishment or an event coordinator may obtain a permit fee reduction for an event organized by a non-profit 501(c)(3) organization that provides an attestation that a portion of the profits will be reinvested in future development of the event or be used to benefit the local community.

B. Permit duration and location limitations.

- 1. Temporary permits are valid for up to fourteen (14) days and for a single location and event.
- 2. Seasonal permits are valid for up to one hundred and twenty (120) days and for a single location and event.

3. Annual permits are valid for up to one (1) year and for multiple locations.
4. A food establishment must apply for a permit at least fourteen (14) days prior to an event to avoid a late fee.

C. Restricted Operations.

1. Food preparation is limited to cooking, reheating, or assembling ingredients that have been prepared in a fixed-food establishment that has a current operating permit or is otherwise approved by the department.
2. A food establishment utilizing a commissary or food establishment located outside of the county must provide the department with a copy of its current operating permit issued by the applicable health services department (or its equivalent) and an inspection report issued by its regulatory authority within the past six (6) months.
3. T.C.S. food must be prepared on the same day of sale or service. T.C.S. food must not be held over from a previous day's operation unless otherwise approved by the department. Time without temperature control may not be used.
4. Menu items are limited to those listed on the operating permit application.

D. Minimum structural requirements.

1. Overhead protection.
 - a. A food establishment must have overhead protection from the weather.
2. Floors.
 - a. Floors must be constructed of concrete, asphalt, tight wood, or some other cleanable material and kept in good repair.
 - b. Dirt or gravel, when graded to drain, may be used as sub-flooring when covered with a removable platform or heavy tarp material that is kept clean.
3. Walls.
 - a. Food establishments must have the capacity to erect walls when necessary to protect food from blowing dust, insects, and any other possible contaminants.

E. Equipment.

1. Equipment must be located and installed to prevent food contamination and facilitate cleaning.
2. Cooking equipment may be located outside the overhead protection if required by the fire department.

F. Ware-washing.

1. A three (3) bin setup is required for the washing, rinsing, and sanitizing of utensils and equipment on site.

2. Acceptable sanitizers include chlorine, quaternary ammonia, or iodine. Test strips must be available to check the concentration of the sanitizer.
3. A food establishment that does not have such a ware-wash setup must possess sufficient quantities of food preparation and service items to avoid reuse of contaminated items.

G. Water.

1. All water must be potable.
2. Food establishments must have sufficient hot water for hand washing, and for cleaning and sanitizing equipment.
3. When the distribution system for the potable water is by a hose conveyance, the hose must be a "food grade" hose that has not been used for any other purpose.
4. Proper backflow prevention must be provided.

H. Waste.

1. All sewage, including liquid waste, must be disposed of according to applicable law.
2. A mobile unit may not be connected to a fixed water supply unless the unit uses a sanitary sewage disposal system.
3. All connections must prevent the potential of cross-connection.

I. Hand washing.

1. A convenient hand washing station with warm running water, soap, individual paper towels, and a waste container must be available for food service worker hand washing. The hand washing station must be set up and operational prior to food service workers handling food or utilizing food contact surfaces. The station must be designated for hand washing only and must be accessible at all times. Multiple hand washing stations may be required if the booth is large or has several food service workers.
2. Gravity flow hand washing stations must have an off/on function allowing the water to run without constant pressure at the point of water discharge.
3. Food establishments operating under an annual permit must provide a hand sink capable of generating pressurized hot water with integral waste water collection.

J. Food storage and protection.

1. Food must be transported and stored in a manner to protect it from cross-contamination and maintain its temperature within the T.C.S. food parameters.
2. Ice used for food storage must either be stored in containers that drain continuously or are drained as often as necessary to prevent the accumulation of water and to prevent the mouth contact point of any canned or bottled beverage from submersion.

3. Food must be served in a manner that protects it from contamination by the consumer.

K. Food samples.

1. All unwrapped food products that have not been distributed by the end of the business day must be discarded.
2. No public self-service sampling is allowed. Each sample must be handed to the customer or placed in single-service containers.
3. A physical barrier, such as an approved sneeze guard, must be in place at the sampling area to prevent contamination of any samples left exposed to the public.
4. Only single-service utensils and containers may be used for serving samples.
5. A lined waste container that is easily accessible to the public must be provided at the sampling area.

Regulation 5 – Food manufacturer/Food processor

All food manufacturers/food processors in the county must comply with the health code, 21 C.F.R. 117, and Title 9, Chapter 8, Article 1 of the A.A.C. Any conflicts or inconsistencies are resolved in the following order of priority: (1) Health code; (2) 21 C.F.R. 117; and (3) A.A.C.

Regulation 6 - Food safety certification and training.

- A. All food establishments must have a person in charge on the premises during all times of operation. These employees must be certified by the American National Standards Institute (A.N.S.I.)/ASTM International Standard E2659-09
- B. All food employees must have food handler training and the documentation may be shown by the following:
 1. A valid Food Employee certificate, or identification card, issued by another county within the State of Arizona; or
 2. A valid Food Employee certificate of successful completion of a food handler training course given by the Department; or
 3. A valid Food Employee certificate of successful completion of a third party food handler training course that meets all State of Arizona statutory requirements, including compliance with the American National Standards Institute/ASTM International Standard E2659-09.
- C. A certificate issued under paragraphs 2 and 3 of Regulation 6 B, shall expire three (3) years from the date of issue.

Regulation 7 - Enforcement.

- A. Any of the following incidents or circumstances shall result in the immediate closure of a food establishment by the department:

1. Sewage back up in the food preparation, cleaning, sanitizing, or food service areas;
2. Failure to appropriately retain or dispose of sewage;
3. Interruption of electrical or water service for more than one (1) hour;
4. Inability to maintain T.C.S. food at proper temperatures;
5. Lack of functional hand washing facilities;
6. Apparent onset of a foodborne illness outbreak;
7. Flooding;
8. Fire or activation of a fire suppression system;
9. Use of poisonous or toxic materials that result in contamination of food or food contact surfaces;
10. For fixed food and mobile food establishments, lack of hot water under pressure for more than twenty-four (24) hours;
11. For a temporary, seasonal, or farmers market food establishments, a priority item violation that cannot be corrected during the department's inspection; or
12. Any grossly unsanitary condition or circumstance that may endanger public health.

B. Violations that result in probationary status:

1. Five (5) or more priority or priority foundation violations during an inspection.
2. A pattern of non-compliance, which means:
 - a. Three (3) violations of a priority or priority foundation item in the same risk factor; or
 - b. Four (4) violations of the same good retail practices within six (6) routine inspections or re-inspections.
3. Willfully obstructing or failing to cooperate with an inspection.

C. Within ten (10) days of being placed on probationary status a food establishment must:

1. Correct all violations;
2. Provide a written corrective action plan showing, for each of the violations identified, the actions it will take or has taken to correct the violations and to prevent future violations;
3. Register staff identified by the department to take a department-taught food service worker training at the food establishment's expense;
4. Pass a re-inspection; and

5. Pay a fine of one hundred and ninety dollars (\$190.00) for an initial probationary status or three hundred and eighty dollars (\$380.00) for a second probationary status within twelve (12) months.

D. Revocation of operating permit; New operating permit required.

1. A food establishment that fails to either satisfy the requirements in subsection C or a written accommodation from the department that allows it to keep its permit shall have its operating permit revoked.
2. A food establishment whose operating permit has been revoked must obtain a new operating permit and meet all current code requirements. An owner who has an operating permit revoked more than two (2) times during a three (3) year period is ineligible for a new operating permit.

E. Public Display of Grade Cards:

1. Upon initial inspection of a food establishment or if a renovation or other change in the establishment makes the grade card inconspicuous, the regulatory authority shall designate the location for posting the grade card. The grade card shall be located in a conspicuous place where it may be readily observed by the public upon entering the food establishment. If the person in charge of the food establishment objects to the location designated by the regulatory authority then the person in charge may suggest an alternative location which meets the criteria of this Rule.
2. When an inspection of a food establishment is made, the regulatory authority shall remove the existing grade card, issue a new grade card, and post the new grade card in the same location where the grade card was previously posted as long as that location remains conspicuous. The person in charge of the food establishment shall keep the grade card posted at the designated location at all times. The grade card may be posted in another location which meets the criteria of this Rule if agreed upon by the person in charge and the regulatory authority.
3. On a mobile food unit and pushcart, the grade card shall be located where it is visible to the public when purchasing food. The grade card shall be maintained on the mobile food unit and pushcart and may be removed during transport to operating locations and the person in charge shall repost the grade card in the original location prior to commencing operation.

F. Inspections and Re-inspections:

1. Upon entry into a food establishment, the regulatory authority shall provide identification and the purpose in visiting that establishment. The regulatory authority shall inquire as to the identity of the person in charge and invite the person in charge to accompany the regulatory authority during the inspection. If no employee is identified as the person in charge, the regulatory authority shall invite an employee to accompany the regulatory authority on the inspection. Following the inspection, the regulatory authority shall offer to review the results of the inspection with the person in charge or employee, as applicable.
2. The grading of food establishments shall be conducted using an inspection form furnished by the regulatory authority. The form shall provide for the following information:

- a. The name and mailing address of the food establishment
 - b. The name of the permit holder;
 - c. The permit status and score given;
 - d. Standards of construction and operation;
 - e. An explanation for all points deducted;
 - f. The signature of the regulatory authority; and
 - g. The date.
3. The grading of food establishments shall be based on the standards of operation and construction as set forth in **(SCCHC Chapter 1 Regulation 4 and 5)**
4. The Food Establishment Inspection form shall be used to document points assessed for violation of the rules of this Section as follows:
- a. Violation of Chapter 2 of the Food Code as related to person in charge present, certification by accredited program or performs duties shall equal no more than 2 points.
 - b. Violation of Chapter 2 of the Food Code as related to management awareness, policy present, and allergy awareness shall equal no more than 3 points.
 - c. Violation of Chapter 2 of the Food Code as related to proper use of reporting, restriction, and exclusion shall equal no more than 3 points.
 - d. Violation of Chapters 2 and 3 of the Food Code as related to proper eating, tasting, drinking, or tobacco use shall equal no more than 2 points.
 - e. Violation of Chapter 2 of the Food Code as related to no discharge from eyes, nose, and mouth shall equal no more than 1 point.
 - f. Violation of Chapter 2 of the Food Code as related to hands clean and properly washed shall equal no more than 4 points.
 - g. Violation of Chapter 3 of the Food Code as related to no bare hand contact with ready-to-eat food or approved alternate method properly followed shall equal no more than 3 points.
 - h. Violation of Chapters 5 and 6 of the Food Code as related to handwashing facilities supplied and accessible shall equal no more than 2 points.
 - i. Violation of Chapters 3 and 5 of the Food Code as related to food obtained from an approved source shall equal no more than 2 points.
 - j. Violation of Chapter 3 of the Food Code as related to food received at proper temperature shall equal no more than 2 points.
 - k. Violation of Chapter 3 of the Food Code as related to food in good condition, safe, and unadulterated shall equal no more than 2 points.
 - l. Violation of Chapter 3 of the Food Code as related to required records available, shell-stock tags, and parasite destruction shall equal no more than 2 points.
 - m. Violation of Chapter 3 of the Food Code as related to food separated and protected shall equal no more than 3 points.
 - n. Violation of Chapter 4 of the Food Code as related to food-contact surfaces cleaned and sanitized shall equal no more than 3 points.
 - o. Violation of Chapter 3 of the Food Code as related to disposition of returned, previously served, reconditioned, and unsafe food shall equal no more than 2 points.
 - p. Violation of Chapter 3 of the Food Code as related to cooking time and temperatures shall equal no more than 3 points.

- q. Violation of Chapter 3 of the Food Code as related to reheating for hot holding shall equal no more than 3 points.
- r. Violation of Chapter 3 of the Food Code as related to cooling time and temperatures shall equal no more than 3 points.
- s. Violation of Chapter 3 of the Food Code as related to hot holding temperatures shall equal no more than 3 points.
- t. Violation of Chapter 3 of the Food Code as related to cold holding temperatures shall equal no more than 3 points.
- u. Violation of Chapter 3 of the Food Code as related to date marking and disposition shall equal no more than 3 points.
- v. Violation of Chapter 3 of the Food Code as related to time as a public health control procedures and records shall equal no more than 2 points.
- w. Violation of Chapter 3 of the Food Code as related to consumer advisory provided for raw or undercooked foods shall equal no more than 1 point.
- x. Violation of Chapter 3 of the Food Code as related to pasteurized foods used and prohibited foods not offered shall equal no more than 3 points.
- y. Violation of Chapter 3 of the Food Code as related to food additives approved and properly used shall equal no more than 1 point.
- z. Violation of Chapter 7 of the Food Code as related to toxic substances properly identified, stored, and used shall equal no more than 2 points.
- aa. Violation of Chapters 3, 4 and 8 of the Food Code as related to compliance with variance, specialized process, and HACCP plan shall equal no more than 2 points.
- bb. Violation of Chapter 3 of the Food Code as related to pasteurized eggs used where required shall equal no more than 1 point.
- cc. Violation of Chapters 3 and 5 of the Food Code as related to water from an approved source shall equal no more than 2 points.
- dd. Violation of Chapter 8 of the Food Code as related to variance obtained for specialized processing methods shall equal no more than 1 point.
- ee. Violation of Chapters 3 and 4 of the Food Code as related to proper cooling methods used or adequate equipment for temperature control shall equal no more than 1 point.
- ff. Violation of Chapter 3 of the Food Code as related to plant food properly cooked for hot holding shall equal no more than 1 point.
- gg. Violation of Chapter 3 of the Food Code as related to approved thawing methods used shall equal no more than 1 point.
- hh. Violation of Chapter 4 of the Food Code as related to thermometers provided and accurate shall equal no more than 1 point.
- ii. Violation of Chapter 3 of the Food Code as related to food properly labeled or original container shall equal no more than 2 points.
- jj. Violation of Chapters 2 and 6 of the Food Code as related to insects and rodents not present or no unauthorized animals or persons shall equal no more than 2 points.
- kk. Violation of Chapters 3 and 6 of the Food Code as related to contamination prevented during food preparation, storage, and display shall equal no more than 2 points.
- ll. Violation of Chapter 2 of the Food Code as related to personal cleanliness shall equal no more than 1 point.
- mm. Violation of Chapters 3 and 4 of the Food Code as related to wiping cloths properly used and stored shall equal no more than 1 point.
- nn. Violation of Chapters 3 and 7 of the Food Code as related to washing fruits and vegetables shall equal no more than 1 point.

- oo. Violation of Chapter 3 of the Food Code as related to in-use utensils properly stored shall equal no more than 1 point.
 - pp. Violation of Chapter 4 of the Food Code as related to utensils, equipment, and linens properly stored, dried and handled shall equal no more than 1 point.
 - qq. Violation of Chapter 4 of the Food Code as related to single-use and single-service articles properly stored and used shall equal no more than 1 point.
 - rr. Violation of Chapter 3 of the Food Code as related to gloves used properly shall equal no more than 1 point.
 - ss. Violation of Chapters 3 and 4 of the Food Code as related to equipment, food and non-food contact surfaces approved, cleanable, properly designed, constructed and used shall equal no more than 2 points.
 - tt. Violation of Chapter 4 of the Food Code as related to ware-washing facilities installed, maintained, used, and test strips shall equal no more than 1 point.
 - uu. Violation of Chapter 4 of the Food Code as related to non-food contact surfaces clean shall equal no more than 1 point.
 - vv. Violation of Chapter 5 of the Food Code as related to hot and cold water available and adequate pressure shall equal no more than 2 points.
 - ww. Violation of Chapter 5 of the Food Code as related to plumbing installed and proper backflow devices shall equal no more than 2 points.
 - xx. Violation of Chapter 5 of the Food Code as related to sewage and wastewater properly disposed shall equal no more than 2 points.
 - yy. Violation of Chapters 5 and 6 of the Food Code as related to toilet facilities properly constructed, supplied, and cleaned shall equal no more than 1 point.
 - zz. Violation of Chapters 5 and 6 of the Food Code as related to garbage and refuse properly disposed and facilities maintained shall equal no more than 1 point.
 - aaa. Violation of Chapters 4 and 6 of the Food Code as related to physical facilities installed, maintained, and clean shall equal no more than 1 point.
 - bbb. Violation of Chapters 4 and 6 of the Food Code as related to meets ventilation and lighting requirements and designated areas used shall equal no more than 1 point.
 - ccc. Violation of A.R.S. 36-601.01 Smoke Free Arizona in compliance or out of compliance.
5. In filling out the inspection form, points may be deducted only once for a single occurrence or condition existing within or outside of the food establishment. Deductions shall be based on actual violations of the rules of this Section observed during the inspection. The regulatory authority shall take zero, one-half, or a full deduction of points depending upon the severity or the recurring nature of the core item violations. Priority items or priority foundation items may be corrected during the inspection and no more than one-half of the total point value shall be deducted when the violation meets the following criteria:
- a. The priority item or priority foundation item violation was not documented on the previous inspection; and
 - b. Correction of the item is documented on the inspection form.
6. At the time of inspection, if a priority item or priority foundation item violation is observed and not corrected, the regulatory authority shall take one-half or a full deduction of points depending upon the severity or the recurring nature of the violation. The regulatory authority shall specify a time frame of no more than ten (10) calendar days to correct the priority items or priority foundation items.

7. In determining whether items or areas of a food establishment are clean for purposes of enforcing the rules set forth in this Section and grading a food establishment, the regulatory authority shall consider, among other things:
 - a. The age of the accumulated material;
 - b. The relative percentage of items which are clean and not clean;
 - c. The cleaning practices of the food establishment; and
 - d. The health risk posed by the circumstances.
8. Upon request of the permit holder or his or her representative and after all applicable re-inspection fees have been paid, a re-inspection shall be made. In the case of a food establishment that requests an inspection for the purpose of raising the grade, and that holds an unrevoked permit, the regulatory authority shall make an unannounced inspection within fifteen (15) days from the date of the request.
9. In the case of food establishments that have been closed for failure to comply with the rules of this Section, a re-inspection to consider the issuance or reissuance of a permit shall be made at the earliest convenience of the regulatory authority once all applicable re-inspection fees have been paid.

G. Grading:

1. The grading of food establishments is based on a system of scoring. A food establishment that earns a score of at least:
 - a. 90 percent shall receive a grade of Excellent;
 - b. 80 percent and less than 90 percent shall receive a grade of Good;
 - c. 70 percent and less than 80 percent shall receive a grade of Satisfactory;
 - d. 69 percent and less shall receive a grade of Probationary;

Permits shall be issued a probationary status in accordance with **[SCCHC Chapter 2, Regulation 7(B)]** for food establishments receiving a score of less than 70 percent.

2. The posted grade card shall be black on a white background. All graphics, letters, and numbers for the grade card shall be approved as meeting the standards in this Paragraph by the department. The rating shall be 1 inch in height. No other public displays representing sanitation level of the establishment may be posted by the regulatory authority, except for sanitation awards issued by the local health department. Sanitation awards shall be in a different color and size from the grade card and must be labeled as an award.

H. Suspension and reinstatement of permits for temporary, seasonal, or farmers market food establishments.

1. An operating permit will be suspended where priority or priority foundation violations are not corrected immediately.
2. The operating permit will be reinstated upon successful re-inspection by a health officer.

Regulation 8 – Micro-market requirements; General.

- B. A micro-market may only be located where access can be limited to employees of the business.
- C. The area of a micro-market in which food is displayed is limited to three hundred (300) square feet or less.
- D. All micro-market display units must be certified by an A.N.S.I.-accredited certification program and comply with the National Automatic Merchandising Association Standards (N.A.M.A.S.).
- E. All micro-market display units offering T.C.S. food must have a self-closing door and an automatic shut-off that prevents the equipment from opening when there is a power failure, mechanical failure, or other condition that prevents food from being maintained at safe temperatures. After any automatic shut-off occurs, the equipment may not be used until the equipment is serviced and restocked with food that has been maintained at safe temperatures.
- F. Pre-packaged food items must be appropriately labeled in accordance with § 3-602.11 of the F.D.A. Food Code.

Regulation 9 – Pet friendly patio; General.

- A. A food establishment must obtain a pet friendly patio permit before animals, other than service animals, are allowed in or on the food establishment premises. To obtain a pet friendly patio permit a food establishment must have the following:
 - 1. Separate entrance to the pet friendly patio from the exterior of the food establishment; and
 - 2. Sign with at least one-half (1/2) inch letters stating, “Pet Friendly Patio – Access only through outdoor patio,” posted at the front entrance of the food establishment and easily visible to the public.
- B. A food establishment with a pet friendly patio must comply with the following requirements:
 - 1. No food may be prepared in the pet friendly patio, including mixing drinks and serving ice, however, a beverage glass may be filled in the outdoor patio area from a pitcher or other container that has been filled inside the food establishment.
 - 2. The pet friendly patio must be continuously kept free of visible pet hair, dander, and other pet-related waste and debris.
 - 3. The pet friendly patio must be hosed down or mopped and sanitized with animal-friendly chemicals at the beginning of each shift during which food or beverages are served (breakfast, lunch, dinner, or late hours). If a food establishment has continuous food or beverage service without designated shifts, the pet friendly patio must be hosed down or mopped, and sanitized with animal-friendly chemicals every six (6) hours that the food establishment is open for business, however, such cleaning is not required if no pet has been present on the pet friendly patio since the last cleaning.
 - 4. Waste created from a pet’s bodily functions must be immediately cleaned-up with animal-friendly chemicals. The food establishment must provide bags and a bag-lined fly-tight container for the use by customers for pet waste disposal. The contents of the fly-tight

container must be disposed of outside of the food establishment in an appropriately covered waste receptacle.

5. Equipment used to clean the pet friendly patio must be kept separate from other cleaning equipment and must not be used in other areas of the food establishment.
6. Employees must not touch or otherwise handle a pet while serving food or beverages or handling tableware.
7. Customers must keep all pets on a short leash or inside of a pet carrier and remain in control of the pets while the pets are in the pet friendly patio.
8. Pets are not allowed on any seat, chair, table, countertop, or similar surface or on a customer's lap while the pets are in a pet friendly patio.
9. Pets shall not be allowed to have contact with re-useable food service dishes or utensils. Pets shall only have contact with disposable single-service containers or pet-owner provided containers that provide food and water to the pets.
10. All pet friendly patio surfaces shall be constructed of materials that are smooth, durable, and easily cleanable.

Regulation 10 – Latex gloves.

Latex gloves may not be used in direct contact with food.

Regulation 11 – Violation; Penalty.

A person violating any provision of the health code is subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.

CHAPTER 3 - AQUATIC HEALTH CODE

Regulation 1 - Adoption of aquatic health code.

Title 9, Article 8, §§ 801 through 813 of the A.A.C., including all revisions, technical corrections, and published supplements thereto, are hereby adopted as the county aquatic health code and incorporated herein by reference for the purposes of regulating the management and operation of aquatic facilities or venues, public or semi-public swimming pools or spas (including spa pools and hot tubs), and bathing places, issuing permits, and collecting permit fees, subject to the additions, insertions and changes set forth in Rule 2 below.

Regulation 2 - Insertions and changes.

A. Specific definitions noted below in A.A.C. § R9-8-801 are modified or added as follows:

1. "Aquatic facility" means a physical place that contains an aquatic venue and its support infrastructure.
2. "Aquatic venue" means an artificially constructed structure or modified natural structure where the general public is exposed to water intended for recreational or therapeutic purpose. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. Examples include public or semi-public swimming pools or spas (including spa pools and hot tubs), wading pools, wave pools, lazy rivers, surf pools, waterslides, landing pools, spray/splash pads, and other interactive water venues.
3. "Barrier" means a fence, wall, building, or landscaping that obstructs access to an aquatic facility or venue or a public or semi-public swimming pool or spa (including spa pools and hot tubs).
4. "Enclosure" means an uninterrupted constructed feature or obstacle used to surround and secure an area in order to deter or effectively prevent unpermitted, uncontrolled, and unfettered access to the area.
5. "Qualified operator" means a person responsible for the operation and maintenance of the water and/or air quality systems and associated infrastructure of the aquatic facility who has successfully completed a department approved operator training course to operate an aquatic facility.
6. "Renovated" means a major modification to an existing aquatic facility or venue, public or semi-public swimming pool or spa (including spa pools and hot tubs), or bathing place, or any other condition that requires design approval under R18-5-203 of the A.A.C.

B. Additional Requirements.

1. Barriers and enclosures.
 - a. General requirements.

- i. All required barriers and enclosures shall be maintained to prevent unauthorized entry by persons to a protected space.
 - b. Gates and doors.
 - i. All primary public access gates or doors serving as part of an enclosure shall have functional self-closing and self-latching components.
 - ii. Required self-closing and self-latching gates and doors serving as part of a guarded enclosure may be maintained in the open position when the aquatic venue is open and staffed.
- C. Qualified operators.
 - 1. A qualified operator of an aquatic facility shall complete an operator training course approved by the department.
 - 2. A qualified operator shall have a current certificate or written documentation acceptable to the department showing completion of an operator training course.
 - a. Original or copies of the certificate or documentation for each qualified operator employed or contracted by the site shall be available at the aquatic facility for inspection by the department.
 - b. Originals of the certificate or documentation shall be made available to the department upon request.
 - 3. Qualified operator availability.
 - a. A qualified operator shall be on site or immediately available within two (2) hours during all hours of operation at an aquatic facility with a:
 - i. Public swimming pool;
 - ii. Public spa;
 - iii. Variance; or
 - iv. History of non-compliance with the health and/or aquatic health code.
 - b. All other aquatic facilities shall have a contract with a qualified operator for a minimum of two (2) visits per week and for assistance when needed.
 - c. Written documentation of these visits of contracted qualified operators shall be made available to the department upon request.

Regulation 3 - Permit required.

- A. No person shall operate an aquatic facility or venue, public or semi-public swimming pool or spa (including spa pools and hot tubs), or bathing place unless they have a valid permit to do so from

the department and are in compliance with the health and aquatic health code and any other applicable law.

- B. Before a permit to operate is issued, applicants for the permit for a newly constructed or renovated aquatic facility or venue, public or semi-public swimming pool or spa (including spa pools and hot tubs), or bathing place shall demonstrate compliance with Title 18, Chapter 5, Article 2, §§ 201 through 251 of the A.A.C., as follows:
 - 1. Providing a copy of an engineer's certificate of completion (or its functional equivalent) issued by the Arizona Department of Environmental Quality (A.D.E.Q.); or
 - 2. Obtaining an approval from the department following an inspection by the department.

CHAPTER 4 - MANUFACTURED OR MOBILE HOME PARKS AND RECREATIONAL VEHICLE (R.V.) PARKS

Regulation 1 - Scope.

All manufactured or mobile home parks and R.V. or travel trailer parks in the county shall comply with the rules and regulations adopted in Chapters 1 and 4 of the health code and Title 9, Chapter 8, Article 6 of the A.A.C.

Regulation 2 - Definitions.

All definitions adopted in Chapter 1 of the health code and the following specific definitions apply to this chapter:

- A. "Camping trailer" means a canvas folding structure mounted on wheels and designed for travel, recreation, or vacation use.
- B. "Dependent trailer" means a trailer which is dependent upon a service building for toilet and lavatory facilities.
- C. "Garbage container" means metal or approved plastic twenty (20) to thirty (30) gallon containers used to store refuse at individual premises.
- D. "Mobile home" means a transportable, dwelling unit, suitable for year-round occupancy, and containing the same water supply, waste disposal, and electrical conveniences as immobile housing.
- E. "Mobile home lot" means a parcel of land for the placement of a single mobile home and the exclusive use of its occupants.
- F. "Mobile home park" means any plot of ground upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for such accommodations, or R.V. or travel trailer parks. This definition does not apply to a parcel of land in which all mobile homes, R.V.s, or travel trailers thereon are occupied by the owner of the land and his or her immediate family or to areas that local, state, or federal governments provide for recreational purposes or overnight parking, where posted restrictions for use of such areas are provided.
- G. "Mobile home stand" means that part of a parcel of land reserved for the placement of the mobile home or its appurtenant structures and/or additions.
- H. "Motor home" means a portable, temporary dwelling used for travel, recreation, or vacation, constructed as an integral part of a self-propelled vehicle.
- I. "Pick-up coach" means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, or vacation.
- J. "Plumbing" or "plumbing systems" means all potable water supply and distribution pipes, plumbing fixtures and traps, drainage and vent pipes, or building drains and shall include their respective joints and connections, devices, receptacles, or appurtenances within the proper lines of the premises, and shall also include potable water piping and water heaters and their vents.
- K. "Recreational vehicle" or "R.V." has the same meaning as in A.R.S. § 33-2102.

- L. "Refuse" means putrescible and non-putrescible solid and semi-solid waste except human excreta and includes garbage, rubbish, ashes, manure, street cleanings, dead animals, abandoned automobiles, and industrial wastes.
- M. "Refuse containers" or "rubbish containers" means covered metal containers of a size of one-half (1/2) of a cubic yard or larger, which may be owned by the owner of a parcel of land or a refuse collection agency.
- N. "Sanitary station" means a facility used for removing and disposing of waste from trailer holding tanks.
- O. "Self-contained trailer" means a trailer which can operate independently of connections to sewer, water, and electric systems. It contains a water-flushed toilet, lavatory, shower, and kitchen sink, all of which are connected to water storage and sewage holding tanks located on it.
- P. "Service building" means a structure housing toilet, lavatory, and such other facilities as may be required by this chapter of the health code.
- Q. "Service sink" means a slop sink with a flushing rim for the disposal of liquid waste from trailers.
- R. "Sewer connection" means the connection consisting of all pipes, fittings, and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewage system serving the mobile home park.
- S. "Sewer riser pipe" means that portion of the sewer lateral which extends vertically to the ground elevation and terminates at each mobile home lot or parking space.
- T. "Trailer space" means a parcel of land in a travel trailer parking area for the placement of a single trailer and the exclusive use of its occupants.
- U. "Trailer stand" means that part of an individual trailer space which has been reserved for the placement of a single trailer and its necessary structures.
- V. "Travel trailer" means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, or vacation uses, and permanently identified as a travel trailer by its manufacturer and factory equipped for travel on roads. It includes camping trailers, motor homes, and pick-up coaches.
- W. "Travel trailer parking area" means a mobile home park which has been planned for the placement of travel trailers for transient use.
- X. "Water connection" means the connection consisting of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home, R.V., or travel trailer.
- Y. "Water riser pipe" means that portion of the water supply system serving the mobile home or R.V. park or travel trailer parking area which extends vertically to the ground elevation and terminates at a designated point at each mobile home lot or travel trailer space.
- Z. "Watering station" means a facility for supplying water storage tanks of trailers with potable water.

Regulation 3 - Permit required.

- A. No person shall operate a mobile home park without holding a current and valid permit to operate issued by the health officer in accordance with Chapter 1 of the health code.
- B. The health officer shall not issue a permit to operate a new or extensively remodeled mobile home park until plans and specifications for the mobile home park have been submitted and approved in accordance with Chapter 1, Regulation 4 of the health code.
- C. The permit shall be posted in a conspicuous place and shall not be removed or moved by anyone except the health officer.
- D. Permits to operate a mobile home park shall be valid for one (1) year from date of issue or as otherwise specified by the health officer and shall be renewed in accordance with the requirements of Chapters 1 and 4 of the health code.

Regulation 4 – Permit; Suspension.

- A. The health officer may, without prior warning or notice, suspend any permit to operate a mobile home park if any of the following occurs:
 - 1. The holder of the permit does not comply with requirements of the health code;
 - 2. The operation of the mobile home park does not comply with the requirements of this chapter;
 - 3. The operation of the mobile home park creates a substantial hazard to public health; or
 - 4. The water, gas, and/or electrical services to the mobile home park are suspended.
- B. Any person who has been adversely affected by the actions of the health officer may appeal the action in accordance with Chapter 1, Regulation 13 of the health code.

Regulation 5 - Inspection.

An inspection of a mobile home park may be performed at least one (1) time per year. Additional inspections shall be performed as often as necessary to enforce the provisions of the health code.

Regulation 6 - Access.

The health officer or representatives of the health officer, after properly identifying themselves, shall be permitted to enter a mobile home park at any time for the purpose of making inspections to enforce or determine compliance with the health code.

Regulation 7 - Record of inspection.

Whenever an inspection of a mobile home park is made, the findings of the health officer or representatives of the health officer shall be recorded on an inspection form that summarizes the applicable requirements of the health code.

Regulation 8 - Exemptions.

This chapter of the health code does not apply to mobile home subdivisions, as defined in A.R.S. § 32-2101, which have been subdivided in accordance with all applicable local or state laws.

Regulation 9 - Food service requirements.

- A. The storage, preparation, and serving of food by a food establishment at the mobile home park shall comply with the requirements of Chapter 2 of the health code.
- B. A separate inspection shall be made of the food establishment in accordance with Chapter 2 of the health code.
- C. This regulation does not apply to "pot luck" gatherings of the park tenants or guests.

Regulation 10 - Drinking water – Ice.

- A. Where drinking fountains are provided, the fountain shall feature a stream of water projected at an angle towards a person's mouth and a guard preventing the mouth from being placed directly against the orifice projecting the stream of water from the fountain. The orifice is not permitted to be submerged. The bowl of the fountain shall be constructed of non-absorbent, easily cleanable material.
- B. Ice shall be obtained from a public water system or private well approved by the Arizona Department of Water Resources (A.D.W.R.) and shall be stored and handled so as to prevent its contamination.
- C. Ice-making or dispensing equipment shall meet the requirements of Chapter 2 of the health code.

Regulation 11 - Water supply.

A. General.

- 1. Each mobile home park shall be provided with an adequate and safe water supply from an approved source. Whenever a mobile home park finds it necessary to develop a new source or sources of supply, complete plans and specifications of the proposed water system shall be submitted to the health officer in accordance with Chapter 1 of the health code for his or her prior approval before any construction is started.

B. Source of Supply.

- 1. Every well or suction line of a water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source. The following minimum distances between wells and various sources of contamination are required:

Contamination Source	Distance to Well or Suction Line (in Feet)
Building Sewer	50
Disposal Field	100
Dry Well	50
Seepage Pit	100
Septic Tank	50

2. No well-casing, pumping machinery, or suction pipes shall be placed in any pit, room, or space extending below ground level nor in any room or space above ground which is walled in or otherwise enclosed unless such room, whether above or below ground, has free drainage by gravity to the surface of the ground.
3. The treatment of a private water supply shall be in accordance with applicable laws and regulations. Private water systems must be tested bi-annually for bacteria, nitrates, nitrites, and meet the water quality standards for such tests as set by the Arizona Department of Environmental Quality (A.D.E.Q.) for a Public Water System at starting at time of license renewal.

C. Water Storage Facilities.

1. All water storage reservoirs shall be covered, watertight, and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

D. Water Distribution System.

1. The water supply system of the mobile home park shall be connected to all mobile homes or travel trailers, buildings, and other facilities requiring water.
2. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with state and local regulations and requirements and shall be of a type and in locations approved by the health officer.
3. The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back siphonage.
4. The system shall be designed and maintained to provide a pressure of not less than twenty (20) pounds per square inch under normal operating conditions at service buildings and other locations requiring potable water supply.

E. Water Supply.

1. The water supply shall be capable of supplying a minimum of one hundred and fifty (150) gallons per day per mobile home.

F. Individual Water-Riser Pipes and Connections.

1. Individual water-riser pipes shall be located within the confined area of the mobile home lot or trailer space at a point where the water connection will approximate a vertical position.
2. On new construction or where extensive remodeling is done, water riser pipes shall be at least three-quarters (3/4) of an inch in diameter. The water outlet shall be capped when a trailer coach does not occupy the trailer space.
3. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes and to protect risers from heaving and thawing actions of the ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
4. Underground stop and waste valves shall not be installed on any water service.

Regulation 12 - Sewage disposal.

A. General.

1. The liquid wastes from all mobile home parks shall be discharged into a public sewerage system, in compliance with applicable local ordinances or codes, or into separate sewage disposal facilities approved by the health officer.
2. Separate sewage disposal facilities will not be approved where, in the opinion of the health officer, a public sewer is available.
3. Where separate sewage disposal facilities are proposed, the design, construction, and operation of such systems shall be in accordance with the health code. Plans and specifications for such systems shall be submitted to the health officer and approval received prior to the start of construction.
4. No sewage treatment plant effluent, swimming pool wastewater, or other wastewater shall be deposited on the ground except in a manner approved by the health officer.

B. Individual sewer connections.

1. On all new construction or extensive remodeling, the sewer riser pipe shall have at least a nominal inside diameter of four (4) inches and shall be trapped below the ground surface and shall be so located on the mobile home lot or trailer space that the sewer connection to the trailer coach drain outlet will approximate a vertical position.
2. The sewer connection (as defined in Chapter 4 Regulation 2 of the health code) shall have a nominal inside diameter of at least three (3) inches and the slope of any portion thereof shall be at least one-fourth (1/4) of an inch per foot. The sewer connection shall consist of one pipeline only without any branch fittings. All joints shall be watertight.
3. All materials used for sewer connections shall be semi-rigid, corrosive-resistant, non-absorbent, and durable. The inner surface shall be smooth.
4. Provisions shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser.

Regulation 13 - Refuse storage, collection, and disposal.

- A. The storage, collection, and disposal of refuse in all mobile home parks shall be in accordance with the health code and shall be conducted so as to create no health hazards, rodent harborage, insect breeding areas, accident hazards, fire hazards, or air pollution. Outside storage areas or enclosures shall have dumpsters stored on a smooth non-absorbent material.
- B. The owner or operator of any mobile home park shall be responsible for the removal of any animal excreta and other refuse accumulated on common areas of the mobile home park or mobile home lots and vacant trailer spaces. On any occupied trailer space or mobile home lot, such removal shall be the responsibility of the occupant of the trailer or mobile home located at that space.
- C. All refuse shall be stored in fly-tight, watertight, and rodent-proof containers. Containers shall be provided in sufficient numbers and capacities to properly store all refuse awaiting collection.

- D. Garbage containers, if used, shall be maintained free of odors and be equipped with tight-fitting covers. Garbage containers shall be maintained so that they do not create a public nuisance.
- E. All refuse containers shall be cleaned as often as necessary to prevent a public nuisance.
- F. Refuse collection stands shall be provided for all refuse containers and shall be designed to prevent containers from being tipped, so as to minimize spillage and container deterioration and to facilitate cleaning around them.
- G. All refuse shall be collected at least two (2) times per week. Where suitable collection service is not available from municipal or private agencies, the mobile home park operator shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.

Regulation 14 - Insect and rodent control.

- A. Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the health officer.
- B. Mobile home parks shall be maintained free of accumulations of debris which may provide insect and rodent harborage and infestation or breeding places for flies, mosquitoes, and other pests.
- C. Storage areas shall be maintained so as to prevent insect and rodent harborage and infestation. Lumber, pipe, and other building material shall be properly stored so as to prevent insect and rodent harborage and infestation.
- D. Where the potential for insect and rodent harborage and infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.
- E. The growth of brush, weeds, and grass shall be controlled to prevent the infestation and harborage of ticks, chiggers, and other noxious insects. Mobile home parks shall be maintained so as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

Regulation 15 - Grounds requirements and maintenance.

- A. The minimum size of mobile home spaces and the minimum space between mobile homes and travel trailers shall be in compliance with the requirements of the county planning and zoning code and that of other agencies of the county and any applicable incorporated cities and towns within the county.
- B. Grounds maintenance.
 1. Grounds of all mobile home parks shall be graded and equipped to drain all surface water in a safe, efficient manner.
 2. Grounds of all mobile home parks shall be kept clean and free of accumulations of refuse, animal excreta, and debris.
 3. There shall be no evidence of fly, roach, mosquito, or rodent infestation, harborage, or breeding.

4. Conditions of soil, groundwater level, drainage, and topography shall not create hazards to the property or the health or safety of the property's occupants. No portions of the property subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose that may expose persons or property to hazards.
5. The ground surface in all parts of every mobile home stand or travel trailer space shall be graded and equipped to drain all surface water in a safe, efficient manner.

Table Regulation 16 – FIXTURE REQUIREMENTS

Parking Spaces*	Toilets		Urinals	Lavatories		Showers		Other Fixtures**
	Men	Women	Men	Men	Women	Men	Women	
1-15	1	1	1	1	1	1	1	1 Service sink with a flushing rim***
16-30	1	1	1	1	1	1	1	
31-45	2	2	1	3	3	1	1	
46-60	2	3	2	3	3	2	2	
61-80	3	4	2	4	4	2	2	
81-100	3	4	2	4	4	3	3	
* Parking spaces for dependent trailers.								
** Additional fixtures including laundry trays, clothes—washing machines (one [1] for every thirty [30]).								
*** A service sink with a flushing rim shall be provided for disposal of liquid wastes unless a sanitary station is conveniently accessible for this purpose.								

Regulation 16 - Service building and other community service facilities.

- A. General. The requirements of this section shall apply to service buildings, recreation buildings, and other community service facilities of a manufactured or mobile home park or R.V. park, such as:
 1. Management office;
 2. Repair shops;
 3. Storage areas;
 4. Sanitary facilities;
 5. Laundry facilities;
 6. Indoor recreation areas; or
 7. Commercial uses supplying essential goods or services for the exclusive use of park occupants.
- B. Service buildings.

1. A central service building containing the necessary toilet and other plumbing fixtures specified shall be provided in mobile home parks which provide spaces for dependent trailers. Service buildings shall be conveniently located with a radius of approximately two hundred (200) feet to the spaces to be served in accordance with, "Table Regulation 16 - Fixture Requirements," above.
 2. For parking areas having more than one hundred (100) travel trailer spaces there shall be provided:
 - a. One (1) additional toilet and lavatory for each sex per each additional thirty (30) travel trailer spaces;
 - b. One (1) additional shower for each sex per each additional forty (40) travel spaces; and
 - c. One (1) additional men's urinal per each additional one hundred (100) travel trailer spaces.
 2. When a mobile home park requiring a service building is operated in connection with a resort or other business establishment, the number of sanitary facilities at the park shall exceed those required by the schedule for trailer spaces and shall instead be based on the total number of persons using such facilities.
 3. Where a park is designed for and exclusively limited to use by self-contained trailers, no public sanitary facilities shall be required.
- C. Exemptions. Any person desiring to furnish temporary facilities for accommodating a travel trailer rally or other group of trailers assembled for the purpose of group travel, shall apply to the health officer for a permit to engage in such activity. The requirements for a service building and other sanitary physical facilities may be waived by the health officer if he or she determines that public health will not be endangered. Nevertheless, the location of the site, the facilities which are provided, and the method of conducting such rally must be acceptable to the health officer before he or she issues a permit specifying the location of the site. The period of operation of the rally or group assembly shall not exceed ten (10) days.

Regulation 17 - Structural requirements of buildings.

- A. All portions of the structure shall be properly protected from damage by ordinary uses, decay, corrosion, termites, and other destructive elements. Exterior portions of the structure shall utilize materials and construction methods that prevent the entrance and penetration of moisture and weather precipitation.
- B. All rooms containing sanitary or laundry facilities shall have:
 1. Sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, bathtubs, lavatories, and other plumbing fixtures shall either be constructed of dense, non-absorbent, and waterproof material or covered with moisture-resistant material;
 2. At least one (1) window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than ten (10) percent of the floor area served by them; and

3. Either at least one (1) easily opened window or a mechanical device that adequately ventilates the room.
- C. Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.
 - D. Illumination levels shall be maintained as follows:
 1. General seeing tasks: Five foot candles.
 2. Laundry room work area: Forty foot (40) candles.
 3. Toilet room, in front of mirrors: Forty (40) foot candles.
 - E. Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower, and laundry fixture, and cold water shall be furnished to every water closet and urinal.
 - F. Cooking shelters, barbecue pits, fireplaces, and wood-burning stoves shall be located, constructed, maintained, and used to minimize fire hazards and prevent a public nuisance, both on the property on which used and on neighboring property. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.

Regulation 18 - Responsibility of park management.

- A. The permit holder shall operate the mobile home park in accordance with the requirements of this chapter and shall provide adequate supervision to maintain the mobile home park, its facilities, and equipment in good repair and sanitary condition.
- B. The mobile home park management shall notify all occupants of all applicable rules and regulations of this chapter of the health code and inform them of their duties and responsibilities under this chapter.
- C. The mobile home park management shall supervise the placement of each mobile home stand, which includes securing its stability and installing all utility connections.
- D. The mobile home park management shall notify the health officer immediately of the name of any occupant or employee suspected or known to have a communicable or contagious disease within the park.

Regulation 19 - Responsibility of park occupant.

- A. All mobile home park occupants shall comply with all applicable rules and regulations of this chapter of the health code and shall maintain their trailer coach space, its facilities, and its equipment in good repair and in a clean and sanitary condition.
- B. All mobile home park occupants shall be responsible for the proper placement of their mobile home on its stand and proper installation of all utility connections in accordance with the instructions of the mobile home management.
- C. No owner or person in charge of a dog, cat, or other animal shall permit it to run at large or to create a public nuisance while in the limits of any mobile home park.

Regulation 20 - Travel trailer parks.

A. Water supply.

1. Each travel trailer parking area shall be provided with one (1) or more easily accessible water supply outlets for filling trailer water storage tanks.
2. Such water supply outlets shall consist of at least one (1) water hydrant and the necessary appurtenances thereto and shall be protected against the hazards of backflow and back siphonage.

B. Sewer connections.

1. Pipe used for sewer connections shall be of a type and size approved by the health officer.

C. Sewage disposal.

1. Travel trailer park sewage disposal may be accomplished by the following methods:
 - a. A sewer connection at each parking area; or
 - b. The use of sanitary stations.
2. A sanitary station shall consist of at least a trapped, four (4) inch nominal inside diameter sewer riser pipe.
3. Each travel trailer parking area shall be provided with a sanitary station in the ratio of one (1) for every one hundred (100) trailer spaces or fractional part thereof.
4. Sanitary stations shall be screened from other activities by visual barriers such as fences, walls, or natural growth and shall be separated from any trailer space by a distance of at least fifty (50) feet.
5. Under no circumstances will sinks or holding tanks be discharged to the surface of the ground.

D. Temporary travel trailer sites and rallies.

1. Any person desiring to furnish temporary facilities for accommodating a travel trailer rally or other group of trailers assembled for the purpose of group travel, shall apply to the health officer for a permit to engage in such activity. The requirements for a service building and other sanitary physical facilities may be waived by the health officer if he or she determines that public health will not be endangered. Nevertheless, the location of the site, the facilities which are provided, and the method of conducting such rally must be acceptable to the health officer before he or she issues a permit specifying the location of the site. The period of operation of the rally or group assembly shall not exceed ten (10) days.

Regulation 21 – Violation; Penalty.

Any person violating any regulation adopted in this chapter of the health code shall be subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.

CHAPTER 5 – LODGING ESTABLISHMENTS

Regulation 1 - Scope.

All hotels, motels, bed and breakfasts, and tourist courts in the county shall comply with all the sections and subsections adopted in Chapter 1 of the health code, Title 9, Chapter 8, Article 13 of the Arizona Administrative Code (A.A.C.), and the specific sections adopted in this chapter of the health code.

Regulation 2 - Definitions.

All definitions adopted in Chapter 1 of the health code and the following specific definitions apply to this chapter:

- A. "Dwelling unit" means any suite, room, cottage, bedroom, or any other unit established by a hotel, motel, or tourist court for temporary occupancy by a person or persons.
- B. "Hotel," "motel," "bed and breakfast," or "tourist court" means any place of two (2) or more dwelling units where sleeping accommodations are available to a person or persons for occupancies of less than seven (7) days.
- C. "Plumbing" or "plumbing systems" means and includes the water supply distributing pipes, fixtures, fixture traps, soil, waste pipes, vent pipes, and building drains with their devices, appurtenances, and connections either within or adjacent to the hotel, motel, or tourist court.
- D. "Refuse" means all putrescible and non-putrescible solid and semi-solid wastes except human excreta but including garbage, rubbish, ashes, manure, street cleanings, dead animals, abandoned automobiles, and industrial wastes.

Regulation 3 - Permit required.

- A. No person shall operate a hotel, motel, or tourist court without holding a current and valid permit to operate one issued by the health officer in accordance with Chapter 1 of the health code.
- B. The health officer shall not issue a permit to operate until plans and specifications for the hotel, motel, or tourist court have been submitted to and approved by him or her in accordance with Chapter 1 of the health code.
- C. The permit shall be posted in a conspicuous place and shall not be removed or moved except by the health officer.
- D. Permits to operate a hotel, motel, or tourist court shall be valid for one (1) year from date of issuance unless otherwise specified by the health officer and shall be renewed in accordance with the requirements of this chapter and Chapter 1 of the health code.

Regulation 4 - Permit—Suspension.

- A. The health officer may, without warning or notice, suspend any permit to operate a hotel, motel, or tourist court if the:
 - 1. Holder of the permit does not comply with the requirements of this chapter;

2. Operation of the hotel, motel, or tourist court does not comply with the requirements of this chapter of the health code;
 3. Operation of the hotel, motel, or tourist court constitutes a substantial hazard to public health;
or
 4. Water, gas, and/or electricity services to the facility are suspended.
- B. Any hotel, motel, or tourist court may appeal the health officer's action in accordance with Chapter 1, Regulation 13 of the health code.

Regulation 5 - Inspection.

An inspection of each hotel, motel, or tourist court shall be performed at least one (1) time per year. Additional inspections shall be performed as often as necessary for the enforcement of this chapter of the health code.

Regulation 6 - Access.

Representatives of the health officer, after presenting county-issued identification, shall be permitted to enter any hotel, motel, or tourist court at any time during its regular business hours for the purpose of making inspections to determine if the provisions of the health code are being complied with.

Regulation 7 - Record of inspection.

- A. Whenever an inspection of a hotel, motel, or tourist court is made, the findings shall be recorded on an inspection form by the health officer. The inspection form shall summarize the applicable requirements of the health code.
- B. A copy of the completed inspection form shall be furnished to the person in charge of the hotel, motel, or tourist court at the conclusion of the inspection.

Regulation 8 - Food service requirements.

- A. Compliance.
1. The storage, preparation, and serving of food shall comply with the requirements of Chapter 2 of the health code.
 2. A separate inspection shall be made of the food operation in accordance with Chapter 2 of the health code.
- B. Drinking water—Ice.
1. Where drinking fountains are provided, the fountain shall feature a stream of water projected at an angle towards the mouth of a person and a guard preventing the mouth from being placed directly against the orifice projecting the stream of water. The orifice is not permitted to be submerged. The bowl of the fountain shall be constructed of non-absorbent, easily cleanable material.

2. All glasses and multi-use utensils furnished to each dwelling unit shall be cleaned and sanitized in an approved manner after each occupancy. Single-service paper and plastic drinking utensils may be used.
3. Ice shall be obtained from a source approved by the department and shall be stored and handled in such a manner as to prevent contamination.
4. Ice-making or dispensing equipment shall meet the requirements of Chapter 2 of the health code.

Regulation 9 - Refuse disposal.

- A. All refuse shall be disposed of in accordance with the requirements of the health code.
- B. The owner or operator of any hotel, motel, or tourist court shall be responsible for the removal of refuse, debris, animal excreta, and any other refuse accumulated on the premises of the hotel, motel, or tourist court.
- C. Garbage containers shall be thoroughly cleaned as often as necessary to prevent a public nuisance.
- D. Outside storage areas or enclosures shall have dumpsters stored on a smooth, non-absorbent material.
- E. All refuse containers shall be maintained in good repair and kept tightly covered.

Regulation 10 - Grounds maintenance.

- A. Grounds of hotels, motels, and tourist courts shall be properly drained.
- B. Grounds of hotels, motels, and tourist courts shall be kept clean and free of accumulations of refuse, debris, animal excreta, and any other refuse accumulated on its premises.
- C. There shall be no evidence of fly, roach, mosquito, or rodent breeding or infestation.

Regulation 11 - Dwelling units—Ventilation and maintenance.

- A. Dwelling units shall be of sufficient size to afford ample circulation of air and freedom of movement, however, a minimum of one hundred (100) square feet of floor area shall be provided for each unit exclusive of its bathroom, closet, kitchen, and any similar ancillary facilities.
- B. Floors of all rooms shall be of such construction so as to be easily cleaned and shall be kept clean and in good repair.
- C. The walls and ceilings of all rooms shall be of a finish that will permit easy cleaning and they shall be kept clean and in good repair.
- D. Where windows are relied upon to provide ventilation to the dwelling unit, the minimum area of the windows shall be equal to at least twenty (20) percent of the unit's floor area exclusive of its bathroom, closet, kitchen, and any similar ancillary facilities.
- E. A minimum of twenty-five (25) percent of the dwelling unit's window area shall be capable of being opened unless some other satisfactory means of ventilating the unit is provided.

- F. Dwelling unit windows capable of being opened shall be effectively screened.
- F. Furniture, drapes, carpets, and other accessories of the dwelling unit shall be kept clean and in good repair.
- G. Dwelling units shall be maintained free of insects, rodents, and other vermin.
- H. The provisions of A.R.S. Title 36, Chapter 13, Article 2 relating to gas appliances shall be met.

Regulation 12 - Bedding.

- A. The beds, mattresses, pillows, and bed linen (e.g., sheets, pillow slips, blankets, etc.) used in all hotels, motels, and tourist courts shall be kept clean and free of insects, rodents, and other vermin and shall be maintained in good repair and properly stored when not in use.
- B. Each bed, bunk, cot, or other sleeping place shall be provided with pillow slips and under and top sheets for the use of persons. Sheets and pillow slips shall be adequately sized to completely cover the mattress and pillow.
- C. Clean linen shall be provided to each new guest and shall be changed at least two (2) times each week when the guest's occupancy exceeds one week.

Regulation 13 - Toilet and lavatory requirements.

- A. Toilet, lavatory, and bathing facilities—Cleanliness and maintenance.
 - 1. Adequate and convenient toilet, lavatory, and bathing facilities shall be provided in the dwelling units of all hotels, motels, and tourist courts and they shall be maintained in a safe and sanitary condition at all times.
 - 2. Toilet, lavatory, and bathing facilities shall be well-lighted and well-ventilated.
 - 3. Floors of all toilet, lavatory, and bathing facilities shall be of easily cleanable construction, kept clean, and in good repair and, where necessary, slope to properly located drains.
 - 4. Walls and ceilings of all toilet, lavatory, and bathing facilities shall be of easily cleanable construction and be kept clean and in good repair.
 - 5. Hot and cold water and soap shall be provided in all toilet, lavatory, and bathing facilities.
 - 6. Clean individual towels shall be furnished for each guest in all toilet, lavatory, and bathing facilities.
- B. Central toilet rooms—Cleanliness and maintenance
 - 1. Separate and plainly marked central toilet rooms for each sex may be provided by hotels, motels, and tourist courts in addition to the toilet, lavatory, and bathing facilities they are required to have in each of their dwelling units. Hotels, motels, and tourist courts with central toilet rooms are still required to comply with Regulation 13, subsection A of this chapter of the health code, above.

2. Central toilet rooms shall provide not less than one (1) toilet and one (1) lavatory. At least one (1) urinal shall be provided in each central toilet room designated for men
3. Central toilet rooms shall be well-lighted and well-ventilated. Where gravity or mechanical ventilation is provided, the ventilation ducts for the toilet rooms shall not be connected into ventilation ducts from or to any dwelling unit.
4. Floors of all central toilet rooms shall be of easily cleanable construction, kept clean, and in good repair and, where necessary, slope to properly located drains.
5. Walls and ceilings of all central toilet rooms shall be of easily cleanable construction and be kept clean and in good repair.
6. Hot and cold water and soap shall be provided in all central toilet rooms.
7. Department approved hand-drying devices such as disposable paper towels or hand dryers shall be available for each guest in all central toilet rooms.

Regulation 14 - Water supply approval required.

- A. Each hotel, motel, or tourist court shall be provided with an adequate and safe water supply from an approved source. Whenever a hotel, motel or tourist court finds it necessary to develop a source or sources of supply, complete plans, and specifications of the proposed water system shall be submitted to Arizona Department of Environmental Quality (A.D.E.Q.) for prior approval before any construction is started.
- B. Beginning at the time of the renewal of a license issued under this chapter of the health code, private water systems must be tested bi-annually for bacteria, nitrates, and nitrites and meet the water quality standards for such tests set by the A.D.E.Q. for a Public Water System.

Regulation 15 - Sewage disposal.

- A. The liquid wastes from all hotels, motels, or tourist courts shall be discharged into a public sewerage system in compliance with applicable local ordinances or codes or into separate sewage disposal facilities approved by the health officer.
- B. Separate sewage disposal facilities will not be approved where, in the opinion of the health officer, a public sewer is available.
- C. Where separate sewage disposal facilities are proposed, the design, construction, and operation of such systems shall be in accordance with the health code. Plans and specifications for such systems shall be submitted to the health officer and approval received from him or her prior to the start of construction.
- D. No sewage treatment plant effluent, swimming pool waste, or other waste water shall be deposited on the ground except in a manner approved by the health officer.

Regulation 16 - Notification of disease.

- A. The owner or operator of a hotel, motel, or tourist court shall report to the health officer the name of any guest or employee suspected or known to have a contagious disease in accordance with A.R.S. § 36-622.

- B. Every dwelling unit, after being occupied by a person known or suspected of having a contagious disease, shall be rendered non-contagious by disinfection, fumigation, or by other treatment methods as specified by the health officer before any further occupancy occurs.

Regulation 17 – Violation; Penalty.

Any person violating any provisions adopted in this chapter shall be subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.

CHAPTER 6 - SCHOOLS

Regulation 1 – Adoption of school code.

Title 9, Chapter 8, §§ 701 through 711 of the Arizona Administrative Code (A.A.C.), including all revisions, technical corrections, and published supplements thereto, are hereby incorporated herein by reference and adopted as the county School Code for regulating the design, construction, management, and operation of public school facilities, and the issuance of permits and collection of permit fees, subject to the insertions and changes set forth in Regulation 2 of this chapter of the health code, below. Copies of the above-referenced A.A.C. rules are available from the Arizona Secretary of State.

Regulation 2 – Insertions and changes.

The material incorporated by reference in Regulation 1 of this chapter of the health code, above, is modified as follows:

- A. The specific definition in A.A.C. § R9-8-701 is modified as follows: “Department” means the county health services department.

Regulation 3 – Permit required.

No person shall operate a school without a valid permit to do so from the department or without complying with the health code and any other applicable state or county regulation.

Regulation 4 – Plans required.

No school shall be constructed, nor shall any major alteration or addition be made thereto, until detailed plans and specifications for the construction, alteration, or premises have been submitted to and approved by the department. Any construction, alteration, or addition to a school shall be made in accordance with the plans and specifications approved by the department. The owner or operator of the school, or an authorized agent of either, shall certify in writing that the plans and specifications comply with Title 9, Chapter 8 of the A.A.C.

Regulation 5 – Violation; Penalty.

Any person violating any provision of this chapter of the health code shall be subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.

CHAPTER 7 - CAMPS AND CAMPGROUNDS

Regulation 1 – Adoption of camp ground code.

Title 9, Chapter 8, §§ 601 through 617 of the Arizona Administrative Code (“A.A.C.”), including all revisions, technical corrections, and published supplements thereto, are hereby incorporated herein by reference and adopted as the county Camps and Campgrounds Code for regulating the design, construction, management, and operation of camps and campgrounds and the issuance of permits and collection of permit fees, subject to the insertions and changes set forth in Regulation 2 of this chapter of the health code, below. Copies of the above-referenced A.A.C. rules are available from the Arizona Secretary of State.

Regulation 2 – Permit—Required.

No person shall operate a camp or campground without a valid permit to do so from the department or without complying with the health code and any other applicable state or county regulation.

Regulation 3 – Plans—Required.

No camp or campground shall be constructed, nor shall any major alteration or addition be made thereto, until detailed plans and specifications for the construction, alteration, or addition have been submitted to and approved by the department. Any construction, alteration, or addition to the camp or campground shall be made in accordance with the plans and specifications approved by the department. The owner or operator of the camp or campground, or an authorized agent of either, shall certify in writing that the plans and specifications comply with Title 9, Chapter of the A.A.C.

Regulation 4 – Violation; Penalty.

Any person violating any provision of this chapter of the health code shall be subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.

CHAPTER 8 - RODENTS, INSECTS, AND VERMIN

Regulation 1 – Definitions.

- A. "Infestation" means a presence of vermin sufficient to materially affect public health and safety.
- B. "Vermin" means rodents, lice, bedbugs, roaches, flies, or other animals or arthropods.

Regulation 2 – Infestation or harborage.

- A. Infestation or harborage of vermin in or about any residential or non-residential building or structure is hereby declared to be dangerous to public health.
- B. No person shall cause, maintain, or permit the infestation or harborage of vermin in or on a residential or non-residential building or structure.
- C. The owner, occupant, or person in control of a residential or non-residential building or structure shall take all reasonable measures to prevent the infestation or harborage of vermin therein.
- D. If infestation or harborage of vermin occurs, the owner, occupant, or person in control of a residential or non-residential building or structure shall take all necessary and proper steps to eliminate the infestation or harborage and to prevent its recurrence.

Regulation 3 – Mosquitoes.

- A. No person shall cause, maintain or permit any accumulation of water in which mosquitoes breed or are likely to breed.
- B. The owner, occupant, or person in control of any place where mosquitoes are breeding shall take all necessary and proper steps to eliminate the mosquito breeding and to prevent its recurrence.

Regulation 4 – Honeybees.

- A. Any condition or place that constitutes a feral colony of honeybees not currently maintained by a beekeeper and poses a health or safety hazard to the public is hereby declared to be a public nuisance and dangerous to public health.
- B. The owner, occupant, or person in control of any place where a feral colony of honeybees not currently maintained by a beekeeper is present shall take all necessary and proper steps to eliminate the infestation and harborage of the honeybees and to prevent its recurrence.

Regulation 4 – Violation; Penalty.

Any person violating any provision adopted in this chapter of the health code shall be subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.

CHAPTER 9 - ANIMALS

Regulation 1 - Definitions.

- A. "Animal" means all non-human mammals, livestock, birds, fowls, and reptiles.
- B. "Animal venue" means fair, educational farm, petting zoo, or similar event where public contact with animals may occur.
- C. "Piggery" means a place where swine are kept, such as a pigsty.
- D. "Populous district" means a neighborhood with an average density of two (2) or more families per acre.

Regulation 2 – Keeping of animals.

- A. All animals shall be kept and maintained in a manner that does not create a public nuisance.
- B. Piggeries
 - 1. No piggery shall be built or maintained on:
 - a. Marshy ground or land subject to overflow;
 - b. Within two-hundred (200) feet of any stream, canal, or other water supply source; or
 - c. Within three-hundred (300) feet of an inhabited house or public meeting house on an adjoining property.
 - 2. When garbage is fed to swine, it must be heat-treated in accordance with Arizona Administrative Code (A.A.C.) § R3-2-302 and any other applicable law.
 - 3. All garbage unconsumed by the swine shall be removed daily and disposed of in accordance with any applicable law.
 - 4. No organic material offering harborage for flies shall be allowed to accumulate on the piggery.
 - 5. All garbage shall be handled and fed to the swine upon platforms of concrete or some other impervious material.
 - 6. Un-slaked lime, hypochlorite of lime, borax, mineral oil, or other measures approved by the department shall be used daily and sufficiently to prevent a public nuisance.
 - 7. In populous districts, any corral, barn enclosure, or other structure for the purpose of housing, keeping or caring for any animal or animals shall be fifty (50) feet away from all property lines unless it is a fly-tight enclosure approved by the department.
 - 8. Any animal weighing over one-hundred (100) pounds shall be restricted from coming within one-hundred (100) feet of any dwelling or any person or persons on adjacent properties.

Regulation 3 – Animal venues.

- A. The following species of animals are prohibited from being displayed in an animal venue:
 - 1. Non-human primates;
 - 2. Deer mice or other wild mice of the genus *peromyscus*;
 - 3. Wild or feral animals such as bats, skunks, raccoons, foxes, wolf-hybrids, or coyotes except when they are used for an educational display under A.A.C. § R12-4-401 by a person who has complied with provisions of Article 4, Title 12 of the A.A.C., obtained a permit or license issued by the Arizona Game and Fish Department, and is experienced in handling the animal; or
 - 4. Any other animal determined by the department based on an existing public health concern.
- B. All animals shall be kept and maintained in a manner that does not create a public nuisance.
- C. Animals must have up-to-date vaccinations appropriate to their species.
 - 1. If the animal is a dog, cat, or ferret, it must have current immunization against rabies and this must be documented by one of the following forms of proof:
 - a. A dog license issued by a state or county agency;
 - b. A rabies immunization certificate from a veterinarian licensed under Title 3, Chapter 11 of the A.A.C.; or
 - c. A receipt for veterinary services showing the administration of a rabies vaccine.
- D. Animals must be provided with adequate food and potable water.
- E. Guidelines
 - 1. The venue shall be designed with animal areas, non-animal areas, and transition areas between the animal and non-animal areas.
 - 2. Signs shall be posted in transition areas informing visitors of the following:
 - a. The location of hand-washing sinks;
 - b. That contact with animals, animal areas, and/or animal feces may be associated with an increased risk of disease, especially for young children; and
 - c. That eating and drinking is prohibited in animal areas.
 - 3. Staff members shall be assigned to monitor animal contact areas.
 - 4. Animal areas shall be kept clean to limit public contact with manure and animal bedding.
 - 5. Feeding of animals should only occur where it can be controlled (e.g., over a barrier).
 - 6. Hand-washing stations shall be located at the exit of animal areas and must:
 - a. Have potable water, soap, and department approved hand-drying devices such as disposable paper towels or hand dryers;

- b. Be accessible to children; and
- c. Approved hand sanitizer may be provided in addition to hand-washing stations but not in lieu of hand-washing stations.

Regulation 4 – Manure storage and disposal.

- A. Manure must be completely removed from stables, yards, or other animal enclosures one (1) time per week, or as often as necessary to maintain a sanitary condition.
- B. Manure shall be disposed of by sanitary landfill, composting, or incineration, or it may be used as fertilizer in a manner that does not create insect breeding or create a public nuisance.
- C. Adequate fly-tight containers approved by the department must be provided for the storage of manure unless it is completely removed from the premises one (1) time per week or in another manner approved by the department.
- D. Manure shall not be accumulated in any place where it can affect a source of drinking water or create a public nuisance.

Regulation 5 – Water and feed.

- A. Drinking water troughs must be provided with overflow drainage and the overflow drainage must not create a public nuisance.
- B. Spillage and leftovers from animal feeding must be disposed of in a manner that does not create a public nuisance.

Regulation 6 – Disposal of dead animals.

- A. Routine disposal of dead animals shall occur in accordance with A.A.C. § R18-13-311. A carcass of a deceased animal must be disposed of within seventy-two (72) hours of the animal's death or the discovery of the carcass, whichever is earlier, in order to prevent a public nuisance.
- B. The following are acceptable methods for the routine disposal of carcasses:
 - 1. Burial
 - a. A carcass may be disposed of by burial on the property where the animal died if this is done with the approval of the property owner. Animals that have died off of the owner's property may be moved onto the owner's property for disposal purposes.
 - b. A carcass must be buried to such a depth that no part of it is nearer than three (3) feet to the natural surface of the ground. Every part of the carcass must be covered with at least three (3) feet of soil within twenty-four (24) hours of its placement in the ground.
 - c. Carcass burial must be:
 - i. At least one-hundred (100) feet from any well, spring, or body of surface water, such as a river, stream, lake, or pond, or at least fifty (50) feet from an intermittent stream;
 - ii. At least one-hundred (100) feet from any residence not owned by the owner of the

- animal that makes up the carcass;
 - iii. At least fifty (50) feet from any property line;
 - iv. Not in a low-lying area subject to seasonal flooding;
 - v. Within a one-hundred (100) year flood plain; or
 - vi. In any manner that will impact ground water.
- d. Each burial site is limited to one-thousand (1,000) pounds of carcasses or one (1) livestock animal weighing more than one thousand (1,000) pounds.
2. Rendering;
 3. Incineration or thermal processing; or
 4. Any other method approved by the department.

CHAPTER 10 - SOLID WASTE

Regulation 1 - General provisions.

A. Responsibility.

1. The owner, agent, or occupant of any real property shall ensure that the storage and disposal methods described in this chapter of the health code are complied with as to all solid waste accumulated on the real property.
2. No person shall place or deposit any solid waste onto any public street, road, alley, or right of way, or onto the real property of another.

B. Definitions. All definitions in Chapter 1 of the health code and the following specific definitions shall apply to the collection, storage, and disposal of solid waste:

1. "Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding usable quantities of groundwater to wells and springs.
2. "Ashes" means residue from the burning of any combustible material.
3. "Base flood" means a flood that has a one (1) percent or greater chance of recurring in any year or a flood of a magnitude equaled or exceeded once in one-hundred (100) years on the average over a significantly long period.
4. "Collection agency" means a person who hauls solid waste for others as a governmental service, for a fee, or for other remuneration.
5. "Contingency plan" means an organized, planned, and coordinated course of action to be followed in the event of a fire, explosion, or discharge or release of water into the environment that has the potential to endanger human health and the environment. Financial planning to identify resources for the initiation of such action is a part of contingency plan development.
6. "Cover material" means soil or other suitable material that is spread and compacted on the top and side slopes of disposed solid wastes in order to control vectors, gases, erosion, fires, and infiltration of precipitation; support vegetation; provide trafficability; or assure an aesthetic appearance.
7. "Disposal area" means a refuse transfer facility, incinerator, sanitary landfill, processing plant, or any other handling or disposal facility utilized in the disposal of solid waste.
8. "Garbage" means rejected food wastes including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attend the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit, or vegetable matter.
9. "Hazardous waste" means any waste or combination of wastes which pose a substantial present or potential hazard to human health or to that of living organisms because such wastes are non-degradable, persistent in nature, non-degradable magnified, potentially lethal, or may otherwise cause or tend to cause detrimental cumulative effects.
10. "Floodplain" means the lowland and relatively flat areas adjoining inland and coastal waters, including flood prone areas which are inundated by the base flood.

11. "Ground water" means water below the land surface in the zone of saturation.
12. "Incineration" means the controlled process by which combustible solid, liquid, or gaseous wastes are burned and changed into non-combustible gases.
13. "Infectious waste" means: (1) equipment, instruments, utensils, and fomites of a disposal nature from the rooms of patients who are suspected to have or have been diagnosed as having a communicable disease and must therefore be isolated as required by public health agencies; (2) laboratory wastes such as pathological specimens (e.g., all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals) and disposable fomites (i.e., any substance that may harbor or transmit pathogenic organisms) attendant thereto; or (3) surgical operating room pathologic specimens and disposable fomites attendant thereto and similar disposable materials from outpatient areas and emergency rooms.
14. "Leachate" means liquid containing dissolved or suspended materials that emerge from solid waste.
15. "Manure" means animal, household pet, or fowl excreta including cleanings from premises, barns, stables, yards, pens, conveyances, or cages used for stabling, transporting, keeping or penning animals, domestic pets, or fowl.
16. "Restricted sanitary landfill" means a sanitary landfill which has been approved by the health officer for limited use.
17. "Recharge zone" means as area through which water enters an aquifer.
18. "Rubbish" means non-putrescible solid wastes (excluding ashes) consisting of both combustible and noncombustible wastes, such as paper, cardboard, metal, cans, yard clipping, wood, glass, bedding, crockery, and similar materials.
19. "Runoff" means the portion of precipitation that drains from an area as surface flow.
20. "Sanitary landfill" means a land disposal site employing an engineering method of disposing of solid wastes on land in a manner that minimized environmental hazards by spreading the solid waste in thin layers, compacting the solid waste to the smallest practical volume, and applying and compacting cover material at the end of each operating day.
21. "Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, private, or individual wastewater treatment plant, water supply treatment plant, or air pollution control facility, or any other such waste having similar characteristics or effects.
22. "Sole source aquifer" means those aquifers which solely or principally supply drinking water to a large percentage of a populated area.
23. "Solid waste" means all putrescible and non-putrescible solid and semi-solid wastes except human excreta but including garbage, rubbish, ashes, manure, street cleanings, dead animals, abandoned automobiles, hazardous waste, infectious waste, and industrial wastes.
24. "Solid waste storage container" means containers approved by the health officer for storage of solid waste pending final disposal.

25. "Vector" means a carrier that is capable of transmitting pathogens from one organism to another.
26. "Wetlands" means swamps, marshes, bogs, and similar areas that support a prevalence of vegetation adapted for life in saturated soil conditions.

C. Inspections.

1. The health officer shall inspect any real property, structures, containers, processes, equipment, or vehicles used for collection, storage, transportation, disposal, or reclamation of solid waste as necessary to ensure the health code is complied with.

Regulation 2 - Collection agencies.

A. Permits to operate.

1. No person shall haul solid waste for others as a governmental service, for a fee, or for other remuneration without holding a current and valid permit issued to them by the health officer.
2. Permits shall not be transferable from person to person.
3. All permits shall expire one (1) year from the date of issuance.

B. License for vehicle.

1. No vehicle used by a collection agency for the collection and transportation of solid waste shall be operated without a current and valid license issued by the health officer.
2. Every vehicle shall be inspected and approved annually by the health officer prior to the issuance or renewal of the license.
3. Each license shall be affixed to the vehicle in a place designated by the health officer and shall be legible at all times.
4. Licenses are not transferable from vehicle to vehicle.
5. All licenses shall expire one (1) year from date of issuance.

C. Collection required.

1. Where solid waste collection is available, the following solid waste is required to be collected:
 - a. Garbage;
 - b. Ashes;
 - c. Rubbish;
 - d. Household pet manure; and
 - e. Small dead animals which do not exceed seventy-five (75) pounds in weight, if they are securely wrapped and not prohibited by Chapter 9, Regulation 6 of the health code.

C. Solid waste not acceptable for collection.

1. The following solid waste is not considered acceptable for collection but may be collected at the discretion of a collection agency providing special facilities or equipment required by the health officer for the collection and disposal of such wastes:
 - a. Dangerous materials or substances, such as poisons, acids, caustics, infected materials, radioactive materials, or explosives;
 - b. Materials resulting from the repair, excavation, or construction of building and structures;
 - c. Solid wastes resulting from industrial processes;
 - d. Animals exceeding seventy-five (75) pounds in weight, condemned animals, animals from pet shops, veterinary clinics/hospitals, laboratories, slaughterhouses, or other animals normally considered industrial waste;
 - e. Sludge; or
 - f. Manure except household pet manure.

D. Notices required.

1. All collection agencies shall provide each household or business establishment they serve with notice of the requirements governing the storage and collection of solid waste and shall include the following information in the notice:
 - a. Definitions;
 - b. Places to be served;
 - c. Places not to be served;
 - d. Scheduled day or days of collection;
 - e. Materials acceptable for collection;
 - f. Materials not acceptable for collection;
 - g. Preparation of solid waste for collection;
 - h. Types and size of containers permitted;
 - i. Points from which collections may be made; and
 - j. Necessary safeguards for collectors.

E. Suspension of permit.

1. The health officer may suspend any person or entity's permit to operate as a collection agency if the operation of the agency constitutes one of the following:
 - a. Violation of the regulations of the health code;

- b. Violation of any condition contained in a permit issued under this chapter of the health code;
- c. Substantial hazard to public health or the environment; or
- d. Public nuisance.

F. Suspension of license.

- 1. The health officer may suspend the vehicle license of a collection agency when he or she observes:
 - a. Solid waste being dropped or blown from the collection agency vehicle during transportation due to faulty equipment; or
 - b. A collection agency vehicle not being maintained in accordance with this chapter of the health code.

Regulation 3 - Storage of solid waste.

A. Responsibility.

- 1. All solid waste shall be stored in accordance with the requirements of this regulation of the health code. The owner, agent, or occupant of any real property where solid waste accumulates shall provide a sufficient number of suitable and approved containers for receiving and storing the solid waste and shall keep all solid waste therein except as otherwise provided for in this regulation.

B. Container requirements for residential solid waste.

1. Containers for garbage.

- a. Each owner, agent, or occupant of any residential premise where garbage accumulates shall provide watertight containers of not more than thirty-two (32) gallons that have lids and handles.
- b. Containers shall be constructed of galvanized metal, however, containers made from thermoplastic meeting the National Sanitation Foundation (N.S.F.) Standard No. 21, incorporated herein by reference, and that meets the requirements of section (B)(1)(a) of this regulation of the health code, above, may be used.
- c. Properly designed and manufactured plastic bags not containing polyvinyl chloride (P.V.C.), having a minimum thickness of two (2) mils, and meeting the requirements of N.S.F. Standard No. 21 may be used.

2. Containers for rubbish.

- a. Rubbish and ashes shall be stored in durable containers. Bulky rubbish such as tree trimmings, newspaper, weeds, and large cardboard boxes shall be handled as directed by the collection agency. Where garbage separation is not required, containers for the storage of mixed rubbish and garbage shall meet the requirements specified in section A of this regulation of the health code, above.

3. Containers for household pet manure.

- a. Household pet manure may be placed with residential garbage so long as it is securely wrapped.

C. Containers for infectious waste.

1. Hypodermic needles and other infectious waste shall not be placed in the same containers as other solid waste but shall instead be placed in separate containers that are tightly covered and painted yellow to designate their contents and that make clear to the collection agency that special precautions are required. No other solid waste container or receptacle shall be painted yellow. Hypodermic needles shall be broken before being placed into the containers.

D. Containers for hazardous waste.

1. Containers used for the storage of hazardous wastes shall comply with the rules and regulations of the Arizona Department of Health Services for the storage, collection, and disposal of hazardous wastes.

E. Container requirements for commercial solid waste.

1. Each commercial establishment shall provide solid waste containers as required for residential garbage.
2. Any commercial establishment where the volume of commercial solid waste cannot be conveniently contained in residential type garbage containers shall provide metal containers or bins, or enclosures constructed of non-combustible material. These receptacles shall be of a type approved by the health officer and compatible with the type of collection equipment used by the collection agency. All metal containers or bins, or enclosures shall have suitable hatches doors, and covers to prevent material from overflowing, spilling, or scattering onto surrounding premises, and they shall be maintained in a sanitary condition.

F. Container maintenance.

1. All containers for the storage of solid waste shall be maintained in a manner that prevents the creation of a public nuisance or menace to public health.
2. The lids or covers of solid waste containers shall be kept securely in place at all times.
3. Containers that are broken or otherwise fail to meet the requirements of this regulation of the health code shall be replaced by its owner with containers approved by the department.

Regulation 4 - Collection and transportation of solid waste.

A. Frequency.

1. The frequency of collection of solid waste shall be in accordance with regulations of the collection agency but not less than that shown in the following schedules:
 1. Garbage only: Two (2) times per week.
 2. Solid waste with garbage: Two (2) times per week.

3. Rubbish and ashes: As often as necessary to prevent fly breeding and creation of a public nuisance.
 4. Persons not using a collection agency shall dispose of their solid waste with the frequency described in section (A)(1) of this regulation of the health code, above.
- B. Placement of residential containers.
1. Receptacles or containers for garbage or residential rubbish shall be placed for collection where designated by the collection agency.
 2. Containers shall not remain adjacent to a street or curb except on regular collection days.
- C. Placement of commercial establishment containers.
1. Containers, receptacles, bins, or enclosures used by a commercial establishment shall be placed where designated by the collection agency.
 2. Containers shall not be placed beneath a fire escape, or in a manner that restricts the opening of an exit door, or under a ground floor window unless the window is fire-resistant.
- D. Vehicles.
1. Vehicles used to collect and transport garbage or solid waste containing garbage shall have covered, watertight, and metal bodies that are easily cleanable. In addition, the vehicles shall be maintained in good repair and cleaned frequently to prevent insect breeding or the creation of a public nuisance.
 2. Vehicles used to collect and transport solid waste shall be loaded and moved in such a manner that their contents, including ashes, will not fall, leak, or spill from them. Where spillage occurs, it shall be immediately picked up by the collection agency and returned to the vehicle's container compartment.
 3. Vehicles used to collect and transport rubbish or manure shall be of such construction so as to prevent the leakage or spillage of its contents and shall feature a cover that prevents the blowing of its contents or the creation of a public nuisance.

Regulation 5 - Disposal of solid waste.

- A. General.
1. All solid waste shall be disposed of by a method or methods included in this regulation of the health code and shall include rodent, insect, and public nuisance control at the places or places of disposal.
 2. Carcasses of large animals shall be disposed of in accordance with Chapter 9, Regulation 6 of the health code.
 3. All disposal areas shall be maintained and operated in accordance with the requirements of the health code.
 4. Manure shall be disposed of by sanitary landfill, composting, or incineration, or it may be used as fertilizer in a manner that does not create insect breeding or create a public nuisance.

B. Permit to operate.

1. All solid waste disposal operations must have a permit issued by the health officer before beginning operations.
2. Permits are not transferable from person to person or location to location.

C. Methods of disposal.

1. Disposal of solid waste shall be accomplished by one or more of the following methods:
 - a. Sanitary landfill.
 - i. Where sanitary landfill operations are proposed or utilized, the requirements of Regulation 4 of this chapter of the health code, above, must be complied with.
 - b. Incineration or thermal processing.
 - i. Where incineration or thermal processing is to be employed, the plans and specifications, along with any other information necessary to evaluation the project, shall be submitted by the collection agency to the health officer for his or her approval prior to the commencement of the incineration or thermal processing.
 - c. Composting.
 - i. Where composting is to be employed, the plans and specifications, along with any other information necessary to evaluate the site and the project, shall be submitted by the collection agency to the health officer for his or her approval prior to the commencement of the composting.
 - d. Hog Feeding. This method of disposal shall only be approved under the following conditions:
 - i. Garbage is collected and stored in suitable containers;
 - ii. Approved vehicles are used for collection of the garbage;
 - iii. Garbage is effectively heat-treated in accordance with Chapter 9, Regulation 2 of the health code and A.R.S. § 3-2667; and
 - iv. All remaining solid waste, including non-edible garbage, is collected and disposed of separately by methods approved by the health officer.

Regulation 6 - General provisions—Suspension and revocation.

A. Procedures for suspension.

1. The health officer may summarily suspend a permit or license issued under this chapter of the health code if a serious or repeated violation of any provision of this chapter of the health code

occurs or if the permit or license holder, or an agent of either, interferes with the ability of the health officer to enforce the health code.

2. Whenever the health officer suspends a permit or a license issued under this chapter of the health code, he or she shall issue a written notice of its suspension to the permit or license holder and indicate the reasons why the permit or license was suspended. In addition, the health officer shall notify the permit or license holder that they may appeal this decision by submitting a written request for appeal, within ten (10) days from the date the department provided the notice, to the health officer, in accordance with Chapter 1, Regulation 13 of the health code. If no timely, written request for an appeal is submitted by the permit or license holder, the suspension shall be sustained and cannot be undone unless the provisions of subsection B of this chapter of the health code, below, are met.

B. Reinstatement of suspended permit or license.

1. The health officer may end the suspension of a permit or license at any time after confirming, either by an inspection or hearing held pursuant to subsection (A)(1) of this regulation of the health code, that the requirements of this chapter of the health code have been satisfied.

C. Revocation of permit or license.

1. The health officer may revoke a permit or license issued under this chapter of the health code if a serious or repeated violation of any provision of this chapter of the health code occurs or if the permit or license holder, or an agent of either, interferes with the ability of the health officer to enforce the health code.
2. Prior to revoking a permit or license, the health officer shall issue the permit or license holder a written notice of intent to revoke it and indicate the reasons why the permit or license is to be revoked. In addition, the health officer shall notify the permit or license holder that they may appeal this decision by submitting a written request for appeal, within ten (10) days from the date the department provided the notice, to the health officer, in accordance with Chapter 1, Regulation 13 of the health code. If no timely, written request for appeal is submitted by the permit or license holder, the revocation becomes final and cannot be undone.

D. Service of notice.

1. Whenever a notice of suspension or revocation is provided by the health officer, it shall be given in a manner that is reasonably calculated, under the then-existing circumstances, to inform a permit or license holder of the action the health officer took or will take. The health officer may provide notice by certified mail plus regular mail, personal service, or hand-delivery and it is effective at the time of the mailing, personal service, or hand-delivery, whichever is earlier. A copy of this notice shall be filed in the department's records.

E. Hearings.

1. A hearing on a timely, written request for appeal shall be conducted in accordance with Chapter 1, Regulation 13 of the health code.

F. Application after revocation.

1. Whenever revocation of a permit or license becomes final, the holder of the revoked permit or license may submit a written application for a new permit or license to the health officer.

Regulation 7 – Violation; Penalty

Any person violating any provision adopted in this chapter shall be subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.

CHAPTER 11 – LIQUID WASTE

ON-SITE WASTEWATER TREATMENT FACILITIES

Regulation 1 – Purpose.

The purpose of this ordinance is to preserve the health and welfare of the citizens of the county and to protect land, water, groundwater, and other natural resources within the county through regulation of minimum requirements related to site investigation for and proper design and installation of on-site wastewater treatment facilities.

Regulation 2 - Definitions.

- A. “On-Site wastewater treatment facility” means a conventional septic tank system or alternative system installed at a site to treat and dispose of wastewater, predominately of human origin, generated at the site.
- B. “On-Site wastewater permit” means a written permit, stamp, or seal of approval issued by the county.

Regulation 3 - On-Site wastewater permit—Required.

- A. No person shall begin construction of a new on-site wastewater treatment facility or the repair or alteration of an existing on-site wastewater treatment facility without an on-site wastewater permit from the county and the Arizona Department of Environmental Quality (A.D.E.Q.), if applicable).
- B. Before an on-site wastewater permit for construction of an on-site wastewater system in an unincorporated area of the county is issued, zoning clearance approval must first be obtained from the county’s office of Community Development.
- C. Before an on-site wastewater permit for construction of an on-site wastewater treatment facility in an incorporated area of the county or within a community facilities district, wastewater improvement district, or sanitary district is issued, written approval from the agency or district responsible for wastewater disposal must be presented to the department.
- D. An on-site wastewater treatment permit shall be issued only to a contractor, as defined in A.R.S. § 32-1101, or to an owner or lessee of a lot on condition that said owner or lessee performs all labor in connection with the installation of the individual sewage disposal system except that they may contract for certain portions of the work to be done by contractors.
- E. Any contractor, as defined in A.R.S. § 32-1101, who undertakes, offers to undertake, or purports to have the capacity to construct, install, alter, repair, improve, or add to a septic tank or leach field must be duly licensed by the department pursuant to guidelines promulgated by the health officer. The same is true for a contractor who provides mechanical or structural service for any such improvement to a septic tank or leach field.

Regulation 4 - Site investigation.

- A. All site investigations, including surface and sub-surface site and soil characterizations, shall be conducted in accordance with requirements of Title 18, Chapter 9, Articles 1 and 3 of the Arizona Administrative Code (A.A.C.).

- B. Site investigations shall only be performed by individuals having knowledge and competence in the subject area and who have a license in good standing or are otherwise qualified in one of the following categories:
1. Arizona-registered professional engineer;
 2. Arizona-registered geologist;
 3. Arizona-registered sanitarian;
 4. A certificate of training from a course recognized by the A.D.E.Q.; or
 5. Qualified under another category designated in writing by the A.D.E.Q. or health officer.
- C. A person performing a site investigation pursuant to the requirements of A.A.C. § R18-9-A310 shall:
1. Notify the county at least forty-eight (48) hours prior to conducting a site investigation; and
 2. Provide the location of the site investigation, the time it is scheduled to begin, and a telephone contact number.
- D. Site investigation activities performed and reported without prior notification to the county are invalid and cannot be used to fulfill the site investigation submittal requirements found in A.A.C. § R18-9-A309(B)(1).

Regulation 5 - Alternative systems.

Approval for Alternative systems must be obtained from the A.D.E.Q.

Regulation 6 - Approval to discharge.

No on-site wastewater treatment facility shall be covered or operated until the department completes a final construction inspection and issues an approval to discharge from the on-site wastewater treatment facility.

Regulation 7 - Operational responsibility.

A person shall operate a permitted on-site wastewater treatment facility so that:

1. Flows to the facility consist of typical sewage and does not include any motor oil, gasoline, paint, varnish, solvent, pesticide, fertilizer, or other material not generally associated with toilet flushing, food preparation, laundry, or personal hygiene;
2. Flows to facility do not contain hazardous wastes or hazardous substances;
3. If the sewage contains a component of non-residential flow such as food preparation, laundry service, or another source, the sewage is adequately pretreated by an interceptor or other approved device;
4. Flows to the facility do not exceed the design flow specified in the approval to discharge; and
5. The facility does not create an unsanitary condition or a public nuisance.

SEPTIC TANK CLEANERS AND INDUSTRIAL WASTE HAULERS

Regulation 8 - Collection, storage, transportation, and disposal—Sewage and industrial waste.

- A. The collection, storage, transportation, and disposal of all human excreta and industrial waste shall be carried out in a sanitary manner which does not endanger the public health or create a public nuisance.
- B. Each vehicle for collection and transportation of the waste shall be equipped with a leak-proof and fly-tight container.
- C. All portable containers, pumps, hose, tools, and other implements shall be stored within a covered and fly-tight enclosure when not in use.
- D. Contents to be removed shall be transferred as quickly as possible by means of portable fly-tight containers or suitable suction pump and hose to the transportation container. The transportation container shall be tightly closed and made absolutely fly-tight immediately after the contents have been transferred. Where portable containers are used, they must be kept fly-tight while being transported to and from the vehicles. Any waste dropped or spilled in the process of collection shall be carefully cleaned up immediately and the area properly disinfected and decontaminated.
- E. The pump and discharge line shall be free from leaks. The downspout shall not be more than twelve (12) inches from the ground level when in use.
- F. The shut-off valve shall be of a quick-close type which will not permit sewage to splash or flood the area surrounding a manhole.
- G. All trucks, tools, and equipment shall be maintained in good repair at all times and when not in use shall be stored in a clean and sanitary condition. At the end of each day's work, all portable containers, suction pumps, hose, and other tools shall be cleaned and disinfected or otherwise decontaminated.
- H. No person shall dispose of any waste (e.g., sewage or industrial) except as allowed on the permit issued by the health officer.
- I. Industrial waste shall not be deposited in to the sewerage system without the written approval of the operator of the sewage disposal system.

Regulation 9 - Permits to operate.

- A. No person shall engage in the activities of a septic tank cleaner or an industrial waste hauler without holding a current and valid permit issued by the health officer in accordance with Chapter 11, Regulation 3 of the health code.
- B. The permit shall include a list of approved dumping sites.
- C. Each truck shall have the number of the permit and the name and telephone number of its owner plainly and durably inscribed in contrasting colors on the side door panels of the cab and the rear face of the tank in figures not less than three (3) inches high. These numbers shall be legible at all times.
- D. Classification of trucks as to size, type of waste hauled, or other categorization, restriction, or requirement may be imposed by the health officer and shall be stated on the permit.

E. All permits shall expire one (1) year from the date of issuance.

Regulation 10 - Truck license.

- A. No truck shall be operated without a current and valid license issued by the health officer.
- B. Every truck shall be inspected and approved annually by the health officer prior to the issuance or renewal of the license.
- C. Each license shall be affixed to the truck in a place designated by the health officer and shall be legible at all times.
- D. Licenses are not transferable from truck to truck.
- E. All licenses shall expire one (1) year from the date of issuance.

Regulation 11 - Suspension of permit.

The health officer may suspend any permit to operate as a septic tank cleaner or industrial waste hauler if operation by the permit holder constitutes a:

1. Violation of the provisions of this chapter of the health code or of any conditions in a permit issued pursuant to this chapter of the health code;
2. Substantial hazard to public health or the environment; or
3. A public nuisance.

Regulation 12 - Suspension of license.

The health officer may suspend the truck license when there is evidence that:

1. Sewage or industrial waste is being dropped or spilled during transportation due to faulty equipment; or
2. The truck is not being maintained in accordance with the requirements of this chapter of the health code.

Regulation 13 - Procedures for suspension.

Whenever the health officer suspends a permit or a license issued under this chapter of the health code, he or she shall issue a written notice of its suspension to the permit or license holder and indicate the reasons why the permit or license was suspended. In addition, the health officer shall notify the permit or license holder that they may appeal this decision by submitting a written request for appeal, within ten (10) days from the date the department provided the notice, to the health officer, in accordance with Chapter 1, Regulation 13 of the health code. If no timely, written request for an appeal is submitted by the permit or license holder, the suspension shall be sustained and cannot be undone unless the provisions of Regulation 14 of this chapter of the health code, below, are met.

Regulation 14 - Reinstatement of suspended permits of licenses.

The health officer may end the suspension of a permit or a license at any time after confirming, either by an inspection or a hearing held pursuant to Regulation 17 of this chapter of the health code, that the requirements of this chapter of the health code have been satisfied.

Regulation 15 - Revocation of permit and license.

- A. The health officer may revoke a permit or license issued under this chapter of the health code if a serious or repeated violation of any provision of this chapter of the health code occurs or if the permit or license holder, or an agent of either, interferes with the ability of the health officer to enforce the health code.
- B. Prior to revoking a permit or license, the health officer shall issue the permit or license holder a written notice of intent to revoke it and indicate the reasons why the permit or license is to be revoked. In addition, the health officer shall notify the permit or license holder that they may appeal this decision by submitting a written request for appeal, within ten (10) days from the date the department provided the notice, to the health officer, in accordance with Chapter 1, Regulation 13 of the health code. If no timely, written request for appeal is submitted by the permit or license holder, the revocation becomes final and cannot be undone.

Regulation 16 - Service of notice.

Whenever a notice of suspension or revocation is provided by the health officer, it shall be given in a manner that is reasonably calculated, under the then-existing circumstances, to inform a permit or license holder of the action the health officer took or will take. The health officer may provide notice by certified mail plus regular mail, personal service, or hand-delivery and it is effective at the time of the mailing, personal service, or hand-delivery, whichever is earlier. A copy of this notice shall be filed in the department's records.

Regulation 17 – Hearings.

A hearing on a timely, written request for appeal shall be conducted in accordance with Chapter 1, Regulation 13 of the health code.

Regulation 18 - Application after revocation.

Whenever revocation of a permit or license becomes final, the holder of the revoked permit or license may submit a written application for a new permit or license to the health officer.

Regulation 19 – Violation; Penalty.

Any person violating any rules adopted in this chapters shall be subject to the penalties prescribed in Chapter 1 of the health code.

CHAPTER 12 - PUBLIC RESTROOMS

Regulation 1 - Purpose.

All toilet facilities which are made available for the use of employees or patrons of an establishment or that are for the use of the general public shall comply with the provisions of this chapter of the health code unless there are specifically applicable requirements stated elsewhere in the health code.

Regulation 2 - Definitions.

All definitions adopted in Chapter 1 of the health code and the following specific definitions apply to all restrooms in the county:

- A. "Employee restrooms" means restrooms the use of which is restricted to employees of an establishment and which the public is not permitted to use.
- B. "Public restrooms" means restrooms in commercial and industrial establishments, food establishments, hospitals, public buildings, comfort stations, service stations, public parks, schools, airports, bus and railroad stations, or other places the public is invited to or which are frequented by the public without special permission or special invitation, and includes other installations (whether free or paid) where restrooms are installed so that their use is similarly unrestricted.

Regulation 3 - Requirements.

- A. Every place where persons are employed shall have an approved method of human excreta disposal installed.
- B. In every place where toilet facilities are installed for the use of employees or the general public, such facilities shall be installed in accordance with the requirements of A.R.S. § 34-406(F).
- C. It shall be the duty of the management of the establishment to maintain all employee and/or public restrooms in a clean and sanitary condition at all times.

Regulation 4 - Toilet facilities.

- A. The pressure and volume of water shall be sufficient to ensure effective flushing of toilets and urinals.
- B. Toilets and urinals shall be constructed of vitreous or other department approved material, the surface of which is smooth hard, impervious, and not easily corrodible. In addition, the toilets and urinals shall be of rim-flush type and be properly vented and trapped. All joints to the toilets and urinals shall be tight. The toilets and urinals shall be designed to prevent back-siphonage of their contents and to provide ample flushing action to ensure cleanliness. All toilets and urinals shall be kept clean and in good repair.
- C. All toilets and urinals shall be located in well-lighted and well-ventilated rooms and shall be conveniently accessible to approved handwashing facilities.
- D. Toilet rooms shall be kept clean and in good repair and provided with an adequate supply of toilet paper.

Regulation 5 - Lavatory facilities.

A. Lavatory facilities shall comply with the following requirements:

1. The lavatory shall be composed of vitreous or other approved material, the surface of which is smooth, hard, impervious and not readily corrodible. Taps connected with the lavatory shall be so installed as to discharge at least one (1) inch above the level at which the lavatory will overflow upon the floor.
2. The water supply used in connection with a lavatory shall comply with the requirements of the health code.
3. Soap in a suitable dispensing container and department approved hand-drying devices such as disposable paper towels or hand dryers shall be provided for the users of the lavatory facilities.

Regulation 6 - Public nuisance declaration.

Restrooms which are not kept in a clean and sanitary condition or in good repair are specifically declared to be a public nuisance and dangerous to public health.

Regulation 7 – Violation; Penalty.

Any person violating any provision adopted in this chapter shall be subject to the penalties prescribed in Chapter 1, Regulation 14 of the health code.