

# **Houston County Health Code**

As Adopted

By The

Houston County Board of Commissioners

On

March 7, 2006

## Houston County Health Code

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# CHAPTER 1

## GENERAL REGULATIONS

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### 101. Title of Health Code

This Health Code shall be known as the Houston County, Georgia Health Code.

### 102. Construction of the Health Code

This Health Code shall be liberally construed so as to protect the health of citizens of Houston County. Terms that are not defined in this Code shall be given their ordinary signification unless a special meaning is attached to them or the trade or business to which the Code section applies.

### 103. Definitions

The following definitions shall apply in the interpretation and enforcement of this regulation:

- A. Board of Health. The term "Board of Health" shall mean the Board of Health of Houston County, Georgia and shall function and have powers in accordance with O.C.G.A. [31-3-4](#).
- B. Public Health Director. The term "Public Health Director" shall mean the Public Health Director of Houston County, Georgia, or his authorized representative. The Public Health Director will direct the enforcement of Federal, State and County health laws, rules, and regulations, and perform other work as required as outlined in O.C.G.A [31-3-11](#).
- C. Person. The term "person" shall mean an individual, firm, partnership, corporation, or association or combination thereof and may extend and be applied to bodies both political and corporate.
- D. Department. The term "department" means the Houston County Health Department or any employee or representative thereof acting within the scope of his authority or as the Department's designee.
- E. Health Official. The term "health official" shall mean the person that meets the requirements of an Environmental Health Specialist as described by the State of Georgia Merit System.

### 104. Inspections and Investigations

- A. The health officer shall have the right to enter on any premises and to make such inspections and investigations, as he shall deem necessary to enforce the regulations of the Board of Health and to protect the public health.

- B. Upon refusal of a person to allow the health officer to inspect any and all premises, the health officer shall acquire an inspection warrant as specified in O.C.G.A. [31-5-21](#). No person shall molest or resist the health official in the discharge of his duties.
- C. The health official may take and examine reasonable samples of any substance suspected of creating a nuisance or menace to the public health.
- D. The health official shall promptly investigate every bona fide complaint coming under his jurisdiction, but he may, at his discretion, refuse to investigate any anonymous complaint.

**105. Authority to Institute Legal Proceedings**

The department shall have power to institute and maintain whatever legal proceedings are necessary or appropriate to enforce compliance with the provisions of this Code including the power to seek injunctive relief.

**106. Permits and Approvals**

- A. All applications for permits and written approval required by any regulation of the Board of Health shall be made on forms prescribed and furnished by the health officer and shall be signed by the applicant who shall be the person responsible for conformance to the conditions of the permit or approval applied for. Applications shall contain such information and be accompanied by such plans, as the health officer shall deem necessary.
- B. A permit issued to a particular person or for a designated place or purpose shall not be valid for use by any other person or for any other place or purpose than that designated therein.
- C. Such permits of written approvals may contain general and specific conditions, and every person who shall have obtained a permit or written approval containing such conditions shall conform to the conditions prescribed in said permit or written approval and to the provisions of all applicable regulations.
- D. Every permit shall expire as stated on the permit and may be renewed, suspended for cause, or revoked by the health official after due notice and hearing.

**107. Transfer of Premises Violating Health Standards**

No person who has been ordered by the department to correct an unsatisfactory health condition which exists in violation of this Code on premises he owns or controls shall sell, lease, or in any way transfer his interest in the premises or in a business conducted on the premises unless he first corrects the unsatisfactory condition in accordance with the requirements of this Code.

**108. Business Licenses and Building Permits**

- A. Whenever any regulation of the Board of Health requires approval by the health officer of plans for any building or structure, no municipality or agency of Houston County shall issue or renew a building permit for such building or structure without first having obtained a written statement from the health official that the plans, therefore, comply with all the applicable regulations of the Board of Health.
- B. Whenever any regulation of the Board of Health requires sanitary inspection and approval of any establishment by the health official, no municipality or agency of Houston County shall issue any business license for such establishment without first having obtained a written statement from the health officer that the establishment complies with all applicable regulations of the Board of Health.

- C. Nothing in this subsection shall be construed to restrict or abrogate the authority of any municipality or agency of Houston County to adopt and enforce additional regulations or ordinances relative to the regulations, control, issuance, renewal, or revocation of any business license or building permit, except as herein provided.
- D. It shall be the duty of the health official to keep the appropriate municipal and county officials informed as to the provision of this subsection and the regulations of the Board of Health to which it applies.

**109. Hearings on Revocation of Permits**

Hearings by the department to decide on the revocation of permits issued under the provisions of this Code shall be in accordance with O.C.G.A. [31-5-2](#) and [37-1-50](#).

**110. Regulations of Other Agencies and Municipalities**

Wherever there is in effect any rule or provision of any regulation or ordinance or any governmental agency or municipality which is more strict than the corresponding provision of a regulation of the Board of Health, the health official shall hold in abeyance the enforcement of such provision of the Board of Health regulation and cooperate with such agency or municipality in enforcing such stricter rule or provision of its regulations or ordinances. Provided that, if after a reasonable time such agency or municipality shall have failed to enforce its rule or the provision of its regulations or ordinances, the health official shall proceed with the enforcement of the corresponding provision of the Board of Health regulations.

**112. Citation Process**

- A. Any local health official, upon information of the existence of a violation within their jurisdiction, or when any such violation comes to their attention, shall, within a reasonable time, investigate and, upon finding such violation exists, shall issue a notice in writing for the abatement of the same. Whenever the health official finds environmental health conditions which, in their judgement, constitute an imminent and substantial hazard to the public health, they may without prior notice issue a written citation to the violator citing such conditions and specifying the corrective action to be taken.
- B. Such notice shall specify the nature of such violation and shall designate the time within which such abatement or discontinuance shall be accomplished.
- C. If the violation is not corrected or resolved within the designated time frame or 30 days, whichever is appropriate, a warning will be issued.
- D. Citations must be numbered and a minimum of three (3) copies will be needed (see attached forms.)
  - 1 copy for perpetrator
  - 1 copy for Magistrate Court
  - 1 copy for Health Department files

**112. Penalties**

Any person who violates, disobeys or disregards a provision of this Code or a lawful order of the department shall be guilty of a misdemeanor and, upon conviction in the Houston County Magistrate court be liable for a penalty of not to exceed one thousand dollars (\$1000.00), or imprisonment up to six (6) months, or both, for each separate offense. Each day a provision of this Code or lawful order of the department is violated, disobeyed, or disregarded shall constitute a separate offense. The penalties herein set out for the purpose of enforcing this Code shall not be deemed exclusive, but shall be cumulative of all other remedies provided by

the laws of the State of Georgia.

**113. Effect of Partial Invalidity**

If any provision of this Code, or the application thereof to any person or circumstances, is held invalid, the remainder of the Code, or the application of such provision to other persons or circumstances, shall not be affected thereby.

**114. Effective Date of the Houston County Health Code and Subsequent Amendments Thereto**

This Code shall become effective after due notice to and hearing by persons and parties affected thereby. Furthermore, no rule or regulation shall become effective until 30 days after its adoption, except in cases of emergencies constituting an imminent threat to the public, in which event such rules or regulations shall become effective upon adoption. In all cases, O.C.G.A. 88-307 shall govern as to determining the effective date of this Code.

**115. All Health Regulations Superseded by This Code**

This Code supersedes all other Houston County health regulations.

## CHAPTER 2

### NUISANCES

Section 201 [Definition of Nuisance](#)  
Section 202 [Miscellaneous Prohibitions](#)  
Section 203 [Nuisances Prohibited](#)

Section 204 [Penalties](#)  
Section 205 [Abatements by County](#)

#### **201. Definition of Nuisance**

Any of the following conditions constitute a health nuisance, and the health official of the department shall have the power to declare such conditions exist when:

- A. Toilets, plumbing, sewers, septic tank systems, garbage containers, or any other sanitary facilities which in their present condition constitute a threat to public health.
- B. Conditions conducive to the breeding or attraction of rodents, flies, fleas, ticks, mosquitoes, or any other disease-carrying insects which constitute a threat to public health.
- C. Trash, garbage, refuse, or any foul, decaying, or putrescent material kept, used, placed, or disposed of in such a manner or place as to be or become a threat to human health or well-being.
- D. Sewage, kitchen wastes, laundry wastes, or any other wastes deposited upon or allowed to remain upon the ground surface or any other place so as to be or to become a threat to human health or well being.
- E. The keeping or maintaining of animals or fowls in unclean, poorly drained areas or in any other unsuitable places where conditions are such that they are or could become a threat to human health or well-being.

#### **202. Miscellaneous Prohibitions**

The department shall not attempt to correct conditions that because of their odor, sound, or appearance may annoy persons on nearby premises or members of the public, if in the judgment of the department the conditions have no substantial relation to health or the spread of disease.

#### **203. Nuisances Prohibited**

No person shall create, maintain, support, aid, or continue any condition declared to be a nuisance as defined in this Code.

#### **204. Penalties**

Any person who violates any provision of this regulation shall be guilty of a misdemeanor. Each and every violation of the provisions of this regulation shall constitute a separate offense.

#### **205. Abatements by County**

In any case where the owner, agent, or tenant fails to abate the nuisance in the time specified, or where the owner, agent, or tenant cannot be served with notice, or where the nature of the nuisance is such, in the opinion of the judge, that it must be immediately abated, the judge may issue an order to the Sheriff directing the nuisance to be abated. A record of the expenses and cost of abating the same must be kept, and the costs shall be billed against the owner, agent, or tenant for collection as for county revenues.

## **CHAPTER 3 SEWAGE DISPOSAL**

Section 301     [Adoption of State-Wide Laws](#)  
Section 302     [Lot Sizing](#)

### **301.    Adoption of State-Wide Laws**

Pursuant to 2000 O.C.G.A. 31-3-5, the provisions of O.C.G.A. 31-2-7 are adopted and made a part of this Code. Further, the applicable Rules and Regulations (including the Rules and Regulations for On-Site Sewage Management Systems and the Manual for On-Site Sewage Management), as amended, promulgated by the State Department pursuant to O.C.G.A. 31-2-7 are hereby adopted for enforcement in this Code.

### **302.    Lot Sizing**

Lots utilizing on-site sewage management systems shall be sized in accordance with the Department of Human Resources Manual for On-Site Sewage Tables MT1 and MT2 and any revision thereof.



**CHAPTER 4**  
**TOURIST ACCOMMODATIONS**

Section 401     [Adoption of State Law](#)

**401.     Adoption of State Law**

The provisions of the Rules of the Department of Human Resources, Division of Public Health Chapter 290-5-18 Tourist Accommodations, as amended, are adopted and made a part of this Code.

## CHAPTER 5

### DEER PROCESSING SERVICES

Section 501	<a href="#">Provisions</a>	Section 506	<a href="#">Water and Sewage</a>
Section 502	<a href="#">Food Care</a>	Section 507	<a href="#">Garbage and Refuse</a>
Section 503	<a href="#">Personnel</a>	Section 508	<a href="#">Insect and Rodent Control</a>
Section 504	<a href="#">Equipment</a>	Section 509	<a href="#">Construction and Maintenance of Facility</a>
Section 505	<a href="#">Cleaning/Sanitizing and Storage</a>		

#### 501. Provisions

##### A. Permit

1. It shall be unlawful for any person to operate a deer processing service without having first obtained a valid deer processing permit from the Houston County Health Department unless the facility will also process other products such as alligator or feral swine.
2. If a deer processing facility is to process other products in addition to venison, the appropriate permits must be obtained from the Georgia Department of Agriculture or the Georgia Department of Natural Resources, whichever is applicable. A permit from the Health Authority will not be required under these conditions.
3. Permits are invalidated by change of ownership of location;
4. Prior to the issuance of the permit to new or existing establishments, the applicant shall provide evidence of satisfactory compliance with the provisions of these rules;
5. The permit shall be prominently displayed at eye level at all times, as near the main entrance as practicable;
6. The permit shall be property of the health authority and shall be returned within seven days to the Houston County Health Department when the deer processing ceases to operate or is moved to another location or when the permit is revoked;
7. The Health Authority may revoke a permit for violation of these rules and regulations.

##### B. Application for a permit

The owner/operator of the deer-processing establishment shall submit to the local health authority an application for a permit at least ten (10) days prior to the anticipated date of opening and commencement of the operation of the establishment.

##### C. Submission of Plans

Properly prepared plans and specifications must be submitted for review and approval when a deer processing establishment is constructed or extensively remodeled, or when an existing structure is converted to use as a deer processing establishment.

#### 502. Food Care

- A. Carcasses should only be accepted if in sound condition, free from spoilage, filth, or other contamination;
- B. Carcasses must be eviscerated before placing into cooler. Carcasses must be hung and never laid on the floor;

- C. Carcasses must be immediately processed or moved promptly into refrigerator cooler;
- D. Carcasses without head removed and/or skinned must be hung separately from skinned/beheaded carcasses with at least 12-inch spatial separation; or impervious barrier;
- E. All meat must be maintained in a cooler which will maintain internal product temperatures of 41°F or cooler;
- F. Only meat from deer, elk, moose and, antelope may be processed and stored in a deer-processing establishment;
- G. Deer must be processed with suitable utensil, and on surfaces that prior to use have been cleaned, rinsed and sanitized;
- H. Processed meat must be fully wrapped before placing in cooler or freezer and must not be stored under carcasses or where wrappers will be splattered with waste or blood;
- I. Processed meat must be stored at least six (6) inches above floors;
- J. Carcasses, meat, and containers of meat, shall not be stored under exposed plumbing, tubes and refrigeration components, or otherwise located where contamination may occur;
- K. Packaged or wrapped meat may not be stored in contact with water or ice.
- L. At all times, including while being stored, prepared, displayed, or transported, meat must be protected from potential contamination including toxic materials, dust, insects, rodents, unclean equipment and utensils, unnecessary handling, cross contamination, coughs and sneezes, flooding, drainage, and overhead leakage or overhead drippage from condensation.

**503. Personnel**

A. Employee Health

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

B. Personal Cleanliness

1. Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, and immediately after using tobacco products, eating, drinking, using the toilet, or being potentially contaminated by other means.
2. Employees shall keep their fingernails clean and trimmed short. No hand or arm jewelry may be worn while handling foods with the exception of one ring hand band (no cut-out designs or stone/gems) on one finger.
3. Approved measures should be taken to prevent perspiration from contaminating foods, food contact surfaces, equipment and utensils.

C. Clothing

1. The outer layer of clothing of all employees shall be clean. Shirts must have sleeves which cover the underarm;
2. Employees preparing and handling food shall use effective and clean, disposable or easily cleanable nets or hats worn properly to restrain loose hair.

D. Employee Practices

1. Employees shall consume food or use tobacco products only in approved designated areas separate from cutting and storage areas;
2. Employees shall not use tobacco in any form while engaged in food preparation, nor while in areas used for equipment or utensil washing or for food preparation;
3. Employees shall maintain a high degree of personal cleanliness and shall use good hygienic practices during all working periods.

**504. Equipment**

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

B. Design and Fabrication

1. All equipment and utensils, including plastic ware, shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, breaking, bulking, pitting, chipping, and crazing;
2. Food contact surfaces shall be easily cleanable, smooth, rust-free, and free of breaks, open seams, cracks, chips, pits, internal corners and crevices and similar imperfections;
3. Equipment containing bearings and gears requiring unsafe lubricants shall be designed and constructed so that the lubricant cannot leak, drip, or be forced into food or onto food contact surfaces. Only safe lubricants shall be used on equipment designed to receive lubrication of bearings and gears on, or within, food contact surfaces.

C. Sinks and Drain Boards

1. Sinks and drain boards shall be self-draining;
2. Unless designed for in-place cleaning, food contact surfaces shall be accessible for cleaning and inspection:
  - a. without being disassembled; or
  - b. by disassembling without the use of tools; or
  - c. by easy disassembling with the use of only simple tools such as a mallet, a screwdriver, or a wrench kept available near the equipment.

## 505. Cleaning/Sanitizing and Storage of Equipment/Utensils

### A. Equipment and Utensil Cleaning and Sanitization

1. To prevent cross-contamination, utensils and food-contact surfaces of equipment shall be washed, rinsed, and sanitized after each use and following any interruption of operations during which time contamination may have occurred.
2. Where equipment and utensils are used for the preparation of potentially hazardous foods on a continual basis, utensils and food contact surfaces of equipment shall be washed, rinsed, and sanitized at four (4) hour intervals throughout the day.
3. Non-food contact surfaces of equipment shall be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles, and other debris.
4. Moist cloths and sponges shall be clean and rinsed frequently in an approved sanitizing solution of 200 to 400 ppm free chlorine or any other chemical sanitizer meeting the requirements of 21 Code of Federal Regulations 178.1010. The cloths and sponges must be kept in the sanitizing solution between uses.

### B. Manual Cleaning and Sanitizing

1. For manual washing, rinsing, and sanitizing of utensils and equipment, a sink with not fewer than three compartments shall be provided and used. Sink compartments shall be large enough to accommodate utensils, and each compartment of the sink shall be supplied with hot and cold potable water under pressure. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments shall be washed, rinsed, and sanitized manually or cleaned through pressure spray methods.
2. Drain boards or easily movable dish tables of adequate size shall be provided for proper handling of soiled utensils prior to washing and for cleaned utensils following sanitizing and shall be located so as not to interfere with the proper use of the dishwashing facilities.
3. Equipment and utensils shall be pre-flushed or pre-scraped and, when necessary, pre-soaked to remove gross food particles and soil.
4. Manual washing, rinsing, and sanitizing shall be conducted in the following sequence:
  - a. pre-flush or pre-scraped and when necessary, pre-soaked;
  - b. sinks shall be cleaned prior to use;
  - c. utensils shall be thoroughly washed in the first compartment with warm detergent solution that is kept clean;
  - d. utensils shall be rinsed free of detergent and abrasives with clean, warm water in the second compartment;
  - e. utensils shall be sanitized in the third compartment;
  - f. utensils shall be air-dried only.
5. The food contact surfaces of all equipment and utensils shall be sanitized by:
  - a. immersion for at least one-half ( $\frac{1}{2}$ ) minute in clean, hot water at a temperature of at least 170° F; or

- b. immersion for at least one (1) minute in a clean solution containing at least 50 ppm of available chlorine as hypochlorite (bleach) and at a temperature of at least 75°F; or
  - c. immersion for at least one (1) minute in a clean solution containing at least 12.5 ppm of available iodine and having a pH not higher than 5.0 and a temperature of at least 75 °F; or
  - d. immersion in a clean solution containing any other chemical sanitizing agent allowed under 21 Code of Federal Regulation 178.1010 or its successor that will provide the equivalent bactericidal effect of a solution containing at least 50 ppm of available chlorine as hypochlorite (bleach) at a temperature of at least 75' F for one minute.
6. Large equipment, which cannot be immersed, must be sanitized by rinsing, spraying, or swabbing with a chemical sanitizing solution of at least twice the strength required for the particular sanitizing solution.

**C. Equipment and Utensil Storage**

- 1. Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination.
- 2. Cleaned and sanitized utensils and equipment shall be stored at least six (6) inches above the floor in a clean, dry location in a way that protects them from contamination by splash, dust, and other means. The food contact surfaces of fixed equipment shall also be protected from contamination. Equipment and utensils shall not be placed under exposed plumbing, tubes and refrigeration components or otherwise located where contamination may occur. This requirement does not apply to automatic fire protection sprinkler heads.
- 3. Utensils shall be air-dried only before being stored or shall be stored in self-draining position.
- 4. Single-service articles shall be stored at least six (6) inches above the floor in closed cartons or containers, which protect them from contamination and shall not be, placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads.

**506. Water and Sewage**

**A. Water**

All water must be potable and provided by a source constructed and operated according to applicable state or local plumbing code as amended.

**B. Sewage**

All sewage, including liquid waste, shall be disposed of by a public sewerage system or by a sewage disposal system constructed and operated according to applicable State or local plumbing code as amended.

### C. Plumbing

1. All plumbing shall be sized, installed, and maintained according to applicable State or local plumbing code as amended. There shall be no cross-connection between the potable water supply and any non-potable water supply or any source of pollution through which the potable water supply might become contaminated.
2. A non-potable water system is permitted only for purposes such as air-conditioning and/or fire protection and only if the system is installed according to law and the non-potable water does not contact, directly or indirectly, food, potable water, equipment or surfaces that contact food or utensils. The piping of any non-potable water system shall be durable and adequately identified, such as by distinctive yellow-colored paint, so that it is readily distinguished from piping which carries potable water. Such piping shall not be connected to equipment or have outlets in the food-preparation area.
3. The potable water system shall be installed to preclude the possibility of backflow. Devices shall be installed to protect against backflow and back-siphon age at all fixtures and equipment where an air gap at least twice the diameter of the water supply inlet is not provided, between the water supply inlet and the fixture's floor level rim.
4. Except for properly trapped open sinks, there shall be no connection between the sewerage system and any drains originating from equipment in which food, portable equipment, or utensils are placed. When a dishwashing machine is located within five (5) feet of a trapped floor drain, the dishwasher waste outlet may be connected directly on the inlet side of a properly vented floor drain trap if permitted by applicable State or local plumbing code as amended.

### D. Toilets

1. Toilet facilities for employees shall be provided and installed in accordance with applicable State or local plumbing code as amended, shall be the number required by such code and shall be accessible at all times. When not on the same premises, location shall be approved by the health authority.
2. Toilets and urinals shall be designed to be easily cleanable.
3. Toilet rooms shall be completely enclosed and shall have tight-fitting, self-closing doors with solid surfaces, which shall be closed except during cleaning or maintenance, except as provided by law.
4. Toilet fixtures and receptacles shall be kept clean and in good repair. A supply of toilet tissue in an appropriate wall-mounted holder shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms used by women shall have covered waste receptacle(s).

### E. Lavatory

1. At least one lavatory will be required in the processing room and in any other area deemed appropriate by the Health Official.
2. Lavatories shall be accessible to employees at all times.
3. Lavatories shall be located in or immediately adjacent to toilet rooms or vestibules. Sinks used for washing equipment or utensils shall not be used for hand washing.
4. Each lavatory shall be supplied with warm water by means of a mixing valve combination faucet or other mechanisms approved by the health authority. Any self-closing, slow-closing, or metering faucet used shall be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet. Steam mixing valves are prohibited.

5. A supply of hand-cleaning soap or detergent shall be available at each lavatory. A supply of sanitary towels dispensed from an approved dispenser or a hand-drying device providing heated air shall be conveniently located in each lavatory area. Common towels are prohibited. If sanitary towels are used, easily cleanable waste receptacles shall be conveniently located near the hand washing facilities.
6. Lavatories, soap dispensers, hand-drying devices, waste receptacles, and all related equipment shall be kept clean and in good repair.

**507. Garbage and Refuse**

- A. Garbage and refuse shall be kept in durable, easily cleanable, insect-proof and rodent-proof, containers that do not leak and do not absorb liquids. A sufficient number of garbage containers shall be provided and used. Plastic bags or wet-strength paper bags shall be used to line these containers.
- B. Containers used in food preparation and utensil-washing areas shall be kept covered after they are used and emptied at least once a day. Each container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate food, equipment, utensils, or food preparation areas.
- C. Containers stored outside the establishment including dumpsters, compactors and compactor systems shall be easily cleanable, shall be provided with tight-fitting lids, door or covers, and shall be kept covered when not in actual use. Soiled containers shall be cleaned at a frequency to minimize insect and rodent attraction. In containers designed with drains, drain plugs or screening shall be in place at all times, except during cleaning.
- D. Liquid waste from compacting or cleaning operations shall be disposed of as sewage.
- E. Garbage and refuse on the premises shall be stored in a manner to make them inaccessible to insects and rodents. Plastic bags or wet-strength paper bags or baled units containing garbage or refuse when placed on the outside of the establishment must be stored in approved covered containers. Cardboard or other packaging material not containing garbage or food waste need not be stored in covered containers if bundled or baled.
- F. Garbage of refuse storage rooms, if used, shall be constructed of easily cleanable, nonabsorbent, washable materials and shall be kept clean, insect-proof, rodent-proof, and shall be large enough to store the garbage and refuse containers that accumulate and shall be adequately ventilated.
- G. Outside storage areas or enclosures shall be large enough to store the garbage and refuse containers that accumulate and shall be kept clean. Garbage and refuse containers, dumpsters, and compactor systems located outside shall be stored on or above a smooth surface of nonabsorbent material such as concrete or machine-laid and sealed asphalt that is kept clean and in good repair.
- H. Garbage and refuse shall be disposed of often enough to minimize the development of an obnoxious odor and the attraction of insects and rodents.
- I. Garbage or refuse shall not be burned. Incineration shall be in accordance with law.
- J. Deer heads, entrails, skins, bones and meat trimmings must be stored inside cooler until the morning of disposal.



**508. Insect and Rodent Control**

- A. Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.
- B. All openings to the outside shall be effectively protected against the entrance of rodents and insects. Outside openings shall be protected against the entrance of rodents and insects. Outside tight-fitting self-closing doors, screening, controlled air currents, or other means shall protect openings. Screen doors shall be self-closing and screens for windows, doors, skylights, transoms, intake and other openings to the outside shall be tight fitting and free of breaks. Screening material shall not be less than 16 mesh to the inch.
- C. Each insecticide and rodenticide must be approved by the U.S. Environmental Protection Agency (EPA) for use in food service establishments and shall be used in accordance with label directions.

**509. Construction and Maintenance of Physical Facility**

A. Floors

Floors must be hard, smooth, durable, non-absorbent and easily cleaned. The use of sawdust, wood shavings, peanut hulls or similar material as a floor cover is prohibited.

B. Walls and Ceilings

- 1. Walls and ceilings, including doors and windows, shall be in good repair.
- 2. Walls in cooler, meat processing and storage areas must be light colored, smooth, non-absorbent and easily cleanable.
- 3. Light fixtures, vent covers, wall-mounted fans, decorative materials, and similar equipment attached to walls and ceilings shall be easily cleanable and shall be maintained in good repair.

C. Lighting

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

D. Poisonous or Toxic Materials

- 1. There shall be present in food service establishments only those poisonous or toxic materials necessary for maintaining the establishment, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.
- 2. Containers or poisonous or toxic materials shall be prominently marked "POISON" and distinctly labeled for ingredients according to law for easy identification of contents. The use of food containers for storage of toxic materials is prohibited.
- 3. Poisonous or toxic materials necessary for the maintenance of the establishment consisting of the following two categories:
  - a. Insecticides and rodenticide; and
  - b. Detergents, sanitizers, related cleaning or drying agents and caustics, acids, polishes, and other chemicals.

4. Each of the categories set forth in subparagraph (c) of this Rule shall be stored physically separate from each other and from foods. All poisonous or toxic materials shall be stored in cabinets or in a similar physically separate place used for no other purpose. This requirement does not prohibit a convenient supply of detergents or sanitizers at utensil or dishwasher stations.
5. Bactericides, cleaning compounds or other compounds intended for use on food contact surfaces shall not be used in a way that leave a toxic residue on such surfaces or that constitutes a hazard to employees or other persons.
6. Poisonous or toxic materials shall not be stored or used in a way that constitutes a hazard to employees or other persons, not in a way other than in full compliance with the manufacturer's labeling.
7. Personal medication shall not be stored in food storage, preparation or service area.
8. First-aid supplies, if provided, shall be stored and used in a way that prevents them from contaminating food and food contact surfaces.

**CHAPTER 6**  
**RABIES CONTROL**

Section 601	<a href="#">Adoption of Georgia Rabies Control Manual</a>	Section 606	<a href="#">Rabies Control Officer</a>
Section 602	<a href="#">Adoption of NASPHV Compendium of Animal Rabies Prevention and Control</a>	Section 607	<a href="#">Confinement of Dogs or Other Animals</a>
Section 603	<a href="#">Scope</a>	Section 608	<a href="#">Confinement Area or Facility</a>
Section 604	<a href="#">Definitions</a>	Section 609	<a href="#">Reporting</a>
Section 605	<a href="#">Provisions</a>		

**601. Adoption of Georgia Rabies Control Manual**

The provisions of the Department of Human Resources, Division of Public Health, Epidemiology Branch, as amended, are adopted and made a part of this code.

**602. Adoption of NASPHV Compendium of Animal Rabies Prevention and Control**

The provisions of the National Association of State Public Health Veterinarians, Inc., as amended, are adopted and made a part of this code.

**603. Scope**

To provide rules for the prevention and control of rabies within Houston County by providing for the confinement of dogs, cats, and other animals, for the establishment of a full-time rabies control officer and for other purposes.

**604. Definitions**

Unless a different meaning is required by the context, the following terms as used in this rule shall have the meanings hereinafter respectively ascribed to them.

- A. *Vicious Animal.* The term “vicious animal” shall apply to any animal, vaccinated or not vaccinated, which has exhibited a vicious temperament as determined by the health official or upon the involvement of an animal in three biting incidents which are reported to the health department within a twelve-month period.
- B. *Vaccine.* The term “vaccine” shall mean an injectable material containing killed or attenuated rabies virus, licensed by the United States Department of Agriculture, Virological Control Section, and approved by the Georgia Department of Human Resources. Outdated vaccine shall not be used.
- C. *Vaccinate – Inoculate.* The terms “vaccinate” and “inoculate” shall mean the injection of a specified dose of antirabic vaccine by a veterinarian into the proper site of an animal, such vaccine having the U.S. Department of Agriculture Biologics Control Section license number approval stamped on the label of the container and having been approved by the Georgia Department of Human Resources.
- D. *Veterinarian.* The term “veterinarian” shall mean any person who holds a license to practice the profession of veterinary medicine in the State of Georgia.
- E. *Rabies Vaccination Tag.* The term “rabies vaccination tag” shall mean a tag approved by the State Department of Public Health and which tag shall be worn by a vaccinated dog, cat, or other animal.

- F. Person. The term “person” shall mean any individual, firm, corporation, partnership, municipality, county, society, or association.
- G. Owner. The term “owner” shall mean any person having a right of property in a dog, or any person who permits a dog to remain on his premises.

**605. Provisions**

- A. Vaccinations of Dogs, Cats and Ferrets  
Every owner of a dog, cat or ferret three months of age or older shall cause such animal to be vaccinated against rabies as defined by this rule.
- B. Certificate of Vaccination
  - 1. Evidence of vaccination shall consist of a certificate of vaccination. The certificate with each item answered shall be prepared and signed by the veterinarian administering the vaccine. One copy of the certificate shall be given to the owner and one copy retained by the veterinarian. Copies of certificates shall be provided upon request to the Houston County Health Department or any animal control officer.
  - 2. Any veterinarian authorized and required in connection with his practice to issue certificates of vaccination and vaccination tags provided he furnishes one copy to the animal’s owner and retains one copy for his files.
- C. Vaccination Tags  
Coincident with the issuance of the certificate of vaccination, the person authorized to furnish the certificate shall also furnish the owner of the vaccinated dog or cat a serially numbered tag bearing the same number and year thereon as the certificate bears. The tag shall be securely attached to the collar or harness worn by the animal for which the certificate has been issued.

**606. Rabies Control Officer**

- A. A rabies control officer, who is knowledgeable of animals, shall be appointed by the Board of Health. This official will be an employee of the county health department.
- B. Duties of the rabies control officer will include:
  - 1. Investigate and maintain a record of animal bites in the county
  - 2. Arrange for proper confinement of an animal involved in a bite; or if the animal is dead or killed, preparation and submission of the head for laboratory examination
  - 3. Enforce proper disposition of animals exposed to known rabid animals
  - 4. Assist in rabies immunization clinics
  - 5. Assist in the enforcement of all rabies control ordinances and other duties as stated in the rabies control regulations or as ordered by the Public Health Director

**607. Confinement of Dogs or Other Animals**

- A. The rabies control officer in conjunction with the animal control officers will maintain enforcement of all regulations pertaining to the confinement of dogs or other animals.
- B. The owner of any dog, cat, or ferret as defined in this section shall confine or cause to be confined such dog or animal as herein prescribed:
  - 1. A dog, cat or ferret, whether vaccinated or not, which has bitten a person (or other animal) shall be confined for a period of ten days including the initial date of the bite.

2. A dog, cat, or ferret or other animal not vaccinated and bitten by a known or suspected rabid animal shall be immediately destroyed, or if the owner is unwilling to destroy the exposed animal, held in strict isolation in a Health Department approved kennel for six months.
3. Any dog, cat, or ferret or other animal, the rabies vaccination of which is current as evidenced by the certificate of vaccination and which is bitten by a known or suspected rabid animal, must be revaccinated and then confined in an approved manner for 45 days, and then released if no signs of rabies are evident and with approval of the rabies control officer or Health Official.
4. Every animal whether vaccinated or not in a quarantined area shall be kept confined by a method to be determined by the Rabies Control Officer.

**608. Confinement Area or Facility**

The area or facility to which any dog, cat, ferret or other animal is confined must be in compliance with the provisions of this rule shall be subject to the approval of the Health Official. The confinement area or facility may include a pound, a kennel, an animal hospital, or other approved place which provides:

- A. Construction and management which will keep the animal dry and clean and prevent its escape
- B. A method and procedure for the identification of the animal and the recording of the date of its admission to the area or facility
- C. Assurance that the animal will have safe and adequate water and food
- D. Adequate space for the animal's exercise
- E. Protection against excessive heat and cold
- F. Space, cages, pens and other necessary equipment to isolate the animal for its protection against injury and infectious disease

**609. Reporting**

- A. The owner or custodian of any animal having signs suggestive of rabies shall confine the animal and immediately notify the Health Department, reporting any information regarding any persons bitten or attacked by said animal.
- B. The rabies control officer shall report all known cases of rabies in Houston County to the Board of Health.
- C. The rabies control officer shall report accumulated data relating to rabies in Houston County to the Board of Health when in his opinion rabies is prevalent or likely to become prevalent to the extent that quarantine procedures are indicated.

## CHAPTER 7

### INDIVIDUAL AND NON-PUBLIC WATER WELLS

Section 701	<a href="#">Purpose</a>	Section 705	<a href="#">Abandoned Wells</a>
Section 702	<a href="#">Definitions</a>	Section 706	<a href="#">Legal Authority</a>
Section 703	<a href="#">General Provisions</a>	Section 707	<a href="#">Variance and Waivers</a>
Section 704	<a href="#">Location of Wells</a>	Section 708	<a href="#">Repeal Clause</a>

#### 701. Purpose

The purpose of these rules is to set forth the minimum standards to be followed in the design and construction of water supply wells, to define words used herein, to require permits for the drilling and boring of wells and to eliminate, as far as possible, pollution of the ground water of Houston County, and thereby, controlling the spread of water-borne diseases and protection of potable water supplies from contamination. These rules supplement the Water Well Standards Act, as amended, O.C.G.A. sections 12-5-120 through 12-5-138; the Georgia Safe Drinking Water Act of 1977, O.C.G.A. sections 12-5-170 through 12-5-193 and the latest revision of the Rules for Safe Drinking Water promulgated by the Georgia Department of Natural Resources, Environmental Protection Division Chapter 391-3-5, et.seq. and the Rules of 1991 Water Well Standards Advisory Council, Chapters 770-1 through 770-7. Any portion or sections herein that conflict with existing state law are superseded.

#### 702. Definitions

- A. "Abandoned Well" means a well or borehole, the use of which has been permanently discontinued, which is in such a state of disrepair that continued use for obtaining ground water or for other useful purposes is impracticable, or from which ground water for useful purposes is not obtainable or is deemed to be a safety or imminent threat to public health as deemed by the Houston County Board of Health. This is meant to include all holes that are drilled, bored, dug or driven which are determined to be unsatisfactory for development as a source of water supply.
- B. "Bored Well" means a well that is constructed by means of an auger-type device, as distinguished from one that is dug, drilled or driven.
- C. "Construction" means all acts necessary to construct a well or borehole for any intended purpose or use, including locating and drilling, but excluding the installation of pumps and pumping equipment.
- D. "Contaminant" means any physical, chemical, biological, or radiological substance or matter in water, in excess of naturally occurring levels.
- E. "County Board of Health" means the Houston County Board of Health established by the O.C.G.A. section 31-3-1.
- F. "Department" means the Georgia Department of Human Resources.
- G. "Division" means the Division of Public Health, a Division of the Georgia Department of Human Resources.
- H. "Drilled Well" means a well that is constructed by means of raising and dropping a heavy drill bit and stem or by rotary drilling method.
- I. "Driller" means any person engaged in drilling or drilling operations.

- J. “Drilling” or “drilling operation” means creating an excavation, well, borehole, or corehole by coring, boring, jetting digging, driving, or otherwise constructing for any intended purpose or use, including locating, testing, or withdrawing ground water which is intended to be usable as a source of water supply.
- K. “Driven Well” means a well that is constructed by driving a casing, at the end of which there is a drive point, without the use of any drilling or boring device.
- L. “Dug Well” means a well that is constructed by means of hand tools or by means of power shovel or other excavation machinery.
- M. “EPD” means the Environmental Protection Division, a division of the Georgia Department of Natural Resources.
- N. “Filled, sealed and plugged” means the placing of impervious material when appropriate in the well or borehole to prevent pollutants from entering the subsurface strata or water-bearing formations from the surface, to conserve the aquifer yield or artesian head, or to eliminate physical hazards.
- O. “Ground Water” means water obtained from drilled, driven, bored or dug wells, and/or springs used as a source of water for individual, non-public water and public water systems. The term also includes water of underground streams, channels, artesian basins, reservoirs, lakes, and other water under the surface of the earth, whether public or private, natural or artificial, which is contained within, flows through, or borders upon this county or any portion thereof.
- P. “Individual water well” means any well constructed for the purpose of obtaining ground water to supply water appurtenant to a single-family dwelling and intended for domestic use, including but not limited to, household purposes, farm livestock or gardens.
- Q. “Non-public water well” means any well constructed as a source of water supply for a water system which provides piped water to the public for human consumption, if such system has less than fifteen (15) service connections or regularly serves less than twenty-five (25) individuals daily at least sixty (60) days of the year.
- R. “Lot” means a portion of a subdivision, or any other parcel of land intended as a unit for transfer of ownership, or for development, or both, and shall not include any part of the right-of-way of a street or a road.
- S. “Potable Water” means water intended for human consumption or use meeting the bacteriological, chemical and radiological quality standards in accordance with the latest edition of Title 40 Code of Federal Regulations, Parts 141, 142 and 143, entitled, National Primary and Secondary Drinking Water Regulations.
- T. “Person” means any individual, firm, partnership, limited partnership, municipality, authority, trustee, corporation, association, or combination thereof and may extend and applied to bodies politic and corporate.
- U. “Permit” means written authorization granted to a person or entity by the Houston County Board of Health, or its agent to construct individual water well or any non-public water well (non-public water system).
- V. “Public water system” means a system that provides water to the public for human consumption through pipes or other constructed conveyances, if such system has at least fifteen (15) service connections or regularly serves an average of twenty-five (25) individuals daily at least sixty (60) days out of the year. Such terms include: 1) any collection, treatment, storage and distribution facilities under the control of the operator of such system and used primarily in connection with

such system and 2) any collection or pre-treatment, storage facilities not under such control which are used primarily in connection with such system. A public water system is further sub-classified as a "community water system" a "non-transient non-community water system" or a "transient non-community water system". Multiple wells owned by the same person within the same property or development meeting the above criteria collectively will constitute public water systems.

- W. "Repair" means any action resulting in breaking or opening of the well seal or replacement of a pump.
- X. "Water well" means any excavation which is cored, bored, drilled, jetted or dug, or otherwise constructed for the purpose of locating, testing or withdrawing ground water and which is intended or usable as a source of water supply for individual residences, farms, irrigation, industrial processes, non-public water systems or public water systems.
- Y. "Well" means any excavation in which the vertical dimension exceeds the horizontal dimension that is bored, cored, drilled, dug, jetted, or otherwise constructed for the purpose of locating, testing, or withdrawing groundwater; or for evaluating, testing, developing, draining, or recharging ground water reservoirs or aquifers, or for the exploration, evaluating, testing, or developing of minerals; or which causes the movement of water from or into any aquifer or subsurface strata; and shall include engineering and geologic boreholes.

### **703. General Provisions**

- A. No person shall begin to construct, bore, drill, dig, alter, or modify an individual or non-public water supply well or extend the distribution system of a non-public water supply system without having first applied for and obtained from the Houston County Board of Health, Environmental Health Section, a permit to construct, alter, or modify such a system. A copy of the intent to drill form provided by the Water Well Standards Advisory Council shall be submitted by the well contractor ten (10) working days prior to construction to the Houston County Board of Health. Site selection must be approved prior to the commencement of the construction. Application for the permit shall be made on forms provided by the Houston County Board of Health at least ten (10) days before commencing work on the proposed well. This permit will expire twelve (12) months from the date of issue.
- B. In addition to the "intent to drill form", a "Well Drilling Log" on forms provided by the Department shall be filed by the water well contractor with the Houston County Board of Health, Environmental Health Section for each individual or non-public well installed in Houston County, no later than the 10th day of each month.
- C. No person may construct, alter, or extend an individual or non-public water supply well or distribution system where a connection to a public water supply system distribution line is located, accessible and available in the following situations:
  - 1. A public water system is located and accessible within two hundred (200) feet of the residence to be served by the proposed individual or non-public water supply system; or
  - 2. A public water system is located and accessible in a public right-of-way adjoining the property to be served by the proposed individual or non-public water supply system; or
  - 3. A public water system line is located, available, and accessible within five hundred (500) feet radius of any point of a subdivision development.
- D. The person constructing the well shall be a licensed water well contractor in the State of Georgia in accordance with the provisions of the Water Well Standards Act as amended, (O.C.G.A. section 12-5-120 et. seq.). The contractor must maintain accurate driller logs,



material setting and grouting data, including water level measurements, and must furnish a signed copy of the results to the property owner and to the Houston County Board of Health, Environmental Health Section, on forms available through EPD.

- E. The Houston County Board of Health may deny a well construction permit to any person or may suspend or revoke an issued permit for failure to comply with the provisions of the Water Well Standards Act of 1985, as amended 1995, the Rules of the 1991 Water Well Standards Advisory Council. Such denial shall be made in accordance with the provisions of O.C.G.A. Chapter 31-3 et.seq. and/or the “Enforcement and Administrative rules of Practice and Procedures, Houston County Board of Health”.
- D. Issuance of a well construction permit by a representative of the Houston County Board of Health shall not be construed as a guarantee that such system will be constructed and function satisfactorily for a given period of time; furthermore, said representatives do not, by any action taken in effecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction, or possible contamination of such system.
- E. In accordance with the “*Rules for Safe Drinking Water*”, Rules of the Department of Natural Resources, Environmental Protection Division, Chapter 391-3-5 et. seq., all sources of water to serve a public water system shall be approved by the EPD in writing. Public water systems are regulated by the EPD and are, therefore, excluded from these rules.
- F. Existing wells that are deepened shall be regarded by the Houston County Board of Health as development of a new ground water source and must meet the requirements for construction approval.

**704. Location of Wells**

- A. All water well contractors constructing water supply wells shall conform to the following table in establishing minimum acceptable distances, setbacks and standards:
- B. The well shall be located as far removed, and in a direction opposite to the groundwater flow, from known or potential sources of pollutants as the general layout of the premises and surroundings permit; however, prior to actual construction, the water well contractor shall notify the Houston County Health Department, Environmental Health Section of the intent to drill a water well, providing such information as is required on forms prepared by the Water Well Standards Council. The well shall not be located in areas subject to flooding, unless the well casing extends at least two (2) feet above the level of the highest known flood of record.

<b>Structure or Setback</b>	<b>Horizontal Minimum Distance from the Well</b>
Property Lines	10 feet
Sewer Lines	10 feet
On-Site Sewage Disposal Tanks	50 feet
Pit Privy	100 feet
Sewage Sand Filter	100 feet
Seepage Pits or Cesspools	150 feet
On-Site Sewage Absorption or Drip-Emitter Field	100 feet
Solid waste disposal site and not in a direction where groundwater flow from the site may be intercepted by the well	1,000 feet

- C. Wells shall be located topographically up gradient when possible from these sources of pollution.
  - 1. As a preventative measure to guard against possible contamination caused by insecticides, wells should not be located within one hundred (100) feet of the building foundation.
  - 2. No individual or non-public well shall be located in an area subject to flooding from a lake, river or stream or in a floodplain unless adequate protection is provided to prevent submergence of the well casing, pumps and appurtenances.
  - 3. Variation of the distance from areas of known or probable sources of contamination may be permitted by the Houston County Board of Health due to unfavorable local topography, local soil or geologic condition encountered or unknown location of future individual sewage system or adjacent properties. It shall be the responsibility of the permit applicant or owner to demonstrate to the satisfaction of the Houston County Board of Health that no unreasonable risk to the public health would result by the issuance of said variance.

**705. Abandoned Wells**

- A. Any person who is a property owner or agent of a property owner upon whose property an abandoned well is located must fill, seal and plug any abandoned well in accordance with the Georgia Department of Natural Resources, Environmental Protection Division, Geological Survey Circular 13 "*Grouting and Plugging of Domestic Water Wells in Georgia*" and O.C.G.A. section 12-5-134 (1)(K).
- B. An abandoned well shall not be used by any person for disposal of refuse, sewage, dead animals or other waste material.

**706. Legal Authority**

Official Code of Georgia Annotated (O.C.G.A.) as amended, sections 31-3-1 through 31-3-16 and 31-5-1 through 31-5-24.

**707. Variance and Waivers**

The county Board of Health may, in its discretion, grant variances and waivers of specific rules upon application or petition filed on forms provided by the county Board of Health. The county Board of Health may establish conditions that must be met by the applicant or petitioner in order to operate under the variance or waiver granted. Variances and waivers may be granted in accordance with the following considerations:

- A. Variance. A variance may be granted by the Board of Health upon a showing by the applicant or petitioner that the particular rule or regulation that is the subject of the variance request should not be applied as written because strict application of the rule would cause undue hardship. The applicant or petitioner must also show that adequate standards affording protection for public health and safety will be met in lieu of the exact requirements of the rule or regulations in question.
- B. Waiver. The Board of Health may dispense entirely with enforcement of a rule or regulation by granting a waiver upon a showing by the applicant or petitioner that the purpose of the rule or regulation is met through equivalent standards affording equivalent protection for public health and safety.

**708. Repeal Clause**

All rules or any part thereof in conflict with the above foregoing rules are hereby repealed.

## CHAPTER 8

### Swimming Pools/Spa and Recreational Water Parks

Section 801 [Adoption of State Code](#)  
Section 802 [Definition of a Public Swimming Pool](#)

#### **801. Adoption of State Code**

The provisions of the Rules of the Department of Human Resources, Division of Public Health, Chapter 290-5-57 Swimming Pools, Spas, and Recreational Waters, as amended, were adopted by the Houston County Board of Health on November 30, 2000, with the exception of the definition of Public Swimming Pools. The definition of Public Swimming Pools as adopted by the Board is outlined in the following section.

#### **802. Definition of a Public Swimming Pool**

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

## CHAPTER 9

### FOOD SERVICE

Section 901 [Adoption of State Law](#)  
Section 902 [Scope](#)  
Section 903 [Provisions](#)  
Section 904 [Food Care](#)  
Section 905 [Employee Clothing](#)

Section 906 [Equipment](#)  
Section 907 [Sanitary Facilities and Controls](#)  
Section 908 [Construction/Maintenance of Physical facilities](#)  
Section 909 [All Compliance Procedure](#)  
Section 910 [Temporary Food Services](#)

#### 901. Adoption of State Law

The provisions of the Rules of the Department of Human Resources, Division of Public Health Chapter 290-5-14 Food Service, as amended, are adopted and made a part of this Code.

#### 902. Scope

This regulation supplements the RULES OF DEPARTMENT OF HUMAN RESOURCES PUBLIC HEALTH CHAPTER 290-5-14 FOOD SERVICE. Any portions or sections herein that conflict with existing state law are superseded. However, the remainder of this chapter shall remain in full force and effect notwithstanding a judicial declaration of invalidity or unconstitutionality of certain portions or sections therein.

#### 903. Provisions

- A. Application for a permit. Permit fees, as set by the Houston County Board of Health must be paid before a permit may be granted and must be paid annually by December 20 of each year for the following year. If the permit is not paid by the due date, a late fee will be by the Houston County Board of Health.
- B. Food Preparation and Plan Review Checklist:
  - 1. Completed plans as outlined in the Department of Human Resources regulations must be submitted to the Health Authority along with a menu, equipment spec sheets and complete plans and specifications at least (14) days prior to beginning construction.
  - 2. Construction, renovation, or installation of new kitchen equipment may not begin until the plans are reviewed and approved in writing by the health authority.

#### 904. Food Care

- A. Soft serve dairy or dessert products:
  - 1. Dry dairy products may not be used to produce soft serve ice cream or desserts. Dry non-dairy mixes are acceptable for that purpose.
  - 2. Soft serve machines and all apparatus must be cleaned and sanitized daily except self-pasteurizing machines, which must be cleaned and sanitized as specified by the manufacturer.
  - 3. Rerun or mix taken out of a machine must be disposed of. It cannot be used again.
- B. Ground Beef Patties
  - 1. All ground beef patties must be cooked to a minimum internal temperature of 155 degrees Fahrenheit.

**B. Food Storage:**

1. Foods may not be stored on upside down milk crates, bread racks, or similar platforms that require moving the storage platform to clean underneath it. Milk products delivered in milk crates may be stored in the crates if at least six inches above the floor.
2. Potentially hazardous foods shall be cooled to 41° F or below within four hours if prepared from ingredients at ambient temperature, such as reconstituted foods and canned tuna.
3. Fresh shell eggs may not be pooled.
4. Only dispensing utensils used for free floating foods such as butter, sour cream, ice cream, etc may be stored in a running dipper well, except the dispensing utensils used for non-floating foods may be kept in a dip well at 165°F if the utensils are not used to dispense more than one product.
5. Food placed on table for family style dining shall not be served again and shall be disposed of if on the table for longer than one hour.
6. Foods displayed to consumers under sneeze shields may not be kept as leftovers or be reused once taken off the bar.

**C. Sushi**

1. Sushi and other raw, marinated or partially cooked fishery products which are not cooked throughout to (140° F) 60° C or above must have been, or must, before service or sale in ready-to-eat form, be blast frozen to (-31°F) -35°C or below for 15 hours or regularly frozen to (-10° F) 23° C or below for 168 hours (7 days). The operator must retain records, which establish that fishery products were appropriately frozen on-site, for 90 days.
2. Clams, mussels and oysters are specifically excluded from this rule because of the controls imposed by states under the provisions of the National Shellfish Sanitation Program.

**905. Employee Clothing**

- A. Employee clothing shall have, at a minimum, short-sleeved tops, which cover the underarms.
- B. Hair restraints approved are disposable or easily cleanable nets, hats, and caps worn properly to restrain hair. Visors or kerchiefs are not approved. Wait staff, bus persons, and cashiers who do not handle foods (except pouring of beverages) are not required to wear hair restraints, but must have their hair pulled up to no longer than shoulder length. If these employees handle foods such as bagging fries, pouring frozen desserts, or pouring dressings and gravies, they are considered food handlers and must meet all requirements for jewelry removal and hair restraints as specified.
- C. Employees may not chew gum while engaged in food preparation or service, nor in areas used for equipment or utensil washing or for food preparation.
- D. Food handlers may not wear hand jewelry such as rings, and bracelets. They may wear one plain band ring with no stones, gems, or cut out designs in it. Watches may be worn. If gloves are worn over jewelry during food preparation, hand jewelry may be worn.
- E. Food handlers must keep necklaces, neckties, and other hanging objects restrained to avoid objects dragging or dipping into foods.
- F. Earrings worn by food handlers must only be pierced single piece construction. Linked and hanging type earrings are prohibited.

**906. Equipment**

- A. The washing, rinsing, sanitizing sinks required for manual cleaning of utensils and equipment shall not be used to prepare foods such as thawing or washing of meats, vegetables and other foods. If fresh produce is used, a produce sink used for no other purpose than washing produce (to include potatoes and cooked grains) must be installed. A separate prep sink for meats, seafood, and poultry must be installed if those items are washed or thawed in a sink. One sink will suffice for all raw animal/seafood/poultry products.
- B. If prep sinks are next to hand sinks, manual washing sinks, or if sinks for raw animal/seafood/poultry products are near vegetable sinks, then a splatter shield must be installed between the sinks to prevent cross-contamination.

**907. Construction and Maintenance of Physical Facilities**

- A. Exhaust ventilation from toilet rooms must directly exit the building and not connect to other exhaust lines or empty into the attic.
- B. Wet mops must be stored in a way that water from the mop head does not run down the handle.
- C. Wet mops used to mop toilet rooms must be marked by a red handle and not be used anywhere except in the toilet room.

**908. All Compliance Procedures**

The most current inspection report shall be posted in public view, at eye level, and as near the main entrance to the facility as practical.

**909. Temporary Food Services**

- A. Event coordinator will inform Houston County Health Department fourteen (14) days in advance of event that will include outside vendors;
- B. Event Coordinator will provide all prospective vendors with a copy of the Houston County Health Department environmental temporary food service requirements to include application deadlines, fees and food handling/booth construction specifications. These requirements should be distributed to prospective vendors before they apply for permit. Vendors must understand that food service requirements will be strictly enforced.
- C. Completed applications and fees from vendors are due at the Health Department seven (7) working days prior to the opening date of the event. Incomplete application or applications without proper fees will not be accepted.
- D. There is a limited provision for acceptance of a late application inside the provision of paragraph C above. Only under unusual circumstances the seven-day application deadline may be waived. This provision is not automatic and each waiver will be evaluated individually. The deadline for completed late application and fees is three (3) working days prior to serving food. A late fee, as determined by the Board of Health, will also be assessed.
- E. All vendors who have made application within the allotted timeframe will be contacted by the Health Department or the event coordinator, and an on- site appointment will be established for inspection and permit approval. Vendors who are not prepared for inspection within two hours after the appointment may not be inspected and may be required to leave the event.
- F. No concessionaire may sell any food until concession has been inspected and approved for operation.
- G. Vendors who do not receive a permit must vacate premises.

## CHAPTER 10

### CARNIVALS AND MASS GATHERINGS

Section 1001	<a href="#">Scope</a>	Section 1006	<a href="#">Sewage Disposal</a>
Section 1002	<a href="#">Definitions</a>	Section 1007	<a href="#">Restaurants</a>
Section 1003	<a href="#">Location Permit</a>	Section 1008	<a href="#">Refuse</a>
Section 1004	<a href="#">Operating Permit</a>	Section 1009	<a href="#">Trailers</a>
Section 1005	<a href="#">Water Supply</a>		

#### 1001. Scope

This regulation supplements O.C.G.A. 31-27 regarding Mass Gatherings. Any portions or sections herein that conflict with existing state law are superseded. However, the remainder of this chapter shall remain in full force and effect notwithstanding a judicial declaration of invalidity or unconstitutionality of certain portions or sections therein.

#### 1002. Definitions

The following definitions apply in this chapter unless the context clearly requires a different meaning:

- A. *Carnival*. The term "carnival" means a carnival, circus, sideshow, medicine show, carousel, tent show, menagerie, Wild West show, any combination of these or other entertainment except those held regularly in a theater.
- B. *Mass Gathering*. "Mass gathering" means a gathering open to the public and held in the open air or in a tent or other temporary structure. Any event likely to attract 5,000 or more persons and to continue for 15 or more consecutive hours.
- C. *Permit*. The term "Permit" means written authorization to a person by the Health Department to operate a mass gathering.
- D. *Person*. The state, county or any agency or institution thereof, any municipality, political subdivision, public or private corporation, individual, partnership, association, or other entity, and includes any officer or governing or managing body of any municipality, political subdivision, or public or private corporation.

#### 1003. Location Permit

No person shall promote by advertising or otherwise, locate, establish, or set up a carnival or make arrangements for a mass gathering unless he has an unrevoked permit from the Houston County Health Department authorizing him to do so. The application for such a permit shall be in writing and shall contain (insofar as applicable) the following information:

- A. Proposed site,
- B. Estimated area to be occupied,
- C. Number of persons traveling with or employed by a carnival,
- D. Number of animals carried,
- E. Number of days proposed site to be occupied,
- F. Number of itinerant restaurants to be established,
- G. Number of food handling employees,

H. Any other information the department may require.

Application for a permit to promote or hold a mass gathering or carnival shall be made at least 15 days before the first day of advertising and at least 45 days before the first day of the gathering.

**1004. Operating Permit**

No person shall conduct a carnival or an itinerant meeting unless he possesses an unrevoked permit from the department authorizing him to do so. This permit may be suspended or revoked as provided in Chapter 11 by the Houston County Department of Public Health if the holder violates any of the terms of this chapter. The application shall disclose the names and addresses of all of the persons, firms, or corporations providing financial backing to the carnival or mass gathering.

**1005. Water Supply**

No person operating a carnival or an itinerant meeting shall use for any purpose water other than safe water from a public or semi-public water system as provided in Chapter 7 of this Code. Water facilities shall be constructed or placed and operational not later than 48 hours before the first day of the carnival or mass gathering.

**1006. Sewage Disposal**

No person shall operate a carnival or an itinerant meeting unless he conforms to the regulations governing sewage disposal as provided in Chapter 3 of this Code. Adequate toilet facilities on the premises shall be provided. Sewage facilities shall be constructed or placed and operational not later than 48 hours before the first day of the carnival or mass gathering.

**1007. Temporary Food Service and Restaurants**

Temporary Food Service and Restaurants operated in conjunction with a carnival shall be maintained as provided in Chapter 9 of this Code.

**1008. Refuse**

*“Carnival”* and *“Mass Gathering”* operators shall store or cause to be stored all garbage and other refuse in watertight containers with tight-fitting lids until disposed of. Upon termination of their stay at each location, carnival and mass gathering operators shall place the premises in a neat and clean condition or in such a condition as existed prior to their arrival.

**1009. Trailers**

The operator of a carnival or an itinerant meeting shall not permit trailers other than those used solely for the carrying of equipment or supplies to be parked or located at or near the carnival or meeting site unless the requirements of Chapter 4 of this Code are satisfied.



## CHAPTER 11

### ENFORCEMENT AND ADMINISTRATIVE PROCEDURE (Rules of Practice and Procedure)

Section 1101	<a href="#">Definitions</a>
Section 1102	<a href="#">Informal Hearings</a>
Section 1103	<a href="#">Duties and Authority of the Hearing Officer</a>
Section 1104	<a href="#">Formal Hearings on Licenses and Similar Rights</a>
Section 1105	<a href="#">Procedure for Adoption of Rules</a>
Section 1106	<a href="#">Temporary Suspension of License or Revocation of License without Hearing</a>
Section 1107	<a href="#">Repeal of Rules and Regulations</a>

#### 1101. Definitions

- A. *Health Authority* means the Department of Human Resources, the Houston County Board of Health, and any agent acting under their direction or by their authority.
- B. *Hearing* means a right of the Houston County Board of Health and persons and parties affected by an action or an intended action of the Board to present testimony, documentary evidence, and arguments before a hearing officer as to why such action should or should not be taken.
- C. *Hearing Officer or Examiner* means a member of the State Bar of Georgia, in good standing, or the Public Health Director or the Director's appointee, who shall conduct hearings, issue compulsory process, administer oaths, and submit their findings and recommendations to the Houston County Board of Health. In both cases, the examiner and director or the director's appointee shall make the report available to all interested parties.
- D. *License* means and includes the whole or part of any permit, certificate, approval, registration or similar form of permission granted by the health authority.
- E. *Notice of hearing* for the purpose of enforcement of rules or rulemaking means a written statement of either the substance of a specific charge alleging violation of any rule or statute or the substance of a proposed rule to be considered, which will afford actual notice to affected persons.
- F. *Party* means each person or agency named or admitted as a party, or properly seeking and entitles as a right to be admitted as a party.
- G. *Person* means any individual, partnership, corporation and association and may be extended and applied to bodies politic and corporate.
- H. *Rule* means the any regulation, standard, or statement of general or particular applicability that implements, interprets or prescribes procedure or practice requirements.
- I. The words "shall," "must," and "will" mean mandatory action. The words "may," "might," "can," and "could" mean discretionary action.

#### 1102. Informal Hearings

Informal hearings may be held for the limited purpose of education, warning, seeking voluntary compliance or for the gathering of data or information. An informal hearing shall not result in administrative action and the formalities of legal notice, taking testimony under oath and a transcript need not be followed. Unless precluded by law, disposition may be made at any time by the health

authority and the parties affected by an action of the health authority by settlement or mutual agreement, to bring the parties into compliance with the Health Code and the applicable rules and regulations.

### **1103. Duties and Authority of the Hearing Officer**

The Hearing Officer shall have the authority and duty to:

- A. Administer oaths and affirmations;
- B. Sign and issue subpoenas and other compulsory process;
- C. Rule upon offers of proof;
- D. Regulate the course of the hearing;
- E. Set the time and place for continuances and fix the time for filing briefs;
- F. Dispose of motions to dismiss for lack of legal authority over the matter in controversy, or motions to dismiss for any other ground before the hearing starts; motions on technical grounds to dismiss claims, charges and proceedings during the hearing will not be entertained by the Hearing Officer;
- G. Dispose of motions to amend or intervene;
- H. Approve the taking of testimony by deposition or interrogatory;
- I. Reprimand or exclude from the hearing any person for improper conduct during the hearing; if unable to obtain reasonable order, as a last resort the hearing may be adjourned;
- J. Submit findings, recommendations and reports to the Board pursuant to the authority of O.C.G.A. 31-5-2.

If the Director will be acting for the Board in making a final decision on the outcome of a hearing, he shall not also act as the Hearing Officer on that hearing, but shall appoint a Hearing Officer to act in his place.

### **1104. Formal Hearings on Licenses and Similar Rights**

Any action to revoke, suspend or deny a license or similar right to any party or person cannot be taken without giving the affected party notice of the intended action and offering an opportunity for a hearing as provided in O.C.G.A. 31-5-2 (b).

- A. Procedure prior to Formal Hearings
  - 1. Notice Required – The health authority shall give at least five days notice in person or by certified or registered mail of the intended action concerning a license or similar right.  
  
If the health authority finds that the public health or safety requires emergency action, notice shall be given and an emergency hearing offered without the necessity of conforming to the normal time limits.
  - 2. Contents of notice – The notice for all hearing shall include:
    - a. The time and place of the hearing, giving due regard to the convenience and necessity of the parties;

- b. The place of the hearing must include street address, floor, and designated room, if any;
- c. The purpose of the hearing, a statement of the facts alleged so that the parties may adequately prepare for the hearing;
- d. A statement of the legal authority under which the hearing is to be held;
- e. A reference to the particular section of the statute, rule, or regulation involved;
- f. A statement as to the right of the parties to subpoena witnesses and documentary evidence through the Hearing Officer;
- g. A statement that all parties may be represented by legal counsel and present evidence on all the issues involved.

B. Procedure During Formal Hearings

1. Opening of Hearing – The hearing shall be opened promptly at the time fixed in the notice of hearing. At the beginning of the hearing, the Hearing Officer should make a brief summary of the issues involved and the purpose of the hearing.
2. Course of hearing – The order of presentation in the hearing shall be somewhat flexible. Generally the following procedure will be adhered to:
  - a. The health authority that asserts the claim or makes the charge shall present their proof and examine his witnesses first;
  - b. The opposing party and their witnesses shall then be heard;
  - c. The giving of testimony by each respective party and their witnesses is subject to appropriate cross-examination by the other party;
  - d. The Hearing Officer may call or recall a witness as the necessity of a case dictates;
  - e. Each party shall be given reasonable and adequate time to complete their case. The hearing is not considered complete until all parties to the controversy have completed giving testimony and arguments.
3. Rules of evidence – The rules of evidence as applied in civil cases in the superior courts of Georgia shall be reasonably followed, though the strict rules of evidence and technical procedure will not be applied.
4. Record of Hearing – A record of the hearing shall be kept and shall include:
  - a. All pleadings, motions, and intermediate rulings;
  - b. All other evidence received or considered including a written summary of the oral testimony except that oral testimony or any part thereof shall be actually recorded and transcribed if any party requests it and agrees to pay for such transcription;
  - c. A statement of the matters officially noticed;
  - d. Any opinion or report of the Hearing Office;

- e. All staff memoranda or data submitted to the Hearing Office or member of the Board in connection with their consideration of the case;
- f. Documents, reports, data, and other information obtained during a hearing from any person, firm, county, or other public authority or political subdivision, where such matters relate to secret processes, formulas or where such matters were obtained on a confidential basis, shall be classified as confidential and privileged documents; upon receipt of any confidential and privileged document, the Hearing Officer shall label it "Confidential and Privileged – Not for Release;" such document shall be maintained in a safeguarded file and shall not be included in the hearing.

C. Procedure Following Formal Hearings

1. Findings and recommendations – At the conclusion of the hearing, the Hearing Officer shall write an opinion giving his finding of facts and his recommendations for Board action. In addition, he shall furnish each party a copy of this opinion within fifteen days after the hearing.
2. Exceptions to findings – All parties to the hearing have the right to file with the Board a written exception to the finding of fact within ten days after receiving a copy of the opinion of the Hearing Officer.
3. Final Order – The Board or chief executive officer acting for the Board shall make a final decision in writing, stating the facts supporting the decision, within thirty days following the date of receipt of the opinion of the Hearing Officer and shall send by certified mail a copy of this final decision to the parties affected by the decision except that:
  - a. When the complexities of the issues or the length of the record require more than thirty days in which to make a decision, the Board or chief executive officer acting for the Board, upon written notification to the parties, may extend the period and shall render the decision at the earliest date practical, but not longer than 60 days after the hearing is closed;
  - b. When an emergency action is instituted, the Board or chief executive officer acting for the Board is empowered to immediately render the final decision after a hearing thereon. The final decision of the Board or chief executive officer acting for the Board shall be expressed in clear and simple terms so that all parties receiving a copy of the decision will have no doubts as to the outcome of the hearing or the action required to be taken as a result.
  - c. The final decision shall include a statement clearly specifying the manner and time limitation for an appeal.
4. Appeal – Any party adversely affected by any final decision of the Board may have a review of that decision by appeal to the Department of Human Resources within thirty days after that final decision is received by the party. The petition of the appealing party shall state the reasons why and in what respect such party is aggrieved and the grounds the party is relying upon as a basis for the appeal. The appealing party shall file an original petition with the Department and furnish the Board with a copy at the same time. Any appeal relative to county regulations and not DHR regulations will be filed in the Houston County Superior Court.

When the Board receives a copy of an appeal, it shall forward to the Department of Human Resources or Superior Court (as applicable) within thirty days a complete transcript of all

pleadings, orders, testimony, evidence, and any other proceedings, including a copy of the appeal and motion for reconsideration by the Board, if any.

## **1105. Procedure for Adoption of Rules**

### **A. Procedure Prior to Hearings on Rules**

1. Preparation of draft for adoption, repeal, and/or amendment of rules or preparation of draft for adoption of amendments

When in the judgment of the Houston County Board of Health upon its own initiative or upon the recommendation of the director, it is deemed necessary to adopt, amend, or appeal rules to secure satisfactory compliance with the provisions of the Houston County Health Codes or pertinent state laws regulating subject matters described herein, the director shall prepare or cause to be prepared a draft of such rules, amendments, or reasons advanced for repeal and such draft shall:

- a. Contain only rules that reasonably adapt to the purposes intended and be within the scope of the powers and duties of the Board as determined by the Health Code;
  - b. State the legal authority empowering the Board to adopt and promulgate;
  - c. State the title and purpose of the rules;
  - d. Provide such definitions as are necessary to assure reasonable uniformity in interpretation and enforcement of the rules.
2. **Review of draft**  
The Board in regular session or in session called for the purpose shall review the draft and make additions, deletions, or amendments thereto as are agreed to by a majority vote of the members present; provided, however, at the discretion of the Chairman, notice may be given to affected parties and a hearing may be held prior to the review.
  3. **Hearing required**  
Any proposed rule or amendment together with the repealing language will be the subject of a formal hearing with the exception of policy rules. If the Board wishes to repeal a rule already in existence without substituting another in its place, the repeal alone must be the subject of a formal hearing. The hearing must be conducted prior to final adoption of the rule by the Board.
  4. **Petition for rulemaking**  
An interested person may petition the Board requesting the promulgation, amendment or repeal of a rule. Within thirty days after submission of a petition, the Board either shall deny the petition in writing, stating the reasons for that denial, or shall initiate rulemaking proceedings in accordance with normal procedures.
  5. **Notice**  
Prior to the adoption, amendment or repeal of any rule other than an interpretive rule of a general statement of policy, the Board shall give at least twenty days notice of hearing on its intended rulemaking. Such notice shall include a statement of the substance of the proposed rule or the rule to be repealed and the time, the place, and the manner in which interested persons may present their views thereon. The notice of the hearing shall be given in person or by certified mail to:

- a. Affected parties, except when the parties are so numerous as to make individual notices impractical; notice then shall be given by publication in one or more newspapers calculated to afford actual notice to affected parties;
- b. The secretary of any association, corporation, or organization having a membership likely to be affected by the intended action;
- c. All persons who have requested in writing that they be placed on a mailing list, and have paid the administration charge set by the Board for postage and handling, shall be provided advance notice of the rulemaking proceedings.

B. Emergency Rule

If the Board finds that an imminent threat to the public health requires adoption of a rule upon fewer than twenty days notice of hearing and states in writing reasons for that finding, the Board may proceed with an emergency notice of hearing and with an immediate hearing. After the hearing the Board may take such action as it deems necessary relative to the adoption of the emergency rule, stating in writing the reasons for the particular action taken.

C. Procedure During Hearing on Rules

- 1. Opening formalities  
The hearing shall be opened promptly at the time fixed in the notice of hearing. At the beginning of the hearing, the Hearing officer shall make a brief summary of the purpose of the hearing and the rules involved.
- 2. Course of hearing  
The order of presentation in the hearing shall be flexible. The Hearing Officer shall afford to all affected persons reasonable opportunity at the hearing to submit testimony, documentary evidence and arguments orally or in writing. Each person shall be given reasonable and adequate time to complete his presentation. The hearing is not considered complete until all persons have had the opportunity to be heard.
- 3. Record of hearing  
The Board shall provide secretarial services at hearing to record data, pertinent views and arguments presented, or in place of this, a recording device to record all orally submitted data, views, and arguments. When a recording device is used, the Hearing Officer shall prepare or have prepared a written summary of all the pertinent data which shall be retained in the file of record.

D. Procedure Following Hearings on Rules

- 1. Report to the Board  
The Hearing Officer shall consider all written and oral submissions with respect to the proposed rule, amendment or repeal and shall summarize the same in writing in a report to the Board. He shall also furnish a copy of this report to any party affected by the rule or repeal upon request.
- 2. Adoption of the rule  
After the hearing and review as set forth above, the Board in regular session or in session called for the purpose shall consider the report submitted by the Hearing Officer and take such action as it deems appropriate. Upon majority vote favoring the adoption of the proposed rule, amendment, or repeal, the Secretary of the Board shall insert or shall have inserted in the appropriate place on the record:
  - a. The date and method by which notice of hearing was given;

- b. The time and place of the hearing;
  - c. The date of adoption of the rule;
  - d. The date the rule shall become effective; provided that no rule shall become effective until at least thirty days after its adoption, except an emergency rule shall become effective upon its adoption and remain in force for a period of not longer than one hundred and twenty days. The Board must state in writing the conditions warranting immediate effectiveness, and adoption of the same rule under the general provisions is not precluded.
3. Permanent record of rules  
The Chairman and the Secretary of the Board shall sign the rule or repeal and the Board shall place it in a book maintained for the purpose of keeping an orderly, properly indexed copy of each rule, which book shall be available for reasonable inspection to any person during regular business hours. Copies of adopted rules and regulations shall be made available for distribution to persons interested in or affect thereby.

**1106. Temporary Suspension or Revocation of License without Hearing**

Generally, before any license is suspended or revoked, a hearing must precede that action unless suspension or revocation is based on an imminent threat to public health.

**1107. Repeal of Rules and Regulations**

All policy rules or any part thereof which are in conflict with the above and foregoing rules are hereby repealed.