



# Okanogan County Public Health

<http://okanogancounty.org/ochd/>

1234 South 2<sup>nd</sup> Avenue  
P.O. Box 231  
Okanogan, WA 98840  
(509) 422-7140

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## OKANOGAN COUNTY HEALTH DISTRICT REGULATIONS FOR OVERNIGHT TRANSIENT ACCOMMODATIONS

### RESOLUTION #92-008

These regulations are developed to protect the health and welfare of persons staying in Overnight Transient Accommodations and to establish uniform requirements for such establishments.

#### SECTION 01. DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of these regulations.

- A. Overnight Transient Accommodations - shall mean any facility offering fewer than three lodging units to guests for periods of less than one month.
- B. Bed and Breakfast Facility - shall be any overnight transient accommodation with limited food service operations and the owner residing on the premises.
- C. Approved - shall mean acceptable to the health officer based on his/her determination of conformance with appropriate standards and good public health practice.
- D. Health Officer - shall mean the Okanogan County Health Officer as defined in RCW 70.95.010(2) or his/her representative.
- E. Limited Food Service Establishment - All Bed and Breakfast Facilities are Limited Food Service Establishments. Food service must meet the requirements of WAC 246-215.
- F. Permit - shall mean a permit issued to the owner or operator of the overnight transient accommodation by the Okanogan County Health Officer.
- G. Lodging Unit - shall mean an individual room or group of interconnected rooms intended for sleeping and/or cooking and/or eating purposes for rent or use by paying guests.

#### SECTION 02. GENERAL CRITERIA

The following criteria is set by the Okanogan County Health District under the authority of the Okanogan County Board of Health to govern each overnight transient accommodations facility.

- A. Each overnight transient accommodation facility must have a current valid permit from the Okanogan County Health District to operate. The permit must be renewed annually.
- B. A safe and sanitary toilet and bathing facility must be available in the overnight transient accommodations.

- C. Both hot and cold water shall be provided at all lavatories, bathtubs, and showers. Hot water shall be no hotter than 120 degrees Fahrenheit.
- D. A water flush toilet must be provided.
- E. Swimming pools, spas or hot tubs, if available for guest use, must have a valid permit issued by the county health officer and must be in compliance with WAC 246.260 and other guidelines as set forth in the rules and regulations by the State Board of Health for transient accommodations.
- F. Overnight transient accommodations other than bed and breakfast facilities are not permitted to provide food service to their guests.
- G. Overnight transient accommodations other than bed and breakfast facilities may provide kitchen facilities and approved cooking and eating utensils in each lodging unit for use by the guests. Refrigeration and dishwashing facilities must be approved by the health officer.
- H. Bed and breakfast facilities only serving food to overnight guests must comply with WAC 246-215, other subsequent revisions and Okanogan County Health District regulations.
- I. The health officer may place additional requirements on a facility to ensure a safe and clean environment.

### **SECTION 03. BUILDING CONSTRUCTION & MAINTENANCE**

Building construction and maintenance shall be as follows:

- A. All buildings, other facilities, and the premises of overnight transient accommodations shall be so maintained as to protect the health, safety and well being of guests or patrons having access to or use thereof.
- B. All floor, wall and ceiling surfaces shall be kept clean and in good repair.
- C. All equipment, fixtures, furniture and furnishings, including windows, draperies, curtains, and carpets within lodging units, corridors, stairways, or other areas occupied or used by guests shall be kept clean and maintained in good repair.

### **SECTION 04. HEATING REQUIREMENTS**

Heating requirements shall be as follows:

- A. Every lodging unit used during periods requiring artificial heat shall be provided with a safe and adequate source of heat capable of maintaining room temperature of not less than 72 degrees Fahrenheit during times of occupancy.
- B. Toilets, baths and other rooms used or occupied by guests shall be maintained at temperatures suitable for the intended purpose.

## SECTION 05. LIGHTING REQUIREMENTS

Lighting requirements shall be as follows:

- A. Adequate, natural and/or artificial light shall be available to promote cleanliness and safety.
- B. Each lodging unit shall contain at least one lighting fixture suitable for reading.

## SECTION 06. WATER SUPPLY

An overnight transient accommodation water supply used for human consumption and other domestic purposes shall comply with WAC 246-290, Rules and Regulations of the State Board of Health Regarding Public Water Supplies. Water supplies must meet the Group B water supply standards. The water supply must be tested before the facilities are used and at least once every twelve (12) months thereafter. Water supplies shall be tested during the peak season. A nitrate test will be performed every three (3) years as required of a Group B water supply. Additional tests for pesticides or other contaminants may be required by the health officer.

## SECTION 07. SEWAGE DISPOSAL

All sewage shall be disposed of in a public sewer system or in an on-site sewage disposal system approved by the health officer. It must be initially inspected before the premise is used as an overnight transient accommodation facility. Existing systems may require the cleaning of septic tanks and/or inspections of systems, even perhaps necessitating the uncovering of portions of the system. If the health officer determines that the on-site system needs repair, or a new system is required, then the system shall be repaired or replaced in accordance with the current Rules and Regulations of On-Site Sewage in Okanogan County before an Overnight Transient Accommodations permit is issued.

## SECTION 08. SOLID WASTE DISPOSAL

Solid waste shall be disposed of according to Okanogan County and Okanogan County Health District rules and regulations.

## SECTION 09. MANAGEMENT RESPONSIBILITIES

The responsibilities of management shall include the following:

- A. The owner of an overnight transient accommodation must assure that the establishment complies with local zoning, building, electrical, health, and fire regulations and is responsible to the individual agencies concerned.
- B. Each lodging unit must have a smoke detector.
- C. Each facility must have adequate fire extinguishers available.
- D. Accommodation. The second exit may be a window adequate in size for escape in case of fire. Attics and basements with only one exit are not allowed. A safe means of egress must be provided at all exits.
- E. The person who is permitted to operate an overnight transient accommodation facility shall comply with the requirements herein and shall provide adequate supervision to maintain the bed and

breakfast or other lodging units, the facilities and equipment in good repair and in a clean, safe and sanitary condition.

## SECTION 10. FEES

The Health District shall adopt such fees as are necessary to cover the cost of the program.

## Section 11. Permits

- A. No person or other entity shall operate an overnight transient accommodation facility without a current valid permit issued by the health officer.
- B. Permits shall not be transferred nor assigned. A permit does not allow a permit holder to conduct the business in any place other than that specified on the permit.
- C. Any person desiring to operate an overnight transient accommodation facility shall make written application for a permit on forms provided by the health officer. The health officer shall require that an inspection be made prior to opening for all new facilities. Other inspections may be performed during normal hours of operation of the facility as determined necessary by the health officer to ensure compliance with these regulations.
- D. A permit may be suspended for an imminent health hazard, failure to comply with these regulations or for interference with the health officer in the performance of his/her duties. The suspension notice shall be in writing and shall indicate the cause of the suspension. The suspension notice shall also indicate that the permit holder may request a hearing with the Health District Director to determine the validity of the suspension. Such request shall be in writing and must be presented to the Health District Director within five (5) working days of the suspension notice. The Director will schedule a hearing for the permit-holder within five (5) working days after receiving a request for the same. If a written request for a hearing is not received within five (5) working days the suspension is sustained.
- E. The health officer may revoke a permit for repeated failure to comply with these regulations or for repeated interference with the health officer in the performance of his/her duties. Prior to revocation the Health District Director shall notify the permit holder in writing of the specific reason for the revocation and if requested in writing within five (5) working days after receiving notice of the revocation the director shall schedule a hearing with the permit holder before the Board of Health. Failure to request a hearing before the Board of Health within five (5) working days shall sustain the revocation. If a hearing is requested by the permit holder the permit shall be suspended until action by the Board of Health.

## SECTION 12. NOTICE

Any notice required by these regulations is properly served when it is delivered in person to the permit holder, the person in charge of the overnight transient accommodation facility, posted on the premises, or when it is sent by certified or registered mail, return receipt requested, to the last known address of the permit holder.

## Section 13. Penalty Provisions

- A. Civil penalty - In addition to or as an alternative to any other judicial or administrative remedy provided herein, or by law, any person or entity who violates this regulation or by each act of commission or omission procures, aids or abets such violation, may be assessed a civil penalty not

to exceed fifty dollars (\$50) for each day of continuous violation to be directly assessed by the Health District Director until such violation is corrected. The per diem penalty shall double for the second separate violation and triple for the third and subsequent violations of the same regulation within any five- (5) year period.

- B. Criminal penalty -** In addition to or as an alternative to any other judicial or administrative remedy provided herein, or by law, any person who violates this regulation or by each act of commission or omission procures, aids or abets such violation, shall, upon conviction, be guilty of a misdemeanor. For purpose of this regulation each section violated shall constitute a separate and distinct offense, and each day's violation shall constitute a separate and distinct offense. Penalty, upon conviction, shall be punishable by a fine of not more than five hundred dollars (\$500), or by imprisonment for not more than ninety (90) days, or both such fine and imprisonment.

#### **Section 14. Severability**

Should any section, paragraph, clause or phrase of these rules and regulations be declared unconstitutional or invalid for any reason, the remainder of said rules and regulations shall not be affected thereby.

#### **Section 15 Variances**

- A.** The Okanogan County Board of Health, upon written petition of the overnight transient accommodation permit holder or person applying for a permit, may grant a variance to any section or sections of these regulations covering physical facilities and equipment standards when no health hazard would exist as a result of this action and the variance is consistent with the intent of these regulations.
- B.** A person or persons applying for a variance must follow Okanogan County Health Variance Request Policy adopted by the Board of Health Resolution No. 91-002.