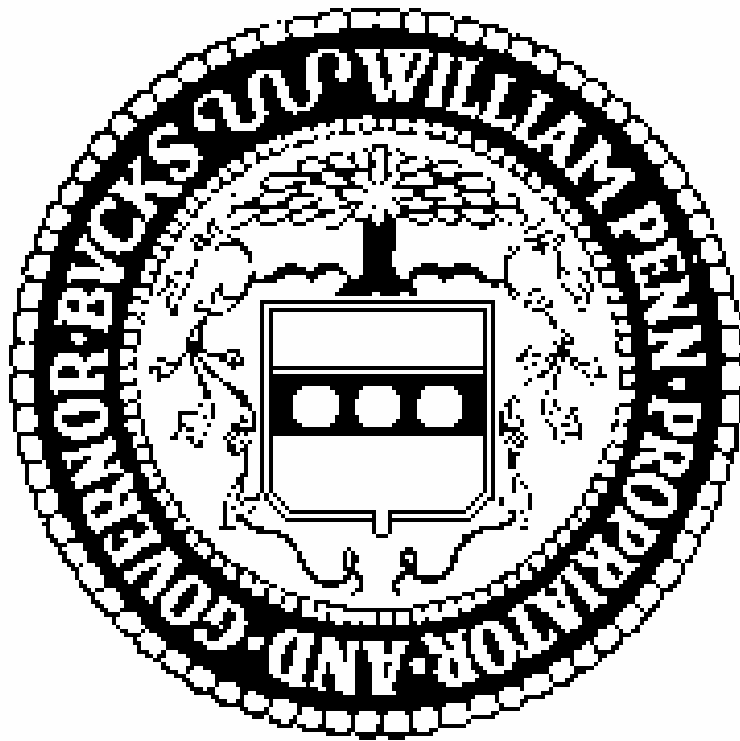


**BUCKS COUNTY DEPARTMENT OF HEALTH
RULES AND REGULATIONS
GOVERNING THE GENERAL SANITATION REQUIREMENTS FOR
PUBLIC, PRIVATE AND BONA FIDE RELIGIOUS SCHOOLS**



EFFECTIVE DATE: DECEMBER 18, 2006

BUCKS COUNTY DEPARTMENT OF HEALTH

RULES AND REGULATIONS

GOVERNING THE GENERAL SANITATION REQUIREMENTS FOR PUBLIC, PRIVATE AND BONA FIDE RELIGIOUS SCHOOLS

SECTION ONE – GENERAL PROVISIONS

1.1 Legal Authority.

Under the provisions of the “Local Health Administration Law”, Act No. 315 approved August 24, 1951, P.L. 1304, Pennsylvania Code, Title 28, Health and Safety, Chapter 17 Standards for Environmental Health Services, adopted September 28, 1979, effective September 29, 1979, Section 17.51 through 17.55, Richard B. Russell National School Lunch Act as amended by the Child Nutrition and WIC Reauthorization Act of 2004, Section 111, (Public Law 108-265), the following Rules and Regulations are hereby adapted.

1.2 Purpose.

The provisions of these Rules and Regulations shall apply to all municipalities in Bucks County within the jurisdiction of the Department and shall apply equally to all public, private and bona fide religious, charitable, vocational, or any other institution intended for teaching from kindergarten through twelfth grade, on a classroom or organized basis.

NOTE: Under Chapter 17, Section 17.52 (c) a bona fide religious school may opt not to have the Department conduct an annual inspection of the school and food operations. * However, the Department would conduct an inspection of these facilities based upon (1) a request by the state, (2) request directly from the school administration or (3) by a written complaint. All school facilities remain fully responsible and liable for any health and safety violations that occur. **All** bona fide religious schools in the Commonwealth must still comply with Act 537 (Pennsylvania Sewage Facilities Act), Chapters 71, 72, & 73 and Chapter 109 (Pennsylvania Clean Drinking Water Act). * Any private or bona fide religious school that receives federal subsidies under the Richard B. Russell National School Lunch Act must have their food facilities inspected twice in the school calendar year as required under the law. There are **no** exceptions to these regulations.

1.3 Definitions.

The following definitions shall apply in the interpretation of these Rules and Regulations.

- (a) **Approved** – means that the construction, procedure of operation and equipment are in accordance with standards of the Bucks County Department of Health and other governmental agencies such as, but not limited to the Pennsylvania Department of Environmental Protection, Pennsylvania Department of Education and Pennsylvania Department of Labor & Industry.
- (b) **Certified Food Safety Manager** – means any person who has been issued a Bucks County Department of Health Food Safety Manager Certificate.
- (c) **Clean Indoor Air Act** – means the Pennsylvania Clean Indoor Air Act Section 10.1 of the Fire and Panic Act (P.L. 465, No. 299 and P.L. 1889, No. 518) effective February 19, 1989 and appropriate regulations.
- (d) **Department** – means the Bucks County Department of Health.
- (e) **Facility** – means school buildings, including play grounds, ball fields, practice fields, when these are training facilities for teaching children and students, or offering instruction in any branch of knowledge.

- (f) **Food Facility**– means any place, permanent or temporary, within Bucks County where food is prepared, handled, served, sold, or provided to the consumer.
- (g) **Hot Water** – means water heated and maintained at a temperature of at least 100°F.
- (h) **Lavatory** – means a basin or sink for handwashing with hot and cold running water and a drainpipe.
- (i) **Law** – includes Federal, State, County and local statutes, ordinances and regulations.
- (j) **License** – means the document issued by Bucks County Department of Health which authorizes a person to operate a food facility.
- (k) **Person** - shall include any individual, landowner (which is defined as any person holding title to or having a proprietary or equitable interest in either surface or subsurface rights), landlord, lessor, land occupier (including, but not limited to easement owner, tenant, lessee or occupant of a structure or land, whether the landowner or not), any corporation, including public or private corporation for profit or not for profit, association, partnership, firm, trust, trustee, estate, executor, executrix, administrator, administratrix or other fiduciaries, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, district, authority or any other legal entity whatsoever which is recognized by Law as the subject of rights and duties and any agent for any individual or corporation or other legal entity set forth above. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term "Person" shall include all of the above set forth individuals and entities as well as members, officers, and/or employees of any corporation, an association, partnership or firm and the officers, directors of any local agency, municipality, municipal authority and/or political subdivision and supervisors, councilmen, of any political subdivision public or private corporation for profit or not for profit.
- (l) **Person in charge** - means the individual present in a school facility who is the apparent supervisor of the school at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.
- (m) **Refuse** – means all nonputrescible wastes generally regarded and classified as rubbish, trash, junk and similar descriptions which have been rejected by a person.
- (n) **Regulatory Authority** – means other enforcement agencies having jurisdiction over the school facility other than the Bucks County Department of Health. This includes federal, state and local authorities.
- (o) **Safe Drinking Water Act** - means the Act of May 1, 1984 (P.L. 206, No. 43) (35 P.S. §§ 721.1-721.17 known as the Pennsylvania Safe Drinking Water Act and associated regulations.
- (p) **School** – including public, private, bona fide religious, charitable, vocational, or any other institution intended for teaching and instruction from kindergarten to twelfth grade, on a classroom or organized basis.
- (q) **Sewage** – means any substance that contains any of the waste products or excrements or other discharges from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life or to the use for domestic water supply or for recreation or which constitutes pollution under The Clean Streams Law, Act of June 22, 1937(P.L.1937, No. 394), (35 P.S. §§ 691.1-691.1001).

The term shall include, but not be limited to, toilet, lavatory, kitchen or laundry waste water, liquid waste and seepage from floor drains, liquid waste from sink drains from

any structure including any trailers, campers, motor homes or recreational vehicles, garbage cans, dumpsters or compactors and the cleaning waste from these garbage storage containers.

- (r) **Sewage Regulations** – means the Pennsylvania Sewage Facilities Act, Act 537 (P.L. 1535 No. 537) (35 P.S. §§ 750.1-750.20) as amended, appropriate 25 PA Code Chapters 71, 72, & 73 the Bucks County Department of Health Rules and Regulations Governing Individual and Community On-lot Sewage Disposal Systems, and the Bucks County Department of Health Rules and Regulations related to Public Health Nuisances.
- (s) **Source** – Any well, spring, cistern, river, stream, reservoir, pond or lake from which, by any means, water is taken, either intermittently or continuously for use by the general public.
- (t) **Vectors** – means any rodent, insect or other animal, excluding man, which is capable of carrying or harboring a disease infectious to man.
- (u) **Waters Of This Commonwealth** – means any and all rivers, streams, creeks, riverlets, impoundings, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs and all other bodies or channels of conveyance of surface and underground water, or any of their parts, whether natural or artificial, within or on the boundaries of this Commonwealth.
- (v) **Water Supply** - means a source or sources of water which is used as a source of drinking water and all water treatment facilities and distribution facilities which serve a particular school.

SECTION TWO – PLAN REVIEWS

2.1 Submission of Plans

Whenever a school facility is to be constructed, remodeled or expanded properly prepared plans and specifications for such construction, remodeling or expansion shall be submitted to the Department for review and approval before construction remodeling or expansion is begun. Plans shall be accompanied by the appropriate plan application and fee for plan review.

The plans shall include, but not limited to the following:

- (a) School plans should show buildings, roads, drives and surface material, vehicle parking areas, water supply and service, location of sewer and water lines, service buildings, sewage disposal system(s), lighting facilities and walkways, refuse/garbage storage areas and disposal methods, bathing place facilities and food facilities.
- (b) Plans for providing adequate surface and storm water drainage.
- (c) A permit for proper sewage disposal by public service connection, on-lot sewage disposal or package treatment plant must be obtained from this Department or the Pennsylvania Department of Environmental Protection prior to any construction of the school facility.
- (d) Water supply details including the location of the well(s), the disinfection facilities, storage capacity, size of the well, pump rating in gallons per minute (GPM), water storage facilities and capacity, well construction, proper protection of the well caps, housing for the pump, storage tank, distribution system including size, materials and valve location. If connection to a public water supply is being made, then the name of the water authority and location of the main service line which will service the school facility must be noted.

- (e) Lighting facilities, electrical power line installation and emergency power back-up system location.

2.2 Operation & Compliance

- (a) Whenever plans and specifications are required by Section 2.1 of these Rules and Regulations to be submitted to the Department, the Department shall inspect the school facility prior to the start of operations to determine compliance with the approved plans and specifications with the requirements of these Rules and Regulations. Department approval must first be obtained prior to school opening and starting operation. Approval to operate is not transferable to a new owner/operator unless approved by this Department.
- (b) In addition to these Rules and Regulations, all schools shall comply with any local, state, or federal laws, regulations or ordinances that directly effect the overall operation of the facilities. These items shall include but not limited to electrical, plumbing, fire & safety, building codes and zoning requirements.

SECTION THREE – SITE LOCATION

3.1 General

The site for proposed school facility or alteration/expansion to an existing school shall be well drained so as not to create breeding places for any type of vectors. Good natural drainage shall be required, with drainage not endangering any community on-site water supply.

SECTION FOUR – WATER SUPPLY

4.1 General

- (a) All public, private and bona fide religious schools shall be provided with a supply of safe and potable water under pressure. All water supplies shall be adequate in quantity and shall meet bacteriological, chemical, physical and radiological standards of the Pennsylvania Safe Drinking Water Act.
- (b) When a municipal public water supply under permit from the Pennsylvania Department of Environmental Protection is available to the school facility, it must be connected thereto and used.
- (c) When a public, private or bona fide religious school is not connected to a municipal public water supply, the water supply shall be constructed in accordance with the Pennsylvania Department of Environmental Protection, Public Water Supply Manual, Part II, Community System Design Standards, latest edition.

4.2 Disinfection of On-Site Groundwater Supplies

- (a) All public, private and bona fide religious schools shall be required to provide chlorine as the method of disinfection when utilizing an on-site ground water supply.
- (b) Disinfection facilities shall be designed to provide a dosage rate and contact time to provide a quality of water that complies with the microbiological Maximum Contaminant Level (MCL) specified in Title 25, Chapter 109, PA Safe Drinking Water Act, Section 109.202.
- (c) There shall be a raw water tap provided prior to treatment of the water supply for the purpose of sampling.
- (d) It shall be the responsibility for all public, private or bona fide religious schools to maintain an approved chlorine test kit on the premises at all times to check chemical residuals within the water supply. This requirement will not be enforced if the school

facility is connected to a municipal public water supply under permit from Pennsylvania Department of Environmental Protection.

- (e) For the purpose of these regulations a free chlorine residual of 0.2 mg/l concentration must be maintained at a 20 minute contact time.
- (f) New water systems shall be designed to provide an adequate supply of finished water during periods of peak demand. The design shall provide a minimum of (1) day reserve capacity based upon the average daily demand.

4.3 Well Construction and Siting

- (a) An approved on-site ground water supply serving a public, private or bona fide religious school shall include a properly constructed well and adequate water storage capacity and meet the PA Safe Drinking Water Act.
- (b) If a school facility wishes to add an additional well to the water supply or upgrade the existing facilities, the following criteria must be met:
 - (1) A site evaluation of the proposed new well location must be conducted by a representative of the Department and the proposed new well location approved prior to drilling.
 - (2) The well, once drilled, shall undergo a 48 hour pump test with subsequent sampling of the water at the culmination of the pump test. The well shall be sampled and tested in accordance with the new source sampling matrix under the PA Safe Drinking Water Act.
 - (3) Prior to putting the new well into service, a permit may be required from the Pennsylvania Department of Environmental Protection in accordance with the PA Safe Drinking Water Act.
 - (4) In no instance is a new well to be put into service or changes be made to the existing water supply without the approval of the Department.

4.4 Cross Connections and Back Flow-Prevention

- (a) Cross connections are not permitted between an on-site ground water supply and a public water supply, nor shall the school water supply be subject to contamination from a non-potable source of water or a sewage system.
- (b) Proper anti-backflow/back siphoning devices shall be used when there is a chance of a cross connection.

4.5 Sampling Requirements for On-Site Ground Water Supplies

- (a) All public, private and bona fide religious schools that are served by an on-site ground water supply shall be required to submit water samples for testing as required under the PA Safe Drinking Water Act for bacteriological, inorganics, organics, and volatile organic compounds (VOC's).
- (b) All water testing must be conducted by a laboratory that is approved by the PA Department of Environmental Protection.

SECTION FIVE – SEWAGE DISPOSAL

5.1 Sewage Disposal

All methods of sewage disposal serving public, private or bona fide religious schools shall be approved by the Department.

5.2 On-Site Sewage Disposal

Any on-site sewage disposal system which presently serves or is proposed to serve a public, private or bona fide religious school, shall comply with the requirements of the Pennsylvania Sewage Facilities Act, Act 537 and Chapters 71, 72 and 73 and the Department's Rules and Regulations Governing Individual and Community On-Lot Sewage Disposal Systems.

On-lot sewage disposal systems serving a public, private or bona fide religious school shall be maintained in a satisfactory manner to prevent any public health nuisance from occurring.

5.3 Package Treatment Plant

If a package treatment plant is presently serving or is proposed to be built to serve a school facility, the treatment plant shall meet all NPDES permit requirements of PA DEP and the permittee must obtain the necessary approval in order to operate the treatment plant facilities. A certified plant operator may be required to operate the package treatment facilities depending on the daily flows that are generated. NPDES permits must be renewed every five years with PA DEP.

5.4 Public Sewers

Where public sewers are accessible to the school facility, connection shall be made in lieu of the use of an on-site sewage disposal system.

5.5 Plumbing

- (a) All external and internal plumbing piping shall be properly sized, installed and maintained in accordance with local, state or federal plumbing code standards.
- (b) If a nonpotable water system is utilized for purposes such as air-conditioning equipment cooling or fire protection, the system must be installed according to local, state or federal requirements. The piping of any nonpotable water system shall be properly identified so that it is distinguishable from any piping that carries potable water.
- (c) Grease traps shall be located to be easily accessible for cleaning and minimize the potential hazard to any food operation from contamination.
- (d) All kitchen, laundry or gray water discharges shall be connected directly into the on-lot sewage system, package treatment plant or public sewer line.

SECTION SIX – LICENSE REQUIREMENT

6.1 License Requirement for Food Service

Whenever food service is provided within a public, private or bona fide religious school, the food operation shall be licensed by the Department and comply with the current Department's Rules and Regulations for Conducting and Operating Food Facilities.

SECTION SEVEN – GARBAGE, REFUSE DISPOSAL AND VECTOR CONTROL

7.1 Garbage and Refuse Disposal

- (a) The storage, collection and disposal of garbage and refuse from a public, private or bona fide religious school shall be conducted so as to avoid the creation of public health hazards and nuisance conditions.
- (b) Every public, private and bona fide religious school shall be responsible for the proper storage, collection and disposal of all garbage generated by facility maintenance staff, administrative personnel and student body.
- (c) All school areas shall be kept free of litter, garbage and refuse at all times.
- (d) Garbage and refuse shall be stored in insect, rodent proof and watertight containers which shall be kept in good repair.
- (e) Collection and disposal of garbage and refuse shall be scheduled to avoid the overflowing of containers.

7.2 Vector Control

- (a) Effective measures intended to control the presence of rodents, flies, cockroaches, and other insects or vectors on the school premises shall be utilized. Pesticide application, when necessary, shall be conducted by a certified pest control applicator/operator and in accordance with the pesticide label and all required federal and state laws. The school premises shall be kept in such condition as to eliminate the harborage, food and water conditions conducive to insect, rodent or other vector infestations.
- (b) All schools shall have an Integrated Pest Management Plan (IPM) in place to be utilized when appropriate situations warrant its use.

SECTION EIGHT – LIGHTING REQUIREMENTS

8.1 All public, private and bona fide religious school's artificial lighting facilities shall be adequate and safe and shall provide the minimum foot candles required by federal, state or local governmental authorities having jurisdiction over such matters.

SECTION NINE – HEATING & VENTILATION

9.1 Heating

- (a) Heating and mechanical equipment servicing a school facility shall be of sufficient size to provide for the maintenance of normal room temperature in all rooms occupied by people, exclusive of gymnasiums and rooms used for sleeping purposes, when the outside temperature is less than normal room temperature.
- (b) All heating devices shall be adequately vented to the outside in an approved manner which meets local, state and federal building and fire safety codes.

9.2 Ventilation

- (a) In all rooms of the school facility, when mechanical ventilation is not provided, windows shall be used and equipped for ventilating purposes. All units shall be kept clean and maintained properly.
- (b) All public, private and bona fide religious schools shall be in compliance with the Clean Indoor Air Act.

SECTION TEN – FIRST AID KITS

10.1 First Aid Kits

All public, private and bona fide religious schools which enroll students in kindergarten through grade 12 shall provide and maintain an approved first aid kit for emergency treatments, which shall be readily available and in the charge of at least one staff or faculty member competent to administer first aid.

SECTION ELEVEN – ELECTRICAL AND GENERAL SAFETY REQUIREMENTS

11.1 Electrical Safety Inspections

- (a) All electrical installation and components within a school facility including public bathing place facilities shall be inspected and approved by an electrical underwriter acceptable to this Department, prior to being put into service.
- (b) One copy of the approved electrical underwriter certificate(s) shall be forwarded to the Department for its records.

11.2 General Safety Requirements

- (a) All fire extinguishers within a school facility shall be inspected and tagged on an annual basis.
- (b) Every school shall have a written emergency response plan and shall conduct monthly fire drills. A list of emergency phone numbers shall be maintained and made available when an emergency occurs within the school facility.
- (c) School playgrounds adjacent to a public highway, waterway, ditch, railroad or other unsafe surroundings shall be fenced or have barriers to restrict children or students from these areas.
- (d) While school is in session or when after hours events are scheduled, **no** fire exit doors shall be chained, locked or barred to prevent escape which would lead to entrapment from an emergency within the occupied building.
- (e) Where emergency generators are installed for backup in case of power failures, the units shall be tested at least annually or more frequently to ensure they are in operating order. If warranted exhaust pipes from the emergency generators shall be vented directly to the outside. Adequate ventilation must be provided to prevent build up of any exhaust gases from these units within an enclosed building.
- (f) The buildings, grounds, play area equipment and appurtenances shall be constructed and maintained to minimize health and accident hazards. All building materials used in the construction, remodeling or renovations of any school facility shall be free of asbestos, lead paint, arsenic or mercury compounds.

SECTION TWELVE – TOILET FACILITIES AND HAND WASHING FACILITIES

12.1 Toilet Facilities

- (a) Every school facility shall provide an adequate number of toilet facilities separate for each sex on the premises for students, faculty and staff. Toilet and urinal fixtures shall be of sanitary design and easily cleanable.
- (b) Toilet rooms shall be completely enclosed and shall have tight fitting self-closing, solid doors, which shall be closed except during cleaning or maintenance. Mechanical or direct ventilation by windows shall be provided in each bathroom facility. Mechanical ventilation shall be exhausted directly to the outside air.

Schools may request a waiver in writing to the Department for the non-use of self-closing door for bathroom facilities, if health and safety issues are a major concern for students.

- (c) Toilet facilities, including toilet fixtures and any related vestibules, shall be kept clean and in good repair. A supply of toilet tissue 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 at least one covered waste receptacle.

12.2 Hand Washing Facilities

- (a) Handwashing facilities should be installed according to law, shall be the number required by law, and shall be conveniently located throughout the school facility.
- (b) Each handwashing facility in a school shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. 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 at handwashing facilities. Hot water temperature should not exceed 120° at the faucet. For children attending kindergarten and elementary school, hot water temperatures should not exceed 100°F at the faucet.
- (c) A supply of hand-cleaning soap or detergent shall be available to each handwashing facility. Supply of sanitary towels or a hand-drying device providing heated air shall be located near each handwashing facility. Common towels or roll cloth towels are prohibited. If disposable towels are used, easily cleanable waste receptacles shall be conveniently located near the handwashing facilities.
- (d) Handwashing facilities, soap or detergent dispensers hand-drying devices, and all related facilities shall be kept clean and in good repair.

SECTION THIRTEEN – PUBLIC BATHING PLACES

13.1 The construction, modification, maintenance and operation of a public bathing place in a public, private bona fide religious schools shall be subject to the provisions of the Public Bathing Law. Act of June 23, 1931 (P.L. 899, 35 P.S. 672et.seq) its amendments and the applicable regulations (Title 28, Health and Safety, Chapter 18 Public Swimming and Bathing Places, Part II Local Health).

SECTION FOURTEEN - SEVERABILITY

14.1 If any Section, subsection, paragraph, clause, or provision of these Rules and Regulations shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Rules and Regulations as a whole or any part thereof. It is hereby declared to be the intention of the Bucks County Department of Health, the Bucks County Board of Health, and the Bucks County Commissioners that the remainder of the Rules and Regulations would have been enacted if such invalid section had not been enacted and that it is their intent, intention and desire that the remaining portion of the Rules and Regulations remain in effect.

SECTION FIFTEEN – PENALTY PROVISIONS

15.1 Summary Offenses

Any person who violates any provisions of these Rules and Regulations of the Bucks County Department of Health, or who interferes with the Health Director or any other representative of the Bucks County Department of Health in the discharge of their official duties, shall for the first offense, upon conviction thereof in a summary proceeding before a District Justice of Bucks County wherein said offense was committed, be sentenced to pay the costs of preparation and a fine of not less than Thirty Dollars (\$30) nor more than Three Hundred Dollars (\$300), and in default thereof, to undergo imprisonment of not less than (10) days nor more than thirty (30) days.

15.2 Misdemeanors

Any person who violates any of the provisions of the Rules and Regulations of the Bucks County Department of Health, or who interferes with the Health Director or any other representative of the Bucks County Department of Health in the discharge of their duties, convicted of a second or subsequent offenses, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than Five Hundred Dollars (\$500) nor more than One Thousand Dollars (\$1000) or to undergo imprisonment not exceeding one (1) year, or both.

15.3 Separate Offenses

For the purpose of this Section, violations on separate days shall be considered separate offenses.

15.4 Injunctions

The Bucks County Department of Health may seek to enjoin violations of these Rules and Regulations or may proceed in any court of law or equity to obtain any additional cumulative remedies to abate any violation under these Rules and Regulations. Nothing in these Rules and Regulations shall in any way alter rights or action or remedies now or hereafter existing in equity, or under the common law or statutory law, criminal or civil.

Approved: Bucks County Board of Health

January 8, 2004

Approved: Bucks County Board of Commissioners

November 1, 2006

Effective Date:

December 18, 2006