

Chapter DHS 178 CAMPGROUNDS

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DHS 178.01 Authority and purpose. This chapter is promulgated under the authority of ss. 250.04 (1) and (7) and 254.47, Stats., to regulate the maintenance and operation of campgrounds in order to protect the health and safety of the public.

DHS 178.02 Scope. (1) **APPLICABILITY.** This chapter applies to the operator of any campground, ~~except that only ss. DHS 178.17 (1) through (5) and 178.21 apply to special event campgrounds.~~ (2) **APPROVED COMPARABLE COMPLIANCE.** (a) The department may approve an alternative to a method, practice, material, equipment or design required under this chapter that will not be contrary to public health, safety or welfare, if the department is provided with satisfactory proof that the alternative will achieve results which are closely equivalent to the results of literal application of the requirement. (b) An alternative approved under sub. (a) may, at the department's discretion, be made conditional for any of the following:

1. A defined period of time.
2. Experimental or trial purposes.

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~~(b) An alternative approved by the department under par. (a) may be made conditional for:~~

- ~~1. A defined period of time; or~~

2. Experimental or trial purposes.

DHS 178.03 Definitions. In this chapter:

(1) “Agent” means the city, county or village designated by the department under s. 254.69 (2), Stats., and ch. DHS 192 to issue permits to and make investigations or inspections of campgrounds.

(2) “Approved” means acceptable to the department, based on its determination of conformance with this chapter and good public health practices.

(3) “Campground” means ~~any~~ an operationally independent establishment on ~~parcel or~~ a tract of land owned by a person, the state or a local government, which is designed, maintained, intended or used for the purpose of providing sites for ~~nonpermanent~~ overnight temporary sleeping accommodations for recreation or travel use by 4 or more camping units, or by ~~one~~ 1 to 3 camping units if the ~~parcel or~~ tract of land is represented (to indicate through advertising or to communicate by signage or symbol) as a campground or has rental camping units. A campground does not include (a) Camping at county or district fairs at which 4-H Club members’ exhibit, for the 4 days preceding the county or district fair, the duration of the county or district fair, and the 4 days following the county or district fair. (b) A DNR primitive camping area or dispersed camping area as defined through Memorandum of Understanding between the DHS and DNR.

(3c) “Camping cabin” means a building structure, including yurts, that is built or located onsite that is not provided with plumbing fixtures and meets the requirements of Comm. 20-25 for what is provided.

(4) “Camping unit” means any structure intended for temporary sleeping accommodations that is built to compliance with applicable state, federal, industry, and local requirements and is not a tourist rooming house or a hotel/motel as defined in DHS 195. A camping unit can include, but is not limited to: a recreational vehicle, camping trailer, motor home, park model, camping cabin, yurt, or tent. portable device, no more than 400 square feet in area, used as a temporary dwelling, including but not limited to a camping trailer, motor home, bus, van, pick-up truck or tent. Any building structure or manufactured home for rental to tourists or transients for sleeping accommodations that is provided with plumbing fixtures shall be permitted and meet the requirements as a tourist rooming house specified in DHS 195.

Note: Whenever three or more mobile or manufactured homes are located in a campground, a manufactured home community license shall be obtained from the department of commerce, safety and buildings division or the campground operator shall work with the department of health or its agent to formulate a corrective action plan to remove all but two mobile or manufactured homes from the campground.

(4c) “Capacity” means additions, modifications or expansion to wells, water distributions systems, POWTS, sanitary dump station, toilet facilities, internal road systems, number and type of campsites or any additional structures used by the general public.

(4f) “Collection point” means one or more areas within a campground used for the accumulation of garbage, refuse or recyclables.

(5) “Department” means the Wisconsin department of health services.

(6) “Dependent camping site~~unit~~” means a camping site where the camping unit is not provided with ~~without~~ a toilet and ~~which is therefore dependent~~ on campground toilet ~~facilities~~.

(6p) “Expanding Campground” means a campground that has plans to increase or has increased in capacity beyond its original plan approval and licensure.

(7) “Group campsite” means a piece of land within the campground for overnight camping use by more than 6 individualscampers.

(8) “Independent camping ~~unit~~site” means a camping site unit which containswhere the camping unit has, at a minimum, a water storage facility and a toilet facility which discharges to a liquid waste holding tank that is an integral part of the unit or to a ~~sewage disposal system~~ approved recreational vehicle(RV) transfer tank.

(9) "Individual campsite" means a piece of land within a campground for overnight camping use by not more than 6 ~~individual campers~~ unless all are members of an individual family.

(10) "Individual family" means the principal campsite occupant and persons related to that person as spouse, child, parent, grandparent, sibling or grandchild, or the spouse's child, parent, grandparent, sibling or grandchild.

(10h) "Manufactured Home" means A structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425.

(10j) "Mobile Home" means a vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet.

(10m) "Modification" means a camping unit, site, water or sewer system that has been altered or changed beyond its original plan approval or construction standard.

(10n) "Motor Home" is a self propelled recreational vehicle.

(10o) "New" means a campground operating from the department or its agent with a permit for the first time.

(10p) "Operationally Independent" means a campground establishment meeting all the permitting requirements of DHS 178 that can operate independently from another campground establishment located on that same tract of land.

(11) "Operator" means the owner of a campground or the person responsible to the owner for the operation of the campground.

(11p) "Park Model" It means a recreational vehicle that is built on a single chassis mounted on wheels, that has a gross trailer area of not more than 400 square feet in the setup mode, and that is certified by the manufacturer as complying with the American National Standards Institute (ANSI) Standard A119.5.

(12) "Person" means, for purposes of issuing a permit, an individual, partnership, association, firm, company, corporation, municipality, county, town or state agency, whether tenant, owner, lessee or licensee, or the agent, heir or assignee of any of these.

(12p) "Petting Zoo" a collection of farm animals or gentle exotic animals for children to pet and feed.

"Permanent structure" means a structure resting on its own foundation and not intended to be part of the camping unit as it is in transit.

(13) "Person" means, for purposes of issuing a permit, an individual, partnership, association, firm, company, corporation, municipality, county, town or state agency, whether tenant, owner, lessee or licensee, or the agent, heir or assignee of any of these.

(13) "Recreational Vehicle" means a vehicle that is designed to be towed upon a highway by a motor vehicle or has a motor of its own that is equipped and used, or intended to be used, primarily for temporary or recreational human habitation, that has walls of rigid construction, and that does not exceed 45 feet in length and meets ANSI standard A119.2 or A119.5. At the installation site the chassis and axles shall remain on the unit with the towbar (hitch) and wheels left at the site. Otherwise the unit is subject to Comm. 20-25 requirements.

(13r) "Rustic Campsite" means a campsite with a density of no more than 6 persons per site, that is part of an existing licensed campground that is meant to provide a camper with an opportunity for solitude and independence and is located (a) More than 500 feet away from a designated parking area, road for motorized access, or from facilities located within the campground. (b) No amenities or other structures are provided except for a pit privy or box latrine. (c) There shall be no more than 1 campsite on an acre of land and where

multiple acres and sites are provided, the minimum distance between each site shall be 400 ft. (d) These sites must only be accessible by canoe, boat, horse, walking, or nonmotorized vehicle. (e) Garbage and refuse must be packed out by the camper. Rustic campsites meeting the above criteria are exempt from DHS 178.12 to 178.17.

(14) "Sanitary dump station" means a facility that is used to receive domestic wastes and domestic wastewater from the holding tanks of recreational vehicles or other similar mobile vehicles, facility connected to approved sewerage, and designed for receiving liquid and water-carried waste from camping unit holding tanks.

(15) "Shelter unit" means a structure located on an individual or group campsite which is designed only to protect occupants from the elements and does not have a permanent water supply, a sewage system, electricity, or heating and cooking facilities.

(14d) "Seasonal Camping Unit" A privately owned camping unit intended to be occupied by the same individual or group located at the same location in the campground for 30 consecutive days or more.

(14i) "Sewered independent camping site" means a camping site where the camping unit is connected to the campgrounds public sewer system or POWTS.

(1546) "Special event" means a single event such as a fair, rally or festival involving the gathering of camping units for a maximum of 7-14 consecutive nights. No more than 4 special event permits may be issued within a single calendar year.

(1647) "Temporary dwellingSleeping Accommodations" means a dwelling occupied no more than 4 continuous months in a 12 month period means non-permanent living quarters intended for recreational camping or travel use occupied no more than 8 continuous months in a 12 month period.

(1748) "Vault privy toilet" means an enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber that is water tight, structure not connected to a water supply system, which is used by persons for the deposit of human body wastes.

(18) "Yurt" Means a round domed structure constructed of wood and fabric.

DHS 178.04 Required Plan approval. The operator shall submit information on an approved form provided by the department along with a copy of the plans and specifications, drawn to scale or a drawing indicating code required distances (ft.), for a new or expanded-expanding capacity in a campground. Plans submitted to the department or its agent shall be examined and approved before to the department for examination and approval before beginning construction or modification. No change in plans or specifications which involves any provision of this chapter may be made unless the change is approved and dated by the department or its agent. The department or its agent shall approve or deny a submitted plan within 30 days after receiving a completed campground plan approval application unless the department or the agent requests additional information from the operator.

Note: To obtain a copy of the plan approval application form, write: Food Safety and Recreational Licensing 1. West Wilson St. P.O. Box 2659, Madison, WI, 53701-2659; or phone 608-266-2835. You may also contact the Bureau of Environmental Occupational Health at www.dhs.wi.gov/fsrl.

Note: Operators should consult the department of commerce, the department of natural resources, as well as local building and zoning regulations before commencing construction or modification.

DHS 178.05 Permits. (1) PERMIT REQUIRED. (a) No campground may be opened to the public until the operator of the campground has obtained a permit from the department or its agent, by submitting an application under sub. (4) and paying the applicable fee specified in s. DHS 178.06. A separate permit is required for each campground.

(b) If a permit holder sells or otherwise transfers ownership or operation of a campground to another person, except as provided in sub. (3), a new initial permit is required, and the campground may not be opened to the public until the department has issued a new permit.

(2) PERMIT DURATION AND RENEWAL. (a) Each permit issued under this chapter expires on June 30, except that a permit initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year.

(b) Each permit shall be renewed annually as provided in sub. (4) (b).

(3) TRANSFERABILITY OF PERMITS. An individual may transfer a permit to an immediate family member, as defined in s. 254.64 (4) (a) 2., Stats., if the individual is transferring operation of the campground. A sole proprietorship that reorganizes as a business entity, as defined in s. 179.70 (1), Stats., or a business entity that reorganizes as a sole proprietorship or a different type of business entity may transfer a permit to the newly formed business entity or sole proprietorship if the campground remains at the location for which the permit was issued and at least one individual who had an ownership interest in the sole proprietorship or business entity to which the permit was issued has an ownership interest in the newly formed sole proprietorship or business entity. Except as provided in this subsection, no permit issued under this chapter is transferable from one premise to another or from one person or entity to another.

Note: Under s. 254.64 (4) (a) 2., Stats., “Immediate family member” means a spouse, grandparent, parent, sibling, child, stepchild, or grandchild or the spouse of a grandparent, parent, sibling, child, stepchild, or grandchild. Under ss. 254.64 (4) (a) 1. and 179.70 (1), Stats., a “business entity” means: a corporation, as defined in s. 180.0103 (5), Stats., a limited liability company, as defined in s. 183.0102 (10), Stats., a limited partnership, or a corporation, as defined in s. 181.0103 (5), Stats., a foreign limited liability company, as defined in s. 183.0102 (8), Stats., a foreign limited partnership, a foreign corporation, as defined in s. 180.0103 (9), Stats., or a foreign corporation, as defined in s. 181.0103 (13), Stats.

(4) PERMIT APPLICATION. (a) *Initial permit.* Application for an initial or new permit shall be made on an application form furnished by the department or its agent and shall be accompanied by all of the following:

1. The applicable fees specified under s. DHS 178.06 and any fees previously due to the department or its agent.

~~2. Documentation that the department of commerce under s. Comm 90.04 (1) has approved plans and specifications for the campground, if required.~~

32. Information, as determined by the department or its agent, indicating that the campground will be maintained and operated in compliance with applicable federal and state laws and that rules have been implemented for the operation of the campground that will protect the health, safety, and welfare of the public.

Note: To obtain a copy of the application form for a permit to operate a campground or to determine which agent to contact for an application form, write: Food Safety and Recreational Licensing 1. West Wilson St. P.O. Box 2659, Madison, WI, 53701-2659; or phone 608-266-2835. You may also contact the Bureau of Environmental Occupational Health at www.dhs.wi.gov/fsrl (pro vide website address) write or phone: Bureau of Environmental and Occupational Health (BEOH), P.O. Box 2659, Madison, Wisconsin 53701-2659 (608-266-2835). You may also contact the BEOH at www.dhs.wi.gov/fsrl.

(b) *Renewal permit.* To renew the permit of an establishment, the operator shall pay the department, the applicable establishment permit fee specified under s. DHS 178.06 before the license expires. If the payment to renew the permit of an establishment is not made to the department before the expiration date of the establishment permit, the late fee specified under s. DHS 178.06 (2) (c) shall be paid in addition to the permit fee.

Note: Local health departments that are agents for the department have authority under s. 252.69 (2) (d), Stats., to establish and collect fees for permits issued by the local health department. If your establishment was permitted by a local health department, contact the local health department for its permit fee schedule.

(5) DEPARTMENT OR AGENT ACTION ON PERMIT APPLICATION. (a) The department or its agent shall issue or deny a permit within 30 days after receiving a complete application, all applicable fees, and the other information required under sub. (4).

(b) Except as provided in ss. 250.041 and 254.115, Stats., the initial issuance, renewal or continued validity of a permit issued under this subsection may be conditioned upon the requirement that the permit holder correct a violation of this chapter, s. 254.47, Stats., or ordinances adopted under s. 254.69 (2) (g), Stats., within a period of time specified. If the condition is not met within the specified time or after an extension of time approved by the department, the permit is void. No person may operate a campground after a permit has been voided under this paragraph, and any person who does so shall be subject to the penalties under s. 254.47 (3), Stats. An operator whose permit is voided under this paragraph may appeal the decision under s. DHS 178.09.

(c) The department or its agent may refuse to issue or renew a permit to operate a campground under any of the following circumstances:

1. The department or its agent has not conducted a preinspection of a campground for which an initial ~~or new~~ permit is required under sub. (1) or an unauthorized expansion of capacity has occurred without prior plan approval that has occurred after the effective date of this code.
2. The operator of a campground has not corrected a condition for which the department or agent has issued a written ~~a health~~ or safety related order.
3. All applicable fees under s. DHS 178.06 have not been paid, including the permit fee, preinspection fee, reinspection fee, or other applicable fees.
4. The operator has modified, repaired or maintained the campground in a manner that is not in accordance with what the department recognizes as safe practice as outlined in this chapter.
5. The operator, applicant, or permit holder has failed to provide the department or its agent with information required under sub. (4).
6. The operator or applicant has violated ch. 254, Stats., this chapter, or any order, ordinance, or regulation created by a village, city, county, or local board of health having jurisdiction, provided such violation is related to the operation of the campground.

(d) If the department or its agent denies an application for a permit, the applicant shall be given reasons, in writing, for the denial and information regarding appeal rights under s. DHS 178.09

(6) VOIDED PERMIT FOR FAILURE TO PAY FEES. If an applicant or operator fails to pay all applicable fees, late fees and processing charges under s. DHS 178.06 within 15 days after the applicant or operator receives notice of an insufficiency under s. DHS 178.06(3), or within 45 days after the expiration of the permit, whichever occurs first, the permit is void. An operator whose permit is voided under this subsection may appeal the decision under s. DHS 178.09. In an appeal concerning a voided permit under this subsection, the burden is on the permit applicant or operator to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning a payment dispute, operation of the campground is deemed to be operation without a permit and is subject to the fees under s. DHS 178.06 (2) (e) in addition to the fees otherwise due, unless the applicant or operator meets its burden of proof under this subsection.

(7) PERMIT POSTING. A current permit issued by the department shall be posted in a place visible to the public. A permit may not be altered or defaced.

DHS 178.06 Department fees. (1) FEE SCHEDULES. The fees listed in Table DHS 178.06 A shall apply to permits issued from April 1, 2009 through March 31, 2011. The fees listed in Table DHS 178.06 B shall apply to permits issued on or after April 1, 2011.

Note: Local health departments that are agents for the department have authority under s. 254.69 (2) (d), Stats., to establish and collect fees for permits issued by the local health department. If your establishment was permitted by a local health department, contact the local health department for its permit fee schedule.

(2) TYPES OF FEES. (a) *Preinspection fee.* The operator of a campground shall, pursuant to sub. (1), pay the applicable preinspection fee listed in Table DHS 178.06 A or B to the department before an initial or new permit is issued under s. DHS 178.05.

(b) *Permit fee.* The operator of a campground shall, pursuant to s. DHS 178.06 (1), pay the applicable permit fee listed in Table DHS 178.06 A or B to the department for each campground that the operator applies for a permit to operate under s. DHS 178.05 (1) or (2).

(c) *Late fee.* If the permit fee for a permit renewal is not paid before the expiration date of the permit, the operator of the campground shall pay to the department a late fee of \$85.00 in addition to the renewal permit fee.

(d) *Reinspection fee.* If the department conducts a reinspection of a campground under s. DHS 178.07 (1)

(b) 1. and 2., the operator shall, pursuant to s. DHS 178.06 (1), pay to the department the applicable reinspection fee listed in Table DHS 178.06 A or B. The department shall assess an additional fee as listed in Table DHS 178.06 A or B, whichever is applicable, for any additional reinspection conducted under s. DHS 178.07 (1) (b) 4.

(e) *Fees for operating without a permit.* Any campground or special event campground found to be operating without a permit shall pay to the department a fee of \$749.00, in addition to all applicable fees and any processing charges under s. DHS 178.05 (6).

Note: Anyone operating a campground without a permit is also subject to a fine of not less than \$25 nor more than \$250 under s. 254.47 (3), Stats.

(f) *Duplicate permit.* The department shall charge the operator of a campground \$15 for a duplicate permit.

(g) *Fees for special condition inspections.* For inspection or consultation activities that are not directly related to the department's permitting and licensing responsibilities, the departments shall charge the operator or the entity requesting the inspection or consultation \$175.00.

(3) METHOD OF PAYMENT. If the payment for an initial or renewal permit is by check or other draft drawn upon an account containing insufficient funds, the applicant or operator shall, within 15 days after receipt of notice from the department of the insufficiency, pay all applicable fees under sub. (1) and the financial institution's processing charges by cashier's check or other certified draft, money order, or cash.

Table DHS 178.06 A
Fee Schedule — SFY 2010
For permits issued April 1, 2009 through March 31, 2011

Type of Facility	Permit Fee	Preinspection Fee	First Reinspection Fee	Second and Subsequent Reinspection Fee
Campground Permit Fee 1–25 sites	\$150	\$335	\$158	\$210

Campground Permit Fee 26–50 sites	\$215	\$495	\$225	\$300
Campground Permit Fee 51–100 sites	\$265	\$610	\$278	\$370
Campground Permit Fee 101–199 sites	\$310	\$725	\$330	\$440
Campground Permit Fee 200+ sites	\$355	\$840	\$379	\$505
Special Event Campground 1–25 sites	\$150			
Special Event Campground 26–50 sites	\$215			
Special Event Campground 51–100 sites	\$265			
Special Event Campground 101–199 sites	\$310			
Special Event Campground 200+ sites	\$355			

Table DHS 178.06 B
Fee Schedule — SFY 2012
For permits issued on or after April 1, 2011

Type of Facility	Permit Fee	Preinspection Fee	First Reinspection Fee	Second and Subsequent Reinspection Fee
Campground Permit Fee 1–25 sites	\$175	\$380	\$180	\$240
Campground Permit Fee 26–50 sites	\$250	\$565	\$263	\$350
Campground Permit Fee 51–100 sites	\$305	\$700	\$319	\$425
Campground Permit Fee 101–199 sites	\$355	\$830	\$375	\$500
Campground Permit Fee 200+ sites	\$410	\$965	\$435	\$580
Special Event Campground 1–25 sites	\$175			
Special Event Campground 26–50 sites	\$250			
Special Event Campground 51–100 sites	\$305			
Special Event Campground 101–199 sites	\$355			

Special Event Campground 200+ sites	\$410			
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DHS 178.07 Enforcement. (1) INSPECTIONS AND ACCESS TO THE PREMISES. (a) *Inspections.*

Under ss. 254.69 (2) and 254.85 (1), Stats., an authorized employee or agent of the department, upon presenting proper identification, may enter any campground at any reasonable time, for any of the following purposes:

1. To inspect the campground.
2. To determine if there has been a violation of this chapter or s. 254.47, Stats.
3. To determine compliance with previously written violation orders.
4. To secure samples or specimens.
5. To examine and copy relevant documents and records provided such information is related to the operation of the campground.
6. To obtain photographic or other evidence needed to enforce this chapter.

(b) *Reinspections.* 1. The department or its agent may reinspect a campground whenever an inspection or the investigation of a complaint reveals the existence of a violation that is potentially hazardous to the health and welfare of patrons or employees of the campground.

2. A reinspection shall be scheduled to allow the operator a reasonably sufficient time to correct the deficiencies.
3. A reinspection fee shall be charged for the reinspection according to Table DHS 178.06 A or B, or applicable charges as determined by an agent of the department.
4. If an additional reinspection is required because a violation has not been corrected in the scheduled time, the department shall assess an additional reinspection fee according to Table DHS 178.06 A or B as authorized under s. DHS 178.06 (2) (d), and the department may order the operator to show just cause why the permit should not be suspended or revoked under s. DHS 178.08.

(2) **GENERAL ORDERS TO CORRECT VIOLATIONS.** (a) If upon inspection of a campground, the department or agent finds that the campground is not designed, constructed, equipped or operated as required under this chapter, the department or agent shall issue a written order to correct the violation. The order shall specify the correction needed for compliance and the time period within which the correction should be made. The time period specified in the order may be extended at the discretion of the department or agent.

(b) If the order to correct violations is not carried out by the expiration of the time period stated in the order, or any extension of time granted for compliance, the department or agent may issue an order under s. DHS 178.08 to suspend or revoke the permit to operate the campground.

(c) Any person who fails to comply with an order of the department shall forfeit \$10 for each day of noncompliance after the order is served upon or directed to him or her. A person may appeal a forfeiture under s. DHS 178.09.

(3) **TEMPORARY ORDERS.** (a) As provided in s. 254.85, Stats., whenever the department or agent has reasonable cause to believe that an immediate danger to health or safety exists as a result of an inspection under sub. (1), the department or agent may issue a temporary order without advance notice or hearing to do any of the following:

1. Prohibit the continued operation or method of operation of specific equipment.
2. Require the premises to cease operations and close until remedies are applied which eliminate the immediate danger to health or safety.

(b) 1. A temporary order shall take effect upon delivery to the operator or responsible supervisor. Except as provided in par. (c), the temporary order shall remain in effect for 14 days from the date of delivery, but a temporary order may be reissued for one additional 14-day period if necessary to complete any analysis or examination of samples, specimens, or other evidence.

2. No operation or method of operation prohibited by the temporary order may be resumed without the approval of the department or agent until the order has terminated or the time period specified in subd. 1. has expired, whichever occurs first. If, upon completed analysis or examination, the department or agent determines that construction, sanitary condition, operation or method of operation of the premises or equipment does not constitute an immediate danger to health or safety, the department or agent shall immediately notify the owner, operator or responsible supervisor in writing and the temporary order shall terminate upon receipt of the written notice.

(c) If the analysis or examination shows that the construction, sanitary condition, operation or method of operation of the premises or equipment constitutes an immediate danger to health or safety, the department or agent, within the effective period of the temporary order specified in par. (b) 1., shall provide written notice of the findings to the owner, operator or responsible supervisor. Upon receipt of the notice, the temporary order remains in effect until a final decision is issued under s. DHS 178.09. The notice shall include a statement that the facility has a right to request a hearing under s. DHS 178.09 within 15 days after issuance of the notice.

(d) Any person who fails to comply with a temporary order issued by the department shall forfeit \$10 for each day of noncompliance after the order is served upon or directed to him or her and, under s. 254.85 (5) (a), Stats., may be fined not more than \$10,000 or imprisoned not more than one year in the county jail, or both. A person may appeal a forfeiture under s. DHS 178.09.

DHS 178.08 Suspension or revocation of permit.

The department may, after a hearing under s. DHS 178.09, suspend or revoke a permit for violation of s. 254.47, Stats., this chapter or an order issued by the department. The suspension or revocation order shall take effect 15 days after the date of issuance unless a hearing is requested under s. DHS 178.09 (1).

DHS 178.09 Appeals of actions by the department.

(1) (a) Except as provided in sub. (2) or (3), a request for a hearing for denial of a permit, a voided permit, suspension, revocation, forfeiture, or an order given under s. DHS 178.07 (1) (b) 4. or (2) shall be submitted in writing to the department of administration's division of hearings and appeals within 15 days after receipt of the notice of the department's action.

(b) A request for hearing that is mailed to the division of hearings and appeals shall be considered filed with the division on the date of the postmark.

(c) A request for hearing that is hand delivered to the division of hearings and appeals shall be considered filed on the date the request is received by the division of hearings and appeals.

(d) A request for hearing transmitted by facsimile to the division of hearings and appeals shall be considered filed on the date and time imprinted by the division's facsimile machine on the transaction report that accompanies the document. Documents received by facsimile after midnight local time shall be deemed filed on the first following business day.

Note: A request for hearing can be submitted by mail or hand-delivered to the Division of Hearings and Appeals, at 5005 University Ave., Room 201, Madison, WI 53705-5400, or faxed to the Division at (608) 264-9885.

(e) As a condition for requesting a hearing under this subsection to appeal the voiding of a permit, an applicant or operator shall comply with sub. (3). In an appeal concerning voiding a permit, the burden is on the applicant or operator to show that the entire applicable fees, late fees and processing charges have been paid.

(2) A request for hearing on a temporary order given by the department under s. DHS 178.07 (3) shall be made in writing to the department within 15 days of receipt of the order. The department shall hold a hearing within 15 days after the department receives the written request for hearing, unless the department and the operator agree to a later date, the immediate danger to health is removed, the order is not contested or the operator and the department mutually agree that no purpose would be served by a hearing. A final decision shall be issued under s. 227.47, Stats., within 10 days following the conclusion of the hearing. The decision may order any of the following to remove the danger to health:

(a) Changes to or replacement of equipment or construction.

(b) Changes in or cessations of any operation or method of operation of the equipment or premises.

Note: A request for a hearing under sub. (2) may be submitted by mail or hand delivered to the Department of Health Services, at 1 W. Wilson St., Room 650, P.O. Box 7850, Madison, WI, 53707-7850, or faxed to the Department at (608) 266-7882. The hearing may be conducted by the department secretary, the secretary's designee, or a hearing examiner under s. 227.43 (1) (bu), Stats.

(3) If the department voids a permit for failure to pay fees under s. DHS 178.05 (6), the operator shall submit, within 15 days after receipt of the notice of the department's action, documentary evidence that all applicable fees, late fees and processing charges have been paid and that there are no outstanding payments due to the department.

DHS 178.10 Appeals of actions by agent health departments. If an agent issues a permit under this chapter, the agent shall create enforcement and appeal procedures under ss. 66.0417 and 254.69 (2) (g), Stats.

DHS 178.11 Physical layout. (1) SITE DESIGNATION. Each designated campsite or camping unit rental located within the campground shall be clearly marked ~~and numbered with an alpha or numeric symbol.~~ on a sign. All new and replaced site designation symbols shall be clearly visible from the access road and shall be a minimum of 2" in height, at each site, except at special event campgrounds, and on a

(2) Map Provided. A current and accurate map shall be available to all campground occupants indicating the layout and location of campsites and camping unit rentals. ~~There shall be a minimum separation of 10 feet between campsites.~~

~~(2) ATTACHMENT PROHIBITED. A camping unit may not be placed or attached onto a permanent foundation or a permanent structure at the campsite, except that attachment to an approved sewage disposal system or to an approved water supply system is permitted.~~

(3) LOCATION. Camping units may not be located ~~only~~ in an area of a campground which is ~~not~~ subject to the accumulation of storm water or other surface water or in other areas that would constitute a health or safety hazard.

Note: The location of campsites and facilities with regard to flood plains and shore land areas must comply with local zoning ordinances and with ch. NR 115 and s. NR 116.12 (2) (b), rules of the department of natural resources.

(4) DENSITY. Density of campers and campsites may not exceed:

(a) For an individual campsite, 6 campers or an individual family;

(b) No more than 20 individual campsites per acre; and

(c) No more than 80 campers per acre in group campsites.

(d) After the effective date of this code, there shall be a minimum separation of 10 feet between camping units from one camping unit to another camping unit. Any accessory structure such as, but not limited to, a deck, awning, or other structures less than 10 ft from the camping unit, for the purposes of this separation requirement, shall be considered part of the camping unit.

(e) An individual or group campsite may be occupied by more than one camping unit provided that the site is large enough to contain the additional unit or units with a separation of at least 10 feet between units.

(5) ROADWAYS. Where internal roads are provided, they shall be graded and maintained to provide drainage and control dust.

(6) ACCESS. Access to a campground shall be designed to minimize congestion and hazards at the entrance and exit.

~~(7) MULTIPLE UNIT SITES. An individual campsite may be occupied by more than one camping unit provided that the site is large enough to contain the additional unit or units with a separation of at least 10 feet between units and provided that the total number of occupants at the multiple unit campsite does not exceed 6 campers unless they are members of an individual family.~~

~~(7) DISTANCE TO LIVESTOCK QUARTERS. Livestock quarters on the premise shall not be permanently located closer than 500 feet to a campsite, swimming or dining area. This requirement does apply to petting zoos. Petting zoos shall be provided with a hand washing or a hand sanitizer station.~~

~~(8) CAMPING UNIT - RENTAL (a) All camping units not meeting the definition of a recreational vehicle that are rented to tourist or transients for sleeping accommodations after the effective date of this code shall meet the Uniform Dwelling Code (Comm. 20-25) as required by the department of commerce. If documentation is not provided to the department of health services by the operator indicating that the building structure is in compliance with the Uniform Dwelling Code, the department of health services shall make a referral to the department of commerce.~~

~~(b) Any recreational vehicle that is rented to tourist or transients for sleeping accommodations shall be certified by the manufacturer as meeting the standards of ANSI A119.2 or A119.5.~~

~~(c). All camping units that are rentals that have added additions or attachments that are used for habitation or means of egress as an exit from the enclosure after the effective date of the code shall meet the Uniform Dwelling Code in Comm. 20-25 as required by the department of commerce.~~

~~(9) SEASONAL CAMPING UNIT USE (a) All seasonal camping units not meeting the definition of a recreational vehicle after the effective date of this code shall meet the requirements by the department of commerce relating to the Uniform Dwelling Code (Comm. 20-25). If documentation is not provided to the department of health services by the operator indicating that the building structure is in compliance with the Uniform Dwelling Code, the department of health services shall make a referral to the department of commerce.~~

~~(b) Any recreational vehicle seasonal camping units shall be certified by the manufacturer as meeting the standards of ANSI A119.2 or A119.5.~~

~~(c). All seasonal camping units that have additions or attachments that are used for habitation or means of egress as an exit from the enclosure after the effective date of this code shall meet the Uniform Dwelling Code in Comm 20-25 as required by the department of commerce.~~

DHS 178.12 Water supply. (1) REQUIREMENTS. (a) Outlets.

~~For campgrounds the plans and specifications for which are approved under s. DHS 178.04 on or after September 1, 1992, a~~ An outlet supplying water which is under pressure and which is safe for human consumption shall be located not more than 400 feet walking distance from any individual or group campsite and not within 50 feet from the outside edge of a sanitary dump station apron, unless it was previously approved by the department of commerce or a variance is approved by the department. ~~Water which is safe for human consumption shall be available for users of group campsites.~~

(b) *Privately owned wellwater systems.* A privately owned wellwater system is permitted as a source of water. The wellwater system shall be located on the premises and shall be constructed and the pump installed in accordance with ch. NR 812, as enforced by the department of natural resources. ~~rules of the department of natural resources governing well drilling and pump installation.~~ All drinking water shall comply with the applicable water quality standards in ch. NR 809. Prior to the start of the season, or

annually for a year around campground, the operator shall submit a water sample taken from the plumbing distribution system to a laboratory certified under ch. ATP 77 for bacteriological analysis and a copy of the report giving the results of the analysis shall be made available to the department or its agent upon request. A campground served by more than one wellwater system shall submit a sample from each wellwater system annually.

Whenever bacteriologically safe water cannot be obtained ~~consistently~~ from a wellwater system constructed in apparent compliance with ch. NR 812, as evidenced by laboratory reports, ~~the well shall be reconstructed or a new well constructed in accordance with the requirements of ch. NR 812. If reconstruction or new construction is determined to be impractical or is found to be ineffective,~~ the use of the wellwater system shall be discontinued and water shall be transported on a temporary basis from a source and in a manner approved by the department. The water system may return to service when documentation is received by the department or its agent that the water system meets the drinking waters standards in ch. NR 809 and water system construction standards in NR 812; or the department of natural resources has approved a plan for repair, remediation, or replacement of the water system.

Note: Bottles for collection of water samples may be obtained by writing to the State Laboratory of Hygiene, ~~465 Henry Mall, Madison, WI 53706, or by calling 1-800-442-4618, 2601 Agriculture Drive, Madison, WI 53708, or by calling 800-442-4618~~

Use of any private or public certified laboratory is acceptable to satisfy the requirement.

(2) INDIVIDUAL WATER CONNECTIONS. Plans for the design, modification or extension of a new or expanded water distribution system ~~any water distribution system~~ shall be approved by the department of commerce or its designated agent. ~~or its designated agent.~~ If facilities for individual water service connections for camping units are provided, the following standards shall apply:

(a) Water riser pipes shall extend at least 18 inches above ground elevation finished grade with the outlet directed downward;

~~(b) Adequate provision shall be made to prevent freezing of service lines, valves or riser pipes;~~

~~(c) Stop and waste-type control valves may not be installed underground, as stated in s. Comm 82.40 (8) (e) 2;~~

~~(db)~~ Approved devices to prevent backflow shall be provided on all outlets; and

~~(ec)~~ All plumbing shall comply with the sections of chs. Comm 82 and 84, as enforced by the department of commerce, that apply that applies to campgrounds.

(3) RECREATIONAL VEHICLES – RENTAL. Recreational vehicles used for rental to tourists or transients that have plumbing shall be properly connected with a food grade hose and hosebib to the campgrounds water distribution system.

DHS 178.13 ~~Private Sewage disposal~~ Onsite Wastewater Treatment System (POWTS). ~~(1)~~

GENERAL. ~~If a campground requires a sewage system and a public sewer facility is available to the campground, connection and use are required.~~

Note: See Comm 83.03 (2), Public Sewer Connection.

(2) PRIVATE SEWAGE DISPOSAL. ~~(a1)~~ A private sewage system POWTS, as defined in s. 145.01 (12), Stats Comm 81.01, is permitted when a public sewer facility is not available to the campground. New or expanded systems shall be approved by the department of commerce or its designated agent. The system shall be located, designed, constructed and operated in accordance with chs. Comm 82, 83 and 84.

Note: See s. 66.036, Stats., regarding building on unsewered property.

~~(b2)~~ A failed onsite private waste disposal system POWTS ~~shall be corrected or its use discontinued.~~ A ~~failed system~~ has the meaning prescribed for “failing private sewage system” under s. 145.245 (4), Stats. The POWTS use shall be discontinued until documentation is provided to the department or its agent that the POWTS is in compliance with the Comm 82, 83, 84 and 85 or the department of commerce has approved a plan for repair, remediation, or replacement.

~~(e3) A plan and installation details~~Plans for the design and construction, alteration or extension of a ~~private sewage disposal system~~POWTS shall be submitted to the department of ~~industry, labor and human relations commerce~~ or its designated agent for approval before construction or ~~the work of altering or extending the alteration of the private sewage disposal system~~POWTS.

~~is begun.~~

~~Note: Local jurisdictions may require additional approvals.~~

~~(d) All plumbing fixtures shall be connected to the building drainage system, with discharge to a public sewer or private sewage disposal system.~~

~~(e) Sewage, which includes all liquid and water carried wastes from sinks, bathing and toilet facilities may not discharge onto the ground surface.~~

~~(4) POWTS access opening covers shall be locked or secured, except for inspection, evaluation, maintenance or servicing purposes.~~

~~(f5) Recreational vehicle(RV) transfer tanks~~Containers

~~(a) installed outside of a camping unit and used to receive the discharge from its toilet, shower, bathing and sink facilities may be accepted by the department~~ or its designated agent if approved by the department of ~~industry, labor and human relations~~commerce.

~~(b) The~~ Containers tanks shall be emptied as often as necessary so as not to create a nuisance, and

~~(c) the -wWastewater -shall be disposed of in an approved manner in accordance NR113, approved by the department.~~

~~(6) All plumbing fixtures, except those located inside recreational vehicles and motor homes, shall comply with the sections of chs. Comm 82, 83, 84 and 85, as required by the department of commerce that applies to campgrounds. Sewage, which includes all liquid and water carried wastes from sinks, bathing and toilet facilities may not discharge from a plumbing fixture onto the ground surface.~~

DHS 178.14 Toilets. (1) TYPE AND LOCATION. (a) Separate toilet rooms shall be provided for each sex and shall be available at all times while the campground is occupied by dependent camping units. Vault privy toilets or other department of commerce approved ~~outdoor~~ toilet units are permitted. Vault privy toilets and other approved toilets shall be constructed in accordance with the ~~outdoor~~ toilet requirements in s. Comm 62.2900 and ch. Comm 91, as required by the department of commerce. These toilets -and shall be maintained clean and in good repair. All toilet rooms shall be fly tight, vermin proof and constructed with impervious floors, seat risers and seats shall be smooth, nonabsorbent and easily cleanable. Doors shall have self closing devices.

(b) No vault toilet may be located within 75-15 feet of an individual campsite or a building used for human occupancy.

(c) Each toilet shall be enclosed in a separate compartment equipped with a privacy lock.

(d) Toilets shall be provided with an adequate supply of toilet paper.

(e) A covered waste receptacle shall be provided in the women's restroom.

(f) When hand sinks or portable hand sinks are provided for hand washing they shall be provided with an adequate supply of soap, water as required by the department of commerce, single-use toweling or hand drying device and a waste receptacle.

(2) TOILETS FOR PEOPLE WITH PHYSICAL DISABILITIES. The construction of toilets, toilet rooms and toilet buildings, and their accessibility, shall comply with ch. Comm 62, as enforced by the department of commerce.

(3) WALKWAYS TO TOILET BUILDINGS. Walkways to toilet buildings shall be provided and shall ~~have a prepared slip resistant surface to~~ allow safe and clean access under all weather conditions.

(4) **DISTANCE TO TOILETS.** A toilet for each sex shall be located within 400 feet from each ~~individual or dependent~~ campsite, ~~group campsite on which a dependent camping unit is located, unless a variance is approved by the department.~~

(5) **NUMBER.** (a) ~~Individual-Dependent~~ campsites. 1. For campgrounds the plans and specifications for which are approved under s. DHS 178.04 on or after September 1, 1992, the number of toilet fixtures for ~~individual-dependent~~ campsites shall be determined by the total number of dependent campsites, ~~excluding sites intended solely for use by independent camping units~~, using table 178.09. If a campground has more than 100 dependent campsites, one additional toilet for each sex shall be provided for every additional 75 sites or fraction thereof except that urinals may be substituted for up to 50% of the calculated number of toilets required for males.

Table 178.09 Minimum Number of Toilet Fixtures Required at a Campground

Number of Sites	Toilets / Urinals	
	For Women	For Men
	Toilets	Toilets
1 to 15	2	2
16 to 30	3	3
31 to 45	4	4
46 to 60	5	5
61 to 100	6	6

~~2. Campgrounds with plans and specifications approved by the department before September 1, 1992 shall have the number of toilet fixtures required by the rules in effect when the plans and specifications were approved.~~

(b) *Group campsites.* The number of toilet fixtures for group campsites shall be one toilet for each sex for every 30 campers or fraction thereof. Urinals may be substituted for up to 50% of the number of toilets required for males.

(c) ~~Independent camping unit campground~~ *Independent campsites.* Where a campground ~~or a designated section of the campground~~ is designed for and exclusively limited to use by independent camping units, the campground shall provide a backup toilet for each sex for every 100 sites or fraction thereof, which shall be available at all times that the campground is occupied.

(d) *Sewered independent camping unit campsites.* ~~Where a campground or a designated section of the campground is designed for and exclusively limited to use by sewer independent camping units, no backup toilets are required for that campground or that section of the campground that is exclusively used for sewer independent camping units.~~

(e) *Rustic Campsites.* ~~If a box latrine, pit privy or other approved non water carrying toilet is provided it shall be constructed in accordance with the requirements of Comm. 62.2900 and Comm 91, as enforced by the department of commerce. These toilets shall be maintained clean and in good repair.~~

DHS 178.15 Sanitary dump station. (1) All campgrounds accommodating independent camping units on unsewered sites shall provide a sanitary station in the ratio of 1 for every 300 sites or fraction thereof unless the operator submits a plan to the department and obtains an approval for an alternate method for disposal of liquid wastes. Alternate plans shall include the following components:

(a) There shall be 20 or less campsites provided for independent camping, (b) The distance to the nearest sanitary dump station shall be located within 10 miles of the campground and is available during that campground season, and (c) A written agreement or contract is provided to the department that allows the

campground to send camping units to the alternate location, or (d) if department of commerce approved RV transfer tank are used, the campground operator or a licensed septic hauler may pump out the tank and disposes of the waste in an approved manner.

(2) Sanitary dump stations which are used to receive domestic wastes and domestic wastewater from the holding tanks of travel trailers, recreational vehicles or other similar mobile vehicles, and RV transfer tanks shall meet the requirements COMM 82.37 (2) Sanitary Dump Stations, as required by the department of commerce. ~~The sanitary station shall consist of at least a trapped 4 inch sewer riser pipe connected to the campground sanitary sewer system, surrounded at the inlet end by a concrete apron sloped to the drain, and with a suitable hinged cover provided for the riser. A water outlet shall be included to permit sanitary maintenance of the station.~~

(3) The water outlet shall be marked: "THIS WATER FOR FLUSHING AND CLEANING — NOT FOR DRINKING OR DOMESTIC PURPOSES". ~~The water outlet hose shall be mounted on a reel or tower to ensure that the nozzle does not touch the ground when not in use. The water outlet shall be provided with an approved device to prevent backflow.~~

(4) A sanitary dump station may not be located within 50 feet of a permanent body of surface water nor within ~~75-15~~ feet of a designated campsite, ~~unless a variance is approved by the department.~~

(5) A distance of not less 5ft shall be provided around the sanitary dump station apron to prevent contamination from splash to areas used by the general public.

DHS 178.16 Toilet or shower building. (a) If a building housing toilets, hand washing facilities and showers or only toilets or showers is provided at a campground, it shall be constructed in compliance with chs. Comm 61 to 65, ~~as required by the department of commerce.~~ The sewage system serving the building shall be constructed and maintained in compliance with ch. 145, Stats., and chs. Comm 82, 83, ~~84~~ and ~~85~~, ~~as required by the department of commerce.~~ (b) Shower room floors shall be slip-resistant or be provided with nonabsorbent, easily cleanable matting. The mats shall be maintained clean and in good condition.

History: Cr. Register, August, 1992, No. 440, eff. 9-1-92; correction made under s. 13.93 (2m) (b) 7., Stats., Register May 2002 No. 557; **CR 08-073: renum. From HFS 178.11 Register January 2009 No. 637, eff. 2-1-09.**

DHS 178.17 Garbage and refuse. (1) GENERAL. Campground garbage, ~~and refuse~~ refuse and recyclables shall be stored, at the collection point, in covered containers ~~that which~~ are durable, cleanable, insect- and rodent-resistant, leakproof, and nonabsorbent. Garbage, refuse and recyclables containers shall remain covered when not in use unless the containers are emptied every day, durable, easily cleanable, and insect, rodent and water resistant. Outside storage of plastic bags or wet strength paper bags or baled units containing garbage or refuse is prohibited.

(2) LOCATION. Containers for garbage and refuse shall be located within 400 feet of each campsite, except that the department or its agent may approve a centrally located garbage/refuse/recyclable handling system. The location of receptacles and waste handling units in a centrally located garbage/refuse/recyclable handling system may not create a public health hazard or nuisance and the containers or units shall be provided with lids or covers and kept closed when not in use.

(23) CONTAINER NUMBERS. There shall be a sufficient number of containers to hold all the garbage and refuse that accumulates.

(34) CONTAINER MAINTENANCE. Garbage, ~~and refuse~~ and recyclable containers shall be emptied and cleaned at a frequency necessary to prevent them from developing a buildup of soil or becoming attractants for insects and rodents. ~~as often as necessary to prevent the development of odor, the attraction of insects and rodents and overflow.~~ Containers shall be cleaned as necessary to maintain sanitary conditions.

(45) INCINERATION. Where garbage or refuse is burned on the premises, the burning shall be done by controlled incineration that prevents the escape of particulate matter in accordance with chs. NR 415 and

~~445. The burning of garbage, refuse or recyclables shall be done in a department of natural resources approved incinerator, as enforced by the department of natural resources, except that incidental burning of combustibles may be done at campsite fireplaces.~~ Areas around incinerator facilities shall be clean and orderly.

~~(56) SOLID WASTE.~~ Solid waste disposal sites in the campground shall be in compliance with ch. NR 502, as enforced by the department of natural resources.

~~(67) FISH AND GAME CLEANING STATION.~~ (a) When provided, a fish and game cleaning station shall be ~~reasonably fly tight and vermin proof and~~ maintained in a sanitary manner. (b) ~~If plumbing fixtures are provided they shall meet the requirements in Comm 82, 83, and 84 and wastewater shall be disposed of in an approved manner, as required by the department of commerce.~~ (c) ~~When a new fish and game cleaning station is provided or replaced it shall be located not closer than 75 feet to a designated campsite. The area used for fish cleaning shall be designed to be smooth, easily cleanable and nonabsorbant.~~

DHS 178.18 Fire ~~protection~~Prevention. Campgrounds shall be kept free of ~~camper generated~~ litter, rubbish and other flammable materials. At least one ~~maintained~~ ABC rated fire extinguisher shall be available in ~~all commercial buildings the campground office or other building~~ within the campground. ~~The fire extinguisher shall be readily accessible and maintained in operable condition.~~

- ~~(1) CAMPFIRE RINGS. Campfire rings shall be located a minimum of 10 feet away from all camping units and property.~~
- ~~(2) GRILLS. When a campground operator installs a permanent grill it shall installed in accordance with the department of commerce.~~

DHS 178.19 Rental. (1) GENERAL. (a) When a campground operator rents a camping unit ~~or shelter unit~~, the ~~interior of the camping~~ unit shall be ~~maintained~~ in a clean and sanitary condition and in good repair.

~~(b) BUILDING STRUCTURES. 1. In a campground, a building structure that is rented to tourists or transients for sleeping accommodations supplied with the 4 basic plumbing fixtures as required in Comm. 82.10(2)(b) shall be permitted as a Tourist Rooming House and meet the requirements in DHS 195.~~
~~2. Building structures that are rented to tourists or transients for sleeping accommodations without plumbing fixtures shall meet Comm. 20-25 Uniform Dwelling Code requirements for what is provided as required by the department of commerce.~~
~~3. Building structures not meeting the requirements in sub. (a) and (b) may not be rented to the general public.~~

(2) FURNISHINGS. (a) All furnishings and appliances in a rented camping unit shall be cleaned between occupancies and maintained in a good state of repair.

~~(b) Rented sleeping paraphernalia such as sleeping bags and bed linens shall be laundered or dry cleaned between rentals.~~

~~(c) Multiuse food and beverage utensils shall not be provided in rental units without adequate utensil wash facilities, minimum two compartment sink.~~

~~(d) Whenever utensil wash facilities are provided and multiuse food and beverage utensils are supplied in rental units: provided,~~

~~1. they~~ They shall either be washed and sanitized between occupancies ~~in an approved manner, or~~

~~2. (A) washed with a household detergent and (B) be provided with sign posted in public view with the following message. Dishware, glassware, kitchenware and utensils have been provided in this room as a guest convenience. These materials have been thoroughly cleaned using household dishwashing agents. They have not been sanitized according to Wisconsin Food Code requirements. It is recommended that you~~

sanitize multiuse utensils before their use. Use the following guidelines: After washing, sanitize in a solution of water containing 1 teaspoon of unscented bleach per gallon of water and air dry.

(e) All utensils that are provided shall be maintained in good repair and constructed of approved materials.

~~(b) Rented sleeping paraphernalia such as sleeping bags and bed linens shall be laundered or dry cleaned between rentals.~~

(3) BUNK BEDS. (a) Guardrails. (1) Any bunk bed shall provide at least two guardrails, at least one on each side of the bed, for each bed having the underside of its foundation more than 30 inches (760 mm)

from the floor. (2) One guardrail shall be continuous between each of the bed's end structures.

"Continuous" means that any gap between the guardrail and end structure shall not exceed 0.22 inches (5.6 mm) (so as to not cause a finger entrapment hazard for a child). (3) The other guardrail may terminate

before reaching the bed's end structures, providing there is no more than 15 inches (380 mm) between either end of the guardrail and the nearest bed end structure. (4) For bunk beds designed to have a ladder attached

to one side of the bed, the continuous guardrail shall be on the other side of the bed. (5) Guardrails shall be attached so that they cannot be removed without either intentionally releasing a fastening device or applying

forces sequentially in different directions. (6) The upper edge of the guardrails shall be no less than 5 inches (130 mm) above the top surface of the mattress. (7) The bottom of the guardrail shall be no more than 3.5"

above the top of the bed frame. (b) End Structures. The upper edge of the upper bunk end structures shall be at least 5 inches (130 mm) above the top surface of the mattress for at least 50 percent of the distance

between the two posts at the head and foot of the upper bunk. (c) Vertical Protrusions. Newly constructed bunk beds after the effective date of this code shall be built so that all vertical protrusions along the top

inside surfaces of any individual component (including but not limited to the bed end structures, guardrails, corner posts) of the upper bunk shall not exceed more than 3/16" (5mm) above the upper edge of the

adjacent surface. Ladder styles shall not exceed more than 3/16" (5mm) above the upper edge of the adjacent surface. (d) Separation. No more than 2 beds may be stacked vertically and there shall be a

vertical separation of at least 2.5 feet measured from the top of the lower mattress to the bottom of the frame of the upper bed. A free space of at least 2.5 feet shall be provided above the mattress of the upper bed. (e)

Location. Bunk beds shall be located away from potential hazards, such as, but not limited to: heat sources, ceiling fans or other ceiling protrusions. (f) Mattresses. Mattresses when new or replaced shall meet the

dimensions of the bunk bed with no gaps between the interior bed structure and the mattress. Mattresses shall be maintained clean and in good condition.

(4) CLEANLINESS OF LINENS. (a) Pillowslips, sheets, towels and washcloths shall be washed as frequently as they are assigned to a different guest and at least once a week. (b) Blankets, spreads,

mattresses and pillows shall be kept clean and free of insect infestation. (c) The use of quilts and comforters which are not machine washable is not permitted. (d) Clean and soiled linen shall be kept in separate

nonabsorbent washable containers used for this purpose exclusively. (e) Every mattress or alternative sleeping surface, such as but not limited to futons and sofa sleepers, shall be covered with a washable,

nonabsorbent pad to protect the mattress or alternative sleeping surface. (f) Every mattress, alternative sleeping surface, and pad shall be maintained clean and in good repair. (g) If laundry facilities are provided

they shall be equipped with a washer and dryer.

(5) FIRE EXTINGUISHERS. An ABC fire extinguisher that is annually inspected and maintained shall be conspicuously located in every rental camping unit.

(6) SMOKE DETECTION. Each rental camping unit shall be provided with at least one approved, listed and labeled smoke detector installed according to manufacturer's recommendations.

(7) CARBON MONOXIDE DETECTORS. Each rental camping unit that is equipped with a fuel burning appliance shall be provided with at least one approved, listed and labeled carbon monoxide detector installed according to manufacturer's recommendations.

(8) INSECT AND RODENT CONTROL. The campground operator shall provide effective measures intended to minimize the presence of rodents, flies, cockroaches, bed bugs and other insects in rental units and other building located in the campground.

DHS 178.20 Management. (1) GENERAL. (a) Every campground shall be operated and maintained with a strict regard to the public health and safety and in conformity with the rules of this chapter. (b) The campground operator shall maintain the campground and related structures and facilities in good repair and in a clean, safe and sanitary condition at all times.

(2) REGISTER. A campground register shall be maintained containing the name of the principal campsite occupant, contact information, arrival and departure dates and the number in the party. The register shall be available to any authorized employee or agent of the department who, in carrying out his or her duties, wishes to inspect the register. The register information shall be kept for at least one-two years after the departure of the occupant of a site.

(3) CHANGE OF OWNERSHIP. The campground operator shall promptly notify the department in writing of an intention to permanently cease operations and shall supply the department with the name and mailing address of any new operator.

(3) OPERATION. Private sites owned within the campground that share amenities or utilities, such as, but not limited to water, sewer, electric, roads, garbage and refuse disposal, must sign an agreement with the campground operator that they agree to meet the requirements of this rule. These signed agreements shall be maintained by the operator and made available to the inspector upon request.

(4) DEATH, INJURY, OR ILLNESS REPORTS. The operator shall report incidents resulting in death, or serious injury or illness that requires assistance from emergency medical personnel, by the end of the next working day following the incident by phone or fax to the department or agent.

(5) HIGH RISK ACTIVITIES. High risk activities, such as, but not limited to, archery, firearms, ropes courses and horseback riding that are provided by the campground operator shall be supervised by an adult who is experienced in the high risk activity.

(6) PLAY EQUIPMENT. Play or recreational equipment, when provided, shall be designed for safety and maintained in good repair and located in areas free from hazards.

(7) LIQUIDIFIED GAS SUPPLIER, LIQUIDIFIED GAS SUPPLIER-RESTRICTED. Anyone who engages in the business of filling liquefied petroleum gas (LPG) containers with gas intended as a fuel to be used directly from the container must obtain a license from the department of commerce, as enforced by the department of commerce.

(8) EMERGENCY TELEPHONE. In a campground where electricity and other land lines are installed, a telephone shall be provided in a common area and be accessible at all time for campers to use in case of emergencies during normal business hours. When the campground office is closed or electricity is not provided at a campground, a durable sign shall be posted in public view with the following wording "EMERGENCY COMMUNICATIONS". The sign shall provide directions to the nearest location where a telephone is available for emergency use.

(9) RECORDS. The operator shall maintain on the premises a file containing a copy of each of the following (a) Copy of all approved campground plans and approval letters (b) a copy of the most current version of ch. DHS 178 (c) copy of all variances, waivers or experimental use approvals. (d) a copy of the most current well water test reports.

DHS 178.21 Special event campgrounds. (1) GENERAL. The operator of a special event campground shall meet all the requirements under this chapter unless otherwise indicated and shall submit information on an approved form provided by the department or its agent along with a copy of the plans and

specifications, drawn to scale or a drawing indicating code required distances (ft.). Approval documentation from local zoning shall accompany the submitted application. ~~for a permit to the department or agent at least 7~~ Application shall be made to the department 30 days prior to opening. At a minimum, the application shall include the location of the event, an estimate of the number of people to be accommodated, the number of, type and provisions for servicing and maintaining toilet facilities to be provided, the water supply source and distribution method, and the method of handling solid and liquid waste. (a) A special event campground permit will only be issued in conjunction with a single special event, such as, a fair, carnival, music festival, sporting event, or community festival. (b) A special event campground permit is issued per event. (c) A maximum of 4 permits may be issued each calendar year. (d) No permit may exceed 14 days unless otherwise approved by the department.

~~(2)~~ (2) DENSITY. Density of campers and campsites may not exceed:

(a) For an individual campsite:

- i. No more than 6 campers or an individual family;
- ii. Each campsite shall be a minimum of 1,200 square feet.
- iii. Each campsite shall contain no more than 1 camping unit.

(b) There shall be a minimum separation of 10 feet between camping units from one camping unit to another camping unit. Any accessory structure such as, but not limited to, a deck, awning, or other structures less than 10 ft from the camping unit, for the purposes of this separation requirement, shall be considered part of the camping unit.

~~(3)~~ WATER. (a) REQUIREMENTS. (i) Outlets. An outlet supplying water which is safe for human consumption shall be located not more than 400 feet from any individual or group campsite. (ii) Privately owned water systems. A privately owned water system is permitted as a source of water. The water system shall be located on the premises and shall be constructed and the pump installed in accordance with ch. NR 812, as enforced by the department of natural resources water system. All drinking water shall comply with the applicable water quality standards in ch. NR 809. Prior to the start of the event, the operator shall submit a water sample taken from the plumbing distribution system to a laboratory certified under ch. ATCP 77 for bacteriological analysis and a copy of the report giving the results of the analysis shall be made available to the department or its agent upon request. Other options for supplying potable drinking water may be approved by the department, such as, but not limited to: bottled water provided free of charge or the use of an approved water buffalo.

~~Note:~~ Bottles for collection of water samples may be obtained by writing to the State Laboratory of Hygiene, 2601 Agriculture Drive, Madison, WI 53708, or by calling 800-442-4618 Use of any private or public certified laboratory is acceptable to satisfy the requirement.

~~(b) Temporary water distribution systems. (i) Approved devices to prevent backflow shall be provided on all outlets; and (ii) approved plumbing materials shall be used and installed by a licensed plumber.~~

~~Water which is safe for human consumption shall be provided in a manner approved by the department or its agent.~~

~~(34) TOILETS. The number of toilets shall be provided as stated in ch. Comm 62. Toilets shall be constructed in accordance with s. Comm 62.2900 and ch. Comm 91 (a) Toilet facilities shall be provided at a ratio of 1 toilet facility for every 125 males or fraction thereof and one toilet facility for every 75 females or fraction thereof. Vault toilets or other department of commerce approved toilet units are permitted. Vault privy toilets and other approved toilets shall be constructed in accordance with the toilet requirements in s. Comm 62.2900 and ch. Comm 91, as enforced by the department of commerce. These toilets shall be maintained in good repair. All toilet rooms shall be fly tight, vermin proof and constructed with impervious floors, seat risers and seats shall be smooth, nonabsorbent and easily cleanable. Doors shall have self closing devices.~~

(b) No toilet may be located within 75 feet of an individual campsite or a building used for human occupancy. (c) Each toilet shall be enclosed in a separate compartment equipped with a privacy lock. (d) Approved portable toilets are acceptable if they are maintained so as not to create a nuisance and kept clean and stocked with toilet paper (e) Toilets shall be located within 400 feet from any campsite, shall be fly tight and vermin proof with impervious floors, seat risers and seats. Doors shall have self-closing devices and be equipped with a privacy lock.

(45) WASTEWATER. Water which was used for cleaning or personal hygiene shall be disposed of in a manner not to create a nuisance. Sewage, which includes all liquid and water carried wastes from sinks, bathing and toilet facilities may not discharge onto the ground surface.

(6) EMERGENCY VEHICLE ACCESS. The operator shall provide documentation to the Department or Agent that the design and construction requirements for fire department access and water supply are approved by the Fire Marshal.

(5) SOLID WASTE, STORAGE AND DISPOSAL. ~~Garbage and refuse shall be stored in accordance with s. DHS 178.12.~~