

## Chapter DHS 178

## CAMPGROUNDS

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Note: Chapter H 78 as it existed on August 31, 1978 was repealed and a new chapter H 78 was created effective September 1, 1978. Chapter H 78 was renumbered chapter HSS 178, effective June 1, 1982; chapter HSS 178 as it existed on October 31, 1985 was repealed and a new chapter HSS 178 was created effective November 1, 1985. Chapter HSS 178 was renumbered chapter HFS 178 under s. 13.93 (2m) (b) 1., Stats., corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, January, 1997, No. 493. Chapter HFS 178 was renumbered chapter DHS 178 effective February 1, 2009, and corrections made under s. 13.92 (4) (b) 7., Stats., Register January 2009 No. 637. Chapter DHS 178 is repealed and recreated effective 2-1-16 by CR 15-001.

**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.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.02 Scope.** (1) **APPLICABILITY.** This chapter applies to all campgrounds, except that only s. DHS 178.26, apply to special event campgrounds.

(2) **VARIANCE.** (a) 1. The department may approve a variance 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 variance will achieve results that are closely equivalent to the results of literal application of the requirement under this chapter.

2. To apply for a variance, the operator shall apply on a form provided by the department. An application for a variance from the requirements of this chapter shall be made in writing to the department, specifying all of the following. The department may require additional information from the operator before acting on the request:

- a. The rule from which the variance is requested.
- b. The specific alternative action which the operator proposes.
- c. The reason for the request.
- d. Justification that the variance will not adversely affect the public health, safety, or welfare.

Note: The form can be found on the departments' website at [www.dhs.wisconsin.gov/regulations/fsrl/publications.htm](http://www.dhs.wisconsin.gov/regulations/fsrl/publications.htm). Completed applications can either be sent electronically to: [DHSFSRLgroup@wisconsin.gov](mailto:DHSFSRLgroup@wisconsin.gov) or mailed to: Food Safety and Recreational Licensing, P.O. Box 2639 Madison, WI 53701-2639.

(b) The department shall approve or deny a request for a variance in writing within 30 business days after receiving a complete application for a variance and any additional information requested by the department. A variance approved by the department under par. (a) may be made conditional for:

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

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

### 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 a parcel or tract of land owned by a person, state, or local government that is designed, maintained, intended, or used for the purpose of providing campsites offered with or without charge, for temporary overnight sleeping accommodations.

(4) "Camping cabin" means a building or other structure that is 400 square feet or less in area. A camping cabin includes a yurt, but does not include a tent, recreational vehicle, tourist rooming house, mobile home, or manufactured home.

(5) "Camping trailer" has the meaning given in s. 340.01 (6m), Stats.

Note: Section s. 340.01 (6m), Stats., defines "camping trailer" to mean a recreational vehicle with a collapsible or folding structure designed for human habitation and towed upon a highway by a motor vehicle.

(6) "Camping unit" means a structure, including a tent, camping cabin, yurt, recreational vehicle, mobile home, or manufactured home, bus, van, or pickup truck.

(7) "Campsite" means an area of a campground that is designated by the operator as capable of accommodating an independent or dependent camping unit. A campsite may be one or a combination of the following:

- (a) Individual campsite.
- (b) Group campsite.
- (c) Seasonal campsite.
- (d) Rustic campsite.

(8) "Campground attribute" means any of the following:

- (a) Water system.
- (b) Water distribution system.
- (c) POWTS.
- (d) Sanitary dump station.
- (e) Toilet building.
- (f) Toilet room.
- (g) Shower room.
- (h) Campground road system.
- (i) Campsite.
- (j) A camping unit that is operator-provided.
- (k) Any other operator-provided building or structure.

Note: Section SPS 391.03 (9) reads: "Vault privy" means an enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber that is watertight.

(39) "Water distribution system" has the meaning given in s. SPS 381.01 (280).

Note: Section SPS 381.01 (280) reads: "Water distribution system" means that portion of a water supply system from the building control valve to the connection of a fixture supply connector, plumbing fixture, plumbing appliance, water-using equipment or other piping systems to be served.

(40) "Water service" has the meaning given in s. SPS 381.01 (282).

Note: Section SPS 381.01 (282) reads: "Water service" means that portion of a water supply system from the water main or private water supply to the building control valve.

(41) "Water system" has the meaning given in s. NR 812.07 (118).

Note: Section NR 812.07 (118), reads: "Water system" means the water supply, storage, treatment facilities and all structures and piping by which water is provided for any purpose.

(42) "Yurt" means a round domed structure constructed of wood and fabric.

History: CR 15-001; cr. Register October 2015 No. 718, eff. 2-1-16; correction in (30) made under s. 13.92 (4) (b) 7., Stats., Register January 2016 No. 721.

**DHS 178.04 Plans and specifications for campgrounds.** (1) **APPROVAL REQUIRED.** (a) Except as specified in par. (b), an operator shall obtain plan approval from the department or its agent before any one of the following occurs:

1. The operator begins construction of a campground.
2. The operator modifies or increases the number or type of any campground attribute that was subject to a previous plan review by the department or its agent.

(b) An operator-provided camping unit that meets s. DHS 178.13 (3) or that has been approved by the department or its agent under sub. (2) and s. DHS 178.13 (3), may be placed or relocated on any approved campsite.

Note: In addition to meeting the department's plan review requirements, a person should consult with other agencies that may also require prior plan or construction approval, such as the department of safety and professional services, the department of natural resources, or the local building and zoning agency before commencing construction or modification of a campground.

(2) **APPLICATION FOR PLAN APPROVAL.** (a) An applicant for plan approval shall submit all of the following to the department or its agent:

1. A fully and accurately completed, signed, and dated application for plan approval on a form provided by the department.
2. A copy of the plans and specifications drawn to scale or a drawing indicating distance of separation measured in feet in accordance with the applicable requirements of this chapter.
3. Any other information required by the department or its agent regarding the operation of the campground as it relates to the health, safety, and welfare of the public.

Note: To obtain a copy of the plan approval application form, write to the Food Safety and Recreational Licensing Section at 1 W. Wilson St., P.O. Box 2659, Madison, WI 53701-2659, or call the section at 608-266-2835, or download the form at [www.dhs.wi.gov/fsrl](http://www.dhs.wi.gov/fsrl).

(b) 1. If the department or its agent receives a plan or application that is not completed as specified in par. (a) 1. and 2., the department shall contact the operator to seek additional information.

2. Within 30 days after receipt of any additional information requested under subd. 1., the department or its agent shall approve or deny the plan. If the department or its agent approves the plan, the department or its agent shall issue a plan approval letter to the operator. If the department or its agent denies a plan, the applicant shall be given the reason, in writing, for the denial. The applicant may appeal the decision made by the department under s. DHS 178.09. If the decision was made by a department's agent, the applicant may appeal the decision under s. DHS 178.10.

History: CR 15-001; cr. Register October 2015 No. 718, eff. 2-1-16; correction in (2) (b) 2. made under s. 35.17, Stats., Register October 2015 No. 718.

## **DHS 178.05 Permit to operate a campground.**

(1) **PERMIT REQUIRED.** (a) *Conditions requiring a permit.* No person may operate a campground without a permit from the department or its agent if any one of the following applies:

1. A person offers or intends to offer 3 or fewer campsites and advertises or otherwise presents to the public an offer of the campground or specific campsites.

2. A person offers or intends to offer 4 or more campsites, regardless whether the person advertises or otherwise presents to the public an offer of the campground or specific campsites.

Note: Pursuant to s. 254.47 (1g), Stats., a campground permit is not required for camping at a county or district fair at which 4-H Club members exhibit, for the 4 days preceding the fair, the duration of the fair, and the 4 days following the fair.

3. a. Except as provided under subd. 3. b., if a permit holder sells or otherwise transfers ownership or operation of a campground to another person a new permit is required under s. 254.64 (4) (b), Stats., and the campground may not be opened to the public until the department or its agent has issued a new permit.

b. As provided in s. 254.64 (4) (d) and (e), Stats., an individual may transfer a permit to an immediate family member, 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.

c. Except as provided in this paragraph, no permit issued under this chapter is transferable from one premise to another or from one person or entity to another.

d. A person who wishes to transfer a permit under subd. 3. a. or b. shall notify the department or its agent prior to operation of the campground.

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., "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.

Note: To notify the department of a transfer of ownership, write to the Food Safety and Recreational Licensing Section at 1 W. Wilson St., P.O. Box 2659, Madison, WI 53701-2659, or call the section at 608-266-2835.

(b) *Conditions requiring multiple permits.* If 2 or more campgrounds are located within a tract of land owned by the person who owns or operates both campgrounds and the central registration location of each campground is separated by 5 or more miles, a separate permit is required for each campground.

(c) *Preinspection required.* Before the department or its agent may issue a permit to operate a campground under par. (a) or (b), the department or agent shall conduct a preinspection. A preinspection is not required for a transfer to an immediate family member under par. (a) 3. b.

Note: Pursuant to 254.47 (1m), Stats., the department or a local health department granted agent status under s. 254.69 (2), Stats., may not, without a preinspection, grant a permit to a person intending to operate a new public campground or to a person intending to be the new operator of an existing campground.

(2) **PERMIT DURATION AND RENEWAL.** (a) *Expiration.* 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) *Annual renewal.* Each permit shall be renewed annually as provided in sub. (4).

(3) **NEW PERMIT.** (a) *Application.* To apply for a new permit, the applicant shall apply on an application form provided by the

Note: As provided in s. 254.47 (3), Stats., anyone who violates s. 254.47, Stats., or a rule promulgated by the department under s. 254.47, Stats., is subject to a fine of not less than \$25 nor more than \$250.

(f) *Duplicate permit.* If an operator requests a duplicate permit, the operator shall pay the department a fee of \$15.00.

(g) *Fees for special condition inspections.* For inspection or consultation activities that are not directly related to the department's responsibilities for issuing permits, the department shall charge the operator or the entity requesting the inspection or con-

sultation \$175.00.

(3) **PENALTIES FOR INSUFFICIENCY OF PAYMENT.** If the payment for a new 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  
Fee Schedule

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

Note: A tourist rooming house is not counted as a campsite.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**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 orders to correct violations.
4. To secure samples or specimens.
5. To examine and copy relevant documents and records 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 based on Table DHS 178.06 or applicable charges 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 a second or subsequent reinspection fee based on Table DHS 178.06 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) *Written orders.* 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 as specified in par. (c).

(b) *Failure to correct a violation.* 1. If a violation is not corrected by the expiration of the time period stated in the order given under par. (a), or any extension of time granted under par. (c), the department or agent may issue an order under s. DHS 178.08 to suspend or revoke the permit to operate the campground. An order for suspension or revocation shall take effect as provided under s. DHS 178.08.

2. Under s. 254.47 (3), Stats., 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.

have been paid and that there are no outstanding payments due to the department.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.10 Appeals of actions by agent health departments.** If an agent issues a permit under this chapter, the operator shall appeal enforcement action to the agent health department.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.11 Campsite use, designation, location, and density.** (1) **CAMPSITE USE.** No operator may allow a campsite to be occupied by the same individual for more than 8 continuous months in any 12 month period.

(2) **CAMPSITE DESIGNATION.** The operator shall clearly mark each campsite with an alpha or numeric symbol that is a minimum of 2 inches in height and visible from the campground's internal road system. This rule first applies to an existing campground symbol when the symbol is changed or replaced on or after February 1, 2016.

(3) **CAMPGROUND MAP.** The operator shall maintain a current and accurate map of the campground. The map shall show the layout and location of each campsite and operator-provided camping unit or tourist rooming house. The operator shall make the map available to all campground occupants during registration or on request.

(4) **CAMPSITE LOCATION.** (a) *Hazards.* A campsite may not be located in an area of a campground that is subject to the accumulation of water or in any other area that would constitute a health or safety hazard.

Note: The location of campsites and campground attributes in a flood plain or shore land area must be approved by local zoning or the DNR. See ch. NR 115 and s. NR 116.12 (2) (b) as enforced by the department of natural resources. Contact your local DNR office or local zoning office for more information.

(b) *Sources of odor or flies.* 1. A campsite may not be located within 100 feet of a barn or enclosure housing an animal, a petting zoo, or other source of odors or flies. This paragraph first applies to campsites created after February 1, 2016.

2. This provision does not apply to dogs and cats in individual campsites or for other animals as approved by a variance under s. DHS 178.02 (2).

(5) **CAMPGROUND DENSITY.** Except as provided under s. DHS 178.27, the operator shall ensure that the density of the campground is as follows:

(a) *Individual campsites.* An operator may designate no more than 20 individual campsites per acre of campground. Each campsite is limited to 6 campers or an individual family.

(b) *Group campsites.* An operator may allow no more than 80 campers per acre in a group campsite.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.12 Campground access and road systems.** (1) **ACCESS.** Access to a campground shall be designed to minimize congestion and hazards at the entrance and exit.

(2) **ROADWAYS.** All roads within the campground shall be graded and maintained to provide drainage.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.13 Camping units.** (1) **DISTANCE SEPARATION REQUIREMENTS.** (a) *Distance requirement.* 1. The operator shall require a minimum distance of 10 feet between camping units measured from the outside edge of one camping unit to the outside edge of another camping unit, excluding slideouts.

2. Except as provided in par. (b), any accessory within 10 feet of a camping unit such as, but not limited to, a deck or storage shed shall be considered part of the camping unit for the purposes of determining distance separation.

3. Except as provided in par. (b), or unless otherwise specified in this chapter, a campground building other than a camping unit shall be a minimum of 10 feet away from a camping unit.

(b) *Exceptions for existing campsites.* 1. A campsite existing before February 1, 2016 shall meet the requirements in par. (a) 1., and is exempt from the requirements in par. (a) 2. and 3.

2. If a campsite existing before February 1, 2016 is not in compliance with the separation requirements under par. (a) 1., the operator shall develop an action plan in accordance with s. DHS 178.07 (4) and implement the plan to bring the campsite into compliance.

(2) **CAMPING UNITS; SEASONAL CAMPSITES.** The operator shall ensure all of the following at a seasonal campsite:

(a) *Recreational vehicles.* 1. a. Each privately owned recreational vehicle in the seasonal campsite bears a label, symbol, or other identifying mark of a nationally recognized testing laboratory, inspection agency, or other organization, which evaluates products to nationally recognized standards NFPA 1192 or ANSI 119.5, and periodically inspects production of equipment and materials to show compliance with those standards for usage in a specified manner.

b. Each privately owned recreational vehicle in the seasonal campsite that does not meet the requirements in this subdivision shall be removed from the campground when the owner vacates the recreational vehicle or the recreational vehicle is sold.

Note: Examples of nationally recognized testing agencies include the Recreational Vehicle Industry Association (RVIA) and the Recreational Park Trailer Industry Association (RPTIA).

2. Each recreational vehicle in the seasonal campsite with an addition or attachment, whether used for habitation or means of ingress or egress, is maintained and equipped in a manner that protects the health and safety of campers in accordance with chs. SPS 320 to 325. The department or its agent may refer health and safety related construction concerns to the local zoning department or the department of safety and professional services.

Note: Additions or attachments, whether used for habitation or a means of ingress and egress onto recreational vehicles may require a local land use permit and building construction permit along with a required construction inspection. Consult with local zoning and building officials concerning land use permits, construction permits and construction inspections.

3. The chassis and axles remain on the recreational vehicle with the towbar or hitch and wheels left at the campsite.

(b) *Camping cabins.* Each camping cabin in the seasonal campsite and any addition or attachment to a camping cabin, whether used for habitation or means of ingress or egress, shall be maintained and equipped in a manner that protects the health and safety of camper in accordance with chs. SPS 320 to 325. Camping cabins may not be more than 400 square feet in area. The department or its agent may refer health and safety related construction concerns to the local zoning department or the department of safety and professional services.

(c) *Camping unit storage.* A camping unit located on a seasonal campsite may be stored on the campsite during periods when the unit is not occupied or when the campground is not in operation.

Note: Camping cabins and additions or attachments to camping cabins, whether used for habitation or a means of ingress and egress may require a local land use permit and building construction permit along with a required construction inspection. Consult with local zoning and building officials concerning land use permits, construction permits and construction inspections.

(3) **OPERATOR-PROVIDED CAMPING UNITS; RENTALS.** (a) *Size.* 1. Operator-provided camping units may not be more than 400 square feet in area, except for a mobile home or manufactured home. The area limitation does not include decks and three-season porches not used for overnight sleeping accommodations.

2. The campground operator shall obtain a permit for a tourist rooming house and comply with the requirements of ch. DHS 195 for an operator-provided camping unit that is more than 400 square feet in area, except for a tent, mobile home, manufactured home, or recreational vehicle.

(b) *Maintenance.* The operator shall maintain an operator-provided camping unit in good repair and in clean and sanitary condition.

(b) The water system used to supply water to the campground shall be located within the campground and the operation, construction, installation, materials, and maintenance, shall comply with ch. NR 812 as enforced by the department of natural resources.

(2) **POTABLE WATER SUPPLY.** (a) A campground shall be supplied with potable water that meets the drinking water standards in ch. NR 809.

(b) The operator shall provide a copy of the water system bacteriological analysis for total coliform report to the department or its agent for each water system, public or private, that supplies water to the campground. If the campground operates seasonally, the operator shall provide the report to the department or its agent before the season begins. If the campground is operated year round, the operator shall provide the report to the department or its agent annually.

Note: Public water systems may require additional water testing as required by the department of natural resources in ch. NR 809.

(c) 1. The operator shall discontinue use of a public or private water system used to supply water to the campground, whenever the potable water from the system does not meet bacteriologically safe drinking water standards in ch. NR 809.

2. If the operator discontinues use of the campground's water system, the operator shall supply potable water to the campground from a source and in a manner approved by the department until the operator submits documentation to the department or its agent that the water supplied by the water system meets the bacteriologically safe drinking water standards in ch. NR 809.

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.

(3) **STAND ALONE OUTLETS.** The operator shall provide a stand-alone outlet that supplies potable water under pressure within 400 feet walking distance from each campsite. No stand-alone outlet for potable water may be located fewer than 50 feet from the outside edge of a sanitary dump station apron unless an alternative is approved by the department under s. DHS 178.02 (2). For campgrounds or campsites constructed before September 1, 1992, the water supply outlets shall meet the requirements by the rules in effect when the plans and specifications were approved.

(4) **WATER SERVICE CONNECTIONS.** (a) The plumbing system for the water service and water distribution system for a toilet building, shower building, privately owned camping unit, or operator-provided camping unit shall comply with chs. SPS 382 and 384 as enforced by the department of safety and professional services.

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

(c) Water service connections shall be provided with approved backflow prevention devices.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.15 Sewage and wastewater treatment and handling.** (1) **POWTS.** (a) *POWTS as an alternative to public sewer.* If a public sewer is not available to the campground, the operator may use a POWTS to handle sewage and domestic wastewater for the campground. The location, design, construction, and operation of a POWTS shall comply with chs. SPS 382 to 385.

Note: See s. 145.195, Stats., for information regarding building on unsewered property.

Note: The department of safety and professional services or its designated agent under s. SPS 383.22 requires plan review and approval for installation, construction, replacement or addition to a POWTS before installation, construction or modification occurs. Local jurisdictions may require additional approvals.

(b) *POWTS failure.* Any structure, campsite, or fixture served by a failed POWTS may not be used until any one of the following conditions is met:

1. The operator provides documentation to the department or its agent that the POWTS is in compliance with chs. SPS 382 to 385.

2. The operator has received approval of a plan for repair, remediation, or replacement of the POWTS from the department of safety and professional services or its designated agent and approval of a plan for wastewater removal and management if the operator intends to operate the POWTS until the POWTS has been fully repaired, remediated, or replaced with a POWTS that is in compliance with chs. SPS 382 to 385.

Note: Pursuant to s. 145.245 (4), Stats., a failing private on-site wastewater treatment system is one which causes or results in any of the following conditions:

(a) The discharge of sewage into surface water or groundwater.

(b) The introduction of sewage into zones of saturation which adversely affects the operation of a private on-site wastewater treatment system.

(c) The discharge of sewage to a drain tile or into zones of bedrock.

(d) The discharge of sewage to the surface of the ground.

(e) The failure to accept sewage discharges and back up of sewage into the structure served by the private on-site wastewater treatment system.

(c) *POWTS access covers.* The operator shall ensure that access opening covers to a POWTS are locked or secured, except for inspection, evaluation, maintenance or servicing purposes.

(2) **SANITARY DUMP STATION.** (a) *Number required.* The operator shall provide a sanitary dump station in the ratio of 1 for every 300 independent campsites or fraction thereof that are not connected to a POWTS or municipal sewer system. The department may approve an alternate method of disposal under s. DHS 178.02 (2) if all of the following conditions apply:

1. There are 20 or fewer campsites designated for independent camping units.

2. The distance to the nearest sanitary dump station is 25 or fewer miles from the campground and is available during that campground season.

3. The operator has a written agreement that allows campers who stay at the campground to dispose of wastewater at the sanitary dump station identified in subd. 2., and provides a copy of the written agreement to the department or its agent.

Note: To obtain a copy of the approved comparable compliance application form, write to the Food Safety and Recreational Licensing Section, 1 West Wilson St. P.O. Box 2659, Madison, WI 53701-2659; phone 608-266-2835; or contact the Bureau of Environmental Occupational Health at [www.dhs.wi.gov/fsrl](http://www.dhs.wi.gov/fsrl).

(b) *Design standards.* Sanitary dump stations shall conform to the requirements in s. SPS 382.37 (2).

(c) *Location.* A sanitary dump station may not be located within 50 feet of a permanent body of surface water nor within 15 feet of a designated campsite unless an alternative is approved by the department under s. DHS 178.02 (2).

(d) *Flushing and cleaning.* A supply of water shall be provided to wash down the drain receptor and pad. The water supply shall be marked: "THIS IS WATER FOR FLUSHING AND CLEANING — NOT FOR DRINKING OR DOMESTIC PURPOSES."

(e) *Dump station apron buffer.* A distance of 5 feet or more shall be provided around the sanitary dump station apron to prevent contamination from splash to areas used by the general public.

(3) **WASTE FROM RECREATIONAL VEHICLES.** (a) If approved by the department of safety and professional services, transfer tanks may be used to receive the discharge from the toilet, shower, laundry, bath, or sink facility of a recreational vehicle.

(b) The operator shall ensure that sewage and domestic wastewater from a holding tank or transfer tank of a privately owned or operator-provided recreational vehicle is emptied as often as necessary so as not to create a nuisance. The operator shall ensure that sewage and domestic wastewater is disposed of in accordance with ch. NR 113 or into a sanitary dump station.

(c) Transfer tanks and holding tanks shall be maintained in good condition and be leak-proof.

(b) 1. The operator shall prevent garbage, refuse, and recyclable containers from developing a buildup of soil or attracting insects and rodents.

2. The operator may not store garbage or refuse outside in plastic bags, wet-strength paper bags, or baled units after collection.

(2) **BURNING OF REFUSE.** If the operator burns garbage or refuse, the operator shall comply with s. NR 429.04 and chs. NR 415 and 445 as enforced by the department of natural resources. Areas around burning facilities shall be clean and orderly.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.21 Insect and rodent control.** The operator shall provide effective measures to minimize the presence of rodents, flies, cockroaches, bed bugs, and other insects in operator-provided camping units and other buildings located in the campground.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.22 Fire prevention. (1) GENERAL.** A campground shall be kept free of litter, rubbish and other flammable materials.

(2) **FIRE EXTINGUISHER.** At least one ABC rated fire extinguisher shall be available in a campground office or other building that is accessible to campers. The fire extinguisher shall be readily accessible and maintained in operable condition.

(3) **CAMPFIRES.** (a) Except as specified in par. (b), a campfire shall be contained in a campfire ring and located a minimum of 5 feet away from all camping units, building structures, and motor vehicles.

(b) A campsite existing before February 1, 2016, is exempt from the requirements in par. (a).

(4) **GRILLS.** An operator-provided grill shall be maintained in good repair.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.23 Play equipment. (1)** Play or recreational equipment shall be installed according to manufacturer's instructions and maintained in good repair.

(2) Play equipment shall be free of open "S" hooks, protruding bolt ends, and sharp points or edges.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.24 General campground administration. (1) GENERAL.** (a) Every campground shall be operated, equipped, and maintained with strict regard for the public health and safety and in conformity with the rules of this chapter.

(b) The campground operator shall maintain the campground, its structures, and its facilities in a clean and safe condition at all times.

(2) **CAMPGROUND REGISTER.** The operator shall maintain a written or electronic campground register that contains the name of each principal campsite occupant, this person's contact information, the person's arrival and departure dates, and the number of campers in the person's party. The campground register shall be available to any authorized employee or agent of the department who, in carrying out his or her duties, asks to inspect the register. The operator shall keep the campground register for at least one year after the principal campsite occupant's date of departure from a campsite.

(3) **EMERGENCY TELEPHONE.** The operator shall display a durable sign 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.

(4) **RECORDS.** The operator shall maintain a copy of all of the following records on the premises of the campground:

(a) The campground plans and specifications approved by the department or its agent.

(b) The most current version of ch. DHS 178.

(c) Department approvals under s. DHS 178.02 (2).

(d) The most current bacteriological analysis for total coliform report from water testing for each water system serving the campground.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16.

**DHS 178.25 Mobile or manufactured homes in a campground.** Whenever 3 or more mobile or manufactured homes are located in a campground, the operator shall either obtain a license as a manufactured home community from the department of safety and professional services as specified in s. SPS 326.08 (1) or develop and implement an action plan in accordance with s. DHS 178.07 (4) to remove all but 2 mobile or manufactured homes from the campground.

History: CR 15-001: cr. Register October 2015 No. 718, eff. 2-1-16; correction made under s. 35.17, Stats., Register October 2015 No. 718.

**DHS 178.26 Special event campgrounds. (1) PERMIT REQUIRED.** (a) Before a person may operate a special event campground, the person shall have a permit issued by the department or its agent. The department or its agent may issue a permit for a special event campground only in conjunction with a special event, such as a fair, rally, carnival, music festival, sporting event, community festival, or other similar event.

(b) No camping may occur until a permit is granted by the department or its agent.

(2) **PERMIT DURATION AND RENEWAL.** A permit issued under this section may not exceed 14 days in duration.

(3) **APPLICATION.** The application for a permit for a special event campground shall be made to the department or its agent at least 30 days before the special event. The application for a permit shall be made on an application form provided by the department or its agent and shall include all of the following:

(a) The location of the event.

(b) An estimate of the number of people to be accommodated.

(c) The water supply source and distribution method.

(d) The number and locations of toilet facilities and plans for servicing and maintenance.

(e) The number and location of garbage and refuse disposal sites.

(f) The methods for disposal of liquid waste.

(g) The applicable fee specified under s. DHS 178.06 and any fees previously due to the department or its agent.

(4) **SIZE.** (a) A campsite in a special event campground shall have a minimum area of 800 square feet.

(b) A campsite in a special event campground established before February 1, 2016 is exempt from the requirements in par. (a).

(5) **WATER SUPPLY.** Potable water shall be provided. If potable water is not provided by a well, the operator shall obtain prior approval from the department or its agent of an alternative method of providing a potable water supply, such as bottled water provided free of charge or an approved water transport vehicle or storage container.

(6) **TOILET FACILITIES.** (a) If permanent toilet facilities are not provided in sufficient numbers, portable toilets may be used if approved by the department of safety and professional services. The operator shall contract with a licensed waste hauler and provide the department or its agent with a copy of the written agreement or obtain an alternative method of waste disposal that is approved by the department under s. DHS 178.02 (2).

(b) Toilets facilities 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.

(c) Toilet facilities shall be kept clean, maintained in good repair, and emptied with sufficient frequency to ensure their proper operation.