

MEMORANDUM

October 7, 2013

TO: District Environmental Health Directors

FROM: Maurice Redmond, Public Swimming Pools and Tourist Accommodations Program Director



RE: Georgia Department of Public Health
Adoption of Chapter 511-6-2

Dear Directors,

Please find attached talking points for the Tourist Accommodations Rules and Regulation, Chapter 511-6-2. The rules were formally adopted by the Department after thoughtful consideration of public comments. The Chapter's effective date is January 1, 2014. Also, enclosed are a brochure and a Q&A document for distribution to your permitted facilities. The Department has notified the associations representing the lodging industry in the state, but we ask you to please pass along this information for dissemination. We have scheduled training presentations over the coming months in a majority of the districts. Also, we are preparing marking instructions and inspection guidance for release in the near future.

If you have any questions concerning this information, please call me at 404.657.6534 or visit www.georgiaeh.us.

Encl: Brochure, Q and A Document, Inspection Form



Talking Points on the Amended Tourist Accommodations Rules and Regulations, Chapter 511-6-2

1. **Issue:** Adoption and implementation of new Tourist Accommodations Rules and Regulations

2. **Background:**

- The Tourist Accommodations Rules and Regulations, Chapter 511-6-2 will become effective January 1, 2014.
- This regulation was adopted pursuant to the Official Code of Georgia Annotated § 31-2A-6 and 31-28-1 *et seq.* O.C.G.A. § 31-2A-6 state's the department is authorized to adopt and promulgate rules and regulations to effect prevention, abatement, and correction of situations and conditions which, if not promptly checked, would affect the health of the people of this state.
- The Department's goals with the 2013 revisions were to incorporate the new chapter designation that reflects the change from a division to a department; update changes of rules, laws and standards referenced in the chapter; close gaps in the delivery of essential services and establish continuing education requirements.
- The purpose of the chapter is to emphasize the minimum standards necessary for tourist accommodations to provide essential services, facilities, and sanitary conditions in order to protect health and safety.

- The major rule amendments adopted during this period closed gaps in the Chapter's minimum standards. The minimum standards are in place to reduce public health risk in tourist accommodations. Warewashing protocol, compliance procedures and operator responsibilities were substantive changes to the Chapter. Facility and equipment requirements mainly impact new or renovated facilities.
- The rules did not expand the types of facilities regulated under the Department's authority. The changes to the definition of a tourist accommodation were made to clarify the purpose of an accommodation and the applicability of the rules. For example, private individuals or clubs leasing lands would not be regulated as campgrounds or RV parks.
- "Tourist Accommodation" means any facility consisting of two or more rooms or dwelling units providing lodging and other accommodations to the general public, such as tourist courts, tourist cottages, tourist homes, trailer parks, trailer courts, motels, motor hotels, hotels, and any similar place by whatever name called and any food, beverage, laundry, recreational or other facilities or establishments operated in conjunction therewith. This definition includes any facility consisting of two or more rooms or dwelling units either joined together or separate on a common piece of property, furnished for pay and further includes campgrounds, recreational vehicle parks and bed and breakfast inns. A tourist accommodation is not a facility intended for permanent residence, or a facility available only to members of a club or through private lease or invitation."
- The Department of Public Health's, Environmental Health Section posted the new amended chapter, Q & A on the adoption and a brochure on changes in the Tourist Accommodations Rules and Regulations, Chapter, 511-6-2 on the department's website. Additionally, the section notified the

Georgia Hospitality and Lodging Association and Asian American Hotel Owners Association of the Chapter's adoption.

3. Next Steps:

- The previous Chapter 290-5-18 will be repealed effective January 1, 2014
- Over the next few months, the State Environmental Health Office is scheduled to provide training to local Environmental Health Specialists on the new Chapter. Additionally, inspection guidance and marking instructions are being developed for staff consistency.
- Local EHS will notify permitted tourist accommodations in their jurisdiction and provide education materials to owners/operators. An inspection comparing the old inspection form with the new inspection should also be a part of the implementation process.
- Operators/owners and the public can visit our website www.georgiaeh.us for more information.
 1. Select hotels, motels and campgrounds under environmental health programs
 2. Select rules and regulations under owner/operator resources
 3. View new items under Tourist Accommodations Rules and Regulations

**Questions and Answers on the Adoption and Applicability
of the Amended Tourist Accommodations
Rules and Regulations, Chapter 511-6-2**

Q. What law authorizes the Department of Public Health to amend the tourist accommodations regulation?

A. This regulation was adopted pursuant to the Official Code of Georgia Annotated § 31-2A-6 and 31-28-1 *et seq.* The department is authorized to adopt and promulgate rules and regulations to effect prevention, abatement, and correction of situations and conditions which, if not promptly checked, would affect the health of the people of this state. Such rules and regulations shall be adapted to the purposes intended, within the purview of the powers and duties imposed upon the department by this chapter, and supersede conflicting rules, regulations, and orders adopted pursuant to the authority of Chapter 3 of this title.

Q. Did the tourist accommodations industry provide input into the regulation adopted by the Department of Public Health?

A. Yes. The rule making process requires public notice and hearing on proposed changes to a Department administered regulation. This process affords any interested party an opportunity to review and provide input on substantive issues under consideration by the Department. During this rulemaking process, the Department conducted three public hearings over a seven month period and reviewed public comments submitted by industry associations, individual operators and professionals. The Georgia Hospitality and Lodging Association and the Asian American Hotel Owners Association provided insightful and critical comments on the proposed regulation. Many changes were incorporated by the Department from the verbal and written comments made during the public hearing process.

Q. When does the new tourist accommodations regulation go into effect?

A. The new Chapter, 511-6-2, becomes effective on January 1, 2014.



**Questions and Answers on the Adoption and Applicability
of the Amended Tourist Accommodations
Rules and Regulations, Chapter 511-6-2**

Q. Will the amended Tourist Accommodations Rules and Regulations expand the types of facilities permitted in Georgia?

A. No. The amended rules did not expand the types of facilities regulated under the Department's authority. The changes to the definition of a tourist accommodation were made to clarify the purpose of an accommodation and the applicability of the rules.

"Tourist Accommodation" means any facility consisting of two or more rooms or dwelling units providing lodging and other accommodations to the general public, such as tourist courts, tourist cottages, tourist homes, trailer parks, trailer courts, motels, motor hotels, hotels, and any similar place by whatever name called and any food, beverage, laundry, recreational or other facilities or establishments operated in conjunction therewith. This definition includes any facility consisting of two or more rooms or dwelling units either joined together or separate on a common piece of property, furnished for pay and further includes campgrounds, recreational vehicle parks and bed and breakfast inns. A tourist accommodation is not a facility intended for permanent residence, or a facility available only to members of a club or through private lease or invitation.

Q. Did the Department change or amend the definition of a Bed and Breakfast Inn in the new regulation?

A. No. "Bed and Breakfast Inn" means an establishment of twenty guestrooms or less, which serves food only to its registered tourists, and serves only a breakfast or similar early morning meal and an appropriate light snack in which the price of the food is included in the price of the overnight accommodation. For purposes of the rules, "Bed and Breakfast Inn" refers to an establishment in which the predominant relationship between the occupants thereof and the owner or operator of the establishment is that of innkeeper and tourist."

Q. Will I need to change my application, permit or any other forms when local EHS begin conducting inspections under the amended rules and regulations?

A. No. Unless you are changing ownership, the facility name or renovating, the implementation of the amended rules will not require the owner or operator of an existing facility to complete or submit new Departmental forms. However, there will be a new inspection form in use with the rules. The "Tourist Accommodation Inspection Form" is the Department's approved inspection

**Questions and Answers on the Adoption and Applicability
of the Amended Tourist Accommodations
Rules and Regulations, Chapter 511-6-2**

form required to be placed in a public area such as near the registration desk, five to seven feet off the floor and where it can be read from a distance of one foot.

Q. Where can an owner or operator find information on the implementation of the new tourist accommodations regulation?

A. The Department of Public Health, Environmental Health Section will provide information and practical training resources to seamlessly transition from the repealed chapter to the amended version of the Tourist Accommodations Rules and Regulations, Chapter 511-6-2. As information is developed for release, the Department and local health authority will use various forms of communication to make the information available to local government officials, owners/operators, industry associations and tourists alike. Please visit the section's website at www.georgiaeh.us.

Q. Who can an owner or operator contact at the Department of Public Health with inquiries on the regulation?

A. The Department of Public Health's, Environmental Health Section is responsible for the rules administration and interpretation after state adoption. The local health authority has the responsibility for inspecting, permitting, and enforcing the Chapter. Facilities permitted by the local county health authority can contact their local Environmental Health Office. Additionally, all interested parties may contact:

Georgia Department of Public Health,
Environmental Health Section
Two Peachtree Street, NW (13th Floor),
Atlanta, Georgia 30303-3186
Phone: (404) 657-6534 Fax: (404) 657-6516

.10 Sewage Disposal

- When a central toilet/shower building is provided, a dump station must be installed and properly sized [.10(3)]

.13 Insect and Rodent Control

- Pesticide use records must be maintained on file no less than 18 months and available upon request [.13(2)]

.14 Construction, Layout and Furnishings

- Cooking only allowed in guest rooms with an approved permanently installed kitchen [.14(2)]
- All furniture, appliances, carpets and accessories shall be considered property of and furnished by tourist accommodation [.14(5)]
- Linens shall be changed after each occupancy and at a minimum no less than weekly during occupancy [.14(6)]

.19 Food Service Options

- Continental Breakfast shall serve food not requiring

preparation and cooking
[.19(2)]

- Provide adequate sneeze protection and self service utensils for whole ready to eat fruit [.19(2)(f)]
- Multiuse utensils allowed with continental breakfast if three compartment sink installed [.19(2)(d)]
- Provide handsink and other physical requirements for continental breakfast operations in new or renovated facilities [.19(2)(g)(h)]

.20 Compliance Procedures

- Compliance procedures for summary suspension, partial closure, revocation, voluntary closure and restricting access to rooms [.20(1)-(4)]

For more information contact:

**Georgia Department of Public Health
Environmental Health Section
2 Peachtree Street, 13th Floor
Atlanta, Georgia 30303
Phone: 404-657-6534
FAX: 404-657-6533
www.georgiaeh.us**

Note: This brochure does not list all changes

New Tourist Accommodations Rules and Regulations, Chapter 511-6-2



**Georgia Department
of Public Health
Environmental Health
Section**

What law authorizes the Department of Public Health to amend the tourist accommodation rules and regulations?

These rules are adopted pursuant to the Official Code of Georgia Annotated § 31-2A-6 and 31-28-1 *et seq.*



What is the definition of a "Tourist Accommodation" in Georgia?

"Tourist Accommodation" means any facility consisting of two or more rooms or dwelling units providing lodging and other accommodations open to the general public and includes any food, beverage, laundry, recreational or other facilities or establishments operated in conjunction therewith and; either joined together or separate on a common piece of property, furnished for pay and further includes campgrounds, recreational vehicle parks and bed and breakfast inns and; is not a facility intended for permanent

residence, or a facility available only to members of a club or through private lease or invitation.

What are some of the changes in the new tourist accommodation rules and regulations?

.03 Definitions

- Revised and added new definitions for clarification and interpretation of rules [.03]

.04 TA Permits

- Permit expires upon change in ownership, location or type of operation; significant change in physical layout after approval may invalidate permit [.04(1)(g)]
- Change of ownership means the transfer of a 50% interest or greater [.04(1)(g)]
- Additional plans for kitchen and public pool if applicable [.04(2)]

.05 Inspections

- Person(s) with access to all rooms, facilities and records; demonstrates daily oversight and monitor of operations must be available [.05(1)]

- 3 or more critical violations require re-inspection within 60 days [.05(4)]
- Correct non critical violations at time of inspection or within 30 days [.05(5)]

.07 Water Supply & Sanitizing

- Water glasses and multi-use utensils shall be washed, rinsed and sanitized [.07(5)]
- In addition to a 3 compartment sink, an approved commercial or tourist room dishwasher with a sani-cycle or 155°F supply water may be used [.07(5)(a)(b)]

.08 Toilet Facilities

- Toilet facilities sanitized daily [.08(4)]
- New and renovated facilities mechanically ventilated [.08(5)]
- Central toilet and shower building minimum construction requirements [.08(14)]

.09 Sewers

- Minimum design and specifications for dump station; existing dump stations exempt [.09(5) (a) 1.-10.(f)]



Tourist Accommodation Inspection Report

CURRENT SCORE	
Last Score	
Date	

Accommodation Name: _____

Georgia Department of Public Health Address: _____

City: _____ Permit#: _____

Inspection Date: ___/___/___ Time In: ___:___ AM / PM Time Out: ___:___ AM / PM

Purpose of Inspection: Permitting/Preoperational Routine Re-Inspection Requested Complaint Code: _____

Areas of Critical Public Health Risks

(Mark designated compliance status (IN, OUT, NO or NA) for each numbered item. For items marked OUT, mark POC if required and/or R for each item as applicable.)

Compliance Status					POC	R	Points
IN	OUT	NA	NO				
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	1 Adequate, approved, permitted, protected potable water supply; no cross connection or back siphonage	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	2 Employee health; no sign of communicable diseases	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	3 Hot/cold running water under pressure in all required locations of tourist accommodation	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	4 Central and guestroom toilet, lavatory, and bathing facilities provided; accessible and available to patrons	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	5 Sewers/sewage disposal systems/dump stations approved; properly constructed and installed; no surface discharge	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	6 Premises free of pests and rodents; pesticide applied in accordance with laws, rules, and label	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	7 Gas water heaters not installed in bathrooms, bedrooms or closets connected	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	8 Annual gas fired equipment inspection on file; gas units equipped with automatic safety and/or 100% cut-off pilot	<input type="radio"/>	<input type="radio"/>	5
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	9 Food offered in compliance with tourist accommodation permit or food service permit; appropriate bed and breakfast or continental breakfast operations and menu; proper food temperatures; handwashing and no bare hand contact	<input type="radio"/>	<input type="radio"/>	5

Facility Operations, Maintenance, and Services

(Mark designated compliance status (OUT or NA) for each numbered item. For items marked OUT, mark COS (corrected onsite) or R (repeat) for each item as applicable.)

Compliance Status					COS	R	Points
AREA	OUT	NA					
FRONT DESK & EMPLOYEES	<input type="radio"/>	<input type="radio"/>	10 Permit and inspection report current and properly displayed; PIC assigned	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	11 Personal hygiene practiced; evidence of frequent hand washing and personal cleanliness	<input type="radio"/>	<input type="radio"/>	3	
WATER SUPPLY & SANITIZING	<input type="radio"/>	<input type="radio"/>	12 Hoses for filling water tanks/cleaning dump station pads properly stored and handled; no other use	<input type="radio"/>	<input type="radio"/>	1	
	<input type="radio"/>	<input type="radio"/>	13 Water glasses and multi-use utensils; washed, rinsed, and sanitized in an approved manner: 3 compartment sink, commercial dishwasher, approved guestroom kitchenette dishwasher or single service items provided	<input type="radio"/>	<input type="radio"/>	4	
	<input type="radio"/>	<input type="radio"/>	14 Single service items placed in guestrooms or dwelling units commercially pre-wrapped	<input type="radio"/>	<input type="radio"/>	1	
	<input type="radio"/>	<input type="radio"/>	15 Ice from approved source; properly handled, supplied and stored; equipment approved/clean	<input type="radio"/>	<input type="radio"/>	1	
TOILET FACILITIES	<input type="radio"/>	<input type="radio"/>	16 Toilet/lavatory/bathing facility fixtures and rooms clean and maintained; properly lighted, clearly marked, proper signage, and all in good repair	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	17 Proper ventilation; no sign of mold, mildew, odors or moisture	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	18 Toilet tissue and soap provided; soap individually wrapped or properly dispensed	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	19 Anti-slip tubs/showers, slip strips, mats, or appliqué products provided and in good condition	<input type="radio"/>	<input type="radio"/>	1	
SEWERS & SEWAGE	<input type="radio"/>	<input type="radio"/>	20 Sewers and drains maintained, connections capped	<input type="radio"/>	<input type="radio"/>	1	
	<input type="radio"/>	<input type="radio"/>	21 Watertight sewer connections with trailer outlets; properly sized	<input type="radio"/>	<input type="radio"/>	1	
GARBAGE	<input type="radio"/>	<input type="radio"/>	22 Approved leak proof containers covered, in proper location, clean, and maintained; collection adequate	<input type="radio"/>	<input type="radio"/>	2	
INSECT AND RODENT CONTROL	<input type="radio"/>	<input type="radio"/>	23 Documentation and records available for inspection	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	24 Openings to outside and physical facilities protected by tight-fitting doors, screening, or other means	<input type="radio"/>	<input type="radio"/>	2	
CONSTRUCTION LAYOUT FURNISHINGS	<input type="radio"/>	<input type="radio"/>	25 Floors, walls, ceilings, windows, doors clean, and in good repair; appropriate for location and operation	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	26 Ventilation provided and lighting adequate; guestroom/kitchenettes/cooking facilities approved	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	27 All furniture, waste receptacles, draperies, carpets; clean and in good repair, considered the property of and furnished by the tourist accommodation	<input type="radio"/>	<input type="radio"/>	4	
	<input type="radio"/>	<input type="radio"/>	28 Beds, mattresses, mattress pads, springs, frames, pillows, and bed coverings clean; vermin free and in good condition; bed linen properly supplied, changed and laundered	<input type="radio"/>	<input type="radio"/>	4	
POOL / SPA	<input type="radio"/>	<input type="radio"/>	29 All sleeping quarters, laundry areas, and food areas properly separated	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	30 Complies with all applicable regulations, permitted, approved operation	<input type="radio"/>	<input type="radio"/>	1	
LAUNDRY	<input type="radio"/>	<input type="radio"/>	31 Barrier adequate, gate locked, and installed properly; warning sign posted, procedures and log maintained	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	32 Separate, structurally sound, clean, and in good repair: dryers vented and adequate lighting	<input type="radio"/>	<input type="radio"/>	1	
GROUNDS	<input type="radio"/>	<input type="radio"/>	33 Housekeeping carts and storage areas maintained; clean/sanitized items protected from contamination	<input type="radio"/>	<input type="radio"/>	1	
	<input type="radio"/>	<input type="radio"/>	34 Grounds, walkways, porches and hallways maintained; drives provide unobstructed width and proper spacing; graded to drain; trailer spaces marked clearly, areas clean and maintained in good repair	<input type="radio"/>	<input type="radio"/>	3	
	<input type="radio"/>	<input type="radio"/>	35 Electrical work and materials in compliance; grounded and weatherproof outlets, properly located power lines	<input type="radio"/>	<input type="radio"/>	1	
FOOD SERVICE OPTIONS	<input type="radio"/>	<input type="radio"/>	36 Food in sound condition; protected, properly prepared, stored, and handled; approved dispensers; item storage 6 inches off floor, physical facilities maintained and clean	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	37 Single service articles properly stored and no re-use; multi-use utensils protected; food contact surfaces smooth easily cleanable	<input type="radio"/>	<input type="radio"/>	2	
	<input type="radio"/>	<input type="radio"/>	38 No pets, guests and/or unauthorized personnel in kitchen/food prep area; employees smoking/eating in unapproved location	<input type="radio"/>	<input type="radio"/>	1	

Person in Charge (Signature) _____ (Print) _____ Date: ___/___/___

EH Specialist (Signature) _____ Re-inspection: YES NO Date: ___/___/___

