

ENVIRONMENTAL
HEALTH
REGULATIONS
OF THE
QUINNIPIACK
VALLEY
HEALTH
DISTRICT

Quinnipiack Valley Health District

A Regional Health Department Serving Bethany, Hamden, North Haven and Woodbridge, CT

1151 Hartford Turnpike . North Haven . CT . 06473 . tel (203) 248-4528 . fax (203) 248-6671 . www.qvhd.org

ENVIRONMENTAL HEALTH REGULATIONS
OF THE
QUINNIPIACK VALLEY DISTRICT HEALTH DEPARTMENT

Established in accordance with
Section 19a-243 (formerly Section 19-108)
of the General Statutes of Connecticut

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Foreword to Environmental Health Regulations

Quinnipiack Valley Health District

Regulations can be viewed as a help or a hindrance. These regulations are intended to be a helpful guide in the administration of environmental health services. The Quinnipiack Valley Health District Board, upon reviewing those regulations, expressed pride in the manner in which the staff wrote them and believes these regulations represent a current and enlightened approach. Certain detail was considered desirable but the need for professional interpretation was regarded as essential, too. Accordingly, these regulations represent a reasoned and pertinent document which reflects the present state of the art in providing environmental health services to the community.

Audrey McClure, President

Quinnipiack Valley Health District

December 6, 2012

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APPENDIX A FEE SCHEDULE

Environmental Health Regulations of the Quinnipiack Valley Health District

TITLE A: DEFINITIONS

Section I. The following definitions shall apply for the purposes of the various sections of these Regulations:

- a) **QVHD** means the Quinnipiack Valley Health District.
- b) **Health District** means the QVHD.
- c) **Director of Health** means the Director of Health of the Quinnipiack Valley Health District or his/her duly authorized agent.
- d) **Authorized Agent** means the person designated by the Director of Health who will act for him in the performance of his duties.
- e) **Sanitarian or staff sanitarian** means a sanitarian or Chief of Environmental Services employed by the Quinnipiack Valley Health District.
- f) **Terms defined in other codes.** Where terms are not defined in this code and are defined in the Connecticut General Statutes or the building, fire safety or public health codes, they shall have the same meanings ascribed to them as in the general statutes or as in these codes.
- g) **Terms not defined.** Where terms are not defined under the provisions of the Connecticut General Statutes or the building, fire safety or public health codes, they shall have ascribed to them their ordinarily accepted dictionary meanings or such as the context may herein imply.
- h) **Fee Schedule** means the fees specified in the Annual Fiscal Year Budget adopted by the Board of Directors of the Quinnipiack Valley Health District in accordance with the provisions of the Connecticut General Statutes.

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TITLE B: REGULATION THE CONSTRUCTION, REPAIR AND TESTING OF WATER SUPPLY WELLS, AND RELATED PERMIT REQUIREMENTS, FEES, AND PENALTIES

Section I. Definitions

- a) **Director of Health** means The Director of Health of the Quinnipiack Valley Health District or his/her duly authorized representative.
- b) **Water supply well** means an artificial excavation, constructed by any method, for the purpose of obtaining water for drinking or domestic purposes.
- c) **Domestic purposes** means drinking, bathing, washing of clothes and dishes, cooking, and other common household uses.
- d) **Abandon** means to permanently discontinue the use of a well.
- e) **Repair** means any work involved in the reaming, sealing, installing, changing of casing, depths, perforating, screening, cleaning, acidizing, surging, hydrofracturing or other redevelopment of a well.

Section II. Scope

This regulation is an aid to the enforcement of the Public Health Code of the State of Connecticut as it exists from time to time relative to the construction and testing of water supply wells.

Section III. Requirements for Permits

- a) No person, firm, or corporation, hereafter referred to as applicant, shall construct or develop a water supply well nor shall they abandon, or repair an existing water supply well within the jurisdiction of this Health District, without first obtaining both a written permit, of the type issued by this Health District, from the Director of Health and having the official State of Connecticut well drilling permit, obtained from the Connecticut Well Drilling Board, reviewed, approved and signed by the Director of Health.
- b) The applicant shall be a properly licensed well driller and shall submit all pertinent information on a form supplied by the State of Connecticut Well Drilling Board.
- c) The applicant shall demonstrate that the location of the proposed well meets the requirements specified in Section 19-13-B51d of the Public Health Code of The State of Connecticut. The Director of Health may make a site visit to ensure that the proposed well location meets said requirements.

Environmental Health Regulations of the Quinnipiack Valley Health District

Section IV. Permit Fees

For each pair of Health District and State Well Drilling Board permits issued hereunder, there shall be paid to the Quinnipiack Valley Health District a fee in the amount specified in Appendix A: Fee Schedule.

Section V. Drinking Well Water Testing and Conditions for Approval

No person, firm or corporation shall use or permit to be used any water from any newly constructed water supply well unless there has been compliance with the following requirements:

- a) The results of a water analysis, as conducted by a laboratory licensed or otherwise approved by the Connecticut State Department of Public Health, is submitted to, reviewed, and approved by the Director of Health. Such water analysis shall be done in accordance with, and consist of, tests required in Section 19-13-B101 of the Connecticut Public Health Code. The Director of Health may require additional types of parameters such as but not limited to, VOC's, pesticides, heavy metals, or radon, prior to approval.
- b) The results of the water analysis meet water quality standards established by the Connecticut State Department of Public Health.
- c) A well completion report, as issued by the Connecticut Well Drilling Board, has been submitted to, reviewed by, and approved by the Director of Health.
- d) Written approval, in the form of a Certificate of Approval, has been issued by the Director of Health.

Section VI. Conditions of Approval for Drinking Well Water not Meeting the Established Water Quality Standards Established by the Connecticut Department of Public Health

- a) If the results a water analysis, as conducted by a laboratory licensed or otherwise approved by the Connecticut State Department of Public Health, do not meet the established water quality standards, but do not indicate to the Director of Health, the existence of a substantial public health risk, approval shall be given. Notice and advice shall be given to the well owner concerning those levels not meeting the established water quality standards
- b) If the results of a water analysis, as conducted by a laboratory licensed or otherwise approved by the Connecticut State Department of Health, do not meet the established water quality standards and indicate to the Director of Health the existence of a substantial public health risk, the Director of Health may require the installation of a water treatment system. If treatment fails to bring the water into

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compliance, as stated in the Public Health Code of the State of Connecticut, the Director of Health will not grant approval.

Section VII. Unconstitutionality Clause

If any provision of this Regulation is held void by a court of competent jurisdiction, such holding shall not affect any other provision of this Regulation,

Section VIII. Effective Date

Upon the effective date of this Regulation, the Regulation Pertaining to Drinking Water Supply Wells, effective December 10, 1981 shall be and hereby is repealed.

EFFECTIVE DATE: December 10, 1981

Revised: December 6, 2012

Environmental Health Regulations of the Quinnipiack Valley Health District

TITLE C: REGULATION PERTAINING TO SUBSURFACE SEWAGE DISPOSAL SYSTEMS, PUBLIC SEWER CONNECTIONS, RELATED PERMITTING REQUIREMENTS, FEES, AND PENALTIES.

Section I. Scope of Regulations

This regulation is supplemental to and further refinement of the subsurface sewage disposal system portion (Section 19-13-B103) of the Public Health Code of the State of Connecticut.

Section II. Definitions

- a) **Subsurface sewage disposal system** means a system consisting of a house sewer; a septic tank followed by a leaching system, any necessary pumps and siphons, and any ground water control on which the operation of the leaching system is dependent.
- b) **As-built** is a drawing depicting the subsurface sewage disposal system and any related subsurface sewage disposal system components as they were installed in relation to the residential or non-residential building or other permanent feature on the subject property.
- c) **To-scale** means that all dimensions on a drawing are proportionate to each other and that a draftsman's scale can be used to measure or verify relationships of one depicted object to another.
- d) **Permanent feature(s)** can be a residential or non-residential building's foundation, finished first floor (F.F.F.), a well casing, a professionally installed and documented property corner monument, a utility pole, or a manhole cover. Trees, nails in trees, driveways, survey hubs, set pipes or pins, and survey drill holes are not permanent features.
- e) **Installer** is the person holding a currently valid subsurface sewage system installer's license and who is that same person who has installed the subject subsurface sewage disposal system.
- f) **The Property** means any land mass with a residential or non-residential building on it or proposed to be on it.

Section III. Public Sewer Connection Requirements

- a) All new construction on properties with direct access to a public sanitary sewer system, without the need for gaining easement or Right of Way rights through other properties, shall be connected to that public sanitary sewer system.

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- b) All properties with existing subsurface sewage disposal systems in need of repair, replacement, or expansion as defined in the Connecticut Public Health Code, and which have direct access to a public sanitary sewer system, shall connect to that public sanitary sewer system.
- c) All properties that have both a functioning subsurface sewage disposal system and direct access to a public sanitary sewer system, as documented by the local Water Pollution Control Authority, shall be granted an addition permit, as defined in Title H, of these regulations, without the necessity of conformance with the tenets of that title.

Section IV. Installation Permit Required

No private subsurface sewage disposal system or other nonpublic sewage disposal system shall be constructed, repaired, extended, or altered within the jurisdiction of the Quinnipiack Valley Health District unless a valid permit for each such activity has been issued by the Director of Health or staff sanitarian. Any and all such permits will become invalid exactly twelve (12) months after their date of issuance. All such permit fees are non-refundable. All such construction shall be in accordance with the Public Health Code of the State of Connecticut, as adopted pursuant to Section 19-13 of the General Statutes of Connecticut, and this Regulation. Any person, firm or corporation, including the owner of property, who installs, repairs or otherwise alters such a sewage disposal system without first having received the necessary permit or permits for such activity from this Health District, shall be subject to the fines and penalties stated in Section XXV of this Regulation.

Section V. Approval of the Director of Health

No person shall construct or install any new building or structure which requires a subsurface sewage disposal system without the written approval of the Director of Health or his authorized agent. This written approval shall be in the form of a valid subsurface sewage disposal system installation permit issued by this Health District.

Section VI. Permit Application Required

No permit for the installation of a new subsurface sewage disposal system or for the repairing, extension, or alteration of an existing subsurface sewage disposal system shall be granted by this Health District until an appropriate, completed application form for such permit has been submitted to, and approved by, the Director of Health or Staff Sanitarian.

Section VII. Licensed Installers Required

Persons, engaging in the construction, repair, extension or alteration of private subsurface sewage disposal systems must be currently licensed by the relevant licensing agency of the State of Connecticut, and must be in good standing with that licensing agency. Said

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person shall produce a valid installer license, issued to said person, at the time of permit application.

Section VIII. Permit Application Requirements

All applications for permits for the installation of private subsurface sewage disposal systems or other non-public sewage disposal system installations shall be filed with the Health District on forms supplied by this Health District and shall be signed by a licensed installer. A completed application shall consist of:

- a) A signed, completed, application form with all fees paid in full.
- b) A plan, approved by this Health District, for a new subsurface sewage disposal system, prepared by a professional engineer licensed by the State of Connecticut, drawn to a scale of at least one inch equals forty feet, furnishing information as required by the existing Connecticut State Public Health Code requirements, which includes but is not limited to, a suitable benchmark, soil conditions, groundwater and ledge rock elevations, both original and finished surface contours and elevations, property lines, structure locations, water supply well(s) and/or public water supply line location, number of bedrooms or design flow of the structure, existing and proposed subsurface sewage disposal location, elevations, square footage calculations, and MLSS calculations, test pit and percolation location, and existing top of grade elevations at all test pits, water courses, ground and surface water drains, OR:
 - a) A plan approved by this Health District for the repair, extension or alteration of an existing subsurface sewage disposal system, prepared by an installer licensed by the State of Connecticut which includes but is not limited to, a suitable benchmark, property lines, structure locations, water supply well(s) and/or public water supply line location, number of bedrooms or design flow of the structure, water courses, ground and surface water drains, existing and proposed subsurface sewage disposal location, elevations, square footage calculations, and MLSS calculations, test pit and percolation location, and existing top of grade elevations at all test pits.
 - b) The Director of Health or sanitarian may require that plans for the repair, extension, or alteration of an existing subsurface sewage disposal system be prepared by a professional engineer licensed by the State of Connecticut if, the opinion of the Director of Health or sanitarian, the site presents especially difficult conditions.
 - c) Any substantial proposed change or alteration to the approved plan, after an installation permit has been issued, shall require a revised plan by the original designer indicating the changes. That revised plan shall be reviewed and approved by this Health District.

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Section IX. Sewage System Approval Required.

No subsurface sewage disposal system shall be used as such until it has been inspected and approved by the Director of Health or his authorized agent. Upon inspection, approval of installation, and receipt of required documentation and fees the Director of Health shall issue a *Permit to Discharge* in accordance with the requirements of the Public Health Code of the State of Connecticut.

Section X. Soil Testing Required

Appropriate soil testing and site evaluation shall be conducted on all properties for which a subsurface sewage disposal system is proposed, including, but not limited to proposed subdivisions, undeveloped building lots, existing properties where additions, expansions or change-of-use are planned, and existing properties in need of a repair or replacement of the subsurface sewage disposal system. Such testing must be witnessed and the results of such testing recorded by a representative of the Health District. The conducting of that testing, including the digging of observation pits and perc holes, supplying of water necessary to conduct a perc test, and supplying of any other labor or equipment necessary for site investigation activity shall be the responsibility of the property owner, his authorized agent, developer, or builder.

Section XI. Deep Hole Observation Pits

A minimum of two deep observation test pits must be dug within the proposed primary leaching area, one such pit within the proposed reserved area, and one such pit between 25 and 50 feet down slope of the proposed primary and/or reserve area. Additional deep observation pits and/or perc tests may be required depending on site conditions. A minimum of one deep observation test pit must be dug within the proposed area of a repair or replacement leaching area. The pits shall be of a depth that will adequately expose soil conditions equal to a minimum of four feet below the bottom of the proposed leaching system. The location of all such test pits shall be clearly plotted, by the triangulated dimension from a permanent feature on the property, on submitted plans. Such testing must be witnessed, and the results of such testing recorded, by a representative of the Health District

Section XII. Soil Percolation Tests

A minimum of two percolation tests shall be conducted in the proposed primary leaching area and one percolation test conducted in the proposed reserve, repair, or replacement leaching area. The perc test shall be done in accordance with the Design Manual Subsurface Sewage Disposal Systems For Household and Small Commercial Buildings published by the State of Connecticut Department of Public Health. The location of all such percolation tests shall be clearly plotted, to scale, or by triangulated dimension from a permanent feature on the property, on submitted plans. Such testing must be witnessed

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and the results of such testing recorded by a representative of the Health District. If said testing is not witnessed by a representative of this Health District, testing can be preformed by a professional engineer licensed by the State of Connecticut, or his representative. Data provided by an engineer licensed by the State of Connecticut shall incorporate both his live signature and an embossed stamp bearing his license number.

Section XIII. Backfilling of Test Holes

All excavations necessary for the inspection of a parcel of land, which include but are not limited to deep hole observation test pits and soil percolation test holes, shall be backfilled as soon as possible following the completion of site testing. No unfilled excavation should be left unattended for any unnecessary length of time. Such backfilling shall be the responsibility of the property owner and/or his agent who provided for such excavations.

Section XIV. Validity of Soil Test Results

The results of soil testing, as described in Sections, X and XI shall be considered valid and will be recognized by this Health District for a maximum time period of five (5) years from the date soil testing was preformed. Data acquired is subject to the following conditions:

- a) Site plans and/or engineering data associated with that testing (with test holes locations accurately depicted) have been submitted.
- b) At the time that application is made for a sewage disposal system installation permit, the previously tested property and all soil test data shall be re-evaluated by a staff sanitarian and, if found necessary, by the consulting engineer or other individuals and specialists engaged by the builder or developer associated with a subject lot, to determine that there have been no substantial changes on the subject lot or in areas adjacent to that lot which could have a significantly adverse impact upon a private subsurface sewage disposal system.
- c) Subsequent site development plans are not significantly different from the originally submitted plans such that existing soil data is no longer relevant to the then the currently proposed development plan.
- d) There are no revisions and changes to the original federal, state and local legislation, laws, statutes, codes and regulations affecting the type of contemplated site development. Additional site testing and reconsiderations shall be necessary to the extent required to satisfy the minimum requirements of the then-existing laws and regulations.
- e) If the Director of Health or his agent determine that it would be reasonably necessary to either retest or conduct additional testing and the making of additional

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site visits as a means of providing a reasonable degree of protection for the public health of persons who either will occupy any structures on that site or are living in the vicinity, additional site testing and inspections shall be required.

Section XV. Notification Required for Soil testing of Individual Properties

The Health District must be given a minimum of ten (10) working days' notification for all requested soil testing so as to allow for proper scheduling of such work activity.

Section XVI. Site Preparation for Soil Testing

All building lots must have property lines staked, flagged or otherwise clearly indicated at the time of the soil testing.

Section XVII. Site Preparation and Select Fill Placement

For any subsurface sewage disposal system leach field area which requires the incorporation of select fill material, that area must be prepared by a currently licensed subsurface sewage disposal installer. All vegetation, trees and topsoil is to be removed from the leaching area and the subsurface suitably scarified. This work shall not be done in times of inclement weather which would have a detrimental or adverse effect on the subsurface sewage disposal system. Inclement weather includes excessively wet, saturated, frost or frozen soil conditions, before during or after precipitation events, or other adverse conditions as determined by the design engineer or staff sanitarian. The subsurface shall not be traversed by rubber - tired machinery during or following the scarification. The prepared surface must be inspected and approved by a staff sanitarian prior to installing any select fill. Select fill shall be placed in twelve (12) inch lifts on top of properly prepared and inspected sub-soil. A sieve analysis report quantifying the gradation of the select fill shall be provided to this Health District prior to site preparation. Following the placement of the select fill material, an inspection of the leach field area, and not fewer than one per test in the select fill material shall be made by a staff sanitarian to determine compliance with the Public Health Code of the State of Connecticut. Once compliance is verified, an installation permit can be issued in accordance with the pertinent sections of this regulation.

Section XVIII. Groundwater Observation Wells

When there exists a condition on a property warranting the installation of observation wells to monitor ground water elevations or the effectiveness of groundwater intercepting drains, these wells shall be designed and installed in accordance with the Design Manual Subsurface Sewage Disposal Systems For Household and Small Commercial Buildings published by the State of Connecticut Department of Public Health. Monitoring and recording of the ground water in the observation wells shall be done by a staff sanitarian or a professional engineer licensed by the State of Connecticut or his representative and witnessed by a staff sanitarian. Data provided by an engineer licensed by the State of

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Connecticut shall incorporate both his live signature and an embossed stamp bearing his license number. Monitoring shall begin upon receipt of payment of the appropriate fees, as specified in Section XXII of this Regulation.

Section XIX. Other State Agency Plan Reviews

All plans for engineered sewage disposal systems may be required to be further reviewed by the State Department of Public Health and/or the Connecticut State Department of Environmental Protection.

Section XX. Seasonal Testing Restrictions for New Properties

Deep hole observation test pit inspections and soil perc tests shall not be conducted when soil conditions exhibit frost or frozen surfaces deeper than the thickness of the naturally occurring topsoil.

Section XXI. Proposed Commercial and Residential Subdivision Testing, Approval, and Reporting Requirements

- a) Upon an applicant's request, the Health District shall witness and record a representative sampling of deep hole observation test pits, soil percolation tests and conduct a general visual inspection of proposed subdivisions. A minimum of ten (10) working days of prior notification must be given for the proper scheduling of such inspections. Such a request shall be accompanied by a proposed subdivision plan, in compliance with the scale requirements of the subdivision regulations of the town or city in which the subdivision is to be located, showing at a minimum:
 - 1) Existing topographic contours in no greater than five foot increments;
 - 2) An individual number or letter for each proposed lot;
 - 3) Indication of ledge rock outcroppings;
 - 4) Existing drainage courses and water courses;
 - 5) Storm water drainage swales, pipes or right-of-ways
 - 6) A clear demarcation of designated inland wetlands areas along with the name of the registered Soil Scientist who preformed the demarcation;
 - 7) Other limiting factors that could affect potable well and sewage disposal system location;
 - 8) A statement as to whether or not any portion of the general site is located on or off of any particular public water supply watershed, and
 - 9) Any and all proposed and existing structures, swimming pools, water supply wells, roadways and driveways.
- b) The number and type of deep hole observation test pits and soil percolation tests shall be the same, for each lot, as stated in Sections X and XI of this regulation.

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- c) Following such testing, a site plan showing the accurate locations of all attempted deep test pits and soil perc tests and any other pertinent site features detected during the site investigation shall be submitted to the Health District. A minimum of fifteen (15) working days shall then be required by this Health District to provide the appropriate planning and zoning commission and other appropriate agencies with a written report of findings and recommendations as to that proposed subdivision. That report shall be issued upon receipt of payment of the appropriate fees, as specified in Section XXI of this Regulation.

Section XXII. Fees

The fees for services and/or permits required in this regulation shall be as stated in the current fee schedule Appendix A.

Section XXIII. Final approval of Subsurface Sewage Disposal Systems

All new subsurface sewage disposal system construction and/or repairs and alterations to existing systems, as defined by this regulation, shall be performed under the provisions of this Regulation and in accordance with the appropriate sections of the State of Connecticut Public Health Code and Statutes and shall be inspected and approved by the Director of Health or sanitarian, and for those systems designed by a professional engineer, the design engineer or his agent, prior to backfilling or otherwise covering and grading of the subsurface sewage disposal system area.

Final approval shall be granted for the construction, repair or alteration of a subsurface sewage disposal system by the issuance of a *Permit to Discharge*, signed by the Director of Health. No subsurface sewage disposal system shall be placed in operation until a permit to discharge has been issued by the Director of Health.

The approval of plans, and/or the issuance of a permit to construct or permit to discharge shall not be construed as a guarantee by the Health District, the Director of Health or staff sanitarian that the system has been properly constructed or will function satisfactorily, nor shall it in any way restrict the actions or powers of the Director of Health in the enforcement of any relevant law or regulation.

Section XXIV. Notification Required for Subsurface Sewage Disposal System Inspections

- a) A minimum of one twenty-four hour working day of notice, requested by the licensed subsurface sewage disposal system installer, shall be given to this Health District for the purpose of conducting a field inspection of any partial or completed subsurface sewage disposal system installation or other non-public sewage disposal system.
- b) The licensed subsurface sewage disposal system installer shall, for all subsurface sewage disposal systems designed by a professional engineer licensed by the State

Environmental Health Regulations of the Quinnipiack Valley Health District

of Connecticut, be responsible for notifying design engineer for a field inspection regarding the as-built drawing as required in Section XXIV of this regulation.

At any inspection of any subsurface sewage disposal system, the licensed subsurface sewage disposal system installer who obtained the installation permit for that installation must be present for the duration of that inspection. That installer must provide all pertinent equipment, measuring instruments, and supplies required to verify that a code-compliant installation has been achieved. Measurement instrumentation and equipment shall be accurate and calibrated, and shall be capable of being read in units identical with those on the approved subsurface sewage disposal system plan for that property.

Section XXV. Septic As-Built Required

- a) For any and all subsurface sewage disposal systems, newly installed, modified, upgraded or repaired *without* the involvement or benefit of the expertise of a licensed professional engineer.

An *As-Built* drawing or sketch shall be drawn by the installer and submitted to this Health District. That drawing shall be reviewed, and approved by the inspecting sanitarian before final approval can be given to any subsurface disposal system installation, modification, or repair. This drawing need not be to-scale; North shall be indicated, and must include triangulated coordinate dimensions for the end points of each leaching gallery, trench, or other leaching product or structure and any distribution box. The location of any septic tank(s) or pump chamber(s) shall also be identified with triangulated dimensions to each of their respective inlet and outlet port covers.

All triangulated dimensions shall be from prominent corners of the structure being served or from permanent features on the property. Handwriting on this drawing shall be permanent, legible and xerographically reproducible. The as-built drawing shall be provided on a standard as-built drawing form which will be provided by this Health District at the installer's request.

- b) For any and all sub-surface sewage disposal system newly installed, modified, upgraded or repaired *with* the involvement or benefit of the expertise of a licensed professional engineer:

- 1) Designing Engineer's responsibility:

A to-scale As-Built drawing shall be submitted to, and approved by, a sanitarian of this Health District before final approval can be given to any subsurface sewage disposal system installation, repair to such system, or modification to, or upgrade of such system which has been designed by a licensed professional engineer.

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Such drawing shall accurately and minimally include the relationship, by means of triangulated coordinate dimensions, of the subsurface sewage disposal system to the foundation of the residential or non-residential building on the property or other permanent feature(s) on the property. Included shall be triangulated coordinate dimensions for the end points of each leaching gallery, trench, or other leaching product or structure and any distribution box. The location of any septic tank(s) or pump chamber(s) shall also be identified with triangulated dimensions to *each* of their respective inlet and outlet port covers.

That drawing shall also include elevations, relative to a permanent benchmark, of the following: Inverts at the house sewer, inverts at any and all tank inlets and outlets, distribution boxes, leach field distribution pipes, top of leaching structures or stone leach field, High-Level-Overflow invert(s) and any related subsurface sewage disposal system component.

Any such As-Built drawing submitted to this Health District shall be indelible, legible, and xerographically reproducible.

This As-Built shall be signed by the designing professional engineer and shall incorporate an embossed stamp of that engineer.

Triangulated dimensions shall either appear on the As-Built drawing in tabulated format, or shall appear without triangulated and tabulated location dimension provided that the drawing is of A2 or better survey accuracy.

The design engineer shall submit sufficient copies of the As-Built to meet the requirements of this Health District and those requirements of the regulatory offices of the Town in which the property exists.

2) Installers responsibility:

In addition to this drawing by the designing engineer, the installer who installed the subject septic system must also submit a document to this Health District, acknowledging, with his/her signature, that he/she has installed the septic system on the subject property in substantial accordance with the design engineer's drawings and specifications.

This drawing shall be on a standard As-Built drawing form that will be provided by this Health District at the installer's request. The installer shall fully complete the form provided, with the exception of the portion provided for a drawing, and submit it to this office prior to final approval of the installed septic system.

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Handwriting on this drawing shall be permanent, legible and xerographically reproducible.

Section XXVI. Fines and Penalties

Any person, firm or corporation violating this Regulation shall be fined not more than One Hundred Dollars (\$100.00) for each violation thereof, except that higher penalties may be assessed in accordance with Connecticut General Statutes, Section 19-79. Each day that a violation continues shall be considered a separate violation.

Section XXVII. Unconstitutionality Clause

If any provision of this Regulation is held void by a court of competent jurisdiction, such holding shall not affect any other provision of this Regulation.

Section XXVIII. Effective Date

Upon the effective date of this regulation, the regulation pertaining to Subsurface Sewage Disposal Systems, effective December 10, 1981 shall be and is hereby repealed.

Effective Date: December 10, 1981

Revised: September 15, 2003, October 26, 2006, December 6, 2012

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TITLE D: REGULATION REQUIRING LICENSING OF FOOD SERVICE ESTABLISHMENTS

Section I. Definitions

- a) **Critical violation** means a four (4) point demerit item as listed on the State of Connecticut Department of Public Health Focused Food Service Inspection Report.
- b) **Director of Health** means The Director of Health of the Quinnipiack Valley Health District or his/her duly authorized representative.
- c) **Food service establishment** means any fixed or mobile operation in which food or drink is prepared for sale or for service either on the premises of that establishment or elsewhere, and any other eating or drinking establishment or operation where food is sold, served, provided or dispensed in any manner to the public. Food service establishments shall be designated as Class I, Class II, Class III or Class IV in accordance with the provisions of the Regulations of the Connecticut State Agencies.

Food service establishment does not include:

- 1) A produce stand that only offers whole, uncut fresh fruits and vegetables.
 - 2) A food processing plant. A food processing plant is defined as an establishment in which food or drink is prepared and packaged on those premises, for wholesale distribution and consumption off those premises, and which is subject to sanitary regulations and periodic inspection by a federal, state or local governmental inspection agency other than Quinnipiack Valley Health District.
- d) **Itinerant food vendor** means any person, firm or corporation operating a food-vending business serving food or drink from an establishment or conveyance without a fixed location. Itinerant vendors shall be designated as Class I, Class II, Class III or Class IV in accordance with the provisions of the Regulations of the Connecticut State Agencies.
 - e) **License holder** means the person who is licensed to operate a food service establishment within the jurisdiction of the Quinnipiack Valley Health District.
 - f) **Person** means any individual, firm, or association, including but not limited to any partnership, limited partnership, limited liability partnership, company, limited liability company, corporation, trust or estate, or the duly authorized representative thereof, including, but not limited to, a fiduciary, trustee or receiver, thereof.
 - g) **Person in charge** means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If

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no individual claims to be a supervisor, then any employee present is deemed to be the person in charge for the purposes of this regulation.

- h) **Qualified food operator (QFO)** means a person employed in a full-time position who has demonstrated knowledge of safe food handling techniques in an approved manner as stipulated in the Regulations of the Connecticut State Agencies.
- i) **Food Safety Rating** means an appraisal of a food service establishment based in sum or in part on any of the following factors: a rating score in accordance with the provisions of the Regulations of the Connecticut State Agencies; or the presence or absence of Critical Violations; or the presence or absence of Risk Factor Violations as identified in Appendix B of this Regulation; or the training and demonstrable knowledge of food service personnel; or overall sanitary conditions in the facility at the time of inspection. The Food Safety Rating is based on the scoring system described in Section X of this Regulation. Food Safety Ratings are only issued to Class III and Class IV food service establishments. Class I, Class II, Temporary Food Service Establishments, Itinerant Food Vendor, Schools, Nursing and Long Term Care Facilities, and establishments operated by non – profit - organizations and Government are not rated
- j) **Risk Factor Violations** means violations that can increase the risk of food-borne illness. Risk Factor violations are described in Appendix B of this Regulation.
- k) **Temporary food service establishment** means a food service establishment that operates from a fixed location in conjunction with a fair, festival, concert, show or any kind of event that is advertised and open to the general public. The term does not include events which are not advertised to, nor open to the general public.

Section II. Scope

This Regulation is to be an aid to the enforcement of Sections 19-13-B42, 19-13-B48, 19-13-B49 and 19-13-B40 of the Regulations of the Connecticut State Agencies and of any amendments thereof hereafter adopted which deal with the sanitary conditions of food service establishments.

Section III. License Required

No person shall maintain or operate any food service establishment within the jurisdiction of the Quinnipiack Valley Health District unless licensed to do so under the provisions of this Regulation and the pertinent sections of the Regulations of the Connecticut State Agencies. Only a person, who complies with the requirements of this Regulation and the pertinent sections of the Regulations of the Connecticut State Agencies, shall be granted and allowed to retain such a license.

Section IV. License Not Transferable

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Such license shall not be transferable from one person to another person and also shall not be transferable from one location to another location. A valid license shall be displayed in prominent view to patrons in each food service establishment.

Section V. Application for License, License fees and Duration of License

An application for a license to maintain or operate a food service establishment shall be made to the Director of Health on forms furnished by the Quinnipiack Valley Health District. All licenses shall be renewed on or before February 1st of the year following the granting of the license, and expire on January 31st of the following year.

An application for a license to operate a temporary food service establishment shall be made to the Director of Health on forms furnished by the Quinnipiack Valley Health District. A temporary food service establishment license application must be received by this Health District at least seven (7) days prior to the event to be licensed. Applications received less than seven (7) days prior to the event are subject to a non-refundable late fee and will be accepted only at the discretion of the Director of Health. The license for a temporary food service establishment shall be for the period of time stated in the application, and shall not to exceed fourteen (14) consecutive days.

At the time of filing an application for a license, the applicant shall pay to the Quinnipiack Valley Health District all fees in the amounts specified in Fee Schedule Appendix A.

Section VI. Plan and Equipment Requirements

When a food service establishment is constructed, remodeled, or altered, or when existing structures are converted for use as food service establishments, properly prepared plans and specifications for such construction, remodeling or alteration, showing layout, arrangement and construction materials of work areas, location, size and type of equipment and facilities, and proposed menu shall be submitted to the Director of Health. Construction shall not begin until said plans have been approved by the Director of Health and appropriate permits and approvals are obtained from other applicable officials and agencies. Any changes in layout, arrangement and construction materials of work areas and location, size and type of equipment and facilities, and/or changes in proposed menu after construction has begun, shall be submitted to the Director of Health for approval. No food service establishment license will be issued by the Quinnipiack Valley Health District unless the Director of Health is satisfied the newly constructed, remodeled or altered establishment meets all the provisions of this Regulation and the pertinent sections of the Regulations of the Connecticut State Agencies.

- a) At the time of plan submission, the applicant shall pay to the Quinnipiack Valley Health District a plan review fee in the amount contained in Fee Schedule Appendix A.

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- b) After December 6, 2012 all plans shall include a three compartment sink whenever washing and sanitization of equipment is conducted manually, and said equipment requires sanitation. The sink shall be a single unit constructed of stainless steel. Sink compartments shall be of adequate length, width, and depth to permit the complete immersion of the equipment and utensils used in the operation of the facility. Each compartment shall be supplied with hot and cold running water. Drain boards or easily movable utensil tables of a size acceptable to the Director of Health shall be provided at all dishwashing sinks.
- c) After December 6, 2012 all plans shall include a food preparation sink, indirectly connected to the buildings waste water discharge plumbing system by an air gap or air break, whenever the menu includes any of the following:
 - 1. Fruits and vegetables subject to processing.
 - 2. Frozen foods that are thawed prior to cooking or service.
 - 3. Any other operation, which in the opinion of the Director of Health requires such a sink for the safe and sanitary handling of the food.
- d) After December 6, 2012 all plans for all fixed food service establishments shall include at least one utility sink or curbed cleaning facility with a floor drain used for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water or similar liquid waste. The sink or facility shall be equipped with hot and cold running water.
- e) Existing establishments that have a change in ownership requiring a new application shall be reviewed by the Director of Health prior to issuance of a new license. Such establishments shall be required to make any physical modifications deemed necessary by the Director of Health to bring the establishment into compliance with the provisions of this Regulation and the Regulations of the Connecticut State Agencies.

Section VII. Qualified Food Operator Requirements

All Class III and Class IV food service establishments as specified in applicable sections 19-13-B42, 19-13-B48, and 19-13-B49 of the Regulations of the Connecticut State Agencies shall employ a full-time employee in a supervisory position who is a Qualified Food Operator (QFO). An individual will be considered a QFO if he has documentation that he has passed a test administered by a testing organization approved by the Connecticut Department of Public Health, or other documentation indicating the individual has demonstrated knowledge of food safety as specified in applicable sections 19-13-B42, 19-13-B48, and 19-13-B49 of the Regulations of the Connecticut State Agencies. Said documentation shall be maintained on file at the food service establishment and provided to Quinnipiack Valley Health District at time of licensing and at the time of license renewal.

Section VIII. Prohibition in Use of Living-Dwelling Units

None of the operations connected with a food service establishment or other type of food service operation shall be conducted in any room used as living or sleeping quarters or any room used for the storage, preparation and/or serving of food and/or beverage unless

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such a room is used solely and exclusively for purposes relating to the operations licensed by the Quinnipiack Valley Health District.

Section IX. Public Nuisance

Any food service establishment which fails to comply with the provisions of the Regulations of the Connecticut State Agencies or this Regulation shall be declared to be a public nuisance.

Section X. Inspection Requirements

- a) Upon receipt of a completed and signed food service license application, receipt of all required fees, and submitted plans that have been approved by the Director of Health, the Director of Health shall inspect the food service establishment and, if the same are maintained and equipped in accordance with the rules and regulations governing the sanitation of places dispensing food and/or beverages described in the Regulations of the Connecticut State Agencies and this Regulation, shall grant a license, which shall be signed by the Director of Health. As specified by the appropriate section of the Regulations of the Connecticut State Agencies, the Director of Health shall make an inspection of each food service establishment and shall make as many additional inspections and re-inspections as are necessary for the enforcement of the Regulations of the Connecticut State Agencies and this Regulation. Re-inspection fees are in the amount contained in Fee Schedule Appendix A. No food service license shall be renewed unless all re-inspection fees have been paid in full.

For a temporary food service inspection, a not ready fee, in the amount contained in Fee Schedule Appendix A, shall be charged if the establishment is not suitably ready for an inspection at the agreed upon date and time as stated at time of application.

- b) All Class III and Class IV food service establishments, except as noted in Section I, shall receive a Food Safety Rating following inspection based on the following criteria:

A - A food service establishment having a rating score of:

- 90 – 100 with no 4 point critical violations and less than 5 risk factor violations and
- The Qualified Food Operator or the Designated Alternate was on site at the time of inspection.

B - A food service establishment having a rating score of:

- 80 – 89 with one or less 4 point critical violations and less than 5 risk factor violations, or
- 90 – 100 with one 4 point critical violation and less than 5 risk factor violations

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C - A food service establishment having a rating score:

- Below 80 or
- 2 or more 4 point critical violations or
- 5 or more risk factor violations

c) **Beginning June 30, 2015** the Food Safety Rating attained during the inspection shall be posted by the Director of Health in a conspicuous location clearly visible to the public.

d) If a food service establishment removes or alters the posting in any way, the Director of Health may suspend the license in accordance with the provisions of Section XI of this code.

Section XI License Suspension

The Director of Health may suspend any license to operate a food service establishment if the license holder, person in charge, or the operation of the establishment itself does not comply with the requirements of this Regulation or the Regulations of the Connecticut State Agencies. If the Director of Health finds unsanitary or other conditions in the operation of a food service establishment which constitute an immediate and substantial hazard to public health, the Director of Health may immediately issue a written notice of suspension to the license holder or person in charge citing the reasons for such action. Upon service of such notice, the license is suspended. When a license is suspended all food service operations shall cease immediately.

Whenever a license has been suspended, the license holder or person in charge may make a written request for a hearing within two (2) business days of the suspension. If no written request for a hearing is filed within two (2) business days, the suspension shall continue until further notice of the Director of Health. The Director of Health may end the suspension at any time if reasons for suspension no longer exist.

Upon receiving a request for a hearing, the Director of Health shall examine the merits of such suspension and may sustain, modify or rescind such suspension.

The license holder who is aggrieved by such action of the Director of Health may, within three (3) business days after the Director of Health decision, appeal to the Commissioner of Public Health pursuant to Connecticut General Statutes Section 19a-229.

Section XII. License Revocation

The Director of Health, after providing the opportunity for a hearing, may revoke or refuse to renew a license for serious or repeated violations of any violations of this Regulation or the Regulations of the Connecticut State Agencies. Prior to revocation or nonrenewal, the Director of Health shall notify the license holder of the reasons for which the license is subject to revocation or nonrenewal, and that the license shall be revoked at the end of ten (10) days following service of such notice, unless a request for a hearing is

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filed with the Director of Health by the license holder within two (2) business days of the notice being issued. If no request for a hearing is filed within two (2) business days the revocation of the license becomes final. The Director of Health shall remove the revoked license from the establishment.

Section XIII. Reinstatement of Suspended and Revoked Licenses

a) Suspension

Whenever a license has been suspended, the license holder may make a written request for license reinstatement. Such written request shall specifically indicate how each of the conditions which caused the suspension, have been corrected and shall be signed by the license holder. Within ten (10) days following receipt of written request, the Director of Health shall make a re-inspection. If the Director of Health determines that the license holder has complied with the requirements of this Regulations and the Regulations of the Connecticut State Agencies, the license shall be reinstated.

b) Revocation

After a period of thirty (30) days from the date of revocation, a written application may be made for the issuance of a new license. This application will be treated as a new application. All appropriate procedures including a plan review, inspections, and fees will be required.

Section XIV. Fines and Penalties

Any person, firm or corporation maintaining or operating any food service establishment without being licensed under the provisions of this Regulation shall be fined not more than One Hundred Dollars (\$100.00). Each day of operation without a license shall constitute a separate violation.

Section XV. Unconstitutionality Clause

If any provision of this Regulation is held void by a court of competent jurisdiction, such holding shall not affect any other provision of this Regulation.

Section XVI. Effective Date

Upon the effective date of this Regulation, the Regulation Pertaining to Sanitation of Food Stuffs, effective September 21, 1978, shall be and hereby is repealed.

EFFECTIVE DATE: September 21, 1978; amended effective December 10, 1981;
December 6, 2012; March 27, 2015

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APPENDIX B

RISK FACTOR VIOLATIONS

Item numbers are taken from the State of Connecticut Department of Public Health Focused Food Service Inspection Report, a copy of which is made part of this appendix.

Item

- #4 Adequate facilities to maintain product temperature, thermometers provided
- #7 Food protected during storage, preparation, display, service and transportation
- #9 Handling of food minimized
- #15 Good hygienic practices
- #24 Sanitization rinse (hot water-chemical)
- #25 Clean wiping cloths kept in sanitizer
- #26 Food contact surfaces clean
- #30 Hot and cold water under pressure provided.
- #38 Handwashing accessories provided
- #60 Qualified Food Operator
- #61 Designated Alternate
- #62 Written documentation of training program

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STAFF OF CONNECTICUT • FOCUSED FOOD SERVICE INSPECTION REPORT • DEPARTMENT OF PUBLIC HEALTH

Establishment: _____ Inspection Date: _____ Time: _____ RO Insp RE Insp
 Address/City: _____ Health Dept: _____ Class: 1 2 3 4

Based on an inspection this day, the items marked DNC identify the violations in operation or facilities which must be corrected by the date specified on page 2.

RISK FACTOR ITEMS: Listing is not inclusive of all possible debitable items	C	N/O	N/A	DNC	KEY: C [complies] N/O [not observed] N/A [not applicable]			
					DNC (does not comply)	O [other]	RTE (ready-to-eat)	
60. Qualified Food Operator				3				
61. Designated Alternate				2				
62. Written documentation of training program				2				
1. Approved source, wholesome, nonadulterated	C	N/O	N/A	4				
A. Approved shellfish, finfish, meat & poultry USDA approved								
B. Food cans in good condition (not dented, rusty, bloated, leaking)								
C. Wholesome/nonadulterated foods/safe								
D. Commercial products (no home grown/canned food)								
E. Potentially hazardous foods received at proper temperature								
O								
3. Potentially hazardous food meets temperature requirements during storage, preparation, display, service and transportation	C	N/O	N/A	4				
A. Hot holding greater than or equal to 140°F. (Whole beef/pork roasts 130°F)								
B. Cold holding less than or equal to 45°F								
C. Proper cooling								
D. Proper re-heating								
E. Proper internal cooking / consumer advisory posted								
O								
4. Adequate facilities to maintain product temperature, thermometers provided	C	N/O	N/A	2				
A. Food thermometer available and accurate								
B. Proper food thermometer for product								
C. Thermometers appropriately placed in cooler units								
O								
7. Food protected during storage, preparation, display, service and transportation	C	N/O	N/A	2				
A. Produce washed								
B. Raw meats not stored/prepared near ready-to-eat foods								
C. Food covered properly								
D. Adequate splash guards / sneeze guard								
E. No unauthorized personnel								
F. No pooling of eggs not cooked immediately								
B. Food containers stored off the floor								
O								
9. Handling of food minimized	C	N/O	N/A	2				
A. No unnecessary handling RTE and/or cooked foods with bare hands								
B. Minimize food handling, other than ready-to-eat, with bare hands								
C. Adequate utensil(s) for dispensing food/ice								
O								
* DESCRIBE DEFICIENCIES ON CONTINUATION SHEETS								

<p>The following information is not debitable and does not affect your score. KEY: QFO (qualified food operator), DA (designated alternate), PHF (potentially hazardous food), FB (foodborne)</p> <p>PHFs are hot held at: _____ °F. PHFs are cold held at: _____ °F. Are internal cooking temperatures taken? Y N → To what temperature do you cook: Poultry _____ Ground Beef _____ Pork _____ Roasts _____ Other _____</p> <p>Describe re-heating procedures: _____ Are temperatures recorded/logged for cold holding foods/equipment? Y N</p> <p>Are foods cooked in advance and cooled? Y N → Are leftovers saved? Y N List products cooled: _____</p> <p>Describe cooling methods: _____</p> <p>Is cooling monitored for time & temp? Y N Is the monitoring of cooling recorded? Y N</p> <p>Is there a produce washing policy? Y N → Describe what is washed and where: _____</p>	<p>Describe illness conditions when you would exclude a food worker from working: _____</p> <p>What diseases related to FB illness are you required to report to the local health department? Is there a written illness policy that requires the food worker to report specific illness conditions and diseases to the QFO? Y N → Do you have a paid sick leave policy? Y N</p> <p>Is there a language barrier between inspector & QFO? Y N If yes indicate language spoken by QFO/DA: _____ → Can the QFO/DA read the inspection report? Y N</p> <p>Indicate who answered the above questions: Name (print): _____ Indicate the title of above person (circle all that apply): QFO DA Mgr Cook Owner FW Obtain signature of the person who received the QFO responsibilities information at the time of the inspection: _____</p> <p>Note: This report is a two page form (total of 62 debitable items) Page 1 of 2</p>
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**TITLE E: FOOD AND BEVERAGE STORES/PLACES DISPENSING FOR
PREPARATION/CONSUMPTION ELSEWHERE**

EFFECTIVE DATE: September 21, 1978

Revised: December 10, 1981

Repeal: December 6, 2012

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TITLE F: PUBLIC POOL CONSTRUCTION AND OPERATION

Section I. Definitions

Public Pool, public swimming pool, public wading pool, public spa, public diving pool, and special purpose public pool means any artificial basin as defined in Section 19-13-B33b of the Public Health Code of the State of Connecticut.

Section II. Scope of Regulation

This regulation is supplemental to and further refinement of Section 19-13- B33b of the Public Health Code of the State of Connecticut.

Section III. Construction Permits

No public pool, public swimming pool, public wading pool, public spa, public diving pool, and/or special purpose public pool shall be constructed, substantially altered or reconstructed until a permit for such an installation has been obtained from this Health District. Applicant shall make written application for permit on forms provided by this Health District. No permit shall be issued for such construction without written approval from the commissioner of the Connecticut Department of Public Health and a copy of the approved plan has been received by this Health District.

Section IV. Fines and Penalties for Lack of Permit

Any person, firm, or corporation, including the owner of a property, who constructs and/or installs a public swimming pool without first having received the necessary permit or permits for such activity from this Health District shall be fined not more than One Hundred Dollars (\$100.00) for each violation thereof, except that higher penalties may be assessed in accordance with Connecticut General Statutes, section 19-79. Each day that a violation continues shall be considered a separate violation.

Section V. Construction Permit Fees

Permit fee shall be paid to the Quinnipiack Valley Health District in the amount as stated in current fee schedule Appendix A.

Section VI. Public Pool Operating License and Fee

No person, firm or corporation shall maintain or operate any public swimming pool, public wading pool, public spa, public diving pool and/or special purpose public pool within the jurisdiction of this Health District without a valid license issued by this Health District under the provisions of this Regulation. Each public pool, public wading pool, public spa, public diving pool and/or special purpose public pool at a single location which has its own recirculation and water treatment system shall be deemed to be a

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separate pool and shall be required to have a separate license. The license fee shall be paid to the Quinnipiack Valley Health District in the amount as stated in Appendix A. The annual license fee is payable on or before June 1st of each year in conjunction with the filing of a license renewal application. The currently valid license shall be posted in a location easily observed by patrons.

Section VII. License Not Transferable

Such licenses shall not be transferable from one person or owner to another person or owner and also shall not be transferable from one location to another location.

Section VIII. Requirements

- a) Public pools shall comply with section 19-13-B33b of the Public Health Code of the State of Connecticut and as otherwise provided in this title.
- b) Persons suffering from diarrhea or vomiting, or having skin lesions, inflamed eyes, ear or throat infection, or any other condition which has the appearance of being infectious, shall be prohibited from using the pool.
- c) Infants and children who are not fully toilet trained shall wear tight fitting rubber or plastic pants or other leak proof clothing when using the pool.
- d) No glass containers or glass objects, other than pool test equipment and eyeglasses shall be permitted in the pool or on the pool deck.

Section IX. Public Nuisance

Any public pool found to be in operation and failing to comply with the provisions of the Public Health Code of the State of Connecticut and/or this Regulation shall be declared to be a public nuisance.

Section X. Inspection Requirements

The Director of Health or an authorized agent of this Health District shall inspect each public pool at least once each year and shall make as many additional inspections and reinspections as are necessary for the enforcement of the Public Health Code of the State of Connecticut and this Regulation.

Section XI. Hearings

When a particular violation or group of violations of the Public Health Code of the State of Connecticut appear on more than two consecutive inspection reports of a public pool, the licensee may be cited to appear for a hearing before the Director of Health, at a time and place designated by the Director of Health, who shall hear all facts pertaining to

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the matter. At such hearing the Director of Health shall have the power to revoke said license or to suspend it for such period as shall be deemed appropriate under the circumstances.

Section XII. Temporary License Suspension

a) Public Pool Licenses may be suspended temporarily by the Director of Health for failure of the holder to comply with the requirements of this Regulation and/or the Public Health Code of the State of Connecticut. Whenever a licensee has failed to comply with any written notice issued under the provisions of this Regulation, the licensee shall be notified that the license is, upon service of that notice, immediately suspended, and that an opportunity for a hearing will be provided if a written request for a hearing is filed within two normal working days with the Director of Health by the licensee following service of that notice. All public pool operations shall cease whenever a license is suspended.

b) A written violation notice is deemed to have been properly served when a copy of the inspection report form or other violation notice has been delivered to the licensee or person in charge or when it is sent via certified mail, return receipt requested, or when it is served by a Connecticut State Marshall, to the last known address of the licensee as reported on the license application.

Section XIII. Emergency License Suspension

Notwithstanding the other provisions of these Regulations and/or the State of Connecticut Public Health Code, if the Director of Health finds unsanitary or other conditions in the operation of a public pool which are determined to constitute a substantial and/or immediate hazard to the public's health, the Director of Health may, without warning, notice or hearing, issue a written order to the licensee citing such conditions specifying the corrective action to be taken, and, if deemed necessary, such orders shall state that the license is immediately suspended and all public pool operations are to be immediately discontinued. Any person to whom such an order is issued shall comply immediately, but upon written petition to the Director of Health, if it is received within forty-eight hours of service of such notice, shall be afforded a hearing.

Section XIV. Fines and penalties for Lack of License

Any person, firm or corporation maintaining or operating any public pool without being licensed under the provisions of this Regulation shall be fined not more than One Hundred Dollars (\$100.00). Each day of operation without a license shall constitute a separate violation. Violation of this Regulation may subject said person, firm or corporation to the provisions of Sections 19-79 and 19-104 of the Connecticut General Statutes.

Environmental Health Regulations of the Quinnipiack Valley Health District

Section XV. Unconstitutionality Clause

If any provision of this Regulation is held void by a court of competent jurisdiction, such holding shall not affect any other provision of this Regulation.

Section XVI. Effective Date

Upon the effective date of this Regulation, the Regulation Pertaining to Public pools, effective September 21, 1978, shall be and hereby is repealed.

EFFECTIVE DATE: September 21, 1978

Revised: December 10, 1981, December 14, 2006

Environmental Health Regulations of the Quinnipiack Valley Health District

TITLE G: REGULATION REQUIRING LICENSING OF HOTELS AND MOTELS

Section I. Definitions

The following definitions shall apply in the interpretation and enforcement of this Regulation:

- a) HOTEL and MOTEL shall mean any building or dwelling, or any part of any building or dwelling, containing fifteen or more rooming units, in which space is occupied by fifteen or more persons who are not husband or wife, son or daughter, mother or father, of the owner or operator. Such buildings or dwellings, or parts thereof, shall be of the type which are typically offered for rent on a daily or weekly basis, except where special provisions have been made for longer rental terms. Such units also shall be of the type which are advertised, promoted and/or operated by the owner or his agent as a business according to other general customs of hotel and motel business establishments located within the general area of this Health District.
- b) The individual rented ROOMING UNITS of the hotels and motels shall be of the type which form single, habitable units used or intended to be used primarily for living and sleeping, but not for cooking or eating purposes.
- c) The OPERATOR of any hotel or motel shall mean any person who has charge, care or control of a building, or part thereof, in which the individual rooming units are located.
- d) OWNER shall mean any person who, alone or jointly or severally with others:
 - 1) Shall have legal title to or beneficial interest in any hotel or motel unit, with or without accompanying actual possession thereof or
 - 2) Shall have charge, care or control of any hotel or motel unit, as owner or agent of the owner, or officer, or director of a corporation or corporate owner, or as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Regulation, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.
- e) PERSON shall mean and include any individual, firm, corporation, or officers and/or directors of such corporation, association, or partnership.
- f) DIRECTOR of HEALTH shall mean The Director of Health of the Quinnipiack Valley Health District or his/her duly authorized representative.

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Section II. License Required

No person, firm or corporation shall maintain or operate any hotel or motel within the jurisdiction of the Quinnipiack Valley Health District until licensed to do so under the provisions of this Regulation and the pertinent Sections of the Public Health Code of the State of Connecticut, the Connecticut General Statutes, the Hamden Housing Code and other applicable code regulations and statutes. Only a person, firm or corporation who complies with the requirements of this Regulation and the pertinent sections of such codes, statutes and regulations shall be granted and allowed to retain such a license.

Section III. License Not Transferable

Such licenses shall not be transferable from one person or owner to another person or owner and shall not be transferable from one location to another location. A valid license shall be displayed in prominent view to patrons in each hotel or motel establishment.

Section IV. Application for License

Application for a license to maintain or operate a hotel or motel shall be made to the Director of Health of the Quinnipiack Valley Health District on forms furnished by the District and in it the applicant shall state his name, address, the location of the hotel or motel which he intends to operate and give such other pertinent information as the Director of Health may require. A reasonably detailed plan, including the general floor layout of the hotel or motel, shall be submitted with such an application. Failure to include any of the above or other requested information shall be grounds for rejection of the application and plans by the Health District.

Section V. License Fees

At the time of filing such application and plans, the applicant shall pay to the Health District a license fee in the amount as stated in current fee schedule Appendix A.

Section VI. Duration of License and Partial Fees

The fee shall be the license fee for one year (12 months) and shall be returned to the applicant if a license is not granted. All licenses shall be renewed on or before June 1st of each year, to expire on May 31st of the following year, by payment of the then applicable license fee. When a new license, and not a renewal, is required because of the construction or establishment of a new hotel or motel, or because of a change in ownership or location of an existing hotel or motel, and such new operation or change occurs on or following January 1st of any licensing year, the applicable fee for the remainder of that licensing year shall be reduced by 50%.

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Section VII. Public Nuisance

Any hotel or motel which fails to comply with the provisions of the Public Health Code of the State of Connecticut, the Connecticut General Statutes, this Regulation or other pertinent regulations and requirements shall be declared to be a public nuisance.

Section VIII. Inspection Requirements

Upon receipt of a completed and signed hotel or motel license application and site plans, the Director of Health of the Quinnipiack Valley Health District shall inspect the premises described in the application and, if the same are maintained and equipped in accordance with the rules and regulations governing the sanitation of such places and if the submitted site plans are approved, shall grant the license, which shall be signed by said Director of Health. At least once per year Director of Health shall inspect each such hotel and motel and shall make as may additional inspections and reinspections as are necessary for the enforcement of the appropriate codes, statutes and regulations, including this Regulation.

Section IX. Hearings

When a particular violation or group of violations of the Public Health Code of the State of Connecticut, the Connecticut General Statutes, this Regulation or other pertinent regulations and requirements appear on more than two consecutive inspection reports, the licensee shall be cited to appear for a hearing before the Director of Health, who shall hear all facts pertaining to the matter and after such hearing shall have the power to revoke said license or to suspend it for such period as shall be deemed appropriate under the circumstances.

Section X. Temporary License Suspension

Licenses may be suspended temporarily by the Director of Health for failure of the holder to comply with the requirements of this Regulation and/or the Public Health Code of the State of Connecticut, the Connecticut General Statutes, this Regulation or other pertinent regulations. Whenever a licensee has failed to comply with any written order issued under the provisions of this Regulation, the licensee shall be notified by certified mail that the license is, upon service of that notice immediately suspended, and that an opportunity for a hearing shall be provided if a written request for a hearing is filed within two normal working days with the Director of Health by the licensee following service of that notice. All hotel and motel operations shall cease whenever a license is suspended.

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Section XI. Emergency License Suspension

Notwithstanding the other provisions of these Regulations if the Director of Health finds unsanitary or other conditions in the operation of the hotel or motel which are determined to constitute a substantial and/or immediate hazard to the public health, the Director of Health may, without warning, notice or hearing, issue a written order to the licensee citing such conditions, specifying the corrective action to be taken, and, if deemed necessary, such orders shall state that the license is immediately suspended and all hotel and motel operations are to be immediately discontinued. Any person to whom such an order is issued, shall comply immediately, but upon written petition to the Director of Health, within forty-eight hours of service of such notice, shall be afforded a hearing.

Section XII. Fines and Penalties

Any person, firm or corporation maintaining or operating any hotel or motel without being licensed under the provisions of this Regulation shall be fined not more than One Hundred Dollars (\$100.00). Each day of operation without a license shall constitute a separate violation. Violation of this Regulation shall subject said person, firm or corporation to the provisions of Sections 19-79 and 19-104 of the Connecticut General Statutes.

Section XIII. Unconstitutionality Clause

If any provision of this Regulation is held void by a court of competent jurisdiction, such holding shall not affect any other provision of this Regulation.

EFFECTIVE DATE: December 10, 1981

Revised: December 6, 2012

Environmental Health Regulations of the Quinnipiack Valley Health District

TITLE H: BUILDING ADDITIONS, CONVERSIONS, CHANGE IN USE, ATTACHED OR DETACHED GARAGES, ACCESSORY STRUCTURES, AND/OR POOLS ON PROPERTIES SERVED BY PRIVATE WATER SUPPLIES AND/OR PRIVATE SUBSURFACE SEWAGE DISPOSAL SYSTEMS

Section I. Definitions

a) **Accessory structure** means a permanent non-habitable structure which is not served by a water supply and is used incidental to residential or non-residential buildings. Accessory structures include, but are not limited to, detached garages, open decks, tool and lawn equipment storage sheds, gazebos, and barns.

b) **Building conversion** means the act of winterizing a seasonal use building into year round use by providing one or more of the following:

- 1) a positive heating supply to the converted area; or,
- 2) a potable water supply which is protected from freezing; or,
- 3) energy conservation in the form of insulation to protect from heat loss.

c) **Change in use** means any structural, mechanical or physical change to a building which allows the occupancy to increase; or the activities within the building to expand or alter such that, when the building is fully utilized, the design flow or required effective leaching area will increase.

Section II. Scope of Regulation

This regulation is supplemental to and further refinement of Section 19-13-B100a of the Public Health Code of the State of Connecticut.

Section III. Permit Required

No building additions, conversions, change in use of existing structures, attached or detached garage, accessory structure, or private above and below ground swimming pools, as defined in section 19-13-B100a of the Public Health Code of the State of Connecticut, shall be constructed on lots served by private well water supplies and/or private subsurface sewage disposal systems unless a permit for such activity has been issued by this Health District. The applicant for such a permit shall minimally provide this Health District with a plan that minimally indicates the location of a code complying replacement subsurface sewage disposal system area as defined and determined in Section 19-13-B100a of the Public Health Code of the State of Connecticut, the location of the proposed construction in relation to existing structures, water supply wells, and existing sewage disposal systems. Permits for any and all of the above stated types of modifications to a property shall be known as *Addition Permits*.

Section IV. Fee

The addition permit fee is as stated in the fee schedule found in Appendix A.

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Section V. Permit Denial

Any permit denied by this Health District shall be made in writing in the form of a denial letter to the applicant. Such denial may be appealed pursuant to Section 19a-229 of the Connecticut General Statutes.

Section VI. Fines and Penalties

Any person, firm or corporation, including the owner of a property, who constructs and/or installs a building addition, conversion, change in use, attached or detached garage, accessory structure, or private swimming pool without first having received the necessary permit or permits for such activity from this Health District shall be fined not more than One Hundred Dollars (\$100.00) for each violation thereof except that higher penalties may be assessed in accordance with Connecticut General Statutes Section 19-79. Each day that a violation continues shall be considered a separate violation.

Section VII. Unconstitutionality Clause

If any provision of this Regulation is held void by a court of competent jurisdiction, such holding shall not affect any other provision of this Regulation.

Section VIII. Effective Date

Upon the effective date of this Regulation, the Regulation Pertaining to building additions, conversions, change in use, attached or detached garages, accessory structures, private swimming pools on properties served by private water supplies and/or private subsurface sewage disposal systems, effective September 21, 1978, shall be and hereby is repealed.

EFFECTIVE DATE: September 21, 1978

Revised: December 10, 1981, December 14, 2006

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TITLE I: ISSUANCE OF CERTIFICATE OF OCCUPANCY

EFFECTIVE DATE: September 21, 1978

REVISED: December 10, 1981

REPEAL: December 6, 2012

Environmental Health Regulations of the Quinnipiack Valley Health District

TITLE J: SCHEDULE OF FEES FOR LICENSES AND PERMITS

Section I. Revision of Fees

The scheduled fees for all licenses and permits required by the various Regulations of this Health District are subject to revision, as deemed necessary from time to time, by the Director of Health, with the approval of the District Board of Health.

Section II. Unconstitutionality Clause

If any provision of this Regulation is held void by a court of competent jurisdiction, such holding shall not affect any other provision of this Regulation.

EFFECTIVE DATE: December 10, 1981

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TITLE K: REGULATION PERTAINING TO BARBERSHOPS, HAIRDRESSING, COSMETOLOGY, AND MASSAGE THERAPY ESTABLISHMENTS, RELATED CERTIFICATION REQUIREMENTS, FEES, AND PENALTIES.

Section I: Definitions

For the purpose of this title,

- a) **“Barbering”** – includes the following described practices when performed by a barber licensed in the State of Connecticut, upon the head, face, scalp or neck for cosmetic purposes only:
- 1) Shaving or trimming of the beard.
 - 2) The cutting of the hair.
 - 3) Styling of hairpieces or wigs.
 - 4) Singeing, shampooing, dyeing, coloring or styling of the hair.
 - 5) The application of cosmetic preparations, hair tonics, antiseptics, powders, oils, clays, creams or lotions.
 - 6) Giving facial and scalp massage or the application of oils, creams, lotions or other preparations, either by hand or mechanical appliances.
- b) **“Barbershop”** – any establishment engaged in the practice of barbering for the public.
- c) **“Director of Health”** – The Director of Health of the Quinnipiack Valley Health District or his/her duly authorized representative.
- d) **“Hairdressing and Cosmetology”** – includes the following described practices performed by a licensed hairdresser/cosmetician in the State of Connecticut upon the head, face, scalp, arms, hands, body, legs and feet for cosmetic purposes only.
- 1) Dressing, arranging, curling, waving, weaving, cutting, singeing, relaxing/straightening, bleaching and coloring hair.

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- 2) Treating the scalp, face, neck and arms by massaging, cleansing, exercising, stimulating or manipulating, with the hands, mechanical appliances, or water.
 - 3) Application of cosmetics, preparations, antiseptics, tonics, lotions, creams, powders, oils, clays, sprays, or any product pertaining to the skin.
 - 4) Manicuring fingernails of the hand and, for cosmetic purposes only, trimming, filing and painting the healthy toenails of the feet, excluding cutting nail beds, corns, calluses, or other medical treatment involving the foot or ankle.
- e) **“Hairdressing or Cosmetology Establishment”** – any establishment engaged in the practice of hairdressing, cosmetology, or barbering for the public.
- f) **“Massage Therapist”** – any person who has been licensed by the State of Connecticut Department of Public Health to practice massage therapy.
- g) **“Massage Therapy”** – the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and non-specific stretching. Massage therapy includes shiatsu, acupressure, Thai yoga massage and Thai yoga. Massage therapy may include the use of oil, ice, hot and cold packs, tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental condition. Massage therapy does not encompass diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, nor any service or procedure for which a license to practice medicine, chiropractic, naturopathy, physical therapy or podiatry is required by law.
- h) **“Massage Therapy Establishment”** – any establishment having a fixed business where any person engages in or carries on or permits to be engaged in or carried on massage therapy, as herein defined. This title shall not apply to any school, hospital, nursing home or mental health facility operation in accordance with the laws of the State of Connecticut.
- i) **“Mobile Work Station”** – A modular space which can be used for multiple purposes through the use of mobile equipment.
- j) **“Nail Technician”** – means a person, who for compensation, cuts, shapes, polishes or enhances the appearance of the nails of the hands, including but not limited to, the

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application and removal of sculptured or artificial nails.

- k) **“Operator”** – An operator is any person, including, but not limited to, a licensed hairdresser/cosmetician, barber, massage therapist, or unlicensed person who is performing tasks allowed under the scope of this regulation.
- l) **“Certificate of Compliance Holder”** – means the person who applies and is granted a Certificate of Compliance to operate any barbershop, hairdressing, cosmetology, or massage therapy establishment.
- m) **“Person in Charge”** – means the individual present in a Hairdressing, Cosmetology or Massage Therapy Establishment who is the apparent supervisor of the establishment at the time of inspection. If no individual claims to be a supervisor, than any employee present is deemed to be the person in charge for the purposes of this regulation.
- n) **“Other Services”** – The following described practices can be performed by an unlicensed individual under the supervision of a licensed hairdresser/cosmetician in the State of Connecticut:
 - 1) Manicuring nails of the hands.
 - 2) Performing facials.
 - 3) Shampooing of the hair.
 - 4) Eyebrow arching.
 - 5) Braiding hair.
 - 6) Trimming, filing and painting of the healthy toenails (excluding cutting nail beds, corns, calluses or other medical treatment involving the foot or ankle).
 - 7) Body waxing.
- o) **“Shampoo Station”** – A shampoo station consists of a shampoo bowl (sink) and a shampoo chair.
- p) **“Work Area”** – A work area is defined as a separate room with more than one work

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station, or a private room set aside to serve one customer at a time.

- q) **“Work Station”** – A work station is defined as a chair, massage table, countertop and floor space set aside for the purpose of serving a customer, including floor space for the operator to stand while serving the customer.

Section II. Plan Review and Pre-operation Inspections

- a) No barbershop, hairdressing or cosmetology, establishment having a permanent location shall, be relocated, constructed, remodeled or extensively altered, nor shall a structure be converted to use as a barbershop, hairdressing or cosmetology establishment, after June 30, 2004, except in accordance with plans and specifications approved by the Quinnipiack Valley Health District.
- b) No massage therapy establishment having a permanent location shall, be relocated, constructed, remodeled or extensively altered, nor shall a structure be converted to use as a or massage therapy establishment after December 6, 2012, except in accordance with plans and specifications approved by the Quinnipiack Valley Health District.
- c) Properly prepared plans and specifications for such construction, remodeling or alteration shall be submitted to the Director of Health for review and approval before relocation, construction, remodeling, alteration, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement and construction materials of work areas and the type and model of proposed fixed equipment and facilities. The Director of Health shall approve the plans and specifications if they meet the requirements of this regulation and applicable state laws and regulations.
- d) Prior to the opening of a barbershop, hairdressing, cosmetology, or massage therapy establishment the Director of Health shall conduct a pre-operational inspection to determine compliance with the approved plans and specifications and with the requirements of this regulation and applicable state laws and regulations.

Section III. Certificate of Compliance; Fee; Procedure

- a) No person shall maintain or operate any barbershop, hairdressing cosmetology or massage therapy establishment without having a valid Certificate of Compliance issued by the Director of Health. Only a person who complies with the requirements of this regulation shall be entitled to receive or retain a Certificate of Compliance.
- b) Application of any business covered by this regulation shall be made on a registration form furnished by the Director of Health, wherein the applicant shall state his/her

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name, address, the address of the place of business and give such other pertinent information as the Director of Health may require and affix his/her signature to the form. Application for a Massage Therapy Establishment shall include a photocopy of each Massage Therapist's valid massage therapy license from the State of Connecticut Department of Public Health and current Connecticut driver's license or other acceptable photo identification. All Certificates of Compliances are valid for one (1) year and are renewable each year.

- c) Every applicant for a Certificate of Compliance to operate a barbershop, hairdressing, cosmetology shop, or massage therapy establishment shall pay an annual inspection fee indicated in Addendum A. Additional charges may be assessed for reinspections due to uncorrected violations of this regulation after a second inspection.
- d) No Certificate of Compliance shall be issued or renewed until a completed registration form has been submitted, the inspection fee has been paid and the applicant's barbershop, hairdressing, cosmetology or massage therapy establishment meets the requirements set forth in this regulation and all other applicable state and local laws and regulations.
- e) A Certificate of Compliance shall be valid until the expiration date indicated on the Certificate of Compliance unless suspended or revoked by the Director of Health, or until such time as the facility, closes, goes out-of-business, or if the Certificate of Compliance Holder is no longer involved with the establishment.
- f) A Certificate of Compliance shall not be transferable from person to person or location to location.
- g) The Director of Health after proper identification shall be permitted to enter, during normal operating hours, any portion of any barbershop hairdressing, cosmetology shop, or massage therapy establishment for the purpose of making inspections to determine compliance with this regulation.
- h) A temporary Certificate of Compliance to operate a barbershop, hairdressing, cosmetology or massage therapy establishment may be granted for a period not to exceed fourteen (14) calendar days. A temporary Certificate of Compliance would be required for conducting a public demonstration, a fund-raising event or a public convention.

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Section IV. Annual Inspections

The Director of Health shall inspect each barbershop, hairdressing, cosmetology, or massage therapy establishment at least once a year and may make as many additional inspections and re-inspections as are necessary for the enforcement of this regulation and the Public Health Code of the State of Connecticut.

Section V. Certificate of Compliance Suspension and Revocation

- a) Failure to comply with the provisions of this regulation and applicable state regulations shall be grounds for revocation or suspension of any Certificate of Compliance issued under the provisions of this title.
- b) In the event that the Director of Health finds unsanitary conditions in the operation of a barbershop, hairdressing, cosmetology, or massage therapy establishment, or if a violation or set of violations appears on more than one (1) consecutive inspection report, the Director of Health may immediately issue a written notice to the Certificate of Compliance Holder citing such conditions, specifying the corrective action to be taken and time frame within which action shall be taken. If correction is not made in the allotted time, the Certificate of Compliance may be revoked or suspended.
- c) The Director of Health may suspend, without warning, prior notice or hearing, any Certificate of Compliance to operate a barbershop, hairdressing, cosmetology or massage therapy establishment
 - 1) if the operation constitutes an imminent hazard to public health, or
 - 2) if the Certificate of Compliance Holder, operator or person in charge has interfered with the performance of the Director of Health's duties.
- d) An imminent health hazard shall include, but is not limited to, any one of the following:
 - 1) an ongoing outbreak of an infectious, pathogenic or toxic agent capable of being transmitted to consumers; or
 - 2) the absence of potable water, supplied under pressure, in a quantity which, in the opinion of the Director of Health, is capable of meeting the needs of the facility; or

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- 3) a sewage backup into the facility; or
 - 4) an unlicensed individual performing procedures requiring licensure by the Public Health Code of the State of Connecticut
- e) Suspension shall be effective immediately upon delivery of a written notice to the Certificate of Compliance Holder or person in charge of the barbershop, hairdressing, cosmetology or massage therapy establishment by the Director of Health. When a Certificate of Compliance is suspended, all operations shall cease immediately and shall not resume until written approval to resume has been issued by the Director of Health. The Director of Health shall remove the suspended Certificate of Compliance from the premises.
- f) When the Certificate of Compliance is suspended, the Certificate of Compliance Holder shall be notified in writing of the suspension and an opportunity for a hearing will be provided if a written request for hearing is filed with the Director of Health by the Certificate of Compliance Holder within forty-eight (48) hours. The Director of Health may end the suspension at any time by giving written notice to the Certificate of Compliance Holder if reasons for suspension no longer exist.
- g) Upon receiving a request for a hearing, the Director of Health shall immediately examine the merits of such suspension and may vacate, modify or affirm such suspension.
- h) The Certificate of Compliance Holder who is aggrieved by such action of the Director of Health may, within three (3) business days after the making of such decision, appeal to the Commissioner who shall thereupon immediately notify the authority from whose order the appeal was taken and examine the merits of such suspension and may vacate, modify, or affirm such suspension.

Section VI. Certificate of Compliance Revocation/ Non-renewal

- a) The Director of Health, after providing an opportunity for hearing, may revoke or refuse to renew the Certificate of Compliance of any person for serious or repeated violations of any of the provisions of this regulation, or for interference with the Director of Health in the performance of official duties or for cases where the Certificate of Compliance has been obtained through nondisclosure, misrepresentation or intentional misstatement of a material fact.
- b) Prior to revocation or non-renewal, the Director of Health shall notify the Certificate of Compliance Holder, or person in charge at the establishment of the specific

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reason(s) for such revocation or non-renewal, and that Certificate of Compliance shall be revoked or not renewed at the end of ten (10) calendar days following service of such notice, unless a written request for hearing is filed with the Director of Health by the Certificate of Compliance Holder within forty-eight (48) hours of such notice. If no request for a hearing is filed within forty-eight (48) hours of such notice, the revocation or non-renewal becomes final. The Director of Health shall remove a revoked Certificate of Compliance from the premises.

Section VII . Certificate of Compliance Reinstatement

a) Suspension

Whenever a Certificate of Compliance has been suspended, the Certificate of Compliance Holder may make written request for Certificate of Compliance reinstatement. Within ten (10) days following receipt of a written request, including a statement signed by the applicant that, in his opinion, the conditions causing the suspension have been corrected, the Director of Health shall make a reinspection. If the Director of Health determines that the applicant has complied with the requirements of this regulation and the State Public Health Code or applicable state regulations and laws, the Certificate of Compliance shall be reinstated and returned to the Certificate of Compliance Holder.

b) Revocation/Non-renewal

After a period of thirty (30) days from the date of revocation or refusal to renew, a written application may be made for the issuance of a new Certificate of Compliance. This application will be treated as a new application. All appropriate procedures including a plan review, inspections, and fees will be required.

Section VIII . Hearings

The Director of Health shall conduct the hearings provided for in this regulation at a time and place designated. The Director of Health shall summarize the proceedings of such hearings and provide sufficient copies. The Director of Health shall make a final finding based upon the complete hearing record, and shall sustain, modify or rescind any notice or order considered in the hearing. The Director of Health shall furnish a written report of the hearing decision to the Certificate of Compliance Holder within ten (10) calendar days of the hearing date.

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Section IX. Service of Notices or Orders

A notice or order provided for in this regulation is properly served when it is delivered to the Certificate of Compliance Holder, or person in charge, or when it is sent by registered or certified mail, return receipt requested, or served by a Connecticut State Marshall to the last known address of the Certificate of Compliance Holder. A completed and signed inspection report shall constitute a written notice.

Section X. Equipment and Facilities

a) Water Supply

An adequate supply of hot and cold running water, at proper temperatures, from a municipal or approved private source shall be provided. All plumbing fixtures shall be protected against back-siphonage or back flow.

b) Waste Disposal

Wastewater from all plumbing fixtures shall be discharged into public sewers or by a subsurface sewage disposal system in accordance with provisions of the Public Health Code of the State of Connecticut and Quinnipiack Valley Health District.

c) Plumbing Fixtures

- 1) Plumbing fixtures shall be of impervious material and of a type which is easily cleanable. They shall be free from cracks and from parts which are not readily accessible for cleaning. They shall be of a type which does not constitute a hazard to a public water supply through back siphonage, or cross-connection.
- 2) All plumbing installation and fixtures shall conform to applicable building and plumbing codes.
- 3) Shampoo bowls shall be used for barbering, hairdressing and cosmetology work only.
- 4) A utility sink shall be provided for proper cleaning of surfaces and equipment.

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- 5) At least one (1) handwash facility, provided with a soap dispenser and disposable towels, shall be located in each work area in order to provide for proper hand washing before and after each customer, except when a barbershop, hairdressing or cosmetology establishment has been operating by the same Certificate of Compliance Holder and constructed or altered prior to June 30, 2004.
- 6) At least one (1) hand wash facility, provided with a soap dispenser and disposable towels, shall be located in each private treatment room and in each work area in order to provide for proper hand washing before and after each customer, except when massage therapy establishment has been operating by the same Certificate of Compliance Holder and constructed or altered prior to December 6, 2012.
- 7) A mop sink must be provided for cleaning the facility, except when a barbershop, hairdressing or cosmetology establishment has been operating by same owner and constructed or altered prior to June 30, 2004.
- 8) A mop sink must be provided for cleaning the facility, except when a massage therapy establishment has been operating by same owner and constructed or altered prior to December 6, 2012.

d) Floors

Floors shall be nonporous and of such construction as to be easily cleaned. Floors where tinting or shampooing are done, or where chemicals for bleaching hair are used, shall have hard and washable surfaces. Floors shall be kept clean and in good repair

If carpeting or similar material is used for floor covering, it shall be of a light color except when a massage therapy establishment has been operating by same owner and constructed or altered prior to December 6, 2012.

Carpet shall be made of a single loop pile of not more than one-fourth (1/4) inch in height. Such floor covering shall be kept clean by vacuuming at least daily and shampooing at least once annually and more frequently if the covering is not clean.

e) Lighting

All areas shall be properly lighted and shall comply with state and local building codes and ordinances.

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f) Ventilation

The establishment shall be properly and adequately ventilated so as to remove excess heat and odors. Ventilation shall comply with state and local building codes and ordinances.

g) Cabinets

Cabinets shall be provided for storage of clean linen, towels, blankets and gowns. They shall have tight-fitting doors that shall be kept closed to protect the linen, towels, blankets and gowns from dust and dirt.

h) Receptacle for Used Towels and Gowns

A covered receptacle, which can be readily emptied and cleansed, shall be provided and maintained in a sanitary manner. Chemically soiled towels and linens shall be stored in fire-retardant containers.

i) Refuse

Covered containers for hair droppings, paper and other waste material shall be provided and maintained in a sanitary manner.

j) Toilet Facilities

- 1) Adequate toilet and hand washing facilities must be provided for customers and employees. Such facilities shall be kept clean and in working order.
- 2) Adequate and conveniently located handwashing facilities shall be provided with hot and cold running water, a sanitary soap dispenser and disposable towels for customers and employees.
- 3) The use of common soap for more than one (1) person is prohibited.
- 4) A covered refuse receptacle shall be provided in the ladies' room.

k) Barbershop, Hairdressing and Cosmetology Establishment Work Stations

- 1) Chairs in work stations shall be at least fifty-four (54) inches apart, center to

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center, except when an establishment has been operating by the same Certificate of Compliance Holder, and constructed or altered prior to June 30, 2004.

2) A two (2)-foot wide workspace shall be maintained behind each chair for the operator, except when an establishment has been operating by the same Certificate of Compliance Holder, constructed or altered prior to June 30, 2004.

3) Three (3)-foot wide aisles that are separate and discrete from work areas shall be maintained throughout the shop.

4) No hair dryers shall be placed in any waiting room or encroach on the required three (3)-foot wide aisle space.

5) Mobile stations must be designed to provide the same workspace and separating distances as fixed stations. For a mobile station, it is assumed that the dryer can be accommodated in the workspace designated for the operator.

l) Massage Therapy Rooms

All massage therapy must be carried out in clearly designated rooms within the massage therapy establishment. Such rooms shall provide privacy to the client.

(m) Barbershop, Hairdressing, Cosmetology and Massage Therapy Establishments in Residence

1) A barbershop, hairdressing, cosmetology, or massage therapy establishment located in a residence must be confined to a separate room dedicated to the business of the establishment, separated with ceiling-high partitions and provided with a door to be closed at all times.

2) The area within a home operated as a barbershop, hairdressing, cosmetology, or massage therapy establishment must be equipped with the facilities and instruments required in all such establishments.

Section XI Maintenance and Operation

a) General Cleanliness

1) Every barbershop, hairdressing, cosmetology, or massage therapy establishment

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shall be kept in a clean and sanitary condition at all times.

- 2) No hair droppings shall be allowed to accumulate on floors. Hair droppings shall be removed frequently and as soon as possible, in such a manner as not to cause objectionable conditions.

b) Walls, Ceiling and Fixtures

- 1) Ceilings shall be kept in good repair, and cracks in walls, especially around baseboards, shall be filled in so as to prevent the harboring and breeding of insects.
- 2) Cabinets, shelves, furniture, shampoo bowls and fixtures shall be kept clean and free of dust, dirt and hair droppings. Arms, seats and rests of chairs shall be wiped of hair droppings after serving each customer.

c) Sanitary Services

- 1) No operator shall knowingly serve any patron with a communicable disease in an infectious stage.
- 2) A towel shall not be used for more than one (1) person without being properly laundered before each use.
- 3) A sanitary paper strip or clean towel shall be placed completely around the neck of each customer before an apron or any other protective device is fastened around the neck.
- 4) Clean Towels shall be kept in a clean, closed cabinet or closet. A commercial linen service shall be used for laundering if not done on the premises.
- 5) A sanitizing agent shall be used when washing towels and linens on the premises.

d) Disinfection of Equipment and Implements

- 1) All equipment and implements used on a customer shall be kept clean and sanitary at all times and shall undergo thorough cleansing and disinfecting after each customer, or single-service disposable implements shall be used. Disinfectants shall be used in accordance with the manufacturer's instructions.

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- 2) Massage tables and foot basins shall undergo thorough cleansing and disinfecting after each customer. Linens, if used on massage tables, shall be clean and changed after each customer.
- 3) Massage table shall be cleaned and disinfected after each use if table comes in direct contact with customer.
- 4) Cleaned and sanitized implements shall be stored in covered containers which shall contain a disinfectant, or in a clean drawer.
- 5) In the case of blood or body fluid contact on any surface area such as a table, chair, or floor; or if any non-porous instrument is contacted with blood or body fluid, an EPA-registered hospital grade disinfectant, a tuberculocidal disinfectant, or a 10% bleach solution (one-and-three quarters (1 $\frac{3}{4}$) cups of household (5.25%) bleach to one gallon of water) shall immediately be used per manufacturer's instructions.
- 6) Single-service towels, papers and other material shall be disposed of in the proper receptacle immediately after use and shall not be used again.
- 7) If any porous instrument or disposable materials come in contact with blood or body fluid, said instrument or disposable material shall be immediately bagged and discarded in a closed trash container.
- 8) All articles that come into direct contact with the customer's skin, nails, or hair that cannot be effectively cleaned and sanitized shall be disposed of in a covered waste receptacle immediately after use. Exception: orangesticks, emery boards, buffing squares, cosmetic sponges and disposable nail bits may be kept for the original customer if kept in a covered container labeled with the customer's name.
- 9) When only a portion of a cream, liquid, powder or other cosmetic preparation is to be removed from the container, it shall be removed in such a way as not to contaminate the remaining portion.
- 10) Multi use of cosmetic applicators is prohibited. This includes the use of lipsticks, neck dusters, powder puffs, makeup brushes and sponges, which are not single-use disposal.
- 11) Lotions and powders shall be dispensed from a sanitary self -dispensing container.

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e) Shaving Brushes, Mugs, Finger Bowls, and Credo Blades

The use of shaving brushes, shaving mugs and credo blades is prohibited. The use of finger bowls for manicuring purposes is allowed, but the finger bowl must be properly cleaned and sanitized after each customer. Disposable, single-use finger bowls may be used.

f) Alum and Other Astringents

Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form only.

g) Foods and Beverages

Foods and beverages shall not be prepared, stored or sold in the permitted premises, except with a valid Food Permit from the Quinnipiack Valley Health District. Coffee and tea may be prepared and kept for the convenience of employees and patrons, but no charge is to be made to patrons who are served. Beverages shall be provided to patrons in a disposable container. Food and non-alcoholic beverages may, however, be brought into the permitted premises, from an approved source, for immediate consumption and also may be dispensed by means of automatic vending machines on the premises.

h) Animals, Pets or Live Birds

No animals, pets or live birds shall be kept in any barbershop, hairdressing cosmetology or massage therapy establishment. This prohibition does not apply to trained guide dogs (or dogs in training) for the disabled, sightless or hearing impaired.

Section XII. Operators

- a) The hands of the operator shall be thoroughly washed with soap and warm water before and after serving each customer and immediately after using the toilet, smoking or eating.
- b) No person known to be affected with any communicable disease in an infectious stage shall engage in barbering, hairdressing cosmetology, or massage therapy, and no person so affected shall be employed as a barber, hairdresser, cosmetician, or massage therapist.

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- c) Operators shall not eat, smoke or drink while providing services to a customer.
- d) Operators shall wear clean, washable garments having at least one-quarter (1/4)-length sleeves.
- e) No operator shall remove warts or moles or treat any disease of a customer, nor perform any medical procedure, nor dispense any medical advice.

Section XIII Effective Date: January 22, 2004

Revised Date: December 6, 2012

**TITLE L: REGULATION PERTAINING TO TATTOO ESTABLISHMENTS,
RELATED CERTIFICATION REQUIREMENTS, FEES AND PENALTIES**

SECTION I Definitions

For the purpose of this title:

- (1) **“Bloodborne Pathogens”** means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV), Hepatitis C Virus (HCV) and Human Immunodeficiency Virus (HIV).
- (2) **“Contaminated”** means the presence or the reasonably anticipated presence of pathogens, blood or other potentially infectious materials on an item or surface.
- (3) **“Critical Violations”** means one or more of the following findings:
 - (a) A person performing tattooing who does not have the required licensure, permit or registration per the Public Health Code of the State of Connecticut.
 - (b) Autoclave not in proper working order or in proper use.
 - (c) Lack of a monthly spore test properly recorded.
 - (d) Non-disposable instruments and equipment improperly sterilized or stored.
 - (e) Reuse of single use items.
 - (f) Improper operator hand washing technique before and after a procedure.
 - (g) Improper glove technique during a procedure.
 - (h) No OSHA compliant blood borne pathogen program in place.
 - (i) Tattooing a minor under the age of eighteen (18) years of age without the written permission of the parent or guardian of such minor. Written permission must be notarized.
- (4) **“Department of Public Health”** means the State of Connecticut Department Health.
- (5) **“Director of Health”** means the Director of Health of the Quinnipiack Valley Health District or his/her duly authorized representative.
- (6) **“Disinfected”** means the elimination of many or all pathogenic microorganisms, except bacterial spores, on inanimate objects by chemical and physical means.
- (7) **“District”** means the Quinnipiack Valley Health District
- (8) **“Equipment”** means all machinery, including fixtures, containers, vessels, tools, implements, furniture, display and storage areas, sinks, and other apparatus used in connection with the operation of the establishment.
- (9) **“Infection”** means invasion and colonization of body tissues by pathogenic organisms.

- (10) **“Infectious Waste”** means waste generated in the treatment or service of a human which falls under one or more of the following categories:
- (a) Pathological wastes are human pathological wastes, including tissues that are removed during medical procedures.
 - (b) Human blood and bodily fluid waste including liquid waste, human blood, blood products, items saturated, or dripping with blood or caked with dried human blood.
- (11) **“Regulated Waste”** means liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.
- (12) **“Sterilization”** means the process of destruction of all forms of microbial life by physical or chemical methods.
- (13) **“Tattoo”** means the indelible mark, figure or decorative design introduced by insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin of a live human being to alter the appearance of the skin for non-medical reasons.
- (14) **“Tattooing”** means marking or coloring, in an indelible manner, the skin of any person by pricking in coloring matter or by producing scars.
- (15) **“Tattoo technician”** means a person who is licensed under the provisions of Connecticut General Statutes section 20-266.
- (16) **“Student tattoo technician”** means a person studying tattooing who is registered with the department pursuant to Connecticut General Statutes section 20-266.
- (17) **“Tattoo Establishment”** means any room or space where tattooing is practiced or where the business of tattooing is conducted or any part thereof.

SECTION II Scope

This Regulation is to be an aid to the enforcement of Sections 20-266o, to 20-266s of the Connecticut General Statutes and applicable sections of the Public Health Code of the State of Connecticut and of any amendments thereof hereafter adopted which deal with the sanitary conditions of tattoo establishments.

SECTION III Tattooing

- (a) No person shall engage in the practice of tattooing unless
 1. The person has obtained a Tattoo Technician license from the Department of Public Health or:

2. The person is a physician, an advanced practice registered nurse rendering service in collaboration with a physician, a registered nurse executing the medical regimen under the direction of a licensed physician, dentist, or advanced practice registered nurse, or a physician assistant rendering service under the supervision, control and responsibility of a physician or:
3. A Student Tattoo Technician who is registered with the Department of Public Health or:
4. The person has obtained a temporary permit from the Department of Public Health.

SECTION IV Plan Review, Application Process and Pre-Operation Inspections

- (a) No tattoo establishment having a permanent location shall be relocated, constructed, remodeled or extensively altered, nor shall a structure be converted to use as a tattoo establishment after January 1, 2015 except in accordance with plans and specifications approved by the Quinnipiack Valley Health District. The plans must include but are not limited to: description and location of work areas and equipment, sinks, counters, storage areas, toilet facilities, fixtures, waiting and viewing areas.
- (b) There shall not be a direct opening between a tattoo establishment and any building or portion of a building used as living or sleeping quarters. This shall be accomplished, at a minimum, by a solid floor to ceiling wall of separation.
- (c) A tattoo establishment shall not be located in an area where food is prepared.
- (d) Manufacturers' specification sheets shall be included in the plan submission for all supplies and equipment.
- (e) The Director of Health shall approve the plans and specifications if they meet the requirements of this regulation and applicable state laws and regulations prior to construction of the Tattoo Establishment.
- (f) Prior to the opening of a tattoo establishment the Director of Health shall conduct a pre-operational inspection to determine compliance with the approved plans and specifications and with the requirements of this regulation and applicable state laws and regulations.

SECTION V Certification

(1) Tattoo Establishment Certificate of Compliance

- (a.) No person or person(s) shall maintain or operate a tattooing establishment until a Tattoo Establishment Certificate of Compliance from the District has been issued. Only a person

or person(s) who complies with the requirements of this regulation shall be entitled to receive or retain a Tattoo Establishment Certificate of Compliance.

- (b) Application for a Tattoo Establishment Certificate of Compliance shall be made on an application form furnished by the District. Each applicant shall provide the District with all information requested on the application form.
- (c) The Tattoo Establishment Certificate of Compliance shall be issued by the District prior to opening and shall expire on May 31st of each year unless suspended or revoked by the Director of Health, or until such time as the establishment closes, goes out of business, or the Certificate holder is no longer involved with the establishment.
- (d) Every applicant for a Tattoo Establishment Certificate of Compliance shall pay an annual inspection fee indicated in Addendum A.
- (e) No Tattoo Establishment Certificate of Compliance shall be issued or renewed until a complete application form has been submitted, the inspection fee has been paid and the applicant's establishment meets the requirements set forth in this regulation and all other applicable state and local laws and regulations.
- (f) The Tattoo Establishment Certificate of Compliance shall not be transferable between persons, places or other establishments. Any planned change in ownership or renovation of a facility must be reported promptly to the District and such changes must be approved by the District prior to the issuance of a Tattoo Establishment Certificate of Compliance.
- (g) The Tattoo Establishment Certificate of Compliance shall be displayed in a prominent location within the establishment where it can be observed by patrons.

SECTION VI Records

- (1) Each tattoo technician shall keep records for seven (7) years for each client which shall consist of the following: the name, address and telephone number of the client, the date the tattoo was applied, a photocopy of a government issued legal document that certifies the client is at least eighteen (18) years of age or an emancipated minor, a description of the tattoo, name of the tattoo technician, the area of the body tattooed, description of tattoo procedures used, a photocopy of the written after care instructions of the tattoo and a release form signed by the client that these records are accurate.
- (2) No person shall tattoo an unemancipated minor under eighteen (18) years of age without the written permission of the parent or guardian of such minor. Written permission must be signed and notarized. Photographic identification of the parent or guardian must be obtained by the tattoo technician and be included in the client's permanent records. If the client is an emancipated minor documentation of such emancipation must be obtained by the tattoo technician and be included in the client's records for seven (7) years.

- (3) The client shall sign an informed consent waiver which shall become part of the client's record. The informed consent waiver shall be approved by the District prior to the issuance of a Tattoo Establishment Certificate of Compliance. The informed consent waiver shall include, but is not limited to, the following information: nature of the procedure, reasonably foreseeable risks of the procedure, and explanation of the tattoo removal procedure. The client shall have the opportunity to ask questions and understand the contents of the informed consent to his/her satisfaction.
- (4) The Tattoo Establishment shall keep written records of maintenance and sanitation of operating equipment, including repairs of autoclaves and ultrasonic devices according to manufactures instructions. Manufacture instructions must be kept on file at the tattoo establishment. Records must be made available to the District upon request and maintained for two (2) years unless a longer retention period is otherwise required by Local, State or Federal law.
- (5) The Tattoo Establishment shall maintain written records of biological monitoring of sterilization devices conducted monthly, including spore test reports prepared by an independent testing agency approved by the District. Records must be made available to the District upon request and maintained for two (2) years unless a longer retention period is otherwise required by Local, State or Federal law.
- (6) The Tattoo Establishment shall maintain written records as required by OSHA's Bloodborne Pathogens Standard, 29 CFR 1910.1030. Records must be made available to the District upon request and maintained as per the Tattoo Establishment's exposure control plan unless a longer retention period is otherwise required by Local, State or Federal law.

SECTION VII Inspections

- (1) The Director of Health shall inspect each Tattoo Establishment at least once annually, and shall make as many inspections as deemed necessary, for the enforcement of these regulations. Failure to pass inspection may result in suspension or revocation of the Tattoo Establishment Certificate of Compliance.
- (2) The Director of Health, after proper identification, shall be permitted to enter during hours of operation any Tattoo Establishment for the purpose of making an inspection to determine compliance with these regulations.
- (3) The Director of Health shall be permitted to examine records of the Tattoo Establishment, excluding financial records, to obtain information pertaining to persons tattooed and equipment. There shall be a person knowledgeable of the records in the Tattoo Establishment during all hours of operation.

- (4) Whenever the Director of Health conducts an inspection of a Tattoo Establishment, the District's findings shall be recorded on an inspection report form provided for this purpose, and a copy of such inspection report form shall be furnished to the certificate holder or person in charge.
- (5) Whenever the Director of Health conducts an inspection and observes that any of the requirements of these regulations have been violated, the Director of Health shall notify the certificate holder or person in charge of such violations by means of the inspection report form or other written notice. Such notification shall include the specific violation(s) observed and a period of time for the correction of the observed violation(s).
- (6) The Director of Health may, upon written notice to the certificate holder or person in charge, place an embargo on any item, substance or equipment that is determined to be, or is believed associated, with the cause of illness or infection. It shall be considered unlawful to remove or alter such an embargo without the permission of the Director of Health, except by order of a court of competent jurisdiction.

SECTION VIII Equipment and Facilities

(1) Floors, Walls and Ceilings

- (a) Floors shall be constructed of approved materials so as to be durable, easily cleanable, nonabsorbent and free of holes. Floors shall be kept clean and in good repair.
- (b) The juncture between the floor and wall shall be closed or covered to permit effective cleaning.
- (c) Walls, ceilings and attached equipment shall be constructed of approved materials so as to be durable, easily cleanable, non-absorbent and free of holes. Walls, ceilings and attached equipment shall be kept clean and in good repair and finished in a light color that will not conceal the presence of soil and debris.

(2) Equipment

- (a) The chair, seat or table to be utilized by the person receiving the tattoo shall be smooth, easily cleanable and non-absorbent.
- (b) All chairs, seats or tables must be cleaned and disinfected prior to use by the next client.
- (c) All walls with chairs, seats and tables placed against them must be sanitized prior to use of chairs, seats and tables by the next client.
- (d) All work and storage surfaces shall be smooth, easily cleanable and non-absorbent.
- (e) All equipment, work, and storage surfaces shall be clean and maintained in good repair.

(3) Lighting

All areas shall be well lighted and shall comply with state and local building codes and ordinances. Such lighting shall be reasonably free from glare and distributed so as to avoid shadows.

(4) Ventilation

Ventilation shall be provided so as to prevent condensate and/or excess moisture and to remove objectionable odors in such a manner that will not cause a public health nuisance. Ventilation shall comply with state and local building codes and ordinances

(5) Water Supply

The water supply shall be adequate, of a safe, sanitary quality and from a source approved by the District. Hot and cold water under pressure shall be provided at all sinks.

(6) Toilet Facilities

- (a) All Tattoo Establishments shall provide an adequate, conveniently located toilet facility for clients and employees which complies with all applicable statutes, ordinances and regulations. Sewage shall be disposed of in a public sewer system or, in the absence thereof, in a manner approved by the Director of Health.
- (b) Toilet fixtures shall be sanitary and easily cleanable.
- (c) Toilet facilities including rooms and fixtures shall be kept in a clean condition and in good repair.
- (d) Liquid hand soap, toilet paper and single use, disposable towels or an automatic touchless hand dryer shall be provided at each handwash sink in each toilet room.
- (e) The doors for all toilet rooms shall be self-closing.
- (f) Equipment or supplies used for tattoo procedures shall be neither used nor stored in the toilet facilities.

(7) Handwashing

- (a) Each work station in the Tattoo Establishment shall have a handwashing sink in close proximity with hot and cold potable running water for the exclusive use of the Tattoo Technician for the purpose of washing his or her hands and prepping clients.
- (b) At each handwashing sink liquid hand soap and single use, disposable towels or an automatic touchless hand dryer shall be provided at all times. Common towels are prohibited.

(8) Utility Sink

A utility sink shall be provided for proper cleaning of surfaces and equipment.

(9) Mop Sink

A mop sink shall be provided for cleaning the facility except when a Tattoo Establishment has been operating by the same owner and constructed prior to January 1, 2015.

(10) Refuse and Refuse Containers

- (a) All garbage and rubbish shall be kept in leak proof, non-absorbent, easily cleanable, covered containers which must be kept clean.
- (b) Refuse containers inside the establishment shall be operated by a foot pedal.
- (c) All garbage and rubbish shall be disposed of with sufficient frequency and in such manner as to prevent a public health nuisance.
- (d) Infectious wastes shall be disposed of in compliance with the Regulated and Infectious Waste requirements of these regulations.

(11) Regulated and Infectious Waste

- (a) All infectious and regulated waste must be disposed of by means of medical regulated waste containers and licensed medical waste disposal methods.
- (b) All needles and attached equipment shall be disposed of in Sharps containers. The needles shall not be broken prior to disposing in the Sharps container.
- (c) A written plan of disposal for regulated and infectious waste must be submitted to the District for approval prior to issuance of the Tattoo Establishment Certificate of Compliance.
- (d) A record of disposal by a licensed waste hauler of hazardous waste shall be maintained for 2 years.

(12) Pest Control

- (a) Effective measures shall be taken to protect against entrance, or presence, or breeding of pests or rodents inside the Tattoo Establishment.
- (b) All openings into the outer air shall be effectively screened to prevent the entrance of flies.

(13) Toxic Items

Only poisonous and toxic materials that are required to maintain sanitary conditions and utilized in sterilization may be stored in the Tattoo Establishment. These materials shall be labeled and stored in such a manner as to not constitute a hazard to clients, employees or equipment.

(14) Miscellaneous Items

- (a) Only articles deemed necessary for the routine operation and maintenance of the Tattoo Establishment shall be permitted in the Tattoo Establishment.
- (b) No live animals shall be kept or allowed in the Tattoo Establishment except guide dogs that accompany physically disabled person(s) may be permitted.
- (c) Adequate facilities shall be provided for the storage of employees' clothing and personal belongings. This storage shall not be located in the work areas.

Section IX Tattoo Procedures

(1) Tattoo Technician Responsibilities

- (a) A tattoo technician shall ensure that a customer record is completed for each customer.
- (b) Prior to or after performing tattooing on a customer, a tattoo technician shall provide information on aftercare to the customer, both verbally and in writing.
- (c) Prior to tattooing, and as often thereafter as may be necessary, the Tattoo Technician shall wash his or her hands and any exposed areas of the arms by lathering with hand soap for at least twenty (20) seconds, rinsing under hot water and then drying with a single use disposable towel or an automatic touchless hand dryer.
- (d) Disposable, single use, examination gloves shall be worn for any procedure involving contact with the client's skin, hair and other body tissue. The gloves shall be changed whenever necessary to prevent contamination.
- (e) The Tattoo Technician shall keep his or her fingernails clean.
- (f) Jewelry that will interfere with the ability to wear correct size and threatens the integrity of the gloves shall not be worn by the tattoo technician.
- (g) Outer garments worn by the Tattoo Technician shall be clean.
- (h) Eating and drinking, except for the purpose of administering first aid, and smoking are prohibited in areas where tattooing is performed or where instruments and supplies are cleaned and stored.

(2) Sterilization

- (a) In every Tattoo Establishment a steam sterilizer (autoclave) which meets the requirements of the United States Food and Drug Administration shall be provided. Chemical sterilizers or alternate methods of sterilization may be used upon prior approval from the District.
- (b) In every Tattoo Establishment an ultrasonic cleaner that is resistant to chemical spills and cracking, constructed of stainless steel and capable of uniform cleaning of equipment is required.
- (c) All equipment to be sterilized shall be cleaned in the ultrasonic cleaner according to the manufacturer's recommendations, then packaged in individual peel packs, arranged in the autoclave in accordance with the manufacturer's recommendations and then sterilized for twenty (20) minutes at fifteen point nine (15.9) minimum pounds pressure at a minimum temperature of two hundred fifty (250) degrees Fahrenheit. A temperature sensitive autoclave tape shall be included in every load that is placed in the autoclave. This tape shall indicate that the requirements of this section have been attained before use of the equipment sterilized.
- (d) A test using a biological monitoring system that is processed through a licensed laboratory shall be conducted monthly to insure the sterility of the autoclave. The District must be notified within forty-eight (48) hours of receipt of test that indicates non-sterile conditions.
- (e) After sterilization, all packages containing sterilized needles shall be stored in a sanitary manner.
- (f) Packages shall be dated with the month, day and year of sterilization. Sterilized equipment shall be used within eight (8) months of the sterilization date.
- (g) All equipment shall remain in the sterilized packages until the time of the tattoo. These packages shall be opened in front of the client to be tattooed. When opening the package and assembling the equipment, the Tattoo Technician shall wear gloves that meet the requirements of these regulations.
- (h) All needles and equipment shall be stored and handled in a way that will prevent contamination.
- (i) Only sterile ink shall be used for tattooing. In the event of mixing or diluting, sterile water shall be used.

(3) After Care of Tattoo

- (a) Each client shall be provided with written instructions for the after care of the tattoo procedure and the Tattoo Technician verbally shall review the provisions of the instructions with the client before dismissal.

SECTION X Penalties

(1) Revocation

- (a) The Director of Health may revoke the Tattoo Establishment Certificate of Compliance for serious or repeated violations of the provisions of this code including, but not limited to, critical violations as described in section I (3). Written notice of intent to revoke the Tattoo Establishment Certificate of Compliance, setting forth the violation(s), shall be delivered to the Certificate of Compliance Holder at his/her establishment ten (10) days prior to such revocation. The Certificate of Compliance Holder may file a request for a hearing with the Director of Health within two (2) business days of receiving notice of intent to revoke the Certificate of Compliance. If no request for a hearing is filed within two (2) business days the revocation of the Certificate of Compliance becomes final. A Certificate of Compliance may be suspended for cause pending its revocation or a hearing relative hereto.
- (b) The Director of Health may suspend the Tattoo Establishment Certificate of Compliance or Temporary Tattoo Establishment Certificate of Compliance if the business or Tattoo Artist has made any material misrepresentation to the District, does not meet or no longer meets, or has a history of non-compliance with the requirements of the applicable sections of this document or of the Connecticut Public Health Code. The Certificate of Compliance holder or operator shall be notified in writing that the Certificate of Compliance is, upon service of the notice, immediately suspended, and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the Director of Health by the Certificate of Compliance holder within two (2) business days following the service of such notice
- (c) Hearings provided for by this regulation shall be conducted by the Director of Health at a time and place designated by the Director. Hearings will be conducted within five (5) days of receipt of a request for same. A written report of the hearing decision shall be furnished to the Certificate of Compliance holder by the Director of Health.
- (d) A suspended license will be reinstated when an inspection made by the District reveals that the conditions causing suspension of the Certificate of Compliance have been corrected. The inspection will be conducted within ten (10) days of a written request for Certificate of Compliance reinstatement indicating how each of the conditions, which caused the suspension, have been corrected and shall be signed by the Certificate of Compliance holder.

SECTION XI Unconstitutionality Clause

Should any section, paragraph, sentence, clause or phrase of this regulation be declared unconstitutional or invalid for any reason, the remainder of said regulation shall not be affected thereby.

SECTION XII Conflict of Regulations

In any case where a provision of this regulation is found to be in conflict with a regulation of the State Department of Public Health or any other state law or regulation, on the effective date of this regulation, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

SECTION XIII Effective Date

This regulation shall become effective January 1, 2015