

Chapter 1

State Sanitary Code

Subpart 7-3

Campgrounds

(Statutory authority: Public Health Law, §225)

Effective March 7, 2001

Pursuant to the authority vested in the Commissioner of Health by section 225 of the Public Health Law, a new Subpart 7-3 of Part 7 of the Official Compilation of Codes, Rules and Regulations for the State of New York is hereby added to be effective upon publication of a Notice of Adoption in the State Register to read as follows:

Subpart 7-3 Campgrounds

(Statutory Authority: Public Health Law, section 225)

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7-3.1 **Definitions.** For purpose of this Subpart, the following terms shall have the following meanings:

- (a) **Adequate.** Sufficient to accomplish the purpose for which something is intended, and to such a degree that no unreasonable risk to health or safety is presented. An item installed, maintained, designed and assembled, an activity conducted, or act performed, in accordance with generally accepted standards, principles or practices applicable to a particular trade, business, occupation or profession, is adequate within the meaning of this Subpart.
- (b) **Campground.** Any parcel or tract of land including buildings or other structures, under the control of any person, where five or more campsites are available for temporary or seasonal overnight occupancy.
- (c) **Camping cabin.** A hard sided tent or shelter less than 400 square feet in area which is on skids or otherwise designed to be readily moveable and which does not have cooking facilities, sinks, showers, laundry or toilet facilities.
- (d) **Camping unit.** A tent, camping cabin, recreational vehicle or other type of portable shelter intended, designed or used for temporary human occupancy.
- (e) **Campsite.** A portion of a campground, with or without connections to water supply, electrical service or sewage systems, used by one camping unit.
- (f) **Permit-issuing official.** The State Health Commissioner, the health commissioner or health officer of a city of 50,000 population or over, the health commissioner or health officer of a county or part-county health district, or the State district director having jurisdiction, or any county or public health director having all the powers and duties prescribed in section 352 of the Public Health Law.
- (g) **Person.** An individual, group of individuals, partnership, corporation, association, political subdivision, state or local governmental agency, municipality, or any other legal entity.

- (h) **Potable water.** Water fit for human consumption, food preparation, lavatory, culinary, bathing or laundry purposes.
- (i) **Recreational vehicle.** A vehicular camping unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on or towed by another vehicle. Recreational vehicles include, but are not limited to, camping trailers, fifth wheel trailers, motor homes, park trailers, travel trailers, and truck campers.
- (j) **Refuse.** All putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, incinerator residue, street cleanup, dead animals, offal and solid commercial waste.
- (k) **Scavenger equipment.** A combination of a portable holding tank, pumping or other waste transfer method, and water tight hose connections, whereby a water tight seal can be made between the sewer connection of a recreational vehicle and a portable holding tank to empty the contents of the recreational vehicle sewage holding tank for transport to an approved sewage disposal system.
- (l) **Seasonal campsite.** A campsite intended to be occupied by the same individual or group for 30 days or more.
- (m) **Self-contained recreational vehicle.** A recreational vehicle equipped with at a minimum a toilet, a holding tank for sewage, a holding tank for drinking water and/or a connection through which the vehicle can be connected to the campground's water supply.

These vehicles may also have electrical connections, showers, or other appliances.

- (n) **Sewage.** Excreta and the waste from a toilet, privy, bath, shower, sink, lavatory, dishwashing or laundry machine, or the water carried waste from any other fixture or equipment or machine.

- (o) **Uniform code.** Chapter 1, Subtitle S, Volume B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York, known as the “State Uniform Fire Prevention and Building Code”.

7-3.2 **Application**

- (a) The requirements of this Subpart shall apply to a campground where five or more campsites are occupied or maintained for occupancy except:
 - (1) those portions of a campground occupied by the owner(s) or operator(s) thereof, or their immediate family;
 - (2) a campground occupied for less than sixty (60) hours in any calendar year.
- (b) The requirements of this Subpart shall not apply to:
 - (1) a children’s camp as defined in Subpart 7-2, of Part 7 of this Title, migrant farm worker housing as defined in Part 15 of this Title, or a mobile home park as defined in Part 17 of this Title; and
 - (2) any other type of operation, occupancy or use of a property determined by the State Commissioner of Health as not being within the intent of regulation by this Subpart.
- (c) The requirements in this Subpart supercede the provisions in Subpart 7-1 for travel vehicle parks and campsite operators.

7-3.3 **Permit for operation, inspections, access**

- (a) Application for permit. Application for a permit shall be made by the operator to the permit-issuing official at least 30 days before operation or the expiration of an existing permit or a change in name, owner or operator.
- (b) An application for a permit may be denied when the applicant has exhibited a history of non-compliance with the requirements of this Subpart or Subpart 7-1; the

campground is found to be a potential source of danger to the general public health and safety or the health and safety of the occupants of the campground; or the campground does not comply with the requirements of this Subpart.

- (c) A permit for a campground shall be issued for a period of not more than three years from the date of issue. A permit shall not be transferable or assignable and shall expire upon a change of the operator of the campground or upon the date specified by the permit-issuing official.
- (d) Revocation, suspension. A permit may be revoked or suspended by the permit-issuing official or the State Commissioner of Health if the campground for which the permit was issued is found to have been maintained, operated or occupied in violation of the Public Health Law, or this chapter or the sanitary code of the health department in which the campground is located or upon abandonment of the operation. Before suspension, or revocation of a permit, the permittee shall be given the opportunity to be heard by the permit-issuing official or his designated officer to contest the revocation or suspension of the permit to operate. A permit may be surrendered by a permittee.
- (e) The permit-issuing official or representative shall be allowed entry at any time for the purposes of inspection to any property operated as a campground as defined by this Subpart.
- (f) A separate permit to operate a temporary residence shall not be required for structures which are available for overnight transient occupancy, and which do not meet the definition of a camping unit.
- (g) A permit issued for the operation of a campground shall be posted in a conspicuous place on the premises.

7-3.4 Operator responsibilities and reporting requirements

- (a) The operator of a campground shall provide an individual to be in charge of the property and to maintain the facilities as required by this Subpart and who shall be on or available to the property at all times when the property is occupied or open for occupancy.

A telephone number or other method for summoning the individual in charge shall be posted in an area readily accessible to the campground occupants.

- (b) The operator shall report the following to the permit-issuing official within 24 hours of occurrence:
 - (1) Injury or illness occurring at a swimming pool or bathing beach as required by section 6-1.7 and/or 6-2.7 of Subparts 6-1 or 6-2 of Part 6 of this Chapter.
 - (2) A condition suspected of affecting the quantity or quality of the on-site potable water supply or constituting a public health hazard as specified by section 5-1.1(ar) of Subpart 5-1 of Part 5 of this Chapter.
 - (3) Illness suspected of being food-borne due to consumption of food from a food service establishment in the campground as required by section 14-1.200 of Subpart 14-1 of Part 14 of this Chapter.

7-3.5 Enforcement

- (a) Permits and placarding:
 - (1) Operation of a campground without a permit is a violation of this Subpart. The permit-issuing official may order any facility operating without a permit to close and remain closed until a valid permit for operation of the facility is obtained.
 - (2) Where a public health hazard as defined in subdivision (b) of this section is found, the portion of the campground constituting the hazard may be placarded

to prohibit use until the hazard is corrected in order to protect the public health or safety of the occupants. When a placard is used, it shall be conspicuously posted at each entrance or walkway leading to the portion of the property where the hazard exists. The placard shall state the authority for its placement and indicate that concealment, mutilation, alteration or removal of it by any person without permission of the permit-issuing official shall constitute a violation of this Chapter and the Public Health Law.

- (3) As soon as possible, and in any event within 15 days after placarding a facility, the operator shall be provided with an opportunity to be heard and present evidence that continued operation of the facility does not constitute a danger to the health or safety of the public. The hearing shall be conducted by the permit-issuing official or designated hearing officer.
- (4) The permit-issuing official or designated representative shall inspect the premises within two working days of notification that the hazard has been eliminated, and remove the placard(s) after verifying correction.

(b) Public health hazards.

- (1) A public health hazard is any condition which could be reasonably expected to be responsible for illness, physical injury or death. Any of the following violations are public health hazards which require the permit-issuing official or designated representative to order immediate correction or to immediately institute action as provided in the law and in this Subpart:
 - (i) the condition of the electric service, wiring or electrical system components is such that an imminent fire or shock hazard exists;
 - (ii) the potable water system serving the campground contains contaminants in excess of the maximum contaminant levels prescribed in applicable sections

of Part 5 of this Chapter or section 7-3.13(b) of this Subpart;

(iii) use of an unapproved water supply source;

(iv) insufficient quantity of water to meet drinking or sanitary demands;

(v) the treatment of the campground water system, when required for disinfection or removal of contaminants, is not continuous;

(vi) disinfection which is inadequate to destroy harmful microorganisms or to maintain a specified chlorine residual;

(vii) the presence of cross connections or other faults in the water distribution or plumbing systems which result, or may result, in the contamination of the potable water supply;

(viii) inadequately treated sewage discharging on the ground surface in an area accessible to campground occupants or which may result in pollution of a ground or surface water supply or bathing beach;

(ix) if food service is provided upon the campground by the operator or a food vendor, the presence of any of the public health hazards defined in section 14-1.10(b) and (c) of Subpart 14-1 of Part 14 of this Chapter;

(x) where pools or beaches are provided, the presence of any of the public health hazards defined in sections 6-1.4(b) of Subpart 6-1 of Part 6 of this Chapter or section 6- 2.4(b) of Subpart 6-2 of Part 6 of this Chapter;

(xi) any other condition determined to be a public health hazard, by the permit-issuing official.

7-3.6 Variance and waivers

- (a) In order to allow time to comply with a provision of this Subpart, an operator may submit a written request to the permit-issuing official for a variance. A request for a variance will not be considered unless the operator demonstrates that the health and safety of the public will not be prejudiced by the variance, and that there are practical difficulties or hardships in immediate compliance with the provision. An operator must meet all terms and conditions of an approved variance.
- (b) In order to obtain a waiver permitting alternative arrangements that do not meet the provisions of this Subpart but do protect the health and safety of the occupants and the public, an operator may submit a written request to the permit-issuing official for a waiver from a specific provision of this Subpart. Such request must demonstrate that the alternate arrangements provide adequate protection of the health and safety of the occupants and public. The permit-issuing official shall obtain and be guided by the recommendation of the State Department of Health prior to granting or denying a waiver. An operator must meet all terms of an approved waiver. A waiver will remain in effect indefinitely unless revoked by the permit-issuing official or the facility changes operators.

7-3.7 Notice of construction, enlargement, development, improvement or conversion required; prior approval.

- (a) No person shall construct or enlarge for occupancy or use a campground or any portion or facility thereof, or develop or improve a property for occupancy and use as a campground, or convert a property for use or occupancy as a campground, without giving notice in writing of intent to do so to the permit-issuing official, at least 30 days before the proposed date of beginning of such construction, enlargement, development, improvement or conversion. The notice shall give the name of the city, village, or town in which the property is located, the location of the property

within that area, a brief description of the proposed construction, enlargement, development, improvement, or conversion, and the name and mailing address of the person giving the notice and his or her telephone number, if any.

- (b) Plans and specifications required by the permit-issuing official shall be submitted to the permit-issuing official. Construction, enlargement, development, improvement or conversion shall not commence until required plans or specifications have been approved by the permit-issuing official.
- (c) All new construction including alterations, enlargements, conversions, campsite modifications or relocation of structures, shall conform with the requirements of this Subpart and the Uniform Code. The operator shall submit, prior to occupancy or use of the new facilities, a Certificate of Occupancy issued by the Local Code Enforcement official, when applicable, and a construction compliance certificate. The construction compliance certificate shall state that the facilities have been constructed in accordance with the approved plans.

7-3.8 Campsite space requirements.

- (a) The minimum area per site, for campsites that existed prior to the effective date of this Subpart, shall be either: 1,500 square feet; or, in compliance with subdivision (b) of this section.
- (b) New campsites constructed and existing campsites modified after the effective date of this Subpart shall be a minimum of 1250 square feet. These campsites shall be large enough to allow at least a five foot clearance between the boundaries of the campsite and the exterior surfaces of the camping unit placed on it as well as any add-on structures or appurtenances attached to it, so as to provide for a 10 foot separation distance between camping units on adjacent campsites.

7-3.9 Fire safety. Structures not meeting the definition of a camping unit which are available for overnight transient occupancy, shall meet the fire safety requirements contained in Subpart 7-1 of Part 7 of this Chapter.

7-3.10 Building maintenance/grounds.

- (a) Containers of flammable or combustible liquids must be stored, handled and dispensed in accordance with appropriate provisions of the Uniform Code.
- (b) A campground shall be located so that adequate surface drainage of campsites is provided during the period of operation.

7-3.11 Food service. Any food service operated by the campground operator or other food vendor shall meet the requirements of Part 14 of this Chapter. If the food service is operated by a food vendor other than the operator of the campground, a permit to operate in accordance with the appropriate Subpart of Part 14 of this Chapter must be obtained.

7-3.12 Swimming pools and bathing beaches. A swimming pool or bathing beach operated as a part of a campground for the use of occupants, guests, invitees or employees shall be constructed, maintained and operated so as to comply with the provisions of Subparts 6-1 or 6-2 of Part 6 of this Chapter as appropriate.

7-3.13 Water supply. Every campground potable water supply meeting the definition of a public water system as defined in Subpart 5-1 of Part 5 of this Title shall, in addition to complying with sections 7-3.13(d)- 7-3.13(l), of this Subpart, comply with the applicable requirements of Subpart 5-1 of Part 5 of this Chapter. All other potable water supplies serving campgrounds not meeting the definition of a public water system shall comply with the following requirements:

(a) Treatment

- (1) Minimum treatment for a ground water source shall be disinfection by chlorination or other disinfection methods acceptable to the permit issuing official unless a waiver for disinfection has been issued based upon a satisfactory history of microbiological water quality and all sources of the water supply are properly located, constructed and effectively protected and maintained.
- (2) Minimum treatment for surface water sources or ground water sources directly influenced by surface water shall be filtration and disinfection techniques, approved by the permit issuing official, capable of 99.9 percent removal and/or inactivation of viruses and giardia lamblia cysts.

(b) Maximum contaminant levels (MCL):

Contaminant	MCL
Total Coliform	Any positive sample
Escherichia Coli (E. Coli)	Any positive sample
Nitrate	10 (as Nitrogen) mg/L
Nitrite	1 (as Nitrogen) mg/L
Total Nitrate and Nitrite	10 (as Nitrogen) mg/L

(c) Monitoring requirements. Samples shall be collected from the water system(s) for analysis as follows:

- (1) At least one sample collected for microbiological analysis from each system prior to opening for the operating season and at least one additional sample collected from each system during the operating season. For those campgrounds operating more than 90 days in a calendar year microbiological samples shall be collected for each quarter the campground is in operation.

- (2) A sample shall be collected for nitrate and nitrite analysis for new water sources.
- (3) Additional monitoring may be required when determined by the permit-issuing official to be necessary to evaluate water quality.
- (d) Submission of plans; prior approval. A plan for proposed new or modified potable water supply systems shall be submitted to the permit-issuing official at least 30 days prior to beginning construction. No construction of new or modified potable water supply systems shall commence until plans and specifications have been submitted to and approved by the permit-issuing official. Construction shall be in accordance with the approved plans.
- (e) Minimum standards.
- (1) Potable water shall be adequate in quantity and quality and shall be readily available to occupants of the campground. Only potable water shall be easily accessible.
- An adequate supply shall mean at least 55 gallons per day per campsite which includes water use for toilets, hand washing, showers and individual campsite food preparation and clean-up. Additional available capacity for food services, bathing facilities, laundry and demand created by day use of these facilities shall be provided.
- (2) Structures available for overnight occupancy other than those meeting the definition of a camping unit, shall be supplied with at least 150 gallons of water per unit per day.
- (f) Source protection. All potable water sources and distribution systems shall be designed, located, constructed and maintained to provide protection against contamination or pollution. All pumps, piping fixtures and appurtenances shall be adequately installed and maintained to protect against contamination of any water source.

- (g) Connections prohibited. There shall be no physical connection between the potable water supply and any non potable water supply. Any fixture, installation or equipment which is subject to back-siphonage shall be adequately installed and maintained to protect against contamination of the water source(s)
- (h) A minimum pressure of 20 pounds per square inch, at peak demand, shall be maintained in all parts of the campground distribution system.
- (i) Report on water treatment. When a water treatment process is required to maintain adequate water quality, accurate and complete reports on the operation of the treatment system shall be maintained daily and submitted at least monthly, within 10 days of the end of each month, during periods of operation to the permit-issuing official on a form supplied for this purpose.
- (j) Interruptions, changes in sources or treatments. Any incident or condition which effects the quantity or quality of the on-site potable water supply shall be reported to the permit-issuing official within 24 hours of occurrence. There shall be no changes made to the source, or method of treatment of a potable water supply, either temporary or permanent, without first receiving approval from the permit-issuing official. An adequate supply of potable water must be provided and maintained during all times of operation.
- (k) An adequate supply of potable water shall be provided within 250 feet of all campsites. One water spigot with a soakage pit or other disposal facilities shall be provided for each 10 campsites not provided with individual spigots on the campsites.
- (l) A common drinking utensil shall not be provided. Drinking fountains shall be of adequate sanitary design and construction.

7-3.14 Sewage treatment. Facilities shall be provided and maintained for the satisfactory treatment or scavenging and disposal of sewage. In addition, such facilities shall meet the following requirements:

- (a) Submission of plans. A plan for proposed new or modified sewage treatment facilities or scavenging systems shall be submitted to the permit-issuing official at least 30 days prior to beginning construction.
- (b) Plan approval and construction. A permit or written approval for the sewage system plan(s) shall be obtained from the permit-issuing official and/or the New York State Department of Environmental Conservation . No construction of new or modified sewage treatment facilities shall be commenced until such permit or written approval has been received by the permittee. Construction shall be in accordance with the approved plans.
- (c) The presence of inadequately treated sewage on the surface of the ground is prohibited.
- (d) Privies shall be so located, constructed and maintained that they will not pollute a water supply, surface water, adjacent ground surface, or permit access of flies or rodents to the privy vault. Privy vault contents shall be emptied and/or adequately treated.
- (e) At least one sanitary dumping station for each 100 campsites or less must be provided. Sites provided with individual sewer connections shall not be counted when determining the required number of sanitary dumping stations. Sanitary dumping stations shall not be required at campgrounds for tent or camping cabin use only.
- (f) Seasonal campsites. Seasonal campsites constructed after the effective date of this Subpart, intended for use by self-contained recreational vehicles shall be provided with either: (1) a sewer inlet connection, or; (2) an acceptable operator run scavenger service for routine collection of sewage from each recreational vehicle. Information regarding the scavenger equipment and collection schedule

shall be submitted to the permit-issuing official for review and approval.

7-3.15 Toilets, lavatories and utility sinks.

- (a) General requirements. Toilet facilities shall be provided. These facilities shall be constructed of cleanable materials, and maintained in a sanitary condition and in good repair.
- (b) A minimum of four toilets, two per sex, shall be provided at all campgrounds.

Additional toilets shall be provided as follows:

- (1) Campsites without individual sewer connections. One toilet per sex for each additional 25 campsites or fraction thereof, after the first 25 campsites, located within 500 feet of each campsite.
- (2) Campsites with individual sewer connections. One toilet per sex for each additional 75 campsites after the first 25 campsites, located within 500 feet of each campsite.
- (3) Urinals may be substituted for up to one-third of the required toilets in the male facilities for campgrounds constructed or enlarged after the effective date of this Subpart.

For campgrounds operating prior to the effective date of this Subpart, one-half of the required toilets for males may be urinals.

- (c) For every two toilets, one handwash facility shall be provided. Handwash facilities shall be located in close proximity to the toilets.
- (d) Utility sinks for disposal of dishwater shall be provided and conveniently located.

7-3.16 Showers.

- (a) If showers are provided, they shall be constructed of cleanable materials and maintained in a sanitary condition and good repair and provided with hot and cold running water.
- (b) Hot water shall mean water heated or tempered to provide a temperature of 90° to 110° degrees Fahrenheit at the point of use.

7-3.17 Electrical.

- (a) Installation of electrical service, wiring, and fixtures shall conform to the Uniform Code. A certificate of approval provided by a qualified electrical inspector shall be submitted for all new electrical work.
- (b) The electrical service, wiring and fixtures shall be in good repair and safe condition. Where conditions indicate a need for inspection, the electrical service and wiring shall be inspected by a qualified electrical inspector, and a copy of the inspection report and certificate of approval shall be submitted to the permit-issuing official.

7-3.18 Insect, rodent, and weed control.

- (a) Grounds, buildings and structures shall be maintained in such a manner as to control insect and rodent infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the permit-issuing official or other agency having jurisdiction.
- (b) The growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds shall be controlled to minimize contact by campground occupants.

7-3.19 Refuse storage.

- (a) Adequate facilities shall be provided and maintained for the temporary storage and handling of refuse to prevent nuisance conditions, insect and rodent infestations, and pollution of air and water.

