

Notice of Proposed Rule

DEPARTMENT OF HEALTH
Division of Environmental Health

RULE NO: RULE TITLE

[64E-15.002](#): Sites - Mobile Home, Lodging, and Recreational Vehicle Parks[64E-15.003](#): Water Supply[64E-15.004](#): Sewage Disposal[64E-15.006](#): Plumbing[64E-15.007](#): Garbage and Refuse Disposal[64E-15.009](#): Recreational Camp Standards[64E-15.010](#): Permits and Fees

PURPOSE AND EFFECT: Develop rules to clarify language; bring incorporated references current; incorporate necessary modifications to avert waterborne pathogen transmission; and remove certain language to eliminate the need for variances being filed by the regulated community. The effect will be to provide a greater usability for the regulated community and the department.

SUMMARY: The proposed rule incorporates changes suggested by the Office of General Counsel. The proposals address rules and/or rule titles, codes and referenced standards; waterborne pathogen transmission; setbacks in RV parks; and a grammatical error.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will have an impact on small business. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: [381.006](#), [513.05 FS](#).

LAW IMPLEMENTED: [381.006\(1\)](#), (4), (6), (7), (14), [381.0072](#), [386.041](#), [403.862\(1\)\(f\)](#), [513.012](#), [513.03](#), [513.05](#), [513.08](#), [553.73 FS](#).

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: July 31, 2009, 9:00 a.m.

PLACE: 4042 Bald Cypress Way, Room 225Q, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 hours before the workshop/meeting by contacting: Shirley Kugler, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David B. Wolfe, HSEC, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399-1710

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-15.002 Sites – Mobile Home, Lodging, and Recreational Vehicle Parks.

(1) through (2) No change.

(3) Recreational Vehicle Parks. The minimum size and location of each recreational vehicle space constructed or developed after the effective date of this rule shall be as follows:

(a) Each recreational vehicle space shall contain a minimum of 1200 square feet.

(b) The density shall not exceed 25 recreational vehicle units per acre of gross site.

(c) Each tent space shall contain a minimum of 500 square feet.

~~(d) All recreational vehicle units or accessory buildings shall be parked or located 25 feet from any public street or highway right-of-way.~~

~~(d)(e)~~ Each recreational vehicle space shall be clearly identified.

Rulemaking Specific Authority [381.006](#), ~~[381.011\(13\)](#)~~, [513.05 FS](#). Law Implemented [513.012](#), [513.05 FS](#). History–New 5-20-96, Formerly 10D-26.110, Amended _____.

64E-15.003 Water Supply.

(1) The water supply for each Mobile Home Park, Lodging Park, Recreational Vehicle Park, or Recreational Camp, shall comply with the provisions of Chapter 64E-8, F.A.C., Drinking Water Systems; or Chapter 62-550, F.A.C., Drinking Water Standards, Monitoring and Reporting ~~Permitting and Construction of Public Water Systems, 40 CFR 141, Subpart I – Control of Lead and Copper, Edition of July, 2000, which is incorporated herein by reference and available free on the internet at <http://ecfr.gpoaccess.gov>, 40 CFR 141 Subpart L – Disinfection and Residuals, Disinfection Byproducts and Disinfection Byproduct Precursors, Edition of July 1, 2003, which is incorporated herein by reference and available free on the internet at <http://ecfr.gpoaccess.gov>, 40 CFR 141 Subpart O – Consumer Confidence reports, Edition of July 1, 2004, which is incorporated herein by reference and available free on the internet at <http://ecfr.gpoaccess.gov>, Chapter 62-551, F.A.C., Control of Lead and Copper, Chapter 62-555, F.A.C., Permitting, Construction, Operation, and Maintenance of Public Water Systems~~ Drinking Water Standards, Monitoring and Reporting, and Chapter 62-560, F.A.C., Requirements for Public Water Systems That Are Out of Compliance. The system for each park shall be designed for the maximum water demand.

(2) No change.

(3) Every building in a recreational vehicle park which provides personal hygiene or cooking facilities shall be connected to an approved, potable water supply which meets the minimum requirements of subsection (1) above. Recreational vehicle parks shall also comply with the following additional requirements:

(a) In recreational vehicle parks, where each space is served by a water supply service connection, the connection shall be protected against the hazards of backflow and back-siphonage.

(b) All recreational vehicle parks shall provide at least one easily accessible, backflow and back-siphonage protected potable water supply station with a water supply outlet for filling vehicle storage tanks. Recreational vehicle parks constructed after the effective date of this rule shall provide a potable water supply station for each 100 spaces, or fraction thereof, that do not have water hookups at the site. Recreational vehicle parks constructed after the effective date of this rule shall provide a potable water supply station for each 250 spaces, or fraction thereof, when more than 50 percent of the spaces have water and sewer hookups.

(c) Non-potable water accessibility shall not be co-located with potable water access points (hydrants, taps, or hose bibbs). Non-potable water access shall be designated and secured to prevent use as a potable water supply. Residents and guests shall be informed how to identify any non-potable water accessibility points within a park or camp.

Rulemaking Specific Authority 381.006, ~~381.011(13)~~, 513.05 FS. Law Implemented 381.006(1), 386.041, 403.862(1)f, 513.012, ~~513.12~~, 513.05 FS. History–New 5-20-96, Formerly 10D-26.120, Amended _____.

64E-15.004 Sewage Disposal.

(1) A safe method of sewage collection, disposal, or treatment and disposal shall be provided at each park or camp and shall be in compliance with either Chapter 64E-6, Standards for ~~Individual~~ Onsite Sewage Treatment and Disposal Systems, or Chapter 62-600, F.A.C., Domestic Wastewater Facilities ~~Treatment Requirements~~. Transportable wastewater containers and cassette-type toilets may be used under the following conditions:

(2) through (7) No change.

Rulemaking Specific Authority 381.006, ~~381.011~~, 513.05 FS. Law Implemented 381.006(7), (14), 381.0065, 386.041, 513.05, 513.08 FS. History–New 5-20-96, Formerly 10D-26.130, Amended 1-6-03, _____.

64E-15.006 Plumbing.

Plumbing shall be in compliance with the applicable plumbing requirements of the 2007 edition of the Florida Building Code, herein incorporated by reference and available free on the internet at http://www2.iccsafe.org/states/florida_codes/ ~~provisions of the State Building Code, as adopted in Rule 9B-3.047, F.A.C.~~

Rulemaking Specific Authority 381.006, ~~381.011~~, 513.05 FS. Law Implemented 381.006(6), (14), 386.041, 513.05, 513.08, 553.73 FS. History–New 5-20-96, Formerly 10D-26.150, Amended _____.

64E-15.007 Garbage and Refuse Disposal.

(1) through (2) No change.

(3) All garbage shall be collected twice weekly or in accordance with the frequency of the collection jurisdiction and transported in covered vehicles or covered containers. Burning of refuse in the park or camp is prohibited, except in incinerators for which the design and location has been approved by the Department of Environmental Protection. Refuse shall be transported and disposed of in accordance with provisions of Chapter 62-701, F.A.C., Solid Waste Management Facilities.

Rulemaking Specific Authority 381.006, ~~381.011~~, 513.05 FS. Law Implemented 381.006(4), (14), 386.041, ~~513.012~~, 513.05, FS.

History–New 5-20-96, Formerly 10D-26.160, Amended _____.

64E-15.009 Recreational Camp Standards.

(1) through (3) No change.

(4) Electric Wiring-Recreational Camps. Electric wiring shall be installed in accordance with the electrical requirements provisions of the 2008 version local electrical ordinance or if no such ordinance exists, in accordance with the provisions of the latest edition of the National Electrical Code which is incorporated herein by reference and available online from the National Fire Protection Association at www.NFPA.org.

(5) through (8) No change.

Rulemaking Specific Authority 381.006, ~~381.0011~~, 513.05 FS. Law Implemented 381.006(6), (14), 381.0072, 513.05 FS.

History–New 5-20-96, Formerly 10D-26.180, Amended _____.

64E-15.010 Permits and Fees.

(1) through (3) No change.

(4) Enforcement. Supplemental to other enforcement remedies, citations for violation of applicable rules shall be issued on DH Form 3159, Citation for Violation, Mobile Home, Recreational Vehicle, and Lodging Park and Recreational Camps Program, which is incorporated herein by reference and furnished by the department through the county health departments.

Rulemaking Specific Authority ~~381.0011(13)~~, 381.006, 381.0084, 513.05 FS. Law Implemented 381.006(14), 381.0061, 381.008-.00895, 386.03, ~~512.065~~, 513.012, 513.02, 513.03, 513.045, 513.065 ~~513.05~~ FS. History–New 5-20-96, Formerly 10D-26.190, Amended 6-23-98, 1-6-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David B. Wolfe (850)245-4277

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D., M.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 24, 2009