

**The Oregon Administrative Rules contain OARs filed through July 15,  
2005**

**DEPARTMENT OF HUMAN SERVICES, PUBLIC HEALTH**

**DIVISION 31**

**CONSTRUCTION, OPERATION, AND MAINTENANCE OF RECREATION  
PARKS 2**

**333-031-0001**

**Adoption by Reference**

Outside standards, listings and publications referred to in these rules are by reference made a part of these rules.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85

**333-031-0002**

**Definitions**

As used in these rules 333-031-0002 to 333-031-0085, unless otherwise required by context:

- (1) "Administrator" means the Assistant Director for Health.
- (2) "Approval or Approved" means approved in writing.

- (3) "Camping Space" means an area of ground within a recreation park intended for the accommodation of a recreational vehicle, camping vehicle, tent vehicle, tent or other individual camping unit on a temporary basis.
- (4) "Camping Vehicle" means either a vacation trailer or a self-propelled vehicle or structure equipped with wheels for highway use and which is intended for human occupancy and is being used for vacation and recreational purposes, but not for residential purposes, and is equipped with plumbing, sink or toilet.
- (5) "Campground" provides facilities and space for tents, tent vehicles, camping vehicles, or recreational vehicles.
- (6) "Division" means Health Services of the Department of Human Services.
- (7) "Hostel" means an establishment having beds rented or kept for rent on a daily or weekly basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed or maintained under the sponsorship of a non-profit organization which holds a valid exemption from federal income taxes under 26 USC Sec. 501.
- (8) "Organizational Camp" includes any area designated by the person establishing, operating, managing or maintaining the same for recreational use by groups or organizations which include but are not limited to youth camps, scout camps, summer camps, day camps, nature camps, survival camps, athletic camps, camps which are operated and maintained under the guidance, supervision or auspices of religious, public and private educational systems and community service organizations. Organizational camps are distinguished from recreation parks by the existence of organized group activities comprising the majority of activities by all participants rather than individual and family recreation.
- (9) "Overnight Camping" means the activity of using a camping space for overnight accommodation.
- (10) "Permanently affixed thereto" as used in these rules includes but is not limited to affixation as evidenced by: permanent water, sewer, and electrical connections; wheels removed; permanent foundations; or towing assembly removed.
- (11) "Picnic Park" means any recreation park which is for day use only and provides no recreation vehicle or overnight camping spaces.
- (12) "Recreation Park" means any area designated by the person establishing, operating, managing or maintaining the same for picnicking or overnight camping by the general public or any segment of the public. "Recreation park" includes but is not limited to area open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership and further includes, but is not limited to those areas divided into two or more lots, parcels, units or other interests for

purposes of such use. "Recreation park" excludes sites that have units for human occupancy permanently affixed thereto but includes an area that has camping spaces available to be moved onto for transitory use.

(13) "Recreational Vehicle" means a camping vehicle.

(14) "Tent Vehicle" is any camping vehicle intended for overnight occupancy but not equipped with plumbing, sink, or toilet.

(15) "Tourist Facility" means any travelers' accommodation, hostel, picnic park, recreation park and organizational camp.

(16) "Travelers' Accommodation" includes any establishment, which is not a hostel, having rooms, apartments or sleeping facilities rented or kept for rent on a daily or weekly basis to travelers or transients for a charge or fee paid or to be paid for rental or use of facilities.

(17) "Unregulated Small Drinking Water System" means a facility licensed under the authority of these rules that is not regulated under OAR 333-061, Public Water Systems. These systems must comply with the requirements of OAR 333-031-0004.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; HD 18-1987(Temp), f. & ef. 10-22-87; HD 7-1988, f. & cert. ef. 4-18-88; PH 1-2005, f. & cert. ef. 1-14-05

## **General Rules Applicable to All Establishments**

### **333-031-0003**

#### **Purpose**

These rules adopted pursuant to the provisions of [ORS 446.330](#) prescribe the requirements for the construction and operation of recreation parks. They are for the purpose of protecting the health and welfare of persons using these facilities.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85

## **333-031-0004**

### **Water Supply**

(1) Definitions applicable to this rule:

(a) "Maximum Contaminant Level (MCL)" means the maximum allowable level of a contaminant in water for consumption delivered to the users of a system, except in the case of turbidity where the maximum allowable level is measured at the point of entry to the distribution system.

(b) "Quarterly Sampling" means a sample is taken and submitted according to the following schedule: 1st Quarter is from January 1 through March 31, 2nd Quarter is from April 1 through June 30, 3rd Quarter is from July 1 through September 30 and the 4th Quarter is from October 1 through December 31.

(2) Water supply systems serving travelers' accommodations and hostels shall comply with Oregon Administrative Rules for Public Water Systems, OAR 333-061-0005 through 333-061-0095, and must be:

(a) Regulated as a Public Drinking Water System under OAR 333-061; or

(b) Water systems serving travelers' accommodations and hostels that are not regulated under OAR 333-061 as a Public Drinking Water System must meet the requirements in section (3) below.

(3) Unregulated Public Drinking Water Systems:

(a) Plan Review. All new facilities that are not regulated by OAR 333-061 must submit plans to the Department for review prior to construction or major modification of system. Systems regulated prior to January 1, 2003 by OAR 333-061 are not required to re-submit plans.

(b) Surface Water Sources. New facilities with surface water sources not regulated under OAR 333-061 will not be licensable after January 1, 2005. Facilities existing prior to January 1, 2005 in compliance with OAR 333-061-0032 may continue to operate.

(c) Sampling frequency:

(A) For seasonal facilities, a coliform sample must be taken prior to operational period and each quarterly sampling period while open to public. A minimum of two samples will be required for coliform, regardless of length of operation.

(B) For year round facilities:

(i) Coliform: Monthly for surface water. Quarterly for populations under 1000 on ground water.

(ii) Inorganic Samples: One time sampling required for new facilities before beginning operation.

(d) MCL Violations. An item is not considered a violation until confirmed by second sample taken within 24 hours. Four repeat samples must be taken within 24 hours of the original positive sample for a sample result above the maximum contaminant level (MCL).

(A) Total coliform: Report positive total coliform samples to the Department within 24 hours of being notified of the positive sample.

(B) Fecal coliform. Any positive fecal coliform sample must be reported to the Department within 24 hours.

(i) Public notification for this potential acute health risk is required.

(ii) An alternative procedure approved by the Department must be in place before serving public.

(C) Inorganic Samples. One time sampling is required for new facilities. Additional testing is not required for facilities that were previously regulated under OAR 333-061 and have tested prior to January 1, 2003. Inorganics include: antimony, arsenic, asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite, selenium and thallium.

(D) Nitrate: Sample must be submitted for testing annually

(i) Any samples exceeding the MCL for nitrate shall be reported to the Department within at least 24 hours.

(ii) When a test on a sample is reported to exceed the MCL for nitrate, public notification is required. Bottled water must also be provided to public upon request.

(E) The Department may require more frequent monitoring than specified or may require confirmation samples for positive and negative results. It is the responsibility of the operator to correct any problems and get a laboratory test result that is less than the maximum contaminant level.

(e) Sample collection methods.

(A) For the purpose of determining compliance with the MCL and the sampling requirements of these rules, sampling results may be considered only if they have been analyzed by a laboratory certified by the State Drinking Water Program.

(B) Samples submitted to laboratories for analysis shall be clearly identified with the name of the water system, facility license number, sampling date, time, sample location identifying the sample tap, the name of the person collecting the sample and whether it is a routine or a repeat sample.

(i) Routine: These are samples collected from established sampling locations within a water system at specified frequencies to satisfy monitoring requirements as prescribed in this rule. These samples are also used to calculate compliance with maximum contaminant levels for inorganics prescribed in OAR 333-061-0030(Table 1);

(ii) Repeat: These are samples collected as a follow-up to a routine sample that has exceeded a maximum contaminant level.

(iii) Test results: Sample results must be submitted to the Local Public Health Authority by the 10th of the month following the sampling period.

(iv) The Department may take additional samples to determine compliance with applicable requirements of these rules.

(f) Public Notice. All public notification must be posted conspicuously on site and must include:

(A) A description of the violation or situation of concern;

(B) Corrective actions taken to improve water quality;

(C) Any potential adverse health effects;

(D) The population at risk;

(E) The alternative measures in place to provide safe drinking water.

(4) The water distribution system shall be designed, constructed, approved and maintained in compliance with the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division. New water supply distribution systems, or systems remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the **2000 Oregon Plumbing Specialty Code**.

(5) No owner or operator of an establishment covered by these regulations shall supply common drinking cups or vessels.

(6) Where drinking fountains are provided, they shall be of an approved angle jet type with adequate water pressure at all times.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; PH 1-2005, f. & cert. ef. 1-14-05

### **333-031-0005**

#### **Temporary Water Quality Variance**

The Division may grant a temporary variance from requirements of OAR 333-031-0004 by continuing or re-issuing previously issued certificates or licenses where:

- (1) Failure to comply with such rule requirements is due to failure of a community, municipal or public utility water supply system to meet Division requirements;
- (2) The Assistant Director is satisfied that necessary remedial action is ongoing or reasonably imminent in connection with such water supply system; and
- (3) Continuance or re-issuance of the certificate or license is conditioned upon the carrying out of such remedial action and the provision of such other measures by the certificate or license holder which will in the judgment of the Assistant Director afford reasonable interim protection to the public health including, but not limited to, adequate warnings to public and personnel as to the safety of the water delivered to the premises from the distribution system and notice of measures to avoid use or consumption of such water or to render it safe for consumption; adequate warnings as to the need for supervision of children and others needing supervision against use of such water; provision of alternative potable water and adequate notification as to its availability; and measures to avoid the use and the availability of water on the premises.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HD 5-1979(Temp), f. & ef. 6-19-79; HD 6-1979(Temp), f. & ef. 7-5-79; HD 10-1979(Temp), f. & ef. 8-21-79; HD 16-1979(Temp), f. & ef. 11-2-79; HD 17-1979(Temp), f. & ef. 12-20-79; HD 3-1980, f. & ef. 2-28-80

### **333-031-0006**

#### **Sewage and Liquid Waste Disposal**

- (1) Sewage and waste water shall be disposed of into a public sewerage system or in a manner approved by the Department of Environmental Quality, OAR 340-071-0100 to 340-071-0600.
- (2) All sewage collection systems when provided shall be designed, constructed, approved and maintained in compliance with the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division, and, where applicable, the

additional statutes, rules and standards set forth by the Department of Environmental Quality. New sewage collection systems and recreational vehicle waste disposal stations, or systems remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the **2000 Oregon Plumbing Specialty Code**.

(3) No liquid wastes shall be discharged onto the ground or allowed to accumulate on the ground surface.

(4) In lieu of individual sewer connections, at least one kitchen waste water disposal facility shall be provided for the recreation park. A kitchen waste water disposal facility shall:

(a) Discharge into a public sewerage system.

(b) If such a system is not available then liquid wastes shall be disposed of in a manner approved by the Department of Environmental Quality, OAR 340-071-0100 through 340-071-0600.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446

Stats. Implemented:

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; PH 1-2005, f. & cert. ef. 1-14-05

### **333-031-0007**

#### **Solid Waste**

(1) Solid waste shall be disposed of in a manner which complies with the rules of the Department of Environmental Quality, OAR 340-061-0040, 340-061-0045, 340-061-0050 and 340-061-0060, governing solid waste;

(2) Solid waste shall be stored in individual garbage containers, storage bins or storage vehicles. All such containers, bins or vehicles shall:

(a) Have tight-fitting lids, covers or closable tops;

(b) Be durable, rust-resistant, watertight, rodent-proof and readily washable.

(3) The premises of each recreation park shall be kept orderly and free of litter and refuse.

(4) All solid waste shall be collected for disposal at regular intervals so as not to create:

(a) Vector production and sustenance;

(b) Objectionable odors;

(c) Any overflowing of solid waste or other unsanitary conditions.

(5) Solid waste containing putrescible waste shall be collected for disposal at regular intervals not to exceed seven days.

(6) Solid waste shall be transported in a manner which complies with the rules of the Department of Environmental Quality, OAR 340-061-0075(1) and (2).

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85

### **333-031-0008**

#### **Insect and Rodent Control**

(1) Insect and rodent control measures to safeguard public health and to prevent nuisance to the public shall be applied. Developed areas, buildings, and structures shall be maintained free of accumulations of debris.

(2) All floors not constructed of solid concrete or other effective rodent-proof and moisture-proof foundation material shall be built so that the minimum clearance between the bottom of floor joists or bottom of floors without joists and the ground beneath shall be 18 inches and so that the minimum clearance under girders shall be 12 inches. The space underneath shall be kept free from obstructions. This rule shall be applied to structures in recreation parks built after January 25, 1970.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69

### **333-031-0010**

#### **Fire Protection and the Elimination of Accident Factors**

(1) Electrical installations shall comply with the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division. New electrical installations or systems remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the **2002 Oregon Electrical Specialty Code**.

(2) Local building ordinances shall be complied with.

(3) Every gas water heater, and every other gas fired appliance except gas plates and gas ranges, installed or serviced for use in any rental unit, shall be effectively vented as required by the State Fire Marshal.

(4) Liquefied petroleum gas storage tanks shall conform in construction, design, installation, and operation with the rules of the State Fire Marshal.

(5) All boilers and pressure vessels shall be approved and maintained in accordance with the applicable state statutes and rules of the Department of Commerce.

(6) An approved ASME pressure relief valve shall be installed on all hot water tanks.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; PH 1-2005, f. & cert. ef. 1-14-05

### **333-031-0012**

#### **Bath and Toilet Room**

(1) Toilet, handwashing and bathing facilities shall be maintained to meet the following requirements:

(a) Illumination and ventilation shall be provided in accordance with the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division. New Toilet, handwashing, and bathing facilities, or facilities remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the **2004 Oregon Structural Specialty Code** and the **2004 Oregon Mechanical Specialty Code**;

(b) Floors and walls shall be smooth, impervious to water and easily cleanable;

(c) Shower walls, ceilings and/or partitions shall be impervious to water. Where a wall and a floor join, an effective, watertight union shall be maintained;

(d) Bathtub and shower floor areas shall be finished with non-slip, impervious, easily cleaned surfaces and sloped to effectively drain all waste water. Wooden racks or duck boards over shower floors are prohibited;

(e) Where glass bath or shower doors are used, such doors shall be made of safety glass.

(2) All plumbing installations must be designed, constructed, approved and maintained in compliance with the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division. New water supply distribution systems, or systems remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the **2000 Oregon Plumbing Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; PH 1-2005, f. & cert. ef. 1-14-05

### **333-031-0014**

#### **Maintenance Generally**

All floors, interior walls, and ceilings of buildings containing living, sleeping, and eating areas, bath, toilet, and laundry areas and kitchen areas shall be of easily cleanable materials, except as otherwise required by the preceding OAR 333-031-0012, and shall be kept in good repair. Building exteriors shall be of such materials and be so constructed and protected as to prevent entrance or penetration by moisture and weather. However, this shall not preclude the construction of picnic or cooking shelters without walls.

Stat. Auth.: ORS 446

Stats. Implemented:

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 27-1985, f. & ef. 10-28-85

### **333-031-0018**

#### **Supplemental Services and Swimming Pools**

(1) Eating and drinking establishments, commissaries, mobile units, and vending machines operated in conjunction with recreation parks shall be operated in compliance with the Department's Food Sanitation Rules, OAR 333-150-0000 (1/2002).

(2) All swimming pools, spa pools and wading pools located at or operated in a recreation park shall comply with the respective Rules of the Department:

(a) Public Swimming Pools and Wading Pools OAR 333-060-0005 through 333-060-0225; and

(b) Public Spa Pools OAR 333-062-0005 through 333-062-0185.

(3) Ice provided by recreation parks shall comply with OAR 333-150-0000 sections 3-202.16 and 3-303.12.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; HD 27-1994, f. 10-27-94, cert. ef. 12-31-94; PH 1-2005, f. & cert. ef. 1-14-05

### **333-031-0020**

#### **Supervision**

(1) The management shall maintain buildings, grounds, rental units, spaces, and furnishings in good repair and appearance and in clean condition.

(2) Either the owner, an operator, a resident manager, a night clerk, or other such supervisor shall be available on the premises while it is open for use. In lieu thereof, there shall be posted on the premises the name and location of a representative who will be responsible for the operation of the establishment.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69

[ED. NOTE: Administrative Order HB 231 repealed previous rules 333-031-0058, 333-031-0060, and 333-031-0062, filed 12-3-59 as HB 129.]

### **333-031-0059**

#### **Plans**

(1) Prior to construction, enlargement or alteration of any recreation park or picnic park, plan approval and permits shall be obtained from the Department of Commerce, Building Codes Division.

(2) A copy of the approved plans shall be submitted to the Division.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; HD 9-1986, f. & ef. 6-12-86

### **333-031-0060**

#### **All Recreation Parksites**

Condition of soil, groundwater level, drainage, and topography shall be considered in the design of the park and in the selection of the type and location of water supply and sewage disposal systems so that a health hazard is not created.

Stat. Auth.: [ORS 466](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69

### **333-031-0061**

#### **Establishing Compliance with Statewide Planning Goals and Compatibility with Acknowledged Comprehensive Plans and Land Use Regulations Prior to Approval of Construction, Enlargement, or Alteration Plans for Recreation Parks and Organizational Camps**

(1) No approval of construction, enlargement, or alteration plans will be given unless the applicant for approval submits to the Division a written determination supported by written findings as required in [ORS 215.416\(6\)](#) or [227.173\(2\)](#) from the unit of local government having comprehensive planning authority over the proposed construction, enlargement, or alteration site, that the proposed project is compatible with the Land Conservation and Development Commission acknowledged comprehensive plan, as defined in [OAR 660-031-0010\(1\)](#), or where there is no acknowledged local comprehensive plan, or in those instances described in [OAR 660-031-0020\(3\)](#), that the proposed project is in compliance with the Land Conservation and Development Commission's statewide planning goals under ORS Chapter 197. Findings for an activity or use addressed by the acknowledged comprehensive plan in accordance with [OAR 660-031-0020](#), may simply reference the specific plan policies, criteria, or standards which were relied upon in rendering the decision and state why the decision is justified based on the plan polices, criteria or standards. The determination shall be on a form supplied by the Division accompanied by attachments as necessary.

(2) Where more than one unit of local government as comprehensive planning authority over the site of the proposed construction, enlargement or alteration, written determinations statements from each of these jurisdictions (e.g., city, county and regional planning jurisdictions) must be submitted to the Division.

(3) "Acknowledged Comprehensive Plan" as used in this rule has the meaning given in [OAR 660-031-0010\(1\)](#).

Stat. Auth.: [ORS 183](#), [ORS 197](#), [ORS 446](#) & [ORS 448](#)

Stats. Implemented:

Hist.: HD 5-1983(Temp), f. & ef. 5-17-83; HD 14-1983, f. & ef. 9-21-83; HD 21-1984, f. & ef. 10-23-84

### **333-031-0062**

## **Special Rules for Overnight Campgrounds**

### Camping Spaces:

- (1) Each camping space shall be identified by letter, number or name;
- (2) Each camping space shall be large enough to accommodate the parked camping vehicle, tent vehicle or tent as the case may be and to maintain at least ten feet separation from any other camping vehicle or tent, ten feet from any building, ten feet from any awning or carport on an adjacent space, ten feet from a boundary line abutting upon a public street or highway, and five feet from any property line;
- (3) Only one camping vehicle, tent vehicle or tent shall be located within a designated camping space and shall be maintained ten feet from any other such vehicle or tent. However, more than one such vehicle or tent may locate on a space and each vehicle or tent may be less than ten feet apart if:
  - (a) The owner of each vehicle or tent consents to such an arrangement;
  - (b) The park water and sewage disposal systems are not jeopardized by the additional camping load.
- (4) No owner or operator shall require or encourage the location of more than one camping vehicle, tent vehicle, or tent on any space;
- (5) Camping vehicles, tent vehicles, and tents shall not obstruct any public or private roadway or walkway. Each space shall have access to a park driveway or road.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; HD 17-1986(Temp), f. & ef. 10-24-86; HD 2-1987, f. & ef. 1-21-87

### **333-031-0064**

## **Special Rules for Picnic Parks**

All vehicular traffic shall remain on roadways or parking areas.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 129, f. 12-3-59; HB 231, f. 12-22-69; HD 27-1985, f. & ef. 10-28-85

### **333-031-0066**

## **All Toilets**

(1)(a) Toilets shall be provided in all recreation parks in the following ratios: Number of picnic spaces, camping spaces or car parking spaces -- Number of Toilets: [Table not included. See ED. NOTE.]

(b) The location of toilets shall be indicated by appropriate signs.

(2) If flush toilets are provided, the building containing them shall be constructed in accordance with OAR 333-031-0012 and the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division. New flush toilet facilities, or facilities remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the 2000 Oregon Plumbing Specialty Code.

(3) If pit privies or chemical toilets are provided, they shall be constructed, located, and maintained in accordance with the requirements of the Department of Environmental Quality OAR 340-071-0100 through 340-071-0600.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446

Hist.: HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85; PH 1-2005, f. & cert. ef. 1-14-05

### **333-031-0068**

#### **Picnic Tables and Firepits**

(1) Picnic table tops shall have a smooth, weather resistant finish.

(2) Fireplaces, fire pits, or cooking facilities shall be of cleanable construction and designed to permit easy removal of ash and other wastes.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85

### **333-031-0070**

#### **Rallies and Caravans**

(1) Any temporary facilities for accommodating a camping vehicle rally or other groups of camping vehicles assembled for the purpose of traveling together may be exempted by the Administrator from the requirements of these rules for toilets and spacing if the Administrator finds the public health will not be endangered. The period of operation shall be designated by the Administrator.

(2) Prior to using any recreation park, camping vehicle rally groups shall obtain permission from the park owner or operator.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85

### **333-031-0072**

#### **Special Conditions**

The Administrator may exempt any requirements of the rules for toilets, waste water disposals and spacing, to meet special short-term campground needs either arising annually during hunting season or other similar special situations if he finds that public health will not be endangered.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69; HD 7-1985(Temp), f. & ef. 4-30-85; HD 27-1985, f. & ef. 10-28-85

### **333-031-0074**

#### **Rules for Recreation Park Patrons**

(1) Patrons shall dispose of all sewage and waste water in the facilities provided by the park owner or operator. No sewage or waste water shall be discharged onto the ground or allowed to accumulate on the ground surface.

(2) Patrons shall dispose of their solid waste in the containers provided for this purpose.

(3) Only one camping vehicle, tent vehicle or tent is permitted in a camping space and a distance of at least ten feet must be maintained from any other such vehicle or tent. However, more than one such vehicle or tent may occupy a camping space and a spacing

of less than ten feet is permitted provided the owner of each vehicle and the park owner or operator agree.

(4) No person shall permit his camping vehicle, tent vehicle, or tent to obstruct any public or private roadway or walkway. All vehicular traffic within picnic areas shall remain on the roadways or parking areas.

(5) Camping vehicle rally groups or other groups of camping vehicle owners assembled for the purpose of traveling together must obtain permission from the park owner or operator before entering any recreation park.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HB 231, f. 12-22-69; HD 17-1986(Temp), f. & ef. 10-24-86; HD 2-1987, f. & ef. 1-21-87

### **333-031-0075**

#### **Fees**

(1) Every applicant for a Recreation Park license shall pay to the Health Division a fee of \$60 plus \$2 for each space from 1-50, \$1.50 for each recreation park space from 51-100, \$1 for each space above 100.

(2) Every applicant for a Picnic Park license shall pay to the Health Division a fee of \$60.

(3) All licenses issued under [ORS 446.310](#) to [446.350](#) terminate and are renewable on December 31 of each year.

Stat. Auth.: [ORS 446.321](#)

Stats. Implemented:

Hist.: HD 4-1980, f. & ef. 3-21-80; HD 18-1983(Temp), f. & ef. 10-18-83; HD 11-1984, f. & ef. 6-20-84; HD 27-1994, f. 10-27-94, cert. ef. 12-31-94

### **333-031-0085**

#### **Variance**

(1) The Division may grant a variance from the requirements of OAR 333-031-0002 through 333-031-0075 as follows:

(a) Where it is demonstrated to the satisfaction of the Division that strict compliance with the rule would be highly burdensome or impractical due to special conditions or cause;

(b) Where the public or private interest in the granting of the variance is found by the Division to clearly outweigh the interest of the application of uniform rules; and

(c) Where such alternative measures are provided which in the opinion of the Division will provide adequate health and safety protection.

(2) Such variance authority is not conferred upon any county notwithstanding delegated or contractual authority in the administration and enforcement of travelers' accommodation and recreation park statutes and rules.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HD 13-1981(Temp), f. & ef. 7-31-81; HD 5-1982, f. & ef. 3-1-82

### **333-031-0090**

#### **Civil Penalties**

In accordance with [ORS 446.348](#), the Assistant Director for Health will use the following schedule to impose civil penalties for violations of rules for recreation parks and picnic parks:

(1) Violations of any requirements stated in any part of OAR 333-031-0004, 333-031-0005, 333-031-0006 and 333-031-0110 are Class I violations subject to a civil penalty in the amount of not less than \$75 nor more than \$1,000 for each and every violation.

(2) Violations of any requirements stated in any part of OAR 333-031-0007, 333-031-0008, 333-031-0012, 333-031-0018, 333-031-0059, and 333-031-0066 are Class II violations subject to a civil penalty in the amount of not less than \$50 nor more than \$750 for each and every violation.

(3) Violations of any of the requirements stated in any part of OAR 333-031-0014, 333-031-0020, 333-031-0060, 333-031-0062, 333-031-0064 and 333-031-0068 are Class III violations subject to a civil penalty in the amount of not less than \$25 nor more than \$350 for each and every violation.

Stat. Auth.: [ORS 446](#)

Stats. Implemented:

Hist.: HD 9-1986, f. & ef. 6-12-86

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[Alphabetical](#) Index by Agency Name

[Numerical](#) Index by OAR Chapter Number

[Search](#) the Text of the OARs

[Questions](#) about Administrative Rules?

[Link](#) to the Oregon Revised Statutes (ORS)

[Return](#) to Oregon State Archives Home Page