

REGULATIONS
AS ADOPTED BY THE
CITY OF CASPER/NATRONA COUNTY
HEALTH DEPARTMENT

BED AND BREAKFAST

AND

RANCH RECREATION

June 2002

City of Casper / Natrona County Public Health
Environmental Health Division
475 S. Spruce
Casper, WY 82601

CHAPTER I

GENERAL PROVISIONS: AUTHORITY; APPLICABILITY; DEFINITIONS; SEVERABILITY

Section 1. Authority. The Casper Natrona County Health Department is authorized to make rules for public health pursuant to W.S. 35-1-303 and empowers the department to enforce sanitary standards for the operation and maintenance of lodging houses, Recreational resorts and eating/drinking establishments pursuant to W.S. 35-1-240 (a) (xv) and (xvi).

Section 2. Applicability.

(a) This rule shall be liberally construed and applied to promote its underlying purpose of protecting the public health.

Section 3. Definitions.

(a) "Approved" means acceptable to the regulatory authority based on conformity within this rule and with the principals, practices, and generally recognized standards that protect public health.

(b) "Bed and Breakfast facility" means a private home which is used to provide temporary accommodations for a charge to the public with not more than four (4) lodging units or not more than a daily average of eight (8) persons per night during any thirty (30) day period and in which no more than two (2) family style meals are provided per twenty four (24) hour period.

(c) "Department" means the Casper/Natrona County Health Department, Casper, Wyoming 82601.

(d) "Family style meals" means a meal prepared in a private home kitchen and served in the same residence around a common table(s). At no time would a menu or a preselected list of foods be available, and all foods not consumed which were of a potentially hazardous nature, would be discarded following the meal.

(e) "Food" means any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.

(g) "Health Officer" means person so appointed by the Casper /Natrona County Board of Health pursuant to W.S. 35-1-305 and his/her officially designated representatives.

(j) "Lodging unit" means a room with one (1) or more beds, bunks or other facilities for sleeping purposes (Note: based on the Fire Departments interpretation on lodging , 200 SF should be provided per/person! This could restrict the 8 total occupancy for B&B's).

(J) "Proprietor/operator" means the person in charge of facility whether as owner, lessee, manager or agent.

(k) "Ranch Recreation facility" means a Ranch /farm facility containing or having under use agreement one hundred sixty (160) acres or more which may for a charge to the public provide activities for not more than a daily average of eight (8) persons in any given thirty (30) day period or may include sleeping facilities in not more than four (4) sleeping units along with accompany meals. Meals and lodging shall be considered an adjunct to the activities which take place on the Ranch and are not available to non-registered guest.

(l) "Seasonal" means those establishments that operate on a continuous basis for six (6) months or less each calendar year.

(m) "Temporary Accommodations" means limited time accommodations intended for travelers or those on vacation and shall not exceed 30 consecutive nights in duration.

(n) "Use agreement" means a written lease, contract or agreement between two (2) or more Ranch/farm proprietors stipulating a defined area in acres that may be used by one (1) or more of the parties named for Ranch Recreation purposes.

(o) "Potable water" means a water supply that complies with the Environmental Protection Agencies National Primary Drinking Water Standards.

Section 4. Severability. If any provisions of these rules or the application thereof to any person is held invalid, the invalidity shall not affect other provisions or application of these rules which can be given effect without the invalid provision or application and to this end, the provision of these rules are severable.

CHAPTER II

PERMITS; APPLICATIONS; INSPECTIONS; GUEST REGISTER

Section 1. Permit. Any person operating a Bed and Breakfast or Ranch Recreation facility in Natrona County shall possess a current and valid permit from the Department. The permit shall be available for public viewing. Permits are not transferable from one proprietor/operator to another or from one location to another. Permits shall be renewed annually from date of issuance.

(a) The following are exempt from these regulations:

(i) Proprietors providing hunting service during a legally set wildlife season;

(ii) Licensed professional guides and outfitters;

Section 2. Applications.

(a) Any person desiring to operate a Bed and Breakfast or Ranch Recreation facility shall make written application for a permit on a form provided by the department.

(b) The signed application for a permit shall include a statement granting consent for 3rd parties having records bearing on information pertinent to public health to share such information / test results with an authorized representative of the Health officer.

Section 3. Inspections.

(a) Following receipt of a completed application the health officer shall cause a formal inspection to be made of the facilities. This inspection shall be made within thirty (30) days of the receipt of the completed application and shall be based on Chapters III, IV, V and VI of these rules.

(b) The regulatory authority shall inspect an establishment once every twelve (12) months. The regulatory authority may increase the interval between inspections during a twelve (12) month period for the enforcement of these rules.

Section 4. Right to Inspect. The health officer shall have the right to make an inspection of any Bed and Breakfast or Ranch Recreation facility during normal business hours to ascertain the health and safety conditions as outlined in these rules.

Section 5. Denial of a Permit.

(a) Before a permit is denied, the Department shall give the applicant written notice of the intended action and the reasons for denial.

(b) If the applicant provides evidence of correction, the health officer shall conduct an inspection. If, upon inspection, the Bed and Breakfast or Ranch Recreation Facility is found to be in compliance, a permit shall be issued.

(c) In case of denial, the applicant has the right to a hearing before the Department. The applicant shall request a hearing within twenty (20) days of receipt of the Departments notice. The Department shall schedule a time and place for the hearing, to be held not later than thirty (30) days from the date of request. A later date may be granted by the Department if the applicant request an extension. In no event shall the hearing be held later than ninety (90) days from the date of the request. The applicant shall be notified of the time and place of the hearing at least seven (7) days before the date of the hearing.

Section 6. Suspension or Revocation of a Permit.

(a) A permit may be suspended or revoked by the Department for non-compliance with these rules.

(b) The Department shall give the operator a written notice indicating the violations of these rules and the action to suspend or revoke the license no less than fifteen (15) days before the suspension or revocation becomes effective, unless otherwise noted.

(c) The suspension or revocation shall become effective on the date specified in the suspension/ revocation order. The order may be suspended if the operator shows compliance with all lawful requirements within this rule.

Section 7. Summary Suspension of a Permit.

(a) A permit may be summarily suspended if the Health Officer determines that a condition exists that is an imminent hazard to the public health.

(b) The Department shall include, within its suspension order, findings to the effect that such an emergency action is imperative.

(c) The operator shall have a right to a post suspension hearing before the Casper/ Natrona County Health Departments Board of Health. The operator shall request a hearing in writing within five (5) days of the suspension. The Department shall hold a hearing if requested, within fifteen (15) days of the suspension.

Section 8. Reinstatement of a Permit.

(a) After suspension or revocation of a permit, any operator may at any time apply in writing to the Department for a reinstatement of the permit. A statement of compliance with the previously violated rules shall accompany the application.

(b) After receipt of the completed application and statement, the health officer shall make an inspection not later than fifteen (15) days after receipt of the application.

(c) The Department shall reinstate the permit if it determines the Bed and Breakfast or Ranch Recreation facility is in compliance these rules.

(d) If the violations have not been satisfactorily corrected, the suspension or revocation of the permit shall be continued. The applicant may not reapply for inspection and reinstatement of the permit for a period of fifteen (15) days.

Section 9. Hearings. All hearings provided for in these rules shall be conducted in accordance with the rules of practice and procedures under the Wyoming Administrative Procedures Act.

Section 10. Report of Inspections.

(a) Whenever an inspection of a Bed and Breakfast or Ranch Recreation facility is made the findings shall be reported on an inspection form and a copy shall be left with the proprietor and all items will be explained.

(b) The completed inspection report form is a public document and the original copy or any copy maintained by the department shall be available for public disclosure to any person who makes a lawful request.

(c) The completed inspection report form shall constitute a notice of violations found and shall specify a period of time in which correction of violations shall be accomplished.

(d) A letter shall be required from the proprietor to the department within the time frame indicated, noting that all items had been corrected. A re-inspection may be conducted by the department verifying that the documented violation have been corrected

(e) Failure to correct items within the given timetable may result in suspension or revocation of the permit in accordance with Section 6 & 7 of this chapter.

Section 11. Guest Register.

(a) Each guest staying at a Bed and Breakfast or Ranch Recreation Facility will provide a current name, address, telephone number and vehicle license number including state of issuance on a permanent guest register.

(b) This guest register shall be retained by the proprietor for a period of three (3) years and will be available for inspection by the department at any reasonable time.

CHAPTER III

WATER; WASTEWATER; ENVIRONMENTAL HAZARDS

Section 1. Water.

(a) Potable water shall be obtained from an approved source that is:

(i) A public water system; or

(ii) A non public water system that is constructed, maintained and operated according to law.

(b) Be adequate to meet the demands of the guest.

(c) If the source is not from a public water system, then bacteriological water samples shall be taken at least quarterly during all periods of operation. A seasonal establishment shall take a bacteriological sample at least twice during the operational period.

Section 2. Wastewater Disposal.

(a) Wastewater treatment and disposal at any Bed and Breakfast or Ranch Recreation facility shall be:

(i) To a municipal system that meets all requirements of the Wyoming Department of Environmental Quality; or

(ii) To a small wastewater system designed and operated on the premise that a construction permit has been obtained from the Wyoming Department of Environmental Quality or from a designated agent of the Wyoming Department of Environmental Quality; or

(iii) Meets general operating standards as certified by the local health department or county authorities as designated by the Wyoming Department of Environmental Quality.

Section 3. Environmental Hazards. All Bed and Breakfast or Ranch Recreation facilities shall provide a safe and secure environment for all guests. This shall be construed that any hazards not in keeping with the context of the operation shall be brought to the attention of the guest by adequate signs, verbal warnings or other methods that would be acceptable to a reasonable and prudent person under similar circumstances.

CHAPTER IV

FOOD SERVICE

Section 1. Source.

(a) All food served or provided for in a Bed and Breakfast or Ranch Recreation facility shall be from an approved source. This shall be construed to mean:

(i) Shall comply with the provisions of the Wyoming Food Service rule as adopted by Casper/Natrona County Health Department latest edition.

(b) Family style meals shall be prepared and served on the premises without benefit of menus or selectivity by the guest.

(c) Potentially hazardous foods once served shall not be returned to the preparation area and re-served at later meals.

(d) Food service provided at Bed and Breakfast and Ranch Recreation facilities shall be for the bona fide guest of said facilities and shall not be available for charge or otherwise to other members of the public that might be present.

(e) Foods may be examined or sampled by the health officer as often as necessary for enforcement of these rules.

Section 2. Hold Order.

(a) The health officer may upon written notice to the proprietor specify the reasons therefore and place a hold order on any food which is believed to be in violation of this chapter.

(i) The health officer shall tag, label or otherwise identify any food subject to this hold order. No food subject to hold order shall be used, served or moved from the establishment. If

Conditions are such within the hold order that safe food storage is not possible without risk to the public health, immediate destruction shall be ordered and accomplished.

(ii) The hold order shall state that a request for hearing may be filled within ten (10) days and if no hearing is requested the food shall be destroyed. If the request for hearing is received, the hearing shall be held within fifteen (15) days after receipt of request.

(iii) On the basis of evidence produced at the hearing, the hold order may be vacated or the owner or the person in charge of the food may be directed by written order to denature or destroy such food or to bring it into compliance with provisions of this rule.

Section 3. Employee Health. When the health office has reasonable cause to suspect possible disease transmission by the proprietor or employee he may secure a morbidity history of the suspected employee, suspected person, or make any other investigation as indicated and shall take appropriate action to reduce or eliminate the cause or spread of any such disease. The health office may require any or all of the following measures:

(a) The immediate exclusion of employee from employment from the Bed and Breakfast or Ranch Recreation Facility.

(b) The immediate closing of the Bed and Breakfast or Ranch Recreation facility.

(c) The restriction of the employee's service to some other area where there would be no danger of transmitting disease.

(d) Adequate medical and laboratory examination of the employee or employees and of respective body discharges.

CHAPTER V

SLEEPING ROOMS; EXITS; LINENS

Section 1. Egress Routes. Exits for Bed and Breakfast or Ranch Recreation facilities shall be clearly delineated and/or marked in such a manner as to provide reasonable access during any emergency situation.

Section 2. Egress Plans. An emergency plan shall be provided in writing and explained to all incoming guest of Bed and Breakfast or Ranch Recreation facilities. This shall include the route of escape during any emergency, the method to open any egress windows or doors that might be used through such escape and to provide general information the guests might need as to relative evacuation procedures.

Section 3. Clean Linens. Clean linens in good repair shall be supplied to each guest who is provided accommodations and shall be changed between guests and/or as often as necessary to maintain cleanliness.

CHAPTER VI

SMOKE DETECTOR; FIRE EXTINGUISHERS; LIQUID PROPANE

Section 1. Smoke Detectors.

(a) In conjunction with the State Fire Marshall and/or local fire authorities in home rule areas, the following minimum fire safety standards shall be in effect:

(i) A smoke detection device in good operating condition shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes.

(ii) All smoke detectors shall be installed in accordance with manufacturer's installation instructions.

(iii) Location within dwelling units. In dwelling units, a detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In dwelling units where the ceiling height of a room open to a hallway serving the bedrooms exceeds that of the hallway by 24 inches (610) or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

(iv) The owner of any Bed and Breakfast or Ranch Recreation facility shall test the smoke detectors at least on a monthly basis and shall maintain a written record of such test.

(b) Every sleeping room shall have at least one operable window or exterior door approved for emergency escape or rescue. The units shall be operable from the inside to provide a full, clear opening without the use of separate tools.

(c) All escape or rescue windows from sleeping rooms shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height dimension shall be twenty four (24) inches. The minimum net clear opening width dimension shall be twenty (20) inches. They shall have a finished sill height of not more than forty four (44) inches above the floor.

(d) All required exit doors shall be openable from the inside without the use of a key or any special knowledge or effort.

Section 2. Fire Extinguishers.

(a) At least a UL approved 1-A 10BC rated fire extinguisher or equivalent shall be provided in or immediately adjacent to all kitchen or food service areas of any Bed and Breakfast or Ranch Recreation facility.

(b) At least a UL approved 1-A 10BC fire extinguisher or equivalent shall also be located on each floor level of any Bed and Breakfast or Ranch Recreation facility in an area that is easily accessible to sleeping quarters.

(c) Fire extinguishers are to be mounted so the top of the extinguisher is not more than five (5) feet from the floor.

Section 3. Liquid Propane. Liquefied petroleum gas burning appliances (L.P.G.) shall not be installed in a pit, basement or similar location where heavier-than-air gas might collect. Appliances so fueled shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.