

Oregon Health Authority

Public Health Division

Oregon Administrative Rules

Chapter 333 - Division 029

Travelers' Accommodation Rules

This information is available in alternate format from the
Oregon Health Authority – Public Health Division
Travelers' Accommodation Regulation Program at (971) 673-0448

You may also obtain the rules from these websites:

<http://public.health.oregon.gov/HEALTHYENVIRONMENTS/RECREATION/POOLSLODGING/Pages/rules.aspx>

http://arcweb.sos.state.or.us/rules/OARs_300/OAR_333/333_029.html

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OREGON HEALTH AUTHORITY, PUBLIC HEALTH DIVISION

DIVISION 29

TRAVELERS' ACCOMMODATION RULES

Purpose 333-029-0005

These rules adopted pursuant to the provisions of [ORS 446.330](#), prescribe the requirements for the construction and operation of travelers' accommodations and hostels. They are for the purpose of protecting the health and welfare of persons using those facilities.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.315 & 446.310 - 446.375

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Adoption by Reference 333-029-0010

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

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 183.355

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 5-1985, f. & ef. 4-25-85

Definitions 333-029-0015

As used in these rules unless otherwise required by context:

- (1) "Administrator" means the Assistant Director for Health of the Department of Human Services.
- (2) "Approval or Approved" means approved in writing.
- (3) "Division" means Health Services of the Department of Human Services.
- (4) "Dormitory" means a room containing beds, cots, or other sleeping places and occupied by unrelated or separate groups and/or other individuals. Every 100 square feet of usable floor space in a dormitory shall constitute a lodging unit.

(5) "Hostel" means any establishment having beds rented or kept for rent on a daily 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 nonprofit organization which holds a valid exemption from federal income taxes under 26 USC Sec. 501.

(6) "Issuing Authority" means the Department of Human Services, Health Services, its delegate, or contract agent.

(7) "Lodging Unit" means one or more self-contained rooms for travelers' occupancy, including those for sleeping, sitting, or cooking purposes, and except where a travelers' accommodation is comprised of a single lodging unit, designated by a number, letter, or other means of identification.

(8) "Person" means individuals, corporations, associations, firms, partnerships, and joint stock companies as well as public entities of any character.

(9) "Tourist Facility" means any traveler's accommodation, hostel, picnic park, recreation park, and organizational camp.

(10) "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.

(11) "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 333-029-0075.

(12) "Usable Floor Space" means all floor space in a lodging unit not occupied by closets, built-ins, toilet rooms, bathrooms, or shower rooms.

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

Stat. Auth.: ORS 446

Stats. Implemented:

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85; PH 1-2005, f. & cert. ef. 1-14-05

Licensure Required 333-029-0020

No person shall operate, manage, or maintain any travelers' accommodation or hostel without first:

(1) Making application for a license;

(2) Paying the license application fee; and

(3) Securing a license from the issuing authority.

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

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.320, 446.321 & 446.323

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Plans Required 333-029-0025

No person may construct, enlarge, or alter any travelers' accommodation or hostel without first:

- (1) Submitting complete plans and specifications of the proposed construction, enlargement, or alteration to the issuing authority; and
- (2) Securing plan approval from the issuing authority.
- (3) Plan review is made by the Oregon Building Codes Division or by jurisdictions exempt under ORS 476.030. Written evidence of plan review, construction permit issuance, and a signed occupancy permit must be presented to the local public health authority before licensing.
- (4) Whenever a food service facility, operating in conjunction with a travelers' accommodation so licensed under these rules, is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service facility, properly prepared plans and specifications for such construction, remodeling or conversion must be submitted to the local public health authority for approval before construction. Plans must be submitted in accordance with Oregon Food Sanitation Rules OAR 333-150-0000 part 8-2.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

333-029-0030 - Deleted 12/23/2009

Supervision 333-029-0035

The operator of a travelers' accommodation or hostel 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 the operator or his representative who shall be responsible for the operation of the facility.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

333-029-0040

General Sanitation

All buildings, other facilities, equipment, fixtures, furnishings and the premises of travelers' accommodations and hostels shall be kept clean, in good repair, and maintained so as to protect the health, safety, and well being of persons using those facilities.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Air Volume, Heat, Light, and Ventilation for Hostels 333-029-0045

(1) Each dormitory must:

- (a) Have a ceiling height of not less than seven feet, six inches; and
- (b) Have not less than 375 cubic feet of air volume and 50 square feet of usable floor area for each occupant.

NOTE: If any room used for sleeping purposes has a sloping ceiling, the prescribed ceiling height is required in only one-half the area thereof. Floor area where the ceiling is less than five feet from the finished floor to the finished ceiling may not be considered usable.

(2) Bed arrangements of dormitories must provide not less than 24 inches clear space between each bed, cot, or bunk. No dormitory may contain more than two tiers of beds. When two tiers are used, there must be at least:

- (a) Three feet of clear vertical space between tiers of beds and between the top tier and ceiling;
- (b) Thirty inches of horizontal space between beds;
- (c) One foot of clear space between the floor of the dormitory and the underside of the first tier of beds. In lieu of such space, the first tier of bunks must have a continuous base that must be sealed to the floor; and
- (d) A minimum aisle width with access to exits must be provided as follows:
 - (A) Thirty-six inch aisle width when serving a tributary occupant load of 30 or less persons;
 - (B) Forty-four inch aisle width when serving a tributary occupant load of more than 30 persons;
 - (C) If more than three beds are placed end to end in a row, there must be an approved aisleway at each end of the row in compliance with paragraph (A) or (B) of this subsection, whichever is appropriate to the occupant load.

(3) Every dormitory, shower, bath and toilet room used during periods requiring artificial heat must be provided with a safe and adequate source of heat by means of air exchange from other room(s) or by mechanical means capable of maintaining room temperature of not less than 68° F. at a level three feet above the floor during the time of occupancy.

(4) All sleeping rooms must be provided with natural light and ventilation by means of windows or skylights with an area of not less than one-tenth of the floor area of such rooms. The minimum area must be 10 square feet:

(a) Not less than one-half of the required window or skylight area may be openable to provide natural ventilation.

(b) In lieu of natural ventilation, a mechanical ventilation system must be provided. Such system must be capable of providing two air changes per hour and one-fifth of the air supply must be taken from the outside.

(c) In lieu of natural lighting, artificial lighting must be provided. Such lighting must be at least 10 foot candles in intensity three feet from the floor surface.

(5) All bathrooms, toilet rooms, laundry rooms, and similar rooms must be provided with natural light and ventilation by means of windows or skylights with an area equal to one-tenth of the floor area of such rooms. The minimum area must be three square feet:

(a) Not less than one-half of the required window or skylight area must be openable to provide natural ventilation. Openable windows must be screened.

(b) In lieu of natural ventilation, a mechanical ventilation system connected directly to the outside must be capable of providing five air changes per hour.

(c) In lieu of natural lighting, artificial lighting must be provided. Such lighting must be at least 10 foot candles in intensity three feet from the floor surface

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330 & 446.430

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 5-1985, f. & ef. 4-25-85

Toilet, Lavatory, and Bath Facilities 333-029-0050

(1) At least one toilet, lavatory, and bath must be provided for each five lodging units or fraction thereof where the individual lodging units are not provided such facilities. The required number of sanitary fixtures must be in accordance with the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division.

(a) Multi-story accommodations constructed after July 1, 1970, must have toilet, lavatory, and bath facilities located on each floor. Toilets, lavatories and bath facilities must be maintained in a clean and sanitary condition.

(b) New toilet, lavatory and bath facilities, or facilities remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the 2008 Oregon Plumbing Specialty Code and the 2007 Oregon Structural Specialty Code.

(2) The location and use of all public toilet and bath facilities must be clearly indicated by appropriate signs.

(3) Toilet, lavatory, and bath facilities for travelers' accommodations and hostels located in private homes must be separate from toilet and bath facilities utilized by the owner or operator of said travelers' accommodations and hostels.

(4) All lavatories, bathtubs, and showers must be provided with hot and cold water except where otherwise specifically exempted by the Division. Hot water must be at least 120° F.

(5) Toilet and bathrooms must:

(a) Have floors which are finished with a material that is smooth, easily cleanable, impervious to water, and coved to a height of four inches;

(b) Have shower compartments with walls which are impervious to water to a height of six feet above the floor. An effective water-tight joint between the wall and the floor must be maintained. (Wooden racks or duck boards over shower floors are prohibited);

(c) Have interior finishes which are smooth, easily cleanable, and impervious to water;

(d) Where rubber or impervious mats are used, have such mats clean and dry between usages;

(e) Have bathtub and shower stall floors that are finished with non-slip, impervious surfaces or provided with non-slip impervious bath mats; and

(f) Where glass bath or glass shower doors are used, have such doors made of safety glass.

(6) Non-water carried sewage disposal may not be used in lieu of water carried sewage disposal unless approved by the issuing authority and the Department of Environmental Quality according to OAR 340-071-0130.

(7) All plumbing installations must be in accordance with the requirements of the Oregon Department of Consumer and Business Services, Building Codes Division, 2008 Oregon Plumbing Specialty Code. New plumbing installations, or systems remodeled, enlarged or converted after the effective date of these rules must meet the requirements of the 2008 Oregon Plumbing Specialty Code.

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

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85; PH 1-2005, f. & cert. ef. 1-14-05

Solid Waste 333-029-0060

- (1) A minimum of one water-tight, non-absorbent and easily washable waste receptacle shall be provided in each lodging unit. Such receptacle shall be kept clean and in good repair.
- (2) Solid waste shall be collected daily from rooms and areas used by guests.
- (3) 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.
- (4) Solid waste shall be stored in either individual garbage containers, bins, or storage vehicles.
- (5) All such containers, bins, or vehicles shall:
 - (a) Have tight fitting lids or covers;
 - (b) Be durable, rust resistant, water-tight, rodent proof, readily washable, and kept in good repair.
- (6) Solid waste shall be collected at regular intervals. Such intervals shall not exceed seven days. Collection frequency shall be such so as not to create:
 - a) Vector production and sustenance;
 - (b) Objectionable odors;
 - (c) Any overflowing of solid waste or other insanitary condition.
- (7) Solid Waste shall be transported in a manner which complies with OAR 340-061-0075(1) and (2).

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330 * 446.340

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 5-1985, f. & ef. 4-25-85

Vector Control 333-029-0065

- (1) Vector control measures shall be employed to prevent vector infestations in travelers' accommodations and hostels.
- (2) 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.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Spa and Swimming Pools 333-029-0070

Any spa or swimming pool located at or operated in connection with a travelers' accommodation or hostel must comply with the respective Oregon State Health Division rules:

- (1) For Public Spa Pools, OAR 333-062-0005 through 333-062-0185; and
- (2) For Public Swimming Pools, OAR 333-060-0005 through 333-060-0515.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 448.005 - 448.095

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Water Supply Systems 333-029-0075

(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 333-06; 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 with 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) All water distribution systems 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) Hot water heaters shall have installed an approved A.S.M.E. pressure relief valve which is accessible for inspection and testing.

(6) Where drinking fountains are provided, they shall be of an 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.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85; PH 1-2005, f. & cert. ef. 1-14-05

Temporary Water Quality Variance 333-029-0076

The Division may grant a temporary variance from requirements of OAR 333-029-0075 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 446.330](#)

Stats. Implemented: ORS 446.330

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; HD 19-1983(Temp), f. & ef. 10-18-83; HD 5-1985, f. & ef. 4-25-85

Sewage Disposal 333-029-0080

- (1) Travelers' accommodations and hostels must provide an adequate and safe sewerage system.
- (2) Sewage and waste water must be disposed of into a public sewerage system in a manner approved by the Department of Environmental Quality.
- (3) All sewerage systems must be designed, constructed, approved and maintained in compliance with the minimum standards set forth in the 2008 Oregon Plumbing Specialty Code and, where applicable, the additional statutes, rules and standards set forth by the Oregon Department of Environmental Quality.

(4) No untreated or partially-treated sewage, liquid waste, or septic tank effluent may be discharged directly or indirectly onto the surface of the ground or into the public waters.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Bedding and Linen 333-029-0090

(1) Conventional mattress covers or pads shall be used for protection of mattresses and shall be kept clean.

(2) All sheets, pillowcases, towels, and washcloths shall be freshly laundered before they are furnished to new guests or occupants of rental units.

(3) All clean linen shall be stored in a clean, dry place.

(4) All soiled laundry shall be handled and stored so as not to contaminate clean laundry.

(5) Containers for transporting or storing clean laundry shall be of impervious materials and shall be smooth and easily cleanable.

(6) All bedding for guest use shall be kept clean and in good repair.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Fire Safety 333-029-0095

(1) Portable fire extinguishers shall be provided in travelers' accommodations and hostels. Such fire extinguishers shall:

(a) Have a minimum rating of 2A:10B:C;

(b) Be located so as to require no more than 75 feet of travel distance to an extinguisher.

(2) Equivalent protection as outlined by **NFPA No. 10** shall be accepted.

(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 units, 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.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85

Chemical and Physical Hazards 333-029-0100

(1) Cleaning equipment and supplies, all insecticides, chemicals, paints, and other toxic substances shall be kept isolated from guests and stored so as to prevent contamination of clothing, toweling, and bedding materials. All applications of chemicals including, but not limited to, cleaners and disinfectants shall be in accordance with the manufacturers' recommendations.

(2) All toxic substances shall be clearly identified and accurately labeled as toxic.

(3) All stairways shall be provided with firmly attached handrails on both sides of the stairway.

(4) Stairways shall be well lighted with at least five foot candles of available light measured three feet from the stair tread.

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

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 5-1985, f. & ef. 4-25-85

Food Services 333-029-0105

(1) Eating and drinking facilities, commissaries, mobile units and vending machine operated in conjunction with traveler's accommodations and hostels shall be operated in compliance with the Department's Food Sanitation Rules OAR 333-150-0000.

(2) All multi-use drinking glasses and cups provided for guests shall be washed, rinsed and sanitized after being used according to OAR 333-150-0000 parts 4-6 and 4-7.

(3) Single service utensils shall be protected from contamination according to OAR 333-150-0000 section 4-904.11.

(4) Ice provided by traveler's accommodations and hostels shall comply with OAR 333-150-0000 sections 3-202.16 and 3-303.12.

Stat. Auth.: ORS 446.321

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-8; HD 27-1994, f. 10-27-94, cert. ef. 12-31-94; OHD 11-2002, f. & cert. ef. 8-7-02; PH 5-2004(Temp), f. & cert. ef. 2-13-04 thru 7-30-04; PH 15-2004, f. & cert. ef. 4-9-04

Lodging Unit Kitchens 333-029-0110

(1) Lodging unit kitchens shall have:

(a) A sink suitable for dishwashing with hot and cold water. Hot water shall be at not less than one hundred forty degrees (140o) F.;

(b) A refrigerator capable of maintaining a temperature of forty-five degrees (45o) F. or less,

(2) Utensil and equipment, if supplied, shall be easily cleanable, kept in good repair, and otherwise comply with OAR 333-150-0000 parts 4-1 and 4-2.

(3) Utensils supplied in lodging units shall be washed, rinsed, and sanitized after each occupancy according to OAR 333-150-0000 parts 4-6 and 4-7, or have a notice stating “For your convenience, dishes and utensils have been washed. If you would like to further sanitize these items, please contact the manager.” The sanitizing agent shall be available in the office.

Stat. Auth.: ORS 446.321

Stats. Implemented: ORS 446.330

Hist.: HD 1-1978, f. & ef. 1-4-78; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85; HD 27-1994, f. 10-27-94, cert. ef. 12-31-94; OHD 11-2002, f. & cert. ef. 8-7-02; PH 5-2004(Temp), f. & cert. ef. 2-13-04 thru 7-30-04; PH 15-2004, f. & cert. ef. 4-9-04

Fees 333-029-0115

License fees are set by local county ordinance. Applicants for a Traveler’s Accommodation or Hostel license will pay the license fee set by the LPHA for that county. If the state becomes the agency issuing the license, the applicant for a Traveler’s Accommodation or Hostel license (OAR 333-029-0005 through 333-029-0110) must pay to the Oregon Public Health Division a fee of \$60.

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

Stats. Implemented:

Hist.: HD 4-1980, f. & ef. 3-21-80; HD 19-1983(Temp), f. & ef. 10-18-83; HD 12-1984, f. & ef. 6-20-84; HD 5-1985, f. & ef. 4-25-85; HD 27-1994, f. 10-27-94, cert. ef. 12-31-94

Variance 333-029-0120

(1) The Division may grant a variance from the requirements of OAR 333-029-0005 through OAR 333-029-0110 (except when in conflict with other Administrative Rules of the Division or other State Agencies) 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 statutes and rules.

Stat. Auth.: [ORS 446.330](#)

Stats. Implemented: ORS 446.330

Hist.: HD 13-1981(Temp), f. & ef. 7-31-81; HD 6-1982, f. & ef. 3-2-82; HD 5-1985, f. & ef. 4-25-85

Civil Penalties 333-029-0130

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 travelers' accommodations and hostels:

(1) Violations of any requirement stated within any part of OAR 333-029-0075, 333-029-0076, 333-029-0080, 333-029-0095, and OAR 333-029-0100 are Class I violations subject to a civil penalty in the amount of not less than \$75 nor more than \$1000 for each and every violation.

(2) Violations of any requirement stated within any part of OAR 333-029-0025, 333-029-0030, 333-029-0050, 333-029-0060, 333-029-0065, 333-029-0105, and OAR 333-029-0110 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 requirement stated within any part of OAR 333-029-0020, 333-029-0035, 333-029-0040, 333-029-0045, 333-029-0070, and OAR 333-029-0090 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 446.330](#)

Stats. Implemented: ORS 446.347 & 446.348

Hist.: HD 5-1985, f. & ef. 4-25-85