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M E M O R A N D U M

TO: Senator Robert Stivers, President of the Senate
Representative David Osborne, Speaker of the House
Members of the Legislative Research Commission

FROM: Senator Stephen West, Co-Chair
Representative David Hale, Co-Chair
Administrative Regulation Review Subcommittee

RE: Report of the Administrative Regulation Review Subcommittee

DATE: June 3, 2020

Members: Senators Julie Raque Adams, Alice Forgy Kerr, and Stephen West, and Representatives Deanna Frazier and Marylou Marzian.

LRC Staff: Sarah Amburgey, Stacy Auterson, Emily Caudill, Emily Harkenrider, Karen Howard, and Carrie Klaber.

Guests: Todd Allen, Education Professional Standards Board; Stafford Easterling, Personnel Board; Larry Hadley, Board of Pharmacy; Leanne Diakov, Board of Medical Licensure; Julie Campbell, Board of Cosmetology; Morgan Ransdell, Board of Nursing; Clint Quarles, Department of Agriculture; Paulette Akers, Michael Mullins, Department of Natural Resources; Amy Barker, Department of Corrections; Todd Allen, Department of Education; DJ Wasson, Department of Insurance; Max Fuller, Department of Housing, Buildings, and Construction; Laura Begin, Julie Brooks, Kelli Rodman, Cabinet for Health and Family Services; and Kevin Sharkey, Department of Public Advocacy.

The Administrative Regulation Review Subcommittee met on Tuesday, May 12, 2020, and submits this report:

Administrative Regulations Reviewed by the Subcommittee:

EDUCATION AND WORKFORCE DEVELOPMENT CABINET: Education Professional Standards Board: Educator Preparation

16 KAR 5:020. Standards for admission to educator preparation. Todd Allen, interim general counsel, represented the board.

A motion was made and seconded to approve the following amendments: to amend Sections 1 and 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

PERSONNEL: Personnel Board

101 KAR 1:325. Probationary periods. Stafford Easterling, general counsel, represented the board.

BOARDS AND COMMISSIONS: Board of Pharmacy

201 KAR 2:095. Pharmacist interns. Larry Hadley, executive director, represented the board.

In response to a question by Co-Chair West, Mr. Hadley stated that the changes to this administrative regulation were to simplify the process for supervision of interns.

In response to a question by Representative Frazier, Mr. Hadley stated that a supervising pharmacist was required to be present in the building with an intern.

A motion was made and seconded to approve the following: (1) to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs to comply with the drafting requirements of KRS Chapter 13A; and (2) to amend Section 1 to clarify that a pharmacist intern, under the supervision and direction of a licensed pharmacist, shall practice pharmacy pursuant to KRS 315.010(22), with the exception that prior to dispensing, a pharmacist shall verify the accuracy and appropriateness to include drug utilization review and final product verification of the prescription or product dispensed. Without objection, and with agreement of the agency, the amendments were approved.

Board of Medical Licensure

201 KAR 9:270. Professional standards for prescribing or dispensing Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone. Leanne Diakov, general counsel, represented the board.

A motion was made and seconded to approve the following amendments: to amend Sections 2, 4, and 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Board of Cosmetology

201 KAR 12:030. Licensing, permits, and examinations. Julie Campbell, board administrator, represented the board.

In response to questions by Co-Chair West, Ms. Campbell stated that active duty military was intended to include reserves, National Guard, and veterans. The board did not have many military personnel utilizing these provisions.

In response to a general question by Representative Frazier, Ms. Campbell stated that legislation would be required in order to amend place-of-service requirements. Statutory exemptions could not be expanded by administrative regulation.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO paragraph to comply with the drafting requirements of KRS Chapter 13A; (2) to amend Section 3 to restore language with the minimum number of hour requirements for curriculum for applicants licensed in other states to conform with KRS 317A.050; and (3) to amend Section 20 to update the Out of State Transfer Application and Limited Facility Permit Application to: (a) comply with the drafting requirements of KRS Chapter 13A; (b) correct fees; and (c) make technical corrections. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 12:060. Inspections.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 12:082. Education requirements and school administration.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 18, 32, and 33 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 12:100. Infection control, health and safety.

A motion was made and seconded to approve the following amendments: (1) to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 4, 6, 7, 9 through 11, and 17 through 21 to comply with the drafting and formatting requirements of KRS Chapter 13A; (2) to amend Section 1 to complete the definition for "porous"; and (3) to add Section 22, to establish requirements for autoclaves. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 12:140. School equipment.

In response to questions by Co-Chair West, Ms. Campbell stated that biometric provisions were to ensure that attempts at licensure were not fraudulent. The board had experienced instances of fraud. Biometric screening could be as simple as a fingerprint scan.

A motion was made and seconded to approve the following amendments: to amend Section 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 12:260. Fees.

A motion was made and seconded to approve the following amendments: to amend Sections 2 and 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Board of Nursing

201 KAR 20:600. Standards for training programs for licensed certified professional midwives. Morgan Ransdell, general counsel, represented the board.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 8 to comply with the drafting and formatting requirements of KRS Chapter 13A; (2) to amend Section 1 to add a definition

for "preceptor"; and (3) to amend Section 8 to incorporate by reference the Core Competencies and Standards of Practice of the Midwives Alliance of North America forms. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:610. Approval process for training programs for licensed certified professional midwives.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1, 3, 4, and 6 to comply with the drafting requirements of KRS Chapter 13A; and (2) to amend Section 2 to delete the definition for "preceptor." Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:620. Licensing requirements for licensed certified professional midwives.

In response to a question by Senator Raque Adams, Mr. Ransdell stated that the board was not currently planning to lower the \$1,000 initial licensure and renewal fee; however, the board had the authority to reconsider the amount. The fee amount was based upon the cost of regulating a small number of licensees, which required implementation of a new electronic system. This fee was expected to impact approximately twenty (20) licensees. Senator Raque Adams stated that the fee seemed high and that she might ask the board to consider lowering it in the future.

In response to a question by Co-Chair West, Mr. Ransdell stated that the initial licensure fee for an RN was \$135. The corresponding renewal fee was sixty-five (65) dollars. Co-Chair West reiterated Senator Raque Adams concern about the high fee and the possible need to revisit this issue in the future.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, and CONFORMITY paragraphs and Sections 1 through 3 and 7 through 10 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:630. Disciplinary actions for licensed certified professional midwives.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:640. Requirements for informed consent for licensed certified professional midwives.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:650. Licensed certified professional midwives permitted medical tests and formulary.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 2 and 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:660. Licensed certified professional midwives duty to report.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1, 2, and 5 to comply with the

drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:670. Licensed certified professional midwives consultation, collaboration, and referral provisions.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:680. Licensed certified professional midwives client records.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 20:690. Licensed certified professional midwives transfer guidelines.

In response to questions by Senator Raque Adams, Mr. Ransdell stated that transfer provisions related to the hand-off of a patient with home-delivery complications to an emergency room of a hospital. The transfer provisions were developed by the midwife as a contingency and were a component of the plan of care. There was communication between the midwife and the hospital in developing the plan. The plan specifications depended on the complications of the individual delivery. Senator Raque Adams stated that the provisions seemed to need clarification in the future.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

DEPARTMENT OF AGRICULTURE: Office of the Commissioner: Livestock Sanitation

302 KAR 20:012. Repeal of 302 KAR 020:030, 302 KAR 020:050, 302 KAR 020:052, 302 KAR 020:66, 302 KAR 020:090, 302 KAR 020:100, and 302 KAR 020:150. Clint Quarles, counsel, represented the department.

302 KAR 20:013. Repeal of 302 KAR 020:110, 302 KAR 020:115, 302 KAR 020:120, 302 KAR 020:130, 302 KAR 020:140, 302 KAR 020:180, 302 KAR 020:185, and 302 KAR 020:261.

302 KAR 20:014. Repeal of 302 KAR 020:070.

Office of the State Veterinarian: Livestock, Poultry, and Fish

302 KAR 22:130. Equine.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 7, 10 through 12, and 14 through 18 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

302 KAR 22:150. Cervids.

In response to questions by Co-Chair West, Mr. Quarles stated that the department worked closely with the Department of Fish and Wildlife Resources regarding the prevention of chronic wasting disease in cervids. Duplication of effort was not an issue because the Department of Fish and Wildlife Resources was responsible for the fence and the area beyond the fence perimeters, while the Office of State Veterinarian was responsible for regulation within the containment area up to the fence.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 14, 16, and 17 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Office of Agricultural Marketing: Ginseng

302 KAR 45:010. Ginseng.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 1 through 4, 6, and 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

ENERGY AND ENVIRONMENT CABINET: Department for Natural Resources: Division of Conservation: Administration

416 KAR 1:010. Administration of Kentucky Soil Erosion and Water Quality Cost-Share Fund. Paulette Akers, division director, and Michael Mullins, regulation coordinator, represented the division.

In response to a question by Co-Chair West, Ms. Akers stated that previous versions of this administrative regulation required that cost-share funds not spent be returned to the division. It was often difficult to get that money returned. In the late 1990s or early 2000s, the division began reimbursing unspent funds directly to the district based on farmers' receipts.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 1 through 8 and 10 through 12 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to establish that: (a) cost-sharing assistance applicants shall complete management practices within one (1) year of approval; (b) upon request, the division shall grant a six (6) month extension; and (c) after two (2) extensions have been granted and expired, the landowner shall forfeit the right to cost-sharing assistance funds. Without objection, and with agreement of the agency, the amendments were approved.

JUSTICE AND PUBLIC SAFETY CABINET: Department of Corrections: Office of the Secretary

501 KAR 6:020. Corrections policies and procedures. Amy Barker, assistant general counsel, represented the department. Kevin Sharkey, attorney, Kentucky Protection and Advocacy, appeared in opposition to this administrative regulation.

In response to questions by Co-Chair West, Ms. Barker stated that this administrative regulation represented the department's annual or biannual review of standard policies. The department was updating various policies, including a broad range of topics.

In response to questions by Co-Chair West, Mr. Sharkey stated that Kentucky Protection and Advocacy provided legal services for the protection of the rights of individuals with disabilities. CPP 5.1 currently prohibited medical testing on inmates. This proposed version reversed that prohibition. Kentucky Protection and Advocacy preferred to maintain the prohibition; however, if the prohibition was being reversed; due to the disproportionate number of inmates with diminished capacity, the coercive nature of incarceration, and historical abuses; an exclusion should be included for those with diminished decision-making capacity, mental illness, or traumatic brain injury. The proposed exclusion was only for inmates with intellectual disabilities. Participation in medical testing should be only voluntary. CPP 13.13 also needed

amendment. Kentucky Protection and Advocacy was opposed to placing inmates with serious mental illness in solitary confinement. The Eighth Amendment (US Constitution) prohibited cruel and unusual punishment. The US Supreme Court has held that the Eighth Amendment (US Constitution) prohibited prison officials from disregarding known substantial risks of serious harm. Solitary confinement was dangerous for inmates with serious mental illness and often caused existing conditions to clinically deteriorate, including, for example, increased anxiety, depression, anger, cognitive disturbances, obsessive thoughts, psychosis, and suicidal thoughts. One of the nation's top experts in mental health has stated that solitary confinement of inmates with serious mental illness was an extreme hazard to their mental health, causing irreparable emotional damage, psychiatric disability, extreme mental anguish, and suffering. In some cases, these inmates were at higher risk of self-injury or suicide. Solitary confinement was in opposition to evolving norms. Numerous medical and governmental organizations agreed. Several court decisions determined that this practice constituted a violation of the Eighth Amendment (US Constitution.) Kentucky Protection and Advocacy preferred a prohibition against solitary confinement of inmates with serious mental illness but, if absolutely necessary, that confinement should occur only with supports, such as meaningful human interaction, purposeful activities, out-of-cell time, and adequate mental health services.

In response to questions by Co-Chair West, Ms. Barker stated that the department had mental health staff and multidisciplinary teams to manage inmates with mental health issues. Solitary confinement was sometimes necessary due to the age of Kentucky's facilities, staffing limits, and budgetary restraints. The change to CPP 5.1 was initiated by clinical trial partners that needed inmates for medical trials. Coercion was not a factor. Medical testing prohibitions were being lifted because federal prohibitions had changed. Medical testing included research of all sorts, not just clinical testing. The department's agency amendment addressed concerns about consent but did not go as far as Kentucky Protection and Advocacy preferred. All studies were voluntary.

In response to a question by Representative Frazier, Ms. Barker stated that most of the trial partners were university affiliates. A mentally ill inmate would be unable to voluntarily consent.

In response to questions by Representative Marzian, Ms. Barker stated that department facilities had psychologists available. An inmate in need of services could make a request to any staff member. There was a triage process for receiving care. Ms. Barker stated that she was unaware what services would be available to inmates released due to coronavirus.

In response to questions by Co-Chair West, Mr. Sharkey stated that the department's amendment to CPP 5.1 only applied to inmates with intellectual disabilities and did not go far enough to protect inmates with diminished decision-making abilities for other reasons such as mental illness or traumatic brain injury. CPP 13.13 also did not go far enough in protecting inmates with serious mental illness from the possible damaging effects of solitary confinement.

In response to a question by Co-Chair West, Ms. Barker stated that the department agreed to continue working with Kentucky Protection and Advocacy regarding these policies. Co-Chair West stated that these issues may also be addressed at the subject matter committee.

A motion was made and seconded to approve the following amendments: (1) to amend Section 1 and the material incorporated by reference to: (a) clarify various provisions; (b) correct statutory citations; (c) update edition dates; and (d) comply with the drafting requirements of KRS Chapter 13A; (2) to amend CPP 5.1, Research, Surveys, and Data Requests, to establish screening procedures for inmates suspected of having an intellectual disability; and (3) to amend CPP 13.13, Behavioral Health Services, to clarify housing procedures for: (a) inmates whose current mental health situation does not permit successful placement in general population; and (b) inmates presenting with severe mental illness. Without objection, and with agreement of the agency, the amendments were approved.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET: Kentucky Board of Education: Department of Education: Pupil Transportation

702 KAR 5:080. Bus drivers' qualifications, responsibilities, and training. Todd Allen, interim general counsel, represented the department.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Section 2, 4, 5, 7, 9, 12, and 19 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Office of Learning Support Services

704 KAR 7:090. Homeless children and youth education program and ensuring educational stability of children in foster care.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 4 and 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

PUBLIC PROTECTION CABINET: Department of Insurance: Kinds of Insurance; Limits of Risk; Reinsurance

806 KAR 5:025. Credit for reinsurance. D. J. Wasson, executive advisor, represented the department.

In response to a question by Co-Chair West, Ms. Wasson stated that this administrative regulation did not relate to stacking.

A motion was made and seconded to approve the following amendments: (1) to amend the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1, 3 through 11, 14, and 15 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to amend Section 1 to add a definition. Without objection, and with agreement of the agency, the amendments were approved.

Department of Housing, Buildings, and Construction: Division of Plumbing: Plumbing

815 KAR 20:191. Minimum fixture requirements. Max Fuller, deputy commissioner, represented the division.

A motion was made and seconded to approve the following amendments: to amend Section 1 and Section 3 through 6 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Public Health: Division of Epidemiology and Health Planning: Communicable Diseases

902 KAR 2:065. Immunization requirements for long-term care facilities. Kelli Rodman, executive director, and Julie Brooks, regulation coordinator, represented the division.

In response to questions by Co-Chair West, Ms. Brooks stated that the division required long-term facilities to offer pneumococcal vaccines to residents and staff. Changes included provisions for planning for illnesses. These changes aligned requirements with the division's other administrative regulations. The outbreak data reporting requirement changes pertained to the forms and the process for making a report. This administrative regulation was initially filed prior to the coronavirus outbreak.

In response to a question by Representative Frazier, Ms. Brooks stated that the division didn't mandate the vaccinations but required them to be available and offered.

A motion was made and seconded to approve the following amendment: to amend Section 2 to make a technical correction. Without objection, and with agreement of the agency, the amendment was approved.

Department for Community Based Services: Division of Child Care: Day Care

922 KAR 2:090. Child-care center licensure. Kelli Rodman, executive advisor, and Laura Begin, regulation coordinator, represented the division.

In response to a question by Co-Chair West, Ms. Begin stated that these administrative regulations were initially filed prior to the coronavirus outbreak. These provisions were intended to assist child-care providers with hiring and maintaining required staff by providing for temporary, contracted substitute staff. Deadlines for required training for child-care staff were streamlined.

Day Care

922 KAR 2:100. Certification of family child-care homes.

A motion was made and seconded to approve the following amendment: to amend Section 11 for consistency with 922 KAR 002:090. Without objection, and with agreement of the agency, the amendment was approved.

The following administrative regulations were deferred or removed from the May 12, 2020, subcommittee agenda:

SECRETARY OF STATE: Notary Public

30 KAR 8:005 & E. Notary Public applications and electronic and online registrations.

BOARDS AND COMMISSIONS: Board of Pharmacy

201 KAR 2:230. Special limited pharmacy permit – Central Fill.

Board of Dentistry

201 KAR 8:550. Anesthesia and sedation.

201 KAR 8:590. Teledentistry.

Real Estate Appraisers

201 KAR 30:130. Education provider, instructor, and course.

COMMUNITY AND TECHNICAL COLLEGE SYSTEM: Board of Emergency Medical Services

202 KAR 7:555. Ground agencies.

DEPARTMENT OF AGRICULTURE: Office of the Consumer and Environmental Protection: Egg Marketing

302 KAR 10:011. Repeal of 302 KAR 010:010, 302 KAR 010:020, 302 KAR 010:030, 302 KAR 010:040, 302 KAR 010:050, 302 KAR 010:060, 302 KAR 010:070, 302 KAR 010:080, and 302 KAR 010:090.

302 KAR 10:015. Egg grading and classification.

302 KAR 10:025. License application, refusal, revocation, suspension, and appeals.

302 KAR 10:100. Refrigeration of eggs and temperature requirements.

Office of the State Veterinarian: Livestock, Poultry, and Fish

302 KAR 22:050. Stockyards.

Office of Agricultural Marketing: Industrial Hemp

302 KAR 50:012. Repeal of 302 KAR 050:040 and 302 KAR 050:050.

302 KAR 50:020. Policies and procedures for hemp growers.

302 KAR 50:030. Policies and procedures for hemp processors and handlers.

302 KAR 50:055. Sampling and THC testing, post-testing actions, disposal of noncompliant harvests.

302 KAR 50:060. Fees for the Hemp Licensing Program and forms.

**LABOR CABINET: Department of Workplace Standards: Division of Safety and Health Compliance:
Division of Safety and Health Education and Training: Occupational Safety and Health**

803 KAR 2:180. Recordkeeping, reporting, statistics.

PUBLIC PROTECTION CABINET: Horse Racing Commission: Flat and Steeplechase Racing

810 KAR 4:030. Entries, subscriptions, and declarations.

Standardbred Racing

810 KAR 5:060. Entries and starters.

810 KAR 5:070. Running of the race.

Incentive and Development Funds

810 KAR 7:040. Kentucky Standardbred Development Fund and Kentucky Standardbred Breeders' Incentive Fund.

Medication Guidelines

810 KAR 8:010. Medication; testing procedures; prohibited practices.

810 KAR 8:070. Bisphosphonates.

Harness Racing

811 KAR 1:250. Exotic wagering.

CABINET FOR HEALTH AND FAMILY SERVICES: Kentucky Health Program: Medicaid Services

895 KAR 1:002E. Repeal of 895 KAR 001:001, 895 KAR 001:010, 895 KAR 001:015, 895 KAR 001:020, 895 KAR 001:025, 895 KAR 001:030, 895 KAR 001:035, 895 KAR 001:040, 895 KAR 001:045, 895 KAR 001:050, and 895 KAR 001:055.

Office of Inspector General: Division of Certificate of Need: Certificate of Need

900 KAR 6:075 & E. Certificate of need nonsubstantive review.

DEPARTMENT FOR PUBLIC HEALTH: Division of Healthcare: Health Services and Facilities

902 KAR 20:036. Operation and services; personal care homes.

Department for Community Based Services: Division of Family Support: K-TAP, Kentucky Works, Welfare to Work, State Supplementation

921 KAR 2:015 & E. Supplemental programs for persons who are aged, blind, or have a disability.

The subcommittee adjourned at 2:20 p.m. The next meeting of the subcommittee is tentatively scheduled for June 9, 2020, at 1 p.m.

STAFF REVIEW FORM

Reg. No.: 815 KAR 20:191 Reviewing Staff: Joseph Pinczewski-Lee

Agency: Department of Housing,
Buildings and Construction Date: 17 February 2020

 New Amended Emergency Amended After Comments

Does this regulation relate to fees? Yes No X

Brief Summary and Proposed Changes:

Necessity, Function and Conformity: Deletion of reference to State plumb Code Committee and deletion of requirement that newly constructed public buildings be equipped with twice the number of restroom facilities for women as for men.

Section 1. Deletion of all existing language.

Section 2. (Now New Section 1.) General Requirements

On page 2, line 7 additional language concerning plan application documents;

Page 2, lines 17 thru 19 by referring to swimming pool bath houses, park service buildings, and bathhouses in Group B, public garages in Group S-2, Group E buildings, dormitories in Group R-2, Group I-2 buildings, and Group I-3 buildings and the deletion of reference 8 sections of the administrative regulation;

Page 3, line 3 by the deletion of "of Plumbing"

Page 3, lines 7 thru 23 by inserting new language:

(8) Water Closet Type

(9) Service Sinks

- a. Requirements
- b. Exemptions
- c. Department required to respond in writing

(10) Urinal Substitution

(11) Public Facilities

- a. Sanitary facilities to be provided in buildings greater than 5,000 square feet
- b. Requirement for shopping malls or centers
 - 1. Distances for installation
 - 2. Requirements for disabled access

Section 3.

On page 4, lines 4 and 5, by inserting "and a wood floor is not used"

Section 4. Fixture Requirements

On page 4, line 9 thru page 8 by inserting a new table concerning

<u>Occupancy Group</u>	<u>Examples</u>	<u>Water Closets (Male)</u>	<u>Water Closets (Female)</u>	<u>Lavatories (Male)</u>	<u>Lavatories (Female)</u>	<u>Drinking Fountains</u>	<u>Urinals</u>

on page 8, line by inserting a new “(2)” and “(a)” and deleting “(4)”;
on page 8, line 3 by inserting “(b)” and deleting “(2)”;
on page 8 lines 4 thru 13 by inserting new language:

(3) Carry-out food facilities

(4) Licensed food establishments

a. Hand-washing sinks

1. Temperature requirements
2. Self-closing faucets

On page 9, lines 1 thru page 16 line 13 by inserting new language:

3. Placement

b. Sinks for washing utensils

c. Dishwasher discharge

d. Residential dishwasher discharge

1. Air gap requirement
2. Receptacle requirement

e. Food preparation sink discharge

f. Drain hubs

g. Mobile food units

1. Meet code requirements
2. Waste tank requirements
3. NSF freshwater tank
4. 3 compartment sink and hand-washing sink

(5) Restaurants with occupancy of 1 to 15

a. Comply with A-2 Group

b. Unisex facility requirement

(6) Employee facilities

a. Sanitary facilities

b. More than five (5) employees

c. Tenant space of 3,000 square feet or less

(7) Residential private rooms

(8) Kitchen-type sinks

(9) Waiting rooms

(10) a. School drinking fountains

1. Water filling stations minimum
2. Water filling stations per floor
3. Water filling stations per students

b. Drinking fountain equipped with

1. Cowls
2. Orifice requirements

(11) Park service buildings or bathhouses, subject to this administrative regulation and 902 KAR 15:020

a. Central service building requirements

b. Sanitation requirements

1. 1 to 15 vehicle spaces

- a. Males
- b. Females
- 2. 16 to 30 vehicle spaces
 - a. Males
 - b. Females
- 3. 31 to 45 vehicle spaces
 - a. Males
 - b. Females
- 4. 46 to 60 vehicle spaces
 - a. Males
 - b. Females
- 5. 61 to 80 vehicle spaces
 - a. Males
 - b. Females
- 6. 81 to 100 vehicle spaces
 - a. Males
 - b. Females
- 7. Over 100 vehicle spaces
 - a. Water closet and lavatory requirements
 - b. Urinal requirements

(12) Residential and day camp sites to comply with this administrative regulation and 902 KAR 10:040

- a. :
 - 1. Residential camp
 - 2. Day camp
 - a. Not provide shower facilities
 - b. Provide all other facilities
- b. Facilities to be provided
 - 1. 1 to 18 persons
 - a. Males
 - b. Females
 - 2. 19 to 33 persons
 - a. Males
 - b. Females
 - 3. 34 to 48 persons
 - a. Males
 - b. Females
 - 4. 49 to 63 persons
 - a. Males
 - b. Females
 - 5. 64 to 79 persons
 - a. Males
 - b. Females
 - 6. 80 to 95 persons
 - a. Males
 - b. Females
 - 7. Over 95 persons
 - a. Water closets and lavatory requirements
 - b. Shower requirements
 - c. Urinal requirements
- c. Co-ed day camps to meet requirements of Group E school buildings
- d. Water closets may substitute

- (b) Necessity: Division of Plumbing is statutorily required to establish a plumbing code
 - (c) Conformity: Conforms to KRS 198B.040(10) and 318.130 concerning the establishment of a plumbing code, via administrative regulation.
 - (d) Assists: Assists by establishing uniform standards for the number and type of fixtures to be installed in various types of buildings in Kentucky.
- (2) Amendment
- (a) This amendment reorganizes into an easier to read chart and aligns plumbing occupancies with Building Code occupancies established by 815 KAR 7:120. Eliminates a requirement for urinals in R-2 and I-3 occupancy types, for greater flexibility and eliminates service sink requirement on each floor where unnecessary.
 - (b) Necessity: Makes the more user-friendly and aligns the Plumbing Code to 815 KAR 7:120 for simpler interpretation.
 - (c) Conformity KRS 318.130
 - (d) Assists: Makes for easier interpretation and understand the plumbing fixtures requirements.
- (3) Affects: All individuals in plumbing activities and owners and operators of buildings
- (4) Analysis of Impact
- (a) No additional requirements on those affected
 - (b) No additional costs on those affected
 - (c) Administrative regulation is more user-friendly and flexible, eliminates some requirements
- (5) No additional costs to administer this regulation
- (6) Funding source: Any costs associated will be met by existing agency funds
- (7) Additional fees: No additional fees or increased funding will be necessary for implementation.
- (8) Fees: This administrative regulation does not establish any new fees, nor does it increase directly or indirectly any fees.
- (9) Tiering is not applied.

Was tiering applied? (Indicate agency's response)

Yes _____ No X

All individuals in the plumbing industry and Department personnel will be affected by this amended administrative regulation.

Is the fiscal note on state or local government (including cities, counties, fire departments, and school districts) attached?

Yes X No _____

Brief Summary of the Agency's Responses:

1. Affects the Department of Housing, Buildings and Construction, Division of Plumbing
2. Authorized: KRS 198B.040(10) and 318.130
3. Expenditures/Revenues
 - a. Revenue in the first year: None
 - b. Revenue in subsequent years: None
 - c. Costs to administer in the first year: None
 - d. Costs to administer in subsequent years: None

2) Revenue/Expenditure: Neutral

Does this regulation require a federal mandate comparison?

Yes _____ No X

If yes, is federal mandate comparison attached?

Yes _____ No _____

FILED WITH LRC
TIME: 2 pm
FEB 12 2020
Emily B Caudill
REGULATIONS COMPILER

1 PUBLIC PROTECTION CABINET

2 Department of Housing, Buildings and Construction

3 Division of Plumbing

4 (Amendment)

5 815 KAR 20:191. Minimum fixture requirements:

6 RELATES TO: KRS 58.200, 162.062, 318.160

7 STATUTORY AUTHORITY: KRS 198B.040(10), 318.130

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 318.130 requires the
9 department[, ~~after approval by the State Plumbing Code Committee,~~] to promulgate [an]
10 administrative regulations[~~regulation~~] establishing the Kentucky State Plumbing Code regulating
11 the construction, installation, and alteration of plumbing and plumbing fixtures and appliances,
12 house sewers and private water supplies, and[~~including~~] the methods and materials that may be
13 used in Kentucky. [~~KRS 58.200(2) requires newly constructed public buildings to be equipped~~
14 ~~with twice the number of restroom facilities for use by women as is provided for use by men.~~] This
15 administrative regulation establishes the minimum plumbing fixture requirements for buildings in
16 Kentucky.

17 Section 1. [~~Definitions. (1) "Developed travel distance" means the length of a pathway~~
18 ~~measured along the center line of the path.~~

19 (2) "~~Mobile facility" means a vehicle licensed and registered with the Kentucky~~
20 ~~Department of Transportation that contains plumbing fixtures and is intended for temporary use~~
~~with regard to the structure it serves.~~

1 (3) ~~"Modular" means a structure or component that is wholly or in substantial part~~
2 ~~fabricated in an off-site manufacturing facility for installation at the building site.~~

3 (4) ~~"Temporary" means a period of time not to exceed thirty (30) days of intermittent or~~
4 ~~continual use within a twelve (12) month period on the same premises.~~

5 ~~Section 2.]~~ General Requirements. (1) In a building accommodating males and females, it
6 shall be presumed that the occupants will be equally divided between males and females, unless
7 otherwise denoted on the plan application documents.

8 (2) The occupancy load factor used to determine the total number of plumbing fixtures
9 required in a building shall be the load denoted in the Kentucky Building Code, incorporated by
10 reference in 815 KAR 7:120.

11 (3) All types of buildings shall be provided with toilet rooms on each level or floor, unless:

12 (a) Separate facilities on each level or floor are unnecessary; and

13 (b) Toilet rooms on every other level or floor shall be sufficient.

14 (4) Unisex Facilities in Historic Buildings. A building or structure that is listed in the
15 National Register of Historic Places or designated as historic under Kentucky statute may provide
16 the required number of plumbing fixtures in unisex facilities if the overall occupant load is 100
17 persons or less, except as required in swimming pool bathhouses, park services buildings, and
18 bathhouses in Group B, public garages in Group S-2, Group E buildings, dormitories in Group R-
19 2, Group I-2 buildings, and Group I-3 buildings~~[Sections 7, 8, 9, 12, 13, 15, 16, and 17 of this~~
20 ~~administrative regulation].~~

21 (5) Unisex facilities in historic buildings permitted by this section shall not be required to
22 provide ~~the~~ urinals.

23 (6) Toilet rooms for males, females, and unisex shall be clearly marked.

1 (7) Upon written request, the department shall permit the temporary use of a mobile facility
2 in accordance with this administrative regulation. The written request shall be submitted to the
3 division [~~of Plumbing~~] and shall include the:

4 (a) Name of the owner;

5 (b) Address of the location of the building being served by the mobile facilities; and

6 (c) Dates for which the mobile facilities are to be used.

7 (8) Water closet type. All water closets in public restrooms shall be of an elongated bowl
8 type with a split open front seat.

9 (9) Service sinks. (a) One (1) service sink shall be required on each floor of a public
10 building unless otherwise approved by the department.

11 (b) A request for exemption of a service sink shall be submitted in writing to the division.

12 (c) The division shall respond in writing to the requester either granting or denying the
13 exemption request.

14 (10) Urinal Substitution. A urinal may be substituted for a water closet for males if the
15 substituted urinals do not exceed one third (1/3) of the required number of water closets for males.

16 (11) Public Facilities.

17 (a) Sanitary facilities shall be provided for the public if the building contains 5,000 square
18 feet or more.

19 (b) In a mall or shopping center, the required facilities, based on one (1) person per 100
20 square feet of total area, shall be installed in individual stores or in a central toilet room area or
21 areas, if:

22 1. The distance from the main entrance of a store does not exceed 500 feet; and

23 2. The toilet room area is accessible to physically disabled persons.

1 Section 3. Toilet Floor Construction Requirements. (1) Floors in toilet rooms shall be
 2 constructed of nonabsorbent materials.

3 (2) If a wood floor is used, the wood floor shall be covered by other nonabsorbent materials.

4 (3) If two (2) or more fixtures that receive human waste are installed and a wood floor is
 5 not used, the toilet room shall have at least:

- 6 (a) One (1) floor drain; and
- 7 (b) One (1) accessible hose bibb.

8 Section 4. Fixture Requirements. (1) The following chart shall provide the water closet,
 9 lavatory, drinking fountain, and urinal requirements for different occupancy groups.

<u>Occupancy Group</u>	<u>Examples</u>	<u>Water Closet (males)^a</u>	<u>Water Closet (females)^a</u>	<u>Lavatories (male)^a</u>	<u>Lavatories (female)^a</u>	<u>Drinking Fountain^b</u>	<u>Urinals (males)^a</u>
<u>A-1</u>	<u>Theaters, movie theaters, and similar buildings</u>	<u>1 per up to 100; 2 for 101 to 200; 3 for 201 to 400; 1 per additional 500 afterwards</u>	<u>1 for up to 50; 2 for 51 to 100; 3 for 101 to 150; 4 for 151 to 200; 1 per additional 150 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to 300; 3 for 301 to 600; and 1 for each additional 300 afterward</u>
<u>A-2</u>	<u>Banquet halls, casinos, dance halls, night clubs, restaurants, cafeterias, taverns, and bars</u>	<u>1 per up to 200; 2 for 201 to 400; 1 per additional 200 afterwards</u>	<u>1 per up to 100; 2 for 101 to 200; 1 per additional 200 afterwards</u>	<u>1 per 200</u>	<u>1 per 200</u>	<u>1 per 100 unless water stations are provided</u>	<u>1 for 50 to 200; 1 per additional 150 afterwards</u>
<u>A-3</u>	<u>Libraries, museums, and art galleries</u>	<u>1 per 200</u>	<u>1 per 100</u>	<u>1 per 200</u>	<u>1 per 100</u>	<u>1 per 500</u>	<u>1 for 11 to 200; 2 for 201 to 400; 3 for 401 to</u>

							<u>600; at 1 for each additional 300 afterward</u>
	<u>Assembly halls and similar buildings</u>	<u>1 per up to 100; 2 for 101 to 200; 3 for 201 to 400; 1 per additional 500 afterwards</u>	<u>1 for up to 50; 2 for 51 to 100; 3 for 101 to 150; 4 for 151 to 200; 1 per additional 150 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to 300; 3 for 301 to 600; and 1 for each additional 300 afterward</u>
	<u>Places of worship</u>	<u>1 per 300</u>	<u>1 per 150</u>	<u>1 per 200</u>	<u>1 per 200</u>	<u>1 per 400</u>	<u>1 for 50 to 150; 1 for each additional 150 afterward</u>
<u>A-4</u>	<u>Structures for indoor sporting events and activities</u>	<u>1 for 100; 2 for 101 to 200; 3 for 201 to 400; 1 per additional 500 afterwards</u>	<u>1 for 50; 2 for 51 to 100; 3 for 101 to 150; 4 for 151 to 200; 1 per additional 150 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to 300; 3 for 301 to 600; and 1 for each additional 300 afterward</u>
<u>A-5</u>	<u>Stadiums and other structures for outdoor sporting events and activities</u>	<u>1 for 100; 2 for 101 to 200; 3 for 201 to 400; 1 per additional 500 afterwards</u>	<u>1 for 50; 2 for 51 to 100; 3 for 101 to 150; 4 for 151 to 200; 1 per additional 150 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to 300; 3 for 301 to 600; and 1 for each additional 300 afterward</u>

	<u>Swimming pool bathhouses</u>	<u>1 per 75</u>	<u>1 per 50</u>	<u>1 per 50</u>	<u>1 per 50</u>	<u>1 per 200</u>	<u>1 per 75</u>
	<u>Park service buildings or bathhouses</u>	<u>See subsections (11) and (12) of this section</u>					
<u>B</u>	<u>Office buildings^c</u>	<u>1 for 1 to 15; 2 for 16 to 35; 3 for 36 to 55; 4 for 56 to 80; 5 for 81 to 110; 6 for 111 to 150; 1 for each additional 40 afterwards</u>		<u>1 for 1 to 15; 2 for 16 to 35; 3 for 36 to 60; 4 for 61 to 90; 5 for 91 to 125; 1 for each additional 75 afterwards</u>		<u>1 per 75</u>	<u>Optional</u>
	<u>Schools of higher-education and similar educational facilities</u>	<u>1 per 50</u>	<u>1 per 25</u>	<u>1 per 25</u>	<u>1 per 25</u>	<u>1 per 75</u>	<u>1 per 50</u>
<u>E</u>	<u>School buildings (not including higher-education facilities)</u>	<u>1 for up to 25; 2 for 26 to 100; 1 for each 100 afterwards</u>	<u>2 for up to 25; 3 for 26 to 50; 6 for 51 to 100; 8 for 101 to 200; 10 for 201 to 300; 12 for 301 to 400; 14 for 401 to 500; 1 additional for each 40 afterwards</u>	<u>1 per 25 up to 50; 1 per 50 afterwards</u>	<u>1 per 25 up to 50; 1 per 50 afterwards</u>	<u>See subsection (10) of this section</u>	<u>1 for 1 to 25; 2 for 26 to 50; 4 for 51 to 100; 6 for 101 to 200; 8 for 201 to 300; 10 for 301 to 400; 12 for 401 to 500; 1 for each additional 50 afterwards</u>
<u>M</u>	<u>Mercantile and retail food store</u>	<u>1 per 150 up to 450; 1 per additional 500</u>	<u>1 per 100 up to 400; 1 per each additional 300</u>	<u>1 for 1 to 200; 2 for 201 to 400; 3 for 401 to 700; 1 for each additional 500</u>	<u>1 for 1 to 200; 2 for 201 to 400; 3 for 401 to 700; 1 for each additional 500</u>	<u>1 per 500 on each floor</u>	<u>1 for 50 to 200; 2 for 201 to 400; 3 for 401 to 600; 1 for additional 300 afterwards</u>

<u>R-1</u>	<u>Transient lodging facilities (public service areas)</u>	<u>1 per 25</u>	<u>1 per 15</u>	<u>1 per 25</u>	<u>1 per 25</u>	<u>1 per 75 on each floor</u>	<u>1 for 11 / 100; 1 for each additional 50 afterwards</u>
	<u>Transient lodging facilities (without private bath)</u>	<u>1 per 10; 1 per additional 25 afterwards</u>	<u>1 per 8; 1 per additional 20 afterwards</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 75 on each floor</u>	<u>1 for 11 to 100; 1 for each additional 50 afterwards</u>
<u>R-2^c</u>	<u>Dormitories, fraternities, sororities, and rooming houses</u>	<u>1 per 10</u>		<u>1 per 10</u>		<u>1 per 75</u>	<u>Optional</u>
<u>R-3^c</u>	<u>Congregate living facilities with 16 or fewer persons</u>	<u>1 per 10</u>		<u>1 per 10</u>		<u>1 per 75</u>	<u>Optional</u>
<u>R-4^c</u>	<u>Congregate living facilities with 16 or fewer persons</u>	<u>1 per 10</u>		<u>1 per 10</u>		<u>1 per 75</u>	<u>Optional</u>
<u>I-1</u>	<u>Residential Care</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 100 on each floor</u>	<u>1 for each 50</u>
<u>I-2</u>	<u>Hospitals wards and nursing home wards</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 100 on each floor</u>	<u>1 for each 50</u>
	<u>Hospital individual rooms and nursing home individual rooms^c</u>	<u>1 per room</u>		<u>1 per room</u>		<u>Optional</u>	<u>Optional</u>
<u>I-3</u>	<u>Institutions, penal (Cells)^c</u>	<u>1 prison-type water closet per cell</u>		<u>1 prison-type lavatory per cell</u>		<u>Optional</u>	<u>Optional</u>
	<u>Institutions, penal. (Day rooms and dorms)</u>	<u>1 per 12</u>	<u>1 per 8</u>	<u>1 per 12</u>	<u>1 per 12</u>	<u>1 per floor</u>	<u>Optional</u>

<u>I-4</u>	<u>Adult day care and child day care</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 100 on each floor</u>	<u>1 for each 50</u>
<u>F-1 and F-2</u>	<u>Workshops and factories</u>	<u>1 for 25 to 100; 1 for each additional 30 afterwards</u>	<u>1 for 15 to 100; 1 for each additional 30 afterwards</u>	<u>1 for 25 to 100; 1 for each additional 50 afterwards</u>	<u>1 for 25 to 100; 1 for each additional 50 afterwards</u>	<u>1 for 50 to 100 on each floor; 1 for each additional 75 afterwards</u>	<u>1 for 11 to 50; 2 for 51 to 100; 1 for each additional 100 afterward</u>
<u>S-2</u>	<u>Parking garages^d</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>Optional</u>	<u>1</u>

Notes: a. The ratio equals the number of fixtures per the number of male occupants or female occupants.
b. The ratio equals the number of fixtures per the total number of occupants.
c. Separate male and female water closets or male and female lavatories are not required in these occupancy types.
d. There are no minimum fixture requirements for Group S-1 or S-2 buildings except for the minimum fixture requirement for parking garages.

1 (2) Facilities for Stages. (a)[(1)] A separate water closet and lavatory shall be provided
2 for males and females in the stage area.

3 (b)[(2)] A drinking fountain shall be provided in the stage and auditorium area.

4 (3) Carry-out food service facilities. A carry-out food service operation shall be exempt
5 from providing toilet facilities for the use of the carry-out food service facility's patrons.

6 (4) Licensed food establishments. In all food establishments licensed by the Cabinet for
7 Health and Family Services, Department for Public Health, the requirements of this subsection
8 shall be met.

9 (a) Handwashing sinks.

10 1. All handwashing sinks shall have a minimum hot water temperature of 100 degrees
11 Fahrenheit and a maximum hot water temperature of 120 degrees Fahrenheit.

12 2. Self-closing faucets shall provide a flow of water for no less than fifteen (15) seconds
13 from activation.

1 3. Placement of handwashing sinks shall be approved by the Cabinet for Health and Family
2 Services, Department for Public Health pursuant to 902 KAR 45:005.

3 (b) A three (3) compartment sink used for washing utensils shall be required and shall drain
4 by a direct connection with a minimum of a two (2) inch drain.

5 (c) Dishwashing or ware washing machines shall discharge indirectly through a three (3)
6 inch open receptacle.

7 (d) Residential type dishwashing machines shall discharge:

8 1. Through an air gap device; or

9 2. Indirectly through a three (3) inch open receptacle.

10 (e) Sinks solely used for food preparation shall discharge by an indirect connection to a
11 minimum three (3) inch trap.

12 (f) All hub drains, open receptacles, floor sinks, or other waste receptacles shall extend one
13 (1) inch above the floor plane unless a full grate/strainer is installed flush with the floor.

14 (g) Mobile food units. Occupied mobile food units not located within an existing permitted
15 food establishment shall:

16 1. Meet the requirements of this code.

17 2. Have a waste tank no less than fifty (50) percent larger than the freshwater tank;

18 3. Have a National Sanitary Foundation (NSF) approved freshwater tank for potable water;

19 and

20 4. Have a minimum of a three (3) compartment sink and one (1) hand sink.

21 (5) A restaurant with an occupancy of one (1) to fifteen (15) persons shall:

22 (a) Comply with the requirements for Group A-2 buildings; or

1 (b) Provide at least one (1) unisex facility consisting of one (1) water closet and one (1)
2 lavatory.

3 (6) Employee Facilities.

4 (a) Sanitary facilities within each building shall be provided for employees, unless an
5 exception is approved by the division.

6 (b) If more than five (5) persons are employed, separate facilities for each sex shall be
7 provided.

8 (c) For a tenant space within a building of 3,000 square feet or less of total gross floor area,
9 employee facilities shall not be required if adequate interior facilities are provided within a
10 centralized toilet room area or accessible areas having a travel distance of not more than 500 feet
11 within the building in which the tenant space is located.

12 (7) Residential private rooms. Residential facilities in Group R-1, Group R-2, Group R-3,
13 and Group R-4 that have a private bath attached to a private room shall have one (1) water closet,
14 one (1) lavatory, and one (1) bathtub or shower.

15 (8) Kitchen type sinks. An apartment unit or a condominium unit in Group R-2 or Group
16 R-3 buildings shall have a kitchen type sink.

17 (9) Waiting rooms. Waiting rooms in Group I-2 buildings and Group I-3 buildings shall
18 provide at least one (1) water closet and one (1) lavatory.

19 (10) School drinking fountains. (a) Group E (not including higher education facilities)
20 buildings shall have the following:

- 21 1. A minimum of two (2) water bottle filling stations in each school;
22 2. A minimum of one (1) drinking fountain or water bottle filling station on each floor and
23 wing of each school building; and

1 3. A minimum of one (1) drinking fountain or water bottle filling station for every seventy
2 five (75) students projected to attend the school upon completion of the proposed construction.

3 (b) A drinking fountain shall be equipped with:

4 1. A protective cowl; and

5 2. The orifice, which shall be one (1) inch above the overflow rim of the fountain.

6 (11) Park Service Buildings or Bathhouses. A park service building or bathhouse shall
7 comply with the requirements established in 902 KAR 15:020 and this subsection.

8 (a) Except for a self-contained recreational vehicle community, each park shall provide
9 one (1) or more central service buildings containing the necessary toilet and other plumbing
10 fixtures established in this section.

11 (b) Except for a self-contained recreational vehicle community, sanitary facilities shall be
12 provided as follows:

13 1. If there are one (1) to fifteen (15) vehicle spaces, there shall be for:

14 a. Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1)
15 shower; and

16 b. Females: At least one (1) water closet, one (1) lavatory, and one (1) shower;

17 2. If there are sixteen (16) to thirty (30) vehicle spaces, there shall be for:

18 a. Males: At least one (1) water closet, one (1) urinal, two (2) lavatories, and two (2)
19 showers; and

20 b. Females: At least two (2) water closets, two (2) lavatories, and two (2) showers;

21 3. If there are thirty-one (31) to forty-five (45) vehicle spaces, there shall be for:

22 a. Males: At least two (2) water closets, one (1) urinal, three (3) lavatories, and three (3)
23 showers; and

1 b. Females: At least two (2) water closets, three (3) lavatories, and three (3) showers;

2 4. If there are forty-six (46) to sixty (60) vehicle spaces, there shall be for:

3 a. Males: At least two (2) water closets, two (2) urinals, three (3) lavatories, and three (3)

4 showers; and

5 b. Females: At least three (3) water closets, three (3) lavatories, and three (3) showers;

6 5. If there are sixty-one (61) to eighty (80) vehicle spaces, there shall be for:

7 a. Males: At least three (3) water closets, two (2) urinals, four (4) lavatories, and four (4)

8 showers; and

9 b. Females: At least four (4) water closets, four (4) lavatories, and four (4) showers;

10 6. If there are eighty-one (81) to 100 vehicle spaces, there shall be for:

11 a. Males: At least four (4) water closets, two (2) urinals, five (5) lavatories, and five (5)

12 showers; and

13 b. Females: At least five (5) water closets, five (5) lavatories, and five (5) showers; and

14 7. If over 100 vehicle spaces are provided, there shall be provided at least:

15 a. One (1) additional water closet and one (1) additional lavatory for each sex per
16 additional thirty (30) spaces or fraction thereof;

17 b. One (1) additional shower for each sex per additional forty (40) vehicle spaces or
18 fraction thereof; and

19 c. One (1) additional urinal for males per additional 100 vehicle spaces or fraction
20 thereof.

21 (12) Residential and Day Camp Sites. A residential or day camp site shall comply with the
22 requirements established in 902 KAR 10:040 and this subsection.

1 (a)1. Each residential camp site shall be provided with sanitary facilities for each sex as
2 established in this subsection.

3 2. A day camp shall:

4 a. Not be required to provide shower facilities; and

5 b. Provide all other sanitary facilities for each sex as established in this section.

6 (b) Sanitary facilities shall be provided as follows:

7 1. If there are one (1) to eighteen (18) persons served, there shall be for:

8 a. Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower;

9 and

10 b. Females: At least two (2) water closets, one (1) lavatory, and one (1) shower;

11 2. If there are nineteen (19) to thirty-three (33) persons served, there shall be for:

12 a. Males: At least two (2) water closets, one (1) urinal, two (2) lavatories, and two (2)

13 showers; and

14 b. Females: At least two (2) water closets, two lavatories, and two showers;

15 3. If there are thirty-four (34) to forty-eight (48) persons served, there shall be for:

16 a. Males: At least two (2) water closets, two (2) urinals, two (2) lavatories, and three (3)

17 showers; and

18 b. Females: At least three (3) water closets, two (2) lavatories, and three (3) showers;

19 4. If there are forty-nine (49) to sixty-three (63) persons served, there shall be for:

20 a. Males: At least three (3) water closets, two (2) urinals, three (3) lavatories, and four (4)

21 showers; and

22 b. Females: At least four (4) water closets, three (3) lavatories, and four (4) showers;

23 5. If there are sixty-four (64) to seventy-nine (79) persons served, there shall be for:

1 a. Males: At least three (3) water closets, three (3) urinals, three (3) lavatories, and five (5)
2 showers; and

3 b. Females: At least five (5) water closets, three (3) lavatories, and five (5) showers;

4 6. If there are eighty (80) to ninety-five (95) persons served, there shall be for:

5 a. Males: At least four (4) water closets, three (3) urinals; four (4) lavatories, and six (6)
6 showers; and

7 b. Females: At least six (6) water closets, four (4) lavatories, and six (6) showers; and

8 7. If over ninety-five (95) persons are served, there shall be provided at least:

9 a. One (1) additional water closet and one (1) additional lavatory for each twenty-five (25)
10 persons or fraction thereof served;

11 b. One (1) additional shower for each twenty (20) persons or fraction thereof served; and

12 c. One (1) additional urinal for each additional fifty (50) males or fraction thereof.

13 (c) Coed day camps with equal number of males and females shall meet the fixture
14 requirements of Group E school buildings (not including higher-education facilities) in the chart
15 in subsection (1) of this section.

16 (d) Water closets may be substituted for urinals if facilities are to be used by both sexes.

17 Section 5. Fixture Alternatives. (1) Lavatory alternatives. (a) If a gang sink is installed,
18 twenty four (24) inches of the gang sink shall equal one (1) lavatory.

19 (b) If a circular sink is installed, eighteen (18) inches of the circular sink basin shall equal
20 one (1) lavatory.

21 (2) Urinal alternative. If a trough urinal is installed, twenty four (24) inches of the trough
22 urinal shall equal one (1) urinal.

1 Section 6. Other Fixture Requirements. (1) Modular Classrooms. If detached modular
2 classrooms are used, sanitary facilities shall not be required, if:

3 (a) The entrance of the modular classroom for elementary grades through the fifth grade is
4 within a developed travel distance not to exceed 100 feet from the accessible entrance to the main
5 structure or an approved central modular restroom;

6 (b) The entrance of the modular classroom for sixth grade and above is within a developed
7 travel distance not to exceed 200 feet, from the accessible entrance to the main structure or an
8 approved central modular restroom;

9 (c) The travel path meets the accessibility requirements established in the Kentucky
10 Building Code, 815 KAR 7:120; and

11 (d) There are sufficient fixtures in the main structure to serve the entire capacity of the
12 school, including the modular classrooms.

13 (2) Laundry trays or clothes washers. Dormitories in Group R-2 shall have one (1) laundry
14 tray or clothes washer for each fifty (50) persons or fraction thereof.

15 (3) Shower and bath requirements. Bathing fixtures requirements are as follows:

16 (a) Transient lodging facilities with private baths shall have one (1) bathtub or shower per
17 room.

18 (b) Dormitories, fraternities, sororities, and rooming houses in Group R-2 shall have:

19 1. One (1) bathtub or shower for each eight (8) persons or fraction thereof up to 150
20 persons; and

21 2. If there are over 150 persons, one (1) additional bathtub or shower for each twenty (20)
22 persons.

1 (c) Swimming pool bathhouses shall have one (1) shower per each fifty (50) persons or
2 fraction thereof;

3 1. Showers shall be supplied with water at a temperature of not less than ninety (90)
4 degrees Fahrenheit and at a flow rate of at least three (3) gallons per minute.

5 2. Thermostatic, tempering, or mixing valves shall be installed to prevent scalding of the
6 bathers.

7 3. The requirement relating to bathhouse toilet room and shower facilities may be waived
8 if the facilities are available to pool patrons within 150 feet from the pool.

9 (d) Groups F-1 and F-2 buildings shall provide one (1) shower for each fifteen (15)
10 person or fraction thereof, exposed to skin contamination from irritating, infectious, or poisonous
11 materials.

12 (e) Group I-2 buildings shall have at least one (1) bathtub or shower for each fifteen (15)
13 persons or fraction thereof.

14 ~~[Section 5. Theaters, Assembly Halls, and Similar Occupancies. Separate toilet rooms~~
15 ~~for males and females shall be provided as established in this section and in Sections 2 through 4~~
16 ~~of this administrative regulation. (1) Water closets and urinals for males.~~

17 ~~(a) Water closets for males shall be installed with at least:~~

18 ~~1. One (1) water closet for each 100 males;~~

19 ~~2. Two (2) water closets for 101 to 200 males;~~

20 ~~3. Three (3) water closets for 201 to 400 males; and~~

21 ~~4. If over 400 males, three (3) water closets plus one (1) additional water closet for each~~
22 ~~additional 500 males or fraction thereof.~~

23 ~~(b) Urinals for males shall be installed with at least:~~

1 1. One (1) urinal for eleven (11) to 100 males;
2 2. Two (2) urinals for 101 to 300 males;
3 3. Three (3) urinals for 301 to 600 males; and
4 4. If over 600 males, three (3) urinals plus one (1) additional urinal for each additional 300
5 males or fraction thereof.

6 ~~(2) Water closets for females. Water closets for females shall be installed with at least: (a)~~
7 ~~One (1) water closet for each fifty (50) females;~~
8 ~~(b) Two (2) water closets for fifty one (51) to 100 females;~~
9 ~~(c) Three (3) water closets for 101 to 150 females;~~
10 ~~(d) Four (4) water closets for 151 to 200 females; and~~
11 ~~(e) If over 200 females, four (4) water closets plus one (1) additional water closet for each~~
12 ~~additional 150 females or fraction thereof.~~

13 ~~(3) Lavatories for Males or Females. Lavatories shall be installed with at least:~~
14 ~~(a) One (1) lavatory for up to 100 persons;~~
15 ~~(b) Two (2) lavatories for 101 to 200 persons;~~
16 ~~(c) Three (3) lavatories for 201 to 400 persons;~~
17 ~~(d) Four (4) lavatories for 401 to 750 persons; and~~
18 ~~(e) If over 750 persons, four (4) lavatories plus one (1) additional lavatory for each~~
19 ~~additional 500 persons or fraction thereof.~~

20 ~~(4) Sinks. There shall be at least one (1) service sink or slop sink on each floor.~~

21 ~~(5) Number of fixtures. The number of fixtures shall be based upon the maximum seating~~
22 ~~capacity or fixed seats. If fixed seats are not provided, the basis for determining the capacity shall~~
23 ~~be one (1) person per each fifteen (15) square feet of area.~~

1 ~~(6) Drinking fountain. At least one (1) drinking fountain shall be provided on each floor~~
2 ~~for each 500 persons or fraction thereof.~~

3 ~~(7) Water closets in public restrooms shall be of the elongated bowl type with a split open~~
4 ~~front seat. Section 6. Libraries, Museums, and Art Galleries. Separate toilet facilities for males and~~
5 ~~females shall be provided as established in this section and in Sections 2 through 4 of this~~
6 ~~administrative regulation:~~

7 ~~(1) There shall be at least one (1) water closet and one (1) lavatory for each 100 females or~~
8 ~~fraction thereof.~~

9 ~~(2) Except as established in subsection (7) of this section, there shall be at least one (1)~~
10 ~~water closet and one (1) lavatory for each 200 males or fraction thereof.~~

11 ~~(3) There shall be at least:~~

12 ~~(a) One (1) urinal for eleven (11) to 200 males;~~

13 ~~(b) Two (2) urinals for 201 to 400 males;~~

14 ~~(c) Three (3) urinals for 401 to 600 males; and~~

15 ~~(d) If over 600 males, three (3) urinals plus one (1) additional urinal for each additional~~
16 ~~300 males or fraction thereof.~~

17 ~~(4) There shall be at least one (1) service sink or slop sink on each floor.~~

18 ~~(5) At least one (1) drinking fountain shall be provided for each 500 persons or fraction~~
19 ~~thereof.~~

20 ~~(6) Number of fixtures. The number of fixtures shall be based upon the maximum seating~~
21 ~~capacity of fixed seats. If fixed seats are not provided, the basis for determining the capacity shall~~
22 ~~be one (1) person for each fifteen (15) square feet of area.~~

23 ~~(7) Urinals may be substituted for water closets for males if:~~

1 ~~(a) The substituted urinals do not exceed one third (1/3) of the required total number of~~
2 ~~water closets; and~~

3 ~~(b) The minimum number of urinals is installed.~~

4 ~~(8) Water closets in public restrooms shall be of the elongated bowl type with a split open~~
5 ~~front seat.~~

6 ~~Section 7. School Buildings Not Including Higher Education Facilities. A school building~~
7 ~~shall be in compliance with the requirements established in 702 KAR 4:170 and this section.~~

8 ~~(1) Drinking fountains.~~

9 ~~(a) At least one (1) drinking fountain shall be provided on each floor and wing of a building.~~

10 ~~(b) At least one (1) additional drinking fountain shall be provided for each seventy five~~
11 ~~(75) pupils or fraction thereof.~~

12 ~~(c) The drinking fountains shall be equipped with:~~

13 ~~1. A protective cowl; and~~

14 ~~2. The orifice, which shall be one (1) inch above the overflow rim of the fountain.~~

15 ~~(2) Elementary through secondary level school buildings shall be provided with the~~
16 ~~following:~~

17 ~~(a) Water closets for males shall be installed with at least:~~

18 ~~1. One (1) water closet for up to twenty five (25) pupils;~~

19 ~~2. Two (2) water closets for twenty six (26) to 100 pupils; and~~

20 ~~3. If over 100 pupils, two (2) water closets plus one (1) additional water closet for each~~
21 ~~additional 100 pupils or fraction thereof;~~

22 ~~(b) Urinals for males shall be installed with at least:~~

23 ~~1. One (1) urinal for up to twenty five (25) pupils;~~

- 1 2. ~~Two (2) urinals for twenty-six (26) to fifty (50) pupils;~~
- 2 3. ~~Four (4) urinals for fifty-one (51) to 100 pupils;~~
- 3 4. ~~Six (6) urinals for 101 to 200 pupils;~~
- 4 5. ~~Eight (8) urinals for 201 to 300 pupils;~~
- 5 6. ~~Ten (10) urinals for 301 to 400 pupils;~~
- 6 7. ~~Twelve (12) urinals for 401 to 500 pupils; and~~
- 7 8. ~~If over 500 pupils, twelve (12) urinals plus one (1) additional urinal for each additional~~
- 8 ~~fifty (50) pupils or fraction thereof in excess of 500;~~

9 (c) ~~Water closets for females shall be installed with at least:~~

- 10 1. ~~Two (2) water closets for up to twenty-five (25) pupils;~~
- 11 2. ~~Three (3) water closets for twenty-six (26) to fifty (50) pupils;~~
- 12 3. ~~Six (6) water closets for fifty-one (51) to 100 pupils;~~
- 13 4. ~~Eight (8) water closets for 101 to 200 pupils;~~
- 14 5. ~~Ten (10) water closets for 201 to 300 pupils;~~
- 15 6. ~~Twelve (12) water closets for 301 to 400 pupils;~~
- 16 7. ~~Fourteen (14) water closets for 401 to 500 pupils; and~~
- 17 8. ~~If over 500 pupils, fourteen (14) water closets plus one (1) additional water closet for~~
- 18 ~~each additional forty (40) pupils or fraction thereof; and~~

19 (d)1. ~~Lavatories for male and female pupils shall be installed with at least:~~

- 20 a. ~~One (1) lavatory for each twenty-five (25) pupils or fraction thereof; and~~
- 21 b. ~~If over fifty (50) pupils, two (2) lavatories plus one (1) additional lavatory for each~~
- 22 ~~additional fifty (50) pupils or fraction thereof; and~~

1 ~~2. Twenty four (24) inches of sink or eighteen (18) inches of circular basin, if provided~~
2 ~~with water outlet for each space, shall be considered equivalent to one (1) lavatory.~~

3 ~~(3) At least one (1) service sink or slop sink shall be installed on each floor of a building.~~

4 ~~(4) If detached modular classrooms are used, sanitary facilities shall not be required, if:~~

5 ~~(a) The entrance of the modular classroom for elementary grades through the fifth grade is~~
6 ~~within a developed travel distance not to exceed 100 feet from the accessible entrance to the main~~
7 ~~structure or an approved central modular restroom;~~

8 ~~(b) The entrance of the modular classroom for sixth grade and above is within a developed~~
9 ~~travel distance not to exceed 200 feet, from the accessible entrance to the main structure or an~~
10 ~~approved central modular restroom;~~

11 ~~(c) The travel path meets the accessibility requirements established in the Kentucky~~
12 ~~Building Code, 815 KAR 7:120; and~~

13 ~~(d) There are sufficient fixtures in the main structure to serve the entire capacity of the~~
14 ~~school, including the modular classrooms.~~

15 ~~(5) Water closets in a school building shall be of the elongated bowl type with a split open~~
16 ~~front seat.~~

17 ~~Section 8. Schools of Higher Education and Similar Educational Facilities. (1)(a) Except~~
18 ~~as established in paragraph~~

19 ~~(b) of this subsection, in a school of higher education or a similar education facility, there~~
20 ~~shall be installed at least:~~

21 ~~1. One (1) water closet for each fifty (50) males and one (1) water closet for each twenty-~~
22 ~~five (25) females or fraction thereof;~~

23 ~~2. One (1) lavatory for each fifty (50) persons or fraction thereof;~~

1 ~~3. One (1) drinking fountain for each seventy five (75) persons or fraction thereof; and~~

2 ~~4. One (1) urinal for each fifty (50) males or fraction thereof.~~

3 ~~(b) One (1) water closet less than the number specified in paragraph (a) of this subsection~~
4 ~~may be provided for each urinal installed except that the number of water closets in those cases~~
5 ~~shall not be reduced to less than two thirds (2/3) of the minimum specified.~~

6 ~~(2) Water closets in a school of higher education or a similar education facility shall be of~~
7 ~~the elongated bowl type with a split open front seat.~~

8 ~~Section 9. Public Garages and Service Stations. (1) Separate toilet rooms for males and~~
9 ~~females shall be provided with at least:~~

10 ~~(a) A water closet and lavatory for females; and~~

11 ~~(b) A water closet, lavatory, and urinal for males.~~

12 ~~(2) Water closets shall be of the elongated bowl type with a split open front seat.~~

13 ~~Section 10. Churches. (1) Sanitary facilities shall be provided in a church with at least: (a)~~
14 ~~One (1) drinking fountain for each 400 persons or fraction thereof;~~

15 ~~(b) One (1) water closet for each 150 females or fraction thereof;~~

16 ~~(c) One (1) water closet for each 300 males or fraction thereof;~~

17 ~~(d) One (1) urinal for fifty (50) to 150 males or fraction thereof;~~

18 ~~(e) One (1) additional urinal for each additional 150 males or fraction thereof; and~~

19 ~~(f) One (1) lavatory for each 150 persons or fraction thereof.~~

20 ~~(2) Water closets in public restrooms shall be of the elongated bowl type with a split open~~
21 ~~front seat.~~

22 ~~Section 11. Transient Lodging Facilities. A transient lodging facility shall be in compliance~~
23 ~~with the requirements established in 902 KAR 10:010 and this section. (1) A hotel or motel with~~

1 ~~private rooms shall have at least one (1) water closet, one (1) lavatory, and one (1) bathtub or~~
2 ~~shower per room.~~

3 ~~(2) In the public and service areas, there shall be at least:~~

4 ~~(a) One (1) water closet for each twenty five (25) males or fraction thereof;~~

5 ~~(b) One (1) water closet for each fifteen (15) females or fraction thereof;~~

6 ~~(c) One (1) lavatory for each twenty five (25) persons or fraction thereof;~~

7 ~~(d) One (1) urinal for eleven (11) to 100 males plus one (1) additional urinal for each~~
8 ~~additional fifty (50) males or fraction thereof;~~

9 ~~(e) One (1) drinking fountain for each seventy five (75) persons or fraction thereof on each~~
10 ~~floor; and~~

11 ~~(f) One (1) service sink or slop sink on each floor.~~

12 ~~(3) In residential type buildings, there shall be at least one (1) water closet, one (1) lavatory,~~
13 ~~and one (1) bathtub or shower for each ten (10) males and each ten (10) females or fraction thereof.~~

14 ~~(4) In rooming houses with private baths, there shall be at least one (1) water closet, one~~
15 ~~(1) lavatory, and one (1) bathtub or shower per room.~~

16 ~~(5) In rooming houses without private baths, there shall be at least: (a) One (1) water closet~~
17 ~~for one (1) to ten (10) males and one (1) for each additional twenty five (25) males or fraction~~
18 ~~thereof;~~

19 ~~(b) One (1) water closet for one (1) to eight (8) females and one (1) for each additional~~
20 ~~twenty (20) females or fraction thereof;~~

21 ~~(c) One (1) urinal for eleven (11) to 100 males and one (1) for each additional fifty (50)~~
22 ~~males or fraction thereof;~~

23 ~~(d) One (1) lavatory for each ten (10) persons or fraction thereof; and~~

1 ~~(e) One (1) bathtub or shower for each ten (10) persons or fraction thereof.~~

2 ~~Section 12. Dormitories: School, Labor, or Institutional. [(1) Water closets. There shall be~~
3 ~~at least:~~

4 ~~(a) One (1) water closet for up to ten (10) males plus one (1) additional water closet for~~
5 ~~each additional twenty five (25) males or fraction thereof; and~~

6 ~~(b) One (1) water closet for up to eight (8) females plus one (1) additional water closet for~~
7 ~~each additional twenty (20) females or fraction thereof.~~

8 ~~(2) Urinals. (a) There shall be at least:~~

9 ~~1. One (1) urinal for each twenty five (25) males or fraction thereof up to 150 males; and~~

10 ~~2. If there are over 150 males, one (1) additional urinal for each additional fifty (50) males~~
11 ~~or fraction thereof.~~

12 ~~(b) If urinals are provided, a urinal may be substituted for a water closet, not to exceed one~~
13 ~~third (1/3) of the required total number of water closets.~~

14 ~~(c) Trough urinals shall be figured on the basis of one (1) urinal for each twenty four (24)~~
15 ~~inches of length.~~

16 ~~(3) Lavatories. There shall be at least one (1) lavatory for one (1) to twelve (12) persons,~~
17 ~~with an additional one (1) lavatory for each additional twenty (20) males and fifteen (15) females~~
18 ~~or fraction thereof.~~

19 ~~(4) Additional fixtures. There shall be at least:~~

20 ~~(a) 1. One (1) bathtub or shower for each eight (8) persons or fraction thereof, up to 150~~
21 ~~persons; and~~

22 ~~2. If there are over 150 persons, one (1) additional bathtub or shower for each twenty (20)~~
23 ~~persons;~~

1 ~~(b) One (1) drinking fountain for each seventy five (75) persons or fraction thereof;~~

2 ~~(c) One (1) laundry tray or clothes washer for each fifty (50) persons or fraction thereof;~~

3 and

4 ~~(d) One (1) service sink or slop sink for each 100 persons or fraction thereof.~~

5 ~~(5) If the dormitory is located in a youth camp, the requirements of 902 KAR 10:040 shall~~
6 ~~apply in addition to the requirements established in this section.~~

7 ~~Section 13. Hospitals, Nursing Homes, and Institutions. A hospital, nursing home, or~~
8 ~~institution shall comply with the requirements established in 902 KAR 20:031, 902 KAR 20:046,~~
9 ~~902 KAR 20:056, and 902 KAR 9:010. Sanitary facilities shall be provided on each floor level and~~
10 ~~shall conform to this section.~~

11 ~~(1) Hospitals. (a) Wards. There shall be at least:~~

12 ~~1. One (1) water closet for each ten (10) patients or fraction thereof;~~

13 ~~2. One (1) lavatory for each ten (10) patients or fraction thereof;~~

14 ~~3. One (1) tub or shower for each fifteen (15) patients or fraction thereof; and~~

15 ~~4. One (1) drinking fountain for each 100 patients or fraction thereof.~~

16 ~~(b) Individual rooms. There shall be at least one (1) water closet, one (1) lavatory, and one~~
17 ~~(1) tub or shower.~~

18 ~~(c) Waiting rooms. There shall be at least one (1) water closet and one (1) lavatory.~~

19 ~~(2) Nursing homes and institutions (other than penal). There shall be at least:~~

20 ~~(a) One (1) water closet for each twenty five (25) males or fraction thereof;~~

21 ~~(b) One (1) water closet for each twenty (20) females or fraction thereof;~~

22 ~~(c) One (1) lavatory for each ten (10) persons or fraction thereof;~~

23 ~~(d) One (1) urinal for each fifty (50) males or fraction thereof;~~

1 ~~(e) One (1) tub or shower for each fifteen (15) persons or fraction thereof;~~

2 ~~(f) One (1) drinking fountain on each floor; and~~

3 ~~(g) One (1) service sink or slop sink on each floor.~~

4 ~~(3) Institutions, penal. (a) Cell. There shall be at least:~~

5 ~~1. One (1) prison type water closet; and~~

6 ~~2. One (1) prison type lavatory.~~

7 ~~(b) Day rooms and dormitories. 1. There shall be at least:~~

8 ~~a. One (1) water closet for each eight (8) female inmates or fraction thereof and one (1)~~

9 ~~water closet for each twelve (12) male inmates or fraction thereof;~~

10 ~~b. One (1) lavatory for each twelve (12) inmates or fraction thereof;~~

11 ~~c. One (1) shower for each fifteen (15) inmates or fraction thereof;~~

12 ~~d. One (1) drinking fountain per floor; and~~

13 ~~e. One (1) service sink or slop sink per floor.~~

14 ~~2. For males, one (1) urinal may be substituted for each water closet if the number of water~~
15 ~~closets is not reduced to less than one half (1/2) the number required.~~

16 ~~(c) Toilet facilities for employees shall be located in separate rooms from those in which~~
17 ~~fixtures for the use of inmates or patients are located.~~

18 ~~(d) There shall be at least one (1) drinking fountain on each floor.~~

19 ~~(e) There shall be at least one (1) service sink or slop sink per floor.~~

20 ~~Section 14. Workshops, Factories, Mercantile, and Office Buildings. Separate toilet~~
21 ~~facilities shall be provided for males and females on each floor unless otherwise denoted.~~

22 ~~(1) Workshops and factories: Sanitary facilities shall conform to the following:~~

23 ~~(a) There shall be at least:~~

1. ~~One (1) water closet for each twenty five (25) males or fraction thereof, up to 100;~~
 2. ~~One (1) lavatory for each twenty five (25) males or fraction thereof, up to 100;~~
 3. ~~One (1) urinal for eleven (11) to fifty (50) employees;~~
 4. ~~Two (2) urinals for fifty one (51) to 100 employees;~~
 5. ~~One (1) lavatory for each twenty five (25) females or fraction thereof up to 100; and~~
 6. ~~One (1) water closet for each fifteen (15) females or fraction thereof up to 100;~~
- (b) ~~If in excess of 100 persons, there shall be at least:~~
1. ~~One (1) additional water closet for each additional thirty (30) males and each additional thirty (30) females or fraction thereof;~~
 2. ~~One (1) additional lavatory for each additional fifty (50) males and females or fraction thereof; and~~
 3. ~~One (1) additional urinal for each additional 100 males or fraction thereof;~~
- (c) ~~There shall be at least:~~
1. ~~One (1) shower for each fifteen (15) persons or fraction thereof, exposed to skin contamination from irritating, infectious, or poisonous materials;~~
 - 2.a. ~~One (1) drinking fountain on each floor for each fifty (50) employees or fraction thereof, up to 100 employees; and~~
 - b. ~~If there are more than 100 employees, there shall be an additional drinking fountain on each floor for each additional seventy five (75) employees or fraction thereof; and~~
 3. ~~One (1) service sink or slop sink per floor; and~~
- (d) 1. ~~Individual sinks or wash troughs may be used in lieu of lavatories.~~
2. ~~Twenty four (24) inches of sink or trough, if provided with water, or eighteen (18) inches of circular basin shall be deemed the equivalent of one (1) lavatory.~~

1 ~~(2) Mercantile. (a) Employees. 1. Except as provided in subparagraph 2 of this paragraph,~~
2 ~~sanitary facilities within each store shall be provided for employees. If more than five (5) persons~~
3 ~~are employed, separate facilities for each sex shall be provided.~~

4 ~~2. For a store containing not more than 3,000 square feet of total gross floor area, employee~~
5 ~~facilities shall not be required if adequate interior facilities are provided within a centralized toilet~~
6 ~~room area or accessible areas having a travel distance of not more than 500 feet within the building~~
7 ~~in which the store is located.~~

8 ~~(b) Customers. 1. Sanitary facilities shall be provided for customers if the building contains~~
9 ~~5,000 square feet or more.~~

10 ~~2. In a mall or shopping center, the required facilities, based on one (1) person per 100~~
11 ~~square feet of total area, shall be installed in individual stores or in a central toilet room area or~~
12 ~~areas, if:~~

13 ~~a. The distance from the main entrance of a store does not exceed 500 feet; and~~

14 ~~b. The toilet room area is accessible to physically disabled persons.~~

15 ~~(c) Sanitary facilities shall be provided as stated in this section and there shall be at least:~~

16 ~~1. One (1) water closet for one (1) to 150 males;~~

17 ~~2. Two (2) water closets for 151 to 300 males;~~

18 ~~3. Three (3) water closets for 301 to 450 males;~~

19 ~~4. If over 500 males, three (3) water closets plus one (1) additional water closet for each~~
20 ~~additional 500 males or fraction thereof;~~

21 ~~5. One (1) urinal for fifty (50) to 200 males;~~

22 ~~6. Two (2) urinals for 201 to 400 males;~~

23 ~~7. Three (3) urinals for 401 to 600 males;~~

- 1 ~~8. If over 300 males, three (3) urinals plus one (1) additional urinal for each additional 300~~
2 ~~males or fraction thereof;~~
- 3 ~~9. One (1) water closet for one (1) to 100 females;~~
- 4 ~~10. Two (2) water closets for 101 to 200 females;~~
- 5 ~~11. Three (3) water closets for 201 to 400 females;~~
- 6 ~~12. If over 400 females, three (3) water closets plus one (1) additional water closet for each~~
7 ~~additional 300 females or fraction thereof;~~
- 8 ~~13. One (1) lavatory for one (1) to 200 persons;~~
- 9 ~~14. Two (2) lavatories for 201 to 400 persons;~~
- 10 ~~15. Three (3) lavatories for 401 to 700 persons;~~
- 11 ~~16. If over 700 persons, three (3) lavatories plus one (1) additional lavatory for each~~
12 ~~additional 500 persons or fraction thereof; Three (3) lavatories plus one (1) lavatory for each 500~~
13 ~~persons, or fraction thereof, in excess of 700;~~
- 14 ~~17. One (1) drinking fountain on each floor for each 500 persons or fraction thereof; and~~
- 15 ~~18. One (1) service sink or slop sink per floor.~~
- 16 ~~(3) Office buildings. (a) Employees. 1. Except as established in subparagraph 2 of this~~
17 ~~paragraph, sanitary facilities within office buildings shall be provided for employees. If more than~~
18 ~~five (5) persons are employed, separate facilities for each sex shall be provided.~~
- 19 ~~2. For an office building or space containing not more than 3,000 square feet of total gross~~
20 ~~floor area, employee facilities shall not be required if adequate interior facilities are provided~~
21 ~~within a centralized toilet room area or areas having a travel distance of not more than 500 feet~~
22 ~~within the same building.~~

1 (b) Customers. 1. Sanitary facilities shall be provided for customers if the office building
2 or space contains 5,000 square feet or more.

3 2. In an office building, the required facilities, based on one (1) person per 100 square feet
4 of total area, shall be installed within the individual offices, or in a central toilet room area or areas
5 if:

6 a. The distance from the main entrance of an office space does not exceed 500 feet; and

7 b. The toilet room area is accessible to physically disabled persons.

8 (c) Separate sanitary facilities for each gender shall be provided as stated in this section. 1.

9 For males and females there shall be at least:

10 a. One (1) water closet for one (1) to fifteen (15) persons;

11 b. Two (2) water closets for sixteen (16) to thirty five (35) persons;

12 c. Three (3) water closets for thirty six (36) to fifty five (55) persons;

13 d. Four (4) water closets for fifty six (56) to eighty (80) persons;

14 e. Five (5) water closets for eighty one (81) to 110 persons;

15 f. Six (6) water closets for 111 to 150 persons;

16 g. If over 150 persons, six (6) water closets plus one (1) additional water closet for each
17 additional forty (40) persons or fraction thereof;

18 h. One (1) lavatory for one (1) to fifteen (15) persons;

19 i. Two (2) lavatories for sixteen (16) to thirty five (35) persons;

20 j. Three (3) lavatories for thirty six (36) to sixty (60) persons;

21 k. Four (4) lavatories for sixty one (61) to ninety (90) persons;

22 l. Five (5) lavatories for ninety one (91) to 125 persons;

1 m. ~~If over 125 persons, five (5) lavatories plus one (1) additional lavatory for each~~
2 ~~additional seventy five (75) persons or fraction thereof; and~~

3 n. ~~One (1) drinking fountain for each seventy five (75) persons or fraction thereof.~~

4 2. ~~For males, if urinals are provided, one (1) water closet less than the number specified~~
5 ~~may be provided for each urinal installed if the number of water closets is not reduced to less than~~
6 ~~seventy (70) percent of the minimum specified.~~

7 Section 15. ~~Swimming Pool Bathhouses. A swimming pool bathhouse shall comply with~~
8 ~~the requirements established in 902 KAR 10:120 and this section.~~

9 (1) ~~Bathhouses for public swimming pools shall be divided into two (2) parts separated by~~
10 ~~a tight partition, with one (1) part designated for "Males" or "Men" and the other part designated~~
11 ~~for "Females" or "Women."~~

12 (2) ~~Sanitary facilities shall be provided in each bathhouse to serve the anticipated bather~~
13 ~~load, as defined in 902 KAR 10:120, and shall conform to the following:~~

14 (a) ~~For swimming pools in which the total bather capacity is 200 persons or less, there shall~~
15 ~~be at least:~~

16 1. ~~One (1) water closet for each seventy five (75) males or fraction thereof;~~

17 2. ~~One (1) water closet for each fifty (50) females or fraction thereof;~~

18 3. ~~One (1) urinal for each seventy five (75) males or fraction thereof;~~

19 4. ~~One (1) lavatory for each 100 persons or fraction thereof;~~

20 5. ~~One (1) shower per each fifty (50) persons or fraction thereof; and~~

21 6. ~~One (1) drinking fountain per each 200 persons or fraction thereof;~~

22 (b) ~~For swimming pools in which the total bather capacity exceeds 200 persons, there shall~~
23 ~~be at least:~~

1 ~~1. Five (5) water closets for 201 to 400 females, with one (1) additional water closet for~~
2 ~~each additional 250 females or fraction thereof;~~

3 ~~2. Three (3) water closets for 201 to 400 males, with one (1) additional water closet for~~
4 ~~each additional 500 males or fraction thereof;~~

5 ~~3. Three (3) urinals for 201 to 400 males, with one (1) additional urinal for each additional~~
6 ~~500 males or fraction thereof;~~

7 ~~4. One (1) lavatory for up to 150 persons;~~

8 ~~5. Two (2) lavatories for 151 to 400 persons;~~

9 ~~6. Three (3) lavatories for 401 to 750 persons;~~

10 ~~7. If over 750 persons, three (3) lavatories plus one (1) additional lavatory for each~~
11 ~~additional 750 persons or fraction thereof;~~

12 ~~8. One (1) shower per each fifty (50) persons or fraction thereof up to 150;~~

13 ~~9. If over 150 persons, three (3) showers plus one (1) additional shower for each additional~~
14 ~~500 persons or fraction thereof; and~~

15 ~~10. One (1) drinking fountain per each 500 persons or fraction thereof.~~

16 ~~(3) Fixture schedules shall be increased for pools at schools or similar locations where~~
17 ~~bather loads may reach peaks due to schedules of use. Pools used by groups or classes on regular~~
18 ~~time schedules of:~~

19 ~~(a) One (1) hour or less shall have at least one (1) shower for each six (6) swimmers; and~~

20 ~~(b) One (1) to two (2) hours shall have at least one (1) shower for each ten (10) swimmers.~~

21 ~~(4) Shower facilities, including warm water and soap, shall be provided for each sex.~~

22 ~~(a) Showers shall be supplied with water at a temperature of not less than ninety (90)~~
23 ~~degrees Fahrenheit and at a flow rate of at least three (3) gallons per minute.~~

1 ~~(b) Thermostatic, tempering, or mixing valves shall be installed to prevent scalding of the~~
2 bathers.

3 ~~(5) The requirement relating to bathhouse toilet room and shower facilities may be waived~~
4 if the facilities are available to pool patrons within 150 feet from the pool.

5 ~~Section 16. Park Service Buildings or Bathhouses. A park service building or bathhouse~~
6 shall comply with the requirements established in 902 KAR 15:020, Section 8, and this section.

7 ~~(1) Except for a self-contained recreational vehicle community, each park shall provide~~
8 one ~~(1)~~ or more central service buildings containing the necessary toilet and other plumbing
9 fixtures established in this section.

10 ~~(2) Except for a self-contained recreational vehicle community, sanitary facilities shall be~~
11 provided as follows:

12 ~~(a) If there are one (1) to fifteen (15) vehicle spaces, there shall be for:~~

13 ~~1. Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower;~~

14 and

15 ~~2. Females: At least one (1) water closet, one (1) lavatory, and one (1) shower;~~

16 ~~(b) If there are sixteen (16) to thirty (30) vehicle spaces, there shall be for:~~

17 ~~1. Males: At least one (1) water closet, one (1) urinal, two (2) lavatories, and two (2)~~

18 showers; and

19 ~~2. Females: At least two (2) water closets, two (2) lavatories, and two (2) showers;~~

20 ~~(c) If there are thirty one (31) to forty five (45) vehicle spaces, there shall be for:~~

21 ~~1. Males: At least two (2) water closets, one (1) urinal, three (3) lavatories, and three (3)~~

22 showers; and

23 ~~2. Females: At least two (2) water closets, three (3) lavatories, and three (3) showers;~~

1 ~~(d) If there are forty six (46) to sixty (60) vehicle spaces, there shall be for:~~

2 ~~1. Males: At least two (2) water closets, two (2) urinals, three (3) lavatories, and three (3)~~
3 ~~showers; and~~

4 ~~2. Females: At least three (3) water closets, three (3) lavatories, and three (3) showers;~~

5 ~~(e) If there are sixty one (61) to eighty (80) vehicle spaces, there shall be for:~~

6 ~~1. Males: At least three (3) water closets, two (2) urinals, four (4) lavatories, and four (4)~~
7 ~~showers; and~~

8 ~~2. Females: At least four (4) water closets, four (4) lavatories, and four (4) showers;~~

9 ~~(f) If there are eighty one (81) to 100 vehicle spaces, there shall be for:~~

10 ~~1. Males: At least four (4) water closets, two (2) urinals, five (5) lavatories, and five (5)~~
11 ~~showers; and~~

12 ~~2. Females: At least five (5) water closets, five (5) lavatories, and five (5) showers; and~~

13 ~~(g) If over 100 vehicle spaces are provided, there shall be provided at least:~~

14 ~~1. One (1) additional water closet and one (1) additional lavatory for each sex per additional~~
15 ~~thirty (30) spaces or fraction thereof;~~

16 ~~2. One (1) additional shower for each sex per additional forty (40) vehicle spaces or fraction~~
17 ~~thereof; and~~

18 ~~3. One (1) additional urinal for males per additional 100 vehicle spaces or fraction thereof.~~

19 ~~Section 17. Residential and Day Camp Sites. A residential or day camp site shall comply~~
20 ~~with the requirements established in 902 KAR 10:040 and this section.~~

21 ~~(1)(a) Each residential camp site shall be provided with sanitary facilities for each sex as~~
22 ~~established in this section.~~

23 ~~(b) A day camp shall:~~

- 1 ~~1. Not be required to provide shower facilities; and~~
- 2 ~~2. Provide all other sanitary facilities for each sex as established in this section.~~
- 3 ~~(2) Sanitary facilities shall be provided as follows:~~
- 4 ~~(a) If there are one (1) to eighteen (18) persons served, there shall be for:~~
- 5 ~~1. Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower;~~
- 6 ~~and~~
- 7 ~~2. Females: At least two (2) water closets, one (1) lavatory, and one (1) shower;~~
- 8 ~~(b) If there are nineteen (19) to thirty three (33) persons served, there shall be for:~~
- 9 ~~1. Males: At least two (2) water closets, one (1) urinal, two (2) lavatories, and two (2)~~
- 10 ~~showers; and~~
- 11 ~~2. Females: At least two (2) water closets, two lavatories, and two showers;~~
- 12 ~~(c) If there are thirty four (34) to forty eight (48) persons served, there shall be for:~~
- 13 ~~1. Males: At least two (2) water closets, two (2) urinals, two (2) lavatories, and three (3)~~
- 14 ~~showers; and~~
- 15 ~~2. Females: At least three (3) water closets, two (2) lavatories, and three (3) showers;~~
- 16 ~~(d) If there are forty nine (49) to sixty three (63) persons served, there shall be for:~~
- 17 ~~1. Males: At least three (3) water closets, two (2) urinals, three (3) lavatories, and four (4)~~
- 18 ~~showers; and~~
- 19 ~~2. Females: At least four (4) water closets, three (3) lavatories, and four (4) showers;~~
- 20 ~~(e) If there are sixty four (64) to seventy nine (79) persons served, there shall be for:~~
- 21 ~~1. Males: At least three (3) water closets, three (3) urinals, three (3) lavatories, and five (5)~~
- 22 ~~showers; and~~
- 23 ~~2. Females: At least five (5) water closets, three (3) lavatories, and five (5) showers;~~

1 ~~(f) If there are eighty (80) to ninety five (95) persons served, there shall be for:~~

2 ~~1. Males: At least four (4) water closets, three (3) urinals, four (4) lavatories, and six (6)~~
3 ~~showers; and~~

4 ~~2. Females: At least six (6) water closets, four (4) lavatories, and six (6) showers; and~~

5 ~~(g) If over ninety five (95) persons are served, there shall be provided at least:~~

6 ~~1. One (1) additional water closet and one (1) additional lavatory for each twenty five (25)~~
7 ~~persons or fraction thereof served;~~

8 ~~2. One (1) additional shower for each twenty (20) persons or fraction thereof served; and~~

9 ~~3. One (1) additional urinal per fifty (50) additional males or fraction thereof.~~

10 ~~(3) Coed day camps with equal number of males and females shall meet the fixture~~
11 ~~requirements of Section 6(2) of this administrative regulation, relating to elementary through~~
12 ~~secondary level school buildings.~~

13 ~~(4) Water closets may be substituted for urinals if facilities are to be used by both sexes.~~

14 ~~Section 18. Retail Food Stores and Restaurants. Sanitary facilities shall be provided for~~
15 ~~employees. A retail food store or restaurant shall comply with the requirements established in 902~~
16 ~~KAR 10:020, 902 KAR 45:005, and this section.~~

17 ~~(1) Food stores. (a) If more than five (5) persons of different sex are employed, separate~~
18 ~~sanitary facilities shall be provided for the employees.~~

19 ~~(b)1. Separate sanitary facilities for each sex shall be provided for customers if the building~~
20 ~~contains 5,000 square feet or more.~~

21 ~~2. In a mall or shopping center, the required facilities shall be:~~

22 ~~a. Based on one (1) person per fifty (50) square feet; and~~

1 ~~b. Installed in individual stores or in a central toilet room area or areas, if the distance from~~
2 ~~the main entrance of a store does not exceed 500 feet.~~

3 ~~(c) There shall be at least:~~

4 ~~1. One (1) water closet for one (1) to 100 persons;~~

5 ~~2. Two (2) water closets for 101 to 200 persons;~~

6 ~~3. Three (3) water closets for 201 to 400 persons;~~

7 ~~4. If over 400 persons, three (3) water closets plus one (1) additional water closet for each~~
8 ~~additional 500 males or 300 females or fraction thereof;~~

9 ~~5. One (1) urinal for eleven (11) to 200 males;~~

10 ~~6. Two (2) urinals for 201 to 400 males;~~

11 ~~7. Three (3) urinals for 401 to 600 males;~~

12 ~~8. If over 600 males, three (3) urinals plus one (1) additional urinal for each additional 300~~
13 ~~males or fraction thereof;~~

14 ~~9. One (1) lavatory for one (1) to 200 persons;~~

15 ~~10. Two (2) lavatories for 201 to 400 persons;~~

16 ~~11. Three (3) lavatories for 401 to 700 persons;~~

17 ~~12. If over 700 persons, three (3) lavatories plus one (1) additional lavatory for each~~
18 ~~additional 500 persons or fraction thereof;~~

19 ~~13. One (1) drinking fountain on each floor for each 500 persons or fraction thereof; and~~

20 ~~14. One (1) service sink, utility sink, or curbed mop basin per floor as required by the~~
21 ~~Cabinet for Health and Family Services.~~

22 ~~(2) Restaurants. (a) If more than five (5) persons of different sex are employed, separate~~
23 ~~sanitary facilities for each sex shall be provided for the employees.~~

1 ~~(b)1. Except as provided in subparagraph 3 of this paragraph, in a new establishment or an~~
2 ~~establishment that is extensively altered or changed from another type occupancy to a restaurant,~~
3 ~~toilet facilities for each sex shall be provided and readily accessible for the use of both patrons and~~
4 ~~employees.~~

5 ~~2. Carryout type food service operations shall be exempt from providing toilet facilities for~~
6 ~~the use of their patrons.~~

7 ~~3. A restaurant with a business occupancy of one (1) to fifteen (15) persons shall:~~

8 ~~a. Comply with the requirements in paragraphs (c) and (e) of this subsection; or~~

9 ~~b. Provide at least one (1) unisex facility consisting of one (1) water closet and one (1)~~
10 ~~lavatory.~~

11 ~~(c) There shall be at least:~~

12 ~~1. Two (2) water closets for one (1) to 100 persons;~~

13 ~~2. Three (3) water closets for 101 to 200 persons;~~

14 ~~3. Four (4) water closets for 201 to 300 persons; and~~

15 ~~4. If over 300 persons, four (4) water closets plus one (1) additional water closet for each~~
16 ~~additional 200 persons or fraction thereof.~~

17 ~~(d) There shall be at least:~~

18 ~~1. One (1) urinal for fifty (50) to 200 males; and~~

19 ~~2. If over 200 males, one (1) urinal plus one (1) additional urinal for each additional 150~~
20 ~~males or fraction thereof.~~

21 ~~(e) There shall be at least:~~

22 ~~1. One (1) lavatory for one (1) to 200 persons;~~

23 ~~2. Two (2) lavatories for 201 to 400 persons;~~

1 3. Three (3) lavatories for 401 to 600 persons; and

2 4. ~~If over 600 persons, three (3) lavatories plus one (1) additional lavatory for each~~
3 additional 200 persons or fraction thereof.

4 ~~(f) There shall be at least:~~

5 1. One (1) drinking fountain for one (1) to 100 persons; and

6 2. ~~If over 100 persons, two (2) drinking fountains plus one (1) additional water fountain~~
7 ~~for each additional 400 persons or fraction thereof.~~

8 ~~(g) If food is consumed indoors on the premises, water stations may be substituted for~~
9 ~~drinking fountains.~~

10 ~~(h) There shall be one (1) service sink, utility sink, or curbed mop basin on each floor as~~
11 ~~required by the Cabinet for Health and Family Services.~~

12 ~~(i) Lavatories for hand washing shall be provided in the kitchen area, readily accessible to~~
13 ~~the employees.~~

14 ~~(3) Licensed food establishments. In all food establishments licensed by the Cabinet for~~
15 ~~Health and Family Services, Department for Public Health, the requirements in this subsection~~
16 ~~shall be met.~~

17 ~~(a) Hand washing sinks. 1. All hand washing sinks shall have a minimum hot water~~
18 ~~temperature of 100 degrees Fahrenheit and a maximum of 120 degrees Fahrenheit.~~

19 ~~2. Self-closing faucets shall provide a flow of water for no less than fifteen (15) seconds~~
20 ~~from activation.~~

21 ~~3. Placement of hand washing sinks shall be approved by the Cabinet for Health and~~
22 ~~Family Services, Department for Public Health pursuant to 902 KAR 45:005.~~

1 (b) A three (3) compartment sink used for washing utensils shall be required and shall drain
2 by a direct connection with a minimum of a two (2) inch drain.

3 (c) Dishwashing or ware washing machines shall discharge indirectly through a three (3)
4 inch open receptacle.

5 (d) Residential type dishwashing machines shall discharge:

6 1. Through an air gap device; or

7 2. Indirectly through a three (3) inch open receptacle.

8 (e) Sinks solely used for food preparation shall discharge by an indirect connection to a
9 minimum three (3) inch trap.

10 (f) All hub drains, open receptacles, floor sinks, or other waste receptacles shall extend one
11 (1) inch above the floor plane unless a full grate/strainer is installed flush with the floor.

12 (g) Occupied mobile food units not located within an existing permitted food establishment
13 shall:

14 1. Meet the requirements of the Kentucky Plumbing Code, KRS Chapter 318 and 815 KAR
15 Chapter 20;

16 2. Have a waste tank no less than fifty (50) percent larger than the freshwater tank;

17 3. Have a National Sanitary Foundation (NSF) approved freshwater tank for potable water;

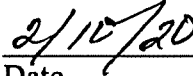
18 and

19 4. Have a minimum of a three (3) compartment sink and one (1) hand sink.]

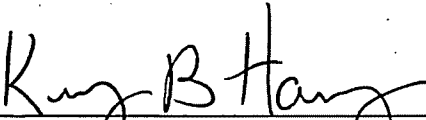
815 KAR 20:191
READ AND APPROVED



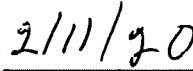
J. DAVID MOORE, ACTING COMMISSIONER
DEPARTMENT OF HOUSING, BUILDINGS
AND CONSTRUCTION



Date



KERRY B. HARVEY, SECRETARY
PUBLIC PROTECTION CABINET



Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on April 28, 2020, at 10:00 a.m., EDT, at the Department of Housing, Buildings and Construction, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five working days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. The hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through April 30, 2020 at 11:59 p.m.. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation by the above date to the contact person:

CONTACT PERSON: Jonathon M. Fuller, Staff Attorney
Department of Housing, Buildings and Construction
500 Mero Street, 1 SW
Frankfort, Kentucky 40601
Telephone: 502-573-0365
FAX: 502-573-1057
max.fuller@ky.gov

**REGULATORY IMPACT ANALYSIS
AND TIERING STATEMENT**

Administrative Regulation: 815 KAR 20:191
Contact person: Jonathon M. Fuller
Phone Number: (502) 573-0365
Electronic mail: max.fuller@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the minimum plumbing fixture requirements for buildings in Kentucky.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to implement the Division of Plumbing's statutory duty to establish a state plumbing code regulating the construction, installation, and alteration of plumbing and plumbing fixtures and appliances, house sewers and private water supplies, including the number and type of fixtures to be used in connection with different types of occupancies.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 318.130 requires the department to promulgate an administrative regulation establishing the Kentucky State Plumbing Code regulating plumbing, which includes waste pipes for plumbing fixtures and appurtenances. KRS 198B.040(10) requires the department to promulgate administrative regulations for the safe installation and operation of plumbing and plumbing fixtures.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists the department in establishing uniform standards for the number and type of fixtures to be installed in various types of buildings in Kentucky.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment changes the administrative regulation by reorganizing the administrative regulation in an easier to read chart, and aligns the plumbing occupancies with the occupancies defined by the 2018 Kentucky Building Code, incorporated by reference in 815 KAR 7:120. The amendment eliminates the requirements for an owner or a designer to install urinals in R-2 occupancy types and I-3 occupancy types, allowing the owner or designer additional flexibility. Additionally, the amendment allows an owner or a designer to request to not include a service sink on each floor where the service sink is unnecessary.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to make the administrative regulation more user-friendly and conform to the occupancy types in the 2018 Kentucky Building Code to simplify interpretation.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 318.130 requires the department to promulgate an administrative regulation establishing the Kentucky

State Plumbing Code to regulate plumbing. This amendment directly relates to the permissible quality and type of plumbing fixtures that must be used in Kentucky buildings.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will aid plumbers, owners, and design professionals by making it easier to interpret and understand the plumbing fixture requirements for buildings in Kentucky.

- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All individuals engaged in plumbing activity within the Commonwealth, as well as all owners and operators of buildings in which the plumbing fixtures described in this regulation are required or otherwise installed.
- (4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
 - (a) List the actions that each of the regulated entities identified in question (3) will have to comply with this administrative regulation or amendment: This amendment will not impose any additional requirements on any of the regulated entities identified in question (3).
 - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): This amendment will not impose any additional costs on any of the regulated entities identified in question (3).
 - (c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Benefits will include that individuals to opt out of certain fixture requirements. Also, the administrative regulation is more user-friendly.
- (5) Provide an estimate of how much it will cost to implement this administrative regulation:
 - (a) Initially: There are no anticipated additional initial costs to administer these regulatory amendments.
 - (b) On a continuing basis: There are no anticipated additional costs on a continuing basis to administer these regulatory amendments.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Implementation of these amendments is anticipated to result in no additional costs to the Department. Any costs resulting from these administrative amendments will be met with existing agency funds.
- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: This amendment will not necessitate an increase in fees or require funding from the Department for implementation.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: There are no fees established by this administrative regulation.

There are no fees directly or indirectly increased by this administrative regulation amendment.

- (9) **TIERING:** Is tiering applied? (Explain why tiering was or was not used.) Tiering is not applied as all individuals in the plumbing industry and Department personnel are affected by the amended requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 815 KAR 20:191
Contact Person: Jonathon M. Fuller, Staff Attorney
Phone Number: (502) 573-0365
Electronic mail: max.fuller@ky.gov

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Department of Housing, Buildings and Construction, Division of Plumbing will be impacted by this administrative regulation.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. This administrative regulation is authorized by KRS 198B.040(10) and KRS 318.130.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This amendment is not anticipated to generate additional revenue for the state or local government in the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This amendment is not anticipated to generate additional revenue for the state or local government in subsequent years.

(c) How much will it cost to administer this program for the first year? There are no anticipated additional costs to administer this regulatory amendment for the first year.

(d) How much will it cost to administer this program for subsequent years? There are no anticipated additional costs to administer this regulatory amendment for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): Neutral
Expenditures (+/-): Neutral
Other Explanation: None

Suggested Amendment
PUBLIC PROTECTION CABINET
Department of Housing, Buildings and Construction
Division of Plumbing

815 KAR 20:191. Minimum fixture requirements.

Page 3

Section 1(9)(c)

Line 13

After "exemption request.", insert the following:

(d)1. The division shall determine whether to grant or deny the exemption request based upon if the request increases the sanitation risk to the building.

2. The division's decision shall be made on a case by case basis.

3. The division shall consider factors such as:

a. If the building requires the mopping of floors, cleaning of surfaces, or is carpeted; and

b. If there are public restrooms that require mopping and cleaning on a particular floor.

Page 4

Section 3

Line 1

After "Section", insert "2.".

Delete "3."

Page 4

Section 4

Line 8

After "Section", insert "3.".

Delete "4."

Page 9

Section 4(4)(f)

Line 13

After "full grate", insert "or".

Delete "/".

Page 10

Section 4(6)(a)

Line 4

After "(a)", insert "1.".

Line 5

After "by the division.", insert the following:

2. Examples of exceptions include buildings of non-occupancy, such as storage buildings or guard houses. These buildings shall not be required to have sanitary facilities if no one is working in the buildings. For guard houses, if the guard's normal scope of work requires him or her to enter buildings that already have sanitary facilities, then the guard house is not required to also have these facilities.

Page 11

Section 4(10)(a)3.

Line 1

After "seventy", insert "_".

Page 13

Section 4(12)(b)2.b.

Line 14

After "closets, two", insert "(2)".

After "and two", insert "(2)".

Page 14

Section 5

Line 17

After "Section", insert "4".

Delete "5".

Page 15

Section 6

Line 1

After "Section", insert "5".

Delete "6".

Page 16

Section 6(3)(d)

Lines 9-10

After "(15)", insert "persons".

Delete "person".

PUBLIC PROTECTION CABINET
Department of Housing, Buildings and Construction
Division of Plumbing
(As Amended at ARRS, May 12, 2020)

815 KAR 20:191. Minimum fixture requirements.

RELATES TO: KRS 58.200, 162.062, 318.160

STATUTORY AUTHORITY: KRS 198B.040(10), 318.130

NECESSITY, FUNCTION, AND CONFORMITY: KRS 318.130 requires the department [~~after approval by the State Plumbing Code Committee,~~] to promulgate [~~an~~] administrative regulations[~~regulation~~] establishing the Kentucky State Plumbing Code regulating the construction, installation, and alteration of plumbing and plumbing fixtures and appliances, house sewers and private water supplies, and[~~including~~] the methods and materials that may be used in Kentucky. [~~KRS 58.200(2) requires newly constructed public buildings to be equipped with twice the number of restroom facilities for use by women as is provided for use by men.~~] This administrative regulation establishes the minimum plumbing fixture requirements for buildings in Kentucky.

Section 1. [~~Definitions. (1) "Developed travel distance" means the length of a pathway measured along the center line of the path.~~

~~(2) "Mobile facility" means a vehicle licensed and registered with the Kentucky Department of Transportation that contains plumbing fixtures and is intended for temporary use with regard to the structure it serves.~~

~~(3) "Modular" means a structure or component that is wholly or in substantial part fabricated in an off-site manufacturing facility for installation at the building site.~~

~~(4) "Temporary" means a period of time not to exceed thirty (30) days of intermittent or continual use within a twelve (12) month period on the same premises.~~

Section 2. General Requirements.

(1) In a building accommodating males and females, it shall be presumed that the occupants will be equally divided between males and females, unless otherwise denoted on the plan application documents.

(2) The occupancy load factor used to determine the total number of plumbing fixtures required in a building shall be the load denoted in the Kentucky Building Code, incorporated by reference in 815 KAR 7:120.

(3) All types of buildings shall be provided with toilet rooms on each level or floor, unless:

(a) Separate facilities on each level or floor are unnecessary; and

(b) Toilet rooms on every other level or floor shall be sufficient.

(4) Unisex Facilities in Historic Buildings. A building or structure that is listed in the National Register of Historic Places or designated as historic under Kentucky statute may provide the required number of plumbing fixtures in unisex facilities if the overall occupant load is 100 persons or less, except as required in swimming pool bathhouses, park services buildings, and bathhouses in Group B, public garages in Group S-2, Group E buildings, dormitories in Group R-2, Group I-2 buildings, and Group I-3 buildings[~~Sections 7, 8, 9, 12, 13, 15, 16, and 17 of this administrative regulation~~].

(5) Unisex facilities in historic buildings permitted by this section shall not be required to provide [~~the~~] urinals.

(6) Toilet rooms for males, females, and unisex shall be clearly marked.

(7) Upon written request, the department shall permit the temporary use of a mobile facility in accordance with this administrative regulation. The written request shall be submitted to the division [~~of Plumbing~~] and shall include the:

- (a) Name of the owner;
- (b) Address of the location of the building being served by the mobile facilities; and
- (c) Dates for which the mobile facilities are to be used.

(8) Water closet type. All water closets in public restrooms shall be of an elongated bowl type with a split open front seat.

(9) Service sinks. (a) One (1) service sink shall be required on each floor of a public building unless otherwise approved by the department.

(b) A request for exemption of a service sink shall be submitted in writing to the division.

(c) The division shall respond in writing to the requester either granting or denying the exemption request.

(d)1. The division shall determine whether to grant or deny the exemption request based upon if the request increases the sanitation risk to the building.

2. The division's decision shall be made on a case-by-case basis.

3. The division shall consider factors such as:

a. If the building requires the mopping of floors, cleaning of surfaces, or is carpeted; and

b. If there are public restrooms that require mopping and cleaning on a particular floor.

(10) Urinal Substitution. A urinal may be substituted for a water closet for males if the substituted urinals do not exceed one third (1/3) of the required number of water closets for males.

(11) Public Facilities.

(a) Sanitary facilities shall be provided for the public if the building contains 5,000 square feet or more.

(b) In a mall or shopping center, the required facilities, based on one (1) person per 100 square feet of total area, shall be installed in individual stores or in a central toilet room area or areas, if:

1. The distance from the main entrance of a store does not exceed 500 feet; and

2. The toilet room area is accessible to physically disabled persons.

Section ~~2.3.~~ Toilet Floor Construction Requirements.

(1) Floors in toilet rooms shall be constructed of nonabsorbent materials.

(2) If a wood floor is used, the wood floor shall be covered by other nonabsorbent materials.

(3) If two (2) or more fixtures that receive human waste are installed and a wood floor is not used, the toilet room shall have at least:

- (a) One (1) floor drain; and
- (b) One (1) accessible hose bibb.

Section ~~3.4.~~ Fixture Requirements.

(1) The following chart shall provide the water closet, lavatory, drinking fountain, and urinal requirements for different occupancy groups.

<u>Occupancy Group</u>	<u>Examples</u>	<u>Water Closet (males)^a</u>	<u>Water Closet (females)^a</u>	<u>Lavatories (male)^a</u>	<u>Lavatories (female)^a</u>	<u>Drinking Fountain^b</u>	<u>Urinals (males)^a</u>
<u>A-1</u>	<u>Theaters, movie theaters, and</u>	<u>1 per up to 100; 2 for 101 to</u>	<u>1 for up to 50; 2 for 51 to 100;</u>	<u>1 for up to 100; 2 for 101 to</u>	<u>1 for up to 100; 2 for 101 to</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to</u>

	<u>similar buildings</u>	<u>200; 3 for 201 to 400; 1 per additional 500 afterwards</u>	<u>3 for 101 to 150; 4 for 151 to 200; 1 per additional 150 afterwards</u>	<u>200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>		<u>300; 3 for 301 to 600; and 1 for each additional 300 afterwards</u>
A-2	<u>Banquet halls, casinos, dance halls, night clubs, restaurants, cafeterias, taverns, and bars</u>	<u>1 per up to 200; 2 for 201 to 400; 1 per additional 200 afterwards</u>	<u>1 per up to 100; 2 for 101 to 200; 1 per additional 200 afterwards</u>	<u>1 per 200</u>	<u>1 per 200</u>	<u>1 per 100 unless water stations are provided</u>	<u>1 for 50 to 200; 1 per additional 150 afterwards</u>
A-3	<u>Libraries, museums, and art galleries</u>	<u>1 per 200</u>	<u>1 per 100</u>	<u>1 per 200</u>	<u>1 per 100</u>	<u>1 per 500</u>	<u>1 for 11 to 200; 2 for 201 to 400; 3 for 401 to 600; and 1 for each additional 300 afterwards</u>
	<u>Assembly halls and similar buildings</u>	<u>1 per up to 100; 2 for 101 to 200; 3 for 201 to 400; 1 per additional 500 afterwards</u>	<u>1 for up to 50; 2 for 51 to 100; 3 for 101 to 150; 4 for 151 to 200; 1 per additional 150 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to 300; 3 for 301 to 600; and 1 for each additional 300 afterwards</u>
	<u>Places of worship</u>	<u>1 per 300</u>	<u>1 per 150</u>	<u>1 per 200</u>	<u>1 per 200</u>	<u>1 per 400</u>	<u>1 for 50 to 150; 1 for each additional 150 afterwards</u>
A-4	<u>Structures for indoor sporting events and activities</u>	<u>1 for 100; 2 for 101 to 200; 3 for 201 to 400; 1 per additional</u>	<u>1 for 50; 2 for 51 to 100; 3 for 101 to 150; 4 for 151 to</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to 300; 3 for 301 to 600; and</u>

		<u>500 afterwards</u>	<u>200; 1 per additional 150 afterwards</u>	<u>401 to 750; 1 per each 500 afterwards</u>	<u>401 to 750; 1 per each 500 afterwards</u>		<u>1 for each additional 300 afterwards</u>
<u>A-5</u>	<u>Stadiums and other structures for outdoor sporting events and activities</u>	<u>1 for 100; 2 for 101 to 200; 3 for 201 to 400; 1 per additional 500 afterwards</u>	<u>1 for 50; 2 for 51 to 100; 3 for 101 to 150; 4 for 151 to 200; 1 per additional 150 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 for up to 100; 2 for 101 to 200; 3 for 201 to 400; 4 for 401 to 750; 1 per each 500 afterwards</u>	<u>1 per 500 on every floor</u>	<u>1 for 11 to 100; 2 for 101 to 300; 3 for 301 to 600; and 1 for each additional 300 afterwards</u>
	<u>Swimming pool bath-houses</u>	<u>1 per 75</u>	<u>1 per 50</u>	<u>1 per 50</u>	<u>1 per 50</u>	<u>1 per 200</u>	<u>1 per 75</u>
	<u>Park service buildings or bathhouses</u>	<u>See subsections (11) and (12) of this section</u>					
<u>B</u>	<u>Office buildings^c</u>	<u>1 for 1 to 15; 2 for 16 to 35; 3 for 36 to 55; 4 for 56 to 80; 5 for 81 to 110; 6 for 111 to 150; 1 for each additional 40 afterwards</u>		<u>1 for 1 to 15; 2 for 16 to 35; 3 for 36 to 60; 4 for 61 to 90; 5 for 91 to 125; 1 for each additional 75 afterwards</u>		<u>1 per 75</u>	<u>Optional</u>
	<u>Schools of higher-education and similar educational facilities</u>	<u>1 per 50</u>	<u>1 per 25</u>	<u>1 per 25</u>	<u>1 per 25</u>	<u>1 per 75</u>	<u>1 per 50</u>
<u>E</u>	<u>School buildings (not including higher-education facilities)</u>	<u>1 for up to 25; 2 for 26 to 100; 1 for each 100 afterwards</u>	<u>2 for up to 25; 3 for 26 to 50; 6 for 51 to 100; 8 for 101 to 200; 10 for 201 to 300; 12 for 301 to 400; 14 for 401 to 500; 1 additional for each 40 after-</u>	<u>1 per 25 up to 50; 1 per 50 afterwards</u>	<u>1 per 25 up to 50; 1 per 50 afterwards</u>	<u>See subsection (10) of this section</u>	<u>1 for 1 to 25; 2 for 26 to 50; 4 for 51 to 100; 6 for 101 to 200; 8 for 201 to 300; 10 for 301 to 400; 12 for 401 to 500; 1 for each additional 50 afterwards</u>

			<u>wards</u>				
<u>M</u>	<u>Mercantile and retail food store</u>	<u>1 per 150 up to 450; 1 per additional 500</u>	<u>1 per 100 up to 400; 1 per each additional 300</u>	<u>1 for 1 to 200; 2 for 201 to 400; 3 for 401 to 700; 1 for each additional 500</u>	<u>1 for 1 to 200; 2 for 201 to 400; 3 for 401 to 700; 1 for each additional 500</u>	<u>1 per 500 on each floor</u>	<u>1 for 50 to 200; 2 for 201 to 400; 3 for 401 to 600; 1 for additional 300 afterwards</u>
<u>R-1</u>	<u>Transient lodging facilities (public service areas)</u>	<u>1 per 25</u>	<u>1 per 15</u>	<u>1 per 25</u>	<u>1 per 25</u>	<u>1 per 75 on each floor</u>	<u>1 for 11 to 100; 1 for each additional 50 afterwards</u>
	<u>Transient lodging facilities (without private bath)</u>	<u>1 per 10; 1 per additional 25 afterwards</u>	<u>1 per 8; 1 per additional 20 afterwards</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 75 on each floor</u>	<u>1 for 11 to 100; 1 for each additional 50 afterwards</u>
<u>R-2^c</u>	<u>Dormitories, fraternities, sororities, and rooming houses</u>	<u>1 per 10</u>		<u>1 per 10</u>		<u>1 per 75</u>	<u>Optional</u>
<u>R-3^c</u>	<u>Congregate living facilities with 16 or fewer persons</u>	<u>1 per 10</u>		<u>1 per 10</u>		<u>1 per 75</u>	<u>Optional</u>
<u>R-4^c</u>	<u>Congregate living facilities with 16 or fewer persons</u>	<u>1 per 10</u>		<u>1 per 10</u>		<u>1 per 75</u>	<u>Optional</u>
<u>I-1</u>	<u>Residential Care</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 100 on each floor</u>	<u>1 for each 50</u>
<u>I-2</u>	<u>Hospitals wards and nursing home wards</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 100 on each floor</u>	<u>1 for each 50</u>
	<u>Hospital individual rooms and nursing home individual</u>	<u>1 per room</u>		<u>1 per room</u>		<u>Optional</u>	<u>Optional</u>

	rooms ^c						
I-3	<u>Institutions, penal (Cells)</u> ^c	<u>1 prison-type water closet per cell</u>		<u>1 prison-type lavatory per cell</u>		<u>Optional</u>	<u>Optional</u>
	<u>Institutions, penal. (Day rooms and dorms)</u>	<u>1 per 12</u>	<u>1 per 8</u>	<u>1 per 12</u>	<u>1 per 12</u>	<u>1 per floor</u>	<u>Optional</u>
I-4	<u>Adult day care and child day care</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 10</u>	<u>1 per 100 on each floor</u>	<u>1 for each 50</u>
F-1 and F-2	<u>Workshops and factories</u>	<u>1 for 25 to 100; 1 for each additional 30 afterwards</u>	<u>1 for 15 to 100; 1 for each additional 30 afterwards</u>	<u>1 for 25 to 100; 1 for each additional 50 afterwards</u>	<u>1 for 25 to 100; 1 for each additional 50 afterwards</u>	<u>1 for 50 to 100 on each floor; 1 for each additional 75 afterwards</u>	<u>1 for 11 to 50; 2 for 51 to 100; 1 for each additional 100 afterwards</u>
S-2	<u>Parking garages</u> ^d	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>Optional</u>	<u>1</u>

Notes: a. The ratio equals the number of fixtures per the number of male occupants or female occupants.

b. The ratio equals the number of fixtures per the total number of occupants.

c. Separate male and female water closets or male and female lavatories are not required in these occupancy types.

d. There are no minimum fixture requirements for Group S-1 or S-2 buildings except for the minimum fixture requirement for parking garages.

(2) Facilities for Stages.

(a)[(1)] A separate water closet and lavatory shall be provided for males and females in the stage area.

(b)[(2)] A drinking fountain shall be provided in the stage and auditorium area.

(3) Carry-out food service facilities. A carry-out food service operation shall be exempt from providing toilet facilities for the use of the carry-out food service facility's patrons.

(4) Licensed food establishments. In all food establishments licensed by the Cabinet for Health and Family Services, Department for Public Health, the requirements of this subsection shall be met.

(a) Handwashing sinks.

1. All handwashing sinks shall have a minimum hot water temperature of 100 degrees Fahrenheit and a maximum hot water temperature of 120 degrees Fahrenheit.

2. Self-closing faucets shall provide a flow of water for no less than fifteen (15) seconds from activation.

3. Placement of handwashing sinks shall be approved by the Cabinet for Health and Family Services, Department for Public Health pursuant to 902 KAR 45:005.

(b) A three (3) compartment sink used for washing utensils shall be required and shall drain by a direct connection with a minimum of a two (2) inch drain.

(c) Dishwashing or ware washing machines shall discharge indirectly through a three (3) inch open receptacle.

(d) Residential type dishwashing machines shall discharge:

1. Through an air gap device; or
2. Indirectly through a three (3) inch open receptacle.

(e) Sinks solely used for food preparation shall discharge by an indirect connection to a minimum three (3) inch trap.

(f) All hub drains, open receptacles, floor sinks, or other waste receptacles shall extend one (1) inch above the floor plane unless a full grate ~~or~~ strainer is installed flush with the floor.

(g) Mobile food units. Occupied mobile food units not located within an existing permitted food establishment shall:

1. Meet the requirements of this code.
2. Have a waste tank no less than fifty (50) percent larger than the freshwater tank;
3. Have a National Sanitary Foundation (NSF) approved freshwater tank for potable water;

and

4. Have a minimum of a three (3) compartment sink and one (1) hand sink.

(5) A restaurant with an occupancy of one (1) to fifteen (15) persons shall:

(a) Comply with the requirements for Group A-2 buildings; or

(b) Provide at least one (1) unisex facility consisting of one (1) water closet and one (1) lavatory.

(6) Employee Facilities.

(a)1. Sanitary facilities within each building shall be provided for employees, unless an exception is approved by the division.

2. Examples of exceptions include buildings of non-occupancy, such as storage buildings or guard houses. These buildings shall not be required to have sanitary facilities if no one is working in the buildings. For guard houses, if the guard's normal scope of work requires him or her to enter buildings that already have sanitary facilities, then the guard house is not required to also have these facilities.

(b) If more than five (5) persons are employed, separate facilities for each sex shall be provided.

(c) For a tenant space within a building of 3,000 square feet or less of total gross floor area, employee facilities shall not be required if adequate interior facilities are provided within a centralized toilet room area or accessible areas having a travel distance of not more than 500 feet within the building in which the tenant space is located.

(7) Residential private rooms. Residential facilities in Group R-1, Group R-2, Group R-3, and Group R-4 that have a private bath attached to a private room shall have one (1) water closet, one (1) lavatory, and one (1) bathtub or shower.

(8) Kitchen type sinks. An apartment unit or a condominium unit in Group R-2 or Group R-3 buildings shall have a kitchen type sink.

(9) Waiting rooms. Waiting rooms in Group I-2 buildings and Group I-3 buildings shall provide at least one (1) water closet and one (1) lavatory.

(10) School drinking fountains.

(a) Group E (not including higher education facilities) buildings shall have the following:

1. A minimum of two (2) water bottle filling stations in each school;

2. A minimum of one (1) drinking fountain or water bottle filling station on each floor and wing of each school building; and

3. A minimum of one (1) drinking fountain or water bottle filling station for every seventy-five (75) students projected to attend the school upon completion of the proposed construction.

(b) A drinking fountain shall be equipped with:

1. A protective cowl; and

2. The orifice, which shall be one (1) inch above the overflow rim of the fountain.

(11) Park Service Buildings or Bathhouses. A park service building or bathhouse shall comply with the requirements established in 902 KAR 15:020 and this subsection.

(a) Except for a self-contained recreational vehicle community, each park shall provide one (1) or more central service buildings containing the necessary toilet and other plumbing fixtures established in this section.

(b) Except for a self-contained recreational vehicle community, sanitary facilities shall be provided as follows:

1. If there are one (1) to fifteen (15) vehicle spaces, there shall be for:

a. Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower;

and

b. Females: At least one (1) water closet, one (1) lavatory, and one (1) shower;

2. If there are sixteen (16) to thirty (30) vehicle spaces, there shall be for:

a. Males: At least one (1) water closet, one (1) urinal, two (2) lavatories, and two (2) showers; and

b. Females: At least two (2) water closets, two (2) lavatories, and two (2) showers;

3. If there are thirty-one (31) to forty-five (45) vehicle spaces, there shall be for:

a. Males: At least two (2) water closets, one (1) urinal, three (3) lavatories, and three (3) showers; and

b. Females: At least two (2) water closets, three (3) lavatories, and three (3) showers;

4. If there are forty-six (46) to sixty (60) vehicle spaces, there shall be for:

a. Males: At least two (2) water closets, two (2) urinals, three (3) lavatories, and three (3) showers; and

b. Females: At least three (3) water closets, three (3) lavatories, and three (3) showers;

5. If there are sixty-one (61) to eighty (80) vehicle spaces, there shall be for:

a. Males: At least three (3) water closets, two (2) urinals, four (4) lavatories, and four (4) showers; and

b. Females: At least four (4) water closets, four (4) lavatories, and four (4) showers;

6. If there are eighty-one (81) to 100 vehicle spaces, there shall be for:

a. Males: At least four (4) water closets, two (2) urinals, five (5) lavatories, and five (5) showers; and

b. Females: At least five (5) water closets, five (5) lavatories, and five (5) showers; and

7. If over 100 vehicle spaces are provided, there shall be provided at least:

a. One (1) additional water closet and one (1) additional lavatory for each sex per additional thirty (30) spaces or fraction thereof;

b. One (1) additional shower for each sex per additional forty (40) vehicle spaces or fraction thereof; and

c. One (1) additional urinal for males per additional 100 vehicle spaces or fraction thereof.

(12) Residential and Day Camp Sites. A residential or day camp site shall comply with the requirements established in 902 KAR 10:040 and this subsection.

(a)1. Each residential camp site shall be provided with sanitary facilities for each sex as established in this subsection.

2. A day camp shall:

a. Not be required to provide shower facilities; and

b. Provide all other sanitary facilities for each sex as established in this section.

(b) Sanitary facilities shall be provided as follows:

1. If there are one (1) to eighteen (18) persons served, there shall be for:

a. Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower; and

b. Females: At least two (2) water closets, one (1) lavatory, and one (1) shower;

2. If there are nineteen (19) to thirty-three (33) persons served, there shall be for:
 - a. Males: At least two (2) water closets, one (1) urinal, two (2) lavatories, and two (2) showers; and
 - b. Females: At least two (2) water closets, two (2) lavatories, and two (2) showers;
 3. If there are thirty-four (34) to forty-eight (48) persons served, there shall be for:
 - a. Males: At least two (2) water closets, two (2) urinals, two (2) lavatories, and three (3) showers; and
 - b. Females: At least three (3) water closets, two (2) lavatories, and three (3) showers;
 4. If there are forty-nine (49) to sixty-three (63) persons served, there shall be for:
 - a. Males: At least three (3) water closets, two (2) urinals, three (3) lavatories, and four (4) showers; and
 - b. Females: At least four (4) water closets, three (3) lavatories, and four (4) showers;
 5. If there are sixty-four (64) to seventy-nine (79) persons served, there shall be for:
 - a. Males: At least three (3) water closets, three (3) urinals, three (3) lavatories, and five (5) showers; and
 - b. Females: At least five (5) water closets, three (3) lavatories, and five (5) showers;
 6. If there are eighty (80) to ninety-five (95) persons served, there shall be for:
 - a. Males: At least four (4) water closets, three (3) urinals, four (4) lavatories, and six (6) showers; and
 - b. Females: At least six (6) water closets, four (4) lavatories, and six (6) showers; and
 7. If over ninety-five (95) persons are served, there shall be provided at least:
 - a. One (1) additional water closet and one (1) additional lavatory for each twenty-five (25) persons or fraction thereof served;
 - b. One (1) additional shower for each twenty (20) persons or fraction thereof served; and
 - c. One (1) additional urinal for each additional fifty (50) males or fraction thereof.
- (c) Coed day camps with equal number of males and females shall meet the fixture requirements of Group E school buildings (not including higher-education facilities) in the chart in subsection (1) of this section.
- (d) Water closets may be substituted for urinals if facilities are to be used by both sexes.

Section 4.[5.] Fixture Alternatives.

(1) Lavatory alternatives.

(a) If a gang sink is installed, twenty four (24) inches of the gang sink shall equal one (1) lavatory.

(b) If a circular sink is installed, eighteen (18) inches of the circular sink basin shall equal one (1) lavatory.

(2) Urinal alternative. If a trough urinal is installed, twenty four (24) inches of the trough urinal shall equal one (1) urinal.

Section 5.[6.] Other Fixture Requirements.

(1) Modular Classrooms. If detached modular classrooms are used, sanitary facilities shall not be required, if:

(a) The entrance of the modular classroom for elementary grades through the fifth grade is within a developed travel distance not to exceed 100 feet from the accessible entrance to the main structure or an approved central modular restroom;

(b) The entrance of the modular classroom for sixth grade and above is within a developed travel distance not to exceed 200 feet, from the accessible entrance to the main structure or an approved central modular restroom;

(c) The travel path meets the accessibility requirements established in the Kentucky Building

Code, 815 KAR 7:120; and

(d) There are sufficient fixtures in the main structure to serve the entire capacity of the school, including the modular classrooms.

(2) Laundry trays or clothes washers. Dormitories in Group R-2 shall have one (1) laundry tray or clothes washer for each fifty (50) persons or fraction thereof.

(3) Shower and bath requirements. Bathing fixtures requirements are as follows:

(a) Transient lodging facilities with private baths shall have one (1) bathtub or shower per room.

(b) Dormitories, fraternities, sororities, and rooming houses in Group R-2 shall have:

1. One (1) bathtub or shower for each eight (8) persons or fraction thereof up to 150 persons; and

2. If there are over 150 persons, one (1) additional bathtub or shower for each twenty (20) persons.

(c) Swimming pool bathhouses shall have one (1) shower per each fifty (50) persons or fraction thereof;

1. Showers shall be supplied with water at a temperature of not less than ninety (90) degrees Fahrenheit and at a flow rate of at least three (3) gallons per minute.

2. Thermostatic, tempering, or mixing valves shall be installed to prevent scalding of the bathers.

3. The requirement relating to bathhouse toilet room and shower facilities may be waived if the facilities are available to pool patrons within 150 feet from the pool.

(d) Groups F-1 and F-2 buildings shall provide one (1) shower for each fifteen (15) ~~persons~~**[person]** or fraction thereof, exposed to skin contamination from irritating, infectious, or poisonous materials.

(e) Group I-2 buildings shall have at least one (1) bathtub or shower for each fifteen (15) persons or fraction thereof.

~~Section 5. Theaters, Assembly Halls, and Similar Occupancies. Separate toilet rooms for males and females shall be provided as established in this section and in Sections 2 through 4 of this administrative regulation. (1) Water closets and urinals for males.~~

~~(a) Water closets for males shall be installed with at least:~~

~~1. One (1) water closet for each 100 males;~~

~~2. Two (2) water closets for 101 to 200 males;~~

~~3. Three (3) water closets for 201 to 400 males; and~~

~~4. If over 400 males, three (3) water closets plus one (1) additional water closet for each additional 500 males or fraction thereof.~~

~~(b) Urinals for males shall be installed with at least:~~

~~1. One (1) urinal for eleven (11) to 100 males;~~

~~2. Two (2) urinals for 101 to 300 males;~~

~~3. Three (3) urinals for 301 to 600 males; and~~

~~4. If over 600 males, three (3) urinals plus one (1) additional urinal for each additional 300 males or fraction thereof.~~

~~(2) Water closets for females. Water closets for females shall be installed with at least: (a) One (1) water closet for each fifty (50) females;~~

~~(b) Two (2) water closets for fifty one (51) to 100 females;~~

~~(c) Three (3) water closets for 101 to 150 females;~~

~~(d) Four (4) water closets for 151 to 200 females; and~~

~~(e) If over 200 females, four (4) water closets plus one (1) additional water closet for each additional 150 females or fraction thereof.~~

~~(3) Lavatories for Males or Females. Lavatories shall be installed with at least:~~
~~(a) One (1) lavatory for up to 100 persons;~~
~~(b) Two (2) lavatories for 101 to 200 persons;~~
~~(c) Three (3) lavatories for 201 to 400 persons;~~
~~(d) Four (4) lavatories for 401 to 750 persons; and~~
~~(e) If over 750 persons, four (4) lavatories plus one (1) additional lavatory for each additional 500 persons or fraction thereof.~~

~~(4) Sinks. There shall be at least one (1) service sink or slop sink on each floor.~~

~~(5) Number of fixtures. The number of fixtures shall be based upon the maximum seating capacity or fixed seats. If fixed seats are not provided, the basis for determining the capacity shall be one (1) person per each fifteen (15) square feet of area.~~

~~(6) Drinking fountain. At least one (1) drinking fountain shall be provided on each floor for each 500 persons or fraction thereof.~~

~~(7) Water closets in public restrooms shall be of the elongated bowl type with a split open front seat. Section 6. Libraries, Museums, and Art Galleries. Separate toilet facilities for males and females shall be provided as established in this section and in Sections 2 through 4 of this administrative regulation:~~

~~(1) There shall be at least one (1) water closet and one (1) lavatory for each 100 females or fraction thereof.~~

~~(2) Except as established in subsection (7) of this section, there shall be at least one (1) water closet and one (1) lavatory for each 200 males or fraction thereof.~~

~~(3) There shall be at least:~~

~~(a) One (1) urinal for eleven (11) to 200 males;~~

~~(b) Two (2) urinals for 201 to 400 males;~~

~~(c) Three (3) urinals for 401 to 600 males; and~~

~~(d) If over 600 males, three (3) urinals plus one (1) additional urinal for each additional 300 males or fraction thereof.~~

~~(4) There shall be at least one (1) service sink or slop sink on each floor.~~

~~(5) At least one (1) drinking fountain shall be provided for each 500 persons or fraction thereof.~~

~~(6) Number of fixtures. The number of fixtures shall be based upon the maximum seating capacity of fixed seats. If fixed seats are not provided, the basis for determining the capacity shall be one (1) person for each fifteen (15) square feet of area.~~

~~(7) Urinals may be substituted for water closets for males if:~~

~~(a) The substituted urinals do not exceed one third (1/3) of the required total number of water closets; and~~

~~(b) The minimum number of urinals is installed.~~

~~(8) Water closets in public restrooms shall be of the elongated bowl type with a split open front seat.~~

~~Section 7. School Buildings Not Including Higher Education Facilities. A school building shall be in compliance with the requirements established in 702 KAR 4:170 and this section.~~

~~(1) Drinking fountains.~~

~~(a) At least one (1) drinking fountain shall be provided on each floor and wing of a building.~~

~~(b) At least one (1) additional drinking fountain shall be provided for each seventy five (75) pupils or fraction thereof.~~

~~(c) The drinking fountains shall be equipped with:~~

~~1. A protective cowl; and~~

~~2. The orifice, which shall be one (1) inch above the overflow rim of the fountain.~~

~~(2) Elementary through secondary level school buildings shall be provided with the following:~~

~~(a) Water closets for males shall be installed with at least:~~

- ~~1. One (1) water closet for up to twenty five (25) pupils;~~
- ~~2. Two (2) water closets for twenty six (26) to 100 pupils; and~~
- ~~3. If over 100 pupils, two (2) water closets plus one (1) additional water closet for each additional 100 pupils or fraction thereof;~~

~~(b) Urinals for males shall be installed with at least:~~

- ~~1. One (1) urinal for up to twenty five (25) pupils;~~
- ~~2. Two (2) urinals for twenty six (26) to fifty (50) pupils;~~
- ~~3. Four (4) urinals for fifty one (51) to 100 pupils;~~
- ~~4. Six (6) urinals for 101 to 200 pupils;~~
- ~~5. Eight (8) urinals for 201 to 300 pupils;~~
- ~~6. Ten (10) urinals for 301 to 400 pupils;~~
- ~~7. Twelve (12) urinals for 401 to 500 pupils; and~~
- ~~8. If over 500 pupils, twelve (12) urinals plus one (1) additional urinal for each additional fifty (50) pupils or fraction thereof in excess of 500;~~

~~(c) Water closets for females shall be installed with at least:~~

- ~~1. Two (2) water closets for up to twenty five (25) pupils;~~
- ~~2. Three (3) water closets for twenty six (26) to fifty (50) pupils;~~
- ~~3. Six (6) water closets for fifty one (51) to 100 pupils;~~
- ~~4. Eight (8) water closets for 101 to 200 pupils;~~
- ~~5. Ten (10) water closets for 201 to 300 pupils;~~
- ~~6. Twelve (12) water closets for 301 to 400 pupils;~~
- ~~7. Fourteen (14) water closets for 401 to 500 pupils; and~~
- ~~8. If over 500 pupils, fourteen (14) water closets plus one (1) additional water closet for each additional forty (40) pupils or fraction thereof; and~~

~~(d)1. Lavatories for male and female pupils shall be installed with at least:~~

- ~~a. One (1) lavatory for each twenty five (25) pupils or fraction thereof; and~~
 - ~~b. If over fifty (50) pupils, two (2) lavatories plus one (1) additional lavatory for each additional fifty (50) pupils or fraction thereof; and~~
- ~~2. Twenty four (24) inches of sink or eighteen (18) inches of circular basin, if provided with water outlet for each space, shall be considered equivalent to one (1) lavatory.~~

~~(3) At least one (1) service sink or slop sink shall be installed on each floor of a building.~~

~~(4) If detached modular classrooms are used, sanitary facilities shall not be required, if:~~

~~(a) The entrance of the modular classroom for elementary grades through the fifth grade is within a developed travel distance not to exceed 100 feet from the accessible entrance to the main structure or an approved central modular restroom;~~

~~(b) The entrance of the modular classroom for sixth grade and above is within a developed travel distance not to exceed 200 feet, from the accessible entrance to the main structure or an approved central modular restroom;~~

~~(c) The travel path meets the accessibility requirements established in the Kentucky Building Code, 815 KAR 7:120; and~~

~~(d) There are sufficient fixtures in the main structure to serve the entire capacity of the school, including the modular classrooms.~~

~~(5) Water closets in a school building shall be of the elongated bowl type with a split open front seat.~~

~~Section 8. Schools of Higher Education and Similar Educational Facilities. (1)(a) Except as~~

established in paragraph

~~(b) of this subsection, in a school of higher education or a similar education facility, there shall be installed at least:~~

- ~~1. One (1) water closet for each fifty (50) males and one (1) water closet for each twenty-five (25) females or fraction thereof;~~
- ~~2. One (1) lavatory for each fifty (50) persons or fraction thereof;~~
- ~~3. One (1) drinking fountain for each seventy-five (75) persons or fraction thereof; and~~
- ~~4. One (1) urinal for each fifty (50) males or fraction thereof.~~

~~(b) One (1) water closet less than the number specified in paragraph (a) of this subsection may be provided for each urinal installed except that the number of water closets in those cases shall not be reduced to less than two-thirds (2/3) of the minimum specified.~~

~~(2) Water closets in a school of higher education or a similar education facility shall be of the elongated bowl type with a split open front seat.~~

~~Section 9. Public Garages and Service Stations. (1) Separate toilet rooms for males and females shall be provided with at least:~~

- ~~(a) A water closet and lavatory for females; and~~
- ~~(b) A water closet, lavatory, and urinal for males.~~

~~(2) Water closets shall be of the elongated bowl type with a split open front seat.~~

~~Section 10. Churches. (1) Sanitary facilities shall be provided in a church with at least: (a)~~

~~One (1) drinking fountain for each 400 persons or fraction thereof;~~

~~(b) One (1) water closet for each 150 females or fraction thereof;~~

~~(c) One (1) water closet for each 300 males or fraction thereof;~~

~~(d) One (1) urinal for fifty (50) to 150 males or fraction thereof;~~

~~(e) One (1) additional urinal for each additional 150 males or fraction thereof; and~~

~~(f) One (1) lavatory for each 150 persons or fraction thereof.~~

~~(2) Water closets in public restrooms shall be of the elongated bowl type with a split open front seat.~~

~~Section 11. Transient Lodging Facilities. A transient lodging facility shall be in compliance with the requirements established in 902 KAR 10:010 and this section. (1) A hotel or motel with private rooms shall have at least one (1) water closet, one (1) lavatory, and one (1) bathtub or shower per room.~~

~~(2) In the public and service areas, there shall be at least:~~

~~(a) One (1) water closet for each twenty-five (25) males or fraction thereof;~~

~~(b) One (1) water closet for each fifteen (15) females or fraction thereof;~~

~~(c) One (1) lavatory for each twenty-five (25) persons or fraction thereof;~~

~~(d) One (1) urinal for eleven (11) to 100 males plus one (1) additional urinal for each additional fifty (50) males or fraction thereof;~~

~~(e) One (1) drinking fountain for each seventy-five (75) persons or fraction thereof on each floor; and~~

~~(f) One (1) service sink or slop sink on each floor.~~

~~(3) In residential-type buildings, there shall be at least one (1) water closet, one (1) lavatory, and one (1) bathtub or shower for each ten (10) males and each ten (10) females or fraction thereof.~~

~~(4) In rooming houses with private baths, there shall be at least one (1) water closet, one (1) lavatory, and one (1) bathtub or shower per room.~~

~~(5) In rooming houses without private baths, there shall be at least: (a) One (1) water closet~~

for one (1) to ten (10) males and one (1) for each additional twenty five (25) males or fraction thereof;

(b) One (1) water closet for one (1) to eight (8) females and one (1) for each additional twenty (20) females or fraction thereof;

(c) One (1) urinal for eleven (11) to 100 males and one (1) for each additional fifty (50) males or fraction thereof;

(d) One (1) lavatory for each ten (10) persons or fraction thereof; and

(e) One (1) bathtub or shower for each ten (10) persons or fraction thereof.

~~Section 12. Dormitories: School, Labor, or Institutional. [(1) Water closets. There shall be at least:~~

~~(a) One (1) water closet for up to ten (10) males plus one (1) additional water closet for each additional twenty five (25) males or fraction thereof; and~~

~~(b) One (1) water closet for up to eight (8) females plus one (1) additional water closet for each additional twenty (20) females or fraction thereof.~~

~~(2) Urinals. (a) There shall be at least:~~

~~1. One (1) urinal for each twenty five (25) males or fraction thereof up to 150 males; and~~

~~2. If there are over 150 males, one (1) additional urinal for each additional fifty (50) males or fraction thereof.~~

~~(b) If urinals are provided, a urinal may be substituted for a water closet, not to exceed one third (1/3) of the required total number of water closets.~~

~~(c) Trough urinals shall be figured on the basis of one (1) urinal for each twenty four (24) inches of length.~~

~~(3) Lavatories. There shall be at least one (1) lavatory for one (1) to twelve (12) persons, with an additional one (1) lavatory for each additional twenty (20) males and fifteen (15) females or fraction thereof.~~

~~(4) Additional fixtures. There shall be at least:~~

~~(a)1. One (1) bathtub or shower for each eight (8) persons or fraction thereof, up to 150 persons; and~~

~~2. If there are over 150 persons, one (1) additional bathtub or shower for each twenty (20) persons;~~

~~(b) One (1) drinking fountain for each seventy five (75) persons or fraction thereof;~~

~~(c) One (1) laundry tray or clothes washer for each fifty (50) persons or fraction thereof; and~~

~~(d) One (1) service sink or slop sink for each 100 persons or fraction thereof.~~

~~(5) If the dormitory is located in a youth camp, the requirements of 902 KAR 10:040 shall apply in addition to the requirements established in this section.~~

~~Section 13. Hospitals, Nursing Homes, and Institutions. A hospital, nursing home, or institution shall comply with the requirements established in 902 KAR 20:031, 902 KAR 20:046, 902 KAR 20:056, and 902 KAR 9:010. Sanitary facilities shall be provided on each floor level and shall conform to this section.~~

~~(1) Hospitals. (a) Wards. There shall be at least:~~

~~1. One (1) water closet for each ten (10) patients or fraction thereof;~~

~~2. One (1) lavatory for each ten (10) patients or fraction thereof;~~

~~3. One (1) tub or shower for each fifteen (15) patients or fraction thereof; and~~

~~4. One (1) drinking fountain for each 100 patients or fraction thereof.~~

~~(b) Individual rooms. There shall be at least one (1) water closet, one (1) lavatory, and one (1) tub or shower.~~

~~(c) Waiting rooms. There shall be at least one (1) water closet and one (1) lavatory.~~

~~(2) Nursing homes and institutions (other than penal). There shall be at least:~~

- ~~(a) One (1) water closet for each twenty-five (25) males or fraction thereof;~~
- ~~(b) One (1) water closet for each twenty (20) females or fraction thereof;~~
- ~~(c) One (1) lavatory for each ten (10) persons or fraction thereof;~~
- ~~(d) One (1) urinal for each fifty (50) males or fraction thereof;~~
- ~~(e) One (1) tub or shower for each fifteen (15) persons or fraction thereof;~~
- ~~(f) One (1) drinking fountain on each floor; and~~
- ~~(g) One (1) service sink or slop sink on each floor.~~

~~(3) Institutions, penal. (a) Cell. There shall be at least:~~

- ~~1. One (1) prison-type water closet; and~~
- ~~2. One (1) prison-type lavatory.~~

~~(b) Day rooms and dormitories. 1. There shall be at least:~~

- ~~a. One (1) water closet for each eight (8) female inmates or fraction thereof and one (1) water closet for each twelve (12) male inmates or fraction thereof;~~
- ~~b. One (1) lavatory for each twelve (12) inmates or fraction thereof;~~
- ~~c. One (1) shower for each fifteen (15) inmates or fraction thereof;~~
- ~~d. One (1) drinking fountain per floor; and~~
- ~~e. One (1) service sink or slop sink per floor.~~

~~2. For males, one (1) urinal may be substituted for each water closet if the number of water closets is not reduced to less than one-half (1/2) the number required.~~

~~(c) Toilet facilities for employees shall be located in separate rooms from those in which fixtures for the use of inmates or patients are located.~~

~~(d) There shall be at least one (1) drinking fountain on each floor.~~

~~(e) There shall be at least one (1) service sink or slop sink per floor.~~

~~Section 14. Workshops, Factories, Mercantile, and Office Buildings. Separate toilet facilities shall be provided for males and females on each floor unless otherwise denoted.~~

~~(1) Workshops and factories: Sanitary facilities shall conform to the following:~~

~~(a) There shall be at least:~~

- ~~1. One (1) water closet for each twenty-five (25) males or fraction thereof, up to 100;~~
- ~~2. One (1) lavatory for each twenty-five (25) males or fraction thereof, up to 100;~~
- ~~3. One (1) urinal for eleven (11) to fifty (50) employees;~~
- ~~4. Two (2) urinals for fifty-one (51) to 100 employees;~~
- ~~5. One (1) lavatory for each twenty-five (25) females or fraction thereof up to 100; and~~
- ~~6. One (1) water closet for each fifteen (15) females or fraction thereof up to 100;~~

~~(b) If in excess of 100 persons, there shall be at least:~~

~~1. One (1) additional water closet for each additional thirty (30) males and each additional thirty (30) females or fraction thereof;~~

~~2. One (1) additional lavatory for each additional fifty (50) males and females or fraction thereof; and~~

~~3. One (1) additional urinal for each additional 100 males or fraction thereof;~~

~~(c) There shall be at least:~~

~~1. One (1) shower for each fifteen (15) persons or fraction thereof, exposed to skin contamination from irritating, infectious, or poisonous materials;~~

~~2.a. One (1) drinking fountain on each floor for each fifty (50) employees or fraction thereof, up to 100 employees; and~~

~~b. If there are more than 100 employees, there shall be an additional drinking fountain on each floor for each additional seventy-five (75) employees or fraction thereof; and~~

~~3. One (1) service sink or slop sink per floor; and~~

~~(d)1. Individual sinks or wash troughs may be used in lieu of lavatories.~~

~~2. Twenty-four (24) inches of sink or trough, if provided with water, or eighteen (18) inches of circular basin shall be deemed the equivalent of one (1) lavatory.~~

~~(2) Mercantile. (a) Employees. 1. Except as provided in subparagraph 2 of this paragraph, sanitary facilities within each store shall be provided for employees. If more than five (5) persons are employed, separate facilities for each sex shall be provided.~~

~~2. For a store containing not more than 3,000 square feet of total gross floor area, employee facilities shall not be required if adequate interior facilities are provided within a centralized toilet room area or accessible areas having a travel distance of not more than 500 feet within the building in which the store is located.~~

~~(b) Customers.~~

~~1. Sanitary facilities shall be provided for customers if the building contains 5,000 square feet or more.~~

~~2. In a mall or shopping center, the required facilities, based on one (1) person per 100 square feet of total area, shall be installed in individual stores or in a central toilet room area or areas, if:~~

~~a. The distance from the main entrance of a store does not exceed 500 feet; and~~

~~b. The toilet room area is accessible to physically disabled persons.~~

~~(c) Sanitary facilities shall be provided as stated in this section and there shall be at least:~~

~~1. One (1) water closet for one (1) to 150 males;~~

~~2. Two (2) water closets for 151 to 300 males;~~

~~3. Three (3) water closets for 301 to 450 males;~~

~~4. If over 500 males, three (3) water closets plus one (1) additional water closet for each additional 500 males or fraction thereof;~~

~~5. One (1) urinal for fifty (50) to 200 males;~~

~~6. Two (2) urinals for 201 to 400 males;~~

~~7. Three (3) urinals for 401 to 600 males;~~

~~8. If over 300 males, three (3) urinals plus one (1) additional urinal for each additional 300 males or fraction thereof;~~

~~9. One (1) water closet for one (1) to 100 females;~~

~~10. Two (2) water closets for 101 to 200 females;~~

~~11. Three (3) water closets for 201 to 400 females;~~

~~12. If over 400 females, three (3) water closets plus one (1) additional water closet for each additional 300 females or fraction thereof;~~

~~13. One (1) lavatory for one (1) to 200 persons;~~

~~14. Two (2) lavatories for 201 to 400 persons;~~

~~15. Three (3) lavatories for 401 to 700 persons;~~

~~16. If over 700 persons, three (3) lavatories plus one (1) additional lavatory for each additional 500 persons or fraction thereof; Three (3) lavatories plus one (1) lavatory for each 500 persons, or fraction thereof, in excess of 700;~~

~~17. One (1) drinking fountain on each floor for each 500 persons or fraction thereof; and~~

~~18. One (1) service sink or slop sink per floor.~~

~~(3) Office buildings. (a) Employees. 1. Except as established in subparagraph 2 of this paragraph, sanitary facilities within office buildings shall be provided for employees. If more than five (5) persons are employed, separate facilities for each sex shall be provided.~~

~~2. For an office building or space containing not more than 3,000 square feet of total gross floor area, employee facilities shall not be required if adequate interior facilities are provided within a centralized toilet room area or areas having a travel distance of not more than 500 feet within the same building.~~

~~(b) Customers. 1. Sanitary facilities shall be provided for customers if the office building or space contains 5,000 square feet or more.~~

~~2. In an office building, the required facilities, based on one (1) person per 100 square feet of total area, shall be installed within the individual offices, or in a central toilet room area or areas if:~~

- ~~a. The distance from the main entrance of an office space does not exceed 500 feet; and~~
- ~~b. The toilet room area is accessible to physically disabled persons.~~

~~(c) Separate sanitary facilities for each gender shall be provided as stated in this section. 1. For males and females there shall be at least:~~

- ~~a. One (1) water closet for one (1) to fifteen (15) persons;~~
 - ~~b. Two (2) water closets for sixteen (16) to thirty five (35) persons;~~
 - ~~c. Three (3) water closets for thirty six (36) to fifty five (55) persons;~~
 - ~~d. Four (4) water closets for fifty six (56) to eighty (80) persons;~~
 - ~~e. Five (5) water closets for eighty one (81) to 110 persons;~~
 - ~~f. Six (6) water closets for 111 to 150 persons;~~
 - ~~g. If over 150 persons, six (6) water closets plus one (1) additional water closet for each additional forty (40) persons or fraction thereof;~~
 - ~~h. One (1) lavatory for one (1) to fifteen (15) persons;~~
 - ~~i. Two (2) lavatories for sixteen (16) to thirty five (35) persons;~~
 - ~~j. Three (3) lavatories for thirty six (36) to sixty (60) persons;~~
 - ~~k. Four (4) lavatories for sixty one (61) to ninety (90) persons;~~
 - ~~l. Five (5) lavatories for ninety one (91) to 125 persons;~~
 - ~~m. If over 125 persons, five (5) lavatories plus one (1) additional lavatory for each additional seventy five (75) persons or fraction thereof; and~~
 - ~~n. One (1) drinking fountain for each seventy five (75) persons or fraction thereof.~~
- ~~2. For males, if urinals are provided, one (1) water closet less than the number specified may be provided for each urinal installed if the number of water closets is not reduced to less than seventy (70) percent of the minimum specified.~~

~~Section 15. Swimming Pool Bathhouses. A swimming pool bathhouse shall comply with the requirements established in 902 KAR 10:120 and this section.~~

~~(1) Bathhouses for public swimming pools shall be divided into two (2) parts separated by a tight partition, with one (1) part designated for "Males" or "Men" and the other part designated for "Females" or "Women."~~

~~(2) Sanitary facilities shall be provided in each bathhouse to serve the anticipated bather load, as defined in 902 KAR 10:120, and shall conform to the following:~~

~~(a) For swimming pools in which the total bather capacity is 200 persons or less, there shall be at least:~~

- ~~1. One (1) water closet for each seventy five (75) males or fraction thereof;~~
- ~~2. One (1) water closet for each fifty (50) females or fraction thereof;~~
- ~~3. One (1) urinal for each seventy five (75) males or fraction thereof;~~
- ~~4. One (1) lavatory for each 100 persons or fraction thereof;~~
- ~~5. One (1) shower per each fifty (50) persons or fraction thereof; and~~
- ~~6. One (1) drinking fountain per each 200 persons or fraction thereof;~~

~~(b) For swimming pools in which the total bather capacity exceeds 200 persons, there shall be at least:~~

- ~~1. Five (5) water closets for 201 to 400 females, with one (1) additional water closet for each additional 250 females or fraction thereof;~~
- ~~2. Three (3) water closets for 201 to 400 males, with one (1) additional water closet for each~~

additional 500 males or fraction thereof;

~~3. Three (3) urinals for 201 to 400 males, with one (1) additional urinal for each additional 500 males or fraction thereof;~~

~~4. One (1) lavatory for up to 150 persons;~~

~~5. Two (2) lavatories for 151 to 400 persons;~~

~~6. Three (3) lavatories for 401 to 750 persons;~~

~~7. If over 750 persons, three (3) lavatories plus one (1) additional lavatory for each additional 750 persons or fraction thereof;~~

~~8. One (1) shower per each fifty (50) persons or fraction thereof up to 150;~~

~~9. If over 150 persons, three (3) showers plus one (1) additional shower for each additional 500 persons or fraction thereof; and~~

~~10. One (1) drinking fountain per each 500 persons or fraction thereof.~~

~~(3) Fixture schedules shall be increased for pools at schools or similar locations where bather loads may reach peaks due to schedules of use. Pools used by groups or classes on regular time schedules of:~~

~~(a) One (1) hour or less shall have at least one (1) shower for each six (6) swimmers; and~~

~~(b) One (1) to two (2) hours shall have at least one (1) shower for each ten (10) swimmers.~~

~~(4) Shower facilities, including warm water and soap, shall be provided for each sex.~~

~~(a) Showers shall be supplied with water at a temperature of not less than ninety (90) degrees Fahrenheit and at a flow rate of at least three (3) gallons per minute.~~

~~(b) Thermostatic, tempering, or mixing valves shall be installed to prevent scalding of the bathers.~~

~~(5) The requirement relating to bathhouse toilet room and shower facilities may be waived if the facilities are available to pool patrons within 150 feet from the pool.~~

~~Section 16. Park Service Buildings or Bathhouses. A park service building or bathhouse shall comply with the requirements established in 902 KAR 15:020, Section 8, and this section.~~

~~(1) Except for a self-contained recreational vehicle community, each park shall provide one (1) or more central service buildings containing the necessary toilet and other plumbing fixtures established in this section.~~

~~(2) Except for a self-contained recreational vehicle community, sanitary facilities shall be provided as follows:~~

~~(a) If there are one (1) to fifteen (15) vehicle spaces, there shall be for:~~

~~1. Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower; and~~

~~2. Females: At least one (1) water closet, one (1) lavatory, and one (1) shower;~~

~~(b) If there are sixteen (16) to thirty (30) vehicle spaces, there shall be for:~~

~~1. Males: At least one (1) water closet, one (1) urinal, two (2) lavatories, and two (2) showers; and~~

~~2. Females: At least two (2) water closets, two (2) lavatories, and two (2) showers;~~

~~(c) If there are thirty one (31) to forty five (45) vehicle spaces, there shall be for:~~

~~1. Males: At least two (2) water closets, one (1) urinal, three (3) lavatories, and three (3) showers; and~~

~~2. Females: At least two (2) water closets, three (3) lavatories, and three (3) showers;~~

~~(d) If there are forty six (46) to sixty (60) vehicle spaces, there shall be for:~~

~~1. Males: At least two (2) water closets, two (2) urinals, three (3) lavatories, and three (3) showers; and~~

~~2. Females: At least three (3) water closets, three (3) lavatories, and three (3) showers;~~

~~(e) If there are sixty one (61) to eighty (80) vehicle spaces, there shall be for:~~

1. Males: At least three (3) water closets, two (2) urinals, four (4) lavatories, and four (4) showers; and
2. Females: At least four (4) water closets, four (4) lavatories, and four (4) showers;
- (f) If there are eighty one (81) to 100 vehicle spaces, there shall be for:
 1. Males: At least four (4) water closets, two (2) urinals, five (5) lavatories, and five (5) showers; and
 2. Females: At least five (5) water closets, five (5) lavatories, and five (5) showers; and
- (g) If over 100 vehicle spaces are provided, there shall be provided at least:
 1. One (1) additional water closet and one (1) additional lavatory for each sex per additional thirty (30) spaces or fraction thereof;
 2. One (1) additional shower for each sex per additional forty (40) vehicle spaces or fraction thereof; and
 3. One (1) additional urinal for males per additional 100 vehicle spaces or fraction thereof.

~~Section 17. Residential and Day Camp Sites. A residential or day camp site shall comply with the requirements established in 902 KAR 10:040 and this section.~~

- (1)(a) ~~Each residential camp site shall be provided with sanitary facilities for each sex as established in this section.~~
- (b) ~~A day camp shall:~~
 1. ~~Not be required to provide shower facilities; and~~
 2. ~~Provide all other sanitary facilities for each sex as established in this section.~~
- (2) ~~Sanitary facilities shall be provided as follows:~~
 - (a) ~~If there are one (1) to eighteen (18) persons served, there shall be for:~~
 1. ~~Males: At least one (1) water closet, one (1) urinal, one (1) lavatory, and one (1) shower; and~~
 2. ~~Females: At least two (2) water closets, one (1) lavatory, and one (1) shower;~~
 - (b) ~~If there are nineteen (19) to thirty three (33) persons served, there shall be for:~~
 1. ~~Males: At least two (2) water closets, one (1) urinal, two (2) lavatories, and two (2) showers; and~~
 2. ~~Females: At least two (2) water closets, two lavatories, and two showers;~~
 - (c) ~~If there are thirty four (34) to forty eight (48) persons served, there shall be for:~~
 1. ~~Males: At least two (2) water closets, two (2) urinals, two (2) lavatories, and three (3) showers; and~~
 2. ~~Females: At least three (3) water closets, two (2) lavatories, and three (3) showers;~~
 - (d) ~~If there are forty nine (49) to sixty three (63) persons served, there shall be for:~~
 1. ~~Males: At least three (3) water closets, two (2) urinals, three (3) lavatories, and four (4) showers; and~~
 2. ~~Females: At least four (4) water closets, three (3) lavatories, and four (4) showers;~~
 - (e) ~~If there are sixty four (64) to seventy nine (79) persons served, there shall be for:~~
 1. ~~Males: At least three (3) water closets, three (3) urinals, three (3) lavatories, and five (5) showers; and~~
 2. ~~Females: At least five (5) water closets, three (3) lavatories, and five (5) showers;~~
 - (f) ~~If there are eighty (80) to ninety five (95) persons served, there shall be for:~~
 1. ~~Males: At least four (4) water closets, three (3) urinals, four (4) lavatories, and six (6) showers; and~~
 2. ~~Females: At least six (6) water closets, four (4) lavatories, and six (6) showers; and~~
 - (g) ~~If over ninety five (95) persons are served, there shall be provided at least:~~
 1. ~~One (1) additional water closet and one (1) additional lavatory for each twenty five (25) persons or fraction thereof served;~~

~~2. One (1) additional shower for each twenty (20) persons or fraction thereof served; and~~

~~3. One (1) additional urinal per fifty (50) additional males or fraction thereof.~~

~~(3) Coed day camps with equal number of males and females shall meet the fixture requirements of Section 6(2) of this administrative regulation, relating to elementary through secondary level school buildings.~~

~~(4) Water closets may be substituted for urinals if facilities are to be used by both sexes.~~

~~Section 18. Retail Food Stores and Restaurants. Sanitary facilities shall be provided for employees. A retail food store or restaurant shall comply with the requirements established in 902 KAR 10:020, 902 KAR 45:005, and this section.~~

~~(1) Food stores. (a) If more than five (5) persons of different sex are employed, separate sanitary facilities shall be provided for the employees.~~

~~(b)1. Separate sanitary facilities for each sex shall be provided for customers if the building contains 5,000 square feet or more.~~

~~2. In a mall or shopping center, the required facilities shall be:~~

~~a. Based on one (1) person per fifty (50) square feet; and~~

~~b. Installed in individual stores or in a central toilet room area or areas, if the distance from the main entrance of a store does not exceed 500 feet.~~

~~(c) There shall be at least:~~

~~1. One (1) water closet for one (1) to 100 persons;~~

~~2. Two (2) water closets for 101 to 200 persons;~~

~~3. Three (3) water closets for 201 to 400 persons;~~

~~4. If over 400 persons, three (3) water closets plus one (1) additional water closet for each additional 500 males or 300 females or fraction thereof;~~

~~5. One (1) urinal for eleven (11) to 200 males;~~

~~6. Two (2) urinals for 201 to 400 males;~~

~~7. Three (3) urinals for 401 to 600 males;~~

~~8. If over 600 males, three (3) urinals plus one (1) additional urinal for each additional 300 males or fraction thereof;~~

~~9. One (1) lavatory for one (1) to 200 persons;~~

~~10. Two (2) lavatories for 201 to 400 persons;~~

~~11. Three (3) lavatories for 401 to 700 persons;~~

~~12. If over 700 persons, three (3) lavatories plus one (1) additional lavatory for each additional 500 persons or fraction thereof;~~

~~13. One (1) drinking fountain on each floor for each 500 persons or fraction thereof; and~~

~~14. One (1) service sink, utility sink, or curbed mop basin per floor as required by the Cabinet for Health and Family Services.~~

~~(2) Restaurants. (a) If more than five (5) persons of different sex are employed, separate sanitary facilities for each sex shall be provided for the employees.~~

~~(b)1. Except as provided in subparagraph 3 of this paragraph, in a new establishment or an establishment that is extensively altered or changed from another type occupancy to a restaurant, toilet facilities for each sex shall be provided and readily accessible for the use of both patrons and employees.~~

~~2. Carryout type food service operations shall be exempt from providing toilet facilities for the use of their patrons.~~

~~3. A restaurant with a business occupancy of one (1) to fifteen (15) persons shall:~~

~~a. Comply with the requirements in paragraphs (c) and (e) of this subsection; or~~

~~b. Provide at least one (1) unisex facility consisting of one (1) water closet and one (1) lavatory.~~

~~(c) There shall be at least:~~

- ~~1. Two (2) water closets for one (1) to 100 persons;~~
- ~~2. Three (3) water closets for 101 to 200 persons;~~
- ~~3. Four (4) water closets for 201 to 300 persons; and~~
- ~~4. If over 300 persons, four (4) water closets plus one (1) additional water closet for each additional 200 persons or fraction thereof.~~

~~(d) There shall be at least:~~

- ~~1. One (1) urinal for fifty (50) to 200 males; and~~
- ~~2. If over 200 males, one (1) urinal plus one (1) additional urinal for each additional 150 males or fraction thereof.~~

~~(e) There shall be at least:~~

- ~~1. One (1) lavatory for one (1) to 200 persons;~~
- ~~2. Two (2) lavatories for 201 to 400 persons;~~
- ~~3. Three (3) lavatories for 401 to 600 persons; and~~
- ~~4. If over 600 persons, three (3) lavatories plus one (1) additional lavatory for each additional 200 persons or fraction thereof.~~

~~(f) There shall be at least:~~

- ~~1. One (1) drinking fountain for one (1) to 100 persons; and~~
- ~~2. If over 100 persons, two (2) drinking fountains plus one (1) additional water fountain for each additional 400 persons or fraction thereof.~~

~~(g) If food is consumed indoors on the premises, water stations may be substituted for drinking fountains.~~

~~(h) There shall be one (1) service sink, utility sink, or curbed mop basin on each floor as required by the Cabinet for Health and Family Services.~~

~~(i) Lavatories for hand washing shall be provided in the kitchen area, readily accessible to the employees.~~

~~(3) Licensed food establishments. In all food establishments licensed by the Cabinet for Health and Family Services, Department for Public Health, the requirements in this subsection shall be met.~~

~~(a) Hand washing sinks. 1. All hand washing sinks shall have a minimum hot water temperature of 100 degrees Fahrenheit and a maximum of 120 degrees Fahrenheit.~~

~~2. Self-closing faucets shall provide a flow of water for no less than fifteen (15) seconds from activation.~~

~~3. Placement of hand washing sinks shall be approved by the Cabinet for Health and Family Services, Department for Public Health pursuant to 902 KAR 45:005.~~

~~(b) A three (3) compartment sink used for washing utensils shall be required and shall drain by a direct connection with a minimum of a two (2) inch drain.~~

~~(c) Dishwashing or ware washing machines shall discharge indirectly through a three (3) inch open receptacle.~~

~~(d) Residential type dishwashing machines shall discharge:~~

- ~~1. Through an air gap device; or~~
- ~~2. Indirectly through a three (3) inch open receptacle.~~

~~(e) Sinks solely used for food preparation shall discharge by an indirect connection to a minimum three (3) inch trap.~~

~~(f) All hub drains, open receptacles, floor sinks, or other waste receptacles shall extend one (1) inch above the floor plane unless a full grate/strainer is installed flush with the floor.~~

~~(g) Occupied mobile food units not located within an existing permitted food establishment shall:~~

- ~~1. Meet the requirements of the Kentucky Plumbing Code, KRS Chapter 318 and 815 KAR~~

Chapter 20;

- ~~2. Have a waste tank no less than fifty (50) percent larger than the freshwater tank;~~
 - ~~3. Have a National Sanitary Foundation (NSF) approved freshwater tank for potable water;~~
- and
- ~~4. Have a minimum of a three (3) compartment sink and one (1) hand sink.]~~

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