

**DEPARTMENT OF HEALTH
CHAPTER 64E-12
COMMUNITY BASED RESIDENTIAL FACILITIES**

Contents

64E-12.001 General.....	1
64E-12.002 Definitions.....	1
64E-12.003 Water Supply.	2
64E-12.004 Food Service: Tiers and Catering.	3
64E-12.005 Housing.....	5
64E-12.006 Vector and Vermin Control.....	6
64E-12.007 Bedding, Towels, Clothing and Personal Items.	6
64E-12.008 Laundry.....	6
64E-12.009 Medications, Alcohol, Poisonous or Toxic Substances.....	6
64E-12.010 Garbage and Rubbish.	7
64E-12.011 Recreational Areas.	7
64E-12.012 Radon Testing.....	7
64E-12.013 Animal Health and Safety.....	7

64E-12.001 General.

(1) This rule chapter prescribes sanitary practices relating to construction, operation and maintenance of community based residential facilities. If a requirement in this rule chapter conflicts with a specific requirement in any other Florida state licensing agency’s rule, then that agency’s standards shall prevail and will be addressed by that agency’s officials.

(2) Base camps of wilderness programs shall be exempt from subsections (6) and (7), of Rule 64E-12.005, F.A.C., of this chapter, and the mobile components of wilderness programs shall be exempt from all sections of this rule.

(3) Personal services may be provided to the residents through coordinated outsourcing by the community based residential facility or by a contract provider.

Rulemaking Authority 381.006, 381.006(16) FS. Law Implemented 381.006(16), 386 FS. History--New 6-18-87, Formerly 10D-23.001, Amended 1-20-08.

64E-12.002 Definitions.

For the purpose of this rule, the following words and phrases shall have the meaning indicated:

(1) Approved – means acceptable by law.

(2) Community Based Residential Facilities – means group care facilities as established under Section 381.006(16), F.S., used as a primary domicile by the resident and located in any building or buildings, section of a building, or distinct part of a building or other place, whether operated for profit or not, which undertakes, through its ownership or management, to provide for a period exceeding 24 hours, housing, food service, and one or more personal services for persons not related to the owner or administrator by blood or marriage, who require such services. This term does not include family foster homes as defined in Section 409.175(2)(e), F.S., or foster care facilities as defined in Section 393.063(15), F.S., and correctional facilities, such as detention centers, jails or prisons.

(3) Department – means the Florida Department of Health and county health departments.

(4) Food Preparation – means the manipulation of foods intended for human consumption by such means as washing, slicing, peeling, chipping, shucking, scooping, and or portioning. The term also includes those activities involving temperature changes, combining ingredients, opening ready-to-eat food packages, or any other activity causing physical or chemical alterations in the food.

(5) Hot Water – means water heated to a minimum temperature of 100 degrees Fahrenheit (°F).

(6) Law – means applicable statutes, rules, codes, or ordinances adopted by local, state, and federal agencies that have

regulatory oversight or inspection authority.

(7) Minor – means any person under the age of 18 years old.

(8) Open Water Hazard – means any body of water such as canals, creeks, holding ponds, rivers, lakes, or swamps which are unrestricted by a barrier at least 4 feet in height, on or abutting the property of a community based residential facility. This term does not include pools or spas and small ornamental fish ponds, or above ground fountains which are less than 24 inches deep and have less than 200 square feet of surface area.

(9) Personal Services – means providing supervision, custodial care, or assisting a resident with the tasks or functions in their daily living activities, such as bathing, dressing, laundry, eating, ambulation, grooming, toileting, or monitoring medications.

(10) Potentially Hazardous Food – means any perishable food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting:

(a) Rapid and progressive growth of infectious or toxigenic microorganisms, or

(b) The slower growth of *Clostridium botulinum*.

The term “potentially hazardous food” does not include foods which have a pH level of 4.6 or below, or a water activity (*A_w*) value of 0.85 or less, or air-cooled hard-boiled eggs with the shell intact.

(11) Renovation – means any structural or equipment changes in the food storage, service, preparation, or dining area. This does not include replacing existing equipment with like equipment. Substantial renovation includes structural changes to an existing establishment which costs in excess of 33 percent of the assessed value of the facility as determined by the county property appraiser.

(12) Resident – means a person living in and receiving personal services from a community based residential facility, or personal services through coordinated outsourcing, typically due to a specific emotional, social, or health related condition.

(13) Vector – means an organism that transmits a pathogen. This term includes, but is not limited to insects, rodents and bats.

(14) Wading Pool – means a temporary and portable pool that holds water, is less than 24 inches in depth, and without motors. It may also be known as a kiddy pool.

Rulemaking Authority 381.006(16) FS. Law Implemented 381.006(16) FS. History–New 6-18-87, Amended 8-7-96, Formerly 10D-23.002, Amended 1-20-08.

64E-12.003 Water Supply.

(1) Water supplies shall be adequate to serve the demands of the facility and shall be constructed, operated and maintained in accordance with requirements of Chapters 62-550 and 62-555 or 64E-8, Florida Administrative Code (F.A.C.).

(a) Routine Testing. Facilities served by a drinking water system not regulated by Chapter 64E-8 or 62-550, F.A.C., shall test the water and submit bacteriological water test results to the local county health department (CHD):

1. Before opening the facility,

2. At least every 12 months,

3. Upon relocation,

4. Before having the well placed in service after construction, repair, or modification, or

5. After an emergency situation, such as a flood, that may introduce contaminants to the system.

(b) Test results must be negative for bacteriological contamination.

(c) Positive test results require the facility to temporarily provide potable water from a source approved by law for the purpose of drinking, cooking, and oral contact until test results are negative. In addition, wells that test positive shall be disinfected, flushed, and tested for bacterial contamination.

(d) Laboratory test results must be submitted to the local county health department in writing by the testing laboratory.

(e) Testing can be obtained through the local county health department or a certified independent laboratory.

(2) Drinking water shall be accessible to all residents. When drinking fountains are available, they shall be designed in compliance with the applicable plumbing provisions of the State Building Code, as adopted in Rule 9B-3.047, F.A.C. When no approved drinking fountains are available, residents shall be provided with single service cups or clean drinking utensils which shall be stored and dispensed in a manner to prevent contamination. Common drinking cups are prohibited.

(3) Hot and cold running water under pressure and at safe temperatures, not to exceed 120° Fahrenheit at the faucet to prevent scalding, shall be provided to all restroom lavatories and bathing areas.

Rulemaking Authority 381.006, 381.006(16) FS. Law Implemented 381.006(16) FS. History–New 6-18-87, Amended 8-7-96, Formerly 10D-23.003,

64E-12.004 Food Service: Tiers and Catering.

There are three tiers of food service, each with different minimal requirements based on facility type or the number of residents in care. Only one tier of service as listed in subsections (1)-(3), below, will be applied to any facility. Facilities receiving or providing catered food must meet applicable standards as described in subsection (4), below.

(1) Tier I. Facilities meeting the definition of “adult family-care home” regardless of the number of residents as defined in Section 429.65(2), F.S., and other community based residential facilities with a maximum capacity to house up to 5 residents, shall comply with the following requirements:

(a) Food used in the facility shall be clean, wholesome, free from spoilage and safe for human consumption. Home canned food shall not be used. Canned food shall be from sources that are approved by law.

(b) The facility shall protect the food from dust, flies, rodents and other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other sources of contamination at all times during storage, food preparation, transportation both on and off premises, and service.

(c) Food storage equipment shall be provided to keep all potentially hazardous foods at safe temperatures, 41° Fahrenheit or below or 140° Fahrenheit or above, except during necessary periods of preparation and service. Potentially hazardous food shall not have been out of temperature more than 4 cumulative hours during the course of thawing, preparation, service and cooling.

(d) At least one sink with hot and cold potable water under pressure shall be provided in the food preparation area.

(e) Refrigeration units and hot food storage units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3°F. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed.

(f) Labeling and Dating. Food containers shall be labeled with their contents and labels shall correctly identify the contents of the container. Potentially hazardous foods and potentially hazardous foods that are in a form which is edible without washing, cooking, or additional preparation, including previously cooked foods such as leftovers, must be stored in accordance with the date marking and disposition requirements of subsections 64E-11.004(14) and (15), F.A.C.

(2) Tier II. Except as described in subsection (1), above, if food service is provided in a facility with a maximum capacity to house from 6 to 10 residents, the facility shall comply with the following requirements:

(a) In Chapter 64E-11, F.A.C.:

1. Rule 64E-11.002, F.A.C., Definitions,
2. Rule 64E-11.003, F.A.C., Food Supplies,
3. Rule 64E-11.004, F.A.C., Food Protection,
4. Subsections 64E-11.005(1), (2)(b), (c), (e), (f), (3), (4), (5), F.A.C., Personnel,
5. Subparagraphs 64E-11.013(3)(c)1., 2., 4., F.A.C.

(b) Facilities opening, initially licensed by the licensing agency, or renovating on or after January 1, 2008, shall, prior to construction or renovation of a food service operation or prior to substantial facility renovation, notify the department and provide plans of the proposed construction or renovation, for review and approval at least 90 days prior to the start of the project. Plans shall be submitted by the owner, prospective operator, or their designated representative. All plans shall be in compliance with this section, shall be drawn to scale, describe the layout, construction, finish schedule, general operation of the facility, equipment design and installation, and similar aspects of the facility’s food service operation. A copy of the intended menu shall be provided to the department as part of the plan review.

(c) The floor surfaces in kitchens, all the rooms and areas in which food is stored or prepared and in which utensils are washed or stored, shall be of smooth, nonabsorbent material and constructed so they can be easily cleaned and shall be kept clean and in good repair.

(d) The walls and shelving of all food preparation areas, food storage areas, utensil washing and handwashing rooms or areas shall have smooth, easily cleanable surfaces. Walls shall be washable up to the highest level reached by splash or spray.

(e) Hot and cold running water under pressure shall be easily accessible where food is prepared and where utensils are washed.

(f) A handwashing sink, provided with hot and cold running water under pressure, shall be located within the food preparation area. A sign must be posted clearly designating the sink for handwashing purposes. A handwashing sink shall not be used for any

other purpose. Facilities inspected and approved by the department prior to January 1, 2008, are exempt from this requirement until such time as kitchen renovation will occur or substantial renovation will occur at the facility.

(g) In addition to the designated one compartment handwashing sink in paragraph (f), above, a two compartment sink or one compartment sink and a residential use dishwasher shall be provided for warewashing. Notwithstanding the provisions in subsection (f), above, if a facility has a two compartment sink and a residential dishwasher, one compartment of the two compartment sink can be designated as a handwashing sink when labeled and used exclusively as such. Existing facilities shall have until December 31, 2008, to comply with this requirement.

(h) Multi-use equipment and utensils shall be constructed and repaired with materials that are non-toxic, corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable and durable under conditions of normal use; and shall not impart odors, color or taste nor contribute to the contamination of food.

(i) All multi-use eating and drinking utensils shall be thoroughly cleaned with hot water and an effective detergent, then shall be rinsed free of such solution.

(j) Refrigeration units and hot food storage units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3° Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed.

(k) Potentially hazardous foods and potentially hazardous foods that are in a form which is edible without washing, cooking, or additional preparation, including previously cooked foods such as leftovers, must be stored in accordance with the date marking and disposition requirements of subsections 64E-11.004(14) and (15), F.A.C.

(l) The facility shall protect food and food equipment from all sources of contamination at all times during storage, food preparation, service, and transportation both on and off premises.

(m) Live animals and pets living in or visiting a community based residential facility shall not enter the kitchen or any food preparation areas when food is being prepared or served. Preventing pets and animals from entering the kitchen or food preparation areas must be effective and may consist of passive restraint through obedience training, use of physical barriers such as a gate, physical restraint such as limiting the animal to a room outside of the kitchen or food preparation area, or any other effective means. Animals and pets shall not be fed, watered, bedded, kept, or caged in the kitchen, food preparation, food storage, or dining area. Animal care supplies shall not be kept in the kitchen or other food storage areas. If live animals have access to kitchen and dining areas during non-food preparation and service times, then the facility shall effectively sanitize the dining tables, kitchen counter top surfaces, food preparation surfaces, and other similar surfaces immediately before the next meal service or food preparation begins. Persons handling or having direct physical contact with an animal must wash their hands immediately prior to preparing or serving food.

(n) As part of an organized activity, residents may participate in food preparation under direct supervision of the designated staff person in charge of food service activities, who is knowledgeable in food hygiene safety.

(o) Labeling. Food containers shall be labeled with their contents and labels shall correctly identify the contents of the container.

(3) Tier III. If food service is provided in a hospice facility, or a facility with a maximum capacity of 11 or more residents, it shall comply with Chapter 64E-11, F.A.C. Existing facilities shall have until December 31, 2008, to comply with the requirements of Chapter 64E-11, F.A.C., except for item paragraph (b), below.

(a) Any organized food preparation activity in which residents may participate in food preparation as part of the organized activity must be under the direct supervision of a trained food service employee, per Rule 64E-11.012, F.A.C. This does not apply to specific designated therapeutic classes with activities for an individual or a group of individuals provided by a licensed occupational or physical therapist as part of their occupational, physical, or rehabilitation therapy activities to regain basic self sufficiency skills.

(b) Facilities with capacities of 11-24 residents that have been in continuous operation since initial regulation or licensing by the department prior to January 1, 2008, are exempt from subsection 64E-11.008(7), F.A.C., until the facility remodels the kitchen or dining area, or substantially remodels the facility.

(4) Catering. If food is catered from outside sources, the caterer shall be licensed or regulated by a state or federal regulatory food program. If a community based residential facility caters additionally to outside sources, it must meet all Chapter 64E-11, F.A.C., licensing standards.

(a) When catering is provided as the primary means of food supply, a copy of a current catering agreement shall be provided to the local county health department at least annually and when a change in the agreement occurs. The agreement shall minimally

include the designated delivery times, method of hot and cold holding once food is delivered, whether bulk or individually portioned food will be provided, and a designated responsible party for cleaning and sanitizing any multi-use equipment and utensils.

(b) Upon delivery of catered food to a community based residential facility, catered food must be adequately protected from contamination. The facility shall maintain a daily log indicating the date and time of delivery, name or type of potentially hazardous food(s), and using an accurate food thermometer measure and log the food temperatures upon arrival. Entries in the log shall be made at the time of delivery. These temperature logs shall be maintained and retained at the facility for a period not less than 6 months. The records required by this section must be made available for review by the department upon department request.

(c) If outside catering is not the primary means of food supply to the facility, and the facility only partakes in the occasional carry-out or delivery of items such as, pizza, wings, sub-sandwiches, fried chicken, or barbecued food, the catering requirements listed in paragraphs (a) and (b) above, do not apply.

Rulemaking Authority 381.006(16), 381.0072(2)(a) FS. Law Implemented 381.006(16), 381.0072(2)(a), (b), (c) FS. History—New 6-18-87, Formerly 10D-23.006, Amended 1-20-08.

64E-12.005 Housing.

(1) The facility shall provide safe and sanitary housing free from objects, materials, and conditions of an environmental origin that constitute a danger to the residents.

(2) Floors, walls, ceilings, windows, doors and all appurtenances of the structures shall be of sound construction, properly maintained, easily cleanable and shall be kept clean.

(a) Floor surfaces shall be of non-slip type and maintained free of loose or broken tiles and boards, holes, uneven projections, protruding nails, tears, splinters, water spillage and other tripping hazards. Bathtubs and showers shall contain slip-resistant strips, slip-resistant rubber bath mats, or slip-resistant surfaces.

(b) Wall surfaces shall be maintained free of hazardous projections, splinters, loose moldings, and broken plaster.

(c) Overhead surfaces shall be free of water damage, loose, missing or broken tiles, plaster, lath, or loose hanging fixtures, pipes and electric wiring.

(d) All external windows designed to open shall be accessible and operable.

(3) All housing facilities shall be kept free of offensive odors by adequate cleanliness and proper ventilation.

(4) All areas of the facility shall be well lighted. Dormitories, bedrooms, toilets, bathing rooms, shower rooms, and dayrooms shall have light fixtures that provide at least 20 foot candles of illumination in all areas of the room, measured at a distance 30 inches from the floor, to permit observation, cleaning and maintenance. Light fixtures shall be maintained to work as designed and kept clean.

(5) All areas of the facility occupied by residents, including sleeping rooms, common areas, hallways, bathrooms, and dining areas shall have natural or mechanical ventilation.

(a) If natural ventilation is utilized, the opened window area for ventilation purposes should be equal to one-tenth of the floor space.

(b) When mechanical ventilation systems are employed, the systems shall be maintained to operate as designed and kept clean. Intake air ducts shall be designed and installed so that dust or filters can be readily removed. In resident occupied areas mechanical ventilation systems shall provide a minimum of 10 cubic feet of fresh or filtered recirculated air per minute for each resident occupying the area.

(c) All toilet rooms shall be provided with direct openings to the outside or provided with mechanical ventilation to the outside.

(6) Adequate heating facilities shall be provided to maintain a minimum temperature of 68° Fahrenheit, 20 inches above the floor in all resident occupied rooms.

(7) Mechanical cooling devices shall be used and in working condition in those areas of buildings occupied by residents when inside temperatures exceed 85° Fahrenheit. Exceptions are made when the resident is capable and in control of the thermostat or cooling devices in their personal area and chooses for it to exceed 85° Fahrenheit.

(8) All heating and cooling systems shall be consistent with current building and fire code rules applicable to the area where the facility is located, as determined by building and fire officials.

(9) All furniture and furnishings must be in good repair and kept clean.

(10) Plumbing shall be maintained in compliance with the requirements of the applicable plumbing provisions of the State Building Code, as adopted in Rule 9B-3.047, F.A.C., and Section 553.06, F.S.

(11) Sanitary facilities shall comply with the requirements of Chapter 64E-10, F.A.C.

(12) Sewage and liquid waste shall be disposed of in accordance with Chapter 62-601 or 64E-6, F.A.C., whichever is applicable.

Rulemaking Authority 381.006, 381.006(16) FS. Law Implemented 381.006, 381.006(6), (16) FS. History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.009, Amended 1-20-08.

64E-12.006 Vector and Vermin Control.

(1) Effective control measures shall be utilized to minimize the presence of rodents, flies, cockroaches and other vectors and vermin on the premises. The primary means of pest control shall be the use of integrated pest management (IPM) systems and tools. IPM tools, such as "Integrated Pest Management for Schools: How-to Manual," dated May 2, 2006, which are recognized by the United States Environmental Protection Agency, are approved practices for the control of pests throughout a residential facility. The manual is available at <http://www.epa.gov/pesticides/ipm/schoolipm/index.html> or by writing for a free copy to EPA Pesticides Section, U.S. EPA Region 9, 75 Hawthorne Street (CMD-5), San Francisco, CA 94105. Use of IPM systems and tools does not restrict the use of licensed pest control companies or individuals.

(2) The creation, maintenance or causing of any condition capable of propagating vectors and vermin will not be permitted. All building shall be effectively maintained rodent-proofed and rodent free. All outside openings shall be effectively sealed or screened with 16 mesh screening or equivalent, to prevent entry of insects, rodents, or other vectors and vermin, except in wilderness programs when mosquito netting is provided to each resident.

Rulemaking Authority 381.006, 381.006(16) FS. Law Implemented 381.006, 381.006(16) FS. History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.010, Amended 1-20-08.

64E-12.007 Bedding, Towels, Clothing and Personal Items.

Beds, mattresses and bedding shall be provided and kept in good repair and shall be cleaned regularly. Mattresses and pillows shall have cleanable covers which shall be cleaned between uses by different residents. Sheets, towels and personal clothing shall be washed at least weekly. Blankets shall be washed or dry cleaned as necessary and between uses by different residents. Blankets, sheets, towels and clean clothing shall be stored in a clean, dry place between laundering and use. Separate, individually assigned spaces shall be provided for storage of personal items and toiletries. The use of common towels is prohibited.

Rulemaking Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History--New 6-18-87, Formerly 10D-23.011.

64E-12.008 Laundry.

(1) Where laundry facilities are provided, they shall be adequate to ensure an ample quantity of clean clothing, bed linens and towels. Laundry facilities shall be of sound construction and shall be kept clean and in good repair. Adequate space shall be provided for the complete separation of clean and soiled clothing, linen and towels.

(2) Laundry rooms shall have fixtures that provide at least 30 foot-candles of illumination, be kept clean and free of lint build-up, and be properly ventilated as specified in the applicable building provisions of the State Building Code, as adopted in Rule 9B-3.047, F.A.C. Lighting will be measured 30 inches above the floor. Clothes dryers shall be vented to the exterior. Carts used for transporting dirty clothes, linens and towels shall not be used for transporting clean articles unless they have been thoroughly cleaned and sanitized.

Rulemaking Authority 381.006, 381.006(16) FS. Law Implemented 381.006, 381.006(16) FS. History--New 6-18-87, Formerly 10D-23.012, Amended 1-20-08.

64E-12.009 Medications, Alcohol, Poisonous or Toxic Substances.

(1) Poisonous or toxic substances are to be stored apart from food and other areas that would constitute a hazard to the residents. All containers containing poisonous or toxic substances must be clearly labeled to indicate their contents.

(2) All toxic, poisonous, and alcoholic substances shall be kept in locked areas, such as a locked office, locked cabinet, or locked cupboard at all times when not in use. This does not apply to alcoholic beverages. Alcoholic beverages shall be kept out of a child's reach.

(3) Medications shall be kept in locked areas, such as a locked office, locked cabinet, or locked box at all times when not in use. This is in addition to a childproof medicine bottle cap, lid, or other packaging. Exceptions are extended to adults capable of self-

medication, life saving medications such as epinephrine pens, insulin, nitro glycerin, or asthma inhalers that may be needed by the resident who is capable of self-medication in an emergency due to illness or disease. Medicine containers or packaging must be clearly labeled indicating the prescribed individual's name and its contents. Medications requiring refrigeration or which are stored in a food service or food storage area, shall be stored in such a manner that they do not pose a contamination hazard to food.

Rulemaking Authority 381.006, 381.006(16) FS. Law Implemented 381.006, 381.006(6), (16) FS. History--New 6-18-87, Formerly 10D-23.013, Amended 1-20-08.

64E-12.010 Garbage and Rubbish.

(1) All garbage, trash and rubbish shall be collected daily and placed in storage facilities. Garbage shall be removed from storage facilities frequently enough to prevent a sanitary nuisance, as defined in Chapter 386, F.S. Wet garbage shall be collected and stored in impermeable, leak proof, fly tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin.

(2) The method of disposal shall not create sanitary nuisance conditions and shall comply with provisions of Chapter 62-701, F.A.C.

Rulemaking Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.014.

64E-12.011 Recreational Areas.

(1) The recreational area shall be safe and free from hazardous conditions. Recreational equipment shall have no jagged or sharp projections or other hazardous construction, and shall be maintained in a structurally sound condition.

(2) Outdoor recreational areas shall be well drained and kept free of litter and trash.

(3) If swimming pools, spas, or open water hazards are located on the property of a community based residential facility, the facility shall provide direct supervision by an adult employee when in use or when the area is occupied by minors and other residents that cannot swim. The individual responsible for supervision during water activities or near water hazards must have successfully completed the community water safety course specified in paragraph (b), below.

(a) A wading or kiddy pool is not allowed.

(b) All community based residential facilities with swimming pools, spas, or open water hazards must have a person on staff who has completed a community water safety course administered by the American Red Cross, YMCA, or any aquatic training program granted approval under paragraph 64E-9.008(1)(d), F.A.C.

(c) A community based residential facility with a pool or spa not currently regulated by Chapter 64E-9, F.A.C., shall minimally, regardless of construction date, meet the barrier requirements in one of the following references: Section 424.2.17 through 424.2.17.3 of the 2004 Florida State Building Code for private swimming pools or Section 515.29, F.S.

(d) Water safety devices shall be provided for residential pools. A shepherd's hook shall be provided securely attached to a one piece pole not less than 16 feet in length, and at least one 18 inch diameter lifesaving ring with sufficient rope attached to reach all parts of the pool from the pool deck. Safety equipment shall be mounted in a conspicuous place and be readily available for use. Residential spas and hot tubs are exempt from this requirement.

Rulemaking Authority 381.006, 381.006(16) FS. Law Implemented 381.006, 381.006(16) FS. History--New 6-18-87, Amended 8-7-96, Formerly 10D-23.015, Amended 1-20-08.

64E-12.012 Radon Testing.

Rulemaking Authority 404.056(4), (6), 381.006 FS. Law Implemented 404.056(4), 381.006(16) FS. History--New 1-20-08, Repealed 12-29-16.

64E-12.013 Animal Health and Safety.

(1) Animals requiring rabies vaccination under Section 828.30, F.S., must be vaccinated for rabies and their vaccinations must be current at the time of inspection. Proof of rabies vaccination or veterinary certification of vaccination exemption shall be kept on the premises at all times.

(2) All animals must be kept in good health and free from disease or under treatment by a licensed veterinarian. Indoor animals frequenting the outside must have an annual screening for internal parasites by a licensed veterinarian. Any animal positive for internal parasites must be treated appropriately by the licensed veterinarian. Animals being kept or having access to the indoors must

be treated for flea control throughout the year to prevent infestations.

(3) Aggressive, venomous, or potentially dangerous animals must be restricted from access by the residents at all times and kept in such a manner so as not to be able to become free roaming and cause or inflict harm to the residents, visitors, or employees. These animals may not be housed in the residents' sleeping quarters.

Rulemaking Authority 381.006(6), (16) FS. Law Implemented 381.006(6), (16) FS. History—New 1-20-08.