

CHAPTER 64E-14 CAMPS

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64E-14.001 Migrant Farmworker Housing - General.

It is the intent of this chapter to prescribe minimum sanitation requirements to protect the health and safety of the persons residing

in migrant labor housing and to reduce the number of migrant farmworkers exposed to unsanitary conditions both in migrant labor

housing and in the workplace. These rules provide minimum sanitation and health standards relating to construction, operation, and

maintenance of migrant labor camps and residential migrant housing. This rule is applicable to mobile homes, private residential

rentals, rooming houses, barracks, and housing authority projects for farmworkers when these facilities constitute a migrant labor

camp or residential migrant housing.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0081 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.51,

Amended 8-6-92, 11-17-94, Formerly 10D-25.051.

64E-14.002 Definitions.

As used in this chapter, the following meanings shall apply:

(1) "Barracks" – A large building used for temporary occupancy and synonymous with the term dormitory.

(2) "Common areas" – That portion of a migrant labor camp or residential migrant housing not included within private living

quarters and where migrant labor camp or residential migrant housing residents generally congregate.

(3) "Department" – The Department of Health and its representative county health departments.

(4) "Family" – Includes spouse, children, stepchildren, foster children, parents, stepparents, fosterparents, brothers and sisters.

(5) "Garbage disposal" – Watertight receptacles of impervious material which are provided with tight-fitting covers suitable to

protect the contents from flies, insects, rodents, and other animals.

(6) "Lighting" – At least one ceiling-type light fixture capable of providing 20 foot-candles of light at a point 30 inches from

the floor, and at least one separate double electric wall outlet in each habitable room in a migrant labor camp or residential migrant

housing.

(7) "Major deficiency" – Non compliance of a standard or numerous violations of the standards of this chapter which solely or collectively cause an imminent threat to public health or cause a high risk of injury, such as a contaminated water supply, untreated sewage on the ground, deteriorated or unsafe housing.

(8) "Migrant farmworker" – A person who is or has been employed in hand-labor operations in planting, cultivating, or harvesting agricultural crops within the last 12 months and who has changed residence for purposes of employment in agriculture within the last 12 months. The term hand-labor operations includes the production of a commodity which normally occurs in the fields of a farm or ranch as opposed to those activities which generally occur in a processing plant or packing shed. A worker engaged in the placing of commodities in a container in the field or on-field loading of trucks and similar transports is included. An individual who is primarily employed operating a machine, such as a picker or tractor, is not covered.

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(9) "Migrant labor camp" – One or more building structures, barracks, or dormitories and the land appertaining thereto, constructed, established, operated, or furnished as incident of employment as living quarters for seasonal or migrant farmworkers whether or not rent is paid or reserved in connection with the use or occupancy of such premises. This does not include a single residence occupied by a single family.

(10) "Personal hygiene facilities" – Facilities for providing hot water at a minimum of 110 degrees Fahrenheit for bathing and dishwashing purposes, and a supply of potable water available at all times in each migrant labor camp and residential migrant housing for drinking, culinary, bathing, dishwashing, and laundry purposes.

(11) "Potable water" – Water which is satisfactory for drinking, food preparation, bathing, and meets drinking water standards of Rules 62-550, 62-555, 62-560, or 64E-8, FAC.

(12) "Private living quarters" – A building or portion of a building, dormitory or barracks, including its bathroom facilities, or a similar type of sleeping and bathroom area, which is a home, residence, or a sleeping place for a resident of a migrant labor camp or residential migrant housing.

(13) "Residential migrant housing" – A building, structure, mobile home, barracks, or dormitory, or combination thereof on adjacent property which is under the same ownership, management or control, and the land appertaining thereto, that is rented or reserved for occupancy by five or more migrant farmworkers, except:

(a) Housing furnished as incident of employment;

(b) A residence which was built to house and is housing a single family or mobile home that is not under the same ownership, management, or control as any farmworker housing to which it is adjacent or contiguous;

(c) A hotel, motel, or resort condominium, as defined in chapter 509, that is furnished for transient occupancy.

(d) Any housing owned or operated by a public housing authority, except for housing which is specifically provided for persons whose principal income is derived from agriculture.

(14) "Seasonal farmworker" – A person who is employed where a minimum of 50 percent of their time in that position involves hand-labor operations of planting, cultivating, or harvesting of agricultural crops, regardless of the duration of

employment.

(15) "Sewage disposal" – Approved facilities for satisfactory treatment and disposal of human excreta and liquid waste.

(16) "Single Family Residence" – A structure that is designed and built to house only one family rather than several unrelated

persons (such as barracks) or multiple families (such as rooming houses).

(17) "Structure" – For the purpose of this chapter, the term shall mean any building which offers protection from the elements

for migrant and seasonal farmworkers and includes family residential units, multi-family units, barracks, and rooming houses.

(18) "Substantially renovated" – Migrant farmworker housing which has been remodeled or enlarged to comply with current

local building, plumbing, electrical, or fire safety codes and the water supply and sewage disposal sections of this chapter. This

does not apply to cosmetic repairs or routine maintenance.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.008 FS. History–New 1-1-77, Amended 10-7-84, Formerly 10D-25.52,

Amended 8-6-92, 11-17-94, Formerly 10D-25.052, Amended 4-25-99, 9-12-99.

64E-14.003 Construction Procedures.

(1) Notice of Construction. Any and each person who is planning to construct, enlarge, remodel and occupy, or use a migrant

labor camp or residential migrant housing or to convert a property for use or occupancy as a migrant labor camp or residential

migrant housing shall give notice in writing of intent to do so to the department at least 45 days before the date of beginning such

construction, enlargement or renovation. The notice shall give the location of the property within that county, a proposed

construction plan, enlargement or renovation drawn to scale for the department to determine compliance with all rules and the name

and mailing address of the person giving the notice. The plan shall include the location and description of the type of water supply

and sewage disposal systems if the facility is not planned for connection to municipal systems.

(2) Variances. A person may apply for a permanent, structural variance from specific standard(s) by filing a written application

for such a variance with the Department of Health. The variance shall be in writing, shall state the particular standard(s) involved,

and shall state as conditions of the variance the specific alternative measures which have been taken to protect the health and safety

of the workers. The applicant must submit payment of \$100 with the request for variance. Checks made payable to the Department

of Health shall be forwarded with the variance request and mailed to the Bureau of Facility Programs and must:

(a) Clearly specify the standard(s) from which the variance is desired:

(b) Provide adequate justification that the variance is necessary to obtain a beneficial use of an existing facility, and to prevent

a practical difficulty or unnecessary hardship; and

(c) Clearly set forth the specific alternative measures taken to protect the health and safety of workers and adequately show that

such alternative measures have achieved the same result as the standard(s).

(3) The department shall respond within 30 working days either granting or denying the request in writing. Any denial of a

variance shall include a statement of the right to request an administrative hearing within 21 days from the date the applicant

receives the letter of denial.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0083, 381.0086 FS. History–New 1-1-77, Amended 10-7-84, Formerly

64E-14.004 Permit, Standards, Inspections, Violations, Complaints and Retaliation.

(1) Standards. Before any person establishes, operates, or allows occupancy of a migrant labor camp or residential migrant housing, the operator shall make an application for, and receive from the department, a valid permit for operation of the farmworker housing that complies with the minimum standards of construction, sanitation, equipment and rules of this chapter, the Occupational Safety and Health Act of 1970, 29 U.S.C. s. 655, or the Housing and Urban Development standards as referenced in its Handbook 4350.1. The Occupational Safety and Health Administration's standards for Temporary Labor Camps in 29 U.S.C. s. 655, and the Housing and Urban Development standards in its Handbook 4350.1, are herein adopted by reference. Any housing that is furnished as a condition of employment so as to subject it to the requirements of OSHA shall only be inspected under the OSHA standards. The Housing and Urban Development standards are applicable only to housing authority projects funded to house migrant and seasonal farmworkers. Mobile Home Parks that have 5 or more migrant farmworkers as occupants of the park will be issued a revised Mobile Home/RV Park and Residential Migrant Housing Permit.

(2) Application for Permit. All applications shall be filed with the department 30 days prior to the date of operation on DH Form 4082, Application For A Migrant Labor Camp Permit, Jan. 99, incorporated herein by reference. In the event of a change of ownership of a migrant labor camp or residential migrant housing, the new owner shall file DH Form 4082 with the department at least 15 days before the change of ownership occurs and pay the application fee amount designated in Rule 64E-14.005(1)-(3), F.A.C. DH Form 4082 is available at county health departments located in each county. Completed applications shall be submitted to the county health department where the farmworker housing is located.

(3) Permit. If the department finds after inspection that the proposed migrant labor camp or residential migrant housing operation conforms to the minimum standards required by the rules, and the applicant has paid the application fee when required, the department shall issue a permit for operation of the migrant labor camp or residential migrant housing. A permit shall be required and obtained annually for each such migrant labor camp or residential migrant housing. The permit, unless sooner revoked, shall expire on September 30 next after the date of issuance and shall not be transferable. A recent (within three months) satisfactory federal sanitation report shall be cause to issue an initial permit to a housing authority when the fee has been paid to the department.

(4) Inspections. Migrant labor camps and residential migrant housing shall be inspected at least twice quarterly during periods of occupancy except housing authorities which shall only be inspected twice annually. Migrant farmworker occupied mobile homes in a mobile home park meeting the 5 or more migrant requirement, will be inspected and required to meet the migrant program standards when issued a revised Mobile Home/RV Park and Residential Migrant Housing Permit. Inspections shall be conducted using an inspection form DOH 4060. Department personnel shall conduct inspections at reasonable hours and in accordance with

Section 381.0088, F.S. The department will accept a satisfactory federal sanitation inspection report, form HUD 9822, as a

substitute for a pre-occupancy inspection of housing authority projects. Field sanitation facilities inspections as defined in Rule

64E-14.016, F.A.C. shall be made at random in the normal course of staff activities.

(5) Violations. When a major deficiency is reported to housing permittees or supervisors, a maximum of 48 hours shall be

given to make satisfactory corrections or provisions for correction that are satisfactory to the county health department director or

their designee. Continual or repeat violations of the same inspection items related to migrant farmworker housing are cause for the

issuance of a fining citation. Three or more violations which meet the criteria of major deficiency as defined in Section

64E-14.002(7), F.A.C., during an inspection shall be cause for the department to seek legal remedy in accordance with Section

64E-14.023, F.A.C..

(6) Complaints. Any person may file a complaint when they believe that any occupied migrant labor camp or residential

migrant housing is in violation of any housing standard contained herein. Such complaint may be made to a county health

department or to the Bureau of Facility Programs. Upon receipt of the complaint, county health department staff shall make an

inspection of the housing identified to determine if a violation does exist. Should the complaint allege a major deficiency at the

migrant labor camp or residential migrant housing, the inspection shall be made as soon as practicable. All other complaints will

result in a notification to the owner and operator advising them of the complaint and that the alleged violation must be remedied

within 3 business days. The department shall conduct an inspection as soon as practicable following such three day period. When

the outcome of the complaint investigation meets the regulatory standards for health and sanitation, the complainant and the owner

and operator shall be notified in writing of the outcome within 15 working days of the closure of the complaint process. Upon

request of the complainant, the department shall conduct the inspection so as to protect the confidentiality of the complainant.

(7) Retaliation Prohibited. Migrant labor camp and residential migrant housing residents and occupants who make complaints

in good faith about housing and sanitary conditions shall not be retaliated against by the owner or operator.

Examples of conduct

for which an owner or operator may not retaliate are stated in 381.00895, Florida Statutes.

Specific Authority 381.006(5), 381.0086, 381.00893 FS. Law Implemented 381.0081, 381.0082, 381.0083 FS. History—

New 1-1-77, Amended

10-7-84, Formerly 10D-25.54, Amended 8-6-92, 11-17-94, Formerly 10D-25.054, Amended 6-23-98, 9-12-99.

64E-14.005 Application and Variance Fees.

The following application fees for migrant labor camp and residential migrant housing operations shall be assessed annually, with

the exception of those facilities meeting the criteria in (4) of this section:

(1) Camps or housing with facilities for 5 to 50 occupants: \$125

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(2) Camps or housing with facilities for 51 to 100 occupants: \$225

(3) Camps or housing with facilities for 101 or more occupants: \$500.

(4) Migrant labor camps and residential migrant housing, which have been newly constructed and those which have been

substantially renovated are exempt from the annual application fee required in this rule for the next annual permit after the

renovation or construction occurred. The owner or operator of a mobile home/RV park as defined in Chapter 513, F.S., that is also regulated as migrant farmworker housing shall only be required to pay a single park fee, unless there have been major deficiencies or uncorrected deficiencies cited by the department or administrative action taken within the past year regarding the requirements for residential migrant housing set forth in Chapter 381, F.S., in which case the applicant shall pay the fee required in Section 381.0084, F.S.

(5) Permitted migrant labor camps and residential migrant housing are exempt from the application fee when the following

three conditions have been met during the inspection year:

(a) Had no uncorrected violations after reinspection by the department;

(b) Had no pending administrative complaint or citation final orders;

(c) Had no major deficiencies cited by the department.

(6) Each \$100 fee collected for requests for variances shall be deposited to a unique revenue code and shall be used solely for

the enhancement of the Migrant Labor Camp and Residential Migrant Housing Program.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0084 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.55, Amended 8-6-92, 11-17-94, Formerly 10D-25.055, Amended 6-23-98, 9-12-99.

64E-14.006 Sites.

(1) All sites shall be well drained, free from standing water, and maintained to inhibit the breeding of mosquitoes. Natural sink

holes, swamps, and pools of water are not allowed within 200 feet of the periphery of the outermost building. A government created

surface water diversion pool built within 200 feet of the outermost shelter after the origination of the housing shall not disqualify

the housing from meeting this location standard.

(2) Structures in which food is prepared or served and where sleeping quarters are located shall be more than 500 feet from any

area where livestock is kept.

(3) All shelter sites shall be adequate in size to permit locating of buildings so as to minimize the hazards of fire.

(4) Roads – Roads shall be designed and maintained to accommodate in a safe manner the vehicles accessing the facilities.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.57,

Amended 8-6-92, 11-17-94, Formerly 10D-25.057.

64E-14.007 Buildings and Structures.

(1) Buildings and structures of migrant labor camps and residential migrant housing shall be weather-tight and shall provide

protection from the elements. Steps, porches, hallways and other means of egress shall be sturdy and safe. At least one-half of the

floor area of private living quarters shall have a minimum ceiling height of seven feet, except for manufactured trailers which must

have a minimum ceiling height of six and one-half feet. All private living quarters of migrant labor camps and residential migrant

housing constructed, enlarged, or renovated after September 1, 1992 shall have ceiling heights of seven feet or more. Floors used in

private living quarters shall be constructed of wood, concrete or other comparable material. Wooden floors shall be of tight durable

construction with a cleanable finish. Floor coverings shall be easily cleanable and maintained in good condition, free from obvious

soiling.

(2) Buildings and structures in all migrant labor camps and residential migrant housing shall have the corresponding utility connections for equipment required by this rule during occupancy.

(3) All private living quarters constructed, renovated, or used for sleeping purposes in migrant labor camps and residential migrant housing shall provide a minimum of 50 square feet for each occupant. In a room where workers cook, live, and sleep a minimum of 100 square feet per person shall be provided.

(4) The floors, roofs, and exterior walls, and ceilings of all buildings and structures shall be sound and in good repair. Wooden exteriors of shelters shall either be constructed of decay resistant wood, painted with a lead-free paint, or covered with another type of protective coating.

(5) All private living quarters and common areas shall have at least one window opening directly to the outside. The minimum total window area of a migrant labor camp or residential migrant housing shall equal ten per cent of the floor area of each room. At least one-half of each window shall be constructed so that it can be easily opened for ventilating the room except where department approved mechanical ventilation is provided. In computing total window area and openable window area, jalousie doors may be counted.

(6) Facilities established as migrant labor camps prior to 1980 which were in compliance with the U.S. Department of Labor, Employment Training Administration's standards of 20 C.F.R., Section 620, shall be deemed in compliance with the space requirement.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.58,

Amended 8-6-92, 11-17-94, Formerly 10D-25.058.

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64E-14.008 Water Supply.

(1) An approved or permitted supply of potable water under pressure that conforms with the requirements of Chapter 62-550, 62-555, and 62-560, F.A.C., or Chapter 64E-8, F.A.C., shall be available at all times during occupancy in each migrant labor camp and residential migrant housing for drinking, culinary, bathing, dishwashing, and laundry purposes.

(2) The water supply shall be capable of providing at least 50 gallons per person per day.

(3) Adequate facilities for providing hot water at a minimum 110 degrees Fahrenheit for bathing and dishwashing purposes shall be available at all times during periods of occupancy.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.59,

Amended 8-6-92, 11-17-94, Formerly 10D-25.059.

64E-14.009 Garbage and Refuse Disposal.

(1) Garbage shall be retained in cleanable, watertight receptacles of impervious material which are provided with tight fitting covers suitable to protect the contents from flies, insects, rodents and other animals. Receptacles shall be provided in sufficient quantity to store garbage from all buildings and housing units.

(2) Garbage containers shall be kept clean and shall be emptied on a regular basis, but not less than twice weekly.

(3) Provisions shall be made for disposing of the garbage, kitchen wastes and other refuse in accordance with Chapter 62-700, F.A.C., or applicable local code.

(4) Provisions shall be made for disposing of the garbage, kitchen wastes and other refuse in accordance with Chapter 62-700,

F.A.C., or applicable local code.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.60,

Amended 8-6-92, 11-17-94, Formerly 10D-25.060.

64E-14.010 Insect and Rodent Control.

Effective measures shall be taken to prevent infestation by and harborage of animal or insect vectors or pests.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.61,

Amended 8-6-92, 11-17-94, Formerly 10D-25.061.

64E-14.011 Heating.

(1) All private living quarters, and bathrooms of migrant labor camps and residential migrant housing shall be equipped with heat producing devices to maintain a room temperature of 68 degrees Fahrenheit.

(2) Heating appliances, other than electrical, shall be provided with a flue pipe or vent connected to the appliance and

discharging to the outside air. Cooking facilities shall not be considered heating equipment.

(3) Automatically operated heat producing equipment shall be provided with controls to cut off the fuel supply upon the failure or interruption of flame or ignition or whenever a predetermined safe temperature or pressure is exceeded.

All steam and hot water

systems shall be provided with safety devices designed to prevent hazardous pressures and excessive temperatures.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.62,

Amended 8-6-92, 11-17-94, Formerly 10D-25.062.

64E-14.012 Lighting.

Each private living quarter in a migrant labor camp or residential migrant housing shall be provided with at least one ceiling or wall

type light fixture capable of providing 30 foot candles of light at a point 30 inches from the floor and at least one separate double

electric wall outlet. Interior areas in which people congregate, laundry rooms, shower rooms and toilet rooms shall be provided

with a minimum of one ceiling or wall type fixture capable of providing at least 20 foot candles of light at a point 30 inches from

the floor. Electric wiring shall be installed in accordance with the provisions of city or county electrical codes. Light bulbs shall be

furnished in all facilities.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.63,

Amended 8-6-92, 11-17-94, Formerly 10D-25.063.

64E-14.013 Sewage and Liquid Waste Disposal.

(1) Approved facilities shall be provided and maintained in all migrant labor camps and residential migrant housing for the

satisfactory disposal and treatment of excreta and liquid waste.

(2) Such facilities shall be constructed and maintained in compliance with Chapter 10D-6 or Chapter 62-600, F.A.C.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.64,

Amended 8-6-92, Repromulgated 11-17-94, Formerly 10D-25.064.

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64E-14.014 Plumbing.

All plumbing in migrant labor camps and residential migrant housing shall be in compliance with provisions of local plumbing codes.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.65,

Amended 8-6-92, Repromulgated 11-17-94, Formerly 10D-25.065.

64E-14.015 Personal Hygiene Facilities.

(2) A toilet, hand washing, and bathing facility shall be located within 200 feet of each sleeping area of a migrant labor camp.

(3) Where toilet rooms are shared, such as in multi-family facilities and barracks facilities, toilet facilities shall be provided for each sex. These rooms shall be distinctly marked "Men" and "Women" by signs printed in English and in the native language of the persons occupying the camp. If the facilities for each sex are in the same building, they shall be separated by a solid wall or partition extending from the floor to the roof or ceiling. Toilet facilities of migrant labor camps and residential migrant housing shall be constructed with privacy partitions, maintained in good repair, cleaned with a disinfectant and provided with toilet paper.

(4) Each individual family unit shall contain at least one flush toilet, bathing facility and hand washing unit. If there are minor children in the family, there must be private bathing and toilet facilities provided within the individual living quarters of the family.

(5) Toilet rooms in individual family units shall be so located that no individual is required to pass through a sleeping area, other than their own, in order to use toilet facilities. Adequate lighting shall be provided in all toilet rooms. Toilet rooms shall be ventilated to the outside where there is no window. No flush toilet fixture or urinal shall be located in a sleeping room.

(6) The floors of hand washing, bathing and laundry facilities in migrant labor camps and residential migrant housing shall be of smooth but non-skid finish, impervious to moisture, and sloped to drain. A laundry facility shall consist of a two compartment stationary tub or an electric washer and dryer. Floor drains properly trapped shall be provided in all shower baths and shower rooms to remove waste water and facilitate cleaning. The walls and partitions of shower rooms shall be smooth and impervious to moisture. A hose bib equipped to prevent backflow is required in each communal shower area. Soap and single service hand drying facilities shall be provided at communal personal hygiene facilities.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.66, Amended 8-6-92, 11-17-94, Formerly 10D-25.066.

(1) Personal Hygiene Facilities Requirements
Barracks and Dormitory Type Facilities
Constructed Prior Constructed/Renovated
September 1, 1992 After Septembber 1, 1992
Toilets Male Female Male Female

1:15 1:20 1:12 1:8

Up to 84 Up to 64

Above 84 Above 64

1:15 1:12

Urinals 1:25 1:20

Up to 160

Above 160

1:40

Showers or Baths 1:20 1:20 1:15 1:15

Handwash 1:20 1:20 1:6 1:6

Drinking Fountain None 1:50

Laundry 1:25 Families 1:30

Farmworkers

64E-14.016 Field Sanitation Facilities.

FIELD SANITATION FACILITIES REQUIREMENTS

(1) Where 5 to 10 hand-laboring farmworkers are employed in one location at one time, 1 toilet facility and 1 hand washing

unit shall be provided. The toilet and hand washing unit shall be located adjacent to each other. The facility shall be located within

a one-quarter-mile walk of any hand-laborer's place of work in the field. Where it is not feasible to locate facilities as required

above due to terrain, the facilities shall be located at the point of closest vehicular access.

(2) Field toilet facilities shall be constructed and maintained in accordance with provisions of Section 64E-6.001, F.A.C.,

emptied at least weekly, and provide a minimum storage capacity of 50 gallons per unit. Septage from all field toilet facilities shall

be disposed by a method approved by the county public health unit. The department shall approve portable water flushed units

when determined appropriate for a particular situation. Toilet facilities shall have a screened ventilation opening and self-closing

doors that can be closed and latched from the inside and shall be constructed to ensure privacy.

(3) Field hand washing units shall be convenient and supplied with potable water in portable containers and shall be provided

with soap or other cleanser and single use hand-drying towels. A waste container shall be provided for the used towels, and the

wastewater from the hand washing unit shall not cause a sanitary nuisance.

(4) Drinking water shall be potable and provided in containers constructed of smooth, impervious, corrosion resistant material

and shall be maintained by sanitary methods. The containers shall be marked with the words "Drinking Water", in English and in

the native language of the majority of the workers. Single service cups shall be provided unless water is dispensed from a fountain

equipped with an angled, protected jet outlet. Ice used for cooling drinking water shall be made from potable water. The water shall

be suitably cool and in sufficient amounts, taking into account the air temperature, humidity and the nature of the work performed,

to meet the needs of all employees. County health department staff, during the normal course of their work, shall take water

samples at random to ensure the potability of the drinking water.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.67,

Amended 8-6-92, 11-17-94, Formerly 10D-25.067, Amended 9-12-99.

64E-14.017 Food Service Facilities.

(1) In each individual family unit, there shall be provided a range, a sink supplied with hot and cold water under pressure, and

a refrigerator-freezer capable of maintaining temperatures at or below 45 degrees Fahrenheit for the refrigerator and at or below 0

degrees Fahrenheit for the freezer.

(2) In structures without a central mess, cooking facilities shall be provided for use by all occupants.

Ranges,

refrigerator-freezers, and sinks supplied with hot and cold water under pressure shall be provided in a ratio of one to 10 persons or

fraction thereof. Provision shall be made for safe storage and refrigeration of food. Commissaries operated for the use of the

occupants of the housing and not permitted by the Department of Business and Professional Regulation shall be inspected by

department staff.

(3) In facilities where there is a central mess servicing a dining room or mess hall, the central mess shall be operated and

equipped in compliance with Chapter 64E-11, F.A.C. A separate permit for operation of the central mess in the migrant labor camp shall not be required.

(4) Field kitchens shall be inspected and shall comply with Chapter 64E-11, F.A.C.

(5) Field kitchens, dining rooms, mess halls for migrant labor camps and other areas where food is prepared or served shall be

protected with screening of not less than 16 mesh. All screen doors shall be self closing and open outward.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.68,

Amended 8-6-92, 11-17-94, Formerly 10D-25.068.

64E-14.018 Beds and Bedding.

(1) Sleeping facilities shall be available to each migrant labor camp and residential migrant housing occupant. Barracks type

facilities which are designed or operated for both sexes shall contain separate sleeping facilities for each sex. Sleeping facilities

shall consist of beds, cots or bunks complete with mattresses. When provided by the operator, bedding shall be kept clean and free from rips and holes.

(2) Weekly inspection of beds and bedding by the operator shall be made to ensure control of vermin.

When vermin are found

or reported, effective extermination measures shall be undertaken immediately.

(3) Every bed, cot or bunk in migrant labor camps and residential migrant housing covered by this chapter shall be elevated

from the floor. There shall be a clear ceiling height of not less than 36 inches above any mattress and there shall be a clear space of

not less than 27 inches between the top of the lower mattress and the bottom of the upper bunk of a double deck bed in facilities

regulated under this chapter. Triple deck facilities shall be prohibited. Single beds or bunks shall be provided for each of the

occupants in barracks facilities.

Number of persons Toilets Hand Washing Units Drinking Water

5-10 1 1 Yes

- 916

(4) Single beds, cots or bunks shall be spaced not less than 36 inches laterally or end to end and double-deck facilities shall be

spaced not less than 36 inches laterally or end to end. A minimum of four feet of clear aisle space shall be provided in all barracks

type facilities.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.69,

Amended 8-6-92, 11-17-94, Formerly 10D-25.069.

64E-14.019 Fire Protection.

County health department staff shall provide the local fire jurisdiction a copy of the annual listing and location of permitted migrant

farmworker housing facilities for proper inspection by the local fire jurisdiction.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.70,

Amended 8-6-92, 11-17-94, Formerly 10D-25.070, Amended 9-12-99.

64E-14.020 Citations.

(1) Citations will be written on DH Form 4084, Feb 99, herein incorporated by reference, and shall describe the particular

nature of the violation, including a specific reference to the provisions of statute or rule allegedly violated and each day the

violation exists constitutes a separate violation for which a citation may be issued. The citation shall be issued to the owner,

supervisor, or operator of the migrant farmworker housing or to the responsible person for remedying the field sanitation facilities'

violation including the crew leader, the harvesting company, or the property owner and when a responsible person cannot be identified, any of the above may be cited. The DH Form 4084 can be obtained from the Department of Health.

(3) Department of Labor and Employment Security crew chief compliance officers shall also issue field sanitation citations to violators of requirements of this section.

(4) To have the amount of the imposed fine reduced up to one-half, the citation recipient must submit physical proof to the department's county health department director, administrator, or other authorized staff that the violation was corrected within 24 hours from the time of the citation. In reducing the amount of the fine, department staff shall take into consideration such factors as the gravity of the violation and the history of compliance of the violator.

(5) The citation recipient may request an administrative hearing within 21 days of the date of receipt of the citation by following procedures listed on the citation DOH Form 4084.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086, 381.0087 FS. History—New 1-1-77, Amended 10-7-84,

Formerly 10D-25.71, Amended 8-6-92, 11-17-94, Formerly 10D-25.071, Amended 9-12-99.

64E-14.021 Responsibility of Operator.

(1) The operator and owner shall be responsible for complying with all statutory requirements and rules issued thereunder relating to migrant labor camps and residential migrant housing. Migrant housing owners or operators who have established rules for access and visitation shall provide a copy of those rules to the county health department. The county health department shall maintain on file a copy of the access and visitation rules provided by the housing management.

(2) The entire premises of a migrant labor camp and residential migrant housing shall be free from rubbish, waste paper, garbage and other litter. When migrant farmworker housing is closed for the season, all garbage, litter and debris shall be removed from the site.

(3) The owner, operator or his agent shall inspect daily or provide a competent individual to inspect daily the grounds and common-use areas including toilets, showers, laundries, mess halls, dormitories, kitchens or any facilities relating to the operation of the facility and ensure that each is maintained in a clean, satisfactory operating condition and kept in good repair.

(4) Farmworker Housing Citation Fines. The fines imposed by a citation issued by the department may not exceed \$500 for each violation.

(2) Field Sanitation Citation Fines.

(a) No soap, hand drying towels, or waste container for towel disposal. \$50.

(b) Toilet facilities are not screened or self-closing and do not ensure privacy. \$75.

(c) Hand washing facilities not available or not located adjacent to the toilet. Facilities not located within a quarter mile walking distance from farmworkers. \$100.

(d) Water containers improperly constructed or not marked in English and the native language of the majority of the workers. Single service cups not provided and ice not from an approved source. \$100.

(e) Waste water from hand washing facility causes a sanitary nuisance. The amount of drinking water available is

not sufficient to prevent dehydration or disease. Toilet facilities do not provide a minimum 50 gallon storage capacity.

\$250.

(f) Sewage from toilet facilities is not properly disposed or toilet and drinking water facilities are not provided.

First Offense

Additional Offenses

\$250.

\$500.

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(5) The department may reduce or waive the fine imposed by the citation where the person responsible for correction presents

proof to the department's county public health unit director, administrator or other authorized staff that the violation was corrected

within 48 hours from the time of the citation. In determining whether to reduce or waive the fine, the department shall give due

consideration to such factors of the gravity of the violation, the good faith of the person who has allegedly committed the violation,

and the person's history of previous violations, including violations for which enforcement actions were taken under this section or

other provisions of state law.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086, 381.0087 FS. History--New 1-1-77, Amended 10-7-84, Formerly

10D-25.72, Amended 8-6-92, 11-17-94, Formerly 10D-25.072, Amended 9-12-99.

64E-14.022 Supervision.

Facilities occupied by 50 or more persons shall be supervised by a resident supervisor who may be the operator or the operator's

agent or employee. All persons designated as camp supervisors shall be jointly responsible with the camp operator for the

maintenance of the facility. The name, telephone number, address or instructions on how to locate the operator and supervisor shall

be kept posted in a prominent and conspicuous location in the camp at all times. A telephone easily accessible to all occupants of

the facility shall be maintained during periods of operation. Operable pay phones will meet this requirement.

Specific Authority 381.006(5), 381.0086 FS. Law Implemented 381.0086 FS. History--New 1-1-77, Amended 10-7-84, Formerly 10D-25.73,

Amended 8-6-92, 11-17-94, Formerly 10D-25.073.

64E-14.023 Enforcement.

(1) Civil and Criminal Remedies. Any person who constructs, maintains, or operates a migrant labor camp or residential

migrant housing without first obtaining a permit or who maintains or operates a facility after revocation of the permit is subject to

the remedies and penalties described in ss. 381.0012, 775.082, 775.083(1), (2), 381.0061, 381.0081(1)-(5) or 381.0087, Florida

Statutes. This includes a third degree felony offense for operating migrant housing without a permit and in violation of the

provisions of Personal Hygiene Facilities, Lighting, Sewage Disposal, or Garbage Disposal sections of this chapter. Migrant

farmworker housing properties owned or operated by persons convicted of a third degree felony for non-compliance with the

provisions listed in the previous sentence are subject to seizure by the department. Operators of migrant labor camps and residential

migrant housing convicted of a misdemeanor for violation of this chapter or issued cease and desist orders through civil injunctive

processes for violations of this chapter may have the permits revoked by the department. The department shall notify the operator in

writing when such action is taken. Cease and desist complaints shall be filed simultaneously when a county public health unit director or administrator declares that a violation of this rule constitutes an immediate threat to the occupant's or public's health.

(2) Any person who knowingly commits an assault or battery upon department personnel engaged in the lawful performance of their duties is guilty as delineated in subsection 381.0025, F.S.

Specific Authority 381.008-381.0086 FS. Law Implemented 381.0012, 381.0025, 381.0061, 381.0087 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.74, Amended 8-6-92, 11-17-94, Formerly 10D-25.074.