

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER s: MIGRANT LABOR

PART 935
MIGRANT LABOR CAMP CODE

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AUTHORITY: Implementing and authorized by the Illinois Migrant Labor Camp Law [210 ILCS 110].

SOURCE: Filed June 20, 1972, effective January 1, 1973; old rules repealed, new rules adopted and codified at 7 Ill. Reg. 16436, effective November 23, 1983; amended at 14 Ill. Reg. 12633, effective July 20, 1990; amended at 21 Ill. Reg. 9484, effective July 1, 1997.

Section 935.10 Administration

The administration of this Act is the responsibility of the Department of Public Health. The Act, along with this Part, provide for the licensing and regulation of migrant labor camps.

(Source: Amended at 14 Ill. Reg. 12633, effective July 20, 1990)

Section 935.15 Administrative Fines

- a) General. In accordance with Section 11 of the Act, the Department shall assess administrative fines against any person who provides housing for migrant workers

when the person fails to correct violations of the Act or this Part. Written notification of violations shall be provided by the Department and at least 10 days shall be allowed for making the corrections before any fine can be assessed.

- b) **Fine Levels.** The amount of the fine shall be based on the severity of the violation and is indicated by the letter shown in parenthesis after the requirements specified in this Part. Multiple offenses of any specific requirement shall be subject to multiple fines. The amount of the fines shall be as follows:
 - 1) Type A violations \$1,000
 - 2) Type B violations \$500
 - 3) Type C violations \$100
- c) **Notification.** The Department shall send written notification by certified mail to the person against whom a fine has been assessed indicating any violation that was not corrected by the specified date, the amount of the fine(s), the date that the fine(s) must be paid, the address to send the payment and the procedure to follow should an administrative hearing be desired.
- d) **Hearings.** All administrative hearings shall be conducted in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).
- e) **Failure to Pay Fines.** All fines must be paid within 45 days after notice of violation from the Department unless an administrative hearing is conducted. If an administrative hearing is conducted, any required fines must be paid within 45 days after notification of the final decision in the administrative hearing. Failure to pay any fine shall be grounds for initiation of license revocation or license denial.

(Source: Added at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.20 Definitions

In addition to the definitions contained in the Illinois Migrant Labor Camp Law, the following definitions shall apply:

"Act" means the Illinois Migrant Labor Camp Law [210 ILCS 110].

"Community Water System" means a public water system which services at least 15 service connections used by residents or serves at least 25 residents for at least 60 days a year.

"Family" shall include the mother, father and dependent children under 18 years

of age.

"Major Alteration" means the construction of a new potable water system, sewage disposal system, food service establishment, electrical distribution system or permanent sleeping structure.

"Major Extension" means an increase of ten percent or more in a one year period of the capacity of the potable water system, sewage disposal system, food service establishment, electrical distribution system or permanent sleeping structure.

"Non-Community Water System" means a public water system that is not a community water system, that has at least 15 service connections used by non-residents, or serves 25 or more non-resident individuals daily for at least 60 days a year.

"Public Water System" means a system for the provision to the public of piped water for human consumption, if the system has at least 15 service connections or serves an average of at least 25 individuals daily at least 60 days per year. The term Public Water System includes an collection, treatment, storage and distribution facilities under control of the operator of such system and any collection or pretreatment storage facilities not under such control which are used in connection with such system.

"Special Flood Hazard Area" means an area that would be inundated by the base flood and shown as such on either a Regulatory Flood Plain Map (published by the Illinois Department of Natural Resources), a Flood Insurance Rate Map or a Flood Hazard Boundary Map, both published by the Federal Insurance Administration or the Federal Emergency Management Agency.

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.25 Incorporated and Referenced Materials

- a) The following State regulations are referenced in this Part.
 - 1) Rules of the Pollution Control Board
 - A) 35 Ill. Adm. Code 601, 602, 603, 604, 605, 606, and 607 (Section 935.50(b)(1))
 - B) 35 Ill. Adm. Code 651, 652, 653 and 654 (Section 935.50(b)(1))
 - 2) Rules of the Department of Public Health
 - A) Control of Communicable Diseases Code, 77 Ill. Adm. Code 690 (Section 935.105)

- B) Food Service Sanitation Code, 77 Ill. Adm. Code 750 (Section 935.70(a)).
- C) Illinois Plumbing Code, 77 Ill. Adm. Code 890 (Sections 935.35(b)(9) and 935.35(d)).
- D) Drinking Water Systems Code, 77 Ill. Adm. Code 900 (Sections 935.50(a), (b)(2), (c)(2) and (3) and (c))
- E) Private Sewage Disposal Code, 77 Ill. Adm. Code 905 (Section 935.60(a)(1), (2) and (3))
- F) Illinois Water Well Construction Code, 77 Ill. Adm. Code 920 (Section 935.50 (b)(3))
- G) Illinois Water Well Pump Installation Code, 77 Ill. Adm. Code 925 (Section 935.35 (b)(3))
- H) Surface Source Water Treatment Code, 77 Ill. Adm. Code 930 (Section 935.35(b)(4))
- D) Rules of Practice and Procedure in Administrative Hearings, 77 Ill. Adm. Code 100 (Section 935.130(f))

b) The following Illinois Statutes are referenced in this Part:

- 1) Illinois Plumbing License Law [225 ILCS 320] (Section 935.50(d))
- 2) Private Sewage Disposal Licensing Act [225 ILCS 225] (Section 935.60(b))
- 3) Space Heating Safety Act [425 ILCS 65] (Section 935.90(c))
- 4) Smoke Detector Act [425 ILCS 60] (Section 935.100(d))
- 5) Gasoline Receptacle Labeling Act [430 ILCS 20] (Section 935.100(c))
- 6) Gasoline Storage Act [430 ILCS 15] (Section 935.100(c))
- 7) Fire Investigation Act [425 ILCS 25] (Section 935.100(a))
- 8) Illinois Migrant Labor Camp Law, [210 ILCS 110] (Section 935.20)

c) The following materials are incorporated by reference in this Part.
National Electrical Code, 1996 Edition, published by the National Fire Protection

Association, Batterymarch Park, Quincy, Massachusetts 02269. A copy of this Code is on file in the central and regional offices of the Illinois Department of Public Health. (Section 935.85(a) and (b))

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.30 General Requirements

- a) Housing Unit Identification. The camp operator shall post on the front of each housing unit a permanent and legible number or letter. (C)
- b) Occupancy List.
 - 1) Each camp operator shall maintain a current list of all individuals residing in the camp and the housing unit they occupy. (C)
 - 2) The list shall be kept by the camp operator and shall be available for inspection by the Department upon request. (C)
 - 3) The Department shall establish the maximum capacity for each housing unit located in a licensed camp.
- c) Unapproved Housing Units. Housing units that are not approved for habitation shall be so posted in English and the native language of the occupants with forms provided by the Department. The entrances to such non-approved housing units shall be sealed or locked at all times except during periods of repair. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.35 Permits

- a) General. Section 8 of the Act requires that the applicant submit plans to the Department and obtain a construction permit from the Department prior to the construction of a new migrant labor camp or a major alteration or major extension to an existing migrant labor camp. (B)
- b) Plans. Two sets of plans showing the following information shall be submitted to the Department by the applicant to obtain a construction permit:
 - 1) Identification of the migrant labor camp involved and the person or organization preparing the drawings and specifications.
 - 2) A statement describing the scope of the work proposed and the anticipated time schedule.
 - 3) A plan showing location of all structures and improvements.

- 4) Drawings and/or specifications for proposed buildings or structures that include all structural components and material specifications.
 - 5) Detailed drawings and specifications of proposed potable water source and distribution system, and a general drawing showing distances between components of the potable water system and sources of potential contamination.
 - 6) Detailed drawings and specifications of proposed sewage system construction, a general arrangement drawing showing distances between components of the sewage system and potable water systems or bodies of surface water, and data showing estimated volume of sewage flow and soil percolation rates for absorption fields. When a permit has been obtained or applied for from the Environmental Protection Agency or a unit of local government for construction of a sewage disposal system, a copy of the permit or permit application shall be submitted.
 - 7) Detailed drawings and specifications for proposed food service establishment construction showing interior construction of the building, floors, walls and ceiling, as well as details of food handling equipment to be installed.
 - 8) Drawings of proposed electrical distribution system construction showing general arrangement, size and type of wiring, method of grounding, over-current protection and type of equipment.
 - 9) Drawings of proposed sewer and water piping within buildings showing size and location of piping, fittings, and fixtures, as well as materials of construction, in accordance with the Illinois Plumbing Code (77 Ill. Adm. Code 890).
 - 10) The maximum number of persons intended to occupy any new or remodeled housing unit shall be specified. This figure shall not exceed the capacity of the water and sewage systems provided.
- c) Flood Hazard. Prior to the issuance of a construction permit, the permit applicant shall submit a completed "Special Flood Hazard Area Request Form" provided by the Department. If the site is within a Special Flood Hazard Area, the applicant shall forward to the Illinois Department of Natural Resources the plans for the project. No project to be located in a Special Flood Hazard Area shall be issued a permit without a statement or a copy of the statement from the Department of Natural Resources that the construction complies with the requirements of Executive Order 79-4 dated May 31, 1979. Construction of such items as water wells, septic tanks, underground utilities, light poles, pavilions, playground equipment, sidewalks and driveways as specified in Statewide Permit Number 6

issued by the Illinois Department of Natural Resources, May 13, 1983 are exempt from the above requirements. (C)

- d) Local Approval. Prior to construction of a new camp, major alteration or major extension of an existing camp, permits and zoning approval required by local health departments and zoning boards as well as other governmental units having jurisdiction shall be obtained by the permit applicant. (C)
- e) Existing Facilities. A permit is not required when existing facilities are utilized for a migrant labor camp. Plans indicating the general location of all structures and utilities shall be submitted to the Department. The existing facilities will be inspected by the Department for compliance with this Part. Any violations identified during the inspection of the facilities shall be corrected, and the facilities shall be brought into essential compliance with this Part prior to the issuance of a license. (C)
- f) Repairs. A permit is not required to repair a facility in a licensed migrant labor camp or to correct a violation of this Part when such repair or correction is made to an existing facility and does not result in expansion of any existing appurtenance or structure.
- g) Minor Extension and Alterations. Construction at a migrant labor camp less than a major extension or major alteration shall not require a permit. However, prior to initiating construction, the applicant shall advise in writing the regional office of the Department which serves the camp of the scope of the alteration. (C)
- h) EPA Approval. The construction of all community water supply systems and those surface discharge sewage disposal systems with flows greater than 1,500 gallons per day requires a construction permit from the Illinois Environmental Protection Agency. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.40 Camp Sites

- a) Camp Location. Camp sites shall be well drained, free of weeds, insects and obnoxious odors and also free from depressions in which water may stand. Housing units shall not be located within 200 feet of swamps, sinks holes, or other surface collections of water unless mosquito control measures are undertaken. The site location shall not create hazardous traffic conditions. Each site shall be of a size to permit the spacing of buildings and vehicles to minimize fire hazards as required by Section 935.100(a). All housing units and areas where food is prepared or served shall be located at least 500 feet from livestock areas. (B)
- b) Maintenance of Camps. The camp shall be kept free of debris, tall vegetation, and abandoned equipment. (C)

c) Housing Units.

- 1) All structures intended for occupancy shall be structurally sound, maintained to support the wind and snow loads and shall be waterproof. (A)
- 2) All floors shall be of an impervious non-absorbent material that can be cleaned. The top of wooden floors shall be at least 12 inches above the ground level, except for structures occupied prior to April 3, 1980. (C)
- 3) All walls and ceilings shall have a smooth finish that can be cleaned with soap and water. Any area subject to splash shall be made of an impervious material. Exposed studs and rafters are acceptable only for housing units occupied prior to January 1, 1990. All habitable rooms shall have a minimum 7 foot high ceiling. (C)
- 4) Each room used for sleeping purposes shall contain at least 50 square feet of floor space per occupant except that camps occupied prior to April 3, 1980 shall have at least 40 square feet per person if bunk beds are used. A minimum of 100 square feet per person shall be provided in combined cooking and sleeping rooms except that a minimum of 60 square feet per person shall be provided for those camps occupied prior to April 3, 1980. (B)
- 5) All rooms except toilet rooms and kitchens shall be provided with windows, the total area of which shall be not less than one-tenth of the floor area. At least one-half of each window shall be so constructed that it can be opened for purposes of ventilation. Rooms without openable windows must have mechanical ventilation capable of producing a change of air every 30 minutes. (C)
- 6) All exterior openings shall be screened with 16-mesh material. All screen doors shall be equipped with self-closing devices. (C)
- 7) Beds, cots, or bunks, and suitable storage facilities such as wall lockers, closets or dressers for clothing and personal articles shall be provided in every room used for sleeping purposes. Six inches of clearance shall be provided between the floor and the bottom of all springs or mattresses. The minimum clear space between the lower and upper bunk shall be at least 27 inches. Triple-deck bunks are prohibited. For structures initially occupied after April 3, 1980, there shall be 36 inch separation between single beds and 48 inch separation between sets of bunk beds. (C)
- 8) Separate quarters shall be provided for each sex except in the case of family living quarters. A partitioned sleeping area for the husband and

wife shall be enclosed from floor to a height of at least six feet, with a gap not to exceed 4 inches at the floor being allowable. The entrance to the sleeping quarters shall be equipped with a curtain or door. (C)

- 9) The housing units shall be kept free of animal or insect vectors or pests. (B)

d) Bedding.

- 1) The licensee shall be responsible for maintaining all bedding that is provided by the licensee in a clean and sanitary condition. (C)
- 2) Sheets and pillow cases, when provided, shall be laundered at least once each week and before use by each new worker. (C)
- 3) Blankets, when provided, shall be washed as often as necessary to maintain cleanliness, and at least annually. (C)
- 4) Mattresses shall be provided and shall be covered with removable covers which shall be washed before use by each new worker. If mattresses and pillows cannot be cleaned, they shall be discarded. (C)
- 5) If mattress bags are provided, they shall be washed at least once each operating season and before use by each new worker. The mattress filling shall be changed at the time the bags are washed. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.50 Water Supply

- a) Water Supply – General. The water supply for drinking, culinary, laundry and bathing purposes, as well as the distribution system for such water supply, shall be located, constructed, operated and maintained as required by the Department's Drinking Water Systems Code (77 Ill. Adm. Code 900), unless the water supply is a community water system as specified in subsection (b)(1) below. The water supply shall be capable of delivering 35 gallons per person per day. Water outlets shall be distributed throughout the camp in such a manner that no housing unit is more than 100 feet from a water tap if water is not piped to the individual unit. The licensee shall be responsible for providing hauled water when the quantity or quality does not meet the requirements of this Section. (A)
- b) Sources of potable water acceptable to the Department are as follows:
 - 1) A community water system constructed, operated and sampled in accordance with 35 Ill. Adm. Code, Parts 601, 602, 603, 604, 605, 606, 607, 651, 652, 653 and 654.

- 2) A non-community public water system constructed, operated and sampled in accordance with the Department's Drinking Water Systems Code (77 Ill. Adm. Code 900).
 - 3) A water well constructed, located and operated in accordance with the Illinois Water Well Construction Code (77 Ill. Adm. Code 920) and the Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925).
 - 4) A surface water system constructed and operated in compliance with the Department's Surface Source Water Treatment Code (77 Ill. Adm. Code 930).
- c) Sampling.
- 1) For all migrant labor camps not connected to a community water system, Department personnel shall collect water samples for coliform bacteria, nitrate and turbidity (for surface source water systems only) analyses at the time of the pre-occupancy license inspection. Department personnel shall collect a water sample at these facilities for coliform bacteria analysis during the required occupancy inspection of the facility.
 - 2) The licensee shall be responsible for collecting and returning any additional water samples required by the Drinking Water Systems Code (77 Ill. Adm. Code 900). (C)
 - 3) Water failing to meet the quality requirements of the Drinking Water Systems Code (77 Ill. Adm. Code 900) shall be made unavailable for use until determined to be in compliance by the Department. A water supply containing between 10 and 20 parts per million (ppm) of nitrate (N) may be used if it is posted by the owner or operator of the migrant labor camp stating in English and in the native language of the occupants that the water shall not be used for infants less than 6 months of age. The Department shall provide the necessary placards. (B)
- d) Plumbing. All plumbing system construction or repair shall be performed by a licensed Illinois plumber as required by the Illinois Plumbing License Law [225 ILCS 320], and shall be in accordance with the Department's Illinois Plumbing Code (77 Ill. Adm. Code 890). Leaks and otherwise malfunctioning plumbing shall be repaired. Existing plumbing shall meet the requirements of the Illinois Plumbing Code in effect at the time of installation. (B)
- e) Hauled Water. Hauled water may be permitted during an emergency or to supplement the existing water supply. The requirements of the Department's Drinking Water Systems Code (77 Ill. Adm. Code 900) shall be met. (B)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.60 Sewage Disposal

- a) General. All sewage generated within a migrant labor camp shall discharge into a sewage disposal system approved by the Illinois Environmental Protection Agency, or a private sewage disposal system designed, constructed and maintained in accordance with the Private Sewage Disposal Code (77 Ill. Adm. Code 905). (A)
 - 1) A construction permit must be obtained from the Department to construct a sewage disposal system designed to discharge to a subsurface seepage field or designed to discharge less than 1,500 gallons per day to the ground surface or to a body of water. (C)
 - 2) If a sewage disposal system is designed to discharge 1,500 or more gallons per day to the ground surface or to a body of water, a permit for construction must be obtained from the Illinois Environmental Protection Agency. (C)
 - 3) The effluent of all surface discharge sewage disposal systems shall meet the quality standards required by the Private Sewage Disposal Code (77 Ill. Adm. Code 905). (B)
- b) License Requirements. Only persons licensed pursuant to the Private Sewage Disposal Licensing Act [225 ILCS 225] shall construct, install, repair, modify, maintain, clean or pump private sewage disposal systems. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.65 Required Sanitary Facilities

- a) Toilets
 - 1) A water closet, chemical toilet or privy seat shall be provided for each sex in the ratio of one for each 15 persons. (B)
 - 2) Each toilet room shall be located so as to be accessible without any individual passing through any sleeping room. Toilet rooms shall have a window not less than 6 square feet in area opening directly to the outside area or be provided with mechanical ventilation. All outside openings shall be screened with 16-mesh material. No fixture, water closet, chemical toilet, or urinal shall be located in a room used for other than toilet purposes. (C)
 - 3) A toilet room shall be located within 200 feet of the door of each sleeping

room. No privy shall be closer than 100 feet to any sleeping room, eating room, or kitchen. (C)

- 4) Where the toilet rooms are shared, such as in multifamily shelters and in barracks type facilities, separate toilet rooms 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, or marked with easily understood pictures or symbols. If the facilities for each sex are in the same building, they shall be separated by solid walls or partitions extending from the floor to the roof or ceiling. (C)
- 5) Where toilet facilities serve more than one family, the number of water closets or privy seats provided for each sex shall be based on the maximum number of persons of that sex which the camp is designed to house at any one time, with a minimum of two toilets for any shared facility. (C)
- 6) Urinals constructed of non-absorbent materials may be substituted for men's toilet seats on the basis of one urinal for one toilet seat up to a maximum of one-third of the required toilet seats. The floor from the wall and for a distance not less than 15 inches measured from the outward edge of the urinals shall be constructed of materials impervious to moisture. Urinal troughs in privies shall drain freely into the pit or vault and the construction of this drain shall be such as to exclude flies and rodents from the pit. (C)
- 7) Each toilet facility shall be provided with artificial lighting equivalent to one-half watt of incandescent light per square foot. (C)
- 8) Toilet facilities shall be clean and free of structural damage. (B)
- 9) Refuse containers shall be provided and emptied daily. (C)

b) Handwashing Facilities

- 1) One handwashing basin shall be provided for each family shelter or one for each six people or fraction thereof in shared facilities. (B)
- 2) Liquid or powdered soap shall be provided for each handwashing basin. Bar soap can be used when the basin is for family members only. (C)

c) Showers

- 1) There shall be a minimum of one showerhead with hot and cold running water per 10 persons or fraction thereof except that a minimum of one

showerhead per 15 persons shall be provided for camps occupied prior to April 3, 1980. The showers shall be located within 300 feet of the housing unit. (B)

2) Showerheads shall be spaced at least 3 feet apart with a minimum of 9 square feet of floor space per unit. Dry dressing space shall be provided in shower rooms. Shower floors shall be constructed of non-absorbent, non-skid materials and sloped to a floor drain. The walls shall be smooth and impervious. Except in individual family units, separate shower facilities shall be provided for each sex. When shower facilities for both sexes are in the same building they shall be separated by a solid non-absorbent wall extending from the floor to ceiling, or roof, and shall be plainly designated "men" or "women" in English and the native language of the persons expected to occupy the housing, or marked with easily understood pictures or symbols. (B)

3) Showers shall be kept free of dirt and mildew. (C)

d) **Laundry Facilities**

Laundry facilities, supplied with hot and cold water under pressure, shall be made available for the use of all occupants. Laundry trays or tubs shall be provided in a ratio of one per 30 persons. Mechanical washers may be provided in a ratio of one per 50 persons in lieu of laundry trays, although a minimum of one laundry tray per 100 persons shall be provided in addition to the mechanical washers. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.70 Food Preparation, Storage and Eating Facilities

- a) **Commercial Operations.** If the food is prepared by someone other than the residents of the migrant labor camp, the facility shall be constructed and operated in accordance with the Food Service Sanitation Code (77 Ill. Adm. Code 750). (A)
- b) **Family Operations.** If the food is prepared by the migrant workers or their family, the following shall be provided as a minimum:
- 1) One stove burner or hot plate burner shall be provided for every five occupants. (C)
 - 2) Potable water and a basin shall be provided. (A)
 - 3) Mechanical refrigeration for the food shall be provided. (B)
 - 4) A counter for food preparation and shelves or cabinets for the storage of food shall be provided. All food contact surfaces shall be impervious,

smooth, and free of breaks, open seams, cracks, chips, pits and similar imperfections. (C)

- 5) Tables and seating facilities shall be provided for each person. (C)
- 6) Floors in kitchen and dining areas shall be non-absorbent and smooth. The walls adjacent to food preparation, cooking and cleaning areas shall be smooth and non-absorbent. (C)
- c) Separation. Food preparation and eating facilities serving more than one housing unit shall be located in a room or building separate from sleeping rooms or toilet rooms. (B)
- d) Communicable Disease. Persons with communicable disease shall not be allowed to prepare or otherwise handle food for anyone other than themselves. (A)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.80 Solid Waste Disposal

- a) General. The storage, collection and disposal of refuse produced in a camp shall be conducted so as to avoid the creation of conditions detrimental to public health, such as rodent harborage, insect-breeding areas, odors, air pollution and accidents. The camp shall be kept free of litter, abandoned equipment, and accumulations of rubbish, including flammable debris, and shall be maintained in a sanitary condition at all times. (B)
- b) Containers. All refuse which includes garbage, rubbish, bottles and tin cans shall be stored in water-tight containers constructed of a durable, non-absorbent material and having a tight-fitting lid. Such containers shall be maintained in a sanitary condition and in good repair at all times. Containers shall be provided as needed throughout the camp. Containers shall be placed on racks at least eight inches above the ground or on a pad of concrete or other impervious material. (C)
- c) Collection and Disposal. Refuse shall be disposed of at a sanitary landfill approved by the Illinois Environmental Protection Agency. There must be a minimum of one collection per week. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.85 Electrical

- a) New Installations. Electrical wiring and appurtenances installed between January 1, 1990 and July 1, 1997 shall comply with the 1990 edition of the National Fire Protection Association's National Electrical Code. Electrical wiring and appurtenances installed after July 1, 1997 shall comply with the 1996 edition of

the National Electrical Code. (A)

- b) Existing Installations. Electrical wiring and appurtenances installed prior to January 1, 1990 shall comply with the following:
 - 1) The type and size of all conductors shall comply with the National Electrical Code in existence at the time of installation. (B)
 - 2) All electrical distribution systems shall be protected against over-current by circuit breakers or fuses sized for the rated capacity of the conductors. Fuses and circuit breakers shall not have a larger rating than the receptacles they protect. (B)
 - 3) There shall not be any open ground on any three wire system, open neutral, open hot conductors or reversed wiring conditions. (A)
 - 4) All electrical connections shall be in accordance with the National Electrical Code in existence of the time of installation. No wiring shall be exposed that could cause personal injury. (B)
- c) Maintenance. All electrical equipment shall be installed and maintained in accordance with the manufacturer's requirements. (B)
- d) Lighting. Artificial lighting equivalent to one watt of incandescent light per square foot of floor area shall be provided in all rooms except toilet rooms which shall be provided an equivalent of one half watt per square foot. Exterior lighting shall be provided for the entrance to all buildings which are part of the camp. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.90 Mechanical Equipment

- a) Heating Equipment. All rooms except privies and storage sheds shall be provided with operable heating equipment capable of maintaining a temperature of at least 70° Fahrenheit if the camp operates when the outside temperature is below 50° Fahrenheit. (B)
- b) Installation and Maintenance. All mechanical equipment shall be installed and maintained in accordance with the manufacturer's instructions. (B)
- c) Vents. Heating appliances, including space heaters, other than electrical and kerosene fueled, shall be vented to the atmosphere outside of the building. All metal vents, flues, or stovepipes shall be insulated with a noncombustible material at all points of contact with combustible materials in walls, ceilings, or roofs. (A)
- d) Noncombustible Slab. Electrical or fuel-fired hot plates or stoves for cooking,

mounted on a table of combustible materials, shall be placed on a slab of noncombustible material extending at least 18 inches beyond the perimeter of the base of the stove or appliance. (B)

- e) Space Heaters. Portable space heaters shall have an automatic shut-off that is activated if the unit is tipped over. The requirements of the Space Heating Safety Act [425 ILCS 65] shall be met for kerosene fueled heaters. (B)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.100 Fire Protection

- a) Codes. All buildings in which people sleep or eat shall be constructed and maintained in accordance with the Fire Investigation Act, [425 ILCS 2510] and local fire safety laws. (A)
- b) Means of Egress. In housing units of one story construction, 2 means of escape shall be provided. One of the means of escape may be a window with an openable space of not less than 24 x 24 inches and the sill within 44 inches from the floor. Sleeping quarters and common assembly rooms on the second story shall have a stairway, and a permanent, affixed exterior ladder or second stairway. (B)
- c) Fuel Storage. Migrant labor camps shall comply with the applicable provisions of Gasoline Receptacle Labeling Act [430 ILCS 2010] and the Gasoline Storage Act [430 ILCS 1510] and any applicable rules adopted pursuant thereto. (B)
- d) Smoke Detectors. Smoke detectors shall be provided in living areas in accordance with the Smoke Detector Act [425 ILCS 60]. (B)
- e) Fire Protection Equipment. A minimum of one 4-lb dry chemical ABC fire extinguisher shall be located within 100 feet of each living unit and maintained in a charged and ready to use condition. Compliance may also be achieved for family units by having one residential type fire extinguisher in each unit. The manufacturer's instructions for use of the fire extinguishers shall be explained to each occupant upon commencement of occupancy. (B)
- f) Emergency Telephone Service. A telephone for emergency use shall be available at all times. The telephone number of the nearest fire department, law enforcement agency, hospital and ambulance service or the established universal emergency number shall be prominently posted near the telephone. (C)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.105 Communicable Disease Reporting

The licensee shall report any known cases of suspected food poisoning or unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting or jaundice is a prominent symptom. This information shall be reported by telephone within one business day to the local health department or the Illinois Department of Public Health, 217/782-5830. Section 690.100 of the Department's Control of Communicable Disease Code (77 Ill. Adm. Code 690) contains reporting requirements for diagnosed communicable diseases. (A)

(Source: Amended at 21 Ill. Reg. 9484, effective July 1, 1997)

Section 935.110 Exempt Establishments

Establishments that provide housing for less than 10 migrant workers or 4 families containing migrant workers shall meet the requirements of this Part but shall not be required to be licensed.

(Source: Amended at 14 Ill. Reg. 12633, effective July 20, 1990)

Section 935.120 Variances

The Department shall grant a variance to a specific regulation when the operator or owner of a migrant labor camp submits a written request for such variance to the Department with drawings, specifications, documents, data, or calculations showing that the alternative method of construction or design proposed will provide equivalent protection to that which would prevail under the promulgated regulation. The capability of the proposed deviation to ensure protection equivalent to that required by this Part shall be the basis for approval or denial of a variance. The Department shall notify the applicant in writing of its decision to either grant or deny the variance within 60 days of receipt of the request.

(Source: Amended at 14 Ill. Reg. 12633, effective July 20, 1990)

Section 935.130 Complaints

- a) Reporting. All complaints against migrant labor camps and establishments that provide housing for less than 10 migrant workers or 4 families containing migrant workers shall be reported to the Illinois Department of Public Health. Complaints shall contain facts to facilitate the investigation. Complaints by telephone will be accepted. Complaints will be required in writing if needed to support legal action against the licensee.
 - 1) If the complaint concerns a serious violation of the Act or this part (i.e. contaminated water, sewage system malfunctions, operating with a license, etc.), it will be investigated by the Department within 24 hours of receipt of the complaint.
 - 2) If the complaint concerns less serious violation (i.e. solid waste, insects, etc.), it will be investigated within ten (10) working days of receipt of the complaint.

- b) Posting. The Department shall post in every licensed camp, in a location visible to all occupants, the telephone number and address of its closest Regional Office.
- c) Referrals. Whenever the complaint concerns matters outside the jurisdiction of the Department of Public Health, or may concern matters which are within the jurisdiction of another agency, the complaint will be referred to the appropriate agency whenever so doing does not violate complainant confidentiality.
- d) Confidential. All complaints received by the Department will be confidential and the Department will not disclose the identity of the complainant without his/her written consent.
- e) Notification of Results. Upon the conclusion of the investigation, the complainant will be notified of the results of the investigation and any action taken by the Department.
- f) Hearings. All administrative hearings will be conducted in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Amended at 14 Ill. Reg. 12633, effective July 20, 1990)