

STATE HOUSING LAW REGULATIONS AND EARTHQUAKE PROTECTION LAW
TITLE 25. HOUSING AND COMMUNITY DEVELOPMENT
DIVISION 1. HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER 1. STATE HOUSING LAW REGULATIONS AND
EARTHQUAKE PROTECTION LAW REGULATIONS
SUBCHAPTER 3. **EMPLOYEE HOUSING REGULATIONS**

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Article 1. Application and Scope

§ 600. Application and Scope

(a) Application and scope of this subchapter is governed by Sections 17020, 17021, 17023 and 17024 of the Health and Safety Code.

(b) The provisions of this subchapter do not apply to backstretch housing or living quarters provided at race tracks for persons engaged in the training or care of race horses.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17020, 17021, 17023 and 17024, Health and Safety Code.

Article 2. Definitions

§ 610. Definitions

The definitions applicable to this subchapter in addition to those set forth in Sections 17003–17012 of the Health and Safety Code and in Title 24, Parts 2, 3, 4 and 5, California Administrative Code are as follows:

Agricultural Employer. An “agricultural employer” as defined in Section 1140.4 of the Labor Code.

Dairy Labor Camp. A labor camp eligible for an exemption pursuant to Section 17031 of the Health and Safety Code.

Employee Community Housing. Employee housing eligible for an exemption pursuant to Sections 17005.5 and 17031.3 of the Health and Safety Code.

Labor Camp. In addition to the provisions of Health and Safety Code Section 17008, a “Labor Camp” shall include but is not limited to that portion or unit of any housing accommodation or structure which is occupied on a temporary, seasonal, or permanent basis by a total of five (5) or more agricultural workers of any agricultural employer or employers, whether or not such an accommodation or structure is maintained in connection with any work or workplace. Only those dwelling units in an accommodation or structure which, when taken together, are occupied by the five or more employees of any agricultural employer or employers are subject to this subchapter. To the extent that an accommodation or structure containing one or more units subject to this subchapter is also held out for hire to the public, and is therefore generally subject to the State Housing Law (Health and Safety Code Section 17910, et seq.), the units occupied by the five or more employees of any agricultural employer or employers shall be subject to this subchapter; however, if the existence or absence of a particular condition directly or indirectly affects any other tenant of the same structure or accommodation and would be a violation of the State Housing Law, all the units subject to this subchapter shall be subject to the standards of the State Housing Law for the purposes of the existence or absence of that condition.

Mess Hall Kitchen. A room or portion of a room used or intended to be used as a kitchen in conjunction with a mess hall.

Note: Authority cited: Sections 17003.5 and 17050, Health and Safety Code. Reference: Sections 17005.5, 17008, 17031 and 17040, Health and Safety Code.

Article 3. Administration and Enforcement

§ 620. Enforcement

Enforcement of this subchapter shall be governed by Sections 17050, 17051 and 17052 of the Health and Safety Code.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17050, 17051 and 17052, Health and Safety Code.

§ 621. Local Assumption of Enforcement Responsibility

(a) The assumption of responsibility for the enforcement of the Employee Housing Act and the provisions of this subchapter by a city, county, or city and county shall be by means of any official ordinance, resolution or minute order of the city council or board of supervisors which shall contain the following information:

(1) The indication of request for assumption of responsibility for the enforcement of the Employee Housing Act and this subchapter.

(2) The name of the agency, department or departments designated responsibility for administration and enforcement.

(3) The effective date desired for assumption of enforcement responsibilities.

(4) The fee schedule to be used by enforcement agency.

(b) Two certified copies of the ordinance, resolution or minute order shall be forwarded to the department not less than 180 days prior to the date of desired assumption of enforcement responsibility in order to facilitate the qualification of the appointed enforcement agency. Said assumption date shall be designated as either January 1 or July 1 following the notification and the approval by the department.

(c) The department shall acknowledge receipt of the request for assumption of enforcement responsibility and shall advise the local enforcement agency to apply for the approval.

(d) Prior to approval, the personnel designated to perform labor camp or employee community housing inspections shall demonstrate actual inspection capabilities to the satisfaction of the department.

(e) The department shall advise the local jurisdictions of the accepted effective date upon the approval of the inspection personnel. The department will forward to the local jurisdiction a list of all the labor camps and employee community housing with permits to operate on the effective date together with the inspection reports and the pertinent data as required.

(f) Every city, county, or city and county which has been approved by the department for the enforcement of the Employee Housing Act, shall enforce all of the provisions of this subchapter.

(g) Every city, county, or city and county which assumes responsibility for enforcement of the Employee Housing Act shall comply with all of the provisions of chapter 5.5 of this division, beginning with section 5802, regarding verification of the eligibility of applicants for permits to operate labor camps to receive public benefits.

(h) All local enforcement agencies shall be evaluated by the department annually.

(i) The department may revoke its approval of a local enforcement agency for cause.

Note: Authority cited: Sections 17003.5 and 17050, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Section 17050, Health and Safety Code.

§ 623. Filing of Complaints

(a) The provisions of this subchapter for filing complaints are governed by Sections 17053, 17054, and 17055 of the Health and Safety Code.

(b) A copy of all complaints received by a local enforcement agency shall be submitted to the Department of Housing and Community Development, Division of Codes and Standards, at its administrative office. The copies of all written reports issued on all complaints will also be submitted to the department until the complaint is resolved.

Note: The final appeal authority when the appeal relates to a building standard is the State Building Standards Commission. Section 18945, Health and Safety Code.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17053, 17054 and 17055, Health and Safety Code.

§ 624. Information Notice

- (a) An appropriate notice in English and Spanish, prepared by the department, shall be posted in all occupied labor camps or employee community housing.
- (b) The notice will outline the basic requirements of the Employee Housing Act which relate to maintenance, use and occupancy of a labor camp or employee community housing.
- (c) The enforcement agency shall obtain the number of notices necessary from the department.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17040 and 17050, Health and Safety Code.

§ 625. Posting of Notices

- (a) The enforcement agency shall post such notice or require the camp or employee community housing operator to post such notice, in one or more conspicuous central locations accessible to the occupant housed within the labor camp or employee community housing.
- (b) The notice shall include a notation prepared by the enforcement agency giving the following information.
 - (1) Name of enforcement official to contact.
 - (2) Name of the enforcement agency.
 - (3) Address of enforcement agency's office to be contacted.
 - (4) Telephone number for contacting the responsible agency personnel.
- (c) The required notice shall remain posted during all periods in which the labor camp or employee community housing is occupied.
- (d) A bulletin board securely attached to the wall or a suitable wall surface shall be designated for the purpose of posting required notices.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17040 and 17050, Health and Safety Code.

§ 626. Operator's Responsibility

- (a) Every labor camp whether occupied or not, with a valid permit to operate or employee community housing shall comply with those portions of this subchapter specifically applicable to them except that portable equipment, which is actually moved or can easily be moved from one place to another in normal use, need not be maintained in an unoccupied labor camp.
- (b) The person owning a labor camp or employee community housing shall also be considered to be the operator of a labor camp, even though the property and facilities comprising the labor camp or employee community housing may be leased to another person. A person is any individual, company, society, firm, partnership, association or corporation.
- (c) Where a labor camp or employee community housing is located on property owned by any governmental agency, a lessee shall also be considered to be the operator of a labor camp or employee community housing if he or she has leased the property and facilities comprising the labor camp or employee community housing.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17036, 17040 and 17050, Health and Safety Code.

§ 627. Responsible Person

The name, address and telephone number of the responsible person as set forth in Section 17038 of the Health and Safety Code shall be posted in a conspicuous place on the premises if he or she does not reside on or is not available on the premises.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17038, Health and Safety Code.

§ 628. Occupant's Responsibility

Every occupant of a labor camp or employee community housing shall properly use the facilities furnished and shall comply with the relevant maintenance and sanitation provisions of this subchapter.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Article 4. Permits and Fees and Compliance

Subarticle 1.

§ 631. Application for a Permit to Operate a Labor Camp

(a) Application for a permit to operate a labor camp shall be made to the enforcement agency at least 45 days prior to the date of initial occupancy and shall be on the forms supplied by the enforcement agency and shall contain at least the following information:

- (1) The name and address and telephone numbers of the camp owner and operator.
- (2) The location of the camp.
- (3) Approximate number of occupants to be housed.
- (4) A description of the facilities comprising the camp.

(5) Approximate dates of occupancy. The operator shall obtain an amended permit to operate when there is any change in the foregoing information applicable to the labor camp.

(b) The provisions of Section 17032 shall not apply to labor camps owned or operated by railroad corporations. Application for a permit to operate a labor camp owned or operated by a railroad corporation shall be made to the Department of Housing and Community Development within 30 days of initial occupancy and shall contain at least the following information:

- (1) The name and address and telephone numbers of the camp owner and operator.
- (2) The present location of the camp.
- (3) The present approximate number of occupants to be housed.
- (4) A description of the present facilities comprising the camp.

(5) Approximate dates of present occupancy. An amended permit shall not be required if there is any change in the foregoing information applicable to the railroad labor camp, provided, however, the railroad corporation shall make such information available to the department upon reasonable request.

(c) Every application shall be accompanied by evidence of compliance with all local planning requirements. For the purposes of this section, labor camps having a permit to operate for the preceding year, or registered in accordance with the provisions of the Health and Safety Code in effect prior to January 1, 1975, shall be deemed to comply with the local planning requirements.

(d) Application forms, permits to operate, and amended permits to operate issued by a local enforcement agency shall be in conformity with state applications and permits. Whenever a local enforcement agency issues a permit to operate, a copy of the application and permit shall be sent to the Department of Housing and Community Development, Division of Codes and Standards, at its administrative office, by the 10th day of the month following the issuance of the permit to operate.

(e) Permit to Operate. Every person intending to operate a labor camp for any period of time within any calendar year shall file an application and submit appropriate fees to the enforcement agency for a permit to operate at least 45 days prior to the date of initial occupancy.

(f) When applying for a permit, the applicant stipulates to acceptance of service of any notice or process at the address shown on the application or shall designate otherwise on the permit application.

(g) When applying for a permit, the applicant shall present to the enforcement agency documentation necessary to demonstrate the applicant's eligibility to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

(h) When emergency conditions make it necessary to provide emergency living facilities for the work crews, the person responsible for providing such housing shall notify the enforcement agency within five days after occupancy. Fees for the inspection of the emergency living facilities shall be paid as provided in Section 644 for reinspections.

(i) An application will not be deemed submitted until it is completed.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Sections 17032 and 17033, Health and Safety Code.

§ 633. Exemption for Employee Community Housing

(a) An application for exemption for employee community housing shall be made to the enforcement agency at least 45 days prior to the date upon which the exemption is desired, and shall be granted by the enforcement agency pursuant to Section 17031.3 of the Health and Safety Code.

(b) An application for exemption accompanied by appropriate fees, as set forth in Section 637, shall be on the forms supplied by the enforcement agency and shall contain at least the following information:

(1) The name, address, and telephone numbers of the community owner and operator.

(2) The location of the employee housing community.

(3) Exact number of dwellings in the employee housing community.

(4) Designs of facilities comprising the employee housing community.

(5) Other information requested by the enforcement agency relevant to the granting or denial of an exemption pursuant to this section.

(c) The operator shall submit an amendment to the exemption application whenever there is any substantial or material change in the foregoing information applicable to the employee community housing.

(d) An application will not be deemed submitted until it is completed.

(e) When the exemption is granted by a local enforcement agency, the information required by Section 17031.4 shall be submitted to the Department within 30 days after the exemption is granted.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17031.3 and 17031.4, Health and Safety Code.

§ 634. Exemption for Labor Camps on Dairy Farms

(a) An application for exemption for a labor camp and dairy farm shall be made to the enforcement agency at least 45 days prior to the date of initial occupancy and shall be granted by the enforcement agency pursuant to Sections 17030 and 17031 of the Health and Safety Code.

(b) An application for an exemption, accompanied by appropriate fees shall be on forms supplied by the enforcement agency and shall contain at least the following information:

(1) The name, address, and telephone numbers of the permanent housing owner and operator.

(2) The location of the dairy farm labor camp.

(3) Exact number of dwellings on the labor camp.

(4) Designs of the facilities comprising the housing project.

(5) The year the dwellings on the labor camp were constructed.

(6) The number of years the labor camp was operated with a valid permit to operate.

(7) Other information requested by the enforcement agency including but not limited to information to ensure that the labor camp qualifies as a dairy farm labor camp pursuant to Sections 17019 and 17030 of the Health and Safety Code.

(c) An application will not be deemed submitted until it is completed.

(d) When the exemption is granted by a local enforcement agency, the information required by Section 17031 shall be submitted to the Department within 30 days after the exemption is granted.

(e) The operator shall submit an amendment to the exemption application whenever there is any change in the foregoing information applicable to the dairy farm labor camp.

(f) The written findings required by Section 17031 of the Health and Safety Code shall be filed in the project record and shall be retained until the exemption is revoked.

Note: Authority cited: Sections 17003.5, 17036, 1704 and 17050, Health and Safety Code. Reference: Sections 17030 and 17031, Health and Safety Code.

§ 636. Renewal Prohibited

No permit to operate shall be issued for a labor camp when the permit to operate for the preceding year has been denied or suspended, or when the operator has failed to comply with a notice issued by the enforcement agency to correct the violations of the Health and Safety Code and of this subchapter. When the operator submits proof of compliance with the applicable provisions of the Health and Safety Code and this subchapter to the enforcement agency, the enforcement agency may issue a new permit to operate if all other terms and conditions for a permit are met

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17031, 17034 and 17036, Health and Safety Code.

§ 637. Permit to Operate or Exemption Fees

Every person applying for an exemption as employee community housing or a dairy farm labor camp or a permit to operate a labor camp shall submit fees for a permit to operate or exemption to the enforcement agency in accordance with the provisions of this section.

(a) Where the department is the enforcement agency, fees for a permit to operate a labor camp shall be determined as follows:

(1) Issuance fee of \$200.00.

(2) Permit to operate fee of \$27.00 for each employee the operator intends to house where such housing is supplied by the operator, and \$27.00 for each lot or site provided for parking of mobilehomes or recreational vehicles by employees.

(3) Amended permit fee of \$20.00 for any transfer of ownership or possession.

(4) Amended permit fee of \$20.00 and fees specified in this section for any increase in the number of employees to be housed and additional lots or sites provided for parking of mobilehomes or recreational vehicles by employees.

(b) Where the department is the enforcement agency, fees for an exemption shall be determined as follows:

(1) Issuance fee of \$35.00.

(2) An exemption fee of \$12.00 for each permanent housing unit.

(3) Amended exemption fee of \$20.00 for any transfer of ownership or possession.

(4) Amended permit fee of \$20.00 and fees specified in this section for any increase in the number of permanent housing units.

(c) Where a city, county, or city and county has assumed responsibility for enforcement of Chapter 1 of Part 1 of Division 13 of the Health and Safety Code and this subchapter, such city, county, or city and county may by ordinance, establish a schedule of fees for the operation of labor camps or employee community housing which shall not exceed the fees for a permit to operate or exemption established by this section.

Note: Authority cited: Sections 17003.5 and 17036, Health and Safety Code. Reference: Section 17036, Health and Safety Code.

§ 638. Compliance

Every person, or his or her agent or officer thereof, constructing, operating, or maintaining a labor camp shall comply with the requirements of this part, building standards published in the State Building Standards Code relating to labor camps, and other regulations adopted pursuant to the provisions of this part. Every person or his or her agent or officer thereof, constructing, operating, or maintaining employee community housing shall comply with the State Housing Law and other regulations adopted pursuant to this subchapter specifically applicable to employee community housing. The provisions contained in Section 17920.3 of the Health and Safety Code relating to a substandard building shall be applicable to this subchapter. Abatement of any substandard condition may be in accordance with Sections 17060 and 17890 of the Health and Safety Code or actions and proceedings as set forth in Article 6, commencing with Sections 50 through 72, of this Title, (State Housing Law Regulations).

Note: Authority cited: Sections 17003.5, 17037, 17040 and 17050, Health and Safety Code. Reference: Section 17037, Health and Safety Code.

§ 640. Preoccupancy Inspection, Local Enforcement Agency

Upon receipt of a complete application for a permit to operate or an exemption and appropriate fees, the local enforcement agency shall inspect the labor camp or employee community housing within 30 days. If upon inspection the labor camp or employee community housing is found to be in compliance with the applicable provisions of the Health and Safety Code and this subchapter, a permit to operate or exemption shall be issued by the local enforcement agency, as appropriate, if all other terms and conditions are met.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17003.5, 17030, 17031 and 17031.3, Health and Safety Code.

§ 641. Permit Application Review, Notice of Department Decision and Occupancy Approval

(a) Where the department is the enforcement agency, the following procedures shall apply.

(1) Within seven (7) days of receiving the application for a permit to operate and appropriate fees in the office designated on the application forms, the department shall review each license application received pursuant to this chapter, and notify the applicant in writing of either the acceptance of the application for filing, or the rejection of the application due to incompleteness or errors, specifically identifying the incompleteness or errors and what must be done in order to make the application complete and acceptable.

(2) Unless the applicant requests otherwise, within 45 days of receiving a completed application for a permit to operate and appropriate fees, the department shall inspect the labor camp or employee housing. If upon inspection the labor camp or employee community housing is found to be in compliance with the applicable provisions of the Health and Safety Code and this subchapter, and if all local approvals have been obtained, the department shall issue a permit to operate within seven (7) days of the inspection.

(3) If the labor camp or employee community housing is not found to be in compliance or if all local approvals have not been obtained, it shall be the responsibility of the operator to request, in writing, any subsequent reinspections by the department.

(4) Within 30 days of receiving a written request for reinspection and appropriate fees, the department shall reinspect the labor camp or employee community housing. If upon reinspection the labor camp or employee community housing is found to be in compliance with the applicable provisions of the Health and Safety Code and this subchapter, and if all local approvals have been obtained, the department shall issue a permit to operate within seven (7) days of the reinspection.

(b) A survey conducted pursuant to Government Code Section 15376 of the department's performance determined the minimum, median and maximum elapsed time between receipt of a completed application for a permit to operate a labor camp and issuing the permit to operate a labor camp; the results are as follows:

- (1) Minimum: 1 calendar day
- (2) Median: 38 calendar days
- (3) Maximum: 357 calendar days

- (c) The department may exceed the maximum time as provided in subsection (a), if any of the following occurs:
- (1) The number of applications is 15 percent greater than for the same calendar quarter of the preceding year.
 - (2) The department's application process is delayed due to rejection of the labor camp's kitchen facilities, water supply or sewage disposal by the local Department of Health.
 - (3) An applicant requests that an application, inspection or permit issuance be delayed.

Note: Authority cited: Section 15376, Government Code. Reference: Sections 15374–15378, Government Code; and Sections 17003.5 and 17036, Health and Safety Code.

§ 642. Noncompliance

In the event that the labor camp or employee community housing cannot be approved for occupancy or when inspected, the enforcement agency shall notify the applicant by means of a compliance order which describes in what respects the labor camp or employee community housing does not comply. The operator shall perform the required corrective work and request reinspection prior to occupying the labor camp or employee community housing. The operator shall pay the reinspection fees prescribed by these regulations.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17036, 17040 and 17050, Health and Safety Code.

§ 644. Reinspection Fees

(a) The fees for a permit to operate or an exemption shall be considered as inspection fees for the initial inspection of an employee housing facility or employee community housing. When a reinspection is required, pursuant to Section 642 of this subchapter, the operator shall pay a reinspection fee for each such reinspection as follows:

(1) One hundred seventy-eight dollars (\$178) providing the reinspection does not exceed one hour. When the reinspection exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

NOTE: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17036, 17040 and 17050, Health and Safety Code.

§ 645. Technical Service and Fees

(a) The department may charge technical service fees to any person requesting technical services such as interpretation or clarification of the application of this subchapter if these services are beyond the scope of normal department technical assistance. Technical services for the purpose of this section do not include inspections.

(b) Requests for such service shall be submitted to the department in writing and accompanied by the technical service fee. The fees shall be determined as follows:

(1) One hundred ninety-six dollars (\$196) providing the technical service does not exceed one hour. When the related technical service exceeds one hour, the following fees shall apply:

(A) Second and subsequent whole hours: eighty-two dollars (\$82).

(B) Each thirty (30) minutes, or fractional part thereof: forty-one dollars (\$41).

(c) Fees shall be submitted by a cashier's check, money order, personal or company check, payable to the Department of Housing and Community Development.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17036, 17040 and 17050, Health and Safety Code.

§ 648. Multiple Year Permits to Operate

(a) Application for a multiple year permit to operate a labor camp shall be made to the enforcement agency at least 45 days prior to the date of initial occupancy and shall be granted by the enforcement agency pursuant to Sections 17030 and 17030.5 of the Health and Safety Code.

(b) An application for a multiyear permit to operate accompanied by appropriate fees, as set forth in Section 637, shall be on forms supplied by the enforcement agency and shall contain at least the following information:

- (1) The name, address, and telephone numbers of the permanent housing labor camp owner and operator.
- (2) The location of the permanent housing labor camp.
- (3) Exact number of single family detached dwellings.
- (4) Designs of the facilities comprising the permanent housing labor camp.
- (5) The year the dwellings on the labor camp were constructed.
- (6) The number of years the labor camp has been operating with a valid permit to operate.
- (7) Other information requested by the enforcement agency including but not limited to information to ensure

that the permanent housing qualifies as a permanent housing labor camp pursuant to Section 17010(d) and 17030.5 of the Health and Safety Code.

(8) A maintenance plan that will adequately maintain the housing during the period of time covered by the permit to operate.

(c) When applying for a multiple year permit, the applicant shall present to the enforcement agency documentation necessary to demonstrate the applicant's eligibility to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

(d) An application will not be deemed submitted until it is completed.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Sections 17030, 17030.5 and 17040, Health and Safety Code.

§ 650. Conditional Permit to Operate or Exemption

A conditional permit to operate may be issued to permit partial occupancy of complying portions of a labor camp only under the following conditions:

(a) After preoccupancy inspection, the camp operator will be issued a written compliance order listing all buildings not in compliance. A notice of prohibited occupancy shall be posted on any building deemed to be unsafe for human habitation or adjacent thereto if necessary, and shall be so noted in the report. The compliance order shall also list those buildings which are in compliance for which a conditional permit to operate may be issued.

(b) Any building in a labor camp that is not intended to be used, and so declared by the operator shall be noted in a written report, shall be secured by the operator, and shall be posted by the enforcement agency at each entrance to the building with a notice of prohibited occupancy.

(c) The conditional permit to operate or exemption shall not be required to include those buildings secured, posted, and declared by the operator not to be a part of the labor camp. The conditional permit to operate or exemption fee shall include all other housing, including that housing which may be listed as not to be occupied until compliance has been verified.

(d) The enforcement agency may issue a conditional permit to operate that portion of a labor camp complying with the provisions of this subchapter. The units approved for occupancy and the units not to be occupied until compliance has been verified shall be noted on the conditional permit to operate.

(e) When applying for a conditional permit, the applicant shall present to the enforcement agency documentation necessary to demonstrate the applicant's eligibility to receive public benefits pursuant to chapter 5.5 of this division, beginning with section 5802.

(f) Upon reinspection and verification of compliance with the applicable provisions of the Health and Safety Code and this subchapter, a revised permit to operate or exemption shall be issued by the enforcement agency, without requiring an amended permit fee or exemption fee.

(g) There can be no conditional exemption. A dairy labor camp or a proposed employee community housing which is not fully in compliance with required standards may be issued a conditional permit to operate pursuant to this section

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Sections 17036 and 17040, Health and Safety Code.

Article 5. New Construction

§ 652. Construction Permits and Construction Requirements

(a) No person shall construct, reconstruct, erect, install, relocate or alter any building used for human habitation, building accessory thereto, or other housing accommodations, intended to be used for employee housing or a labor camp, or employee community housing, or any electrical, mechanical, or plumbing equipment or installation in a labor camp or employee community housing, without first obtaining a written construction permit from the local building department.

Note: Permits to construct and construction standards for other nonresidential buildings may be applicable pursuant to local ordinances in the jurisdiction in which the labor camp or employee community housing is located. Refer to Division 13, Part 3, Health and Safety Code relating to the Earthquake Protection Law primarily enforced by local agencies.

(b) Except as otherwise permitted or required by Division 13, Part 1.5 of the Health and Safety Code (State Housing Law), all buildings and structures in labor camps or employee community housing subject to the State Housing Law shall be constructed in accordance with the requirements contained in Parts 2, 3, 4 and 5, Title 24, California Administrative Codes.

(c) Construction permits for the installation of the facilities to accommodate mobilehomes, recreational vehicles, commercial coaches, and campgrounds shall be obtained from the enforcement agency which has responsibility for the enforcement of the Mobilehome Parks Act, Division 13, Part 2.1, of the Health and Safety Code.

(d) The installation permits for mobilehomes and commercial coaches, where required by the Mobilehome Parks Act, shall be obtained from the appropriate enforcement agency and an alternate approval shall be obtained from the department for the use of commercial coaches.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17036 and 17040, Health and Safety Code.

§ 653. Alternate Approval

(a) Alternate approval requirements for this subchapter shall be in accordance with Section 17002 of the Health and Safety Code.

(b) When an operator requests an alternate use of any material, appliance, installation, or device, the enforcement agency shall advise and obtain views of the employees on the premises at the time. A synopsis of these views shall be submitted with the request for alternate approval.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17002, 17040 and 17041, Health and Safety Code.

§ 654. Construction Permit Fees

(a) Every person obtaining a construction permit shall pay the fees prescribed for such permits by local ordinance where the local ordinance is applicable.

(b) Where a local ordinance does not apply, construction permit fees shall be determined in accordance with the schedule of fees in Title 25, California Administrative Code, Chapter 1, Subchapter 1, State Housing Law Regulations, and paid to the department.

(c) Construction permit fees for the installation of facilities to accommodate mobilehomes shall be determined in accordance with the schedule of fees in Title 25, California Administrative Code, Chapter 2, Subchapters 1 and 2 and paid to the appropriate enforcement agency.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17040 and 17041, Health and Safety Code.

§ 655. Heat

Shower rooms shall be provided with heating equipment which shall be capable of maintaining a temperature of 70 degrees F (21.0 degrees Celsius) within such rooms.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Article 6. Maintenance, Use and Occupancy

Subarticle 1. Area Requirements

§ 700. Drainage

The premises shall be free from depressions in which water can stand. Natural sinkholes, pools, swamps or other surface collectors of water within two hundred feet (60.9 meters) of the periphery of the camp shall be either drained or filled to remove the quiescent surface water. Areas such as irrigation drain ditches, etc., containing water not subject to such drainage or filling shall be treated to prevent the breeding of mosquitoes, vermin or vectors as approved by the local health department or other authorized agency.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17040 and 17050, Health and Safety Code.

§ 702. Livestock

Domestic animals and poultry shall not be permitted to run at large in any labor camp.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17040 and 17050, Health and Safety Code.

§ 704. Structures

(a) General. Structures, mobilehomes, travel trailers, camp cars, coaches, and other housing accommodations shall be maintained so as to provide shelter to the occupants against the elements and to exclude dampness and shall be kept clean and free from vermin, vectors and other matter of an infectious or contagious nature. The entire grounds within the area of a labor camp subject to this subchapter shall be kept clean and free from accumulation of debris, filth, garbage and deleterious matter.

(b) Location. Structures, mobilehomes, travel trailers, camp cars, tents, commercial coaches and other housing accommodations shall be maintained not less than seventy-five feet (22.8 meters) from barns, pens or similar quarters of livestock or poultry, unless more restrictively regulated by local jurisdictions.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17036, 17040 and 17050, Health and Safety Code.

Subarticle 2. **Building and Structure Requirements**

§ 708. Employee Community Housing

Except as amended by a local government, employee community housing shall be subject to the State Housing Law.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 710. Maintenance

All labor camp buildings, structures, or other housing accommodations and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which were required in a building or structure when erected, altered, or repaired shall be maintained in good working order.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17040 and 17050, Health and Safety Code.

§ 712. Buildings Identified

All buildings and other housing accommodations used for habitation in a labor camp shall be numbered or designated by street numbers or other suitable means of identification. The identification shall be in a conspicuous location facing the street or driveway and shall be in letters or numbers at least 3 inches (7.6 centimeters) high.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 722. Exits

The exit facilities for all buildings or portions thereof in labor camps shall be maintained clear and unobstructed at all times.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 724. Floor Area

The rooms or areas used for sleeping purposes for more than one person shall be maintained with a floor area of not less than fifty (50) square feet (4.5 square meters) for each occupant and a minimum average ceiling height of not less than seven feet (2.1 meters).

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 728. Insect Screening

(a) All openable windows in rooms used for living, dining, cooking, and sleeping purposes, and bathing and toilet facilities shall be properly maintained with insect screening.

(b) All exterior door openings of rooms used for living, dining, cooking, and sleeping purposes, and bathing and toilet facilities shall be properly maintained with insect screen doors or with solid wood doors, and self-closing devices on such doors shall be maintained to function properly.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 730. Sleeping Rooms

The sleeping rooms shall be provided for all occupants; provided, however, that where occupants furnish their own camping equipment, mobilehomes, or recreational vehicles, the operator shall provide an approved site, sanitary, utility and/or cooking facilities as required by this subchapter for the use of such occupants.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 732. Beds and Bedding

(a) Beds. Suitable and separate beds shall be maintained for all occupants. Such beds shall be made of steel, canvas or other material acceptable to the enforcement agency and shall be so constructed as to afford reasonable comfort to the occupants. Such beds shall be maintained in a clean and sanitary condition, but need not be maintained in an unoccupied labor camp.

(b) Bedding. An occupant, upon his or her request, shall be supplied with a mattress or some equally comfortable bedding for which a reasonable charge, deductible from wages, may be made. Such bedding shall be maintained in a clean and sanitary condition.

(c) Bed Separation.

(1) Every bed shall have a clear space of at least ten inches (25.4 centimeters) from the floor to the underside of the bed.

(2) A clear space of at least thirty inches (76.2 centimeters) extending from the floor to the ceiling or roof of any sleeping place shall be maintained horizontally between each bed therein.

(3) At least four feet (121.9 centimeters) of clear space shall be maintained horizontally between each set of double deck beds having one tier above the other.

(4) There shall be not more than two tiers of beds, one above the other. There shall be a clear vertical space of 30 inches (76.2 centimeters) maintained between the upper and lower bed.

(d) Bed Use. The beds located closer than required separations shall be maintained to be separated by a solid partition with a minimum of 10 inches (25.4 centimeters) clearance from the floor, 18 inches (45.7 centimeters) below the ceiling, and 24 inches (60.9 centimeters) above the topmost bed.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 734. Prohibited Room Use

Kitchens and mess halls shall not be used for sleeping purposes.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Subarticle 3. Kitchens and Mess Halls

§ 736. Community Kitchens

(a) Where occupants are permitted or required to cook for themselves, other than in a dwelling unit, mobilehome, or recreational vehicle with a separate kitchen, a separate room shall be maintained and equipped for use as a community kitchen.

(b) Refrigeration. Provision shall be made for safe storage of food. Refrigerated storage shall be provided which shall be capable of maintaining a temperature of 45 degrees F (7.2 degrees Celsius) or below.

(c) Dishware and utensils used for food service shall be permanently assigned to each occupant using the community kitchen and shall be disinfected in an approved manner prior to reassignment to another occupant.

(d) Sufficient shelving space shall be maintained and assigned each occupant, in or near the community kitchen, to store food supplies and utensils off the floor. Metal containers or other approved containers with tight fitting lids shall be maintained and provided for the storage of open bulk food supplies.

(e) The floors, walls, ceilings, tables, shelves, and countertops shall be maintained in a clean and sanitary condition. Floors, tables, drainboards, and countertops shall be maintained with cleanable materials impervious to moisture.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 738. Mess Halls and Mess Hall Kitchens

Mess halls, mess hall kitchen, and food handlers shall comply with the sanitation requirements of the California Health and Safety Code, Division 22, Chapter 11, California Restaurant Act, as applicable. A certificate of approval issued by the Local Health Department shall be required by the enforcement agency.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 740. Kitchens and Mess Hall Maintenance

(a) Utensils. All utensils and implements in which food is prepared or kept or from which food is to be eaten, shall be kept in a clean, unbroken and sanitary condition.

(b) Equipment. The floors, walls, ceilings, tables and shelves of all kitchens, dining rooms, refrigerators and food storage rooms shall be maintained in a clean and sanitary condition. Floors, tables, drainboards, and countertops shall be maintained with cleanable materials impervious to moisture.

(c) Shelves and Containers. Sufficient shelving shall be maintained in or near the kitchen or mess hall kitchen to store all food supplies at least six (6) inches (15.2 centimeters) above the floor. Metal or other approved containers with tight-fitting covers shall be provided for the storage of all opened or unopened bulk food supplies.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 742. Garbage, Waste and Rubbish Disposal

All garbage, kitchen waste and rubbish shall be deposited in approved covered receptacles which shall be emptied when filled and the contents shall be disposed of in a sanitary manner acceptable to the enforcement agency.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Subarticle 4. Fire Equipment and Hazards

§ 744. Fire Extinguishers and Fire Extinguishing Systems

Fire extinguishers shall comply with the requirements of the State Fire Marshal contained in Title 19, California Administrative Code.

(a) Mess Hall Kitchens. Approved Class B–C type fire extinguishers providing not less than 20 units of extinguishing capacity shall be maintained in each mess hall kitchen.

(b) Dormitories. Approved Class A type fire extinguishers providing not less than two units of extinguishing capacity shall be maintained for each 5,000 square feet (450 square meters) of floor area or portion thereof of any dormitory building.

(c) Equipment. All fire extinguishing systems and equipment shall be adequately maintained to insure their operability in an emergency.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 746. Fire Hazards

No article or material the enforcement agency determines may be dangerous or create a fire hazard, shall be maintained in or on the premises of a labor camp.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Subarticle 5. Plumbing Systems

§ 756. Use and Maintenance

Any existing plumbing system may have its use, maintenance and repair continued if the use, maintenance or repair is in accordance with the original design and location and no hazard to the public health, safety, or welfare has been created by such system.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 758. Safeguards

The plumbing system, all fixtures, equipment, devices and safeguards shall be clean and maintained in good working order.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 760. Toilet and Bathing Facilities

(a) An employee housing site first issued a permit to operate prior to February 22, 1973, shall provide one toilet and one bathing facility for every fifteen occupants of each sex.

(1) Each employee housing site shall consist of all accommodations used as specified in Health and Safety Code section 17008.

(2) When calculating this ratio, do not include the following:

(A) a living unit with built-in toilet and bathing facilities, which is occupied by a single family, and

(B) any sleeping area that is not in compliance with the requirements of subdivision (d).

(b) An employee site first issued a permit to operate on or after February 22, 1973, shall provide toilet and bathing facilities for each sex at a ratio not to exceed ten occupants for each toilet and each bathing facility.

(1) Each employee housing site shall consist of all accommodations used as specified in Health and Safety Code section 17008.

(2) When calculating this ratio, do not include the following:

(A) a living unit with built-in toilet and bathing facilities, which is occupied by a single family, and

(B) any sleeping area that is not in compliance with the requirements of subdivision (d).

(c) An enforcement agency may permit different types and ratios of toilet and bathing facilities in temporary and seasonal employee housing, when written approval for each specific type and ratio is provided by the local health officer. The written approval shall be based upon a finding that the type and ratio of toilet and bathing facilities are sufficient to process the anticipated volume of sewage and waste water, while maintaining sanitary conditions for the occupants of the employee housing.

(d) Toilet and bathing facilities that are counted toward the ratio, as required by subdivisions (a) or (b), shall be located as follows:

(1) Toilet and bathing facilities for temporary and seasonal employee housing, that are not connected to a permanent sewage disposal system, shall be located no closer than fifty (50) feet (15 meters), or more than two hundred (200) feet (61 meters) from sleeping, eating, and/or food preparation areas.

(2) Toilet and bathing facilities discharging to a permanent sewage disposal system shall be located no further than two hundred (200) feet (61 meters) from sleeping, eating, and/or food preparation areas.

(e) Shower wall areas shall be maintained in a cleanable, noncorrosive, and waterproof condition to a height not less than six (6) feet (1.8 meters) above the drain outlet.

(f) The floor of the shower compartment shall slope uniformly to the drain, and the joint around the drain outlet shall be maintained in a water-tight condition.

(g) If urinals are installed in a toilet room designated for men only, a single urinal shall substitute for no more than one of every three required toilets.

(h) The floor space to a point one (1) foot (.305 meters) in front of a urinal lip and the wall to a point four (4) feet (1.2 meters) above the floor and at least one (1) foot (.305 meters) to each side of the urinal shall be maintained in a cleanable, noncorrosive, and waterproof condition.

Note: Authority cited: Sections 17040(a) and 17050(a), Health and Safety Code. Reference: Sections 17021, 17040(a) and 17041(a), Health and Safety Code.

§ 762. Identification

Toilets and bathing facilities shall be identified clearly marked for "MEN" or "WOMEN." The use of the proper symbols will be permitted.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 764. Toilet and Bathing Separations

Existing toilet and bathing facilities shall be maintained in a separate room or building.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 766. Lavatories

(a) Prior Installations for Single Persons. Labor camps constructed, altered, or converted prior to February 22, 1973, which required one (1) lavatory for each thirty (30) occupants need not be changed. Where troughs were used, every twenty-four (24) inches (60.9 centimeters) of trough was considered equal to one (1) lavatory.

(b) Materials. The handwashing facilities shall be maintained and lined with waterproof material.

(c) Location. Lavatories shall be maintained adjacent to toilet facilities.

Note: Present Installations. Labor camps constructed, altered, or converted after February 22, 1973, shall provide at least one lavatory for each 10 occupants for each sex.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 768. Clothes Washing Machine

Clothes washing machines shall be maintained to drain either into a properly vented trap, into a laundry tub tailpiece with watertight connections, into an open standpipe receptor or over the rim of a laundry tub or waste water may be disposed of using a method approved by the local health department.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 770. Water Supply

(a) The water supply system shall be maintained to provide the capacity required at the time the system was installed.

(b) The distribution lines shall be maintained leak free and capable of supplying the normal operating pressure to all fixtures.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 772. Drinking Water

(a) Potability. Potable drinking water shall be maintained for all employees.

(b) Tests. A water sample from the camp's supply shall be collected by the local health department for examination and their approval prior to the initial operation of the camp each year, when any major repair to or alteration of the water supply system has been made, or when the purity of the water is questioned by the enforcement agency. Approval of the results of the test shall be a requirement of occupancy.

(c) Availability. All exterior water supply faucets shall be suitably and conveniently placed and drainage shall not be allowed to flow upon the ground or to contaminate the source of water supply.

(d) Storage. Tanks or other receptacles used for the storage of water shall be maintained in a clean and sanitary condition and shall be covered so as to prevent contamination.

(e) Drinking Cups. The use of a common drinking cup is prohibited.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17021 and 17040, Health and Safety Code.

§ 774. Back Siphonage

Any water closet or other plumbing fixture shall be maintained to prevent siphonage of water back into the water supply.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 784. Sewage Disposal System

The underground sewage disposal system shall be maintained covered to remain insect and rodent tight. Waste liquids shall not be permitted to surface or pond.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17021 and 17040, Health and Safety Code.

§ 786. Underground Sewage Tanks

Underground septic tanks shall be maintained to be safe and structurally sound.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17021 and 17040, Health and Safety Code.

§ 788. Trap and Vent Maintenance

Traps and vents shall be maintained in good working order and all connections shall be water tight.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 790. Drain Inlet Cap

Open drain piping connection inlets shall be capped when not in use.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 792. Sanitary Drain Connection

Drain lines from all buildings and other housing accommodations in a labor camp shall be maintained in good working order and the connections to the sewage disposal system shall be water tight.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Subarticle 6. Mechanical Systems

§ 800. Heat

In temporary and seasonal labor camps heating equipment is not required, except in shower rooms, unless it is found to be necessary in order to maintain a minimum mean temperature of seventy (70) degrees Fahrenheit (21.0Celsius) during the period of occupancy. Official weather reports should be used to determine temperatures in any area.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 802. Mechanical Use

Heating, ventilating, cooling and refrigeration systems and appliances installed may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location is not hazardous to life, health, and property.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 804. Maintenance

All mechanical equipment, devices, and safeguards shall be maintained in good working order.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 806. Location of Liquefied Petroleum Gas Tanks

(a) No tank or cylinder shall be maintained within an enclosed housing accommodation, nor within five (5) feet (1.5 meters) of a source of ignition, nor with the outlet less than five (5) feet (1.5 meters) away from any building opening which is below the level of such outlet.

(b) No tank or cylinder shall be maintained or stored beneath any shed, structure, mobilehome, recreational vehicle, commercial coach, or other housing accommodation in a labor camp.

(c) Tanks shall be maintained to be separated from the nearest building, structure, mobilehome, recreational vehicle, commercial coach or other housing accommodations with a minimum clearance of ten (10) feet (3 meters) for tanks with a capacity of 61 to 576 gallons (230.5 to 2177.2 liters) and twenty-five (25) feet (7.5 meters) minimum clearance for tanks with a capacity of 576 to 2000 gallons (2177.2 to 7560 liters).

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 808. Tank Protection

L.P. Gas tanks located adjacent to driveways and parking areas shall be maintained to prevent mechanical damage. **BOLLARD'S**

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 810. Warning Signs

No smoking warning sign(s) shall be maintained at all L.P. Gas tank locations.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 812. Tank Support

All L.P. Gas tanks shall be maintained on a firm pad or foundation.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 814. Prohibited Use of Connectors

Existing gas supply tubing and connectors shall be maintained and not extended through walls or partitions.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 816. Outlets to Be Capped

Gas supply outlets shall be maintained capped when not in use.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Subarticle 7. Heating Appliances

§ 818. Use of Fuel

All existing fuel burning appliances and equipment shall be maintained and approved by the enforcing agency for the type of fuel supplied.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 820. Unvented Heaters

No unvented fuel burning heater shall be permitted to be used in a labor camp.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 822. Prohibited Use

Gas hot plates, cook stoves and ranges shall not be used as room heaters in a labor camp.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 824. Appliance Installation Instructions

All heating and air conditioning equipment shall be maintained according to the manufacturer's installation instructions.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 826. Clearances for Existing Appliances Without Instructions

Clearances shall be maintained between the appliance and combustible materials as follows:

1. 36 inches (91.4 centimeters) for solid or liquid fuel fired Radiant Heaters, 12 inches (30.4 centimeters) for solid or liquid fuel fired circulating heaters, and six inches (15.2 centimeters) for gas fired circulating space heaters. Separations will be measured from the appliance jacket, sides, rear and from the single wall connector vent piping.

2. Space or room heaters burning gas, solid or liquid fuel when mounted on combustible flooring shall have at least four (4) inches (10.1 centimeters) of open space under the base of the appliance.

3. The combustible flooring under the appliance shall be protected with sheet metal of not less than 24 U.S. Gauge, extending six inches (15.2 centimeters) beyond the appliance on all sides, and where solid fuel is used shall extend not less than 18 inches (45.7 centimeters) at the front or side where the ashes are removed.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 828. Shut-Off Valve

All heating appliances supplied with gas or liquid fuel shall be maintained with a shut-off valve installed in the supply line immediately adjacent to the appliance.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 830. Clean Appliances

All heating and cooking appliances shall be clean and grease free. It is the employer/manager's responsibility to see that the appliances in dwelling units are clean and grease free before occupancy by a new tenant.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 832. Appliance Vent Installation

(a) Appliance vent piping shall be maintained, connected to the appliance hood collar or draft diverter and extended without openings through protective flashing to a point above the roof.

(b) Appliance vent piping shall be maintained to be secured at each joint, properly graded and adequately supported.

(c) Appliances shall be maintained to be properly vented and shall not be vented into a fireplace or into a chimney serving a fireplace.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 834. Water Heater Relief Valves

Water heaters equipped with pressure–temperature relief valves shall be maintained with metal piping installed, undiminished in size, extending from the valve outlet to a point outside of the building not more than two feet (60.9 centimeters) nor less than six inches (15.2 centimeters) above the ground and pointing downward.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 836. Appliance Compartments

(a) Fuel burning heating appliance compartments shall be maintained structurally sound, and provide adequate combustion air through screened openings.

(b) Heating appliance compartments shall be maintained in a clean condition and not used for storage.

(c) Heating appliance compartments outside of buildings shall be maintained to protect the appliance from the weather.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 838. Secured Appliances

All heating appliances shall be maintained rigidly secured in place.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Subarticle 8. Electrical Systems

§ 850. Electrical Systems Use

Electrical fixtures, equipment and other devices may have their existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health, or property.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 852. Safeguards

All electrical equipment, devices, and safeguards shall be maintained in good working order.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 854. Wiring Methods and Materials

Electrical materials, devices, appliances fittings and equipment maintained in labor camps shall be approved for the purpose and shall be maintained to be connected and secured in an approved manner when in service.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 858. Overcurrent Protection

(a) Electrical conductors shall be maintained and protected by means of fuses or circuit breakers rated at not more than the allowable capacity of the conductors.

(b) Tampering. Overcurrent protection shall not be altered or tampered with.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 860. Weather Proof

The service equipment which is not rain tight shall be maintained and protected from the weather

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 862. Vertical Clearances

The minimum vertical clearance to be maintained for open electrical conductors are as follows:

- (a) Above roofs—eight feet (2.4 meters).
- (b) Above walkways and at attachment point of buildings—10 feet (3.0 meters).
- (c) Above driveways and parking areas—15 feet (4.5 meters).

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 864. Conductors on Poles

Overhead electrical conductors located on poles and bracket supports shall be maintained and properly supported, secured, and routed to clear sharp objects, other conductors and tree branches.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 866. Grounding Fixed Equipment

Non-current carrying metal parts of fixed electrical equipment shall be maintained effectively grounded.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 868. Grounding of Cord Connected Equipment

Cord connected appliances, such as washing machines, dishwashers, garbage disposals, electrical system of gas ranges and furnaces and other equipment required to be grounded, shall be maintained to be grounded by means of an approved cord with a grounding conductor and a grounded type attachment plug.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 870. Grounded Convenience Outlet

Grounding type outlets located at the following locations shall be maintained in good working order:

- (a) Adjacent to fixed appliances.
- (b) For appliances located adjacent to lavatories, sinks, laundry tubs, or within reach of a grounded surface.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 872. Outlets in Habitable Rooms

At least one convenience outlet and one supplied electric light fixture shall be maintained in good working order in all habitable rooms.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 874. Lighting in Bath and Toilet Room

At least one supplied light fixture in good working order shall be maintained in all bathrooms and toilet rooms.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 878. Enclosed Light Fixture

The light fixtures located over a bathtub or in a shower compartment shall be maintained to be moisture proof and equipped with enclosure and enclosure gaskets in good condition.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 880. Shower Light Switch

The switch for shower lighting fixtures or an exhaust fan which have been located over a tub or in a shower compartment shall be maintained outside of the tub space or the shower compartment in a dry location.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 882. Range Hood Light

The light fixtures located in or under a range hood shall be maintained to be grease and moisture proof with enclosure and enclosure gaskets maintained in good condition.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 884. Pullchain Switch

A pullchain switch shall not be maintained in a damp location, and not over or within reach of a plumbing fixture, cookstove, range, furnace, and other grounded surfaces.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 886. Exposed Nonmetallic Sheathed Cable

Exposed nonmetallic sheathed cable shall be maintained to be protected from physical and mechanical damage by running boards, guard-strips or installed in conduit.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 888. Cable Clamps

All loose nonmetallic sheathed cable shall be maintained to be secured in place by staples and straps at intervals which will not exceed 4 1/2 feet (1.3 meters) and within 12 inches (30.4 centimeters) from every cabinet, box, or fitting.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 890. Outlet Boxes

All electrical conductors shall be maintained to terminate in an approved outlet box or a junction box rigidly secured to the building or structure.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 892. Covers

Open outlet boxes, fittings and enclosures shall be maintained with covers. Openings not in use will be closed.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 894. Extension Cords

Extension cords shall not be maintained as a connection to electric light fixture sockets in order to energize appliances.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

§ 896. Cord Wiring

Flexible cords shall not be maintained as a fixed wiring method or run through walls and partitions.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.

Subarticle 9. Use of Mobilehomes, Recreational Vehicles, Commercial Coaches, Mobilehome Accessory Buildings, Structures, Tents and Campgrounds

§ 900. Facilities

The facilities to accommodate tent campers, mobilehomes, recreational vehicles, and commercial coaches shall be maintained in conformance with the applicable requirements of Title 25, California Administrative Code, Part 1, Chapter 2, Subchapters 1 and 2.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17040 and 17041, Health and Safety Code.

§ 902. Installation Requirements

All mobilehomes in a labor camp shall be maintained in accordance with the provisions of Title 25, California Administrative Code, Part 1, Chapter 2, Subchapters 1 and 2, as applicable.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17040 and 17041, Health and Safety Code.

§ 904. Insignia and/or Label Required

The mobilehomes constructed prior to June 15, 1976, recreational vehicles, and commercial coaches provided by the employer shall bear an insignia of approval issued by the Department of Housing and Community Development. The mobilehomes constructed on or after June 15, 1976, shall bear a label indicating compliance to the Federal Mobilehome Construction and Safety Standards.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17040 and 17041, Health and Safety Code.

§ 908. Alterations and Conversions

All mobilehomes required to bear a department insignia of approval and/or a Federal label shall be maintained in compliance with Title 25, California Administrative Code, Chapter 3, Subchapters 1 and 2. Prior to making any alteration or conversion, a permit shall be obtained from the department.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17040 and 17041, Health and Safety Code.

§ 910. Tents

(a) The tents provided by the operator shall not be used to house occupants unless such tents are maintained with tight wooden floors raised at least four inches (10.1 centimeters) above the ground level and are equipped with baseboards on all sides to a height of at least six inches (15.2 centimeters) or maintained with concrete slabs with the finished surface at least four inches (10.1 centimeters) above grade and equipped with curbs on all sides at least six inches (15.2 centimeters) high.

(b) A tent shall not be considered a suitable sleeping place when it is found necessary to provide heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit (10 degrees Celsius) within such tent during the period of occupancy.

Note: Authority cited: Sections 17040, 17041 and 17050, Health and Safety Code. Reference: Sections 17040 and 17041, Health and Safety Code.

Article 7. Actions and Proceedings

§ 920. Actions and Proceedings

(a) Actions and proceedings of this subchapter shall be in accordance with Chapters 5 and 6 (commencing with Section 17050) of the Health and Safety Code.

(b) The enforcement agency may revoke without additional hearing the permit to operate or exemption of a laborcamp whenever any judgment is rendered against the operator thereof concerning the operation of the labor camp.

(c) The enforcement agency may revoke without additional hearing the exemption of employee community housing whenever any judgment is rendered against the owner or operator thereof for not maintaining or operating such employee community housing in substantial compliance with relevant portions of these regulations.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17040, 17051, 17060.5 and 17061, Health and Safety Code.

§ 922. Permit or Exemption Suspension

If any labor camp or employee community housing is not in substantial compliance with relevant use, occupancy, or maintenance provisions of the Employee Housing Act, this subchapter, or the conditions of the permit to operate, or exemption, the permit to operate or exemption may be suspended by the enforcement agency pursuant to the procedures in this article.

Note: Authority cited: Sections 17003.5 and 17036, Health and Safety Code. Reference: Section 17036, Health and Safety Code.

§ 923. Authority to Serve Notices

Authority to serve notices required by this subchapter is provided in Section 17051 of the Health and Safety Code.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Section 17051, Health and Safety Code.

§ 924. Notice

The enforcement agency shall issue and serve upon the permittee or exemptee a notice setting forth in what respects the provisions of the Health and Safety Code, this subchapter or the conditions of the permit to operate or exemption have been violated, and shall notify him that unless these provisions have been complied with within five days, or within such longer period of time, not to exceed 30 days, which may be allowed by the enforcement agency from the date of notice, the permit to operate or exemption shall be suspended.

Note: Authority cited: Sections 17003.5 and 17036, Health and Safety Code. Reference: Sections 17036, 17051 and 17060, Health and Safety Code.

§ 926. Service

The notice shall be served by posting at least one copy in a conspicuous place on the premises described in said permit or exemption, and by sending another copy by certified mail, postage prepaid, return receipt requested, to the person to whom the permit or exemption was issued at the permittee's or exemptee's address of record, or as otherwise designated on the permit or exemption. The notice may also be served by personal service at the discretion of the enforcement agency.

Note: Authority cited: Sections 17003.5 and 17036, Health and Safety Code. Reference: Sections 17036 and 17051, Health and Safety Code.

§ 928. Appeal

Any permittee or exemptee receiving a notice of suspension or revocation may request a hearing on the matter. The permittee or exemptee shall file a written petition with the enforcement agency within 10 days of the posting or service of such notice requesting such hearing and setting forth a brief statement of the grounds therefor.

Note: Authority cited: Sections 17003.5 and 17036, Health and Safety Code. Reference: Sections 17036 and 17051, Health and Safety Code.

§ 930. Hearing

(a) Upon receipt of such petition, the enforcement agency within 10 days shall set a time and place for such hearing and shall give the petitioner a written notice thereof. The hearing shall be no less than 10 days or more than 20 days from service of this notice. At such hearing the petitioner shall be given the opportunity to show cause, if any, why the permit to operate or exemption should not be suspended or revoked.

(b) After such hearing the enforcement agency shall sustain, modify or withdraw the notice, depending upon its findings as to whether the applicable provisions of the Health and Safety Code and these regulations have been complied with. The enforcement agency shall keep a complete and exact record of all such hearings and shall furnish a copy thereof to the Department of Housing and Community Development.

(c) If the requirements of the notice have not been complied with on or before the expiration of the time permitted or allowed by the enforcement agency after posting or service of the notice, or a decision adverse to the operator has been issued as a result of the hearing, the enforcement agency shall suspend or revoke, as appropriate, the permit or exemption, or may extend the time allowed for compliance not to exceed an additional 30 days.

Note: Authority cited: Sections 17003.5, 17036 and 17050, Health and Safety Code. Reference: Sections 17036, 17050 and 17051, Health and Safety Code.

§ 932. Reinstatement

(a) Prior to obtaining a new permit to operate or exemption, any person whose permit to operate or exemption has been suspended or revoked shall comply with all of the requirements of this subchapter.

(b) Any person operating a labor camp or employee community housing without a permit or exemption after suspension or revocation of the permit to operate or exemption shall be subject to prosecution for violation of Chapter 1, Part 1, Division 13 of the Health and Safety Code.

Note: Authority cited: Sections 17003.5 and 17036, Health and Safety Code. Reference: Section 17036, Health and Safety Code.

Article 8. Penalties

§ 940. Penalties

Any violation of the provisions of this subchapter shall be considered a violation of the provisions of the Employee Housing Act subject to the penalties set forth in Section 17060, 17061 or 17061.5 of the Health and Safety Code.

Note: Authority cited: Sections 17003.5 and 17036, Health and Safety Code. Reference: Sections 17036, 17060, 17061 and 17061.5, Health and Safety Code.