

### **15A NCAC 18A .3603 PERMITS**

(a) No person shall operate a resident camp within the State of North Carolina who does not possess a valid permit from the Department except that residential therapeutic (habilitative) camps and children's foster care camps licensed by the Department of Health and Human Services, Division of Health Service Regulation are not required to obtain permits. No permit to operate shall be issued until an evaluation by the Department or its authorized agent shows that the resident camp complies with the requirements of this Section.

(b) Resident camps that operate six months or less per calendar year and do not offer activities, programs, services or food to the public for pay during the remaining six months shall obtain a seasonal permit for each operating season as follows:

- (1) Camps must submit in writing information for a seasonal permit including the name of the camp, the name of the camp owner or responsible person, the physical and billing addresses of the camp, the planned dates of operation, the capacity of the camp including campers and staff, at least 45 days prior to the scheduled opening session. The seasonal permit shall include the dates of operation and shall expire six months from the date of issuance. For non-community water systems regulated under 15A NCAC 18A .1700, the local health department shall conduct a pre-opening evaluation at least 30 days prior to the scheduled opening day of camp to verify the water system is in compliance with Rule .3609 of this Section. If the local health department is unable to meet this requirement, it shall notify the camp and the camp shall submit a water sample to a lab certified by the North Carolina State Laboratory of Public Health to meet this requirement. Community water systems regulated under 15A NCAC 18C are not required to meet this sampling requirement.
- (2) Prior to opening, resident camps shall provide to the local health department written documentation that:
  - (A) the equipment needed to maintain required food temperatures is operational, clean and sanitized as required;
  - (B) all other equipment and utensils are operational, clean and sanitized as required by the rules in this Section;
  - (C) dishmachines, if any, are clean and operating properly; and
  - (D) kitchen and lodging facilities are in good repair, clean and free of vermin.

(c) Upon transfer of ownership of an existing resident camp, the Department shall evaluate the facility to determine compliance with this Section. The Department shall issue a permit if the resident camp satisfies all the requirements of this Section. If the Department determines that noncompliant items are construction or equipment problems that do not represent an immediate threat to the public health, a transitional permit shall be issued. The transitional permit shall expire 180 days after the date of issuance, unless suspended or revoked before that date, and shall not be renewed. Upon expiration of the transitional permit, the owner or operator shall have corrected the noncompliant items and obtained a permit, or the resident camp shall not continue to operate.

(d) The Department may impose conditions on the issuance of a permit or transitional permit. Conditions may be specified for one or more of the following areas:

- (1) number of persons served;
- (2) categories of food served;
- (3) time schedules in completing minor construction items;
- (4) modification or maintenance of water supplies, water use fixtures and sanitary sewage systems;
- (5) use of facilities for more than one purpose;
- (6) continuation of contractual arrangements upon which basis the permit was issued;
- (7) submission and approval of plans for renovation; or
- (8) other conditions necessary for the resident camp to remain in compliance with this Section.

(e) A permit or transitional permit may be suspended or revoked in accordance with G.S. 130A-23. A new permit to operate shall be issued only after the resident camp has been reinspected by the Department and found to comply with this Section. This reinspection shall be conducted within a reasonable length of time, not to exceed 30 days, after the operator makes the request.

*History Note:* Authority G.S. 130A-23; 130A-235; 130A-248;

*Eff. October 1, 2007;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*