ARKANSAS REGISTER

Transmittal Sheet

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For Office Use Only:

Effective Date _____ Code Number _____

Name of Agency Board of Health

Department Department of Health/Environmental Health

Contact Terry Paul E-mail jpaul@arkansas.gov Phone 501-661-2171

Statutory Authority for Promulgating Rules Ark. Code. Ann. § 20-7-109

Rule Title: Rules and Regulations Pertaining to Recreational Lots

Intended Effective Date
(Check One)

- ☐ Emergency (ACA 25-15-204)
- ☒ 30 Days After Filing (ACA 25-15-204)
- ☐ Other _____ **(Must be more than 30 days after filing date.)**

	Date
Legal Notice Published	8/22/2011
Final Date for Public Comment	10/4/2011
Reviewed by Legislative Council	12/14/2012
Adopted by State Agency	1/26/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Robert Brech	robert.brech@arkansas.gov	05/22/2012
Contact Person	**E-mail Address**	**Date**

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature

501-661-2252 rick.hogan@arkansas.gov
Phone Number **E-mail Address**

General Counsel
Title

5/22/2012
Date

RULES AND REGULATIONS PERTAINING TO RECREATIONAL LOTS

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SECTION I. AUTHORITY.

The following Rules and Regulations Pertaining to Recreational Lots are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the laws of the State of Arkansas including, without limitation, Act 96 of 1913 as Amended (Ark. Code. Ann. § 20-7-109).

SECTION II. PURPOSE.

The purpose of these Rules and Regulations is to provide requirements for the proper provision and approved design of facilities for potable water, sewage disposal and solid waste collection in recreational lots and lot developments.

SECTION III. DEFINITIONS.

The following terms are defined for the purpose of these regulations.

A. Developer. Any corporation, individual or persons selling, transferring or conveying three or more parcels of land in a contiguous manner for use as recreational lots.

B. Recreational Lot. Any lot designated for recreational purposes which does not have an approved individual potable water supply or sewage disposal system.

C. Recreational Vehicle. A portable temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

D. Sanitary Station. A facility used for removing and disposing of wastes from trailer holding tanks.

E. Service Building. A structure housing toilet, lavatory and such other facilities as are necessary to adequately serve the occupants.

F. Travel Trailer. A vehicle used and so constructed as to permit its being used as a conveyance upon public streets or highways and duly licensable as such, constructed in such a manner as will permit occupancy thereof as a temporary or seasonal dwelling.

G. Tent. A shelter made of flexible material erected directly on the ground or on a stationary platform.

H. Tent Trailer. A vehicle less than twenty (20) feet in length with an expandable enclosure of canvas, fabric or metal, constructed in such a manner that temporary facilities for sleeping or dwelling are provided.

I. Truck Camper. Any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and duly licensable as such, constructed in such a manner that temporary facilities for dwelling or sleeping are provided upon the frame or bed of such vehicle. Such facilities may be either permanently or temporarily attached.

J. Watering Station. A facility for supplying water storage tanks with potable water.

SECTION IV. COMPLIANCE.

Any parcel of land in which three or more spaces, lots, or parcels are developed or intended for use by a recreational vehicle, travel trailer, truck camper, tent trailer, or tent occupancy, shall be in compliance with these Regulations.

The developer of the lots shall be responsible for compliance with these Regulations.

SECTION V. SEWAGE DISPOSAL.

An adequate and safe sewerage system approved by the Arkansas Department of Health shall be provided in all recreational lot developments for conveying and disposing of all sewage. All sewage shall be disposed of in a public sewage system where one is accessible within 300 feet.

A. Sanitary Station.

1. A sanitary station shall be provided in the ratio of one for every 100 recreational lots or fractional part thereof.

2. Sanitary stations shall be screened from other activities by visual barriers such as fences, walls or natural growth and shall be separated from any recreational lot by a distance of at least 50 feet.

SERVICE VI. SERVICE BUILDING.

A. Required permanent sanitary facilities for recreational lots

1. A service building containing the necessary toilet and other plumbing fixtures specified in Table 1 shall be provided. Service buildings shall be conveniently located within 300 feet to the spaces served.

TABLE 1

No. of Rec. Lots	Toilets		Urinals	Labvatories		Showers	
	Men	Women	Men	Men	Women	Men	Women

3-20	1	1	1	1	1	1	1
21-40	1	2	1	2	2	1	1
41-80	2	2	1	3	3	2	2
81-100	2	3	2	3	3	2	2

2. For developments having more than 100 recreational lots there shall be provided: 1 additional toilet and lavatory for each sex per each additional 30 lots; 1 additional shower for each sex per each additional 40 lots; and 1 additional men's urinal for each additional 100 lots.

SECTION VII. WATER SUPPLY.

A. Quality and Source. An adequate supply of water under pressure which meets the bacteriological, chemical and physical requirements of the Rules and Regulations Pertaining to Public Water Systems shall be provided.

B. Watering Stations. One or more easily accessible water supply outlets for filling water storage tanks shall be provided. Such water supply outlets shall consist of at least a water hydrant and the necessary appurtenances and shall be protected against the hazards of backflow and back siphonage.

SECTION VIII. PLUMBING.

All plumbing shall conform to the current Arkansas State Plumbing Code.

SECTION IX. REFUSE DISPOSAL.

Refuse and/or solid waste containers shall be provided in adequate numbers within one hundred (100) feet of each recreational lot and shall be animal and insect proof. Garbage shall be collected and disposed of a minimum of once weekly and more often if needed. The area around the refuse containers shall be kept clean.

SECTION X. PLAN REVIEW.

The developer must submit properly prepared plans and specifications to the Arkansas Department of Health for approval of sewage disposal and solid waste facilities, and the ultimate maintenance of said facilities, before any lots are sold or construction is begun. A plan review fee of $15.00 for the first lot and $2.50 for each additional lot must be submitted with the plans and specifications.

SECTION XI. PENALTIES.

Every person, firm, or corporation violating any of the provisions of this act, or any of the orders, rules or regulations made and promulgated in pursuance hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00), or by imprisonment not exceeding one (1) month, or both and each day of violation shall constitute a separate offense.

~~Section XII. CERTIFICATION~~

~~This will certify that the foregoing Rules and Regulations Pertaining to Recreational Lots were adopted by the Arkansas State Board of Health at a regular session of the Board held in Fayetteville, Arkansas on the 25th day of October, 1990.~~

~~(signed)~~

~~M. Joycelyn Elders, M.D., Director~~

~~Arkansas Department of Health~~

~~The following & Rules and Regulations have been filed in my office and are hereby adopted on the 27th day of November, 1990.~~

~~(signed)~~

~~Bill Clinton~~

~~Governor~~

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Departments of Health

DIVISION Environmental Health

PERSON COMPLETING THIS STATEMENT J. Terry Paul, R.S

TELEPHONE NO. 501-661-2171 **FAX NO.** 501-661-2572 **EMAIL:** jpaul@arkansas.gov

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Rules and Regulations Pertaining to Recreational Lots

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒

2. Does this proposed, amended, or repealed rule affect small businesses? Yes ☐ No ☒
   If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year		**Next Fiscal Year**	
General Revenue		General Revenue	
Federal Funds		Federal Funds	
Cash Funds		Cash Funds	
Special Revenue		Special Revenue	
Other (Identify)		Other (Identify)	
Total		Total	

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected.

Current Fiscal Year $ _____ **Next Fiscal Year** $ _____

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year $ _____ **Next Fiscal Year** $ _____