

ARTICLE V. LODGING ESTABLISHMENT REGULATIONS*

Sec. 58-200. Purpose of rules for lodging establishments.

The purpose of these rules is to establish minimum health standards for the construction, operation and maintenance of a lodging establishment within the corporate limits of the city. (2001 Code, sec. 58-200; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Clean. Free from dirt, impurities or multiple stains; hygienic conditions and practices that serve to promote or preserve health.

Contagious disease. A diagnosis of an illness due to Norovirus; hepatitis A virus, Salmonella typhi; Shigella spp, shiga toxin-producing Escherichia coli; or similar organism clinically suspected to cause symptoms of vomiting, diarrhea, jaundice or sore throat with fever and considered transmissible.

Continual, continued, or repeat violation. A particular condition of construction, operation, or maintenance which is found in violation of these rules on three or more consecutive inspections or laboratory analyses within a 12-month period.

Easily cleanable. Surfaces which are readily accessible and made of such materials and finishes and so fabricated that residue may be effectively removed by normal cleaning methods.

Equipment. Any items used in connection with the operation of a lodging establishment including, but not limited to, any washer, dryer, ice machine, fans, air conditioning units, heaters, refrigerators, or cooking units.

Excessive. More than a usual, multiple or an unreasonable number.

Extended stay. Guests that stay for a week or longer in length.

Fixtures. Any sinks, bathtubs, showers, toilet fixtures, or any other such items used in connection with the operation of a lodging establishment.

Furnishings. Any bedding, furniture, lamps, or any such items used in connection with the operation of a lodging establishment.

Guest. Any person who rents and occupies a guest room in a lodging establishment.

Guest room. Any room or unit where sleeping accommodations are regularly offered to the public.

Imminent health hazard. A situation that is likely to cause an immediate threat to human life, an immediate threat of serious physical injury, immediate threat of serious adverse health effects, or a serious risk of irreparable damage to the environment if immediate action is not taken.

Inspect or inspection. An examination by the director of health or his designee of the lodging establishment structure, facilities, equipment, and operations. The inspection area shall include, but not be limited to, the public and guest rooms; fixtures; furnishings; equipment and utensils; water supply and waste disposal facilities; and the buildings' surroundings. The term "inspect" or "inspection" shall also include a determination of the cleanliness and maintenance of the building, furnishings fixtures, equipment and utensils, and any other examination necessary to determine the degree to which any lodging establishment complies with the provisions of these rules. Inspections are performed on a routine schedule or as a result of a complaint.

Kitchenettes. A small kitchen with refrigeration, vented cooking range, dishwashing sinks and cooking utensil storage.

Law. All federal, state, and local statutes, ordinances, and/or rules.

Linens. The fitted sheets, top sheets, and pillows, excluding coverlets and comforters.

Lodging establishment. Any building, group of buildings, structure, facility, place, or places of business where two or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire. The term "lodging establishment" can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, bed and breakfast, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests. The term "lodging establishment" does not include duplexes, quadriplexes, dormitories, and apartment complexes.

Manager or operator. The owner's agent or representative, who is directly responsible for operation of the lodging establishment.

Nuisance. Any condition as defined in Texas Health and Safety Code sec. 341.011.

Numerical score. The score determined by deducting the values of all items found in violation from 100.

Owner. A person who holds legal possession or ownership of a total or partial interest in the structure or property on which exists a lodging establishment.

Regulatory authority. The director of the Wichita Falls-Wichita County Public Health District or his designee.

Rules shall mean city and county ordinances or state statutes.

Sanitary. Free from harmful elements, including pathogens that endanger public health.

Sanitize. The effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemical for sufficient time to reduce the bacterial count, including pathogens, to a safe level on cleaned surfaces.

Sealed. Free of multiple cracks or other openings that permit the entry or passage of excessive moisture that causes water damage to the property.

Single service articles or utensils. Cups, containers, ice bucket liners, stirrers, paddles, straws, napkins, doilies, wrapping materials and similar articles intended for one time use and then discarded.

(2001 Code, sec. 58-201; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-202. Records required; retention.

It shall be the duty of the regulatory authority to provide inspection records for review. Records shall be kept for a minimum of five years and shall be available for review according to the Public Information Act. (2001 Code, sec. 58-202; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-203. Permit required; posting.

A person may not operate a lodging establishment without a permit issued by the regulatory authority. Permits are not transferable from one person to another or from one location to another location, except as otherwise permitted by these rules. A valid permit must be conspicuously displayed in view of the guests within a common lobby area at all lodging establishments. (2001 Code, sec. 58-203; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-204. Application; renewal.

(a) Any person desiring a lodging establishment permit must make a written application for a permit on forms provided by the regulatory authority. The application must contain the following:

- (1) Name.
- (2) Address.
- (3) Phone number.
- (4) Emergency contacts for each applicant.
- (5) Physical location.
- (6) Billing information and the applicable fee.

(b) An incomplete application will not be accepted. Failure to complete required information or falsifying information required may result in denial or revocation of the permit. Renewal of the permit is required on an annual basis and is the responsibility of the owner and manager of the lodging establishment both jointly and separately. The same information is required for a renewal permit as for an initial permit. New and existing lodging establishments shall be in compliance with this article to be issued a permit.

(2001 Code, sec. 58-204; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-205. Inspections.

(a) Prior to the approval of an initial permit for lodging establishments or the renewal of an existing

permit, the regulatory authority shall inspect the lodging establishment to determine compliance with these rules.

- (b) A lodging establishment that does not comply with these rules will not be granted a permit to operate.
- (c) The regulatory authority is authorized to conduct inspections, at intervals determined by the regulatory authority, to ensure compliance with all provisions of this article.
- (d) The lodging establishment must achieve at minimum a numerical score of 70 to pass an inspection. Demerits will be equally weighted at two points each and multiple violations of the same deficiency shall constitute one violation on the inspection form. The numerical score shall be computed by subtracting the number of demerits from 100.
- (e) If a lodging establishment receives a numerical score of 70 or below, there must be immediate corrective actions taken to correct deficiencies to raise the numerical score above a 70 within the following 24-hour period to avoid possible closure.
- (f) Inspections will be conducted during normal business hours unless there is a report of a contagious disease or complaint that presents an imminent threat to public health and safety. The regulatory authority shall have the right to enter at any hour upon the premises where a lodging establishment is located as deemed necessary by the director of health.
- (g) Occupied rooms may be inspected whenever there is a reasonable risk of a health hazard or imminent threat to the structure that if uncorrected would adversely affect adjoining rooms.
- (h) The regulatory authority shall have the authority to collect samples for laboratory analysis.
- (i) It shall be a violation to refuse or obstruct the regulatory authority or designee from conducting inspections.

(2001 Code, sec. 58-205; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-206. Compliance required; term; fee.

Only persons and entities that comply with the requirements of these rules shall be entitled to receive and retain a permit required by this article. Permits to operate a lodging establishment expire one year after issuance, unless revoked or suspended for noncompliance. All lodging establishments must comply with provisions of this rule upon 30 days from passage, excluding procurement of permits which will be required on January 1, 2007. The permit fee will be paid annually to the regulatory authority. All lodging establishments shall have a minimum of 75 percent of their guest rooms in a condition that meet the requirements of this subdivision in order to retain a permit to operate the lodging establishment. Fees shall be as established by separate ordinance. (2001 Code, sec. 58-206; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-207. Safety and sanitation standards.

All lodging establishments shall be maintained to meet the following requirements:

- (1) Lodging establishment grounds shall be free of excessive litter and have garbage properly stored in covered containers with tight fitting lids and be free of any collection of items that could harbor rodents, cockroaches or mosquitoes and:
 - a. Shall have all walking and driving surfaces of the immediate exterior areas surfaced with concrete or asphalt, or other approved material to minimize dust.

- b. There shall be no conditions that constitute a public health nuisance as set forth by the state.
 - c. Non-essential articles, items, or equipment that cause a public nuisance or harbors roaches, rodents or other vectors shall be removed.
 - d. Outside garbage containers shall be cleaned at least monthly or as needed to prevent a nuisance or odor. Liquid waste resulting from cleaning the containers shall be disposed in a manner that does not create a nuisance.
 - e. Animals shall be excluded from the laundry, linen storage, utensil washing, food service, single-service storage and ice machine areas except as provided by law.
- (2) Lodging establishments shall be sealed and free of leaks and excessive water damage or mold. Construction surfaces shall be easily cleanable in good physical condition and with carpets and curtains in clean condition and free of excessive stains. Further requirements are as follows:
- a. Furnishings shall be maintained in good condition and clean. Items with excessive wear, tears, or stains shall be replaced.
 - b. Each unit shall have trash removed, be vacuumed, and have smooth surfaces sanitized after each occupancy.
 - c. Glasses, pitchers, ice buckets, and eating and cooking utensils in the kitchenettes shall be cleaned and sanitized after each occupancy.
 - d. All rooms and bedding shall be free from an accumulation or infestation of insects or ectoparasites. If a room becomes infested with insects of any type, the room shall not be occupied until the infestation is controlled.
 - e. Soap shall be provided with a dispensed liquid or with new, individually wrapped bar soap. Used bar soap shall be removed from the rooms when the guest ends the occupancy. Other toiletries provided by the lodging establishment which are opened by the guest shall be removed when the guest ends the occupancy. Used soap and toiletries shall be discarded and shall not be used for any other purpose.
 - f. A dispensed liquid soap shall be provided in all common and public bathrooms and toilets.
 - g. Single service articles shall be replaced after each occupancy or when visibly damaged or the possibility of contamination exists.
 - h. All toxic and hazardous substances shall be properly labeled with the common name of the content and appropriately stored to prevent contamination.
- (3) Lodging establishments providing ice shall only produce ice from potable water and such shall be handled in a sanitary manner, including that:
- a. Ice shall be free from visible trash and sediment.
 - b. Ice shall not be made or stored in an owner's or manager's private refrigerator and/or private living

areas.

- c. Ice that is not produced at the lodging establishment shall be obtained from an approved source, shall be properly labeled and protected from contamination during transportation and storage.
- d. Ice machines shall be of sanitary, durable, corrosion-resistant, and easily cleanable construction.
- e. Ice machines shall be kept sanitized and in good repair.
- f. Ice storage bins shall be drained into an approved sewage system and must have a physical air gap.
- g. When replacement of a self-service ice machine becomes necessary or additional machines are added, an automatic self-serve ice dispensing machine shall be installed.
- h. Ice machines shall be located in a place which provides protection from the elements and possible sources of contamination. Exterior storage spaces shall provide, at a minimum, overhead protection. The area shall be kept clean and shall be free of accumulation of excessive moisture, drippage, or trash.
- i. Vending and ice machines shall be sanitized; with an ice scoop available and installed with a drain that includes a physical air gap to prevent back-siphonage. All ice machines with storage bins shall be equipped with an ice scoop that is attached to the ice bin with a tether of easily cleanable material. The tether shall be of such a length to prevent the scoop from touching the ground and maintained in a clean and sanitary condition.
- j. All lodging establishments with customer service ice machines in common areas prior to the adoption of these rules shall have automatic self-service ice dispensing machines upon replacement. This requirement excludes kitchenettes and icemakers in refrigerators.

(4) All linens, towels, and laundry shall be provided in a clean sanitary condition without excessive stains or damage. In addition, the following are required:

- a. During laundering, clean linens, towels, and laundry shall be kept in separate carts and stored away from soiled linens, towels, and laundry.
- b. Linens shall be protected from dust, dirt, vermin, or other contamination at all times.
- c. Linens shall be changed to clean linens after each occupancy in preparation for a different occupancy.

(5) Lodging establishments with non-guest laundry facilities shall be restricted to the washing and drying of linens, towels, uniforms, and aprons necessary to the operation of the lodging establishment. In addition, the following are required:

- a. If such items are laundered on the premises, a commercial washing machine and dryer shall be provided and used in accordance with subsection (5)c of this section.
- b. Dryers shall be installed according to manufacturer's instructions.

- c. All lodging establishments with on premise laundries prior to adoption of these rules shall have commercial washing machines and dryers within one year after the date of the adoption of this article.
 - d. Laundry facilities shall be separated from any other permanent living quarters by complete partitioning and solid self-closing doors.
 - e. Traffic through or use by guests of the non-guest laundry facility is prohibited.
- (6) Should separate laundry facilities be provided for the use of the lodging establishment guests, these shall be located in a different room or area of the lodging establishment than those provided for commercial laundry purposes. These facilities shall be clean and maintained in good repair.
- (7) Fire safety of lodging establishments shall be the responsibility of the manager/operator and be in accordance with the applicable code and/or ordinance. In addition, the following are required:
- a. Lodging establishments shall have proper fire extinguishers available, fully charged, and have current inspections as required by current City Code.
 - b. Portable outside cooking grills of any type shall be no closer than ten feet from any enclosed or combustible structure.
 - c. Only professionally installed and inspected cooking ranges with approved venting for kitchenettes shall be allowed in lodging establishments.
 - d. Individual rooms may have a microwave oven and/or a coffee/tea maker; kitchenettes are exempt from this limitation.
 - e. Corded cooking or heating devices such as portable hot plates or crockpots shall not be allowed in rooms. The operator shall either post signs; state this policy verbally; provide in writing during check-in procedures; or provide this information within the guest services book within each guest room to comply with this section.
 - f. Storage and equipment rooms must be organized with all flammables properly labeled with common names.
 - g. Rooms where fuel burning appliances are used shall be properly vented in accordance with the manufacturers' specifications, and carbon monoxide monitors shall be provided in these rooms.
 - h. Rooms shall have and maintain, in operating condition, an approved battery or electrically operated smoke detector device in each guest room. Owners and operators shall be required to test each smoke detector at a minimum of two times each calendar year to determine if each detector is in working order. Records of the testing shall be maintained and provided to the public health inspector upon request.
 - i. Emergency phone numbers including 911, fire, police, and first aid equipment must be available at the front desk.
 - j. Records shall be kept of all accidents or injuries of guests and employees that occur on the

premises of a lodging establishment.

(8) Should swimming pools, spas, and similar facilities be installed, they shall be constructed and maintained in accordance with the applicable code. Swimming pool water shall only be disposed of into an approved sanitary sewer.

(9) Insect and rodent control, in all lodging establishments, shall be kept in such a condition as to prevent the harborage or feeding of insects or rodents. Windows shall be screened and be in good condition without cracks or missing seals and shall be in good working order. Screening material shall be 16 mesh to the inch. Rooms with infestations of insects or rodents shall be subject to closure until treatment has been deemed effective by the regulatory authority. A licensed exterminator company shall provide routine treatment of a lodging establishments, and receipts shall be kept on file.

(10) Lodging establishments shall, in general, be kept in a clean and sanitary condition, in good repair, and be maintained and operated with strict regard to health and safety of the transient or permanent guest. Extended stay guests at all lodging establishments shall be moved to a new room after seven days to allow cleaning and sanitization of the guest room and bathroom if maid service is not provided at a minimum of once per week or facility repairs are necessary to adhere to these rules.

(11) Records shall be kept for a period of no less than 90 days of the cleaning frequency of rooms that are used for extended guests stays; noting last cleaning performed and any room damage or repairs.

(2001 Code, sec. 58-207; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-208. Potable drinking water approved source.

(a) An adequate, accessible supply of potable drinking water approved by the Texas Commission on Environmental Quality shall be provided at all lodging establishments.

(b) Water under pressure at the required temperatures shall be provided to all fixtures and equipment that use water.

(c) Water from a source other than a public water supply shall not be used until the department or other state regulatory authority has approved it.

(2001 Code, sec. 58-208; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-209. Approved sewage.

(a) Sewage and wastewater treatment and disposal shall be accomplished in a manner so as to not create a health hazard, pollute or contaminate groundwater, or create a nuisance. This includes draining swimming pool water and while performing plumbing repairs of any kind.

(b) Sewage and wastewater treatment systems with a discharge shall be installed and maintained in compliance with the state laws and local ordinances.

(2001 Code, sec. 58-209; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-210. Personnel.

(a) No employee of a lodging establishment, while infected with a contagious disease that can be

transmitted to other employees or the guests, or who is a carrier of organisms that cause such a disease, or who is affected with a boil, an infected wound or acute respiratory infection, shall work in a lodging establishment in any capacity in which there is a likelihood of such an employee contaminating ice, clean linens, or single service articles with pathogenic organisms or transmitting the disease to other persons.

(b) Employees working with and handling single service items, such as clean laundry, ice or beverages, or performing tasks that would contaminate their hands shall thoroughly wash their hands and exposed areas of their arms before starting work, after smoking, eating or using the toilet. Employees shall keep their fingernails trimmed evenly and clean.

(c) Employees involved in guest services and housekeeping functions shall wear clean clothing, which is in good repair. When performing cleaning functions that could bring the employee into contact with guest's bodily fluids, the employee shall be provided protective gloves for optional use.

(2001 Code, sec. 58-210; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-211. Procedures when infection is suspected.

(a) When the regulatory authority has reasonable cause to suspect possible contagious disease transmission by an employee of a lodging establishment, it shall immediately secure a medical history of the suspected employee, make other investigations as necessary, and notify the state epidemiologist. The regulatory authority may require any or all of the following measures and any other measures, which is deemed necessary for the protection of the public health:

(1) The immediate exclusion of the employee from employment in lodging establishments.

(2) The immediate closure of the lodging establishment concerned until, in the opinion of the regulatory authority, no further danger of disease outbreak exists. Immediate suspension initiated without a hearing shall only occur upon personal order of the director of the Wichita Falls-Wichita County Public Health District.

(3) The restriction of the employee's services to specific areas of the lodging establishment operations where there would be no danger of transmitting disease.

(4) Adequate medical and laboratory examination of the employee and other lodging establishment employees including collection of appropriate medical specimens.

(b) When the regulatory authority has reasonable cause to suspect possible contagious disease transmission by a guest of a lodging establishment, the guest room shall not be occupied again until the regulatory authority has given its approval. The lodging establishment manager shall follow the regulatory authorities' instructions with respect to required cleaning and disinfection of the guest room, bathroom, furnishings, and equipment or the temporary removal of furnishings and equipment.

(c) The regulatory authority may require the immediate closure of any lodging establishment or any portion of a lodging establishment, after proper notice has been given, if just cause to suspect the possibility of transmission of disease or other public health hazard will result from the operation of the

lodging establishment or a particular portion of the lodging establishment. Immediate suspension initiated without a hearing shall only occur upon order of the director of the Wichita Falls-Wichita County Public Health District.

(2001 Code, sec. 58-211; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-212. Poisonous or toxic chemical materials.

(a) There shall be present in lodging establishments only those poisonous or toxic chemical materials necessary for maintaining and cleaning the premises, maintaining the landscaped ground, maintaining the swimming pools/spas, washing linens and towels, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.

(b) All containers of chemical materials shall be prominently and distinctly labeled for easy identification and use of the contents.

(c) All chemical materials shall have the appropriate material safety data sheet (MSDS) kept on file for emergency use.

(d) Storage of materials:

(1) Poisonous or toxic materials consist of the following categories:

a. Insecticides and rodenticides.

b. Detergents, sanitizers and related cleaning or drying agents, caustics, acids, polishes and other chemicals.

c. Landscaping materials.

(2) Each of the three material categories shall be stored separately and kept in chemical cabinets, separate rooms or physically located away from each other to prevent mixing and possible contamination. All poisonous or toxic materials shall be stored in cabinets or in similar physically separated places used for no other purpose. To preclude contamination, poisonous or toxic materials shall not be stored above ice, linens, towels, utensils, or single-service articles, except that this requirement does not prohibit the convenient availability of detergents and sanitizers at utensil or dishwashing stations, or laundry compounds in the vicinity of washing machines or dryers.

(e) Use of materials.

(1) Bactericides, cleaning compounds or other chemicals intended for use on food, beverage, or ice contact surfaces shall not be used in a way that leaves a toxic residue on such surfaces or that creates a hazard to employees or other persons.

(2) Poisonous or toxic materials shall not be used in a way that contaminates ice, linens, towels, single-service articles or utensils, nor in a way that constitutes a hazard to guests, employees or other persons, nor in a way other than in full compliance with the manufacturer's labeling.

(f) Personal articles and medications shall be stored in employee lockers or away from ice, linens, towels, single-service articles or utensils that could become contaminated.

(g) First aid supplies shall be stored away from ice, linens, towels, single-service articles or utensils that could become contaminated.

(2001 Code, sec. 58-212; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-213. Suspension.

(a) The regulatory authority may, without warning, notice, or hearing, suspend any permit to operate a lodging establishment if the operation of the establishment constitutes an imminent health hazard to public health. A supervisor will confirm the hazard before suspension is effective when possible.

(b) Whenever a permit is suspended because of noncompliance or failure to maintain inspection minimum standards the holder of the permit or person in charge shall be notified in writing that the permit is, upon service of the notice, immediately suspended.

(2001 Code, sec. 58-213; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-214. Appeal.

(a) Opportunity for a hearing will be provided if the holder of the permit files a written request with the regulatory authority within ten days. Whenever a permit is suspended, the holder of the permit shall be afforded an opportunity for a hearing as soon as possible and not to exceed 20 days of receipt of the request for a hearing. If no written request for a hearing is filed within ten days, the suspension is sustained.

(b) The regulatory authority may end the suspension at any time if reasons for the suspension no longer exist.

(2001 Code, sec. 58-214; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-215. Revocation.

The regulatory authority may, after providing for a hearing, revoke a lodging establishment permit for serious or repeated violations of any of the requirements of this article or for interference with agents of the regulatory authority in the performance of their duties. Prior to revocation, the regulatory authority shall notify the holder of the permit or the person in charge, in writing, of the reason for which the permit is subject to revocation. The permit shall be revoked at the end of ten days following service of such notice unless the holder of the permit files a written request for a hearing with the regulatory authority within such ten-day period. If no request for a hearing is filed within the ten-day period, the revocation of the permit becomes final. (2001 Code, sec. 58-215; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-216. Service of notice; conduct of hearings.

(a) A notice as required in this article is properly served when it is hand delivered to the general manager and a copy is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the regulatory authority.

(b) The regulatory authority shall conduct the hearings provided for in this article at a time and location designated by the director of health. The hearing shall be conducted before a panel including the assistant director of health, who shall preside over the meeting, the health district's director of nursing, and a hotelier chosen by the city manager. This panel shall conduct the hearing with evidence presented by the inspection staff and by the involved lodging property staff to determine whether to recommend to sustain, modify, or rescind any order recommended by the general environmental

division. The recommendation of the panel shall be conveyed to the director of health for his consideration and based upon the recorded evidence of such hearing; the director of health shall make final findings and shall sustain, modify or rescind any notice or order considered in the hearing. The director of health shall furnish a written report of the hearing to the holder of the permit.

(2001 Code, sec. 58-216; Ordinance 82-2006, sec. 1, adopted 10/17/06)

Sec. 58-217. Penalty.

(a) A person commits a Class C misdemeanor if the person violates any part of this article after being given a 72-hour notification of continual violations or allows conditions deemed an imminent health hazard. An offense under this article is a misdemeanor punishable by a fine pursuant to [section 1-14](#).

(b) Each day of a continuing violation is a separate offense.

(2001 Code, sec. 58-217; Ordinance 82-2006, sec. 1, adopted 10/17/06)