

ATCP 72.03 Definitions. In this chapter:

(1) “Active managerial control” means the purposeful incorporation of systems in a lodging establishment that proactively reduce the risk of illness or hazards through monitoring and verification.

(2) “Agent” means a local health department as defined in s. [250.01 \(4\)](#), Stats., that has entered into a contract with the department and is authorized under the terms of that contract to administer a retail food establishment, lodging, and recreational safety regulatory program, pursuant to ss. [97.41](#) and [97.615 \(2\)](#), Stats., in the health department’s area of jurisdiction.

(3) “Air gap” means all of the following:

(a) In a wastewater system, the unobstructed vertical distance through the free atmosphere between the outlet of indirect or local waste piping and the flood level rim of the receptor into which it discharges.

(b) In a water supply system, the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank or plumbing fixture and the flood level rim or spill level of the receptacle.

(3) “Alarm condition” means a fire alarm control unit condition indicating that there is an immediate threat to life, property, or mission.

Note: Alarm conditions can result due to the presence of fire, chemicals, freezing temperatures or other circumstances.

(4) “Approved” means acceptable to the department, based on its determination of conformance with this chapter and good public health practices.

(5) “Bed” means a piece of furniture for sleep or rest including, a framework with a mattress and coverings, cot, bunk, futon, sleeper sofa, sleeping pad, or air mattress placed on the floor.

(6) “Boat” means every description of watercraft used or capable of being used as a means of transportation on water.

(7) “Boarding house” means a rooming house as defined under **XXXXXX**

(7) “Bunk bed” means a piece of furniture consisting of two single platform-like beds connected one above the other.

(8) “Camping cabin” means a building or other structure that is 400 square feet or less in area. A camping cabin includes a yurt, but does not include a tent, recreational vehicle, tourist rooming house, mobile home, or manufactured home.

(9) “Carbon monoxide alarm” means an electronic or battery-operated device or system that sounds an alarm when an unsafe level of carbon monoxide is in the air. Carbon monoxide alarms conform to UL 2034 single and multiple station carbon monoxide alarms.

(10) “Carbon monoxide detector” means an electronic device or sensor that monitors for carbon monoxide and is connected to a whole building fire alarm and detection system. Carbon monoxide detectors conform to UL 2075 gas and vapor detectors and sensors.

(11) “Ceiling height” means the clear vertical distance from the finished floor to the finished ceiling.

(10) “Certified laboratory” means:

(a) For coliform and *E.coli*, a lab certified under ch. [ATCP 77](#).

(b) For nitrates, a lab certified under ch. [NR 149](#).

(10) “Clean” means the absence of dirt, grease, rubbish, garbage, and other offensive, unsightly, or extraneous matter.

(11) “Communicable disease” means a disease or condition listed in s. [DHS 145 Appendix A](#).

(12) “Communicating opening” means a door, window, or any other opening which allows air to be exchanged between a fuel-burning appliance or garage and an individually keyed unit

(12) “Core item” means all of the following: (a) A provision in this chapter that is not designated as a priority item or a priority foundation item.

(b) An item that relates to general sanitation, operational controls, sanitation standard operating procedures, facilities or structures, equipment design, or general maintenance.

(13) “Death, injury or illness report” means the written record of all facts regarding an incident resulting in bodily harm that requires assistance from emergency medical personnel for a lodging facility

or its associated buildings and structures.

(14) “Deck” means an unenclosed exterior structure, attached or adjacent to the exterior wall of a lodging facility, which has a floor, but no roof.

(15) “Department” means the Wisconsin department of agriculture, trade and consumer protection.

(16) “Direct vent appliance” means a fuel-burning appliance that is constructed and installed so that all air for combustion is derived directly from the outside atmosphere and all flue gases are discharged to the outside atmosphere.

(17) “Easily cleanable” means a material or finish of a surface that allows effective removal of soil by manual or mechanical cleaning methods.

(18) “Emergency medical service (EMS)” means a Wisconsin emergency medical service that provides ambulance service response in a geographic area and is staffed by certified rescue professionals such as an emergency medical technician or emergency medical responder.

(19) “Employee” means any person working in a lodging facility.

(20) “Equipment” means an article used in a lodging facility other than land and building structures, including furnishings, decorative materials, fireplaces, heating units, and appliances.

(21) “Exclude” mean to prevent a person from working as an employee in a lodging facility or entering a lodging facility as an employee.

(21) “Existing hotel, motel or tourist rooming house” means a lodging facility operating with a license first issued by the department or its agent on or before XXXXXX.

(22) “Exit” means a direct, continuous, unobstructed means of egress to the exterior of the building.

(23) “Fire alarm control panel” means a unit that monitors all inputs and controls all outputs of the fire alarm system. The different types of conditions that can be seen at the fire alarm control panel are “alarm”, “supervisory”, and “trouble”.

(24) “Food-contact surface” has the meaning as defined in s. ATCP 75 Appendix 1-201.19 (B).

(24) “Fuel-burning appliance” means a device that burns fossil fuel or carbon-based fuel and that produces carbon monoxide as a combustion by-product.

(24) “Furnishings” means in connection with the operation of a hotel, motel or tourist rooming house all of the following: linens, beds, bedding, chairs, tables, shelves, drapes, carpeting, curtains, decorations, fixtures, and similar items provided in the sleeping rooms and common areas of the facility.

(26) “Good repair” means free of corrosion, breaks, cracks, chips, pitting, excessive wear and tear, leaks, obstructions, and similar defects so as to constitute a good and sound condition.

(27) “Guard” means a barrier erected to prevent a person from falling to a lower level.

(28) “Handrail” means a horizontal or sloping rail intended for grasping by a hand, for guidance or support or preventing a fall down a stair.

(29) “Hostel” means a lodging facility that offers dormitory style sleeping arrangements with shared living spaces and amenities.

(29) “Hotel” means a place where sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all related rooms, buildings and areas.

(30) “Imminent health hazard” means a condition that presents a substantial likelihood to cause severe adverse health consequences or death.

(31) “Individually keyed unit” means a lodging unit that is accessed by the use of a key or other electronic device that is occupied by a tourist, transient or rental group for sleeping accommodations.

Note: Examples include a motel room, hotel room, hotel suite, or a tourist rooming house.

(32) “Ladder” means a structure for climbing up or down that consists essentially of two long sidepieces joined at intervals by crosspieces on which one may step.

(33) “*Legionella*” means a common aquatic bacteria found in natural and building water systems and in some soils. This genus of bacteria can cause a pneumonia called Legionnaires' disease or a flu-like illness called Pontiac fever when inhaled, aspirated, or directly introduced into the lungs of susceptible individuals.

(34) “Legionellosis” means the term used to describe Legionnaires' disease, Pontiac fever and any illness caused by exposure to *Legionella* bacteria.

(34) “License holder” means the entity that is legally responsible for the operation of a lodging facility.

(35) “Lodging facility” means a hotel, motel, tourist rooming house, or specialty lodging unit that provides sleeping accommodations offered for pay to tourist or transients.

(36) “Lodging place” as it relate to this chapter, means a lodging facility.

(36) “Loft” means an upper room or floor that has at least 50% of the common wall open to the floor below.

(37) “Motel” means a hotel that furnishes on premises parking for motor vehicles of guests as part of the room charge, without extra cost, and that is identified as a “motel” rather than a “hotel” at the request of the operator.

(38) “New hotel, motel or tourist rooming house,” means a lodging facility under new ownership operating with a license issued by the department or its agent on or after XXXXXX.

(39) “Operator” means the owner of a lodging facility or the person responsible to the owner for the operation of the lodging facility.

(40) “Person” means an individual, partnership, association, firm, company, corporation, municipality, county, or town or state agency, whether tenant, owner, lessee, licensee, or the agent, heir, or assignee of any of these.

(41) “Person in charge” means the individual present at a hotel, motel or tourist rooming house who is responsible for the operation at the time of inspection.

(41) “Pest” means an animal or insect of public health significance that is a nuisance and may or may not transmit disease to the general public. Pest in this definition includes cockroaches, bed bugs, flies, mosquitos, bats, rodents, and ticks.

(42) “Plumbing” has the meaning given in s. [145.01 \(10\)](#) Stats.

(43) “Pool or water attraction” has the meaning as defined in ATCP 76.03 (61).

(43) “Porch” means an unenclosed exterior structure at or near grade, attached or adjacent to the exterior wall of an individually keyed unit and having a roof and floor.

(44) “Potable” has the meaning given in s. [NR 812.07 \(75\)](#).

(45) “POWTS” or “private on-site wastewater treatment system” has the meaning given in s. [145.01 \(12\)](#), Stats.

(46) “Premises” means the physical facility and the property under the control of the license holder.

(47) “Priority foundation item” means all of the following: (a) A provision in this rule whose application supports, facilitates, or enables one or more priority items.

(b) An item that requires the purposeful incorporation of specific actions, equipment or procedures by the operator such as personnel training, infrastructure, documentation or record keeping.

(c) An item that is denoted in this rule with a superscript Pf^{-Pf}.

(48) “Priority item” means all of the following: (a) A provision in this rule directly related to health and safety that if not met or is missing could significantly contribute to an increased risk for injury or illness.

(b) An item that is denoted in this rule with a superscript P^{-P}.

(49) “Private water system” has the meaning given in s. [NR 812.07 \(78\)](#).

(51) “Public sewer” has the meaning given in s. [SPS 381.01 \(198\)](#).

(51) “Public water system” has the meaning given in s. [NR 809.04 \(67\)](#).

(52) “Recreational vehicle” means a vehicle that has walls of rigid construction, does not exceed 45 feet in length, is designed to be towed upon a highway by a motor vehicle or has a motor of its own, and is equipped and used, or intended to be used, primarily for temporary or recreational human habitation. A recreational vehicle includes camping trailers, motor homes, and park models.

(52) “Remediation plan” means a specific plan on details to identify the potential source, location and removal of a water-borne pathogen.

(53) “Retail food establishment” has the meaning given in s. [ATCP 75.04 \(33\)](#).

(54) “Rental group” means two or more tourist or transients occupying an individually keyed unit that is inaccessible to all others at the time of rental.

(55) “Restrict” means to limit the activities of an employee so that there is no risk of transmitting a communicable disease and the employee does not work with exposed food, clean equipment, utensils, linens; or unwrapped single-service or single-use articles

(56) “Riser” means the vertical space between one-step and another.

(56) “Room” as it relates to this chapter, means an individually keyed unit.

(57) “Rooming house” means lodging in an individual’s home that does not accommodate tourists or transients.

(57) “Sanitize” means to apply cumulative heat or chemicals on a cleaned food–contact surface that, when evaluated for efficacy, is sufficient to yield a reduction of 5 logs, which is equal to a 99.999 percent reduction, of representative disease microorganisms of public health importance.

(58) “Sealed combustion appliance” means a fuel-burning appliance with a pipe used to supply outdoor air to the appliance for the combustion process and a second pipe is used to return exhaust products to the outdoors.

(58) “Single-service articles” has the meaning given in s. [ATCP 75 Appendix 1-201.10 \(B\)](#).

(59) “Sleeping accommodations offered for pay” means all sleeping rooms in a individually keyed unit offered for pay to a tourist or transient, excluding areas occupied by a tenant for more than 60 days or by the operator, owner or their immediate family.

(60) “Sleeping area” means any area of an individually keyed unit in which a sleeping room is located. Sleeping rooms separated by another area such as a kitchen or living room are considered separate sleeping areas but sleeping rooms only separated by a bathroom are not considered separate sleeping areas.

(61) “Sleeping room” means a room where beds are located.

(62) “Smoke alarm” means an electronic or battery-operated device or system that sounds an alarm when particles or products of combustion, other than heat, are detected. Smoke alarms conform to UL 217 smoke alarms.

(63) “Smoke detector” means an electronic device or sensor that monitors for smoke and is connected to a whole building fire alarm and detection system. Smoke detectors conform to UL 268 smoke detectors for fire alarm systems.

(63) “Special event” means

(64) “Special event lodging facility” means a lodging facility that operates in conjunction with a single special event for no more than 14 consecutive days.

(65) “Specialty lodging”

(66) “Stair or stairway” means one or more risers that form a continuous passage from one elevation to another.

(67) “Supervisory condition” means a fire alarm control unit condition indicating there is an issue with a system, process, or equipment that is monitored by the fire alarm control unit.

Note: Common causes of supervisory conditions include sprinkler system issues, suppression system problems, water flow alarms, low battery voltage, fire pumps, or system malfunctions.

(68) “Time and temperature control for safety (TCS)” has the meaning given in s. [ATCP 75 Appendix 1-201.10 \(B\)](#).

(69) “Tourist or transient” means a person who travels to a location away from their permanent address for a short period of time for vacation, pleasure, recreation, culture, business, or employment and occupies an individually keyed unit for less than 60 consecutive days.

(70) “Tourist rooming house” (a) means any lodging place where sleeping accommodations are offered for pay to tourists or transients and includes:

1. All lodging places with 4 or less individually keyed units.
2. A one- or two-family dwelling.
3. A tourist cabin, or cottage.
4. An individually keyed unit defined as specialty lodging.

(b) A tourist rooming house does not include:

1. A hotel or motel as defined under XXXXXX

2. Bed and breakfast establishments regulated under ch. ATCP 73.
3. A private boarding or rooming house.
4. A boat used for overnight sleeping accommodations.

(71) “Trouble condition” means a fire alarm control unit condition indicating there is an issue or fault with the fire alarm system.

Note: Common causes of trouble conditions include: power issues, communication errors, faulty wiring, faulty devices, tampering or vandalism, system programming errors, or components nearing end-of-life.

(72) “Utensil” has the meaning given in s. [ATCP 75 Appendix 1-201.10 \(B\)](#).

(73) “Waterborne outbreak” means two or more people that experience a similar illness after exposure, ingestion or inhalation of water that epidemiologic evidence implicates as the probable source of the illness or meets other exposure criteria for that specific disease.

(74) “Water distribution system” has the meaning given in s. [SPS 381.01 \(280\)](#).

(75) “Water management program” means the risk management plan for the prevention and control of legionellosis associated with building water systems, including documentation of the plan’s implementation and operation.

(76) “Water service” has the meaning given in s. [SPS 381.01 \(282\)](#).

(77) “Water service disruption” means a planned or unplanned event that reduces the water delivery pressure below 20 psi, to include new construction tie-ins; replacement of valves, hydrants, or meters; pumping failures; pipeline breaks; and other system repairs or emergency conditions.

(78) “Water system” has the meaning given in s. [NR 812.07 \(118\)](#).

(79) “Water-use end point” means the point at which water exits from all potable and nonpotable building water systems, fixtures, and equipment.