

DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION NOTICE OF PROPOSED GUIDANCE DOCUMENTS

Pursuant to section 227.112 of the Wisconsin Statutes, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is hereby accepting comments on the proposed guidance document:

Hot and Cold Water Requirements at Sinks

LOCATION OF PROPOSED GUIDANCE

Proposed guidance document may be reviewed by accessing:

https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx

SUBMITTING PUBLIC COMMENTS

Public comments on proposed or adopted guidance document may be submitted by accessing:

https://datcp.wi.gov/Pages/About_Us/GuidanceDocuments.aspx

DEADLINE FOR SUBMISSION

The comment period will run no fewer than 21 days after the publication of this document in the Administrative Register.

AGENCY PUBLICATION

The attached guidance document contains statements or interpretations of law under the following applicable provisions of federal law or the applicable state statutory or administrative code provisions: Wis. Stat. ch. 97 Subchapter III, Wis. Admin. Code, ch. 72.

CERTIFICATION

Pursuant to the authority delegated to me by the Secretary, I have reviewed the attached guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.



Steve Ingham

Administrator

Division of Food and Recreational Safety



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GUIDANCE DOCUMENT

Guidance Document Title: Hot and Cold Water Requirements at Sinks

This guidance document is based on Wis. Stat. 97 Subchapter III and chapter ATCP 72 Wis. Admin. Code. This document is intended solely as guidance, and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations, and is not finally determinative of any of the issues addressed.

37 (DFRS)

Click or tap here to enter text.

	December 2, 2019
Steven Ingham, Ph.D. - Administrator, Division of Food and Recreational Safety	DATE

Contributors:



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This policy supersedes the Department of Health Services policy put forward on 10/23/2014

Hot and Cold Water Requirements at Sinks

Question

What are the requirements for hot and cold water in all hotels, motels and tourist rooming houses?

Background

Chapter ATCP 72.10 (6)(c) requires hot and cold water under pressure be available at all sinks. This was also a requirement in Chapter H 95.04 (6), Register November, 1972.

Chapter ATCP 72.10 (4), states "All plumbing and fixtures shall meet the requirements contained in ch. SPS 382..." SPS 382.10(2)(c) states " Hot or tempered water shall be supplied to all plumbing fixtures that normally require hot or tempered water for proper use and function."

Some existing lodging establishments have been permitted to operate with only cold water under pressure available at some sinks, such as kitchen sinks. Because these facilities have been permitted to operate in the past, it would be unreasonable to force the operator to install hot water at these sinks. The best solution then becomes the "phasing in" of this requirement for existing licensed establishments. This will be accomplished during a change of operator stage.

Code interpretation

All newly licensed establishments must provide hot and cold water under pressure at **all** sinks.

All licensed establishments must provide hot and cold water under pressure at all sinks and other washing facilities in all employee, public and guest toilet rooms.

Existing licensed establishments which do not have hot and cold water under pressure at a kitchen sink would be permitted to operate but must provide hot and cold water under pressure at all sinks at a change of operator. Every effort should be made to encourage the current operators to make this improvement now.