

# Kansas State Board of Health

## Emergency Regulations

Adopted Oct. 18, 1940.

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**Rules Pertaining to Sanitation in  
the Vicinity of Troop Concentra-  
tion and/or War Industry Areas.**

SEP 28 '44



**EMERGENCY REGULATIONS**  
of the  
**STATE BOARD OF HEALTH**

**Adopted Oct. 18, 1940**

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## **Introduction.**

The sudden transposition of civilian population groups within the State incident to troop concentrations and the development of war industries will create public health problems of major importance to the resident civilian, as well as to the migrant military and industrial population.

The State Board of Health, under authority of Sec. 65-101, et seq. G.S. 1935, is charged with the responsibility of making and enforcing "regulations to obstruct and prevent the introduction or spread of infection or contagious disease to or within the state." Under this authority, rules and regulations have been adopted to apply to any portion of the state where troop mobilization or the development of war industries changes the population of the area from the normal to such an extent as to produce a public health problem. The Secretary and Executive Officer of the Kansas State Board of Health, after conferring with the local governmental officials of any area concerned, will designate areas which give rise to emergency public health problems. These areas will be known as, "Emergency Military and/or War Industries Zones" and when so designated the following regulations will apply:

### **Sanitary Regulations for "Emergency Military and/or War Industries Zones."**

The local health department in the political subdivision or sub-divisions included in any emergency

military and/or war industries zone as prescribed by the State Board of Health will be responsible to the State Board of Health for the enforcement of the rules and regulations hereinafter prescribed. The State Board of Health will provide such medical and technical assistance as may be available.

### **Water Supply and Sewage Disposal.**

**Public Establishments.** A public establishment is defined as any hotel, apartment house, boarding house, tourist or cabin camp, restaurant, cafe, filling station or other establishment providing water supply or comfort station facilities to the public.

**Private Boarding and Rooming Houses.** Any private home owner or lessee who shall for hire provide for the board or lodging of those other than the normal family group shall be required to conform to the sanitary regulations applying to public establishments.

**Public Water Supply.** Where public water supply is available such source shall be used exclusively by all public establishments.

**Public Sewerage.** Where public sewerage is available all public establishments providing comfort station facilities for the use of the public shall be connected to the public sewer.

## **Toilets where public waterworks and sewerage maintained.**

Kansas General Statutes, 1935, Sec. 36-111.

In all cities, towns and villages where a system of waterworks and sewerage is maintained for public use every hotel, rooming house, apartment house and restaurant therein operated, shall, within six months after the passage of this act, be equipped with suitable water closets for the accommodation of its guests, which water closet or closets shall be ventilated and connected by proper plumbing with such sewerage system, and means of flushing such water closet or closets, with the water of said system, in such manner as to prevent sewer gas or effluvia from arising therefrom. All lavatories, bathtubs, sinks, drains, closets and urinals in such hotels, rooming houses, apartment houses or restaurants must be connected and equipped in a similar manner both as to methods and time.

**Private Water Supply.** When a public water supply is not available to a public establishment it shall be the responsibility of the owner or lessee of the property to make such changes in the source of the private supply as may, in the opinion of the local health officer or the state health officer, be necessary to provide a safe water supply. All private water supplies shall be regarded as unsafe unless, by inspection and analysis, it has been determined that the supply is safe. The recommendations of the Kansas State Board of Health Engineering Bulletin 22 (Well-Water Supplies) shall serve as a guide in determining the safety of a supply.

**Private Sewage Disposal.** When public sewerage is

not available the sewage disposal methods used by all public establishments shall be such as will prevent the occurrence of a nuisance or a hazard to the public health. Water-borne sewage disposal shall be by means of septic tanks and tile field absorption installations, meeting the capacity recommendations of the State Board of Health as indicated in Engineering Bulletin No. 18 (Septic Tank System for Home Sewage Disposal). Special attention is directed to rules 44, 45 and 46 of the State Board of Health governing the disposal of sewage wastes. The enforcement of these regulations is mandatory. The disposal of sewage wastes not water-borne by the above establishments shall be by the use of the sanitary earth pit privy as constructed under the Community Sanitation Program with such modifications as may be subsequently approved by the State Board of Health.

#### **Toilets where system of waterworks not maintained.**

"Kansas General Statutes, 1935, Sec. 36-112."

In all cities, towns and villages not having a system of waterworks, every hotel, rooming house, apartment house or restaurant shall have properly constructed privies or overvaults to receive the night soil, the same to be kept clean and well ventilated at all times, and free from foul odors and shall be kept in a clean and sanitary condition. Separate apartments shall be furnished by sexes, each being properly designated.

#### **Public washroom.**

Kansas General Statutes, 1935, Sec. 36-113.

Each hotel or restaurant in this state shall be provided with a main public washroom, convenient and of easy access to guests."

## Rules of State Board of Health.

**Rule 44. Concerning privy vaults, cesspools, etc.** No privy vault, cesspool or other reservoir into which a privy vault, watercloset, stable or sink is drained except it be water-tight, shall be permitted within fifty feet of any well, spring, or other source of water, used for drinking or culinary purposes; nor shall any such open into any stream, ditch or drain, except common sewers, nor shall any such be drained into an underground flow of water or water stratum which is used as a source of water supply.

**Rule 45. Drains.** All drains carrying domestic sewage containing human or animal excreta passing within fifty feet in ordinary soil or eighty feet in sandy soil, of any source of water supply shall be water-tight.

**Rule 46. Nuisances.** (a) Any outside toilet or privy, privy vault, cesspool or other place used for the deposit of human excreta which permits access to the contents by animals (dogs, chickens, etc.) which permits access to the contents by flies or other insects, which creates foul or objectionable odors, or which is so located as to render the pollution of domestic water supplies probable or dangerous, is defined as a common or public nuisance dangerous to the public health and subject to condemnation by local boards of health. (b) The collection of refuse matter in or around the immediate vicinity of any dwelling or place of business, such as swill, waste of meat, fish or shells, bones, decaying vegetables, dead carcasses, human or animal excrement, or any kind of offal that may decompose and thus create an attraction or breeding place for flies, shall be considered a nuisance, and such refuse must be removed or disposed of either by burial, burning or otherwise, and in such manner as not to be offensive. (c) A pigpen which is maintained within 100 feet of any well or

spring of water used for drinking purposes, or within thirty feet of any street or fifty feet of any inhabited house, or which is kept in such manner as to be offensive, shall be considered a nuisance. It is recommended that no swine shall be kept within the limits of any incorporated city between May first and November first of any year. (d) Local boards of health are charged with the responsibility of ordering the abatement or removal of such nuisances, named in the preceding paragraphs."

**Building Construction.** No building for housing of any public establishment as herein defined shall be erected within the prescribed zone without a written permit from the local health officer. This permit shall be given only after plans have been filed with the health officer showing satisfactory compliance with such standards as will afford a safe and adequate supply of potable water and a sanitary disposal of sewage wastes.

### **General Sanitation.**

**Regulations pertaining to tourist camps, trailer camps, cabin camps or other temporary housing.** No property owner or lessee shall establish or permit to be established on his land any temporary housing or trailer or cabin camps without first obtaining a permit from the health officer showing that arrangements have been made for proper sanitation including safe water supply, sewage disposal and garbage and refuse disposal. The permit shall identify the property owner or lessee who shall be held responsible to the health officer for the

maintenance of proper sanitation of all temporary housing established on property under his control.

**Regulations pertaining to Rodent Control and the Disposal of Refuse and Garbage:** The maintenance of all property in such manner as to minimize the hazard and economic loss incident to infestation by rats and other rodents is essential. It is recommended that the importance of rat proofing and rat extermination be recognized and that constructive measures be instigated to reduce this hazard to a minimum. Garbage shall be removed on such schedules as may in the opinion of the health officer be necessary to good sanitation. The storage of garbage shall be in containers that are rodent and insect-proof. The method of disposal of both garbage and refuse shall be subject to the approval of the health officer and shall be by such method or methods as will prevent the breeding of rodents, flies and mosquitoes. Disposal by sanitary fill-earth covered and compacted under supervision is recommended.

### **Sanitation of Restaurant and Food Handling Establishments.**

The regulations herein after prescribed are a part of the existing regulations of the State Hotel and Restaurant Board and of the State Board of Health. Their inclusion is to give special emphasis to the importance of their rigid enforcement within "Emergency Military and/or War Industries Zones". Emphasis on the enforcement of these regulations shall not modify the ap-

plication of other regulations of the State Hotel and Restaurant Board or of the State Board of Health pertaining to these establishments.

1. **Rule VI. Washing, cleansing and sterilizing of utensils, dishes and glasses.** That all public food and drink selling, serving or dispensing establishments such as hotels, restaurants, cafeterias, cafes, drug-stores, beer taverns, food and drink stands at fairs and carnivals and the like, are hereby required to adopt and to use the following procedure, methods, treatment and equipment in the washing, cleansing and sterilizing of used and soiled utensils, dishes and glasses before such utensils are used again for the serving of food or drink to the general public or any part thereof:

(1) The said establishments, for the washing, cleansing and sterilizing of the used and soiled utensils, dishes and glasses, must be equipped with and use three (3) washing vats, basins or sinks, hereafter called compartments, of sufficient size to accommodate the peak load of washing, cleansing and sterilizing of the said utensils, dishes and glasses.

(2) One compartment must be used for the washing and cleansing process. The water in this compartment must frequently be changed, and must at no time while in use have a temperature of less than 120 degrees Fahrenheit. An ample amount of soap or alkali cleaner shall be used, and the utensils, dishes and glasses must be thoroughly clean and completely free of grease-film, lipstick, milk-film and other material before removal from the washing compartment.

(3) The second compartment must be used for rinsing, and the water in this compartment must frequently be changed, and must at no time while in use have a temperature of less than 120 degrees Fahrenheit. In lieu of the second or rinsing compartment, where only two compartments are available, the utensils, dishes and glasses may be rinsed by immersion in running hot water of a temperature of not less than 120 degrees Fahrenheit. If running rinse water is used such water may be allowed to flow into the washing and cleansing compartment, but must not be allowed to flow into the third or sterilizing compartment which must be used for the sterilizing of the washed and cleaned utensils, dishes and glasses. The water in the third or sterilizing compartment must have a temperature at all times of not less than 170 degrees Fahrenheit if no chlorine sterilizing solution is used. The utensils, dishes and glasses must remain in such hot water for at least five (5) minutes before removal. If a chlorine sterilizing solution is used, the chlorine preparation during use must not fall below 200 parts per million. The utensils, dishes and glasses must remain in the chlorine sterilizing solution for at least five (5) minutes before removal.

A mechanical dish washer may be approved by a duly authorized inspector of the Kansas State Board of Health in lieu of the above equipment, treatment, procedure, and methods if the washer thoroughly cleans and washes the utensils, dishes and glasses and if the washer is supplied with running hot water of a temperature of not less than 160 degrees Fahrenheit and if the washed and cleaned utensils, dishes and glasses are allowed to remain in the washer, immersed in clean, hot water of a temperature of not less than 160 degrees Fahrenheit for at least five minutes before removal.

(4) After the washing, cleansing and sterilizing of the utensils, dishes and glasses, the said utensils shall be placed in an inverted position on a metal drain or rack until fully dried by evaporation. In lieu of drying by evaporation a clean, dry towel may be used; however, the use of an obviously dirty towel is prohibited hereby and will subject the user and the establishment to prosecution. Such towel shall not be used for any purpose other than the wiping of the utensils, dishes and glasses and shall not be used for the wiping of hands, faces, counters, or any materials or equipment other than the utensils, dishes and glasses.

(5) All the said establishments must be equipped with a continuous supply of running hot water of a temperature not less than 120 degrees Fahrenheit if a chlorine sterilizing solution rinse is used, and of a temperature of not less than 170 degrees Fahrenheit if a chlorine sterilizing solution is not used. Said establishments must also be connected with a sewer or a covered sanitary waste disposal receptacle approved by an authorized representative of the Kan-State Board of Health, and must have a direct connection with the washing, rinsing and sterilizing compartments.

(6) After washing, cleansing, sterilizing and drying the utensils, dishes and glasses shall be placed in such an enclosure or in such an inverted position as will protect them from exposure to flies, dirt, dust and contamination.

(7) In lieu of the above procedures, methods, treatment and equipment, the said establishments may and shall use utensils, plates and cups made of paper, wood or other similar destructible material

which shall be disposed of immediately after a single service. (Effective August 11, 1939).

2. **Rule 1. Beds in kitchen.** No beds, bedding, cots or other furniture used for sleeping purposes shall be used or stored in the kitchen or other places where food is stored, kept or prepared in restaurants or other public eating places. All bedrooms in restaurants or other public eating places shall be kept tightly partitioned and kept closed from any place where food is prepared and stored. No doors from bedrooms in restaurants and other public eating places shall enter directly into the kitchen or place where food is prepared for the public. Lunch counters in connection with a barber shop are prohibited unless the barber shop is tightly partitioned from such eating place. (Effective August 11, 1939).
3. **Rule IV. Screening.** All windows and doors of any restaurant must be adequately screened. (Effective August 11, 1939).
4. **Rule V. Food receptacles; utensils; employees; cleanliness.** Places and receptacles where food is kept or stored are required to be kept mouse- and rat-proof and properly screened. Serving tables, trucks, trays, boxes, buckets, knives, saws, cleavers and other utensils and machinery used in moving, handling, cutting, chopping, mixing or serving foods are required to be thoroughly cleaned and sterilized daily, and the clothes and hands of cooks, stewards and waiters to be clean and sanitary. Canned goods when opened, or prepared foods containing any of the fruit acids, shall not be stored in tin or zinc containers. (Effective August 11, 1939).
5. **Rule X. Garbage cans.** Metal garbage cans with tight-fitting lids must be installed and used for the

reception of garbage. Lids must be kept on such cans at all times when garbage is not being deposited therein or emptied therefrom. (Effective August 11, 1939.)

6. **Rule XII. Pies, display of food; meat.** Pies and other displayed food must be kept in cases that are fly-proof and dustproof. Food displayed on counters must be kept in glass containers. Uncooked meat must be kept on plates or some sanitary tray. (Effective August 11, 1939.)
7. **Rule XV. Back yards; cleanliness.** Back yards must be kept clean and no boxes, rubbish, trash or waste shall be permitted therein. (Effective August 11, 1939).
8. **State Board of Health Regulations Governing the Serving of Milk at Hotels, Restaurants, Cafes, Lunch Stands, Etc.** Owing to the fact that milk served to the public in hotels, restaurants, cafes, etc., is kept in metal coolers with faucets, tin pails, pitchers, crocks, milk cans and other containers, and from these containers is either drawn off, poured out with cups or dippers, in most cases without stirring the milk, thus the fat in the glass of milk served to the customer varies and does not represent the percent of fat in the original milk, the standard for which is 3.25 percent when delivered and as milk is known to be one of the best media for the growth of pathogenic bacteria, and when handled as stated above may easily become contaminated and endanger public health;

Therefore, be it resolved, That after the publication of this regulation in the official state paper, milk

served to the public in hotels, restaurants, cafes, lunch stands and other places where foods and drinks are served, shall be served only in one-half-pint, three-fourth-pint or one-pint bottles and shall be kept under proper refrigeration until served to the customer.

9. **Regulation 7. Employment of Persons Suffering from Dangerous or Communicable Disease.** No employer shall require, permit or suffer any person to work, nor shall any person work, in a building, room, basement, cellar, or vehicle occupied or used for the production, preparation, manufacture, packing, storing, sale, distribution, and transportation of foods or drugs, who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, tuberculosis or consumption, trachoma, typhoid fever, epidemic dysentery measles, mumps, German measles (Rothein), whooping cough, chicken pox or other contagious disease.
10. **Regulation 8.** Every person or corporation in charge of, or in control of, or in authority over any of the places mentioned by and described in these regulations shall be responsible for the condition thereof, and it shall be his or its duty to see that the provisions of these regulations with reference to the condition, arrangement and conduct of such places are carried out.

**Milk Supply.** All milk supplied to the public within "Emergency Military and/or War Industries Zones" shall be produced and marketed in compliance with the requirements of the Standard Milk Ordinance, as recommended by the U.S. Public Health Service and the State Board of Health.





