

# Chapter 443

## Day Nurseries

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### CROSS REFERENCES

	<b>443.020</b>	<b>443.030</b>
Disease control in schools, 433.255 to 433.270		
Persons with venereal disease may not engage in care of children, 434.180		Rules and regulations of state agencies, Ch. 183



**443.010 Definitions.** As used in this chapter, unless the context requires otherwise, "day nursery" means any institution, establishment or place in which are commonly received at one time three or more children not of common parentage, under the age of 14 years, for a period or periods not exceeding 12 hours, for the purpose of being given board, care or training apart from their parents or guardians, for compensation or reward.

**443.020 Licenses; application; issuance; renewal; transfer; fees.** (1) No person, firm, association or corporation shall conduct a day nursery without receiving a license from the State Board of Health.

(2) An application for license shall be in a form prescribed by the board, and shall be uniform for all day nurseries. There shall be attached to the application a statement, sworn to by the applicant or by an officer thereof thereunto duly authorized, containing such information as may be required by the board.

(3) If, in the judgment of the board, such statement or any other evidence submitted in relation to the application indicates that the operation of the proposed day nursery will be for the public benefit and welfare, a license, in such form as the board may prescribe, shall be issued to the applicant.

(4) All licenses shall expire at the end of the calendar year in which they are issued, but may be renewed annually on application as provided for their initial issue. No license shall be transferred. For the issue or renewal of each license, a fee of \$5 shall be charged.

**443.030 Rules and regulations.** The State Board of Health shall make rules and regulations, and may revise or change the same, in accordance with which day nurseries shall be licensed and conducted.

**443.040 Inspection and reports.** (1) The State Board of Health, by its authorized agents, may visit and inspect any day nursery at any time in order to ascertain whether it is licensed and conducted in compliance with law, including this chapter and the rules and regulations pursuant thereto. Every day nursery shall be visited and inspected at least once in each year.

(2) Every day nursery shall furnish to the board such reports, information and other data as it may require.

**443.050 Revocation of license.** (1) After 30 days' notice to a licensed day nursery and opportunity to be heard, the State Board of Health may, if in its judgment the public interest so demands, revoke the license of the nursery.

(2) Failure to comply with any rule or regulation of the board shall be sufficient cause for revocation of the license in the manner provided in subsection (1) of this section.

**443.060 State or municipal nurseries excepted.** This chapter does not apply to day nurseries conducted by the state or by any city or town thereof.

**443.990 Penalties.** Violation of any of the provisions of this chapter, or the rules and regulations made thereunder is punishable, upon conviction, by a fine of not less than \$10 nor more than \$200 for each offense. Moreover, if a person conducting a day nursery is found guilty of violating any provision of this chapter or any regulation thereunder, in any particular relating to the safety of or the accommodations for the children, the State Board of Health shall issue an order directing that the nursery be closed, and remain closed until such provision of this chapter or regulation thereunder has been complied with.

