Chapter 446

1961 REPLACEMENT PART

Trailers; Tourist and Travelers' Facilities; Farm Labor Camps

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TRAILERS; TOURIST AND TRAVELERS' FACILITIES

446.002 Definitions for ORS 446.002 to 446.165. As used in ORS 446.002 to 446.165, unless the context requires otherwise:

(1) "Board" means the State Board of Health.

(2) "Health officer" means:

(a) The State Health Officer in counties having a population of less than 10,000.

(b) The county health officer in counties having a population of 10,000 or more.

(c) The district health officer in health districts regardless of the population of the individual counties within the boundaries of such district.

(d) The city health officer in cities having a full-time health officer.

(3) "Mobile home" means a vehicle or structure constructed with wheels for use on the public highways, that has sleeping, cooking and plumbing facilities, is intended for human occupancy and is being used for residential purposes.

(4) "Tourist park" includes all privately owned campgrounds, picnic parks, trailer parks and all other establishments rented or kept for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or offered free in connection with securing the trade or patronage of such person, or for indirect benefit to the owner in connection with a related business. The term "tourist park" shall not be construed to mean buildings, tents or other structures maintained by any individual or company on their own premises and used exclusively to house their own farm or timber labor.

(5) "Trailer" means either a mobile home or a vacation trailer. The term "trailer" or "mobile home" does not apply to any prefabricated, sectional or factory-built house to which wheels may be attached for the purpose of moving it to a permanent location where it becomes affixed to the real property.

(6) "Trailer park" means any privately owned place where two or more trailers used for human occupancy are parked within 500 feet of one another on a lot, tract or parcel of land under the same ownership.

(7) "Travelers' accommodation" includes any establishment having rooms or apartments rented or kept for rent on a daily or weekly basis to travelers or transients for a charge or fee paid or to be paid for rental or use of facilities.

(8) "Vacation trailer" means a vehicle or structure equipped with wheels for highway use that is intended for human occupancy, is not being used for residential purposes and is being used for vacation and recreational purposes.

(9) "Carport" means a stationary structure consisting of a roof with its supports and not more than one wall, or storage cabinet substituting for a wall, and used for sheltering a motor vehicle.

(10) "Ramada" means a stationary structure having a roof extending over a mobile home or trailer, which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from sun and rain.

(11) "Awning" means any stationary structure, permanent or demountable, used in conjunction with a mobile home or trailer, other than a window awning, for the purpose of providing shelter from the sun and rain, and having a roof with supports and not more than one wall or storage cabinet substituting for a wall.

(12) "'Cabana" means a stationary, lightweight structure which may be prefabricated, or demountable, with two or more walls, used adjacent to and in conjunction with a trailer to provide additional living space meant to be moved with the trailer.

[1953 c.490 §2; 1959 c.562 §1; 1961 c.665 §1]

446.006 Certificate of sanitation necessary before operating travelers' accommodation or tourist park. No person shall establish, operate, manage or maintain any travelers' accommodation or tourist park without first securing a certificate of sanitation from a health officer as provided in ORS 446.012 to 446.046.

[1953 c.490 §3]

446.010 [Repealed by 1953 c.490 §21]

446.012 Application for certificate of sanitation. Application for a certificate of sanitation shall be made in writing on a form prepared for that purpose and provided by the State Board of Health and shall contain the name and address of the applicant and any other information which the board may require.

[1953 c.490 §4]

446.016 Certificate fee. Every applicant for a certificate of sanitation shall pay to the proper health officer a fee in an amount to be determined as follows:

(1)

Number of cabins, cottages, sleeping rooms, camping spaces or other rental units	License fee in dollars
Up to 10	$ 5
11 to 15	10
16 to 20	15
21 to 25	20
26 to 30	25
31 to 35	30
36 and over	35

(2) For each picnic park, the fee is $5.
[1953 c.490 §5]

446.020 [Repealed by 1953 c.490 §21]

446.022 Proration of certificate fee; seasonal license. (1) All applicants for a sanitation certificate engaging in the tourist park or travelers' accommodation business for the first time or re-engaging upon such business after a lapse of one year from the time a prior certificate of sanitation expired, shall have their license fees prorated in the following manner, if their annual license fee is $10 or more:

For applications during calendar quarter from	Percentage of license fee payable
April 1 to June 30	Three-quarters
July 1 to September 30	One-half
October 1 to December 31	One-quarter

(2) Any person desiring to operate a tourist park or travelers' accommodation for the months only from May 1 to October 1 may apply for a seasonal license and shall pay one-half of the annual license fee for such license. Any person holding a seasonal license who shall operate such tourist park or travelers' accommodation after October 1 of any calendar year shall be required to pay a full annual license for such year.
[1953 c.490 §6]

446.026 Renewal of certificates. (1) All certificates issued under ORS 446.002 to 446.165 shall be renewed on or before December 31 of each year.

(2) Renewal fees shall be the same as those provided for initial certificates in ORS 446.016.
[1953 c.490 §7]

446.030 [Repealed by 1953 c.490 §21]

446.032 [1953 c.490 §16; repealed by 1959 c.562 §16]

446.036 Penalties for delinquency in applying for certificate or paying renewal fees. (1) Any person failing to apply for a sanitation certificate within 30 days after engaging in the tourist park or travelers' accommodation business is delinquent and shall pay a penalty of 20 percent of the license fee in addition to the fee provided in ORS 446.016.

(2) Any person, initially licensed under ORS 446.002 to 446.165, failing to pay the renewal fee before January 10 of each year is delinquent and shall pay a penalty of 10 percent of the license fee provided in ORS 446.016 and 446.026, but if the delinquency continues beyond February 1 of any year, an additional 10 percent shall be added to the renewal fee for each month of delinquency.
[1953 c.490 §8]

446.040 [Repealed by 1953 c.490 §21]

446.042 Certificates not transferable; refunds prohibited. Certificates issued under ORS 446.002 to 446.165 shall not be transferable and no refund representing any unused portion of any certificate shall be made.
[1953 c.490 §9]

446.046 Issuance of certificates; posting certificate. (1) Upon receipt of any application and required fee and after determination that the applicant has complied with the provisions of ORS 446.002 to 446.165 and the rules and regulations of the State Board of Health, the proper health officer shall issue a certificate of sanitation on such forms as the board prescribes.

(2) All certificates of sanitation shall be posted in plain and open view in the place serving as office of the establishment licensed by ORS 446.002 to 446.165.
[1953 c.490 §10]

446.050 [Repealed by 1953 c.490 §21]

446.052 Revocation of certificates. (1) Any certificate of sanitation shall contain a condition that the certificate may be revoked if the applicant fails to comply with the provisions of ORS 446.002 to 446.165 or the rules and regulations of the State Board of Health.

(2) Whenever, in the judgment of the proper health officer, any applicant for a certificate or any person to whom a certificate has been issued fails to comply with the provisions of ORS 446.002 to 446.165 or with the rules and regulations of the board, the health officer may deny issuance of or revoke the certificate. However, no certificate shall be denied or revoked without giving the applicant or holder of a certificate

a hearing substantially similar to the procedure followed in ORS 693.090.

(3) If it appears at the hearing before the proper health officer that the applicant or holder of a certificate has violated any provision of ORS 446.002 to 446.165 or any rules or regulations of the board, the health officer may deny, suspend or revoke the certificate.

[1953 c.490 §11]

446.056 Reinstatement of suspended or revoked certificate; issuance of previously denied certificate. A health officer may reinstate any certificate of sanitation which has been suspended or revoked, or issue one which has been denied when the health officer is satisfied that the applicant or former holder is complying with ORS 446.002 to 446.165 and the rules and regulations of the board.

[1953 c.490 §12]

446.060 [Repealed by 1953 c.490 §21]

446.062 Rules for tourist facilities and trailer parks; furnishing copy to applicant. (1) The State Board of Health shall, under ORS 183.310 to 183.510, make such rules concerning the construction and operation of travelers' accommodations and tourist parks as are reasonably necessary effectively to protect the public health and the welfare of persons using those facilities. These rules shall pertain to water supplies, sewage disposal, drainage, plumbing, building construction and maintenance, lighting, ventilation, insect and rodent control, garbage and refuse disposal, allocation and maintenance of camping space, cleanliness of the premises, buildings, furniture, bedding and linens, and the registration of guests, but shall not be restrictive to the above. However, no rule shall be made prohibiting the construction of one-room cottages.

(2) The State Board of Health shall issue rules under ORS 183.310 to 183.510 to regulate trailer parks. These rules shall conform to ORS 446.090 to 446.105 and 446.115 to 446.145, and to subsection (1) of this section.

(3) A copy of such rules shall be furnished by the State Board of Health to each applicant for a certificate under ORS 446.002 to 446.165.

[1953 c.490 §13; 1959 c.562 §13]

446.066 Inspection of tourist and travelers' facilities by health officer. The health officer or his duly authorized representative may inspect every tourist park or travelers' accommodation located within his jurisdiction in order to determine whether they conform with the provisions of ORS 446.002 to 446.165 and the standards set by the rules and regulations of the board. Any person operating such facilities shall at all reasonable times, upon request of any health officer or his duly authorized representative permit them access to all parts of the facilities.

[1953 c.490 §14]

446.070 [Repealed by 1953 c.490 §21]

446.072 Uniform enforcement throughout state. The State Board of Health shall make such surveys as are necessary to assure uniform enforcement of ORS 446.002 to 446.165 and subsections (1) and (2) of ORS 446.990 throughout the state.

[1953 c.490 §17; 1959 c.562 §14]

446.076 Disposition of moneys collected by health officer; Tourist Facilities Account. (1) All fees and penalties collected under ORS 446.002 to 446.165 by the health officer having jurisdiction shall be used only for the purposes necessary and incidental to the administration and enforcement of ORS 446.002 to 446.165.

(2) All moneys received by the State Health Officer shall be paid into the State Treasury and shall be by the State Treasurer placed to the credit of the General Fund in an account to be known as the Tourist Facilities Account, which hereby is appropriated continuously and notwithstanding the provisions of ORS 291.238, and shall be used only for the administration and enforcement of ORS 446.002 to 446.165 by the State Health Officer or the board.

[1953 c.490 §15]

446.080 [Repealed by 1953 c.490 §21]

446.082 Provisions of ORS 446.002 to 446.165 not applicable to certain cities. The provisions of ORS 446.002 to 446.165 do not apply to any city having and enforcing ordinances providing standards of sanitation for tourist parks and travelers' accommodations.

[1953 c.490 §19]

446.084 to 446.088 [Reserved for expansion]

446.090 Application of ORS 446.095 to 446.105. ORS 446.095 to 446.105 do not apply to a trailer park that was constructed before August 5, 1959. However, any changes or additions made in any trailer park after August 5, 1959, shall conform to ORS 446.095

to 446.105 and the rules of the board issued thereunder.
[1959 c.562 §3]

446.095 Trailer park construction and facilities. The owner or operator of a trailer park shall:

(1) Construct well-drained and hard-surfaced driveways at least 20 feet in width, unobstructed and open to traffic within the trailer park. If he permits parking of motor vehicles on the driveways, he shall construct the driveways at least 30 feet in width.

(2) Provide to each tenant an adequate supply of healthful water and adequate electric power, sewerage facilities and receptacles for garbage. All plumbing shall be installed in compliance with ORS 447.010 to 447.140 and the rules of the board issued thereunder.

(3) Make available an adequate and properly equipped laundry room.

(4) Provide a minimum of one toilet, one washbasin and one shower for each sex in clean and separate quarters for every 10 trailers in the trailer park that have no bathroom facilities, if the trailer park accepts trailers without bathroom facilities. In every trailer park there shall be a minimum of one toilet, one washbasin and one shower for each sex. If the operator keeps a toilet locked, he shall give a key to any tenant requesting it.

(5) Provide one box for outgoing mail and another box for incoming mail, if the trailer park is on a mail route. When possible, he shall cause a public or private telephone to be made available to the tenants, including service for outgoing emergency calls at night.

(6) Provide a separate play area restricted to that use, if the trailer park accommodates children who are under 14 years of age. At least 100 square feet of play area shall be provided for each trailer occupied by children, and no play area shall be less than 2,500 square feet in area.

(7) Construct a slab or patio of concrete, asphalt, flagstone or the equivalent, at least 20 feet long and six feet wide adjacent and parallel to each trailer parking space.
[1959 c.562 §4]

446.100 Prohibited acts in connection with construction and use of trailer parks. No person shall:

(1) Construct a trailer park at a place that is unsuitable due to swampy terrain, lack of adequate drainage or proximity to the breeding places of insects or rodents.

(2) Park a trailer closer than 15 feet from another trailer, closer than 10 feet from a building or closer than five feet from a property boundary line.

(3) Construct a trailer space in a trailer park less than 30 feet in width or less than 40 feet in length.
[1959 c.562 §5]

446.105 Temporary trailer parks of construction and timber companies. (1) A health officer may issue a permit for the establishment of a temporary trailer park to a construction and timber company if:

(a) There is no available space in a trailer park within a reasonable distance, and

(b) A trailer park is necessary for the proper housing of the company's employes until the construction or logging project is finished.

(2) Health officers shall supervise temporary trailer parks permitted under subsection (1) of this section to enforce minimum standards of sanitation for temporary trailer parks prescribed by the rules of the board.
[1959 c.562 §6]

446.110 [Repealed by 1959 c.562 §16]

446.111 Regulation of structures in trailer parks. (1) No stationary structure may be erected within a trailer park without the consent of the owner or operator; and when giving consent, it shall be the duty of the trailer park manager to advise the tenant or builder of the standards required by this section.

(2) All stationary structures erected within a trailer park after August 9, 1961, shall conform to this section, and shall not be used or maintained in such a manner as to become a menace to health and safety.

(3) If a manufacturer of an awning or cabana submits drawings or photographs showing a floor plan and dimensions and materials used in a particular model and receives a letter of approval from the board, then that model may be erected within a trailer park and used by any person, if not altered.

(4) Any structure named in this section not prefabricated may be erected within a trailer park by a trailer owner or trailer park operator if a duplicate sketch showing floor plan, dimensions and materials used is first submitted to the health officer, his duly authorized representative or, in a county or city having a local zoning and building inspection

officer, to such officer, who may mark one copy approved and sign it. Such copy after being signed shall serve as a permit. No inspection of construction shall be required, but inspection may be made during any reasonable hours.

(5) Cabanas, carports and ramadas shall be of sturdy construction securely fastened together and fastened to the ground. The roofs of ramadas must clear the trailers by a vertical distance of at least 18 inches, and carports and ramadas shall not be attached to trailers. All vents, chimneys and ducts extending through the roof of the trailer shall also extend through the roof of the ramada, and shall also be of an approved slip joint or quick disconnect type.

(6) Awning roofs of fabric, light plastic, or light weight metal may be attached to the awning track on the trailer. Awnings of heavier materials shall be free standing structures, and may not be attached to the trailer other than by a strip of thin material fastened to the trailer by a sealing compound. Awning drop or side curtains shall consist solely of fabric, split bamboo or like flexible material.

(7) No cabana constructed after August 9, 1961, shall exceed 12 feet in width or 40 feet in length, nor shall it be less than six feet in width or 15 feet in length. A cabana shall consist of only one room with the exception of a toilet or bathroom and a small storage compartment. More than one cabana may not be erected for use in conjunction with a trailer, and a cabana may not cover more than one side of the trailer. The distance between a cabana and a trailer on an adjacent lot or space may not be less than 10 feet. No carport, ramada, awning or cabana shall be located closer than five feet to the park property boundary line. The minimum ceiling height shall be eight feet, but if a sloping roof is used the lowest part of the ceiling may be not less than six feet six inches. All electrical wiring of cabanas or other structures erected and used in conjunction with trailers shall be wired in a safe and workmanlike manner, and all materials used shall conform to the Oregon Electrical Code applicable to permanent structures. All plumbing shall comply with applicable local plumbing codes.

(8) This section does not preclude the setting and enforcement of higher standards by cities or counties in regard to any structure defined in ORS 446.002.

[1961 c.665 §3]

446.115 Sanitation of trailer parks; posting notice of law and rules. (1) The owner or operator of a trailer park is responsible for the sanitary condition of the park grounds and buildings. He shall conspicuously post in the trailer park a notice, furnished by the board, that explains ORS 446.002 to 446.165 and the rules of the board issued thereunder.

(2) No person shall allow his pet animal to run at large or to create any health hazard within a trailer park.

(3) No occupant of a trailer in a trailer park shall allow water or waste material to leak out upon the ground from his trailer or any connection between his trailer and sewerage facilities.

(4) No person shall park and occupy a trailer overnight at any place where sanitary facilities are not provided for the safe disposal of sewage and other wastes. However, in sparsely settled areas and when not prohibited by landowners and where there is no available space in a trailer park, trailers may be temporarily parked and occupied overnight off a highway if all sewage and other wastes are buried at least one foot below the surface of the ground or are placed in receptacles provided for that purpose.

[1959 c.562 §§8, 9]

446.120 Repealed by 1959 c.562 §16]

446.125 Occupying trailer on private land. A person may occupy a trailer on private land with the consent of the owner of the land if:

(1) The lot, tract or parcel of land upon which the trailer is situated has an area adequate to provide safe, approved water supply and sewage disposal facilities and is not in conflict with subsection (6) of ORS 446.002.

(2) He complies with all applicable standards of sanitation, water, plumbing and electrical and sewerage installations prescribed by the laws of this state and the rules issued thereunder, or by local authorities.

[1959 c.562 §10]

446.130 [Repealed by 1959 c.562 §16]

446.135 Regulations for trailers with kitchen or toilet facilities. (1) No person shall use kitchen or toilet facilities in a trailer being operated on a highway unless he makes provision whereby sewage and other waste materials can be held in watertight and sanitary containers of a type approved by the board.

(2) No person shall empty a container described in subsection (1) of this section except into a public sewerage system, septic tank or cesspool of a type approved by the board. However, in isolated areas where such facilities are not available these containers may be emptied into the ground if all sewage and other waste materials are buried at least one foot below the surface of the ground.
[1959 c.562 §11]

446.140 Removal of trailer from trailer park when delinquent in rent or utility charges. No tenant of a trailer park, when delinquent in his rent or utility charges, shall remove his trailer therefrom without first obtaining the permission of the owner or operator of the trailer park.
[1959 c.562 §12]

446.145 Records of trailers at trailer parks. Whenever a trailer arrives at a trailer park, the owner or operator of such park shall record the license numbers of the towing vehicle and of the trailer. Whenever a tenant arrives at a trailer park, he shall register with the owner or operator of such park and shall provide his correct name, home address and the license numbers of his car and his trailer. If the state wherein the tenant resides does not require the registration of his trailer, the tenant shall provide the correct color, model and dimensions of his trailer. The owner or operator of the trailer park shall keep these records for at least 18 months and make them available to health or police officers upon demand.
[1959 c.562 §7]

446.150 Records, inspections and reports to determine compliance with house trailer registration law. (1) As used in this section, "house trailer" means a house trailer as defined in ORS 481.022.

(2) The operator of a tourist park shall keep a record of each house trailer that is located in the tourist park for more than 12 consecutive hours. The record shall be signed by the owner or operator of the house trailer and shall include:

(a) The name and residence address of the owner of the house trailer.

(b) A description of the house trailer, including the name of the make and, if available, the serial number or the license number of the house trailer.

(3) The person operating the tourist park shall keep such record for not less than 18 months. Upon request of the Department of Motor Vehicles, the person operating the tourist park shall report the information recorded under subsection (2) of this section on forms provided by the Department of Motor Vehicles.

(4) Any person operating a tourist park shall at all reasonable times, upon request of the Department of Motor Vehicles, or any authorized representative of the department, or any law enforcement officer, permit them access to all parts of the tourist park for the purpose of determining whether the operator of such tourist park is complying with the provisions of this section and whether the owners of house trailers in such tourist park are complying with ORS chapter 481.
[1959 c.683 §32]

446.155 Sanitation and safety requirements for trailers. (1) No person may sell or offer for sale within this state a house trailer manufactured after January 1, 1962, that contains:

(a) Plumbing equipment, unless such equipment meets the requirements of the State Board of Health.

(b) Heating equipment, unless such equipment meets the requirements of the State Fire Marshal.

(c) Electrical equipment, unless such equipment meets the requirements of the Commissioner of the Bureau of Labor.

(2) The requirements for equipment under subsection (1) of this section shall be reasonably consistent with nationally recognized and accepted principles for plumbing, heating and electrical installations in house trailers, to protect the health and safety of the people of this state from dangers inherent in the use of substandard and unsafe plumbing, heating and electrical equipment.
[1961 c.567 §2]

446.160 Inspection of trailers; regulations; fees. (1) The State Board of Health, the State Fire Marshal and the Labor Commissioner may each make such inspections and, in compliance with ORS chapter 183, promulgate and enforce such rules and regulations as are reasonably necessary to carry out their duties under ORS 446.155 and subsection (2) of this section.

(2) In compliance with any applicable provisions of ORS chapter 183, the State Board of Health, the State Fire Marshal and the Labor Commissioner shall each receive a fee of $2 for each inspection. Fees received:

(a) By the State Board of Health, shall be deposited in the State Board of Health Account.

(b) By the State Fire Marshal, shall be deposited in the State Fire Marshal Fund.

(c) By the Labor Commissioner, shall be deposited in the Electrical Regulation Account.
[1961 c.567 §§3, 4]

446.165 Certain trailers exempt from city or county regulations. Any trailer that meets the requirements prescribed under ORS 446.155 is not required to comply with any ordinances of a city or county prescribing requirements for plumbing, heating and electrical equipment installed in house trailers.
[1961 c.567 §5]

446.170 to 446.500 [Reserved for expansion]

FARM LABOR CAMPS

446.510 Definitions for ORS 446.510 to 446.660. As used in ORS 446.510 to 446.660 and subsections (4) and (5) of 446.990, unless the context requires otherwise:

(1) "Board" means the State Board of Health.

(2) "Farm labor camp" means any place, area or piece of land where sleeping places or camping grounds are owned or maintained:

(a) By a person engaged in the business of providing sleeping places or camping grounds for employes or prospective employes of another person if the employes or prospective employes are or will be engaged in agricultural work; or

(b) In connection with any work or place where agricultural work is being performed, whether the sleeping places or camping grounds are owned or maintained by the employer or by another person.

(3) "Local health officer" means the health officer appointed under ORS 431.418. In case a farm labor camp is located in more than one county or in a city and county, the health officer within whose area the larger portion of the farm labor camp is located shall act.

(4) "Operator" means a person holding legal title to the land on which a farm labor camp is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the farm labor camp under a lease or otherwise.

(5) "Place of employment" means a location where one or more persons are actually performing agricultural work.

(6) "Sleeping place" means any room, structure, shelter, tent, trailer house, vehicle or other place where one or more persons are housed.

(7) "Facility" means a sleeping place, drinking water installation, toilet installation, sewage disposal installation, food handling installation or other installation which if in unsatisfactory sanitary condition would be a serious menace to public health.
[1959 c.314 §1; 1961 c.610 §16]

446.520 Water supply. (1) An ample supply of safe and potable drinking water shall be provided in every farm labor camp for drinking, hand washing, bathing and domestic purposes. This water shall be available from convenient outlets, which may include portable water containers, that comply with standards of the board relating to location, construction, operation and quality.

(2) Adequate hand washing facilities shall be provided either adjacent to all toilet facilities or adjacent to the living facilities in a farm labor camp.

(3) Any container used in common for drinking purposes is prohibited.

(4) If drinking fountains are provided at a farm labor camp, they shall be of an angle jet type with adequate water pressure at all times.
[1959 c.314 §2]

446.530 Toilet facilities. (1) In every farm labor camp there shall be at least one toilet or the equivalent thereof for every 15 employes or fractional part thereof of each sex housed in the farm labor camp. When a total of seven or less persons of both sexes are housed only one toilet need be provided. These toilets shall be readily accessible, be properly marked and conform to standards in the code relating to location, construction, operation and cleanliness.

(2) Adequate toilet facilities shall be provided at all places of employment. If drinking water is provided at the place of employment it shall be safe and potable and available from outlets, which may include portable water containers, that comply with standards of the board relating to location, construction, operation and quality.
[1959 c.314 §3]

446.540 Sewage disposal; plumbing. (1) Sewage disposal in a farm labor camp shall be effected by means of a connection to a community sewer system, a septic tank with subsurface disposal of the effluent, pit type privies or other sanitary means conforming to ORS 447.140 and rules of the board relating to sewage disposal.

(2) All plumbing in a farm labor camp shall be installed in compliance with ORS 447.010 to 447.140 and rules of the board relating to plumbing and water supply.
[1959 c.314 §4]

446.550 Refuse and trash. (1) All refuse in a farm labor camp, including garbage and kitchen waste, shall be stored in durable watertight containers, so constructed as to exclude flies and rodents. These containers shall be maintained in a clean condition and in good repair.

(2) All refuse and trash shall be removed from a farm labor camp at least once each week and disposed of in a manner that will not endanger human health.
[1959 c.314 §5]

446.560 Prevention of breeding of animal or insect pests. Measures shall be taken in each farm labor camp to prevent the breeding of rodents, flies, mosquitoes, bedbugs and any other animal or insect vectors or parasites.
[1959 c.314 §6]

446.570 Sleeping places. (1) All sleeping places in a farm labor camp shall be maintained in good structural condition and constructed in a substantial manner so as to provide shelter for the occupants against the elements and to exclude, structurally or otherwise, rodents and insects.

(2) All sleeping places except tents, vehicles and trailer houses that are owned by the occupants, shall have, in addition to a door, an opening that can be used as an exit in case of fire.
[1959 c.314 §7]

446.580 Food and meals. In a farm labor camp where food or meals are prepared or served by the operator or by a concessionaire, the facilities for and practices of preparation and serving shall comply with ORS chapter 624 and the rules of the board relating to eating and drinking establishments.
[1959 c.314 §8]

446.590 Reporting communicable diseases and unusual prevalence of illness. (1) The operator of a farm labor camp shall cause a report to be made to the local health officer immediately if an individual housed in the camp is known to have or is suspected of having any communicable disease or illness. This report shall include the name and address of the individual.

(2) If an outbreak of suspected food poisoning occurs in a farm labor camp, or an unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting or jaundice is a prominent symptom, the operator of the camp shall immediately report the outbreak or unusual prevalence to the local health officer.
[1959 c.314 §9]

446.600 Rules covering ORS 446.510 to 446.590 to be embodied in health code. The board shall make and enforce reasonable rules to carry out ORS 446.510 to 446.590. These rules shall be embodied in a health code for farm labor camps.
[1959 c.314 §10]

446.610 Adoption and amendment of health code for farm labor camps. (1) Before formulating a draft of the health code, the board shall invite the participation of interested state agencies and representative business, farm, labor and health organizations. These groups may make suggestions relating to the minimum standards to be embodied in the health code which shall be considered by the board. The board shall then prepare a tentative draft of the health code.

(2) Upon the fixing of a time and place for a hearing or hearings to consider the tentative draft, the board shall cause a notice of the hearing to be published in one or more daily newspapers of general circulation published and circulated in the City of Portland and in such other daily or weekly newspapers of general circulation in various affected areas in this state as will give wide notice of the hearing. Any individuals or groups may participate in the hearing, and submit their comments and suggestions relating to the minimum standards embodied in the tentative draft.

(3) Notice of the adoption and issuance of the health code shall be given in the same manner as notice of the hearing.

(4) The board shall cause copies of the health code and amendments thereto to be distributed to interested persons and state agencies.

(5) The board may amend the health code at any time upon its own motion or upon complaint by an individual or group, in

the same manner as the health code was prepared, adopted and distributed under subsections (1) to (4) of this section.

(6) No defect or inaccuracy in a notice or in the publication thereof shall invalidate the health code or any amendment thereto adopted and issued by the board.
[1959 c.314 §§11, 12, 13, 14]

446.620 Closing facility that is not in accordance with health code. (1) Any facility of a farm labor camp that violates any provision of the health code hereby is declared a public nuisance. The local health officer, the Commissioner of the Bureau of Labor or the Director of the Oregon State Employment Service, or his representative, may, 24 hours after posting written notice, close such a facility if in accordance with the health code he considers it to be a serious menace to public health. The official taking this action shall prepare a closing order on forms prescribed by the board. The notice and the closing order shall specify the items which constitute the serious menace to public health. This closing order shall be posted conspicuously at or near the closed facility, and copies of the order shall immediately be sent to the local health officer and to the operator of the farm labor camp. The official closing the facility may after contacting the local health officer reopen it when the condition causing the closure has been corrected.

(2) The local health officer shall review the closing order within 24 hours after it was issued, and shall within that time rescind the order if he finds that it was erroneously issued or that the facility has been brought into compliance with the health code. The operator of the farm labor camp affected by the closing order shall be given an opportunity to show that the order was erroneously issued or that the facility has been brought into compliance with the health code. If the local health officer does not rescind the order within 24 hours after it was issued, he is considered to have confirmed the order.

(3) If the local health officer confirms a closing order, the operator of the farm labor camp may at any time thereafter demand, orally or in writing, that the facility closed by the order be reinspected. The local health officer shall reinspect the facility within 24 hours after receipt of the demand. If the closing order was erroneously issued or if the facility has been brought into compliance with the health code, the local health officer shall immediately rescind the order.

(4) If the local health officer considers an entire labor camp or place of employment to be a serious menace to public health, he may close it 24 hours after posting written notice. The local health officer taking this action shall prepare a closing order on forms prescribed by the board. The notice and the closing order shall specify the items which constitute the serious menace to public health. This closing order shall be posted conspicuously at or near the closed facility and copies of the order shall immediately be sent to the operator of the farm labor camp.
[1959 c.314 §15]

446.630 Appeal to circuit court. Any person aggrieved by a closing order issued under ORS 446.620, or by a failure on the part of a local health officer to cause a prompt reinspection to be made under ORS 446.620 after receiving a demand, may appeal to the circuit court of the county in which the farm labor camp, or the larger portion thereof, is located. This appeal must be made within 30 days after the date on which the county health officer confirmed the closing order. However, the closing order continues in effect while the appeal is pending and thereafter unless the court orders it suspended or rescinded.
[1959 c.314 §16]

446.640 Supplying information and assistance to operators of camps. (1) The board shall conduct an educational campaign to inform all operators of farm labor camps and the persons housed therein of the provisions of ORS 446.510 to 446.660 and subsections (4) and (5) of 446.990 and of the health code, and shall encourage the continued improvement of health and sanitation.

(2) The Oregon State Employment Service shall cooperate in the formation of employers' committees and assist them in establising their own system of inspection, improvement and maintenance of farm labor camps. This system is in addition to the procedures under ORS 446.510 to 446.660.
[1959 c.314 §17]

446.650 Cooperation with and assistance from United States. The board may, in carrying out ORS 446.510 to 446.660 and subsections (4) and (5) of 446.990, contract or cooperate with and receive aid or assistance from the United States or any agency thereof.
[1959 c.314 §18]

446.660 Applicability of Administrative Procedures Act; procedural rules. (1) In addition to the health code, the board may make procedural rules necessary to carry out ORS 446.510 to 446.660 and subsections (4) and (5) of 446.990.

(2) Except as otherwise specifically provided in ORS 446.610, the health code and all other rules of the board under ORS 446.510 to 446.660 and subsections (4) and (5) of 446.990 shall be adopted and issued under ORS 183.310 to 183.510.

(3) Except as otherwise specifically provided in ORS 446.620 and 446.630, proceedings relating to a closing order are subject to ORS 183.310 to 183.510.

[1959 c.314 §19]

446.670 to 446.980 [Reserved for expansion]

PENALTIES

446.990 Penalties. (1) Except as otherwise provided in subsection (2) of this section, violation of any provision of ORS 446.002 to 446.165 or any rule issued pursuant thereto is punishable, upon conviction, by a fine of not more than $300 or by imprisonment in the county jail for not more than 60 days, or both.

(2) Violation of subsection (4) of ORS 446.115 or 446.135 is punishable, upon conviction, by a fine of not more than $100 or by imprisonment in the county jail for not more than three months, or both.

(3) Violation of ORS 446.150 is punishable, upon conviction, by imprisonment in the county jail for not more than 60 days, or by a fine of not more than $300, or both.

(4) Continued operation by the operator of a farm labor camp of a facility after it has been closed by a closing order under ORS 446.620, or wilful violation of any provision of ORS 446.510 to 446.660 or of the health code, is a misdemeanor.

(5) Wilful misuse, damage or destruction by any person housed in a farm labor camp of any facility required under the health code to protect the health of persons housed in the farm labor camp, or the health of the public, is a misdemeanor, and said person shall be liable for any wilful misuse, damage or destruction.

[Amended by 1953 c.490 §21; subsection (1) enacted as 1953 c.490 §18; 1959 c.562 §15; subsection (3) enacted as 1959 c.683 §33; subsections (4) and (5) enacted as 1959 c.314 §20]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1961.

Sam R. Haley
Legislative Counsel