## 01

**01-01-4** **FE in overcharge zone.** **Reporting**

*Portable fire extinguisher pressure gauge indicates the extinguisher is overcharged. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**01-02-4** **FE in recharge zone.** **Reporting**

*Portable fire extinguisher pressure gauge indicates the extinguisher is in need of recharge. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**01-03-4** **FE missing from designated location.** **Reporting**

*Portable fire extinguisher missing from it's designated location (sign present indicating designated location). For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**01-04-4** **No FE.** **Reporting**

*No portable fire extinguisher present on the premises. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**01-05-4** **FE inaccessible.** **Reporting**

*Portable fire extinguisher obstructed/not accessible. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**01-06-4** **FE box locked/no access.** **Reporting**

*Portable fire extinguisher locked in a box with no means of access to the fire extinguisher. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 02

**02-01-4** **Excessive lint in laundry room.** **High Priority**

*Build-up of lint in the laundry room.*

61C-1.004(6) FAC Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

## 02

**02-02-4** **Flammables in laundry room.** **High Priority**

*Flammable material stored in the laundry room.*

61C-1.004(6) FAC Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

**02-03-4** **Debris in laundry room.** **High Priority**

*Build-up of clothing/debris in the laundry room.*

61C-1.004(6) FAC Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

**02-04-4** **LP gas tank inside building.** **Reporting**

*Propane (LP gas) tank having a water capacity greater than 2.7 lbs. stored inside the building. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**02-05-4** **Debris in meter room/attic/basement.** **High Priority**

*Build-up of debris in the meter room/attic/basement.*

61C-1.004(6) FAC Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

**02-06-4** **Flammables in meter room/attic/basement.** **High Priority**

*Flammable material stored in the meter room/attic/basement.*

61C-1.004(6) FAC Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

**02-07-4** **Flammable chemicals near source of ignition.** **Reporting**

*Flammable chemicals stored near a source of ignition. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**02-08-4** **LP gas tank under stairwell.** **Reporting**

*Propane (LP gas) tank having a water capacity greater than 2.7 lbs. stored under a stairwell. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 03

## 03

**03-01-4 Sprinkler system not installed - 3 story or more transient.** **Reporting**

*No fire sprinkler system installed in a transient lodging establishment three stories or more in height, or over 75 feet in height. For reporting purposes only.*

509.215 and 509.032(2)(d) FS: 509.215 Any public lodging establishment, as defined in this chapter, which is of three stories or more, or over 75 feet in height shall be equipped with an automatic sprinkler system installedin compliance with the provisions prescribed in the National Fire Protection Association publication NFPA No . 13 "Standards for the Installation of Sprinkler Systems. 509.032(2)(d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**03-02-4 Room/area not sprinklered.** **Reporting**

*Room/area within a transient public lodging establishment that requires a fire sprinkler system has no fire sprinkler protection. For reporting purposes only.*

509.215 and 509.032(2)(d) FS: 509.215 Any public lodging establishment, as defined in this chapter, which is of three stories or more, or over 75 feet in height shall be equipped with an automatic sprinkler system installedin compliance with the provisions prescribed in the National Fire Protection Association publication NFPA No . 13 Standards for the Installation of Sprinkler Systems. 509.032(2)(d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**03-03-4 Objects hung from sprinkler head.** **Reporting**

*Object hung from fire sprinkler head. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**03-04-4 Sprinkler head covered/obstructed.** **Reporting**

*Fire sprinkler head obstructed/covered. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**03-05-4 Painted sprinkler head.** **Reporting**

*Fire sprinkler head painted. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 04

**04-01-4 FACP trouble/alarm lights.** **Reporting**

*Trouble/alarm light illuminated on the fire alarm control panel. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 04

**04-02-4 Transient - no smoke alarm.** **Reporting**

*No smoke detector provided in guest room/unit. For reporting purposes only.*

509.215(1) and (2) and 509.032(2)(d) FS: 509.215(1) Each guest room shall be equipped with an approved listed single-station smoke detector meeting the minimum requirements of NFPA-74 Standards for the Installation, Maintenance and Use of Household Fire Warning Equipment. (2) The building has smoke detectors in each guest room individually annunciating to a panel at a supervised location. 509.032(2)(d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**04-03-4 Smoke alarm damaged.** **Reporting**

*Smoke detector/alarm in guest room/unit damaged as to appear to be inoperable. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**04-04-4 No power to FACP.** **Reporting**

*Fire alarm control panel has no power. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**04-05-4 Non-transient - no smoke alarm.** **Reporting**

*No smoke detector provided in guest room/unit. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**04-06-4 FACP sounding audible alarm.** **Reporting**

*Fire alarm control panel emitting an audible alarm. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**04-07-4 Smoke detector panel trouble/alarm lights.** **Reporting**

*Trouble/alarm light illuminated on the smoke detector panel connected to the fire alarm system. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 05

## 05

**05-01-4** **No HI smoke detector.** **High Priority**

*No hearing-impaired smoke detector(s) available.*

509.215(6) FS and 61C-1.004(8) FAC: 509.215(6) Specialized smoke detectors for the deaf and hearing-impaired shall be made available upon request by guests in public lodging establishments at a rate of at least one such smoke detector per 50 dwelling units or portion thereof, not to exceed five such smoke detectors per public lodging facility. 61C-1.004(8) Specialized smoke detectors for the deaf and hearing-impaired shall be made available upon request by guests in transient public lodging establishments without charge. Failure of the operator to inform any employee charged with registering guests of the location of such detector constitutes failure to make such detectors available.

**05-02-5** **HI detector not functioning.** **Reporting**

*Hearing-impaired smoke detector is not functioning when tested. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**05-03-4** **Desk clerk unaware of HI detector.** **High Priority**

*The front desk clerk/person responsible for registering guests is unaware of the location of the hearing-impaired smoke detector(s).*

61C-1.004(8) FAC: Specialized smoke detectors for the deaf and hearing-impaired shall be made available upon request by guests in transient public lodging establishments without charge. Failure of the operator to inform any employee charged with registering guests of the location of such detector constitutes failure to make such detectors available.

**05-04-4** **Insufficient number of HI detectors.** **High Priority**

*Insufficient number of hearing-impaired smoke detector(s) available. One hearing impaired smoke detector for each 50 guest rooms/units, or portion thereof, not provided (maximum of 5 hearing impaired smoke detectors required).*

509.215(6) FS: Specialized smoke detectors for the deaf and hearing-impaired shall be made available upon request by guests in public lodging establishments at a rate of at least one such smoke detector per 50 dwelling units or portion thereof, not to exceed five such smoke detectors per public lodging facility.

**05-05-4** **Charging for HI detector.** **High Priority**

*Establishment charging guests for the use of a hearing-impaired smoke detector.*

61C-1.004(8) FAC: Specialized smoke detectors for the deaf and hearing-impaired shall be made available upon request by guests in transient public lodging establishments without charge.

## 06

**06-01-4** **Path to exit door blocked.** **Reporting**

*Path to door marked as an exit is blocked. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**06-02-4** **Exit door blocked.** **Reporting**

*Door marked as an exit is blocked. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 06

**06-03-4 Exit not accessible.** **Reporting**

*Marked exit is inaccessible. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**06-04-4 No device to open exit door.** **Reporting**

*No door knob/opening device on marked exit door. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**06-05-4 Special knowledge/tool lock on exit door.** **Reporting**

*Door marked as an exit locked with a lock that would require special knowledge/tool to unlock. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**06-06-4 Keyed lock on exit door.** **Reporting**

*Door marked as an exit locked with a lock that requires a key. For reporting purposes only.*

509.032(2)(d) FS: The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 07

**07-01-4 Damaged wire.** **Reporting**

*Damaged electrical wire(s). For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**07-02-4 Frayed wire.** **Reporting**

*Frayed electrical wire(s). For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**07-03-4 Scorch marks around outlet.** **Reporting**

*Scorch marks around an electrical outlet. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 07

**07-04-4 Outlet damaged.** **Reporting**

*Electrical outlet damaged to indicate a malfunction. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 08

**08-01-4 Boiler certificate expired.** **Reporting**

*Boiler certificate or insurance inspector's boiler report expired. For reporting purposes only.*

61C-1.004(10) FAC and 509.032(2)(d) FS: 61C-1.004(10) The insurance inpector's boiler report is required annually for power boilers and high pressure/high temperature boilers and biannually for low pressure steam or vapor heating boilers. 509.032(2)(d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**08-02-4 Flammables in boiler room.** **High Priority**

*Flammables stored in the boiler room.*

61C-1.004(6) FAC Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

**08-03-4 No boiler certificate.** **Reporting**

*No boiler certificate or insurance inspector's boiler report available. For reporting purposes only.*

61C-1.004(10) FAC and 509.032(2)(d) FS: 61C-1.004(10) The insurance inpector's boiler report is required annually for power boilers and high pressure/high temperature boilers and biannually for low pressure steam or vapor heating boilers. 509.032(2)(d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**08-04-4 Boiler certificate not posted in boiler room.** **Reporting**

*Boiler certificate not posted in the boiler room. For reporting purposes only.*

61C-1.004(10) FAC and 509.032(2)(d) FS: 61C-1.004(10) The insurance inspector's boiler report shall be posted in the boiler room. 509.032(2)(d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**08-05-4 Boiler room not clean.** **High Priority**

*Build-up of dirt/dust/debris in boiler room.*

61C-1.004(6) FAC Attics, basements, boiler rooms, meter rooms, laundry rooms, and storage rooms shall be kept clean and free of debris and flammables.

**08-06-4 Combustibles in boiler room.** **Reporting**

*Combustibles stored in boiler room. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 08

**08-07-4 Boiler not properly vented.** **Reporting**

*Gas boiler not properly vented. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**08-08-4 Boiler vent stack disconnected/poor repair.** **Reporting**

*Vent stack for gas boiler disconnected/in disrepair. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

## 09

**09-01-5 No lighting provided.** **Basic**

*No lighting provided.*

509.221(3) FS: (3) Each establishment licensed under this chapter shall be properly lighted, heated, cooled, and ventilated and shall be operated with strict regard to the health, comfort, and safety of the guests. Such proper lighting shall be construed to apply to both daylight and artificial illumination.

**09-02-5 Bathroom lighting less than 20 foot-candles.** **Basic**

*Less than 20 foot-candles of light provided in the bathroom.*

61C-1.004(2)(a) FAC: Bathrooms shall provide at least 20 foot candles of light. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**09-03-4 Hallway/entrance not lighted.** **Basic**

*Hallway/entrance not well-lighted.*

61C-1.004(9)FAC Halls, entrances and stairways shall be well-lighted day and night.

**09-04-4 Kitchen lighting less than 10 foot-candles.** **Basic**

*Less than 10 foot-candles of light provided in the kitchen.*

61C-3.001(2)(a) FAC: Kitchens must also have at least 10 foot candles of light. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**09-05-4 Stairway not lighted.** **Basic**

*Stairway not well-lighted.*

61C-1.004(9)FAC Halls, entrances and stairways shall be well-lighted day and night.

## 10

**10-01-4 No heater.** **High Priority**

*No means of heat provided.*

509.221(3) FS: Each establishment licensed under this chapter shall be properly heated and shall be operated with strict regard to the health, comfort, and safety of the guests.

## 10

**10-02-4** **Not maintaining 68 degrees.** **High Priority**

*Room/apartment at less than 68 degrees F.*

61C-1.004(10) FAC: The heating system shall be kept in good repair or be installed to maintain a minimum of 68 degrees Fahrenheit throughout the building .

**10-03-4** **Heater not maintained/in disrepair.** **High Priority**

*Heater not maintained/in disrepair.*

61C-1.004(10) FAC: The heating system shall be kept in good repair or be installed to maintain a minimum of 68 degrees Fahrenheit throughout the building .

## 11

**11-01-4** **Fuel-burning wick-type equipment.** **Reporting**

*Portable fuel-burning wick-type piece of equipment used for space heating indoors - not properly vented to the outside. For reporting purposes only.*

509.211(2)FS: (a) It is unlawful for any person to use within any public lodging establishment any fuel-burning wick-type equipment for space heating unless such equipment is vented so as to prevent the accumulation of toxic or injurious gases or liquids. (b) Any person who violates the provisions of paragraph (a) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. For reporting purposes only.

**11-02-4** **Gas appliance in disrepair** **Reporting**

*Gas appliance vent stack disconnected/in disrepair. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**11-03-4** **Gas water heater in disrepair.** **Reporting**

*Gas water heater vent stack disconnected/in disrepair. For reporting purposes only.*

509.032(2)(d) FS: (d) The division, or its agent, shall notify the local firesafety authority or the State Fire Marshal of any readily observable violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food establishments, and the identification of such violation does not require any firesafety inspection certification. For reporting purposes only.

**11-04-4** **Stove in disrepair.** **Basic**

*Stove in disrepair.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-05-4** **Oven in disrepair.** **Basic**

*Oven in disrepair.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-06-4** **Refrigerator in disrepair.** **Basic**

*Refrigerator in disrepair.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

## 11

**11-07-4** **Dishwasher in disrepair.** **Basic**

*Dishwasher in disrepair.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-08-4** **Kitchen appliance in disrepair.** **Basic**

*Kitchen appliance in disrepair.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-09-4** **Stove dirty.** **Basic**

*Stove soiled with dust/dirt/debris.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-10-4** **Oven dirty.** **Basic**

*Oven soiled with dust/dirt/debris.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-11-4** **Refrigerator dirty.** **Basic**

*Refrigerator soiled with dust/dirt/debris.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-12-4** **Dishwasher dirty.** **Basic**

*Dishwasher soiled with dust/dirt/debris.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-13-4** **Kitchen appliance dirty.** **Basic**

*Kitchen appliance soiled with dust/dirt/debris.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-14-4** **Water in bottom of refrigerator.** **Basic**

*Water pooling in the bottom of the refrigerator.*

61C-3.001(2)(a) FAC: Refrigerators shall be properly drained. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-15-4** **Refrigerator not drained properly.** **Basic**

*Refrigerator not drained properly.*

61C-3.001(2)(a) FAC: Refrigerators shall be properly drained. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

## 11

**11-16-4** **Refrigerator has odor.** **Basic**

*Refrigerator has an odor.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-17-4** **Dishwasher has odor.** **Basic**

*Dishwasher has an odor.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

**11-18-4** **Kitchen appliance has odor.** **Basic**

*Kitchen appliance has an odor.*

61C-3.001(2)(a) FAC: (a) Kitchen appliances and refrigeration equipment shall be kept clean, free from odors and in good repair. [Exemption--61C-3.001(6) FAC Nontransient apartments are exempt from paragraph (2)(a) of this rule.]

## 12

**12-01-4** **Loose railing - stairway 3 stories or more.** **High Priority**

*Stairway railing is loose.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-02-4** **Any - balcony loose.** **High Priority**

*Balcony loose/separating from building.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-03-4** **Any - railing missing on porch.** **High Priority**

*Railing missing on the porch.*

61C-1.004(9) FAC: Railways shall be installed on all stairways and around all porches and steps.

**12-04-4** **Any - balcony collapsed.** **High Priority**

*Balcony collapsed.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-05-4** **Any - stairway collapsed.** **High Priority**

*Stairway collapsed.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

## 12

**12-06-5** **No balcony certificate.** **High Priority**

*No Certificate of Balcony Inspection available.*

61C-3.001(5)(a) FAC: As provided in Section 509.2112, F.S., every public lodging establishment which is 3 or more stories in height must submit to the division a certificate stating that any and all balconies, platforms, stairways, and railways have been inspected by a person who, through education and experience, is competent to inspect multi-story buildings and found by such person to be safe, secure, and free of defects. The term “balcony” is defined as a landing or porch that is accessible to or used by the public and shall include those portions of a building which are unenclosed, except by a railing, guardrail system, balustrade, or parapet. It shall also include those portions of a building which are enclosed by screening or other non-permanent building material.

**12-07-4** **Balcony inspector competency not provided on form.** **High Priority**

*Certificate of Balcony Inspection completed by a person whose competency is not documented on the form.*

61C-3.001(5)(b) FAC: It is the responsibility of the operator to verify the facts and credentials establishing the competency of the multi-story balcony inspector. Such verification shall be clearly stated on the application form.

**12-08-4** **Any - platform/landing collapsed.** **High Priority**

*Stairway platform/landing collapsed.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-09-4** **Expired balcony certificate.** **High Priority**

*Certificate of Balcony Inspection expired.*

61C-3.001(5)(d) FAC: The division and the applicable local governmental agency or office shall receive the Certificate of Balcony Inspection from hotels and motels on or before January 1 of every third year and from other public lodging establishments on or before October 1 of every third year.

**12-10-4** **No stamped balcony certificate.** **High Priority**

*Certificate of Balcony Inspection stamped by the Division's district office not available.*

61C-3001(5)(e) FAC: The operator shall keep a copy of the Certificate of Balcony Inspection, stamped with the date it was received by the district, available for inspection upon request.

**12-11-4** **Change owner no balcony certificate.** **High Priority**

*No Certificate of Balcony Inspection available for the new owner.*

61C-3.001(5)(f)FAC Upon change of ownership, the operator shall file a new Certificate of Balcony Inspection.

**12-12-4** **Loose railing - balcony 3 stories or more.** **High Priority**

*Balcony railing is loose.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-13-4** **Loose railing - platform/landing 3 stories or more.** **High Priority**

*Stairway platform/landing railing is loose.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-14-4** **Stairway railing in disrepair 3 stories or more.** **High Priority**

*Stairway railing is in disrepair.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

## 12

**12-15-4** **Balcony railing in disrepair 3 stories or more.** **High Priority**

*Balcony railing is in disrepair.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-16-4** **Platform/landing railing in disrepair 3 stories or more.** **High Priority**

*Stairway platform/landing railing is in disrepair.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-17-4** **Rusted stairway railing 3 stories or more.** **High Priority**

*Stairway railing is rusted.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-18-4** **Rusted balcony railing 3 stories or more.** **High Priority**

*Balcony railing is rusted.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-19-4** **Rusted platform/landing railing 3 stories or more.** **High Priority**

*Stairway platform/landing railing is rusted.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-20-4** **Rotted stairway railing 3 stories or more.** **High Priority**

*Wood stairway railing is rotted.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-21-4** **Rotted balcony railing 3 stories or more.** **High Priority**

*Wood balcony railing is rotted.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-22-4** **Rotted platform/landing railing 3 stories or more.** **High Priority**

*Wood stairway platform/landing railing is rotted.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-23-4** **Railing missing - balcony 3 stories or more.** **High Priority**

*Railing missing on the balcony.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

**12-24-4** **Railing missing - platform/landing 3 stories or more.** **High Priority**

*Railing missing on the stairway platform/landing.*

509.211(3) FS: Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired.

## 12

**12-25-4** **Any - railing missing on stairway.** **High Priority**

*Railing missing on the stairway.*

61C-1.004(9) FAC: Railways shall be installed on all stairways and around all porches and steps.

**12-26-4** **Any - railing missing on steps.** **High Priority**

*Railing missing along steps.*

61C-1.004(9) FAC: Railways shall be installed on all stairways and around all porches and steps.

**12-27-4** **Any - stairway spalling concrete/exposed rebar.** **High Priority**

*Spalling concrete/exposed rebar on stairway.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-28-4** **Any - balcony spalling concrete/exposed rebar.** **High Priority**

*Spalling concrete/exposed rebar on balcony.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-29-4** **Any - platform/landing spalling concrete/exposed rebar.** **High Priority**

*Spalling concrete/exposed rebar on stairway platform/landing.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-30-4** **Any - stairs rotted/deteriorated.** **High Priority**

*Stairs rotted/deteriorated.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-31-4** **2 story loose stairway railing.** **High Priority**

*Stairway railing is loose.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-32-4** **2 story loose balcony railing.** **High Priority**

*Balcony railing is loose.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-33-4** **2 story loose platform/landing railing.** **High Priority**

*Stairway platform/landing railing is loose.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-34-4** **2 story stairway railing in disrepair.** **High Priority**

*Stairway railing is in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

## 12

**12-35-4** **2 story balcony railing in disrepair.** **High Priority**

*Balcony railing is in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-36-4** **2 story platform/landing railing in disrepair.** **High Priority**

*Stairway platform/landing railing is in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-37-4** **2 story rusted stairway railing.** **High Priority**

*Stairway railing is rusted.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-38-4** **2 story rusted balcony railing.** **High Priority**

*Balcony railing is rusted.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-39-4** **2 story rusted platform/landing railing.** **High Priority**

*Stairway platform/landing railing is rusted.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-40-4** **2 story rotted stairway railing.** **High Priority**

*Wood stairway railing is rotted.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-41-4** **2 story rotted balcony railing.** **High Priority**

*Wood balcony railing is rotted.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-42-4** **2 story rotted platform/landing railing.** **High Priority**

*Wood stairway platform/landing railing is rotted.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**12-43-5** **Balcony certificate not on correct form.** **High Priority**

*Balcony certification not submitted on form DBPR HR-7200, CERTIFICATE OF BALCONY INSPECTION.*

61C-3.001(5)(c) FAC: Certification of inspection shall be submitted on DBPR HR-7020, CERTIFICATE OF BALCONY INSPECTION (http://www.flrules.org/Gateway/reference.asp?No=Ref-02202), incorporated herein by reference and effective 2012 November 14. Copies of this form are available from the Division of Hotels and Restaurants Internet website www.MyFloridaLicense.com/dbpr/hr; by e-mail request submitted at www.myfloridalicense.com/contactus; by phone request to the department at (850) 487-1395; or upon written request to the Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

## 12

**12-44-5** **Balcony certificate indicates deficiencies.** **High Priority**

*Certificate of Balcony Inspection indicates deficiencies that have not been corrected.*

61C-3.001(5)(a) FAC: As provided in Section 509.2112, F.S., every public lodging establishment which is 3 or more stories in height must submit to the division a certificate stating that any and all balconies, platforms, stairways, and railways have been inspected by a person who, through education and experience, is competent to inspect multi-story buildings and found by such person to be safe, secure, and free of defects. The term “balcony” is defined as a landing or porch that is accessible to or used by the public and shall include those portions of a building which are unenclosed, except by a railing, guardrail system, balustrade, or parapet. It shall also include those portions of a building which are enclosed by screening or other non-permanent building material.

## 13

**13-01-4** **Hole in wall.** **Basic**

*Hole in the wall.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-02-4** **Stair runner poor condition.** **Basic**

*Stair runner is worn/torn.*

61C-1.004(9) FAC: Hall and stair runners shall be kept in good condition.

**13-03-4** **Wall water damage.** **Basic**

*Water damage on the wall.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-04-4** **Mold on wall.** **Basic**

*Mold-like substance on wall.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-05-4** **Hole in roof.** **Basic**

*Hole in the roof.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-06-4** **Roof leak.** **Basic**

*Roof leaking.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-07-4** **Missing roof tiles/shingles.** **Basic**

*Tiles/shingles missing from roof.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-08-4** **Hole in ceiling.** **Basic**

*Hole in the ceiling.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

## 13

**13-09-4** **Ceiling water damage.** **Basic**

*Water damage on the ceiling.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-10-4** **Mold on ceiling.** **Basic**

*Mold-like substance on ceiling.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-11-4** **Ceiling bulging/hanging down.** **Basic**

*Ceiling bulging/hanging down.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-12-4** **Hole in soffit/fascia.** **Basic**

*Hole in the soffit/fascia.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-13-4** **Soffit screen torn.** **Basic**

*Screening on the soffit is torn.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-14-4** **Hole in floor.** **Basic**

*Hole in the floor.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-15-4** **Hole in floor covering.** **Basic**

*Hole in the carpet/tile/linoleum/floor covering.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-16-4** **Floor covering in disrepair.** **Basic**

*Carpet/tile/linoleum/floor covering in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-17-4** **Tack board exposed/protruding.** **Basic**

*Tack board exposed/protruding through carpet.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-18-4** **Mold on floor/floor covering.** **Basic**

*Mold-like substance of floor/floor covering.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

## 13

**13-19-4 Threshold in disrepair.** **Basic**

*Threshold at door or between floor coverings in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-20-4 Baseboards in disrepair.** **Basic**

*Baseboards in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-21-4 Hole in door.** **Basic**

*Hole in the door.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-22-4 Door in disrepair.** **Basic**

*Door in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-23-4 Door frame in disrepair.** **Basic**

*Door frame in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-24-4 Closet door in disrepair.** **Basic**

*Closet door in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-25-4 Door will not open/close.** **Basic**

*Door will not open/close.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-26-4 Window broken.** **Basic**

*Broken window.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-27-4 Window screen torn.** **Basic**

*Screening on the window is torn.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-28-4 Wood rotted exterior.** **Basic**

*Rotted wood on exterior of building.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

## 13

**13-29-4 Wood rotted interior.** **Basic**

*Rotted wood on interior of building.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-30-4 Spalling concrete/exposed rebar.** **Basic**

*Spalling concrete/exposed rebar on building.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-31-4 Shelves in disrepair.** **Basic**

*Shelves (attached to wall) in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-32-4 Light fixture not functioning.** **Basic**

*Light fixture (attached to building) not functioning.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-33-4 Light fixture hanging by wires.** **Basic**

*Light fixture (attached to building) hanging by the wires.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-34-4 Door bell not functioning.** **Basic**

*Door bell not functioning.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-35-4 Kitchen cabinet in disrepair.** **Basic**

*Kitchen cabinet(s) in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-36-4 Kitchen cabinet missing door/front.** **Basic**

*Kitchen cabinet(s) missing door(s)/front(s).*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-37-4 Kitchen cabinet water damaged.** **Basic**

*Kitchen cabinet(s) water damaged.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-38-4 Outlet cover plate cracked/broken.** **Basic**

*Cracked/broken electrical outlet cover plate.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

## 13

**13-39-4** **Vent cover in disrepair.** **Basic**

*Vent/air conditioner cover in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-40-4** **Mirror broken.** **Basic**

*Broken mirror on the wall.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-41-4** **Laundry chute in disrepair.** **Basic**

*Laundry chute built into wall in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**13-42-4** **Hall runner poor condition.** **Basic**

*Hall runner is worn/torn.*

61C-1.004(9) FAC: Hall and stair runners shall be kept in good condition.

## 14

**14-01-4** **No lock on exterior door.** **High Priority**

*No operable lock on a guest room door leading to the outside or a hallway.*

509.211(1) FS: Each bedroom or apartment in each public lodging establishment shall be equipped with an approved locking device on each door opening to the outside, to an adjoining room or apartment, or to a hallway.

**14-02-4** **Transient - no secondary lock.** **High Priority**

*No secondary lock provided on a guest room's outside or connecting door.*

61C-3.001(4) FAC: An approved locking device for the purposes of section 509.211, F.S., is a locking device that meets the requirements of chapter 10, section 1008.1 of the 2007 Florida Building Code: Building . Public lodging establishments as defined in paragraph 61C-1.002(4)(a), F.A.C., shall have at least one approved locking device which cannot be opened by a non-master guest room key on all outside and connecting doors. An approved locking device does not include a "sliding chain" or "hook and eye" type device.

**14-03-4** **Transient - sliding chain or hook and eye secondary lock.** **High Priority**

*Lock provided as a secondary lock on a guest room's outside or connecting door is not an approved lock. Sliding chains and hook and eye type locks are not acceptable.*

61C-3.001(4) FAC: An approved locking device for the purposes of section 509.211, F.S., is a locking device that meets the requirements of chapter 10, section 1008.1 of the 2007 Florida Building Code: Building . Public lodging establishments as defined in paragraph 61C-1.002(4)(a), F.A.C., shall have at least one approved locking device which cannot be opened by a non-master guest room key on all outside and connecting doors. An approved locking device does not include a "sliding chain" or "hook and eye" type device.

**14-04-4** **Transient - regular key opens secondary lock.** **High Priority**

*Secondary lock opened by the guests' room key.*

61C-3.001(4) FAC: An approved locking device for the purposes of section 509.211, F.S., is a locking device that meets the requirements of chapter 10, section 1008.1 of the 2007 Florida Building Code: Building . Public lodging establishments as defined in paragraph 61C-1.002(4)(a), F.A.C., shall have at least one approved locking device which cannot be opened by a non-master guest room key on all outside and connecting doors. An approved locking device does not include a "sliding chain" or "hook and eye" type device.

## 14

**14-05-4** **No lock on door to adjoining room.** **High Priority**

*No operable lock on a door within a guest's room leading to an adjoining room/apartment.*

509.211(1) FS: Each bedroom or apartment in each public lodging establishment shall be equipped with an approved locking device on each door opening to the outside, to an adjoining room or apartment, or to a hallway.

## 15

**15-01-5** **Transient - toilet soiled.** **Basic**

*Toilet is soiled.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-02-5** **Transient - no public bathroom.** **Basic**

*No public bathroom provided.*

509.221(2)(a) FS: (a) Each public lodging establishment shall maintain public bathroom facilities in accordance with the Florida Building Code as approved by the local building authority. [Exemption--509.221(9) FS: Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**15-03-5** **Transient - bathroom sink soiled.** **Basic**

*Bathroom sink is soiled.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-04-5** **Transient - no soap in public bathroom.** **Basic**

*No soap provided in the public bathroom.*

509.221(5) FS: Each transient public lodging establishment shall provide in the main public bathroom soap and clean towels or other approved hand-drying devices. [Exemption--509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**15-05-5** **Transient - bathroom cabinet soiled.** **Basic**

*Bathroom cabinet(s) soiled.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-06-5** **Transient - bathroom fixtures not cleanable.** **Basic**

*Bathroom fixture(s) are not cleanable.*

61C-1.004(2)(a) FAC: Bathroom fixtures shall be of readily cleanable sanitary design. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-07-5** **Transient - shower/tub soiled.** **Basic**

*Shower enclosure/tub is soiled.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

## 15

**15-08-4** **No toilet guest bathroom.** **Basic**

*No toilet in the guest bathroom.*

509.221(1)(a) FS: Each public lodging establishment shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets.

**15-09-5** **Transient - soap scum on shower curtain.** **Basic**

*Build-up of soap scum on the shower curtain.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-10-5** **Transient - more than 15 guests share one public bathroom.** **Basic**

*One shared bathroom provided for more than 15 guests on one floor with no private or connecting bathrooms.*

509.221(2)(c) FS: Each transient establishment that does not provide private or connecting bathrooms shall maintain one public bathroom on each floor for every 15 guests, or major fraction of that number, rooming on that floor. [Exemption--509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**15-11-5** **Transient - public bathroom doors not self closing.** **Basic**

*Door(s) to the public bathroom are not self-closing.*

61C-1.004(2)(b) FAC: Bathrooms shall be completely enclosed and shall have tight-fitting, self-closing doors, except bathrooms located in public lodging establishments, may have entrances and exits constructed in such a manner as to ensure privacy of occupants. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-12-5** **No handwash sign employee bathroom.** **Basic**

*No handwashing sign provided in a bathroom used by employees.*

61C-1.004(2)(c) FAC: Handwashing signs shall be posted in each bathroom used by employees. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-13-5** **Toilet will not flush.** **Basic**

*Toilet will not flush.*

61C-1.004(2)(a) and (d), and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. (d) For the purposes of this section, the term toilet shall mean a flush toilet properly plumbed, connected and discharging to an approved sewage disposal system. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-14-5** **Transient - soap scum on shower enclosure/tub.** **Basic**

*Build-up of soap scum on the shower enclosure/tub.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-15-5** **Transient - bathroom wall not clean.** **Basic**

*Bathroom wall is soiled.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

## 15

**15-16-5 Transient - mold on bathroom wall.** **Basic**

*Mold-like substance on the bathroom wall.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-17-5 Transient - bathroom ceiling not clean.** **Basic**

*Bathroom ceiling is soiled.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-18-5 Transient - mold on bathroom ceiling.** **Basic**

*Mold-like substance on the bathroom ceiling.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-19-5 Transient - bathroom floor not clean.** **Basic**

*Bathroom floor is soiled.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-20-5 Transient - no paper towels or drying device in public bathroom.** **Basic**

*No paper towels, clean towels or hand-drying device provided in the public bathroom.*

509.221(5) FS: Each transient public lodging establishment shall provide in the main public bathroom soap and clean towels or other approved hand-drying devices. [Exemption--509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**15-21-5 Transient - public bathroom door left open.** **Basic**

*Door(s) to the public bathroom left open during periods other than for cleaning or maintenance.*

61C-1.004(2)(b) FAC: Bathroom doors shall not be left open except during cleaning or maintenance. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-22-5 Transient - objectionable odor in bathroom** **Basic**

*Objectionable odor in the bathroom.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-23-5 Hole in bathroom wall.** **Basic**

*Hole in the bathroom wall.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

## 15

**15-24-5 Hole in bathroom ceiling.** **Basic**

*Hole in the bathroom ceiling.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-25-5 Missing bathroom wall tiles.** **Basic**

*Wall tile(s) missing in the bathroom.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-26-5 Bathroom wall tiles in disrepair.** **Basic**

*Wall tile(s) in the bathroom in disrepair.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-27-5 Bathroom wall in disrepair.** **Basic**

*Bathroom wall in disrepair.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-28-5 Hole in bathroom floor covering.** **Basic**

*Hole in the bathroom floor covering.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-29-5 Bathroom floor in disrepair.** **Basic**

*Bathroom floor in disrepair.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-30-5 Tiles missing on floor.** **Basic**

*Tiles missing on bathroom floor.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. The walls, ceilings, and floors of all bathroom facilities shall be kept in good condition. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments and vacation rentals are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

## 15

**15-31-5** **Transient - bathroom cabinet in disrepair.** **Basic**

*Bathroom cabinet(s) in disrepair.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-32-4** **Nontransient - bathroom cabinet in disrepair.** **Basic**

*Bathroom cabinet(s) (attached to wall) in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**15-33-5** **Bathroom towel bar in disrepair.** **Basic**

*Towel bar in the bathroom in disrepair.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-34-5** **Transient - bathroom sink in disrepair.** **Basic**

*Bathroom sink in disrepair.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-35-4** **Nontransient - bathroom sink in disrepair.** **Basic**

*Bathroom sink (attached to wall) in disrepair.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair.

**15-36-5** **Shower/tub in disrepair.** **Basic**

*Shower enclosure/tub in disrepair.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-37-5** **Shower/tub faucet or handles in disrepair.** **Basic**

*Faucet/faucet handles in shower enclosure/tub in disrepair.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

**15-38-5** **Toilet in disrepair.** **Basic**

*Toilet in disrepair.*

61C-1.004(2)(a) and (5) FAC: (2)(a) Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.] (5) All building structural components, attachments and fixtures shall be kept in good repair.

## 15

**15-39-5 Transient - toilet seat in disrepair.** **Basic**

*Toilet seat in disrepair.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-40-5 Transient - toilet tank cover in disrepair.** **Basic**

*Toilet tank cover in disrepair.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-41-5 Transient - holes in shower curtain.** **Basic**

*Hole/rip/tear in shower curtain.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-42-4 No sink guest bathroom.** **Basic**

*No sink in the guest bathroom.*

509.221(1)(a) FS: Each public lodging establishment shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets.

**15-43-4 No sink in employee bathroom.** **Basic**

*No handwash sink provided in the employee bathroom.*

509.221(1)(a) FS: Each public lodging establishment shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets.

**15-44-4 No shower/tub guest bathroom.** **Basic**

*No shower enclosure or tub in the guest bathroom.*

509.221(1)(a) FS: Each public lodging establishment shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets.

**15-45-5 Transient - public bathroom not completely enclosed.** **Basic**

*Public bathroom not completely enclosed or constructed to ensure the privacy of the occupants.*

61C-1.004(2)(b) FAC: Bathrooms shall be completely enclosed and shall have tight-fitting, self-closing doors, except bathrooms located in public lodging establishments, may have entrances and exits constructed in such a manner as to ensure privacy of occupants. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-46-5 Transient - no door on bathroom stall.** **Basic**

*No door on the toilet stall.*

61C-1.004(2)(d) FAC: In a bathroom where more than one toilet is provided, each toilet shall be separated by a partition from adjoining fixtures and a door shall be provided which will partially conceal the occupant from outside view. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

## 15

**15-47-5** **Transient - no partition between toilet stalls.** **Basic**

*Toilets not separated by a partition.*

61C-1.004(2)(d) FAC: In a bathroom where more than one toilet is provided, each toilet shall be separated by a partition from adjoining fixtures and a door shall be provided which will partially conceal the occupant from outside view. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-48-5** **No means to keep door closed.** **Basic**

*No means available to secure the bathroom door/stall door closed to maintain the privacy of the occupant.*

61C-1.004(2)(a) FAC: Bathroom facilities shall be kept clean, in good repair and free from objectionable odors. [Exemption--61C-1.004(2)(e) FAC Nontransient establishments, vacation rentals, and timeshare projects are exempt from the provisions of this subsection.]

**15-49-4** **Transient or public - no toilet paper.** **Basic**

*No toilet tissue provided in the toilet area.*

509.221(3) FS: Each establishment licensed under this chapter shall be operated with strict regard to the health, comfort, and safety of the guests.

**15-50-5** **Transient - no bathroom on guest room floor.** **Basic**

*No public bathroom provided on a floor containing guest rooms that do not have private or connecting bathrooms.*

509.221(2)(c) FS: Each transient establishment that does not provide private or connecting bathrooms shall maintain one public bathroom on each floor for every 15 guests, or major fraction of that number, rooming on that floor. [Exemption--509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**15-51-4** **No covered waste receptacle women's bathroom.** **Basic**

*No cover on the waste receptacle in a bathroom used by women.*

61C-1.004(1)(a) FAC and 5-501.17 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-501.17 A toilet room used by females shall be provided with a covered receptacle for sanitary napkins .

## 16

**16-01-4** **No potable water.** **High Priority**

*No potable water provided.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water.

**16-02-4** **Water pooling around well casing.** **High Priority**

*Water pooling around well casing.*

61C-1.004(1)(a) FAC and 5-101.11 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-101.11 DRINKING WATER shall be obtained from an APPROVED source that is: (A) A PUBLIC WATER SYSTEM; or (B) A nonPUBLIC WATER SYSTEM that is constructed, maintained, and operated according to LAW.

## 16

**16-03-4** **Well chlorinator tank contaminated.** **High Priority**

*Dirt, debris, dead animals/insects in chlorinator tank for well.*

61C-1.004(1)(a) FAC and 5-101.11 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-101.11 DRINKING WATER shall be obtained from an APPROVED source that is: (A) A PUBLIC WATER SYSTEM; or (B) A nonPUBLIC WATER SYSTEM that is constructed, maintained, and operated according to LAW.

**16-04-4** **Kitchen sink - no hot water.** **High Priority**

*No hot running water at kitchen sink.*

61C-3.001(2)(b) and 61C-1.001(16) FAC: 61C-3.001(2)(b) A kitchen sink with hot and cold running water under pressure is required. 61C-1.001(16) Hot water means a water temperature of 100 degrees Fahrenheit or above.

**16-05-4** **Unapproved water source.** **High Priority**

*Water supply from an unapproved source.*

61C-1.004(1)(a) FAC and 5-101.11 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-101.11 DRINKING WATER shall be obtained from an APPROVED source that is: (A) A PUBLIC WATER SYSTEM; or (B) A nonPUBLIC WATER SYSTEM that is constructed, maintained, and operated according to LAW.

**16-06-4** **Lines not flushed/disinfected after Boil Water Notice.** **High Priority**

*Drinking water system in use after construction/repair/modification/emergency/Boil Water Notice without being flushed/disinfected.*

61C-1.004(1)(a) FAC and 5-101.12 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-101.12 A DRINKING WATER system shall be flushed and disinfected before being placed in service after construction, repair, or modification and after an emergency situation, such as a flood, that may introduce contaminants to the system.

**16-07-4** **Bottled drinking water not from approved source.** **High Priority**

*Bottled drinking water being used/sold that is not from an approved source.*

61C-1.004(1)(a) FAC and 5-101.13 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-101.13 FC: BOTTLED DRINKING WATER used or sold in a FOOD ESTABLISHMENT shall be obtained from APPROVED sources in accordance with 21 CFR 129 - Processing and Bottling of Bottled DRINKING WATER.

## 16

**16-08-4** **Chlorinator tank lid missing/broken.** **High Priority**

*Lid missing or broken on well chlorinator tank.*

61C-1.004(1)(a) FAC and 5-101.11 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-101.11 DRINKING WATER shall be obtained from an APPROVED source that is: (A) A PUBLIC WATER SYSTEM; or (B) A nonPUBLIC WATER SYSTEM that is constructed, maintained, and operated according to LAW.

**16-09-4** **Nondrinking water used for consumption.** **High Priority**

*Nondrinking water being used for food preparation, warewashing, and/or handwashing.*

61C-1.004(1)(a) FAC and 5-102.12 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-102.12(B) FC: (B) NonDRINKING WATER shall be used only for nonculinary purposes such as air conditioning, nonFOOD EQUIPMENT cooling and fire protection.

**16-10-4** **No annual well water test/sampling.** **High Priority**

*No proof of annual test/sampling for well water.*

61C-1.004(1)(a) FAC and 5-102.13 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-102.13 Except when used as specified under subsection 5-102.12, water from a nonPUBLIC WATER SYSTEM shall be sampled and tested at least annually and as required by state water quality regulations.

**16-11-4** **Most recent well sample report not available.** **High Priority**

*Most recent well water test/sample report not available.*

61C-1.004(1)(a) FAC and 5-102.14 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-102.14 The most recent report for the nonPUBLIC WATER SYSTEM shall be retained on file in the FOOD ESTABLISHMENT or the report shall be maintained as specified by state water quality regulations.

**16-12-4** **Insufficient hot water capacity.** **High Priority**

*Insufficient hot water capacity to meet the peak demand.*

61C-1.004(1)(a) FAC and 5-103.11(B) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-103.11 (B) Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the FOOD ESTABLISHMENT.

## 16

**16-13-4** **No running water.** **High Priority**

*Establishment has no running water.*

61C-1.004(1)(a) FAC and 5-103.12 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-103.12 FC Water under pressure shall be provided to all fixtures, EQUIPMENT, and nonFOOD EQUIPMENT that are required to use water except that water supplied as specified under Paragraphs 5-104.12(A) and (B) to a TEMPORARY FOOD ESTABLISHMENT or in response to a temporary interruption of a water supply need not be under pressure.

**16-14-4** **No water pressure.** **High Priority**

*Water not under pressure at a fixture/piece of equipment that requires the use of water.*

61C-1.004(1)(a) FAC and 5-103.12 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-103.12 FC Water under pressure shall be provided to all fixtures, EQUIPMENT, and nonFOOD EQUIPMENT that are required to use water except that water supplied as specified under Paragraphs 5-104.12(A) and (B) to a TEMPORARY FOOD ESTABLISHMENT or in response to a temporary interruption of a water supply need not be under pressure.

**16-15-4** **No running water at sink/tub/equipment.** **High Priority**

*No running water provided at a sink or piece of equipment that requires water.*

61C-1.004(1)(a) FAC and 5-103.12 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-103.12 FC Water under pressure shall be provided to all fixtures, EQUIPMENT, and nonFOOD EQUIPMENT that are required to use water except that water supplied as specified under Paragraphs 5-104.12(A) and (B) to a TEMPORARY FOOD ESTABLISHMENT or in response to a temporary interruption of a water supply need not be under pressure.

**16-16-4** **No sink in kitchen.** **High Priority**

*No sink provided in the kitchen.*

61C-3.001(2)(b) FAC: A kitchen sink with hot and cold running water under pressure is required.

**16-17-4** **HWS - no hot water.** **High Priority**

*Hot water at the handwashing sink less than 100 degrees Fahrenheit.*

61C-1.004(1)(a) FAC and 5-202.12(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-202.12(A) A handwashing sink shall be equipped to provide water at a temperature of at least 110 degrees Fahrenheit through a mixing valve or combination faucet.

## 16

**16-18-4** **No alternative supply for temporary water interruption.** **High Priority**

*No alternative water supply provided during a temporary water supply interruption.*

61C-1.004(1)(a) FAC and 5-104.12 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-104.12 FC: Water meeting the requirements specified under Subparts 5-101, 5-102, and 5-103 shall be made available for a FOOD ESTABLISHMENT with a temporary interruption of its water supply through: (A) A supply of containers of commercially BOTTLED DRINKING WATER; (B) One or more closed potable water containers; (C) An enclosed vehicular water tank; (D) An on-premises water storage tank; or (E) Piping, tubing, or hoses connected to an adjacent APPROVED source.

**16-19-4** **Kitchen sink - no cold water.** **High Priority**

*No cold running water at kitchen sink.*

61C-3.001(2)(b) FAC: A kitchen sink with hot and cold running water under pressure is required.

**16-20-4** **HWS - no mixing valve/combination faucet.** **High Priority**

*Hot water provided to the handwashing sink through a separate faucet.*

61C-1.004(1)(a) FAC and 5-202.12(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-202.12(A) A handwashing sink shall be equipped to provide water at a temperature of at least 110 degrees Fahrenheit through a mixing valve or combination faucet.

**16-21-4** **Water heater turned off.** **High Priority**

*No hot water provided to any facilities. Operator states water heater turned off.*

61C-1.004(1)(a) FAC and 5-103.11(B) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-103.11 (B) Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the FOOD ESTABLISHMENT.

**16-22-4** **Insufficient water capacity.** **High Priority**

*Insufficient water capacity to meet the peak demand.*

61C-1.004(1)(a) FAC and 5-103.11(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-103.11(A) The water source and system shall be of sufficient capacity to meet the peak water demands of the FOOD ESTABLISHMENT.

## 16

**16-23-4 Unapproved water line/container.** **High Priority**

*Potable water not received through an approved public water main, or a system constructed/maintained/operated according to law.*

61C-1.004(1)(a) FAC and 5-104.11 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-104.11 FC: Water shall be received from the source through the use of: (A) An APPROVED public water main; or (B) One or more of the following that shall be constructed, maintained, and operated according to LAW: (1) Nonpublic water main, water pumps, pipes, hoses, connections, and other appurtenances, (2) Water transport vehicles, or (3) Water containers.

## 17

**17-01-5 Worn/torn sheets.** **Basic**

*Sheet(s) on the bed are threadbare/worn/torn.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-02-5 Soiled/stained sheets.** **Basic**

*Sheet(s) on the bed are soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-03-5 Soiled/stained pillowcase/pillow.** **Basic**

*Pillowcase/pillow for the bed is soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-04-5 Sheets not laundered between guests.** **Basic**

*Sheets and pillowcase(s) not laundered between guests.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

## 17

**17-05-5 Towels not changed between guests.** **Basic**

*Towels not changed between guests.*

509.221(5) FS: Each transient public lodging establishment shall furnish each guest with two clean individual towels so that two guests will not be required to use the same towel unless it has first been laundered. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-06-5 Towels soiled.** **Basic**

*Towel(s) in the guest bathroom soiled.*

509.221(5) FS: Each transient public lodging establishment shall furnish each guest with two clean individual towels so that two guests will not be required to use the same towel unless it has first been laundered. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-07-5 Soiled/stained mattress/box spring.** **Basic**

*Mattress/box spring of the bed is soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-08-5 Rollaway mattress dusty/soiled.** **Basic**

*Rollaway bed mattress is dusty/soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-09-5 Soiled/stained mattress pad.** **Basic**

*Mattress pad on the bed is soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-10-5 Soiled/stained blanket/comforter.** **Basic**

*Blanket on the bed is soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

## 17

**17-11-5 Soiled/stained extra bed linens.** **Basic**

*Extra bed linens provided in the guest room are soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-12-5 Rollaway bed linens dusty/soiled.** **Basic**

*Sheets/blanket on the pre-made rollaway bed are dusty/soiled.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-13-5 Housekeeping - clean bed linens/towels soiled.** **Basic**

*Bed linens/towels stored as clean in the housekeeping area/on the housekeeping cart for use in the guest rooms are soiled/stained.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-14-5 Worn/torn pillowcase/pillow.** **Basic**

*Pillowcase/pillow on the bed is threadbare/worn/torn.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-15-5 Worn/torn mattress/box spring.** **Basic**

*Mattress/box spring of the bed is threadbare/worn/torn.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

## 17

**17-16-5** **Worn/torn blanket/comforter.** **Basic**

*Blanket/comforter on the bed is threadbare/worn/torn.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-17-5** **Housekeeping - clean bed linens/towles worn/torn.** **Basic**

*Bed linens/towels stored as clean in the housekeeping area/on the housekeeping cart for use in the guest rooms are threadbare/worn/torn.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-18-5** **No towels.** **Basic**

*No towels provided to guests.*

509.221(5) FS: Each transient public lodging establishment shall furnish each guest with two clean individual towels so that two guests will not be required to use the same towel unless it has first been laundered. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-19-5** **2 towels for each guest not provided.** **Basic**

*Less than two towels provided for each guest in a room.*

509.221(5) FS: Each transient public lodging establishment shall furnish each guest with two clean individual towels so that two guests will not be required to use the same towel unless it has first been laundered. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-20-5** **No sheets.** **Basic**

*No top/under sheet provided for the bed/bunk/cot/crib.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-21-5** **No pillowcase.** **Basic**

*No pillowcase provided for the pillow(s) on the bed/bunk/cot.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

## 17

**17-22-4** **No blanket.** **Basic**

*No blanket provided for the bed/bunk/cot/crib.*

61C-1.001(5) FAC: Bed Linens - This term includes, a top sheet, a bottom sheet, pillowslips, a mattress pad and a blanket for each bedding accommodation.

**17-23-5** **No bed linens.** **Basic**

*No bed linens provided for the bed/bunk/cot/crib.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental, nontransient apartment, or timeshare project as described in s. 509.242(1)(c), (d), and (g).]

**17-24-5** **Sleeper sofa/rollaway - no bed linens.** **Basic**

*No bed linens provided for the sleeper sofa/rollaway bed.*

509.221(6) FS: Each transient establishment shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean pillowslips and under and top sheets. Sheets and pillowslips shall be laundered before they are used by another guest, a clean set being furnished each succeeding guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforters, shall be thoroughly aired, disinfected, and kept clean. Bedding, including mattresses, quilts, blankets, pillows, sheets, or comforters, may not be used if they are worn out or unfit for further use. [EXEMPTION -- 509.221(9) FS Subsections (2), (5), and (6) do not apply to any facility or unit classified as a vacation rental or nontransient apartment as described in s. 509.242(1)(c) and (d).]

## 19

**19-01-4** **Plumbing fixture not easily cleanable.** **Basic**

*Plumbing fixture not easily cleanable.*

61C-1.004(1)(a) FAC and 5-202.11(B) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-202.11(B) A PLUMBING FIXTURE such as a HANDWASHING SINK, toilet, or urinal shall be EASILY CLEANABLE.

**19-02-4** **Unapproved plumbing material.** **High Priority**

*Unapproved material used in the construction/repair of a plumbing system.*

61C-1.004(1)(a) FAC and 5-201.11(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-201.11(A) A PLUMBING SYSTEM and hoses conveying water shall be constructed and repaired with APPROVED materials according to LAW.

## 19

**19-03-4** **Plumbing fixture not properly installed.** **High Priority**

*Plumbing fixture not properly installed.*

61C-1.004(1)(a) FAC and 5-202.11(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-202.11 (A) A PLUMBING SYSTEM shall be designed, constructed, and installed according to LAW.

**19-04-4** **Leaking/dripping faucet.** **Basic**

*Faucet leaking/constantly dripping.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

**19-05-4** **No backflow preventer at mop sink.** **High Priority**

*No backflow preventer on the threaded faucet at the mop sink.*

61C-1.004(1)(a) FAC and 5-203.14 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-203.14 A PLUMBING SYSTEM shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the FOOD ESTABLISHMENT, including on a hose bibb if a hose is attached or on a hose bibb if a hose is not attached and backflow prevention is required by LAW, by: (A) Providing an air gap as specified under Section 5-202.13; or (B) Installing an APPROVED backflow prevention device as specified under Section 5-202.14.

**19-06-4** **No air gap.** **High Priority**

*No air gap provided or air gap is less than one inch/twice the diameter of the water supply inlet between the water supply inlet and the flood level rim of equipment used for food or cleaning dishware and utensils.*

61C-1.004(1)(a) FAC and 5-202.13 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-202.13 FC Backflow Prevention, Air Gap. An air gap between the water supply inlet and the flood level rim of the PLUMBING FIXTURE, EQUIPMENT, or nonFOOD EQUIPMENT shall be at least twice the diameter of the water supply inlet and may not be less than (1 inch).

**19-07-4** **Kitchen plumbing in disrepair.** **Basic**

*Plumbing in the kitchen in disrepair.*

61C-1.004(1)(a) FAC and 5-205.15 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-205.15 A PLUMBING SYSTEM shall be: (A) Repaired according to LAW; and (B) Maintained in good repair.

## 19

**19-08-4** **No backflow preventer on hose bibb.** **High Priority**

*No backflow preventer on a hose bibb/threaded faucet.*

61C-1.004(1)(a) FAC and 5-203.14 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-203.14 A PLUMBING SYSTEM shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the FOOD ESTABLISHMENT, including on a hose bibb if a hose is attached or on a hose bibb if a hose is not attached and backflow prevention is required by LAW, by: (A) Providing an air gap as specified under Section 5-202.13; or (B) Installing an APPROVED backflow prevention device as specified under Section 5-202.14.

**19-09-4** **Leak at garbage disposal.** **Basic**

*Water leak at the garbage disposal.*

61C-1.004(1)(a) FAC and 5-205.15 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-205.15 A PLUMBING SYSTEM shall be: (A) Repaired according to LAW; and (B) Maintained in good repair.

**19-10-4** **Bathroom plumbing in disrepair.** **Basic**

*Bathroom plumbing in disrepair.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

**19-11-4** **Water filter/conditioner not maintained.** **Intermediate**

*Water filter/water conditioning device not replaced or maintained as recommended by the manufacturer.*

61C-1.004(1)(a) FAC and 5-205.13 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-205.13 A device such as a water treatment device or backflow preventer shall be scheduled for inspection and service, in accordance with manufacturer's instructions and as necessary to prevent device failure based on local water conditions, and records demonstrating inspection and service shall be maintained by the PERSON IN CHARGE.

**19-12-4** **Nondrinking water system not identified.** **Intermediate**

*Observed a nonpotable/nondrinking water system not identified/labeled.*

61C-1.004(1)(a) FAC and 5-205.12(B) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-205.12 (B) The piping of a nonDRINKING WATER system shall be durably identified so that it is readily distinguishable from piping that carries DRINKING WATER.

## 19

**19-13-4 Leak under sink.** **Basic**

*Water leak under the sink.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

**19-14-4 Toilet leaks.** **Basic**

*Water leak at the bottom of the toilet.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

**19-15-4 Tub leaks.** **Basic**

*Water leak around the tub.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

**19-16-4 Sink detached from wall.** **Basic**

*Sink detached from the wall.*

61C-1.004(1)(a) FAC and 5-205.15 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-205.15 A PLUMBING SYSTEM shall be: (A) Repaired according to LAW; and (B) Maintained in good repair.

**19-17-4 Shower head leaks.** **Basic**

*Shower head leaking/constantly dripping.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

**19-18-4 Handle/knob missing.** **Basic**

*Handle/knob missing on a plumbing fixture.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

## 19

**19-19-4 Water filter inaccessible.** **Basic**

*Water filter/water conditioning device not accessible for maintenance and cleaning.*

61C-1.004(1)(a) FAC and 5-204.13 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-204.13 A water filter, screen, and other water conditioning device installed on water lines shall be located to facilitate disassembly for periodic servicing and cleaning.

**19-20-4 Duct tape used to repair plumbing.** **High Priority**

*Duct tape used to repair plumbing.*

61C-1.004(1)(a) FAC and 5-201.11(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-201.11(A) A PLUMBING SYSTEM and hoses conveying water shall be constructed and repaired with APPROVED materials according to LAW.

**19-21-4 Cross connection.** **High Priority**

*Cross connection between the potable/drinking water system and a nonpotable/nondrinking water system.*

61C-1.004(1)(a) FAC and 5-205.12(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-205.12 (A) A PERSON may not create a cross connection by connecting a pipe or conduit between the DRINKING WATER system and a nonDRINKING WATER system or a water system of unknown quality.

**19-22-4 Sanitary facilities not connected to approved/maintained plumbing.** **Basic**

*Sanitary facilities not connected to approved/maintained plumbing.*

509.221(1) FS: Each public lodging establishment shall provide adequate sanitary facilities for the accommodations of its employees and guests. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority.

**19-23-4 Transient - no mop sink.** **Basic**

*No mop sink or curbed cleaning facility present.*

61C-1.004(1)(a) FAC and 5-203.13 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-203.13 (A) At least one service sink or one curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.

## 19

**19-24-4** **Leak at mop sink.** **Basic**

*Water leak at the mop sink.*

61C-1.004(1)(a) FAC and 5-205.15 FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-205.15 A PLUMBING SYSTEM shall be: (A) Repaired according to LAW; and (B) Maintained in good repair.

**19-25-4** **No handsink in warewash area.** **Intermediate**

*No handwash sink provided in the warewashing area.*

61C-1.004(1)(a) FAC and 5-204.11(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-204.11 A HANDWASHING SINK shall be located: (A) To allow convenient use by EMPLOYEES in FOOD preparation, FOOD dispensing, and WAREWASHING areas;

**19-26-4** **No handsink in ice scooping area.** **Intermediate**

*No handwash sink provided in an area where ice is scooped by employees.*

61C-1.004(1)(a) FAC and 5-204.11(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-204.11 A HANDWASHING SINK shall be located: (A) To allow convenient use by EMPLOYEES in FOOD preparation, FOOD dispensing, and WAREWASHING areas;

**19-27-4** **No handsink in bar.** **Intermediate**

*No handwash sink provided in the bar where drinks are prepared.*

61C-1.004(1)(a) FAC and 5-204.11(A) FC: 61C-1.004 The following general requirements and standards shall be met by all public lodging and public food service establishments: (1)(a) Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 5-204.11 A HANDWASHING SINK shall be located: (A) To allow convenient use by EMPLOYEES in FOOD preparation, FOOD dispensing, and WAREWASHING areas;

## 20

**20-01-4** **No ventilation room/apt.** **Basic**

*No means of ventilation provided.*

509.221(3) FS: Each establishment licensed under this chapter shall be properly ventilated and shall be operated with strict regard to the health, comfort, and safety of the guests.

**20-02-4** **Bedroom not ventilated.** **Basic**

*No form of ventilation provided in the bedroom.*

509.221(4) FS: Each bedroom in a public lodging establishment shall have an opening to the outside of the building, air shafts, or courts sufficient to provide adequate ventilation. Where ventilation is provided mechanically, the system shall be capable of providing at least two air changes per hour in all areas served. Where ventilation is provided by windows, each room shall have at least one window opening directly to the outside.

## 20

**20-03-4** **Gaseous odor.** **Basic**

*Gaseous odor inside establishment.*

509.221(3) FS: Each establishment licensed under this chapter shall be properly ventilated and shall be operated with strict regard to the health, comfort, and safety of the guests.

**20-04-4** **Hall/entrance/stairway not ventilated.** **Basic**

*No ventilation provided in the hall/entrance/stairway.*

61C-1.004(9) FAC: Halls, entrances and stairways shall be clean, ventilated and well-lighted day and night.

**20-05-4** **Ventilation system/AC not maintained.** **Basic**

*The ventilation system/air conditioner is not functioning/in disrepair.*

61C-1.004(10) FAC: The heating and ventilation system shall be kept in good repair.

**20-06-4** **Kitchen not ventilated.** **Basic**

*Inadequate ventilation provided in the kitchen as evidenced by excessive heat, steam, condensation, vapors, odors or smoke.*

61C-3.001(2) FAC: Kitchens shall be ventilated to minimize the occurrence of excessive heat, steam, condensation, vapors, objectionable odors, smoke and fumes.

**20-07-4** **AC not clean/moldy.** **Basic**

*Air conditioning unit has an accumulation of a mold-like substance.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept in good repair, clean and free of obstructions.

**20-08-4** **Inadequate ventilation (mold growth/odor).** **Basic**

*Inadequate ventilation provided. Mold-like growth/odor present.*

509.221(3) FS: Each establishment licensed under this chapter shall be properly ventilated and shall be operated with strict regard to the health, comfort, and safety of the guests.

**20-09-4** **Window AC propped up by boards.** **Basic**

*The window air conditioning unit is propped up by boards or not installed properly.*

61C-1.004(10) FAC: The heating and ventilation system shall be kept in good repair.

## 21

**21-01-4** **Unlabeled container (no manufacturer's label).** **Intermediate**

*Original container of toxic substance or chemical does not bear the manufacturer's label.*

61C-1.004(4) FAC and 7-101.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-101. 11 Containers of poisonous or toxic materials and personal care items shall bear a legible manufacturer's label.

## 21

**21-02-4 Unlabeled spray bottle (common name).** **Intermediate**

*Spray bottle containing toxic substance not labeled.*

61C-1.004(4) FAC and 7-102.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-102. 11 Working containers used for storing poisonous or toxic materials such as cleaners and sanitizers taken from bulk supplies shall be clearly and individually identified with the common name of the material.

**21-03-4 By/with clean linens.** **High Priority**

*Toxic substance/chemical stored above, next to or with clean linens.*

61C-1.004(4) FAC and 7-201.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-201. 11 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-04-4 Unnecessary chemical on premise.** **Intermediate**

*Toxic substance/chemical on premise that is not necessary for the operation and maintenance of the establishment.*

61C-1.004(4) FAC and 7-202.11(A) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202. 11(A) Only those poisonous or toxic materials that are required for the operation and maintenance of a food establishment, such as for the cleaning and sanitizing of equipment and utensils and the control of insects and rodents, shall be allowed in a food establishment.

**21-05-4 Not used according to instructions.** **High Priority**

*Toxic substance/chemical not being used in accordance with the manufacturer's instructions.*

61C-1.004(4) FAC and 7-202.12(A)(2) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202.12 Poisonous or toxic materials shall be: (A) Used according to: (2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state use is allowed in a food establishment

**21-06-4 Food/linens/SS items not protected during pest control.** **High Priority**

*Food/linens/single-service items not protected during the application of a pest control substance.*

61C-1.004(4) FAC and 7-202.12(B) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202.12 Poisonous or toxic materials shall be: (B) Applied so that: (1) A hazard to employees or other persons is not constituted; and (2) Contamination including toxic residues due to drip, drain, fog, splash or spray on food, equipment, utensils, linens, and single-service and single-use articles is prevented, and for a restricted use pesticide, this is achieved by: (a) Removing the items; (b) Covering the items with impermeable covers; or (c) Taking other appropriate preventative actions, and (d) Cleaning and sanitizing equipment and utensils after application.

## 21

**21-07-4** **Restricted-use pesticide requires certification.** **High Priority**

*Restricted-use pesticide being applied by a person who is not certified to use the material.*

61C-1.004(4) FAC and 7-202.12(A) (3) and (C) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202.12 Poisonous or toxic materails shall be: (A) Used according to: (3) The conditions of certification, if certification is required, for use of the pset control materials (C) A restricted use pesticide shall be applied only by an applicator certified as defined in 7 USC 136 Definitions, (e) Certified Applicator, of the Federal Insecticide, Fungicide and Rodenticide Act, or a person under the direct supervision of a certified applicator.

**21-08-4** **Chemical container used for food.** **High Priority**

*Food stored in a container that previously held a toxic substance.*

61C-1.004(4) FAC and 7-203.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-203. 11 A container previously used to store poisonous or toxic materials may not be used to store, transport, or dispense food.

**21-09-4** **By/with food.** **High Priority**

*Toxic substance/chemical stored above, next to or with food.*

61C-1.004(4) FAC and 7-201.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-201. 11 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-10-4** **By/with SS items.** **High Priority**

*Toxic substance/chemical stored above, next to or with single-service items.*

61C-1.004(4) FAC and 7-201.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-201. 11 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-11-4** **Rodent bait exposed.** **High Priority**

*Rodent bait not contained in a covered, tamper-resistant bait station.*

61C-1.004(4) FAC and 7-206.12 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-206.12 Rodent bait shall be contained in a covered, tamper-resistant bait station.

## 21

**21-12-4 Tracking powder pesticide in establishment.** **High Priority**

*Tracking powder pesticide used inside establishment.*

61C-1.004(4) FAC and 7-206.13 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-206.13 (A) Except as specified in Paragraph (B) of this section, a tracking powder pesticide may not be used in a food establishment. (B) If used, a nontoxic tracking powder such as talcum or flour may not contaminate food, equipment, utensils, linens, and single-service and single-use articles.

**21-13-4 Unnecessary medicine.** **Intermediate**

*Medicine present that is not for retail sale or necessary for the health of an employee.*

61C-1.004(4) FAC and 7-207.11(A) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-207. 11(A) Except for medicines that are stored or displayed for reatil sale, only those medicines that are necessary for the health of employees shall be allowed in a food establishment.

**21-14-4 First aid supplies not labeled.** **Intermediate**

*First aid supplies not labeled.*

61C-1.004(4) FAC and 7-208.11(A) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-208. 11 First aid supplies that are in a food establishment for the employees' use shall be: (A) Labeled as specified under Section 7-101. 11

**21-15-4 First aid supplies improperly stored.** **High Priority**

*First aid supplies stored above, next to or with food/equipment/utensils/linens/single-service/single-use items.*

61C-1.004(4) FAC and 7-208.11(B) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-208. 11 First aid supplies that are in a food establishment for the employees' use shall be: (B) Stored in a kit or a container that is located to prevent the contamination of food, equipment, utensils, and linens, and single-service and single-use articles.

**21-16-4 Household use pesticide/insecticide present.** **High Priority**

*Pesticide/insecticide labeled for household use only present in establishment.*

61C-1.004(4) FAC and 7-202.12(A)(1) and (2) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202.12 Poisonous or toxic materials shall be: (A) Used according to: (1) Law and this Code, (2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a food establishment.

**21-17-4 Unapproved pesticide.** **High Priority**

*Unapproved pesticide being used in the establishment.*

61C-1.004(4) FAC and 7-202.12(A)(1) and (2) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202.12 Poisonous or toxic materials shall be: (A) Used according to: (1) Law and this Code, (2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a food establishment.

## 21

**21-18-4 Medicine not labeled.** **High Priority**

*Medicine not labeled.*

61C-1.004(4) FAC and 7-207.11(B) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-207. 11(B) Medicines that are in a food establishment for the employees' use shall be labeled as specified under Section 7-101. 11 and located to prevent the contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-19-4 Medicine stored with clean linens.** **High Priority**

*Medicine stored with clean linens.*

61C-1.004(4) FAC and 7-207.11(B) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-207. 11(B) Medicines that are in a food establishment for the employees' use shall be labeled as specified under Section 7-101. 11 and located to prevent the contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-20-4 Medicine stored with food equipment/utensils.** **High Priority**

*Medicine stored with clean food equipment/utensils.*

61C-1.004(4) FAC and 7-207.11(B) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-207. 11(B) Medicines that are in a food establishment for the employees' use shall be labeled as specified under Section 7-101. 11 and located to prevent the contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-21-4 Medicine stored with SS item.** **High Priority**

*Medicine stored with single-service/single-use item.*

61C-1.004(4) FAC and 7-207.11(B) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-207. 11(B) Medicines that are in a food establishment for the employees' use shall be labeled as specified under Section 7-101. 11 and located to prevent the contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-22-4 Medicine in refrigerator/cooler with food.** **High Priority**

*Medicine stored in a refrigerator/cooler with food not stored inside a covered leakproof container.*

61C-1.004(4) FAC and 7-207.12(A) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-207.12 Medicine belonging to employees or to children in a day care center that require refrigeration and are stored in a food refrigerator shall be: (A) Stored in a package or container and kept inside a covered, leakproof container that is identified as a container for the storage of medicines

**21-23-4 First aid supplies not stored in kit.** **High Priority**

*First aid supplies not stored in a kit or container.*

61C-1.004(4) FAC and 7-208.11(B) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-208. 11 First aid supplies that are in a food establishment for the employees' use shall be: (B) Stored in a kit or a container that is located to prevent the contamination of food, equipment, utensils, and linens, and single-service and single-use articles.

## 21

**21-24-4 Warewashing sanitizer too strong.** **High Priority**

*Warewashing sanitizing solution exceeds the maximum concentration allowed.*

61C-1.004(4) FAC and 7-204.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-204. 11 Chemical sanitizers, including chemical sanitizing solutions generated on-site, and other chemical antimicrobials applied to food-contact surfaces shall: (A) Meet the requirements specified in 40 CFR 180.940 Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (Food-contact surface sanitizing solutions), or (B) Meet the requirements as specified in 40 CFR 180.2020 Pesticide Chemicals Not Requiring a Tolerance or Exemption from Tolerance-Non-food determinations.

**21-25-4 Sanitizer not used per manufacturer's recommendations.** **High Priority**

*Sanitizer not used in accordance with the manufacturer's recommendations.*

61C-1.004(4) FAC and 7-202.12(A)(1) and (2) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202.12 Poisonous or toxic materials shall be: (A) Used according to: (1) Law and this Code, (2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a food establishment.

**21-26-4 WC sanitizer too strong.** **High Priority**

*Wiping cloth sanitizer solution exceeds the maximum concentration allowed.*

61C-1.004(4) FAC and 7-202.12(A)(1) and (2) FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-202.12 Poisonous or toxic materials shall be: (A) Used according to: (1) Law and this Code, (2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a food establishment.

**21-27-4 WC sanitizing bucket near food/food prep.** **High Priority**

*Wiping cloth sanitizing solution bucket stored near/on/above food preparation surface or food.*

61C-1.004(4) FAC and 7-201.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-201. 11 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-28-4 WC solution cross contamination could occur.** **High Priority**

*Wiping cloth solution stored in a location that could result in the cross contamination of food , equipment, utensils, linens, single-service, or single-use articles.*

61C-1.004(4) FAC and 7-201.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-201. 11 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.

## 21

**21-29-4** **Spray bottle near food/food prep area.** **High Priority**

*Spray bottle with chemical/toxic substance stored near/on/above food preparation surface or food.*

61C-1.004(4) FAC and 7-201.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-201. 11 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-30-4** **Spray bottle near clean equipment/linens/SS.** **High Priority**

*Spray bottle with chemical/toxic substance stored near/on/above clean equipment, utensils, linens or single-service or single-use items.*

61C-1.004(4) FAC and 7-201.11 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-201. 11 Poisonous or toxic materials shall be stored so they can not contaminate food, equipment, utensils, linens, and single-service and single-use articles by: (A) Separating the poisonous or toxic materials by spacing or partitioning; and (B) Locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-service or single-use articles. This paragraph does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.

**21-31-4** **Fruits/vegetables improper chemical wash.** **High Priority**

*Fruits/vegetables exposed to improper chemical wash.*

61C-1.004(4) FAC and 7-204.12 FC: 61C-1.004(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, as adopted by reference in rule 61C-1.001, F.A.C. For the purposes of this section, the term "food establishment" as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS. 7-204.12(A) Chemicals used to wash or peel raw, whole fruits and vegetables shall meet the requirements specified in 21 CFR 173.315 Chemicals used in washing or to assist in the peeling of fruits and vegetables. (B) Ozone as an antimicrobial agent used in the treatment, storage, and processing of fruits and vegetables in a food establishment shall meet the requirements specified in 21 CFR 173.368 Ozone.

## 22

**22-01-4** **Water to ice machine from unapproved source.** **High Priority**

*Water supply to the ice machine is from an unapproved source.*

61C-3.001(3)(a) FAC: Ice making machines shall utilize water from an approved source pursuant to Chapters 62-550 and 62-555, F.A.C., and shall be constructed, located, installed, operated and maintained so as to prevent contamination of the ice.

**22-02-4** **Ice received from unapproved source.** **High Priority**

*Ice received from an unapproved source.*

61C-3.001(3)(a) FAC: Ice obtained from outside the establishment shall be from a source approved under Chapter 500, F.S.

## 22

**22-03-4** **Canvas ice bucket not lined.** **High Priority**

*Canvas ice bucket provided for guest use is not provided with a liner.*

61C-3.001(3)(b) FAC: Canvas containers shall not be used unless provided with a sanitary single-service liner so as to completely protect the ice from contamination.

**22-04-4** **Guest ice bucket not clean.** **High Priority**

*Ice bucket provided for guest use is soiled.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-05-4** **Ice bucket no liner.** **High Priority**

*No liner provided for an ice bucket provided for guest use and the ice bucket has not been cleaned and sanitized.*

61C-3.001(3)(b) FAC: Ice buckets and other ice containers must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily.

**22-06-4** **Dispensed ice with hands.** **High Priority**

*Employee used hands to dispense ice.*

61C-3.001(3)(c) FAC: Ice for customer use shall be dispensed only with scoops, tongs or other ice-dispensing utensils or through automatic self-service, ice-dispensing equipment.

**22-07-4** **Ice scoop stored on soiled surface.** **High Priority**

*Ice scoop stored on a soiled surface.*

61C-3.001(3)(c) FAC: Ice-dispensing utensils shall be stored on a clean surface, attached to a nonoxidizing chain or tether, and stored inside the ice bin or in the ice with the utensil's handle extended out of the ice.

**22-08-4** **Ice bucket not sanitized between guests.** **High Priority**

*Ice bucket provided for guest use is not cleaned and sanitized between guests and the establishment does not provide a liner for the ice bucket.*

61C-3.001(3)(b) FAC: Ice buckets and other ice containers must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily.

**22-09-4** **Ice bucket liner not changed daily.** **High Priority**

*Liner provided for ice bucket for guest use is not changed daily.*

61C-3.001(3)(b) FAC: Ice buckets and other ice containers must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily.

**22-10-4** **Nonfood-grade liner.** **High Priority**

*Nonfood-grade/insanitary liner provided for ice bucket intended for guest use.*

61C-3.001(3)(b) FAC: Ice buckets and other ice containers must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily.

**22-11-4** **Housekeeper opened liner for bucket.** **High Priority**

*Housekeeper opened liner for guest's ice bucket by placing their hand inside the liner. Liner is no longer sanitary.*

61C-3.001(3)(b) FAC: Ice buckets and other ice containers must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily.

**22-12-4** **No overhead protection for existing ice machine.** **High Priority**

*No overhead protection provided for the existing ice machine.*

61C-3.001(3)(a) FAC: Ice making machines shall utilize water from an approved source pursuant to Chapters 62-550 and 62-555, F.A.C., and shall be constructed, located, installed, operated and maintained so as to prevent contamination of the ice.

## 22

**22-13-4 Ice machine outside (new).** **High Priority**

*Ice making machine located outdoors.*

61C-3.001(3)(a) FAC: Ice making machines shall utilize water from an approved source pursuant to Chapters 62-550 and 62-555, F.A.C., and shall be constructed, located, installed, operated and maintained so as to prevent contamination of the ice.

**22-14-4 Guest ice bucket not smooth/easily cleanable.** **High Priority**

*Ice bucket provided for guest use is not smooth, non-absorbent and easily cleanable.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-15-4 Canvas ice bucket liner too small.** **High Priority**

*Liner provided for canvas ice bucket does not completely cover the bucket to protect the ice.*

61C-3.001(3)(b) FAC: Canvas containers shall not be used unless provided with a sanitary single-service liner so as to completely protect the ice from contamination.

**22-16-4 Interior ice machine soiled.** **High Priority**

*Interior of ice machine soiled with mold-like substance/slime/dry debris.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-17-4 Ice chute soiled.** **High Priority**

*Ice chute soiled with mold-like substance/slime/dry debris.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-18-4 Guest ice bucket not handled in sanitary manner.** **High Priority**

*Ice bucket provided for guest use not handled in a sanitary manner by the housekeeper/employee.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-19-4 Guest ice bucket exposed to contamination.** **High Priority**

*Ice bucket provided for guest use is stored in an area where it is exposed to cross contamination.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-20-4 Ice bucket used by employees not clean.** **High Priority**

*Ice bucket used by employees to dispense/transfer ice is soiled.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-21-4 Ice bucket used by employees not handled in sanitary manner.** **High Priority**

*Ice bucket used by employees to dispense/transfer ice not handled in a sanitary manner by the housekeeper/employee.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

## 22

**22-22-4 Ice bucket exposed to contamination.** **High Priority**

*Ice bucket used by employees to dispense/transfer ice is stored in an area where it is exposed to cross contamination.*

61C-3.001(3)(b) FAC: Between uses, ice containers used to transfer ice from ice making machines to ice storage bins shall be stored in a way that protects the ice containers and ice-dispensing utensils from contamination.

**22-23-4 Ice bucket not cleanable.** **High Priority**

*Ice bucket not made of a cleanable material/not constructed in a manner to allow cleaning.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-24-4 Styrofoam guest ice bucket.** **High Priority**

*Ice bucket provided for guest use is made of styrofoam.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-25-4 Ice scoop not smooth/easily cleanable.** **High Priority**

*Ice scoop not smooth, easily cleanable and nonabsorbent.*

61C-3.001(3)(c) FAC: Ice-dispensing utensils shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; and shall be kept clean.

**22-26-4 Ice scoop not clean.** **High Priority**

*Ice scoop soiled.*

61C-3.001(3)(c) FAC: Ice-dispensing utensils shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; and shall be kept clean.

**22-27-4 Ice scoop buried.** **High Priority**

*Ice scoop handle buried in the ice.*

61C-3.001(3)(c) FAC: Ice-dispensing utensils shall be stored on a clean surface, attached to a nonoxidizing chain or tether, and stored inside the ice bin or in the ice with the utensil's handle extended out of the ice.

**22-28-4 Chain for ice scoop rusted.** **High Priority**

*Rusted chain used to tether the ice scoop to the ice machine/ice bin.*

61C-3.001(3)(c) FAC: Ice-dispensing utensils shall be stored on a clean surface, attached to a nonoxidizing chain or tether, and stored inside the ice bin or in the ice with the utensil's handle extended out of the ice.

**22-29-4 Ice scoop chain cross contaminating ice.** **High Priority**

*Chain for ice scoop touched ground and then came in contact with ice.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-30-4 Ice scoop stored on top of machine.** **High Priority**

*Ice scoop stored on top of the ice machine.*

61C-3.001(3)(c) FAC: Ice-dispensing utensils shall be stored on a clean surface, attached to a nonoxidizing chain or tether, and stored inside the ice bin or in the ice with the utensil's handle extended out of the ice.

## 22

**22-31-4** **Ice scoop exposed to contamination.** **High Priority**

*Ice scoop used by employees to dispense/transfer ice is stored in an area where it is exposed to cross contamination.*

61C-3.001(3)(b) FAC: Between uses, ice containers used to transfer ice from ice making machines to ice storage bins shall be stored in a way that protects the ice containers and ice-dispensing utensils from contamination.

**22-32-5** **Self-service ice not automatically dispensed.** **High Priority**

*Ice for customer self-service not dispensed through automatic ice-dispensing equipment. Customers scooping ice.*

61C-3.001(3)(a) FAC: Ice making machines shall utilize water from an approved source pursuant to Chapters 62-550 and 62-555, F.A.C., and shall be constructed, located, installed, operated, and maintained so as to prevent contamination of the ice. Ice obtained from outside the establishment shall be from a source approved under Chapter 500, F.S. Ice storage bins shall be drained through an air gap according to the provisions of the local building authority having jurisdiction.

**22-33-4** **Interior ice machine/bin rusted.** **High Priority**

*Interior of ice machine/ice bin rusted.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-34-4** **Soil/bugs in ice machine/ice bin.** **High Priority**

*Dirt/debris/bugs inside ice machine/ice bin.*

61C-3.001(3)(b) FAC: Ice buckets and other containers shall be made of a smooth, nonabsorbent, impervious material; shall be designed to facilitate cleaning; shall be kept clean; and shall be stored and handled in a sanitary manner.

**22-35-4** **Liners soiled.** **High Priority**

*Liner provided for ice bucket for guest use is soiled.*

61C-3.001(3)(b) FAC: Ice buckets and other ice containers must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily.

**22-36-4** **Liners exposed to contamination.** **High Priority**

*Liners for ice bucket for guest use are stored in an area where they are exposed to cross contamination. Liners no longer sanitary.*

61C-3.001(3)(b) FAC: Ice buckets and other ice containers must be cleaned and sanitized between each guest or be provided with a sanitary single service liner which is changed at least daily.

## 23

**23-01-5** **Exception to sanitization notice not posted.** **High Priority**

*Glassware/tableware/utensils not cleaned and sanitized and Notice to Guests regarding cleaning of the wares is not posted.*

61C-3.001(1)(b) FAC: Any public lodging establishment which cannot comply with this provision shall post in a conspicuous place in each guest room where dishware, glassware, kitchenware or utensils are provided, a placard or sign, which contains the following statement, or its equivalent: "NOTICE TO GUESTS: Dishware, glassware, kitchenware and/or utensils have been provided in this room as a guest convenience. These items have been cleaned within this room unit using ordinary household dishwashing facilities and agents. They have not been sanitized according to Federal and State standards for public food service establishments. (6) Exemptions – Vacation rentals, timeshare projects and nontransient apartments are exempt from subsection (1) of this rule. Establishments opting to provide any of the services listed in subsection (1) of this rule shall comply with the requirements described herein.

## 23

**23-02-4** **Transient - no cooking utensils for kitchen.** **Basic**

*No cooking utensils provided for use in the kitchen.*

61C-3.001(2)(a) FAC: Kitchens must also have sufficient and suitable cooking utensils. (6) Exemptions -- Nontransient apartments are exempt from paragraph (2)(a) of this rule.

**23-03-5** **Exception to sanitization notice not conspicuous.** **High Priority**

*Notice to Guests regarding cleaning of the glassware/tableware/utensils is not posted in a conspicuous location.*

61C-3.001(1)(b) FAC: Any public lodging establishment which cannot comply with this provision shall post in a conspicuous place in each guest room where dishware, glassware, kitchenware or utensils are provided, a placard or sign, which contains the following statement, or its equivalent: "NOTICE TO GUESTS: Dishware, glassware, kitchenware and/or utensils have been provided in this room as a guest convenience. These items have been cleaned within this room unit using ordinary household dishwashing facilities and agents. They have not been sanitized according to Federal and State standards for public food service establishments." (6) Exemptions – Vacation rentals, timeshare projects and nontransient apartments are exempt from subsection (1) of this rule. Establishments opting to provide any of the services listed in subsection (1) of this rule shall comply with the requirements described herein.

**23-04-4** **Tableware/utensils soiled.** **Intermediate**

*Tableware/glassware/utensils soiled.*

4-601.11(A) FC: (A) Equipment food-contact surfaces and utensils shall be clean to sight and touch.

**23-05-4** **Guest tableware/utensils not sanitized.** **High Priority**

*Glassware/tableware/utensils for guest room use intended by the operator to be properly washed and sanitized are not being sanitized.*

4-702.11 FC: Utensils and food-contact surfaces of equipment shall be sanitized before use after cleaning.

**23-06-4** **Tableware/utensils not washed/sanitized between guests.** **High Priority**

*Glassware/tableware/utensils for guest room use intended by the operator to be properly washed and sanitized are not being washed and sanitized between guests. Notice to Guests not posted.*

4-702.11 FC: Utensils and food-contact surfaces of equipment shall be sanitized before use after cleaning.

**23-07-4** **SS in guest room not wrapped.** **Basic**

*Single-service items provided in guest room are not in the original individual intact wrapper.*

4-904.11 FC: (A) Single-service and single-use articles and cleaned and sanitized utensils shall be handled, displayed, and dispensed so that contamination of food- and lip-contact surfaces is prevented. (B) Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are touched by employees and by consumers if consumer self-service is provided. (C) Except as specified under Paragraph (B) of this section, single-service articles that are intended for food- or lip-contact shall be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser.

**23-08-4** **Tableware/utensils not sanitized.** **High Priority**

*Glassware/tableware/utensils not sanitized aftering washing.*

4-702.11 FC: Utensils and food-contact surfaces of equipment shall be sanitized before use after cleaning.

**23-09-4** **Warewashing sinks/drainboard not self-draining.** **Basic**

*Warewashing sink/drainboard not self-draining.*

4-204.119 FC: Sinks and drainboards of warewashing sinks and machines shall be self-draining.

## 23

**23-10-4 Maid washing dishes in egregious insanitary manner.** **Basic**

*Housekeeper washing glassware/tableware/utensils in the guests' room in an insanitary manner.*

4-603.15 FC: If washing in sink compartments or a warewashing machine is impractical such as when the equipment is fixed or the utensils are too large, washing shall be done by using alternative manual warewashing equipment as specified in Paragraph 4-301.12(C) in accordance with the following procedures: (A) Equipment shall be disassembled as necessary to allow access of the detergent solution to all parts; (B) Equipment components and utensils shall be scrapped or rough cleaned to remove food particle accumulation; and (C) Equipment and utensils shall be washed as specified under Paragraph 4-603.14(A).

**23-11-4 3CS too small.** **Intermediate**

*Three-compartment sink used for warewashing is not large enough to accommodate the largest glassware/tableware/utensil.*

4-301.12 (B) and (C) FC: (B) Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils. If equipment or utensils are too large for the warewashing sink, a warewashing machine or alternative equipment as specified in Paragraph (C) of this section shall be used. (C) Alternative manual warewashing equipment may be used when there are special cleaning needs or constraints and its use is approved. Alternative manual warewashing equipment may include: (1) High-pressure detergent sprayers; (2) Low- or line-pressure spray detergent foamers; (3) Other task-specific cleaning equipment; (4) Brushes or other implements; (5) 2-compartment sinks as specified under Paragraphs (D) and (E) of this section; or (6) Receptacles that substitute for the compartments of a multicompartment sink.

**23-12-4 Sanitizer not used per manufacturer's recommendations.** **High Priority**

*Sanitizer not used in accordance with the manufacturer's recommendations.*

4-501.114 FC: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under Paragraph 4-703.11(C) shall meet the criteria specified under Section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions.

**23-13-4 No drainboards.** **Basic**

*No drainboards or equivalent provided at the warewashing facilities for soiled items and/or air drying cleaned glassware/tableware/utensils.*

4-301.13 FC: Drainboards, utensil racks, or tables large enough to accommodate all soiled and cleaned items that may accumulate during hours of operation shall be provided for necessary utensil holding before cleaning and after sanitizing.

**23-14-4 DM - no data plate.** **Basic**

*Dishmachine has no data plate/operating specifications.*

4-204.113 FC: A warewashing machine shall be provided with an easily accessible and readable data plate affixed to the machine by the manufacturer that indicates the machine's design and operation specifications including the: (A) Temperatures required for washing, rinsing, and sanitizing; (B) Pressure required for the fresh water sanitizing rinse unless the machine is designed to use only a pumped sanitizing rinse; and (C) Conveyor speed for conveyor machines or cycle time for stationary rack machines.

**23-15-4 DM no baffles/curtains.** **Basic**

*Dishmachine missing baffles, curtains in wash/rinse tanks.*

4-204.114 FC: Warewashing machine wash and rinse tanks shall be equipped with baffles, curtains, or other means to minimize internal cross contamination of the solutions in wash and rinse tanks.

**23-16-4 Clean/soiled not separated on maid cart.** **Basic**

*Clean glassware/tableware/utensils not separated from soiled glassware/tableware/utensils on the housekeeping cart.*

4-903.11(A) FC: (A) Except as specified in Paragraph (D) of this section, cleaned equipment and utensils, laundered linens, and single-service and single-use articles shall be stored: (1) In a clean, dry location; (2) Where they are not exposed to splash, dust, or other contamination; and (3) At least 6 inches above the floor.

## 23

**23-17-4 Handling/dispensing clean tableware/utensils/SS.** **Basic**

*Clean glassware/table/utensils or single service items not handled/dispensed to prevent contamination.*

4-904.11 FC: (A) Single-service and single-use articles and cleaned and sanitized utensils shall be handled, displayed, and dispensed so that contamination of food- and lip-contact surfaces is prevented. (B) Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are touched by employees and by consumers if consumer self-service is provided. (C) Except as specified under Paragraph (B) of this section, single-service articles that are intended for food- or lip-contact shall be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser.

**23-18-4 Old food on clean tableware/utensils.** **Basic**

*Old food stuck to clean glassware/tableware/utensils.*

4-603.12 FC: (A) Food debris on equipment and utensils shall be scrapped over a waste disposal unit or garbage receptacle or shall be removed in a warewashing machine with a prewash cycle. (B) If necessary for effective cleaning, utensils and equipment shall be preflushed, presoaked, or scrubbed with abrasives.

**23-19-4 Tableware/utensils/SS on floor.** **Basic**

*Clean glassware/tableware/utensils stored on the floor/less than six inches off the floor.*

4-903.11(A) FC: (A) Except as specified in Paragraph (D) of this section, cleaned equipment and utensils, laundered linens, and single-service and single-use articles shall be stored: (1) In a clean, dry location; (2) Where they are not exposed to splash, dust, or other contamination; and (3) At least 6 inches above the floor.

**23-20-4 Tableware/utensils/SS in dirty/wet location.** **Basic**

*Clean glassware/tableware/utensils stored in a location that is not clean/dry.*

4-903.11(A) FC: (A) Except as specified in Paragraph (D) of this section, cleaned equipment and utensils, laundered linens, and single-service and single-use articles shall be stored: (1) In a clean, dry location; (2) Where they are not exposed to splash, dust, or other contamination; and (3) At least 6 inches above the floor.

**23-21-4 DM not operated per manufacturer instructions.** **Basic**

*Dishmachine not operated according to the data plate/manufacturers' instructions.*

4-501.15 FC: (A) A warewashing machine and its auxiliary components shall be operated in accordance with the machine's data plate and other manufacturer's instructions. (B) A warewashing machine's conveyor speed or automatic cycle times shall be maintained accurately timed in accordance with manufacturer's specifications.

**23-22-4 Tableware/utensils/SS not protected from overhead leakage.** **Basic**

*Clean galssware/tableware/utensils located in an area not protected from overhead leakage of pipes, drains and condensation.*

4-903.12(A) FC: (A) Except as specified in Paragraph (B) of this section, cleaned and sanitized equipment, utensils, laundered linens, and single-service and single-use articles may not be stored: (1) In locker rooms; (2) In toilet rooms; (3) In garbage rooms; (4) In mechanical rooms; (5) Under sewer lines that are not shielded to intercept potential drips; (6) Under leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed; (7) Under open stairwells; or (8) Under other sources of contamination.

**23-23-4 Wash/rinse/sanitize solution not clean** **Basic**

*Wash/rinse/sanitize solution used for warewashing is not clean.*

4-501.18 FC: The wash, rinse, and sanitize solutions shall be maintained clean.

**23-24-4 3CS wash solution less than 110 F.** **Intermediate**

*Wash solution in three-compartment sink less than 110 degrees Fahrenheit.*

4-501.19 FC: The temperature of the wash solution in manual warewashing equipment shall be maintained at not less than 110 degrees Fahrenheit or the temperature specified on the cleaning agent manufacturer's label instructions.

## 23

**23-25-4 Hot water DM pressure not 5-30 psi.** **Basic**

*Hot water sanitizing dishmachine water pressure not between 5-30 pounds per square inch (PSI).*

4-501.113 FC: The flow pressure of the fresh hot water sanitizing rinse in a warewashing machine, as measured in the water line immediately downstream or upstream from the fresh hot water sanitizing rinse control value, shall be within the range specified on the machine manufacturer's data plate and may not be less than 5 pounds per square inch or more than 30 pounds per square inch.

**23-26-4 Chemical DM wash less than 120 F.** **Intermediate**

*Wash solution in spray-type chemical dishmachine less than 120 degrees Fahrenheit.*

4-501.110 (B) FC: (B) The temperature of the wash solution in spray-type warewashers that use chemicals to sanitize may not be less than 120 degrees Fahrenheit.

**23-27-4 No rinse.** **Basic**

*Abrasives and detergents not removed during the rinse process of washing, rinsing and sanitizing of glassware/tableware/utensils.*

4-603.16 FC: Washed utensils and equipment shall be rinsed so that abrasives are removed and cleaning chemicals are removed or diluted through the use of water or a detergent-sanitizer solution.

**23-28-4 High temp DM wash not at proper temp.** **Intermediate**

*Wash solution in spray type hot water sanitizing dishmachine not reaching proper temperature according to data plate/manufacturer's specifications.*

4-501.110(A) FC: (A) The temperature of the wash solution in spray type warewashers that use hot water to sanitize may not be less than: (1) For a stationary rack, single temperature machine, 165 degrees Fahrenheit; (2) For a stationary rack, dual temperature machine, 150 degrees Fahrenheit; (3) For a single tank, conveyor, dual temperature machine, 160 degrees Fahrenheit; or (4) For a multitank, conveyor, multitemperature machine, 150 degrees Fahrenheit.

**23-29-4 Tableware/utensils/SS under unshielded sewer lines.** **Basic**

*Clean glassware/tableware/utensils stored under sewer lines that are not shielded to intercept potential drips.*

4-903.12(A) FC: (A) Except as specified in Paragraph (B) of this section, cleaned and sanitized equipment, utensils, laundered linens, and single-service and single-use articles may not be stored: (1) In locker rooms; (2) In toilet rooms; (3) In garbage rooms; (4) In mechanical rooms; (5) Under sewer lines that are not shielded to intercept potential drips; (6) Under leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed; (7) Under open stairwells; or (8) Under other sources of contamination.

**23-30-4 High temp DM water over 194 F.** **Intermediate**

*Hot water sanitizer at the manifold of a high temperature dishmachine at more than 194 degrees F.*

4-501.112(A) FC: (A) Except as specified in Paragraph (B) of this section, in a mechanical operation, the temperature of the fresh hot water sanitizing rinse as it enters the manifold may not be more than 194 degrees Fahrenheit

**23-31-4 3CS chlorine sanitizer PPM improper.** **High Priority**

*Chlorine sanitizer not at proper minimum strength for manual warewashing. Do not use glassware/tableware/utensils not properly sanitized.*

4-501.114(A) FC: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under Paragraph 4-703.11(C) shall meet the criteria specified under Section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions, and shall be used as follows: (A) A chlorine solution shall have a minimum temperature based on the concentration and pH of the solution as listed in the following chart [summarized as follows: Minimum concentration 25 mg/L at 120 degrees Fahrenheit water temperature, pH 10 or less; 50 mg/L at 100 degrees Fahrenheit water temperature (pH 10 or less) or 75 degrees Fahrenheit (pH 8 or less); 100 mg/L at 55 degrees Fahrenheit water temperature, pH 10 or less.]

## 23

**23-32-4 Heat strip failed to turn color.** **High Priority**

*Thermotape failed to turn black to indicate the sanitization temperature of 160 degrees Fahrenheit was achieved on the dish surface. Discontinue use of dishmachine for sanitizing and set up manual sanitization until dishmachine is repaired.*

4-703.11(A) and (B) FC: After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in: (A) Hot water manual operations by immersion for at least 30 seconds and as specified under Section 4-501. 111; (B) Hot water mechanical operations by being cycled through equipment that is set up as specified under Sections 4-501.15, 4-501.112, and 4-501.113 and achieving a utensil surface temperature of 160 degrees Fahrenheit as measured by an irreversible registering temperature indicator;

**23-33-4 Chlorine exposure less than 7 seconds.** **High Priority**

*Glassware/tableware/utensils sanitized with a chlorine solution not exposed to the sanitizer solution for at least seven seconds. Do not use equipment/utensils not properly sanitized.*

4-703.11(C) FC: After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in: (C) Chemical manual or mechanical operations, including the application of sanitizing chemicals by immersion, manual swabbing, brushing, or pressure spraying methods, using a solution. Contact times shall be consistent with those on EPA-registered label use instructions by providing: (1) Except as specified under Subparagraph (C)(2) of this section, a contact time of at least 10 seconds for a chlorine solution, (2) A contact time of at least 7 seconds for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 100 degrees Fahrenheit or a pH of 8 or less and a temperature of at least 75 degrees Fahrenheit, (3) A contact time of at least 30 seconds for other chemical sanitizing solutions, or (4) A contact time used in relationship with a combination of temperature, concentration, and pH that, when evaluated for efficacy, yields sanitization.

**23-34-4 Unapproved sanitizer/scented bleach.** **High Priority**

*Scented bleach or other unapproved sanitizer being used to sanitize glassware/tableware/utensils.*

4-501.114 FC: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under Paragraph 4-703.11(C) shall meet the criteria specified under Section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions.

**23-35-4 No warewashing facilities, not limited to SS.** **High Priority**

*Items other than single-service/single-use articles being used with no warewashing facilities available.*

4-502.12 FC: A food establishment without facilities specified under Parts 4-6 and 4-7 for cleaning and sanitizing kitchenware and tableware shall provide only single-use kitchenware, single-service articles, and single-use articles for use by food employees and single-service articles for use by consumers.

**23-36-4 Tableware/utensils/SS outdoors/screened room.** **Basic**

*Clean glassware/tableware/utensils stored in a room that is not fully enclosed (open to outdoors/screened).*

4-903.12(A) FC: (A) Except as specified in Paragraph (B) of this section, cleaned and sanitized equipment, utensils, laundered linens, and single-service and single-use articles may not be stored: (1) In locker rooms; (2) In toilet rooms; (3) In garbage rooms; (4) In mechanical rooms; (5) Under sewer lines that are not shielded to intercept potential drips; (6) Under leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed; (7) Under open stairwells; or (8) Under other sources of contamination.

**23-37-4 SS item reused.** **Basic**

*Single-service/single-use item reused.*

4-502.13(A) FC: (A) Single-service and single-use articles may not be reused.

**23-38-4 Equipment/utensils not air-dried before use with food.** **Basic**

*Cleaned equipment/utensils not air-dried before contact with food.*

4-901.11 FC: After cleaning and sanitizing, equipment and utensils: (A) Shall be air-dried or used after adequate draining as specified in the first paragraph of 40 CFR 180.940 Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions), before contact with food; and (B) May not be cloth dried except that utensils that have been air-dried may be polished with cloths that are maintained clean and dry.

## 23

**23-39-4 Tableware/utensils/SS with cleaners.** **Basic**

*Clean glassware/tableware/utensils stored with, under or next to cleaning products.*

4-903.11(A) FC: (A) Except as specified in Paragraph (D) of this section, cleaned equipment and utensils, laundered linens, and single-service and single-use articles shall be stored: (1) In a clean, dry location; (2) Where they are not exposed to splash, dust, or other contamination; and (3) At least 6 inches above the floor.

**23-40-4 Tableware/utensils/SS not covered/inverted** **Basic**

*Clean glassware/tableware/utensils or single-service items not stored covered or inverted.*

4-903.11(B) FC: (B) Clean equipment and utensils shall be stored as specified under Paragraph (A) of this section and shall be stored: (1) In a self-draining position that allows air drying; and (2) Covered or inverted.

**23-41-4 Tableware/utensils/SS in unapproved room.** **Basic**

*Clean glassware/tableware/utensils stored in a bathroom, locker room, garbage room or mechanical room.*

4-903.12(A) FC: (A) Except as specified in Paragraph (B) of this section, cleaned and sanitized equipment, utensils, laundered linens, and single-service and single-use articles may not be stored: (1) In locker rooms; (2) In toilet rooms; (3) In garbage rooms; (4) In mechanical rooms; (5) Under sewer lines that are not shielded to intercept potential drips; (6) Under leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed; (7) Under open stairwells; or (8) Under other sources of contamination.

**23-42-4 Tableware/utensils/SS under source of contamination.** **Basic**

*Clean glassware/tableware/utensils or single-service items stored under a source of contamination.*

4-903.12(A) FC: (A) Except as specified in Paragraph (B) of this section, cleaned and sanitized equipment, utensils, laundered linens, and single-service and single-use articles may not be stored: (1) In locker rooms; (2) In toilet rooms; (3) In garbage rooms; (4) In mechanical rooms; (5) Under sewer lines that are not shielded to intercept potential drips; (6) Under leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed; (7) Under open stairwells; or (8) Under other sources of contamination.

**23-43-4 No chlorine test kit.** **Intermediate**

*No chlorine chemical test kit provided when using chlorine sanitizer at three-compartment sink/dishmachine.*

4-302.14 FC: A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

**23-44-4 Displayed tableware/utensils/SS.** **Basic**

*Clean glassware/table/utensils or single service items displayed for customer self-service not protected from cross contamination.*

4-904.11 FC: (A) Single-service and single-use articles and cleaned and sanitized utensils shall be handled, displayed, and dispensed so that contamination of food- and lip-contact surfaces is prevented. (B) Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are touched by employees and by consumers if consumer self-service is provided. (C) Except as specified under Paragraph (B) of this section, single-service articles that are intended for food- or lip-contact shall be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser.

**23-45-4 DM - no temp. gauge.** **Intermediate**

*No temperature measuring device provided on dishmachine.*

4-204.115 FC: A warewashing machine shall be equipped with a temperature measuring device that indicates the temperature of the water: (A) In each wash and rinse tank; and (B) As the water enters the hot water sanitizing final rinse manifold or in the chemical sanitizing solution tank.

**23-46-4 No thermometer to test 3CS wash temp.** **Basic**

*No thermometer provided to test the temperature of the washing and sanitizing solutions in the three-compartment sink.*

4-302.13 FC: In manual warewashing operations, a temperature measuring device shall be provided and readily accessible for frequently measuring the washing and sanitizing temperatures.

## 23

**23-47-4** **3CS thermometer not calibrated.** **Basic**

*Thermometer used to measure the temperature of the wash and sanitize solutions is incorrect/not calibrated.*

4-502.11(C) FC: Ambient air temperature, water pressure, and water temperature measuring devices shall be maintained in good repair and be accurate within the intended range of use.

**23-48-4** **Utensils stored FCS up.** **Basic**

*Clean utensils/single service utensils stored with the food contact surface up.*

4-904.11 FC: (A) Single-service and single-use articles and cleaned and sanitized utensils shall be handled, displayed, and dispensed so that contamination of food- and lip-contact surfaces is prevented. (B) Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are touched by employees and by consumers if consumer self-service is provided. (C) Except as specified under Paragraph (B) of this section, single-service articles that are intended for food- or lip-contact shall be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser.

**23-49-4** **Transient - insufficient cooking utensils for kitchen.** **Basic**

*Insufficient cooking utensils provided for use in the kitchen.*

61C-3.001(2)(a) FAC: Kitchens must also have sufficient and suitable cooking utensils. (6) Exemptions -- Nontransient apartments are exempt from paragraph (2)(a) of this rule.

**23-50-4** **No warewashing facilities.** **Intermediate**

*No warewashing facilities provided.*

4-301.12 (A) FC: (A) Except as specified in Paragraph (C) of this section, a sink with at least 3 compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils.

**23-51-4** **Less than 3CS for warewashing.** **Intermediate**

*Sink with less than three compartments used to wash, rinse and sanitize glassware/tableware/utensils.*

4-301.12 (A) and (E) FC: (A) Except as specified in Paragraph (C) of this section, a sink with at least 3 compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils. (E) A 2-compartment sink may not be used for warewashing operations where cleaning and sanitizing solutions are used for a continuous or intermittent flow of kitchenware or tableware in an ongoing warewashing process.

**23-52-4** **Drainboards not large enough.** **Basic**

*Insufficient number/amount of drainboards or equivalent to hold clean and soiled glassware/tableware/utensils.*

4-301.13 FC: Drainboards, utensil racks, or tables large enough to accommodate all soiled and cleaned items that may accumulate during hours of operation shall be provided for necessary utensil holding before cleaning and after sanitizing.

**23-53-4** **DM - wrong data plate.** **Basic**

*Data plate/operating specifications provided on dishmachine do not match type of sanitizer method in use.*

4-501.15 FC: (A) A warewashing machine and its auxiliary components shall be operated in accordance with the machine's data plate and other manufacturer's instructions. (B) A warewashing machine's conveyor speed or automatic cycle times shall be maintained accurately timed in accordance with manufacturer's specifications.

## 23

**23-54-4 DM not sanitizing properly - chemical.** **High Priority**

*Chemical dishmachine not sanitizing properly. Discontinue use of dishmachine for sanitizing and set up manual sanitization until dishmachine is repaired and sanitizing properly.*

4-501.114(A), (C) and (D) FC: A chlorine solution shall have a minimum concentration 25 mg per liter at 120 degrees Fahrenheit water temperature; 50 PPM at 100 or 75 degrees Fahrenheit water temperature; 100 PPM at 55 degrees Fahrenheit water temperature.(B) Iodine solution shall have a minimum temperature of 68 degrees Fahrenheit and concentration between 12.5 to 25 PPM; (C) Quaternary ammonium compound solution shall have a minimum temperature of 75 degrees Fahrenheit, a concentration indicated by the manufacturer's use directions and used only in water with 500 PPM hardness or less or a hardness no greater than specified by the EPA-registered label use instructions; (D) If another solution of a chemical specified under Paragraphs (A) - (C) of this section is used, the permit holder shall demonstrate to the regualtory authority that the solution achieves sanitization and the use of the solution shall be approved;

**23-55-4 DM - temp. gauge inaccurate/damaged.** **Basic**

*Inaccurate/damaged temperature gauge(s) on dishmachine.*

4-502.11(C) FC: (C) Ambient air temperature, water pressure, and water temperature measuring devices shall be maintained in good repair and be accurate within the intended range of use.

**23-56-4 High temp DM - temp at manifold wrong.** **Intermediate**

*Hot water sanitizing dishmachine final rinse not reaching proper temperature at manifold. Discontinue use of dishmachine for sanitizing and set up manual sanitization until dishmachine is repaired.*

4-501.112 FC: (A) Except as specified in Paragraph (B) of this section, in a mechanical operation, the temperature of the fresh hot water sanitizing rinse as it enters the manifold may not be more than 194 degrees Fahrenheit, or less than: (1) For a stationary rack, single temperature machine, 165 degrees Fahrenheit; or (2) For all other machines, 180 degrees Fahrenheit. (B) The maximum temperature specified under Paragraph (A) of this section, does not apply to the high pressure and temperature systems with wand-type, hand-held, spraying devices used for the in-place cleaning and sanitizing of equipment such as meat saws.

**23-57-4 DM chlorine sanitizer PPM improper.** **High Priority**

*Dishmachine chlorine sanitizer not at proper minimum strength. Discontinue use of dishmachine for sanitizing and set up manual sanitization until dishmachine is repaired and sanitizing properly.*

4-501.114(A) FC: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under Paragraph 4-703.11(C) shall meet the criteria specified under Section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions, and shall be used as follows: (A) A chlorine solution shall have a minimum temperature based on the concentration and pH of the solution as listed in the following chart [summarized as follows: Minimum concentration 25 mg/L at 120 degrees Fahrenheit water temperature, pH 10 or less; 50 mg/L at 100 degrees Fahrenheit water temperature (pH 10 or less) or 75 degrees Fahrenheit (pH 8 or less); 100 mg/L at 55 degrees Fahrenheit water temperature, pH 10 or less.]

**23-58-4 3CS quat sanitizer PPM improper.** **High Priority**

*Quaternary ammonium compound sanitizer not at proper minimum strength for manual warewashing. Do not use equipment/utensils not properly sanitized.*

4-501.114(C) FC: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under Paragraph 4-703.11(C) shall meet the criteria specified under Section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions, and shall be used as follows: (C) A quaternary ammonium compound solution shall: (1) Have a minimum temperature of 75 degrees Fahrenheit, (2) Have a concentration as specified under Section 7-204.11 and as indicated by the manufacturer's use directions included in the labeling, and (3) Be used only in water with 500 mg/L hardness or less or in water having a hardness no greater than specified by the EPA-registered label use instructions;

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**23-59-4 DM quat sanitizer PPM improper.** **High Priority**

*Dishmachine quaternary ammonium compound sanitizer not at proper minimum strength. Discontinue use of dishmachine for sanitizing and set up manual sanitization until dishmachine is repaired and sanitizing properly.*

4-501.114(C) FC: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under Paragraph 4-703.11(C) shall meet the criteria specified under Section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions, and shall be used as follows: (C) A quaternary ammonium compound solution shall: (1) Have a minimum temperature of 75 degrees Fahrenheit, (2) Have a concentration as specified under Section 7-204.11 and as indicated by the manufacturer's use directions included in the labeling, and (3) Be used only in water with 500 mg/L hardness or less or in water having a hardness no greater than specified by the EPA-registered label use instructions;

**23-60-4 Quat sanitizer not at proper temp.** **High Priority**

*Quaternary ammonium compound sanitizer water not at 75 degrees Fahrenheit or above.*

4-501.114(C) FC: A chemical sanitizer used in a sanitizing solution for a manual or mechanical operation at contact times specified under Paragraph 4-703.11(C) shall meet the criteria specified under Section 7-204.11 Sanitizers, Criteria, shall be used in accordance with the EPA-registered label use instructions, and shall be used as follows: (C) A quaternary ammonium compound solution shall: (1) Have a minimum temperature of 75 degrees Fahrenheit, (2) Have a concentration as specified under Section 7-204.11 and as indicated by the manufacturer's use directions included in the labeling, and (3) Be used only in water with 500 mg/L hardness or less or in water having a hardness no greater than specified by the EPA-registered label use instructions;

**23-61-4 Quat exposure less than 30 seconds.** **High Priority**

*Glassware/tableware/utensils sanitized with a quaternary ammonium compound solution not exposed to the sanitizer solution for at least 30 seconds. Do not use equipment/utensils not properly sanitized.*

4-703.11(C) FC: After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in (C) Chemical manual or mechanical operations, including the application of sanitizing chemicals by immersion, manual swabbing, brushing, or pressure spraying methods, using a solution. Contact times shall be consistent with those on EPA-registered label use instructions by providing: (1) Except as specified under Subparagraph (C)(2) of this section, a contact time of at least 10 seconds for a chlorine solution, (2) A contact time of at least 7 seconds for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 100 degrees Fahrenheit or a pH of 8 or less and a temperature of at least 75 degrees Fahrenheit, (3) A contact time of at least 30 seconds for other chemical sanitizing solutions, or (4) A contact time used in relationship with a combination of temperature, concentration, and pH that, when evaluated for efficacy, yields sanitization.

**23-62-4 No quat test kit.** **Intermediate**

*No quaternary ammonium chemical test kit provided when using quaternary ammonium chemical sanitizer at three-compartment sink/dishmachine.*

4-302.14 FC: A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

**23-63-4 DM - wrong test kit.** **Intermediate**

*Incorrect chemical test kit provided for measuring the concentration of the sanitizer solution used in the dishmachine/glasswasher/potwasher.*

4-302.14 FC: A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

**23-64-4 3CS - wrong test kit.** **Intermediate**

*Incorrect chemical test kit provided for measuring the concentration of the sanitizer solution used in the three-compartment sink.*

4-302.14 FC: A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

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**23-65-4** **Bar 3CS - wrong test kit.** **Intermediate**

*Incorrect chemical test kit provided for measuring the concentration of the sanitizer solution used in the bar three-compartment sink.*

4-302.14 FC: A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

**23-66-4** **Bar Star test kit not used correctly.** **Intermediate**

*Test kit for measuring the concentration of the Bar Star sanitizing solution not used in accordance with the manufacturer's instructions or employee unaware of proper use.*

4-302.14 FC: A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

**23-67-4** **Test kit not used to check sanitizer.** **Intermediate**

*Chemical test kit not used to ensure proper sanitization of glassware/tableware/utensils when using a chemical sanitizer.*

4-501.116 FC: Concentration of the sanitizing solution shall be accurately determined by using a test kit or other device.

**23-68-4** **No color/concentration chart for test kit.** **Intermediate**

*No color/concentration comparison chart available for chemical test kit used to check sanitizer.*

4-302.14 FC: A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions shall be provided.

**23-69-4** **3CS thermometer in disrepair.** **Basic**

*Thermometer used to measure the temperature of the wash and sanitize solutions is in disrepair.*

4-502.11(C) FC: Ambient air temperature, water pressure, and water temperature measuring devices shall be maintained in good repair and be accurate within the intended range of use.

**23-70-4** **DM pressure gauge in disrepair.** **Basic**

*Inaccurate/damaged pressure gauge on dishmachine.*

4-502.11(C) FC: Ambient air temperature, water pressure, and water temperature measuring devices shall be maintained in good repair and be accurate within the intended range of use.

**23-71-4** **Wet nesting equipment/utensils.** **Basic**

*Glassware/tables/utensils not properly air-dried after cleaning and sanitizing - wet nesting.*

4-901.11 FC: After cleaning and sanitizing, equipment and utensils: (A) Shall be air-dried or used after adequate draining as specified in the first paragraph of 40 CFR 180.940 Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions), before contact with food; and (B) May not be cloth dried except that utensils that have been air-dried may be polished with cloths that are maintained clean and dry.

**23-72-4** **Equipment/utensils cloth dried.** **Basic**

*Cleaned equipment/utensils dried with a cloth.*

4-901.11 FC: After cleaning and sanitizing, equipment and utensils: (A) Shall be air-dried or used after adequate draining as specified in the first paragraph of 40 CFR 180.940 Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions), before contact with food; and (B) May not be cloth dried except that utensils that have been air-dried may be polished with cloths that are maintained clean and dry.

## 23

**23-73-4 Not soaked prior to washing/still soiled after washing.** **Basic**

*Glassware/tableware/utensils not soaked prior to being placed in three-compartment sink/dishmachine and results in soiled glassware/tableware/utensils after washing occurs.*

4-603.12 FC: (A) Food debris on equipment and utensils shall be scrapped over a waste disposal unit or garbage receptacle or shall be removed in a warewashing machine with a prewash cycle. (B) If necessary for effective cleaning, utensils and equipment shall be preflushed, presoaked, or scrubbed with abrasives.

**23-74-4 DM cycle time/conveyor speed incorrect.** **Basic**

*Dishmachine cycle times/conveyor speed not correct per data plate/operating specifications provided on dishmachine.*

4-501.15 FC: (A) A warewashing machine and its auxiliary components shall be operated in accordance with the machine's data plate and other manufacturer's instructions. (B) A warewashing machine's conveyor speed or automatic cycle times shall be maintained accurately timed in accordance with manufacturer's specifications.

**23-75-4 Utensil polishing cloth wet/soiled.** **Basic**

*Wet/soiled cloth used to polish utensils.*

4-901.11 FC: After cleaning and sanitizing, equipment and utensils: (A) Shall be air-dried or used after adequate draining as specified in the first paragraph of 40 CFR 180.940 Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions), before contact with food; and (B) May not be cloth dried except that utensils that have been air-dried may be polished with cloths that are maintained clean and dry.

**23-76-4 DM soap/sanitizer not auto dispensed.** **Intermediate**

*Detergent and/or sanitizer not automatically dispensed into dishmachine. Dishmachine installed after March 2005.*

4-204.117(A) FC: A warewashing machine that is installed after adoption of this Code by the regulatory authority , shall be equipped to: (A) Automatically dispense detergents and sanitizers

**23-77-4 DM - no visual delivery/alarm for soap/sanitizer.** **Intermediate**

*No visual means to verify detergent and santizer are delivered during the proper cycle of the dishmachine and no visual or audible alarm to indicate nondelivery. Dishmachine installed after March 2005.*

4-204.117(B) FC: A warewashing machine that is installed after adoption of this Code by the regulatory authority , shall be equipped to: (B) Incorporate a visual means to verify that detergents and sanitizers are delivered or a visual or audible alarm to signal if the detergents and sanitizers are not delivered to the respective washing and sanitizing cycles.

**23-78-4 Washed at location not under operator control.** **Basic**

*Glassware/tableware/utensils cleaned and sanitized at a location that is not under the lodging operator's control.*

509.221(1)(a) FS: Each public lodging establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests.

**23-79-4 PHF FCS not cleaned every 4 hours (bar).** **Intermediate**

*Glassware/tableware/utensils in contact with potentially hazardous (time/temperature control for safety) food/beverages in the bar area not cleaned at least every four hours.*

4-602.11(C) FC: (C) Equipment food-contact surfaces and utensils shall be cleaned throughout the day at least every 4 hours.

## 23

**23-80-4 NonPHF FCS not cleaned after contamination (bar).** **Basic**

*Glassware/tableware/utensils in contact with nonpotentially hazardous (nontime/temperature control for safety) food/beverages in the bar or continental breakfast area not cleaned often enough to prevent cross contamination.*

4-602.11(E)(1) FC: (E) Except when dry cleaning methods are used as specified under Section 4-603. 11, surfaces of utensils and equipment contacting food that is not potentially hazardous (time/temperature control for safety food) shall be cleaned: (1) At any time when contamination may have occurred; (2) At least every 24 hours for iced tea dispensers and consumer self-service utensils such as tongs, scoops, or ladles; (3) Before restocking consumer self-service equipment and utensils such as condiment dispensers and display containers; and (4) In equipment such as ice bins and beverage dispensing nozzles and enclosed components of equipment such as ice makers, cooking oil storage tanks and distribution lines, beverage and syrup dispensing lines or tubes, coffee bean grinders, and water vending equipment: (a) At a frequency specified by the manufacturer, or (b) Absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.

**23-81-4 Lime scale inside DM.** **Basic**

*Accumulation of lime scale on the inside of the dishmachine used to clean glassware/tableware/utensils.*

4-501.14 FC: A warewashing machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing equipment, utensils, or raw foods, or laundering wiping cloths; and drainboards or other equipment used to substitute for drainboards as specified under Section 4-301.13 shall be cleaned: (A) Before use; (B) Throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and to ensure that the equipment performs its intended function; and (C) If used, at least every 24 hours.

**23-82-4 DM interior soiled.** **Basic**

*Accumulation of debris inside the dishmachine used to clean glassware/tableware/utensils.*

4-501.14 FC: A warewashing machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing equipment, utensils, or raw foods, or laundering wiping cloths; and drainboards or other equipment used to substitute for drainboards as specified under Section 4-301.13 shall be cleaned: (A) Before use; (B) Throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and to ensure that the equipment performs its intended function; and (C) If used, at least every 24 hours.

**23-83-4 Drainboards not clean.** **Basic**

*Accumulation of debris on drainboards or equivalent used for cleaning glassware/tableware/utensils.*

4-501.14 FC: A warewashing machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing equipment, utensils, or raw foods, or laundering wiping cloths; and drainboards or other equipment used to substitute for drainboards as specified under Section 4-301.13 shall be cleaned: (A) Before use; (B) Throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and to ensure that the equipment performs its intended function; and (C) If used, at least every 24 hours.

**23-84-4 3CS not clean.** **Basic**

*Accumulation of debris in three-compartment sink used for cleaning glassware/tableware/utensils.*

4-501.14 FC: A warewashing machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing equipment, utensils, or raw foods, or laundering wiping cloths; and drainboards or other equipment used to substitute for drainboards as specified under Section 4-301.13 shall be cleaned: (A) Before use; (B) Throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and to ensure that the equipment performs its intended function; and (C) If used, at least every 24 hours.

## 24

**24-01-4 Live vermin.** **High Priority**

*Live vermin present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 24

**24-02-4** **Window screen missing - vermin present.** **High Priority**

*Window open for ventilation has no screen - vermin present.*

61C-1.004(3) FAC: Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed, free of rodents and maintained in a rodent-proof and rodent-free condition. All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks.

**24-03-4** **Operator failed to take effective measures.** **High Priority**

*Operator not taking effective measures to prevent the entrance and breeding of pests and/or to eliminate pests.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-04-4** **Window screen torn - vermin present.** **High Priority**

*Window open for ventilation has torn screen - vermin present.*

61C-1.004(3) FAC: Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed, free of rodents and maintained in a rodent-proof and rodent-free condition. All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks.

**24-05-4** **Vent cover missing/no screen - vermin present.** **High Priority**

*Vent to the outside missing a cover/not screened - vermin present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-06-4** **Outer openings not protected - vermin present.** **High Priority**

*Outer openings not protected - vermin present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-07-4** **Hole in wall to outside - vermin present.** **High Priority**

*Hole in the wall leading to the outside - vermin present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-08-4** **Live rodent.** **High Priority**

*Live rodent present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 24

**24-09-4 Live roaches.** **High Priority**

*Live roaches present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-10-4 Live flies.** **High Priority**

*Numerous live flies present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-11-4 Roach droppings.** **High Priority**

*Roach droppings/excrement present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-12-4 Fresh rodent droppings.** **High Priority**

*Fresh rodent droppings present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-13-4 Old rodent droppings.** **High Priority**

*Old rodent droppings present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-14-4 Rodent burrow/nest.** **High Priority**

*Rodent burrow/nest present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-15-4 Vermin droppings/eggs.** **High Priority**

*Vermin droppings/eggs present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 24

**24-16-4 Spider/spider webs.** **High Priority**

*Spider/spider webs present.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-17-4 Bees/bee nests.** **High Priority**

*Bee/wasp-like insects and/or their nests present.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-18-4 Window only ventilation - no screen.** **High Priority**

*Windows are the only form of ventilation provided and the screens are missing from the windows.*

61C-1.004(3) FAC: Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed, free of rodents and maintained in a rodent-proof and rodent-free condition. All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks.

**24-19-4 Window only ventilation - screens torn.** **High Priority**

*Windows are the only form of ventilation provided and the screens on the window(s) are torn/in disrepair.*

61C-1.004(3) FAC: Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed, free of rodents and maintained in a rodent-proof and rodent-free condition. All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks.

**24-20-4 Dead roaches.** **High Priority**

*Dead roaches present.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-21-4 Dead vermin.** **High Priority**

*Dead vermin present.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-22-4 Live bed bugs.** **High Priority**

*Live bed bugs present. Do not rent or use these room(s) until a callback inspection is conducted and no bed bugs are found. The use of a professional trained in the detection and treatment of bed bugs is recommended.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 24

**24-23-4 Dead bed bugs.** **High Priority**

*Dead bed bugs present. Do not rent or use these room(s) until a callback inspection is conducted and no bed bugs are found. The use of a professional trained in the detection and treatment of bed bugs is recommended.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-24-4 Evidence of bed bugs.** **High Priority**

*Bed bug activity present as evidenced by shed skins, egg casings, excrement and/or blood marks. Do not rent or use these room(s) until a callback inspection is conducted and no bed bugs are found. The use of a professional trained in the detection and tre*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-25-4 Bats.** **High Priority**

*Bats present.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-26-4 Gap to outside - vermin present.** **High Priority**

*Gap around the door/window/AC unit leading to the outside - vermin present.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-27-4 Mosquito breeding in standing water.** **High Priority**

*Mosquitoes breeding in standing water.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-28-4 Termites.** **High Priority**

*Winged termite-like insects present.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-29-4 Ants outside.** **High Priority**

*Large number of ants/ant mounds presents.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 24

**24-30-4** **Ants inside.** **High Priority**

*Ants present inside establishment.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-31-4** **Fleas** **High Priority**

*Fleas present inside establishment.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-32-4** **Dead/trapped pests in control devices.** **High Priority**

*Accumulation of dead or trapped birds, insects, rodents, or other pests in control devices.*

509.221(7) FS The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such an establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-33-4** **Screen not 16 mesh.** **High Priority**

*Screening on window, door or other outer opening not 16 mesh to the inch.*

61C-1.004(3) FAC: Effective control measures shall be taken to protect against the entrance into the establishment, and the breeding or presence on the premises of rodents, flies, roaches and other vermin. All buildings shall be effectively rodent-proofed, free of rodents and maintained in a rodent-proof and rodent-free condition. All windows used for ventilation must be screened, except when effective means of vermin control are used. Screening material shall not be less than 16 mesh to the inch or equivalent, tight-fitting and free of breaks.

**24-34-4** **Maggots in trash area.** **High Priority**

*Maggots present in dumpster/trash area.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**24-35-4** **Rodent rub marks.** **High Priority**

*Rodent rub marks present.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 25

**25-01-4** **Trash/debris on ground.** **Basic**

*Trash/debris on the ground.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 25

**25-02-4** **Unused/discarded equipment outside.** **Basic**

*Unused/discarded equipment stored outside.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**25-03-4** **Objectionable odor.** **Basic**

*Objectionable odor present at the property.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**25-04-4** **Improper drainage - standing water.** **Basic**

*Areas of standing water outside due to inadequate/improper drainage on the premises.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**25-05-4** **Overgrown lawn/weeds** **Basic**

*Overgrown lawn with very tall grass/weeds.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**25-06-4** **Potholes in driveway/parking lot.** **Basic**

*Large/deep potholes in the driveway/parking lot.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**25-07-4** **Discarded mattress.** **Basic**

*Discarded mattress stored outside.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**25-08-4** **Discarded appliances.** **Basic**

*Discarded appliance(s) stored outside.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

## 25

**25-09-4** **Discarded construction/maintenance supplies.** **Basic**

*Discarded construction or maintenance refuse on the premises.*

509.221(7) FS: The operator of any establishment licensed under this chapter shall take effective measures to protect the establishment against the entrance and the breeding on the premises of all vermin. Any room in such establishment infested with such vermin shall be fumigated, disinfected, renovated, or other corrective action taken until the vermin are exterminated.

**25-10-4** **Discarded refrigerator - doors not removed.** **Basic**

*Doors not removed/secured closed on discarded refrigerator/freezer stored outside.*

509.221(3) FS: Each establishment licensed under this chapter shall be operated with strict regard to the health, comfort, and safety of the guests.

## 26

**26-01-4** **Build-up of trash.** **Basic**

*Build-up of garbage on the property.*

5-501.16(A) FC and 5-502.11 FC: (A) An inside storage room and area and outside storage area and enclosure, and receptacles shall be of sufficient capacity to hold refuse, recyclables, and returnables that accumulate. 5-502.11 Refuse, recyclables, and returnables shall be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

**26-02-4** **Transient - kitchen trash can not provided.** **Basic**

*No garbage receptacle provided in the kitchen.*

61C-3.001(2)(a) FAC: Kitchens must also have adequate garbage receptacles.

**26-03-4** **Dumpster lid open.** **Basic**

*Dumpster lid open.*

5-501.113 FC: Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered: (A) Inside the food establishment if the receptacles and units: (1) Contain food residue and are not in continuous use; or (2) After they are filled; and (B) With tight-fitting lids or doors if kept outside the food establishment.

**26-04-4** **Dumpster lid missing/broken.** **Basic**

*Dumpster missing lid/cover or lid/cover broken leaving garbage uncovered.*

5-501.113 FC: Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered: (A) Inside the food establishment if the receptacles and units: (1) Contain food residue and are not in continuous use; or (2) After they are filled; and (B) With tight-fitting lids or doors if kept outside the food establishment.

**26-05-4** **Trash receptacle not easily cleanable.** **Basic**

*Trash receptacle not easily cleanable.*

5-501.13(A) FC: (A) Except as specified in Paragraph (B) of this section, receptacles and waste hauling units for refuse, recyclables and returnables and for use with materials containing food residue shall be durable, cleanable, insect- and rodent-resistant, leakproof, and non-absorbent.

**26-06-4** **Outside garbage can no lid/lid broken.** **Basic**

*Garbage can located outside has no lid or lid open/broken.*

5-501.15(A) FC and 5-501.113 FC: (A) Receptacles and waste handling units for refuse, recyclables, and returnables used with materials containing food residue and used outside the food establishment shall be designed and constructed to have tight-fitting lids, doors, or covers.
Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered: (A) Inside the food establishment if the receptacles and units: (1) Contain food residue and are not in continuous use; or (2) After they are filled; and (B) With tight-fitting lids or doors if kept outside the food establishment.

## 26

**26-07-4** **Trash container too small/pick-up too infrequent.** **Basic**

*Refuse container not of sufficient size to hold the amount of refuse present based upon the current pick-up frequency.*

5-501.16(A) FC and 5-502.11 FC: (A) An inside storage room and area and outside storage area and enclosure, and receptacles shall be of sufficient capacity to hold refuse, recyclables, and returnables that accumulate. 5-502.11 Refuse, recyclables, and returnables shall be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

**26-08-4** **No trash can where needed.** **Basic**

*Trash receptacles not provided where needed in establishment.*

5-501.16(B) FC: (B) A receptacle shall be provided in each area of the food establishment or premises where refuse is generated or commonly discarded, or where recyclables or returnables are placed.

**26-09-4** **No trash can at HWS.** **Basic**

*No waste receptacle provided at handwash sink where disposable towels are used.*

5-501.16(C) FC: (C) If disposable towels are used at handwashing lavatories, a waste receptacle shall be located at each lavatory or group of adjacent lavatories.

**26-10-4** **No cleaning supplies for trash receptacles.** **Basic**

*No cleaning supplies available for onsite trash/garbage receptacles not cleaned off site.*

5-501.18 FC: (A) Except as specified in Paragraph (B) of this section, suitable cleaning implements and supplies such as high pressure pumps, hot water, steam, and detergent shall be provided as necessary for effective cleaning of receptacles and waste handling units for refuse, recyclables, and returnables. (B) If approved, off-premises-based cleaning services may be used if on-premises cleaning implements and supplies are not provided.

**26-11-4** **Bagged trash not in dumpster/cans.** **Basic**

*Garbage not placed in a receptacle for storage until pick up to make the garbage inaccessible to insects and rodents.*

5-501.110 FC: Refuse, recyclables, and returnables shall be stored in receptacles or waste handling units so that they are inaccessible to insects and rodents.

**26-12-4** **Trash in compactor not covered.** **Basic**

*Garbage in compactor not covered.*

5-501.113 FC: Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered: (A) Inside the food establishment if the receptacles and units: (1) Contain food residue and are not in continuous use; or (2) After they are filled; and (B) With tight-fitting lids or doors if kept outside the food establishment.

**26-13-4** **Garbage receptacle in disrepair.** **Basic**

*Waste receptacle in disrepair.*

5-501.111 FC: Storage areas, enclosures, and receptacles for refuse, recyclables, and returnables shall be maintained in good repair.

**26-14-4** **Oustide waste receptacle without tight-fitting lid/doors.** **Basic**

*Lid/doors for trash receptacle not tight-fitting.*

5-501.113 FC: Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered: (A) Inside the food establishment if the receptacles and units: (1) Contain food residue and are not in continuous use; or (2) After they are filled; and (B) With tight-fitting lids or doors if kept outside the food establishment.

**26-15-4** **Drain plug missing.** **Basic**

*Missing drain plug at dumpster.*

5-501.114 FC: Drains in receptacles and waste handling units for refuse, recyclables, and returnables shall have drain plugs in place.

## 26

**26-16-4 Unnecessary items in refuse area.** **Basic**

*Unnecessary items stored in the garbage area.*

5-501.115 FC: A storage area and enclosure for refuse, recyclables, or returnables shall be maintained free of unnecessary items, as specified under Section 6-501.114, and clean.

**26-17-4 Receptacle cleaning causing contamination.** **Basic**

*Cleaning of a waste receptacle causing contamination of food, equipment, utensils, linens or single-service items.*

5-501.116(A) FC: Receptacles and waste handling units for refuse, recyclables, and returnables shall be thoroughly cleaned in a way that does not contaminate food, equipment, utensils, linens, or single-service and single-use articles, and waste water shall be disposed of as specified under Section 5-402.13.

**26-18-4 Dumpster not clean.** **Basic**

*Build-up of sludge/debris in dumpster.*

5-501.116(B) FC: (B) Soiled receptacles and waste handling units for refuse, recyclables, and returnables shall be cleaned at a frequency necessary to prevent them from developing a buildup of soil or becoming attractants for insects and rodents.

**26-19-4 Garbage on ground/pad around dumpster.** **Basic**

*Garbage on the ground and/or pad around dumpster.*

5-501.110 FC: Refuse, recyclables, and returnables shall be stored in receptacles or waste handling units so that they are inaccessible to insects and rodents.

**26-20-4 Nonbagged garbage in dumpster.** **Basic**

*Nonbagged garbage in dumpster.*

5-501.13 FC: (A) Except as specified in Paragraph (B) of this section, receptacles and waste handling units for refuse, recyclables, and returnables and for use with materials containing food residue shall be durable, cleanable, insect- and rodent-resistant, leakproof, and nonabsorbent. (B) Plastic bags and wet strength paper bags may be used to line receptacles for storage inside the food establishment, or within closed outside receptacles.

**26-21-4 Cardboard recycle has food garbage.** **Basic**

*Cardboard recycle dumpster/compactor contains garbage with food residue.*

5-501.13 FC and 5-501.15 FC: (A) Receptacles and waste handling units for refuse, recyclables, and returnables and for use with materials containing food residue shall be durable, cleanable, insect- and rodent-resistant, leakproof, and nonabsorbent. (B) Plastic bags and wet strength paper bags may be used to line receptacles for storage inside the food establishment, or within closed outside receptacles; and 5-501.15 FC: (A) Receptacles and waste handling units for refuse, recyclables, and returnables used with materials containing food residue and used outside the food establishment shall be designed and constructed to have tight-fitting lids, doors, or covers. (B) Receptacles and waste handling units for refuse and recyclables such as an on-site compactor shall be installed so that accumulation of debris and insect and rodent attraction and harborage are minimized and effective cleaning is facilitated around and, if the unit is not installed flush with the base pad, under the unit.

**26-22-4 Dumpster not on pad/nonabsorbent surface.** **Basic**

*Dumpster not on proper pad/nonabsorbent surface.*

5-501.11 FC: An outdoor storage surface for refuse, recyclables, and returnables shall be constructed of nonabsorbent material such as concrete or asphalt and shall be smooth, durable, and sloped to drain.

**26-23-4 Dumpster bottom rusted out.** **Basic**

*Dumpster rusted out on bottom.*

5-501.111 FC: Storage areas, enclosures, and receptacles for refuse, recyclables, and returnables shall be maintained in good repair.

## 26

**26-24-4 Enclosure/storage area not clean.** **Basic**

*Garbage storage area/enclosure not kept clean.*

5-501.115 FC: A storage area and enclosure for refuse, recyclables, or returnables shall be maintained free of unnecessary items, as specified under Section 6-501.114, and clean.

**26-25-4 Dumpster overflowing.** **Basic**

*Dumpster overflowing garbage.*

5-501.16(A) FC and 5-502.11 FC: (A) An inside storage room and area and outside storage area and enclosure, and receptacles shall be of sufficient capacity to hold refuse, recyclables, and returnables that accumulate. 5-502.11 Refuse, recyclables, and returnables shall be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

**26-26-4 Garbage disposal area location improper.** **Basic**

*Garbage disposal area location improper because it is causing a nuisance or public health hazard.*

5-501.19(C) FC: (C) The location of receptacles and waste handling units for refuse, recyclables, and returnables may not create a public health hazard or nuisance or interfere with the cleaning of adjacent space.

**26-27-4 Odors from build-up of garbage.** **Basic**

*Odors emitted from build-up of trash.*

5-502.11 FC: Refuse, recyclables, and returnables shall be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

**26-28-4 Garbage enclosure in disrepair.** **Basic**

*Garbage enclosure area in disrepair.*

5-501.111 FC: Storage areas, enclosures, and receptacles for refuse, recyclables, and returnables shall be maintained in good repair.

**26-29-4 Garbage can soiled.** **Basic**

*Garbage can soiled.*

5-501.116(B) FC: (B) Soiled receptacles and waste handling units for refuse, recyclables, and returnables shall be cleaned at a frequency necessary to prevent them from developing a buildup of soil or becoming attractants for insects and rodents.

## 27

**27-01-4 Sewage on ground outside.** **High Priority**

*Sewage/wastewater on the ground outside.*

509.221(1) FS and 5-402.13 FC: 509.221(1) Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system. 5-402.13 Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-02-4 Backed up toilet.** **High Priority**

*Sewage/wastewater backing up from the toilet.*

5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

## 27

**27-03-4** **Waste water from cleaning trash receptacle dumped on ground.** **High Priority**

*Waste water from cleaning a trash receptacle dumped on the ground.*

5-501.116(A) FC and 5-402-13 FC: 5-501.116(A) Receptacles and waste handling units for refuse, recyclables, and returnables shall be thoroughly cleaned in a way that does not contaminate food, equipment, utensils, linens, or single-service and single-use articles, and waste water shall be disposed of as specified under Section 5-402.13. 5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-04-4** **Sewage backing up inside.** **High Priority**

*Sewage/wastewater backing up inside the building.*

509.221(1) FS and 5-402.13 FC: 509.221(1) Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system. 5-402.13 Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-05-4** **Failed septic system.** **High Priority**

*Sewage on ground from failed septic system.*

5-403.11 FC: Sewage shall be disposed through an approved facility that is: (A) A public sewage treatment plant; or (B) An individual sewage disposal system that is sized, constructed, maintained, and operated according to law.

**27-06-4** **Leaking sewage line.** **High Priority**

*Sewage line leaking inside of the establishment.*

509.221(1) FS and 5-402.13 FC: 509.221(1) Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system. 5-402.13 Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-07-4** **No approved sewage system.** **High Priority**

*Establishment operating without an approved sewage system.*

509.221(1) FS and 5-403-.11 FC: 509.221(1) Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system. 5-403.11 Sewage shall be disposed through an approved facility that is: (A) A public sewage treatment plant; or (B) An individual sewage disposal system that is sized, constructed, maintained, and operated according to law.

**27-08-4** **Sewage dumped on ground/in storm drain.** **High Priority**

*Employee dumped sewage/wastewater on ground outside or in storm drain.*

5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-09-4** **Sewage dumped in floor drains.** **High Priority**

*Improper sewage disposal at floor drains.*

5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-10-4** **Trash can/floor mat cleaning wastewater disposed on ground.** **High Priority**

*Waste receptacle/floor mat cleaned in a manner that allows the waste cleaning water to drain onto ground.*

5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

## 27

**27-11-4 Backup from floor drains.** **High Priority**

*Sewage/wastewater backing up through floor drains.*

5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-12-4 Backup in sinks.** **High Priority**

*Sewage/wastewater backing up through sinks.*

5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-13-4 Condensation/other drainage not disposed properly.** **Basic**

*Condensation or other drainage not disposed of properly and/or causing sanitary nuisance.*

5-403.12 FC: Condensate drainage and other nonsewage liquids and rainwater shall be drained from point of discharge to disposal according to law.

**27-14-4 Ice machine condensate causing sanitary nuisance.** **Basic**

*Ice machine condensate drain line draining onto ground causing a sanitary nuisance.*

5-403.12 FC: Condensate drainage and other nonsewage liquids and rainwater shall be drained from point of discharge to disposal according to law.

**27-15-4 Evidence of mop water dumped onto ground.** **High Priority**

*Evidence of mop/cleaning wastewater dumped onto ground.*

5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

**27-16-4 Mop water dumped in toilet/urinal.** **Basic**

*Employee dumped mop water/wastewater in the toilet/urinal.*

5-203.13(B) FC: Toilets and urinals may not be used as a service sink for the disposal of mop water and similar liquid waste.

**27-17-4 Septic operated beyond approved limits.** **High Priority**

*Septic tank system operated beyond approved limitations.*

509.221(1) FS and 5-403-.11 FC: 509.221(1) Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system. 5-403. 11 Sewage shall be disposed through an approved facility that is: (A) A public sewage treatment plant; or (B) An individual sewage disposal system that is sized, constructed, maintained, and operated according to law.

**27-18-4 Septic limits - too many units/seats.** **High Priority**

*Approval of the septic tank system limits the establishment to a maximum number of units/seats. The maximum number of units/seats has been exceeded.*

509.221(1) FS and 5-403-.11 FC: 509.221(1) Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system. 5-403. 11 Sewage shall be disposed through an approved facility that is: (A) A public sewage treatment plant; or (B) An individual sewage disposal system that is sized, constructed, maintained, and operated according to law.

## 27

**27-19-4** **Dumpster leaking liquid waste.** **High Priority**

*Liquid waste leaking from dumpster onto ground/dumpster pad.*

5-501.116(A) FC, 5-402.13 FC and 6-202.110 FC: 5-501.116(A) Receptacles and waste handling units for refuse, recyclables, and returnables shall be thoroughly cleaned in a way that does not contaminate food, equipment, utensils, linens, or single-service and single-use articles, and waste water shall be disposed of as specified under Section 5-402.13. 5-402.13 FC: Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law. 6-202. 110 Outdoor refuse areas shall be constructed in accordance with law and shall be curbed and graded to drain to collect and dispose of liquid waste that results from the refuse and from cleaning the area and waste receptacles.

## 29

**29-01-4** **Safekeeping valuables liability.** **Basic**

*No receipt given to the guest for the safekeeping of valuables that included the value of the property and the limit of liability.*

509.111(1) FS: The operator of a public lodging establishment is not under any obligation to accept for safekeeping any moneys, securities, jewelry, or precious stones of any kind belonging to any guest, and, if such are accepted for safekeeping, the operator is not liable for the loss thereof unless such loss was the proximate result of fault or negligence of the operator. However, the liability of the operator shall be limited to $1,000 for such loss, if the public lodging establishment gave a receipt for the property (stating the value) on a form which stated, in type large enough to be clearly noticeable, that the public lodging establishment was not liable for any loss exceeding $1,000 and was only liable for that amount if the loss was the proximate result of fault or negligence of the operator.

**29-02-4** **Loss of guest property operators fault.** **Basic**

*Operator at fault/negligent in the loss of a guest's property.*

509.111(2) FS: The operator of a public lodging establishment is not liable or responsible to any guest for the loss of wearing apparel, goods, or other property, except as provided in subsection (1), unless such loss occurred as the proximate result of fault or negligence of such operator, and, in case of fault or negligence, the operator is not liable for a greater sum than $500, unless the guest, prior to the loss or damage, files with the operator an inventory of the guest's effects and the value thereof and the operator is given the opportunity to inspect such effects and check them against such inventory. The operator of a public lodging establishment is not liable or responsible to any guest for the loss of effects listed in such inventory in a total amount exceeding $1,000.

## 32

## 32

**32-01-4** **Security deposit not held in FL bank.** **Basic**

*Security deposit/advance rent not held in a Florida bank. Written adjudication from court provided indicating a finding of fault.*

83.49(1) FS: Whenever money is deposited or advanced by a tenant on a rental agreement as security for performance of the rental agreement or as advance rent for other than the next immediate rental period, the landlord or the landlord's agent shall either: (a) Hold the total amount of such money in a separate non-interest-bearing account in a Florida banking institution for the benefit of the tenant or tenants. The landlord shall not commingle such moneys with any other funds of the landlord or hypothecate, pledge, or in any other way make use of such moneys until such moneys are actually due the landlord; (b) Hold the total amount of such money in a separate interest-bearing account in a Florida banking institution for the benefit of the tenant or tenants, in which case the tenant shall receive and collect interest in an amount of at least 75 percent of the annualized average interest rate payable on such account or interest at the rate of 5 percent per year, simple interest, whichever the landlord elects. The landlord shall not commingle such moneys with any other funds of the landlord or hypothecate, pledge, or in any other way make use of such moneys until such moneys are actually due the landlord; or (c) Post a surety bond, executed by the landlord as principal and a surety company authorized and licensed to do business in the state as surety, with the clerk of the circuit court in the county in which the dwelling unit is located in the total amount of the security deposits and advance rent he or she holds on behalf of the tenants or $50,000, whichever is less. The bond shall be conditioned upon the faithful compliance of the landlord with the provisions of this section and shall run to the Governor for the benefit of any tenant injured by the landlord's violation of the provisions of this section. In addition to posting the surety bond, the landlord shall pay to the tenant interest at the rate of 5 percent per year, simple interest. A landlord, or the landlord's agent, engaged in the renting of dwelling units in five or more counties, who holds deposit moneys or advance rent and who is otherwise subject to the provisions of this section, may, in lieu of posting a surety bond in each county, elect to post a surety bond in the form and manner provided in this paragraph with the office of the Secretary of State. The bond shall be in the total amount of the security deposit or advance rent held on behalf of tenants or in the amount of $250,000, whichever is less. The bond shall be conditioned upon the faithful compliance of the landlord with the provisions of this section and shall run to the Governor for the benefit of any tenant injured by the landlord's violation of this section. In addition to posting a surety bond, the landlord shall pay to the tenant interest on the security deposit or advance rent held on behalf of that tenant at the rate of 5 percent per year simple interest.

**32-02-5** **Location of deposit not disclosed.** **Basic**

*Tenant not notified where the security deposit/advanced rent was held. Written adjudication from court provided indicating a finding of fault.*

83.49(2) FS: The landlord shall, in the lease agreement or within 30 days after receipt of advance rent or a security deposit, give written notice to the tenant which includes disclosure of the advance rent or security deposit. Subsequent to providing such written notice, if the landlord changes the manner or location in which he or she is holding the advance rent or security deposit, he or she must notify the tenant within 30 days after the change as provided in paragraphs (a) – (d). The landlord is not required to give new or additional notice solely because the depository has merged with another financial institution, changed its name, or transferred ownership to a different financial institution. This subsection does not apply to any landlord who rents fewer than five individual dwelling units. Failure to give this notice is not a defense to the payment of rent when due. The written notice must: (a) Be given in person or by mail to the tenant. (b) State the name and address of the depository where the advance rent or security deposit is being held or state that the landlord has posted a surety bond as provided by law. (c) State whether the tenant is entitled to interest on the deposit. (d) Contain the following disclosure: Your lease requires payment of certain deposits. The landlord may transfer advance rents to the landlord's account as they are due and without notice. When you move out, you must give the landlord your new address so that the landlord can send you notices regarding your deposit. The landlord must mail you notice, within 30 days after you move out, of the landlord's intent to impose a claim against the deposit. If you do not reply to the landlord stating your objection to the claim within 15 days after receipt of the landlord's notice, the landlord will collect the claim and must mail you the remaining deposit, if any. If the landlord fails to timely mail you notice, the landlord must return the deposit, but may later file a lawsuit against you for damages. If you fail to timely object to a claim, the landlord may collect from the deposit, but you may later file a lawsuit claiming a refund. You should attempt to informally resolve any dispute before filing a lawsuit. Generally, the party in whose favor a judgment is rendered will be awarded costs and attorney fees payable by the losing party. This disclosure is basic. Please refer to Part II of Chapter 83, Florida Statutes, to determine your legal rights and obligations.

## 32

**32-03-5** **Deposit not returned within 15 days.** **Basic**

*Security deposit not returned to the tenant within 15 days. Written adjudication from court provided indicating a finding of fault.*

83.49(3) FS: The landlord or landlord's agent may disburse advance rents from the deposit account to the landlord's benefit when the advance rental period commences and without notice to the tenant. For all other deposits: (a) Upon the vacating of the premises for termination of the lease, if the landlord does not intend to impose a claim on the security deposit, the landlord shall have 15 days to return the security deposit together with interest if otherwise required, or the landlord shall have 30 days to give the tenant written notice by certified mail to the tenant's last known mailing address of his or her intention to impose a claim on the deposit and the reason for imposing the claim. The notice shall contain a statement in substantially the following form: This is a notice of my intention to impose a claim for damages in the amount of . . . . upon your security deposit, due to . . . . . It is sent to you as required by s. 83.49(3), Florida Statutes. You are hereby notified that you must object in writing to this deduction from your security deposit within 15 days from the time you receive this notice or I will be authorized to deduct my claim from your security deposit. Your objection must be sent to . . . (landlord's address) . . . . If the landlord fails to give the required notice within the 30-day period, he or she forfeits the right to impose a claim upon the security deposit and may not seek a setoff against the deposit but may file an action for damages after return of the deposit. (b) Unless the tenant objects to the imposition of the landlord's claim or the amount thereof within 15 days after receipt of the landlord's notice of intention to impose a claim, the landlord may then deduct the amount of his or her claim and shall remit the balance of the deposit to the tenant within 30 days after the date of the notice of intention to impose a claim for damages. The failure of the tenant to make a timely objection does not waive any rights of the tenant to seek damages in a separate action. (c) If either party institutes an action in a court of competent jurisdiction to adjudicate the party's right to the security deposit, the prevailing party is entitled to receive his or her court costs plus a reasonable fee for his or her attorney. The court shall advance the cause on the calendar. (d) Compliance with this section by an individual or business entity authorized to conduct business in this state, including Florida-licensed real estate brokers and sales associates, constitutes compliance with all other relevant Florida Statutes pertaining to security deposits held pursuant to a rental agreement or other landlord-tenant relationship. Enforcement personnel shall look solely to this section to determine compliance. This section prevails over any conflicting provisions in chapter 475 and in other sections of the Florida Statutes, and shall operate to permit licensed real estate brokers to disburse security deposits and deposit money without having to comply with the notice and settlement procedures contained in s. 475.25(1)(d).

**32-04-5** **Type of deposit account not disclosed.** **Basic**

*Tenant not notified as to the type of account the security deposit/advance rent was being held in. Written adjudication from court provided indicating a finding of fault.*

83.49(2) FS: The landlord shall, in the lease agreement or within 30 days after receipt of advance rent or a security deposit, give written notice to the tenant which includes disclosure of the advance rent or security deposit. Subsequent to providing such written notice, if the landlord changes the manner or location in which he or she is holding the advance rent or security deposit, he or she must notify the tenant within 30 days after the change as provided in paragraphs (a) – (d). The landlord is not required to give new or additional notice solely because the depository has merged with another financial institution, changed its name, or transferred ownership to a different financial institution. This subsection does not apply to any landlord who rents fewer than five individual dwelling units. Failure to give this notice is not a defense to the payment of rent when due. The written notice must: (a) Be given in person or by mail to the tenant. (b) State the name and address of the depository where the advance rent or security deposit is being held or state that the landlord has posted a surety bond as provided by law. (c) State whether the tenant is entitled to interest on the deposit. (d) Contain the following disclosure: Your lease requires payment of certain deposits. The landlord may transfer advance rents to the landlord's account as they are due and without notice. When you move out, you must give the landlord your new address so that the landlord can send you notices regarding your deposit. The landlord must mail you notice, within 30 days after you move out, of the landlord's intent to impose a claim against the deposit. If you do not reply to the landlord stating your objection to the claim within 15 days after receipt of the landlord's notice, the landlord will collect the claim and must mail you the remaining deposit, if any. If the landlord fails to timely mail you notice, the landlord must return the deposit, but may later file a lawsuit against you for damages. If you fail to timely object to a claim, the landlord may collect from the deposit, but you may later file a lawsuit claiming a refund. You should attempt to informally resolve any dispute before filing a lawsuit. Generally, the party in whose favor a judgment is rendered will be awarded costs and attorney fees payable by the losing party. This disclosure is basic. Please refer to Part II of Chapter 83, Florida Statutes, to determine your legal rights and obligations.

## 32

**32-05-5** **Deposit/interest not transferred to new owner.** **Basic**

*Security deposit funds and any accrued interest were not transferred to the new owner or agent. Written adjudication from court provided indicating a finding of fault.*

83.49(7) FS: Upon the sale or transfer of title of the rental property from one owner to another, or upon a change in the designated rental agent, any and all security deposits or advance rents being held for the benefit of the tenants shall be transferred to the new owner or agent, together with any earned interest and with an accurate accounting showing the amounts to be credited to each tenant account. Upon the transfer of such funds and records to the new owner or agent and upon transmittal of a written receipt therefor, the transferor is free from the obligation imposed in subsection (1) to hold such moneys on behalf of the tenant. There is a rebuttable presumption that any new owner or agent received the security deposit from the previous owner or agent; however, this presumption is limited to 1 month's rent. This subsection does not excuse the landlord or agent for a violation of other provisions of this section while in possession of such deposits.

**32-06-4** **Interest not paid to tenant annually.** **Basic**

*Interest earned on the security deposit not paid/credited to the tenant at least once annually. Written adjudication from court provided indicating a finding of fault.*

83.49(9) FS: In those cases in which interest is required to be paid to the tenant, the landlord shall pay directly to the tenant, or credit against the current month's rent, the interest due to the tenant at least once annually. However, no interest shall be due a tenant who wrongfully terminates his or her tenancy prior to the end of the rental term.

**32-07-5** **Interest bearing status not disclosed for commingled acct.** **Basic**

*Tenant not notified as to the interest bearing status of the commingled security deposit /advanced rent account. Written adjudication from court provided indicating a finding of fault.*

83.49(2) FS: The landlord shall, in the lease agreement or within 30 days after receipt of advance rent or a security deposit, give written notice to the tenant which includes disclosure of the advance rent or security deposit. Subsequent to providing such written notice, if the landlord changes the manner or location in which he or she is holding the advance rent or security deposit, he or she must notify the tenant within 30 days after the change as provided in paragraphs (a) – (d). The landlord is not required to give new or additional notice solely because the depository has merged with another financial institution, changed its name, or transferred ownership to a different financial institution. This subsection does not apply to any landlord who rents fewer than five individual dwelling units. Failure to give this notice is not a defense to the payment of rent when due. The written notice must: (a) Be given in person or by mail to the tenant. (b) State the name and address of the depository where the advance rent or security deposit is being held or state that the landlord has posted a surety bond as provided by law. (c) State whether the tenant is entitled to interest on the deposit. (d) Contain the following disclosure: Your lease requires payment of certain deposits. The landlord may transfer advance rents to the landlord's account as they are due and without notice. When you move out, you must give the landlord your new address so that the landlord can send you notices regarding your deposit. The landlord must mail you notice, within 30 days after you move out, of the landlord's intent to impose a claim against the deposit. If you do not reply to the landlord stating your objection to the claim within 15 days after receipt of the landlord's notice, the landlord will collect the claim and must mail you the remaining deposit, if any. If the landlord fails to timely mail you notice, the landlord must return the deposit, but may later file a lawsuit against you for damages. If you fail to timely object to a claim, the landlord may collect from the deposit, but you may later file a lawsuit claiming a refund. You should attempt to informally resolve any dispute before filing a lawsuit. Generally, the party in whose favor a judgment is rendered will be awarded costs and attorney fees payable by the losing party. This disclosure is basic. Please refer to Part II of Chapter 83, Florida Statutes, to determine your legal rights and obligations.

## 32

**32-08-5** **Interest not returned with security deposit.** **Basic**

*Accrued interest for the security deposit/advance rent was not paid to the tenant when the security deposit/advanced rent was returned. Written adjudication from court provided indicating a finding of fault.*

83.49(3) FS: The landlord or landlord's agent may disburse advance rents from the deposit account to the landlord's benefit when the advance rental period commences and without notice to the tenant . For all other deposits: (a) Upon the vacating of the premises for termination of the lease, if the landlord does not intend to impose a claim on the security deposit, the landlord shall have 15 days to return the security deposit together with interest if otherwise required, or the landlord shall have 30 days to give the tenant written notice by certified mail to the tenant's last known mailing address of his or her intention to impose a claim on the deposit and the reason for imposing the claim. The notice shall contain a statement in substantially the following form: This is a notice of my intention to impose a claim for damages in the amount of . . . . upon your security deposit, due to . . . . . It is sent to you as required by s. 83.49(3), Florida Statutes. You are hereby notified that you must object in writing to this deduction from your security deposit within 15 days from the time you receive this notice or I will be authorized to deduct my claim from your security deposit. Your objection must be sent to . . . (landlord's address) . . . . If the landlord fails to give the required notice within the 30-day period, he or she forfeits the right to impose a claim upon the security deposit and may not seek a setoff against the deposit but may file an action for damages after return of the deposit. (b) Unless the tenant objects to the imposition of the landlord's claim or the amount thereof within 15 days after receipt of the landlord's notice of intention to impose a claim , the landlord may then deduct the amount of his or her claim and shall remit the balance of the deposit to the tenant within 30 days after the date of the notice of intention to impose a claim for damages. The failure of the tenant to make a timely objection does not waive any rights of the tenant to seek damages in a separate action. (c) If either party institutes an action in a court of competent jurisdiction to adjudicate the party's right to the security deposit , the prevailing party is entitled to receive his or her court costs plus a reasonable fee for his or her attorney. The court shall advance the cause on the calendar. (d) Compliance with this section by an individual or business entity authorized to conduct business in this state, including Florida-licensed real estate brokers and sales associates, constitutes compliance with all other relevant Florida Statutes pertaining to security deposits held pursuant to a rental agreement or other landlord-tenant relationship. Enforcement personnel shall look solely to this section to determine compliance. This section prevails over any conflicting provisions in chapter 475 and in other sections of the Florida Statutes, and shall operate to permit licensed real estate brokers to disburse security deposits and deposit money without having to comply with the notice and settlement procedures contained in s. 475.25(1)(d).

## 32

**32-09-4** **Deposit commingled with other funds.** **Basic**

*Security deposit/advance rent commingled with other funds. Written adjudication from court provided indicating a finding of fault.*

83.49(1) FS: Whenever money is deposited or advanced by a tenant on a rental agreement as security for performance of the rental agreement or as advance rent for other than the next immediate rental period, the landlord or the landlord's agent shall either: (a) Hold the total amount of such money in a separate non-interest-bearing account in a Florida banking institution for the benefit of the tenant or tenants. The landlord shall not commingle such moneys with any other funds of the landlord or hypothecate, pledge, or in any other way make use of such moneys until such moneys are actually due the landlord; (b) Hold the total amount of such money in a separate interest-bearing account in a Florida banking institution for the benefit of the tenant or tenants, in which case the tenant shall receive and collect interest in an amount of at least 75 percent of the annualized average interest rate payable on such account or interest at the rate of 5 percent per year, simple interest, whichever the landlord elects. The landlord shall not commingle such moneys with any other funds of the landlord or hypothecate, pledge, or in any other way make use of such moneys until such moneys are actually due the landlord; or (c) Post a surety bond, executed by the landlord as principal and a surety company authorized and licensed to do business in the state as surety, with the clerk of the circuit court in the county in which the dwelling unit is located in the total amount of the security deposits and advance rent he or she holds on behalf of the tenants or $50,000, whichever is less. The bond shall be conditioned upon the faithful compliance of the landlord with the provisions of this section and shall run to the Governor for the benefit of any tenant injured by the landlord's violation of the provisions of this section. In addition to posting the surety bond, the landlord shall pay to the tenant interest at the rate of 5 percent per year, simple interest. A landlord, or the landlord's agent, engaged in the renting of dwelling units in five or more counties, who holds deposit moneys or advance rent and who is otherwise subject to the provisions of this section, may, in lieu of posting a surety bond in each county, elect to post a surety bond in the form and manner provided in this paragraph with the office of the Secretary of State . The bond shall be in the total amount of the security deposit or advance rent held on behalf of tenants or in the amount of $250,000, whichever is less. The bond shall be conditioned upon the faithful compliance of the landlord with the provisions of this section and shall run to the Governor for the benefit of any tenant injured by the landlord's violation of this section. In addition to posting a surety bond, the landlord shall pay to the tenant interest on the security deposit or advance rent held on behalf of that tenant at the rate of 5 percent per year simple interest.

## 33

**33-01-4** **Price gouging.** **High Priority**

*Governor declared a state of emergency. Gross disparity between the price charged after disaster compared to the average price over the 30 days immediately prior.*

61C-3.002 FAC: The division shall consider it an unethical business practice for any establishment to engage in, or knowingly permit anyone on the licensed premises to engage in, any illegal, unfair or deceptive act.

**33-02-4** **Ejected guest - unused money not returned.** **High Priority**

*Unused portion of money paid in advance was not returned to a guest that was removed from the property at the operators request.*

509.141(1) and (2) FS: (1) The operator of any public lodging establishment or public food service establishment may remove or cause to be removed from such establishment any (undesirable) guest. (2) The operator of any public lodging establishment or public food service establishment shall notify such guest that the establishment no longer desires to entertain the guest. If such guest has paid in advance, the establishment shall, at the time such notice is given, tender to such guest the unused portion of the advance payment; however, the establishment may withhold payment for each full day that the guest has been entertained at the establishment for any portion of the 24-hour period of such day. Exemption -- 509.034 Application.--Section 509.141-509.162 and 509.401-509.417 apply to transients only.

## 33

**33-03-4** **Arrested guest - unused money not returned.** **High Priority**

*Unused portion of money paid in advance was not returned to a guest who was taken into custody.*

509.141(4) FS: If any person is illegally on the premises of any public lodging establishment or public food service establishment, the operator of such establishment may call upon any law enforcement officer of this state for assistance. Upon arrest, with or without warrant, the guest will be deemed to have given up any right to occupancy or to have abandoned such right of occupancy of the premises, and the operator of the establishment may then make such premises available to other guests. However, the operator of the establishment shall refund any unused portion of moneys paid by such guest for the occupancy of such premises. Exemption -- 509.034 Application.--Section 509.141-509.162 and 509.401-509.417 apply to transients only.

**33-04-4** **Refusal of service based on prejudice.** **High Priority**

*Refusal of service to a customer based on race, creed, color, sex, physical disability, or national origin.*

509.142 FS: The operator of a public lodging establishment or public food service establishment may refuse accommodations or service to any person whose conduct on the premises of the establishment displays intoxication, profanity, lewdness, or brawling; who indulges in language or conduct such as to disturb the peace or comfort of other guests; who engages in illegal or disorderly conduct; who illegally possesses or deals in controlled substances as defined in chapter 893; or whose conduct constitutes a nuisance. Such refusal may not be based upon race, creed, color, sex, physical disability, or national origin. Exemption -- 509.034 Application.--Section 509.141-509.162 and 509.401-509.417 apply to transients only.

**33-05-4** **Locked out guest - written payment arrangement not given to guest.** **High Priority**

*Operator locked guest out of unit for nonpayment. When guest confronted operator, a written arrangement for payment was not provided to the guest.*

509.401(1) FS: If, upon a reasonable determination by an operator of a public lodging establishment, a guest has accumulated a large outstanding account at such establishment, the operator may lock the guest out of the guest's rental unit for the purpose of requiring the guest to confront the operator and arrange for payment on the account. Such arrangement must be in writing, and a copy must be furnished to the guest. Exemption -- 509.4005 FS: Applicability of ss. 509.401-509.417. -- Sections 509.401-509.417 apply only to guests in transient occupancy in a public lodging establishment.

**33-06-4** **Locked out guest - access restricted after payment arrangement.** **High Priority**

*Operator locked guest out of unit for nonpayment. Access to the guest's rental unit was restricted after a payment arrangement was made between the operator and the guest.*

509.401(1) and (2) FS: (1) If, upon a reasonable determination by an operator of a public lodging establishment, a guest has accumulated a large outstanding account at such establishment, the operator may lock the guest out of the guest's rental unit for the purpose of requiring the guest to confront the operator and arrange for payment on the account. (2) Once the guest has confronted the operator and made arrangements for payment on the account, the operator shall provide the guest with unrestricted access to the guest's rental unit. Exemption -- 509.4005 Applicability of ss. 509.401-509.417. -- Sections 509.401-509.417 apply only to guests in transient occupancy in a public lodging establishment.

**33-07-4** **Locked out guest not permitted to remove property essential to health.** **High Priority**

*Operator locked guest out of unit for nonpayment and refused to allow the guest to remove personal property essential to their health from the room/unit.*

509.401(1) and (3) FS: (1) If, upon a reasonable determination by an operator of a public lodging establishment, a guest has accumulated a large outstanding account at such establishment, the operator may lock the guest out of the guest's rental unit for the purpose of requiring the guest to confront the operator and arrange for payment on the account. Such arrangement must be in writing, and a copy must be furnished to the guest. (3) The operator shall at all times permit the guest to remove from the rental unit any items of personal property essential to the health of the guest. Exemption -- 509.4005 Applicability of ss. 509.401-509.417. -- Sections 509.401-509.417 apply only to guests in transient occupancy in a public lodging establishment.

## 33

**33-08-4** **Overbooking - prepay not returned.** **High Priority**

*Prepaid monies for a reservation were not refunded when the guest was deprived of accommodations.*

61C-3.002 FAC: The division shall consider it an unethical business practice for any establishment to engage in, or knowingly permit anyone on the licensed premises to engage in, any illegal, unfair or deceptive act. Such acts include depriving an individual or party of accommodations at a public lodging establishment after having prepaid reservations for said accommodations. To avoid depriving a guest of a prepaid reservation for accommodations at a public lodging establishment the establishment shall make every effort to find other comparable accommodations ; and refund all monies deposited for such reservation whether deposited with the public lodging establishment, or a travel or booking agent.

**33-09-4** **Guest not notified of separate charge.** **High Priority**

*Guest charged for an item/service that was not disclosed at the time of check-in.*

61C-3.002 FAC: The division shall consider it an unethical business practice for any establishment to engage in, or knowingly permit anyone on the licensed premises to engage in, any illegal, unfair or deceptive act. Such acts include imposition of a charge separate and apart from, or in addition to, the room rate, that is not disclosed in writing to the guest at the time of check-in; failuring to disclose that additional telephone surcharges are being applied which exceed the user-line charges of the local telephone company; or depriving an individual or party of accommodations at a public lodging establishment after having prepaid reservations for said accommodations.

**33-10-4** **Guest not notified of additional telephone charges.** **High Priority**

*Guest charged for additional telephone charges which exceed the charge of the local telephone company without any notice of such charges.*

61C-3.002 FAC: The division shall consider it an unethical business practice for any establishment to engage in, or knowingly permit anyone on the licensed premises to engage in, any illegal, unfair or deceptive act. Such acts include imposition of a charge separate and apart from, or in addition to, the room rate, that is not disclosed in writing to the guest at the time of check-in; failuring to disclose that additional telephone surcharges are being applied which exceed the user-line charges of the local telephone company; or depriving an individual or party of accommodations at a public lodging establishment after having prepaid reservations for said accommodations.

**33-11-4** **Overbooking - no effort to find comparable accommodations.** **High Priority**

*The operator failed to make every effort to find comparable accommodations for a guest that had a prepaid reservation and was deprived accommodations.*

61C-3.002 FAC: The division shall consider it an unethical business practice for any establishment to engage in, or knowingly permit anyone on the licensed premises to engage in, any illegal, unfair or deceptive act. Such acts include depriving an individual or party of accommodations at a public lodging establishment after having prepaid reservations for said accommodations. To avoid depriving a guest of a prepaid reservation for accommodations at a public lodging establishment the establishment shall make every effort to find other comparable accommodations ; and refund all monies deposited for such reservation whether deposited with the public lodging establishment, or a travel or booking agent.

**33-12-4** **Arrested guest - property not cared for.** **High Priority**

*Personal property left on the premises by a guest who was taken into custody was not cared for by the operator in a reasonable manner.*

509.141(4) FS: If any person is illegally on the premises of any public lodging establishment or public food service establishment, the operator of such establishment may call upon any law enforcement officer of this state for assistance. Upon arrest, with or without warrant, the guest will be deemed to have given up any right to occupancy or to have abandoned such right of occupancy of the premises, and the operator of the establishment may then make such premises available to other guests. However, the operator of the establishment shall employ all reasonable and proper means to care for any personal property which may be left on the premises by such guest. Exemption -- 509.034 Application.--Section 509.141-509.162 and 509.401-509.417 apply to transients only.

## 33

**33-13-4 Operator allowed illegal activity.** **High Priority**

*Operator knowingly permitted illegal acts to occur on the premises.*

61C-3.002 FAC: The division shall consider it an unethical business practice for any establishment to engage in, or knowingly permit anyone on the licensed premises to engage in, any illegal, unfair or deceptive act. Such acts include imposition of a charge separate and apart from, or in addition to, the room rate, that is not disclosed in writing to the guest at the time of check-in; failuring to disclose that additional telephone surcharges are being applied which exceed the user-line charges of the local telephone company; or depriving an individual or party of accommodations at a public lodging establishment after having prepaid reservations for said accommodations.

**33-14-1 Military age-related refusal of service.** **High Priority**

*Refusal of service based on age for person on active duty with the U.S. Armed Forces.*

509.095 FS: Upon the presentation of a valid military identification card by an individual who is currently on active duty as a member of the United States Armed Forces, National Guard, Reserve Forces, or Coast Guard, and who seeks to obtain accommodations at a hotel, motel, or bed and breakfast inn, as defined in s. 509.242, such hotel, motel, or bed and breakfast inn shall waive any minimum age policy that it may have which restricts accommodations to individuals based on age.

**33-15-1 Military ID duplicated.** **High Priority**

*Military identification card duplicated.*

509.095 FS: Upon the presentation of a valid military identification card by an individual who is currently on active duty as a member of the United States Armed Forces, National Guard, Reserve Forces, or Coast Guard, and who seeks to obtain accommodations at a hotel, motel, or bed and breakfast inn, as defined in s. 509.242, such hotel, motel, or bed and breakfast inn shall waive any minimum age policy that it may have which restricts accommodations to individuals based on age. Duplication of a military identification card presented pursuant to this section is prohibited.

## 34

**34-01-4 Operator guilty of crime.** **Basic**

*Operator found guilty of/forfeited a bond when charged with a crime reflecting on professional character.*

509.241(1) FS: The division may refuse to issue a license, or a renewal thereof, to any establishment an operator of which, within the preceding 5 years, has been adjudicated guilty of, or has forfeited a bond when charged with, any crime reflecting on professional character, including soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, or illegally dealing in controlled substances as defined in chapter 893, whether in this state or in any other jurisdiction within the United States, or has had a license denied, revoked, or suspended pursuant to s. 429.14.

**34-02-4 Refuses to obtain/pay for license.** **High Priority**

*Operator refuses to obtain and pay for a license.*

509.241(1) FS and 509.281(2) FS: 509.214(1) Each public lodging establishment and public food service establishment shall obtain a license from the division. It shall be a misdemeanor of the second degree, punishable as provided in s. 775.082 or s 775.083, for such an establishment to operate without a license. 509.281(2) Any operator who obstructs or hinders any agent of the division in the proper discharge of the agent's duties; who fails, neglects, or refuses to obtain a license or pay the license fee required by law; or who fails or refuses to perform any duty imposed upon it by law or rule is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Each day that such establishment is operated in violation of law or rule is a separate offense .

## 35

## 35

**35-01-4** **Smoking indoors.** **Basic**

*Person smoking in an indoor workplace other than in a guest room designated as a smoking room or stand alone bar.*

386.204 FS: A person may not smoke in enclosed indoor workplace, except as otherwise provided in s. 386.2045. 386.2045 Enclosed indoor workplaces; specific exceptions.--Notwithstanding s. 386.204 tobacco smoking may be permitted in each of the following places: (3) DESIGNATED SMOKING GUEST ROOM.-- A designated smoking guest room at a public lodging establishment as defined in s. 386.203(4). (4) STAND-ALONE BAR.-- A business that meets the definition of a stand-alone bar as defined in s. 386.203(11) and that otherwise complies with all applicable provisions of the Beverage Law and this part. Each room in which tobacco smoking is permitted must comply with the signage requirements in s. 386.206.

**35-02-4** **Smoking in guest room - not designated as smoking room.** **Basic**

*Smoking permitted in a guest room that is not designated as a smoking room.*

386.2045 FS: Enclosed indoor workplaces; specific exceptions.--Notwithstanding s. 386.204 tobacco smoking may be permitted in each of the following places: (3) DESIGNATED SMOKING GUEST ROOM.-- A designated smoking guest room at a public lodging establishment as defined in s. 386.203(4). (4) STAND-ALONE BAR.-- A business that meets the definition of a stand-alone bar as defined in s. 386.203(11) and that otherwise complies with all applicable provisions of the Beverage Law and this part. Each room in which tobacco smoking is permitted must comply with the signage requirements in s. 386.206.

## 36

**36-01-4** **Surcharge not posted near phone.** **Basic**

*Notice of a telephone surcharge (charge which exceeds the charge of the local telephone company) not posted near a phone in a guest room.*

509.2015(1) FS: (1) A public lodging establishment which imposes a surcharge for any telephone call must post notice of such surcharge in a conspicuous place located by each telephone from which a call which is subject to a surcharge may originate. Such notice must be plainly visible and printed on a sign that is not less than 3 inches by 5 inches in size, and such notice shall clearly state if the surcharge applies whether or not the telephone call has been attempted or completed.

**36-02-4** **Surcharge notice not visible.** **Basic**

*Telephone surcharge (charge which exceeds the charge of the local telephone company) notice is not plainly visible.*

509.2015(1) FS: (1) A public lodging establishment which imposes a surcharge for any telephone call must post notice of such surcharge in a conspicuous place located by each telephone from which a call which is subject to a surcharge may originate. Such notice must be plainly visible and printed on a sign that is not less than 3 inches by 5 inches in size, and such notice shall clearly state if the surcharge applies whether or not the telephone call has been attempted or completed.

**36-03-4** **Notice less than 3 x 5.** **Basic**

*Telephone surcharge (charge which exceeds the charge of the local telephone company) is posted on a sign that is less than 3 inches by 5 inches.*

509.2015(1) FS: (1) A public lodging establishment which imposes a surcharge for any telephone call must post notice of such surcharge in a conspicuous place located by each telephone from which a call which is subject to a surcharge may originate. Such notice must be plainly visible and printed on a sign that is not less than 3 inches by 5 inches in size, and such notice shall clearly state if the surcharge applies whether or not the telephone call has been attempted or completed.

## 36

**36-04-4** **No indication of charge for attempted call.** **Basic**

*Telephone surcharge (charge which exceeds the charge of the local telephone company) notice does not indicate if the surcharge applies whether or not the call is attempted or completed.*

509.2015(1) FS: (1) A public lodging establishment which imposes a surcharge for any telephone call must post notice of such surcharge in a conspicuous place located by each telephone from which a call which is subject to a surcharge may originate. Such notice must be plainly visible and printed on a sign that is not less than 3 inches by 5 inches in size, and such notice shall clearly state if the surcharge applies whether or not the telephone call has been attempted or completed.

**36-05-4** **Notice in guest book.** **Basic**

*Telephone surcharge (charge which exceeds the charge of the local telephone company) notice is posted by the phone indicating the information can be found in the guest book/directory. Guest book/directory not present or not conspicuous.*

509.2015(1) FS: (1) A public lodging establishment which imposes a surcharge for any telephone call must post notice of such surcharge in a conspicuous place located by each telephone from which a call which is subject to a surcharge may originate. Such notice must be plainly visible and printed on a sign that is not less than 3 inches by 5 inches in size, and such notice shall clearly state if the surcharge applies whether or not the telephone call has been attempted or completed.

## 37

**37-01-4** **No guest register.** **Basic**

*No guest register kept by the establishment.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

**37-02-4** **Name of guest not in register.** **Basic**

*Name of the guest is not on the guest register.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

**37-03-4** **Date occupied not in register.** **Basic**

*The date(s) the room was occupied is not on the guest register.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

**37-04-4** **Rate charged not in register.** **Basic**

*The rate charged for the room is not on the guest register.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

## 37

**37-05-4** **Room number not on register.** **Basic**

*The room number is not on the guest register.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

**37-06-4** **Guest register not maintained for 2 years.** **Basic**

*Guest register is not available for the past two years.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

**37-07-4** **Register not in chronological order.** **Basic**

*Guest register not kept in chronological order by date.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

**37-08-4** **Register not available for review.** **Basic**

*Guest register not available for inspection upon request.*

509.101(2) FS: It is the duty of each operator of a transient establishment to maintain at all times a register, signed by or for guests who occupy rental units within the establishment, showing the dates upon which the rental units were occupied by such guests and the rates charged for their occupancy. This register shall be maintained in chronological order and available for inspection by the division at any time. Operators need not make available registers which are more than 2 years old.

## 38

**38-01-4** **License not available upon request.** **Basic**

*License from the Division of Hotels and Restaurants not available for inspection upon request (no lobby or office present).*

509.241(3) FS and 61C-1.002(1) FAC: 509.214(3) Any license issued by the division shall be conspicuously displayed in the office or lobby of the licensed establishment. 61C-1.002(1) The current license from the division shall be conspicuously displayed in the office or lobby of the licensed establishment. If no office or lobby is present on the premises of the licensed establishment, the license must be readily available for inspection upon request.

**38-02-4** **Operating without a license.** **High Priority**

*Establishment operating without a license from the Division of Hotels and Restaurants. Operator must obtain a public food service license from the Division of Hotels and Restaurants within 60 days. Submit a license application and payment to DBPR/Bureau o*

509.241(1) and (2) FS and 61C-1.002(6) FAC: 509.241(1) Each public lodging establishment shall obtain a license from the division. Such license may not be transferred from one place or individual to another. Licenses shall be renewed annually. (2) Each person who plans to open a public lodging establishment shall apply for and receive a license from the division prior to the commencement of operation. 61C-1.002(6) It is the responsibility of the licensee to renew the license prior to the expiration date. Any public lodging establishment operating on an expired license is deemed to be operating without a license, and subject to the penalties provided for this offense in law and rule.

## 38

**38-03-4 Current license not displayed.** **Basic**

*Current license from the Division of Hotels and Restaurants not displayed in the office or lobby.*

509.241(3) FS: Any license issued by the division shall be conspicuously displayed in the office or lobby of the licensed establishment.

**38-05-5 Increase in units not reported.** **Basic**

*Establishment did not report a change in the number of units that affects the license fee, sewage system approval or other related requirements.*

61C-1002(4)(c) FAC: For all public lodging establishments, except vacation rentals and timeshare projects, the operator is required to notify the division immediately of any changes in the number of rental units.

**38-06-5 Vacation rental - operator failed to meet inspector with keys to units.** **Basic**

*Operator did not meet the inspector, as requested, to unlock the unit(s) for inspection purposes.*

61C-1.002(4)(a)2.a. FAC: For inspection purposes, the licensee or operator shall, upon request, meet the inspector at the site of a specified establishment with keys to the licensed house or unit being inspected.

**38-07-5 Vacation rental - addition/deletion of units not reported.** **Basic**

*Addition or deletion of vacation rental unit(s) not reported at least 60 days prior to the expiration of the license.*

61C-1.002(4)(a)2.b.c FAC: The licensee or operator shall notify the division of any and all houses or units represented for inclusion in the license application. Anytime a change occurs in the street or unit address or number of houses or units included under the license, the licensee or operator shall notify the division of any and all houses or units included in the license at least 60 days prior to the expiration date of the license. In addition, a list of the included houses or units shall be maintained in a written form for inspection by request. (c) Failure to fulfill any of the responsibilities of the licensee set forth in sub-subparagraphs a. and b. above-constitutes failure to make the premises available for inspection.

**38-08-5 Vacation rental - unit removed from collective/group license.** **Basic**

*Vacation rental unit removed from a collective/group license without written notice from the licensee.*

61C-1.002(4)(a)2.b.c FAC: The licensee or operator shall notify the division of any and all houses or units represented for inclusion in the license application. Anytime a change occurs in the street or unit address or number of houses or units included under the license, the licensee or operator shall notify the division of any and all houses or units included in the license at least 60 days prior to the expiration date of the license. In addition, a list of the included houses or units shall be maintained in a written form for inspection by request. (c) Failure to fulfill any of the responsibilities of the licensee set forth in sub-subparagraphs a. and b. above-constitutes failure to make the premises available for inspection.

**38-09-5 Vacation rental - list of all units not available.** **Basic**

*List of all the units included on the vacation rental license not available/not provided to the division.*

61C-1.002(4)(a)2.b.c FAC: The licensee or operator shall notify the division of any and all houses or units represented for inclusion in the license application. Anytime a change occurs in the street or unit address or number of houses or units included under the license, the licensee or operator shall notify the division of any and all houses or units included in the license at least 60 days prior to the expiration date of the license. In addition, a list of the included houses or units shall be maintained in a written form for inspection by request. (c) Failure to fulfill any of the responsibilities of the licensee set forth in sub-subparagraphs a. and b. above-constitutes failure to make the premises available for inspection.

## 38

**38-12-4 Obstruct/hinder inspector.** **High Priority**

*Operator obstructing/hindering the inspector.*

509.032(2)(b) FS and 509.281(2) FS: 509.032(2)(b) For purposes of performing required inspections and the enforcement of this chapter, the division has the right of entry and access to public lodging establishments and public food service establishments at any reasonable time. 509.281(2) Any operator who obstructs or hinders any agent of the division in the proper discharge of the agent's duties; who fails, neglects, or refuses to obtain a license or pay the license fee required by law; or who fails or refuses to perform any duty imposed upon it by law or rule is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Each day that such establishment is operated in violation of law or rule is a separate offense .

**38-13-5 Timeshare project - operator failed to meet inspector with keys to units.** **Basic**

*Operator did not meet the inspector, as requested, to unlock the unit(s) for inspection purposes.*

61C-1.002(4)(a)2.a. FAC: For inspection purposes, the licensee or operator shall, upon request, meet the inspector at the site of a specified establishment with keys to the licensed house or unit being inspected.

**38-14-5 Timeshare project - addition/deletion of units not reported.** **Basic**

*Addition or deletion of timeshare project unit(s) not reported at least 60 days prior to the expiration of the license.*

61C-1.002(4)(a)2.b.c FAC: The licensee or operator shall notify the division of any and all houses or units represented for inclusion in the license application. Anytime a change occurs in the street or unit address or number of houses or units included under the license, the licensee or operator shall notify the division of any and all houses or units included in the license at least 60 days prior to the expiration date of the license. In addition, a list of the included houses or units shall be maintained in a written form for inspection by request. (c) Failure to fulfill any of the responsibilities of the licensee set forth in sub-subparagraphs a. and b. above-constitutes failure to make the premises available for inspection.

**38-15-5 Timeshare project - unit removed from collective/group license.** **Basic**

*Timeshare project unit removed from a collective/group license without written notice from the licensee.*

61C-1.002(4)(a)2.b.c FAC: The licensee or operator shall notify the division of any and all houses or units represented for inclusion in the license application. Anytime a change occurs in the street or unit address or number of houses or units included under the license, the licensee or operator shall notify the division of any and all houses or units included in the license at least 60 days prior to the expiration date of the license. In addition, a list of the included houses or units shall be maintained in a written form for inspection by request. (c) Failure to fulfill any of the responsibilities of the licensee set forth in sub-subparagraphs a. and b. above-constitutes failure to make the premises available for inspection.

**38-16-5 Timeshare project - list of all units not available.** **Basic**

*List of all the units included on the timeshare project license not available/not provided to the division.*

61C-1.002(4)(a)2.b.c FAC: The licensee or operator shall notify the division of any and all houses or units represented for inclusion in the license application. Anytime a change occurs in the street or unit address or number of houses or units included under the license, the licensee or operator shall notify the division of any and all houses or units included in the license at least 60 days prior to the expiration date of the license. In addition, a list of the included houses or units shall be maintained in a written form for inspection by request. (c) Failure to fulfill any of the responsibilities of the licensee set forth in sub-subparagraphs a. and b. above-constitutes failure to make the premises available for inspection.

**38-17-1 License expired.** **High Priority**

*License from the Division of Hotels and Restaurants expired.*

509.251 (1)(B) and 509.241(1)(2) FS: 509.251 (1)(B), FS: A license renewal filed with the division after the expiration date shall be accompanied by a delinquent fee as prescribed by rule, not to exceed $50, in addition to the renewal fee and any other fees required by law. 509.241(1)(2) FS: (1) LICENSES; ANNUAL RENEWALS. Each public lodging and public food service establishment shall obtain a license from the division. (2) APPLICATION FOR LICENSE. Each person who plans to open a public food service establishment shall apply for and receive a license from the division prior to the commencement of operation.

## 39

**39-01-4** **Under bed/furniture - trash/dust/debris on floor.** **Basic**

*Trash/dust/debris on the floor under the bed/furniture.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-02-4** **Behind furniture - trash/dust/debris on floor/wall.** **Basic**

*Trash/dust/debris on floor/wall behind the furniture.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-03-4** **Wall - dust/dirt/stain.** **Basic**

*Dust/dirt/stain on the wall.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-04-4** **Bedroom closet - dust/dirt/debris on shelves/walls/floor.** **Basic**

*Dust/dirt/debris on the floor/wall/ceiling/shelves in the bedroom closet.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-05-4** **Ceiling - dust/dirt/stain.** **Basic**

*Dust/dirt/stain on the ceiling.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-06-4** **Floor- dust/dirt/stain/debris.** **Basic**

*Dust/dirt/stain/debris on the floor.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-07-4** **Carpet stained/soiled.** **Basic**

*Carpet stained/soiled.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-08-4** **Laundry room - dirt/debris on floor/walls/ceiling.** **Basic**

*Dirt/debris on the floor/walls/ceiling in the laundry room.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-09-4** **Building attachment dustydirty.** **Basic**

*Building attachment dusty/soiled.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-10-4** **Ceiling fan dusty.** **Basic**

*Ceiling fan dusty.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

## 39

**39-11-4** **Vent covers dusty.** **Basic**

*Vent cover on wall/ceiling dusty.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-12-4** **Light fixture dusty.** **Basic**

*Light fixture attached to wall/ceiling dusty.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-13-4** **Door soiled.** **Basic**

*Dirt/dust/debris on door.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-14-4** **Window soiled.** **Basic**

*Dirt/dust/debris on window.*

61C-1.004(5) FAC: All building structural components, attachments and fixtures shall be kept clean.

**39-15-4** **Entrance/hall/stairway not clean.** **Basic**

*Dirt/dust/debris in hall/entrance/stairway.*

61C-1.004(9) FAC: Halls, entrances and stairways shall be clean.

## 40

**40-01-4** **Employee with contagious/communicable disease.** **High Priority**

*Employee with a contagious/communicable disease working in a position where there is a likelihood the disease could be transmitted to others.*

509.221(8) FS: A person, while suffering from any contagious or communicable disease, while a carrier of such disease, or while afflicted with boils or infected wounds or sores, may not be employed by any establishment licensed under this chapter, in any capacity whereby there is a likelihood such disease could be transmitted to other individuals.

**40-02-4** **CO2/helium tanks not secured.** **Basic**

*Carbon dioxide/helium tanks not secured.*

61C-1.004(7) FAC Carbon dioxide and helium tanks shall be adequately secured so as to preclude any danger to safety.

**40-03-4** **Playground equipment in disrepair.** **High Priority**

*Playground equipment in disrepair.*

509.221(3) FS: Each establishment licensed under this chapter shall be operated with strict regard to the health, comfort, and safety of the guests.

## 40

**40-04-4 Minors working in hazardous area.** **Reporting**

*Minor working in a hazardous/restricted area. For reporting purposes only.*

450.045 FS: Proof of age; posting of notices.--(1) Any person who hires, employs, or suffers to work any child shall, in addition to the limitations provided in this part, first obtain and keep on record during the entire period of such employment proof of the child's age. This requirement shall be satisfied by: (a) A photocopy of the child's birth certificate; (b) A photocopy of the child's driver's license; (c) An age certificate issued by the district school board of the district in which the child is employed, certifying the child's date of birth; or (d) A photocopy of a passport or visa which lists the child's date of birth. (2) Any person who hires, employs, or suffers to work any minor shall post at a conspicuous place on the property or place of employment, where it may be easily read, a poster notifying minors of the Child Labor Law, to be provided by the division upon request. For reporting purposes only.

**40-05-4 Minor working with hazardous equipment/ladder.** **Reporting**

*Minor working with hazardous equipment/on a ladder. For reporting purposes only.*

450.045 FS: Proof of age; posting of notices.--(1) Any person who hires, employs, or suffers to work any child shall, in addition to the limitations provided in this part, first obtain and keep on record during the entire period of such employment proof of the child's age. This requirement shall be satisfied by: (a) A photocopy of the child's birth certificate; (b) A photocopy of the child's driver's license; (c) An age certificate issued by the district school board of the district in which the child is employed, certifying the child's date of birth; or (d) A photocopy of a passport or visa which lists the child's date of birth. (2) Any person who hires, employs, or suffers to work any minor shall post at a conspicuous place on the property or place of employment, where it may be easily read, a poster notifying minors of the Child Labor Law, to be provided by the division upon request. For reporting purposes only.

**40-06-4 No child labor poster** **Reporting**

*No child labor law poster and at least one person under 18 years old is employed. For reporting purposes only.*

450.045 FS: Proof of age; posting of notices.--(1) Any person who hires, employs, or suffers to work any child shall, in addition to the limitations provided in this part, first obtain and keep on record during the entire period of such employment proof of the child's age. This requirement shall be satisfied by: (a) A photocopy of the child's birth certificate; (b) A photocopy of the child's driver's license; (c) An age certificate issued by the district school board of the district in which the child is employed, certifying the child's date of birth; or (d) A photocopy of a passport or visa which lists the child's date of birth. (2) Any person who hires, employs, or suffers to work any minor shall post at a conspicuous place on the property or place of employment, where it may be easily read, a poster notifying minors of the Child Labor Law, to be provided by the division upon request. For reporting purposes only.

**40-07-4 Crib in disrepair.** **High Priority**

*Crib in disrepair.*

509.221(3) FS: Each establishment licensed under this chapter shall be operated with strict regard to the health, comfort, and safety of the guests.

**40-08-4 Employee with open infected wounds.** **High Priority**

*Employee with open infected infected working in a position where there is a likelihood diseases could be transmitted to others.*

509.221(8) FS: A person, while suffering from any contagious or communicable disease, while a carrier of such disease, or while afflicted with boils or infected wounds or sores, may not be employed by any establishment licensed under this chapter, in any capacity whereby there is a likelihood such disease could be transmitted to other individuals.

**40-09-4 Employee presents public health risk - no notice from operator.** **High Priority**

*Operator believed an employee presented a public health risk and did not contact the proper health authority.*

509.221(8) FS: A person, while suffering from any contagious or communicable disease, while a carrier of such disease, or while afflicted with boils or infected wounds or sores, may not be employed by any establishment licensed under this chapter, in any capacity whereby there is a likelihood such disease could be transmitted to other individuals. An operator that has reason to believe that an employee may present a public health risk shall immediately notify the proper health authority.

## 40

**40-10-4 Unable to self-preserve - bldg not sprinklered.** **Reporting**

*Guest appears to be unable to self-preserve in the event of an emergency. Appropriate agencies will be notified.*

509.032(2)(a) FS: If during the inspection of a public lodging establishment classified for renting to transient or nontransient tenants, an inspector identifies vulnerable adults who appear to be victims of neglect, as defined in s. 415.102, or, in the case of a building that is not equipped with automatic sprinkler systems, tenants or clients who may be unable to self-preserve in an emergency, the division shall convene meetings with the following agencies as appropriate to the individual situation: the Department of Health, the Department of Elderly Affairs, the area agency on aging, the local fire marshal, the landlord and affected tenants and clients, and other relevant organizations, to develop a plan which improves the prospects for safety of affected residents and, if necessary, identifies alternative living arrangements such as facilities licensed under pary II of chapter 400 or under chapter 429. For reporting purposes only.

**40-11-4 Neglect of elderly.** **Reporting**

*Elderly guest/vulnerable adult guest appears to be a victim of neglect. Appropriate agencies will be notified.*

509.032(2)(a) FS: If during the inspection of a public lodging establishment classified for renting to transient or nontransient tenants, an inspector identifies vulnerable adults who appear to be victims of neglect, as defined in s. 415.102, or, in the case of a building that is not equipped with automatic sprinkler systems, tenants or clients who may be unable to self-preserve in an emergency, the division shall convene meetings with the following agencies as appropriate to the individual situation: the Department of Health, the Department of Elderly Affairs, the area agency on aging, the local fire marshal, the landlord and affected tenants and clients, and other relevant organizations, to develop a plan which improves the prospects for safety of affected residents and, if necessary, identifies alternative living arrangements such as facilities licensed under pary II of chapter 400 or under chapter 429. For reporting purposes only.