

## Connecticut Public Health Code

### 19-13-B29. Motels and overnight cabins

- (a) Registration. The management of a motel or any area where overnight cabins are rented for living purposes shall register in writing, with the local director of health of the town, city or borough in which such motel or area is located, a description of the motel or area with its location, and such registration shall be made annually in January or in advance of the opening of the motel or overnight cabin area for use.
- (b) Water supply. A water supply of sanitary quality shall be provided in ample quantity to meet all requirements of the maximum number of persons using such a tract at any time. Wherever water is obtained from other than an approved public water supply, it shall be of safe sanitary quality approved by the state department of health.
- (c) Plumbing. The plumbing facilities within each motel or cabin shall conform with the requirements of section 19-13-B45.
- (d) Drinking facilities. Multi-use drinking cups or glasses furnished by management shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each change of occupancy and single service containers shall be protected against contamination by sanitary covering or storage before use.
- (e) Emergency sanitary facilities. Sewage disposal facilities for each motel or cabin or group of cabins shall be approved by the local director of health. They shall be laid out on the basis of nonresidential buildings as set forth in sections 19-13-B20h (b) and 19-13-B20l (b), or, if such facilities include complete sanitary facilities for residential use such as cooking and washing, the size and design of such facilities shall be on the basis of number of bedrooms for residential buildings as set forth in sections 19-13-B20a to 19-13-B20r, inclusive. In no case shall septic tanks be installed with a liquid capacity of less than one thousand gallons. The methods of sewage or refuse disposal utilized in connection with a motel or an overnight cabin area, shall be such as to create no nuisance. Where public sewers exist, connection shall be made to such sewers in lieu of private sewage disposal facilities.
- (f) Washing and toilet facilities. Adequate washing and toilet facilities shall be provided. If individual washing and toilet facilities are not provided in each rental unit central facilities shall include separate toilets for men and women with at least one toilet seat for each fifteen men or fraction thereof, and at least one toilet seat for each fifteen women or fraction thereof, and at least one wash basin for each twenty men or fraction thereof, and at least one wash basin for each twenty women or fraction thereof. Wash basins and water shall be readily accessible to toilet rooms. Soap and individual towels shall be provided.
- (g) Swimming and bathing facilities. Swimming and bathing facilities, if provided, shall comply with the provisions of sections 19-13-B33a, 19-13-B34 and 19-13-B36.
- (h) General sanitation requirements. Buildings shall be maintained in a safe and sanitary condition. When the state department of health or the local director of health so directs, a certificate of approval shall be obtained from the local or state fire marshal. All hot water and space heaters shall be properly located and vented.
- (i) Responsibility of management. The management of every motel or area for overnight cabins shall assume responsibility for maintaining in good repair all water and sanitary facilities.

(Effective April 11, 1973.)

### 19-13-B33b. Public pools

The following requirements shall apply to any public pool.

(a) Definitions.

- (1) "Public Pool" means an artificial basin constructed of concrete, steel, fiberglass or other relatively impervious material intended for recreational bathing, swimming, diving, or therapeutic purposes which is located either indoors or outdoors and is provided with a controlled water supply and which is not used or intended to be used as a pool at a single family residence. The term also includes a pool located at a single family residence which is used or intended to be used for commercial or business purposes. The term "public pool" includes any related equipment, structures, areas, and enclosures that are intended for the use of the pool patrons or pool staff such as toilet, dressing, locker, shower, and pool equipment rooms. Public pools shall be classified as follows:
  - (A) "Public Swimming Pools" are conventional pools used or intended to be used for recreational bathing, swimming and water recreation activities.
  - (B) "Public Wading Pools" are pools principally used or intended to be used for wading and recreational bathing by small children.
  - (C) "Public Spas," "Whirlpools," or "Hot Tubs" are pools used for recreational bathing which are used in conjunction with high velocity air systems, high velocity water recirculation systems, hot water, cold water, mineral baths or any combination of these items.
  - (D) "Public Diving Pools" are pools used only for diving or the training and practice of diving techniques.
  - (E) "Special Purpose Public Pools" are pools used exclusively for a particular purpose, including but not limited to water flumes, pools for scuba diving instruction, therapeutic pools, hydrotherapy pools, floatation vessels and pools used in aquatic programs for handicapped persons.
- (2) "Commissioner" means the commissioner of health services or his designee.
- (3) "Depth Markers" means numerals of four inches minimum height which are of a contrasting color with the background of the pool and denote water depth in the immediately adjacent portion of the pool.
- (4) "One Unit of Lifesaving Equipment" shall consist of a ring buoy not more than fifteen inches inside diameter to which shall be attached a fifty foot length of one-quarter inch line, and a life pole or shepard's crook with blunted ends which is a minimum of twelve feet in length.

(b) General requirements for public pools.

- (1) Construction. No person shall construct a public pool or shall substantially alter or reconstruct any public pool except after the plans for such have been approved in accordance with the specifications contained in the most recent edition of the Connecticut Public Swimming Pool Design Guide as adopted and amended by the commissioner. Such plans shall be prepared by and bear the seal of an engineer or architect licensed to practice in the State of Connecticut and shall be approved by the commissioner. The applicant shall forward copies of the approved plans to the director of health or his authorized agent. All public pools shall be constructed or substantially altered or reconstructed in accordance with the plans and specifications approved by the commissioner unless prior approval of changes has been granted in writing. The danger of disease, drowning or injury to bathers shall be reduced to a practical minimum. The commissioner may evaluate public pools constructed without the required plan approval to assess conformance with specifications of the Connecticut Public Swimming Pool Design Guide. The commissioner may issue a "certificate of approval for use" to public pools on which construction was completed prior to January 1, 1980 and which are found to comply substantially with the aforementioned criteria. No such certificate shall be issued where deviations from design criteria may substantially increase the risk to public health and safety.
- (2) Supervisory Personnel. A person knowledgeable in the operation of the pool and in pool water chemistry and testing shall be on duty on the premises where the pool is located

whenever the pool is open for use. Names of supervisory personnel shall be submitted to the local health department annually and whenever a change in such personnel occurs.

- (3) Pool Water Quality. Not more than Fifteen per cent of the samples of pool water covering a consecutive period of one month or more shall either (1) yield more than two hundred bacterial colonies per milliliter, as determined by the standard (35 degrees C) agar plate count, or (2) show positive test (confirmed test) for coliform organisms in any of five 10-mL portions inoculated into fermentation tubes or contain more than 1.0 coliform colonies per 50 mL when the membrane filter test is used. All samples shall be collected, the residual disinfectant removed, and the examination conducted in accordance with the procedures outlined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association, American Water Works Association, and Water Pollution Control Federation).
- (4) Pool Water Clarity. At all times when the pool is in use the water shall be sufficiently clear to permit a secchi disc or a black disc six inches in diameter on a white field, placed on the bottom of the pool at the deepest point, to be clearly visible from the pool deck.
- (5) Pool Water Disinfection and Test Kits. Pool water shall be disinfected by an automatic disinfectant feeder which imparts a measurable residual at all times when the pool is in use. These chemical feeders shall comply with the standards of the National Sanitation Foundation or other standards approved commissioner of health services. When chlorine is used, a free chlorine residual of at least 0.8 mg/l as measured by an approved method listed in "Standard Methods for the Examination of Water and Wastewater" as described in subsection 3 above shall be maintained throughout the pool whenever it is open or in use. If cyanuric acid is used to stabilize the free available residual chlorine, or if chlorinated isocyanurate compounds are used, the concentration of cyanuric acid in the water shall not exceed 100 mg/l and a free available chlorine residual of at least 1.5 mg/l shall be maintained throughout the pool whenever it is open or in use. If other halogens are used, residuals of equivalent disinfecting strength shall be maintained. Other disinfecting materials or methods may be used when they have been demonstrated to the commissioner to provide satisfactory disinfection. A test kit for measuring the concentration of the disinfectant, accurate within 0.1 mg/l shall be provided, at each pool. If the cyanuric acid or chlorinated isocyanurates are used, proper testing equipment for measuring cyanuric acid concentration shall be provided. Chemicals in test kits shall be replaced yearly unless shown to produce accurate test results.
- (6) Pool Water pH and Alkalinity. The pool water shall be maintained at a pH value of not less than 7.2 and not over 7.8. Testing equipment for measuring pH value shall be available at each pool. Caustic alkalinity shall not be present.
- (7) Records and Testing. A pool operation record including all test results shall be maintained on a daily basis by the pool operator. Immediately prior to the daily opening of the pool for use, tests shall be made to determine the amount of residual disinfectant and the pH. These tests shall be repeated at sufficient frequency during periods of bather use to assure that an adequate disinfectant level and pH value are maintained. Whenever tests indicate that an inadequate disinfectant level or inappropriate pH value are present, immediate action shall be taken to reestablish an appropriate disinfectant level and pH value.
- (8) Decks, Dressing Rooms, Toilet Rooms, Shower Requirements. The dressing rooms, hallways, toilet rooms, shower rooms or other rooms to which patrons of pools have access shall be kept clean, in good repair, and well ventilated at all times. The floors of the pool deck and all shower rooms and locker rooms shall be treated with a 0.5% chlorine solution, or an equivalent fungicide, daily. Combs or brushes for common use shall not be provided. All persons shall bathe with warm water and soap before entering the pool. Warm water at a temperature of 90 degrees F to 105 degrees F, shall be furnished at showers convenient to the pool for this purpose. Adequate and convenient toilet facilities shall be available for the use of swimmers. Toilet, lavatory sink, and shower fixtures shall be maintained in proper repair so as to be available in ratios required by Design Criteria in effect at the time of plan approval.
- (9) Equipment Rooms, Equipment Areas, and Equipment. Equipment rooms, areas, and equipment shall be kept in good repair and in a clean and sanitary condition. Drain grates

shall be vandal proof, designed to prevent hand entrapment, and shall be secured in place in a manner that will prevent removal by bathers.

- (10) Deck Equipment. Handrails shall be provided at all steps, stepholes, and ladders. When provided diving stands, lifeguard stands, handrails, and ladders shall be properly secured to the pool deck or pool, as appropriate. Deck accessories and equipment shall be properly maintained and stored.
  - (11) Pool Chemical Storage. Pool chemicals shall be stored in cool, dry, clean, and well ventilated areas and so as to preclude accidental mixing of different chemicals. Containers shall be tightly closed when not in use.
  - (12) Vacuuming. Pool bottoms shall be vacuumed or mechanically cleaned as frequently as required to maintain pool cleanliness.
  - (13) Accessibility to Pool Area. All outdoor pools shall be surrounded by a barrier which shall be a minimum of four feet high and designed to discourage access by unauthorized persons. Entry gates shall be self closing and self latching. When the pool is not open for use, access to the pool shall be prevented.
  - (14) Lifeguards. When no lifeguard service is in effect a warning sign shall be placed in plain view and shall state "Warning - No Lifeguard on Duty" with legible letters, at least four inches high. This warning shall be easily visible from all entry points into the pool area.
  - (15) First Aid Kit. Every public pool shall be equipped with an American National Red Cross standard 24-unit first aid kit or equivalent. This first aid kit shall be kept filled and ready for use.
  - (16) Emergency Telephone. There shall be a telephone or other suitable device for emergency communication readily available in the immediate vicinity of each pool. This telephone or device shall be on the premises where the pool is located.
  - (17) Signs. Signs shall be conspicuously posted at the pool and in public dressing rooms stating the following:
    - (A) All persons shall bathe with warm water and soap before entering the pool.
    - (B) Any persons known or suspected of having a communicable disease shall not use the pool.
    - (C) Spitting or blowing the nose in the pool is prohibited.
    - (D) Running, boisterous or rough play (except supervised water sports) is prohibited.
  - (18) Emergency Communications. Instructions regarding emergency calls shall be prominently posted. All pools shall have posted at their entrance (a) directions to the nearest telephone and the nearest first aid unit and resuscitation equipment; (B) the telephone numbers, in print at least one-quarter inches high, of the nearest police and fire departments, emergency medical service provider, hospital and physicians on call in the immediate area. Additionally these telephone numbers shall be posted at the nearest telephone.
  - (19) Registration. No person, firm, or corporation shall operate or maintain, within any town, city or borough, any public pool without local permits or licenses if such permits or licenses are required by local ordinance. If such local permits or licenses are not required, the person, firm or corporation shall register the name of the owner or owner's agent, business address, and pool location with the local director of health of the town, city, borough, or district where the public pool is located.
- (c) Additional requirements for public swimming pools and public diving pools
- (1) Depth Markers. Depth markers shall be provided on the pool rim at points of minimum and maximum depths, at all points where the pool floor changes slope, and at appropriate points in between. Depth markers at these points shall be visible from within the pool and while standing on the pool deck.
  - (2) Lifeguard Stands. When a lifeguard is on duty, there shall be a raised stand 4 feet minimum height for the lifeguard, located at pool side adjacent to the deep end of the pool, so that all areas of the pool are visible to the lifeguard.
  - (3) Lifesaving Equipment. Each public Swimming pool and public diving pool shall be provided with one unit of lifesaving equipment for each one hundred feet of perimeter of the pool. Life poles or shepherd's crooks shall be mounted in permanent sockets toward the deep area of the pool. Lifesaving equipment shall be mounted in conspicuous places around

the pool such as on lifeguard stands, fences or barriers of outdoor pools, and room walls of indoor pools.

- (4) Sign. A sign stating the following shall be conspicuously posted at the pool: "No diving is permitted off the deck into shallow areas of the pool."
- (d) Additional requirements for public wading pools. Depth Markers. A minimum of one depth marker shall be provided on the pool rim on each side of public wading pools.
- (e) Additional requirements for public spas.
  - (1) Pool Water Disinfection. When chlorine is used, a free available chlorine residual of at least 1.0 mg/l shall be maintained throughout the public spa whenever it is open or in use. If other halogens are used, residuals of equivalent disinfecting strength shall be maintained.
  - (2) Pool Water Temperature. Pool water temperature shall not exceed 104 degree F in public spas.
  - (3) Depth Markers. All public spas shall have a minimum of two depth markers indicating maximum water depth. These depth markers shall be located on the spa rim or deck immediately adjacent to the pool.
  - (4) Precaution Sign. A precaution sign is to be mounted in a clearly visible location, adjacent to the spa. This precaution sign shall contain the following warnings: CAUTION
    - (A) Elderly persons and those suffering from heart disease, diabetes, high or low blood pressure should not enter the spa.
    - (B) Unsupervised use by children is prohibited.
    - (C) Do not use while under the influence of alcohol, anticoagulants, antihistamines, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics or tranquilizers.
    - (D) Do not use alone.
    - (E) Observe a reasonable time limit, (preferably not longer than 15 minutes) then shower, cool down and, if you wish, return for another brief stay. Long exposures may result in nausea, dizziness or fainting.
  - (5) Oils, Body Lotions and Soaps. Oils, body lotions and soaps shall be completely removed by the bather prior to use of public spas.
- (f) Special purpose public pools. Special purpose public pools shall meet all applicable requirements for public pools.
- (g) Responsibility of director of health. When any public pool is found not to meet the requirements of these regulations, or when a condition is found which constitutes a public health or safety hazard or a health nuisance to bathers or pool patrons, the director of health may order such public pool closed until corrections are made. The director of health shall order such closure when there is significant evidence of communicable disease being transmitted through use of the pool, when the public pool is being operated in such manner as to constitute a significant health nuisance, or when imminent safety hazards exist. Inspections shall be conducted by the director of health or his authorized agent to evaluate conformance with these regulations and to protect the public health and safety. Any person aggrieved by an order issued by a director of health, may within forty-eight hours after the making of such order, appeal to the commissioner of health services in accordance with Section 19a-229 of the General Statutes and Sections 19-2-1 to 19-2-43 inclusive of the Regulations of Connecticut State Agencies.

(Effective October 26, 1984.)

## **Connecticut Public Health Code**

**19-13-B39.** Quality of water supplies made available for public and for employees  
No water supply shall be used or rendered available for drinking and for other personal or domestic purposes in any industrial plant, mercantile establishment, hotel, lodging or boarding house, tenement house, hospital, theatre, park or public building, or on any outdoor or construction work, unless such supply is of safe sanitary quality approved by the state department of health. If a water supply for industrial or fire protection purposes is obtained entirely or in part from a source not approved for drinking purposes, this supply shall be distributed through an independent piping system having no connection with the systems for drinking and for other domestic use.

## Connecticut Public Health Code

### 19-13-B45. Minimum requirements for drainage and toilet systems

- (a) Plumbing and drainage systems shall be so constructed as to avoid contamination of safe drinking water supplies in houses or buildings. There shall be no cross connections between such safe water supplies and unsafe water supplies nor shall such safe supplies be piped to refrigeration, air conditioning or other mechanical equipment provided with direct connections to drains or constructed in such a manner as to permit contaminated water to be siphoned or drawn into the water supply pipes. Storage of drinking water in buildings shall be only in covered tanks so constructed as to avoid any possible contamination of the water in the tanks. Sewer or waste lines located above storage tanks and direct overflows and drains to sewer systems are expressly prohibited.
- (b) Buildings in which water closets and other plumbing fixtures exist shall be provided with a supply of water adequate in volume and pressure for flushing purposes.
- (c) The pipe system shall be of sufficient size to supply water for adequate flushing of toilet fixtures without unduly reducing the pressure at other fixtures.
- (d) Devices for heating water and storing it in "boilers" or hot water tanks shall be so designed and installed as to prevent all dangers from explosion.
- (e) Each tenement, lodging or boarding house located on premises abutting any street or alley where running water is available and through which there is a sewer with which connection may be had shall be provided with water closets connected with such sewer. All other buildings used or intended to be used for human habitation or occupancy on premises abutting a street in which there is a public sewer shall be connected with such sewer whenever required by the local authorities having jurisdiction.
- (f) Tenement houses erected prior to September 1, 1930, and provided with house drainage systems shall be furnished with at least one water closet for each two apartments of three rooms or less each, and one such closet for each apartment of four or more rooms. Tenement houses erected after August 31, 1930, and prior to July 1, 1941, shall have a water closet in each apartment of three or more rooms and at least one water closet for each two apartments of less than three rooms each. In each tenement house erected or subdivided after June 30, 1941, there shall be a water closet in each apartment of two or more rooms.
- (g) Plumbing fixtures shall be made of smooth non absorbent material, shall be free from concealed fouling surfaces and shall be set free of enclosures.
- (h) The entire house drainage system shall be so designed, constructed and maintained as to conduct the waste water or sewage quickly from the fixture to the place of disposal with velocities which will guard against fouling and the deposit of solids and will prevent clogging.
- (i) The drainage pipes shall be so designed and constructed as to be proof for a reasonable life of the building against leakage of water or drain air due to defective materials, imperfect connections, corrosion, settlements or vibrations of the ground or building, temperature changes, freezing or other causes.
- (j) The drainage system shall be provided with an adequate number of cleanouts so arranged that in case of stoppage the pipes may be readily accessible.
- (k) Each fixture or combination fixture shall be provided with a separate, accessible, self-scouring, reliable water-seal trap placed as near to the fixture as possible.
- (l) The house-drainage system shall be so designed that there will be an adequate circulation of air in all pipes and no danger of siphonage, aspiration or forcing of trap seals under conditions of ordinary use.
- (m) The soil stack shall extend full size upward through the roof and have a free opening, the roof terminal being so located that there will be no danger of air passing from it to any window and no danger of clogging of the pipe by frost or by articles being thrown into it or of roof water draining into it.

- (n) The plumbing system shall be subjected to a water or air-pressure test and to a final air-pressure, smoke or peppermint test in such a manner as to disclose all leaks and imperfections in the work.
- (o) No substances which will clog the pipes, produce explosive mixtures or destroy the pipes or their joints shall be allowed to enter the house drainage system.
- (p) Refrigerators, ice boxes or receptacles for storing food shall not be connected directly with the drainage system.
- (q) No water closet shall be located in a room or compartment which is not properly lighted and ventilated to the outer air.
- (r) If water closets or other plumbing fixtures exist in buildings where there is no public sewer accessible, suitable provision shall be made for disposing of the sewage without nuisance. The location and construction of private sewage disposal systems shall conform to the requirements of sections 19-13-B20a to 19-13-B20r, inclusive.
- (s) Where a house-drainage system may be subjected to back flow of sewage, suitable provision shall be made to prevent its overflow in the building.
- (t) No plumbing fixture nor waste outlet shall be installed which will provide a cross connection between a distributing system of water for drinking and domestic purposes and a drainage system, soil or waste pipe and permit or make possible the back flow or siphonage of sewage or waste into the water supply.

**Note:** Attention is directed to the danger from under-rim water inlet fixtures and flushometer valves without adequate vacuum breakers.

(u) All drinking fountain installations or replacements after January 12, 1954, shall be constructed with a slanting jet issuing from a nozzle of non-oxidizing impervious material with a non-oxidizing guard to prevent the mouths and noses of persons using the fountain from coming in contact with the nozzle. The jet shall be located so as not to touch the guard and shall be discharged at such an angle that the water can neither fall back nor be forced back on to the point of discharge. The fountain jet and all openings in the water supply piping shall issue above the level of the fountain bowl. The drainage from the bowl shall be adequate and so constructed as to prevent fouling of the bowl. The drain from the fountain shall not have a direct physical connection to a waste pipe unless the drain is trapped. The waste opening and pipe from the fountain shall be of sufficient size to carry off the water promptly. The opening shall be provided with a strainer. All drinking fountains installed after January 12, 1954, shall be provided with their own receiving bowls and shall not be installed over sinks used for hand washing or other purposes.

- (v) Plumbing systems shall be maintained in a sanitary condition.  
(Effective December 21, 1978.)



## Connecticut Public Health Code

### 19-13-B1. Conditions specifically declared to constitute public nuisances

The following conditions are specifically declared to constitute public nuisances:

- (a) Bakeries, restaurants and other places where food is prepared or served that are not kept in a clean and sanitary condition; or in which persons who have any communicable disease are employed; or for which suitable toilet facilities are not provided; or in which there is evidence that rats, mice or vermin are present.
- (b) Spoiled or diseased meats, whether exposed and offered for sale or being transported or kept for sale.
- (c) Barns or stables, hogpens, chicken yards or manure piles or accumulations of organic material so maintained as to be a breeding place for flies.
- (d) The discharge or exposure of sewage, garbage or any other organic filth into or on any public place in such a way that transmission of infective material may result thereby.
- (e) Privies not screened against flies in populous districts and privies likely to pollute the ground or surface water from which water supply is obtained.
- (f) Transportation of garbage, night soil or other organic filth except in tight, covered wagons which prevent leakage or access of flies.
- (g) Stagnant water likely to afford breeding places for mosquitoes within a residential district or within a distance of one thousand feet there from.
- (h) Bone boiling, fat rendering establishments, or tallow or soap works, or other trades, when they can be shown to affect public health or produce serious offense.
- (i) Buildings or any part thereof which are in a dilapidated or filthy condition which may endanger the life or health of persons living in the vicinity.

### 19-13-B2. Abatement of nuisance

- (a) Any local director of health, upon information of the existence of a nuisance or any pollution occurring within his jurisdiction, or when any such nuisance or pollution comes to his attention, shall, within a reasonable time, investigate and, upon finding such nuisance or pollution exists, shall issue his order in writing for the abatement of the same.
- (b) Such order shall specify the nature of such nuisance or pollution and shall designate the time within which such abatement or discontinuance shall be accomplished; and if such order is not complied with within the time specified, the facts shall be submitted to the prosecuting authority. Copies of all orders shall be kept on file by the director of health in his office and copies of the same shall be furnished the state commissioner of health on request.

### 19-13-B21. Garbage and refuse

- (a) The owner of premises upon which persons reside or which are frequented for pleasure or business shall keep such premises free from accumulations of garbage, rubbish, rags, tin cans, paper, empty barrels, boxes or any material which, because of its character, condition or improper storage, may invite the breeding or collection of flies, mosquitoes or rodents, or which may in any other prejudice the public health.
- (b) In populous districts stable manure shall be kept in a covered water-tight pit or chamber and shall be removed at least once a week during the period from May first to October first and during the other months at intervals sufficiently frequent to maintain a sanitary condition satisfactory to director of health. Manure on farms or isolated premises other than dairy farms need not be so protected and removed unless ordered by the director of health.

## Connecticut General Statute

### **Sec. 19a-109. (Formerly Sec. 19-65). Heating and provision of utilities for buildings.**

**Hot water. Termination of services.** When any building or part thereof is occupied as a home or place of residence or as an office or place of business, either mercantile or otherwise, a temperature of less than sixty-five degrees Fahrenheit in such building or part thereof shall, for the purpose of this section, be deemed injurious to the health of the occupants thereof, except that the Commissioner of Public Health may adopt regulations establishing a temperature higher than sixty-five degrees when the health, comfort or safety of the occupants of any such building or part thereof so requires. In any such building or part thereof where, because of physical characteristics or the nature of the business being conducted, a temperature of sixty-five degrees Fahrenheit cannot reasonably be maintained in certain areas, the Labor Commissioner may grant a variance for such areas. The owner of any building or the agent of such owner having charge of such property, or any lessor or his agent, manager, superintendent or janitor of any building, or part thereof, the lease or rental agreement whereof by its terms, express or implied, requires the furnishing of heat, cooking gas, electricity, hot water or water to any occupant of such building or part thereof, who, wilfully and intentionally, fails to furnish such heat to the degrees herein provided, cooking gas, electricity, hot water or water and thereby interferes with the cooking gas, electricity, hot water or water and thereby interferes with the comfortable or quiet enjoyment of the premises, at any time when the same are necessary to the proper or customary use of such building or part thereof, shall be fined not more than one hundred dollars or imprisoned not more than sixty days or both. No public service company or electric supplier, as defined in section 16-1, shall, at the request of any such owner, agent, lessor, manager, superintendent or janitor, cause heat, cooking gas, electricity, hot water or water services to be terminated with respect to any such leased or rented property unless the owner or lessor furnishes a statement signed by the lessee agreeing to such termination or a notarized statement signed by the lessor to the effect that the premises are vacant.

## Connecticut General Statute

### **Sec. 19a-342. (Formerly Sec. 1-21b). Smoking prohibited. Exceptions. Signs required.**

**Penalties.** (a) As used in this section, "smoke" or "smoking" means the lighting or carrying of a lighted cigarette, cigar, pipe or similar device.

(b) (1) Notwithstanding the provisions of section 31-40q, no person shall smoke: (A) In any building or portion of a building owned and operated or leased and operated by the state or any political subdivision thereof; (B) in any area of a health care institution; (C) in any area of a retail food store; (D) in any restaurant; (E) in any area of an establishment with a permit issued for the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-22, 30-22c, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area of an establishment with a permit for the sale of alcoholic liquor pursuant to section 30-23 issued after May 1, 2003, and, on and after April 1, 2004, in any area of an establishment with a permit issued for the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the bar area of a bowling establishment holding a permit pursuant to subsection (a) of section 30-37c; (F) within a school building while school is in session or student activities are being conducted; (G) in any passenger elevator, provided no person shall be arrested for violating this subsection unless there is posted in such elevator a sign which indicates that smoking is prohibited by state law; (H) in any dormitory in any public or private institution of higher education; or (I) on and after April 1, 2004, in any area of a dog race track or a facility equipped with screens for the simulcasting of off-track betting race programs or jai alai games. For purposes of this subsection, "restaurant" means space, in a suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where meals are regularly served to the public.

(2) This section shall not apply to (A) correctional facilities; (B) designated smoking areas in psychiatric facilities; (C) public housing projects, as defined in subsection (b) of section 21a-278a; (D) classrooms where demonstration smoking is taking place as part of a medical or scientific experiment or lesson; (E) smoking rooms provided by employers for employees, pursuant to section 31-40q; (F) notwithstanding the provisions of subparagraph (E) of subdivision (1) of this subsection, the outdoor portion of the premises of any permittee listed in subparagraph (E) of subdivision (1) of this subsection, provided, in the case of any seating area maintained for the service of food, at least seventy-five per cent of the outdoor seating capacity is an area in which smoking is prohibited and which is clearly designated with written signage as a nonsmoking area, except that any temporary seating area established for special events and not used on a regular basis shall not be subject to the smoking prohibition or signage requirements of this subparagraph; or (G) any tobacco bar, provided no tobacco bar shall expand in size or change its location from its size or location as of December 31, 2002. For purposes of this subdivision, "outdoor" means an area which has no roof or other ceiling enclosure, "tobacco bar" means an establishment with a permit for the sale of alcoholic liquor to consumers issued pursuant to chapter 545 that, in the calendar year ending December 31, 2002, generated ten per cent or more of its total annual gross income from the on-site sale of tobacco products and the rental of on-site humidors, and "tobacco product" means any substance that contains tobacco, including, but not limited to, cigarettes, cigars, pipe tobacco or chewing tobacco.

(c) The operator of a hotel, motel or similar lodging may allow guests to smoke in not more

than twenty-five per cent of the rooms offered as accommodations to guests.

(d) In each room, elevator, area or building in which smoking is prohibited by this section, the person in control of the premises shall post or cause to be posted in a conspicuous place signs stating that smoking is prohibited by state law. Such signs, except in elevators, restaurants, establishments with permits to sell alcoholic liquor to consumers issued pursuant to chapter 545, hotels, motels or similar lodgings, and health care institutions, shall have letters at least four inches high with the principal strokes of letters not less than one-half inch wide.

(e) Any person found guilty of smoking in violation of this section, failure to post signs as required by this section or the unauthorized removal of such signs shall have committed an infraction.

(f) Nothing in this section shall be construed to require any smoking area in any building.

(g) The provisions of this section shall supersede and preempt the provisions of any municipal law or ordinance relative to smoking effective prior to, on or after October 1, 1993.

## Connecticut General Statute

**Sec. 47a-50. Definitions.** The following terms, when used in this chapter, are defined as follows:

(1) A "tenement house" means any house or building, or portion thereof, which is rented, leased or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of three or more families, living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways or yards;

(2) A "lodging house" or "boarding house" means any house or building or portion thereof, in which six or more persons are harbored, received or lodged for hire, or any building or part thereof, which is used as a sleeping place or lodging for six or more persons not members of the family residing therein;

(3) A "dwelling unit" or an "apartment" means any house or building, or portion thereof, which is rented, leased or hired out to be occupied, or is occupied as a home or residence of one or more persons;

(4) A "yard" means an open, unoccupied space, on the same lot with a tenement, lodging or boarding house, between the rear line of such house and the rear line of the lot;

(5) A "court" means an open, unoccupied space, other than a yard, on the same lot with a tenement house;

(6) A "public hall" means a hall, corridor or passageway not within an apartment or dwelling unit;

(7) A "basement" means a story partly, but not more than one-half, below the level of the grade;

(8) A "cellar" means a story more than one-half below the level of the grade;

(9) The word "shall" is mandatory and not directory, and denotes that the house shall be maintained in all respects according to the mandate, as long as it continues to be a tenement house;

(10) In determining the number of stories in a tenement house, a basement or an attic shall be counted as a story if it is occupied or designed to be occupied for living purposes;

(11) "Enforcing agency" means the board of health or other authority designated to enforce the provisions of this chapter or a local housing code.

(P.A. 79-571, S. 70.)

See Sec. 19a-355 for definitions applicable with respect to tenement and lodging houses under chapter 368o.

**Sec. 47a-51. (Formerly Sec. 19-343). Sanitary regulations.** (a) Each tenement, lodging or boarding house, and each part thereof, shall be kept clean and free from any accumulation of dirt, filth, garbage or other matter, in or on the house or part thereof, or in the yards, courts, passages, areas or alleys connected with or belonging to the same. The owner, tenant, lessee or occupant of each tenement, lodging or boarding house, or part of such house, shall cleanse thoroughly all rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water closets, cesspools, drains, halls, cellars and roofs and all other parts of such house, or the part of such house of which he is owner, tenant, lessee or occupant, to the approval of the board of health or enforcing agency, and shall keep the same in a clean condition at all times.

(b) The owner of each tenement house shall provide, for such building, suitable receptacles for, or conveniences for the disposal of, garbage, ashes and rubbish.

(c) Each building used as a tenement, lodging or boarding house and all parts thereof shall be kept in good repair.

(d) The roof of each tenement, lodging or boarding house shall be so kept as not to leak, and all rain water shall be so drained and conveyed from the roof as to prevent its dripping onto the ground or causing dampness in the walls, ceilings, yards or areas.

(e) No horse, cow, calf, swine, poultry, sheep or goat shall be kept in or near any tenement, lodging or boarding house, unless stabled at least twenty feet distant from such tenement, lodging or boarding house, and then only when such stabling is not detrimental to health, in the opinion of the board of health or enforcing agency.

(f) A tenement, lodging or boarding house, or any part thereof, shall not be used for the handling, keeping or storing of combustible articles or rags, or any other articles, in a manner deemed by the board of health or enforcing agency to be dangerous or detrimental to health.

(1949 Rev., S. 4050; P.A. 79-571, S. 71.)

History: P.A. 79-571 divided section into Subsecs. and restated provisions but made no substantive changes; Sec. 19-343 transferred to Sec. 47a-51 in 1981.

Annotations to former section 19-343:

Cited. 117 C. 351. The obligation imposed on the landlord is to keep the building in repair as distinguished from the separate apartments in it. Id., 627. However, where other

portions of the apartment are under his control, it is his duty to use reasonable care to inspect and keep them in repair. 118 C. 580. Statute does not make landlord liable for defects unless he knew of them or ought to have discovered them by reasonable inspection. 124 C. 328. Landlord is not an insurer for failure to inspect and repair. He fulfills his duty when he uses reasonable care. 137 C. 629.

Annotation to present section:

Cited. 211 C. 501.