

Chapter HSS 178

CAMPGROUNDS

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Note: Chapter H 78 as it existed on August 31, 1978 was repealed and a new chapter H 78 was created effective September 1, 1978. Chapter H 78 was renumbered chapter HSS 178, effected June, 1, 1982; chapter HSS 178 as it existed on October 31, 1985 was repealed and a new chapter HSS 178 was created effective November 1, 1985.

HSS 178.01 Authority and purpose. Section 140.05 (3) and (17), Stats., gives the department authority to prescribe rules for campgrounds, including camping resorts, and to enforce these rules for the purpose of protecting the health and safety of the public.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.02 Scope. (1) **APPLICABILITY.** The provisions of this chapter apply to all operators of campgrounds.

(2) **APPROVED COMPARABLE COMPLIANCE.** When it appears to the department that a requirement of this chapter is impractical for a particular campground, the department may approve a modification in that requirement for that campground if the department is provided with satisfactory proof that the grant of a variance will not jeopardize the health, safety or welfare of the public.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.03 Definitions. In this section:

(1) "Agent" means the city or county designated by the department under s. 50.535 (2), Stats., to issue permits to and make investigations or inspections of campgrounds.

(2) "Approved" means acceptable to the department, based on its determination as to conformance with this chapter and good public health practices.

(3) "Camp site" means a parcel of land in a developed campground for the placement of a single recreational unit and for the exclusive use of its occupants.

(4) "Campground" means a developed campground or camping resort or a primitive campground.

(5) "Camping trailer" means a canvas or folding structure mounted on wheels for use as a temporary dwelling for travel, recreation, vacationing and other uses.

(6) "Department" means the department of health and social services.

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(7) "Dependent recreational unit" means a recreational unit that does not have a toilet or a lavatory and therefore depends on camp toilet and lavatory facilities.

(8) "Developed campground" or "camping resort" means any parcel or tract of land owned by a person, state or local government, accessible by automobile or other self-propelled vehicle, designed, maintained, intended or used for the purpose of supplying accommodations for overnight use by a recreational unit and open to the public for temporary camping purposes.

(9) "Motor-home" means a portable, temporary dwelling constructed as an integral part of a self-propelled vehicle and used for travel, recreation and vacationing.

(10) "Operator" means the owner of a campground or a person designated by the owner to manage the campground.

(11) "Permanent structure" means a structure resting on its own foundation and not intended to be part of the mobile recreational vehicle as it is in transit.

(12) "Person" means an individual, partnership, association, firm, company, corporation or agency, whether tenant, owner, lessee, licensee, or the agent, heir or assignee of any of these.

(13) "Pick-up coach" means a portable, temporary dwelling designed to be mounted on a truck chassis for travel, recreation, vacationing and other uses.

(14) "Primitive campground" means any parcel or tract of land owned by a person, state or local government and maintained, intended or used for the purpose of supplying overnight camping accessible by canoe, boat or by hiking but not by campers' motor vehicles.

(15) "Privy" means a structure not connected to a plumbing system, which is used by persons for the disposition of human body wastes.

(16) "Recreational unit" or "recreational vehicle" means a camping trailer, motor home, pick-up coach, tent or travel trailer.

(17) "Recreational unit parking area" means a parcel of land in which 2 or more spaces are occupied or intended for occupancy by recreational units for transient dwelling purposes.

(18) "Sanitary facilities" means toilets, showers and handwashing facilities.

(19) "Sanitary station" means a facility connected to approved sewerage, and designed for receiving waste from recreational unit holding tanks.

(20) "Self-contained recreational unit" means a recreational unit that can operate independently of connections to sewer, water and electrical systems, and that contains a water-flushed toilet, a handwashing facility, a shower and a kitchen sink, all of which are connected to water storage and sewage holding tanks located within the recreational unit.

(21) "Service building" means a structure housing toilets, handwashing facilities and showers.

(22) "Tent" means a portable lodging of canvas or strong cloth stretched and sustained by poles.

(23) "Total site area" means the area used for camp sites and related space and facilities and other improvements required by this chapter.

(24) "Travel trailer" means a vehicular, portable structure built on a chassis and on wheels, having a maximum area of 400 sq. ft. and used as a temporary dwelling for travel, recreation, vacation or other uses and towed by a car, station wagon or truck. It includes units with a fifth-wheel type of hitch.

(25) "Waste water" means liquid and water-carried wastes from recreational units.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85; am. (8), Register, September, 1986, No. 369, eff. 10-1-86.

HSS 178.04 Permit. (1) **APPLICATION.** Before a campground is opened for public use, the operator shall obtain a permit from the department or an agent of the department. Application for a permit shall be made on a form provided by the department or its agent.

Note: To obtain a copy of the application form for a permit to operate a campground or to determine which agent to contact for an application form, write: Bureau of Environmental Health, P.O. Box 309, Madison, Wisconsin 53701.

(2) **ACTION BY THE DEPARTMENT.** Within 30 days after receiving a completed application for a permit, the department shall either approve the application and issue a permit or deny the application. If the application for a permit is denied, the department shall give the applicant reasons, in writing, for the denial. A permit may not be issued to the operator of a new campground or to the new operator of an existing campground without prior inspection of the campground by the department or its agent to ensure that the campground complies with this chapter.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.05 Plan approval. The operator shall submit plans, specifications and calculations for a new or expanded campground to the department for examination and approval before commencing construction or modification. No change in plans or specifications which involves any provision of this chapter may be made unless the change is approved and dated by the department.

Note: It is recommended that owners or operators consult the department of industry, labor and human relations (DILHR) as well as local building and zoning regulations before commencing construction or modification.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.06 Location. Every camp site and facility in the total site area shall be located on a well drained site not subject to flooding by flowing or ponding surface water resulting from snow melt or precipitation occurring during the occupancy and use of camp sites. The premises shall be properly graded to prevent the accumulation of storm or other waters that may create hazards to the property or the health and safety of the occupants. No camp site or provided facility may be located in an area that is situated so that drainage from any source of filth can be deposited on the camp site or facility area or adjoining property.

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Note: The location of camp sites and provided facilities with regard to flood plains must meet all the requirements of the department of natural resources. See NR 116.13 (2) (c).

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.07 Physical layout. (1) **SITE DESIGNATION.** Each camp site shall be clearly designated and numbered for the purpose of identification.

(2) **SEPARATION BETWEEN RECREATIONAL UNITS.** Recreational units shall be separated from each other and from other structures by at least 10 feet, except where a camp site has been developed to accommodate 2 recreational units. Any accessory structures such as attached awnings, unattached carports or storage facilities shall, for purposes of this separation requirement, be considered to be part of the recreational unit. A recreational unit may not be placed on a permanent foundation and may not be attached to a permanent structure.

(3) **DENSITY.** Density may not exceed 20 total sites per acre except that:

(a) Campgrounds which on the effective date of this chapter have a permit to operate with a density in excess of 20 total sites per acre may continue to be approved with that density unless the department determines that permitting the campground to operate with a density in excess of 20 total sites endangers the health and safety of campers; and

(b) The department may under special circumstances permit a higher density provided that the public's health and safety are protected.

Note: An example of special circumstances that might justify a greater density is a recreational vehicle rally.

(4) **RECREATION AREA.** Recreation areas shall be free of health and safety hazards. If playground equipment is provided, it shall be maintained in good repair.

(5) **SETBACKS FROM PUBLIC STREETS.** No recreational unit may be located closer than 25 feet from the right of way of any public street or highway or any parking area abutting upon a public street or highway.

(6) **CAMPGROUND STREET SYSTEM.** (a) *General requirements.* Parking areas shall provide safe and convenient vehicular access from abutting public streets or roads to each camp site. Alignment and gradient shall be properly adapted to topography. Surfacing and maintenance shall provide a smooth, hard and dense surface which shall be well-drained.

(b) *Access.* Access to a camp site shall be designed to minimize congestion and hazards at the entrance and exit and allow free movement on adjacent streets. All traffic into or out of parking areas shall be through designated entrances and exits.

(c) *Internal roads.* Roadways within the campgrounds shall be wide enough to accommodate anticipated traffic and shall meet the following minimum requirements for width:

1. One-way, no parking, 11 feet;
2. One-way, parking on one side only, 18 feet;
3. Two-way, no parking, 20 feet;

4. Two-way, parking on one side only, 27 feet; and
5. Two-way, parking on both sides, 34 feet.

(d) *Off-street parking and maneuvering space.* Each camp site shall provide sufficient parking and maneuvering space so that the parking, loading or maneuvering of recreational units incidental to parking does not necessitate the use of any public street, sidewalk or right-of-way or any private grounds not part of the recreational unit parking area.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.08 Water supply. (1) **REQUIREMENTS.** (a) *Adequate supply.* In all developed campgrounds, including camping resorts, an adequate supply of safe water shall be furnished for drinking and domestic purposes.

(b) *Public utilities.* When an acceptable community water supply is available to the premises, connection and use are required. The system shall be in compliance with ch. NR 111.

(c) *Private wells.* A private well is permitted as a source of water when a public water facility is not available to the premises. The well shall be located on the premises and be constructed and the pump installed in accordance with ch. NR 112, rules governing well drilling and pump installation. Whenever safe water cannot be obtained consistently from a well constructed in apparent compliance with ch. NR 112, as evidenced by laboratory reports, the well shall be reconstructed or a new well constructed in accordance with the requirements of the department of natural resources. However, if the reconstruction or new construction is determined to be impractical or is found to be ineffective, the use of the well shall be discontinued and water shall be temporarily transported from a source and in a manner approved by the department.

(d) *Sampling frequency.* The water supply at the private well shall be sampled at least annually for microbiological and chemical contamination in accordance with ch. NR 109.

(e) *Disinfection.* Prior to the start of the camping season, the water distribution system shall be flushed, disinfected, flushed again and tested to ensure that the water is bacteriologically safe.

(2) **DRINKING CUPS OR OTHER CONTAINERS.** Common drinking cups or other containers are prohibited.

(3) **WATERING STATIONS.** Each campground shall provide one or more easily accessible potable water supply outlets for filling recreational vehicle water storage tanks. Potable water supply outlets shall be protected against the hazards of backflow, back-siphonage and other means of contamination. Potable water supply outlets may not be installed at or near a sanitary station.

(4) **INDIVIDUAL WATER CONNECTIONS.** If facilities for individual water service connections for recreational units are provided, the following standards shall apply:

(a) Riser pipes shall be located and constructed so that they will not be damaged by the reasonable parking of recreational vehicles;

(b) Water riser pipes shall extend at least 18 inches above ground elevation with the outlet directed downward;

- (c) Adequate provisions shall be made to prevent freezing of service lines, valves or riser pipes;
- (d) Underground stop-and-waste valves may not be installed on any water service;
- (e) Approved devices to prevent backflow and back-siphonage shall be provided on all outlets; and
- (f) All plumbing shall comply with the parts of ch. ILHR 82 applicable to campgrounds.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.09 Sewage disposal system. (1) **GENERAL.** When public sewer facilities are available to the campground premises, connection and use are required.

(2) **PRIVATE SEWAGE DISPOSAL.** (a) Private sewage disposal systems as defined in s. 145.01 (12), Stats., are permitted when a public sewer facility is not available to the premises. The system shall be located on the premises and be designed, constructed and operated in accordance with chs. ILHR 82 and 83 and s. 144.245, Stats.

(b) Failed on-site private waste disposal systems shall be replaced or rehabilitated. A failed system has the meaning prescribed for "failing private sewage system" in s. 144.245 (4), Stats.

(c) Plans and installation details covering the design and construction, alteration or extension of private sewage disposal systems shall be approved by the department of industry, labor and human relations or its designated agent.

(d) All plumbing fixtures shall be connected to the building drainage system with discharge to a public sewer or private sewage disposal system.

(e) Privies shall be constructed in accordance with s. ILHR 52.63 and shall be approved by the department and maintained in good repair.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.10 Toilets. (1) **TYPE AND LOCATION FOR PRIMITIVE CAMPGROUNDS.** Primitive campgrounds not provided with privies or other toilet units meeting the requirements of sub. (2), shall have separate designated areas for each sex for toilet use. At minimum, a toilet area in a primitive campground or area shall consist of a slit-trench with earth backfill. Toilet areas may not be located within 50 feet of a natural water course or lake, within 50 feet of a well or within 75 feet of a camp tent or other sleeping or housing arrangement.

(2) **TYPE AND LOCATION FOR DEVELOPED CAMPGROUNDS.** Developed campgrounds shall be provided with separate toilet rooms for each sex. Privies or other approved outdoor toilet units are permitted. A privy or other approved outdoor toilet unit shall be fly-tight and vermin-proof and constructed with impervious floors and risers, and shall comply with the requirements of s. ILHR 52.63. No privy may be located within 75 feet of a camp site or a building used for human occupancy. At least ten percent of all privies shall be accessible to and usable by physically handicapped persons. Each toilet fixture shall be enclosed in a separate

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compartment. Male toilet rooms shall also be provided with individual urinals.

(3) **DISTANCE TO TOILET.** A developed campground shall be so laid out that no camp site is located more than 400 feet from a toilet. Walkways to toilet facilities shall be marked and usable under all weather conditions. They shall be of a continuing common surface not interrupted by steps or abrupt changes in level, not having a gradient of more than 5%, being at least 48" wide and having a slip-resistant surface.

(4) **NUMBER.** The number of toilet fixtures shall be determined by the total number of sites, excluding sites provided with sewer connections, using table 178.10. For campgrounds accommodating more than 100 sites, one additional toilet fixture for each sex shall be provided for every additional 75 sites or fraction thereof and one additional men's urinal for every additional 100 sites or fraction thereof.

Table 178.10

MINIMUM NUMBER OF TOILET FIXTURES REQUIRED AT A CAMPGROUND

| CAMP SITES | TOILET FIXTURES | | |
|------------|-----------------|--------|---------|
| | For Women | | For Men |
| | Stools | Stools | Urinals |
| 1 to 15 | 1 | 1 | 1 |
| 16 to 45 | 2 | 2 | 2 |
| 46 to 100 | 4 | 3 | 3 |

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.11 Sanitary station. (1) All campgrounds accommodating over 30 recreational vehicles with holding tanks shall provide a sanitary station in the ratio of 1 for every 300 camp sites or fraction thereof. The sanitary station shall consist of at least a trapped 4-inch sewer riser pipe connected to the approved campground sanitary sewer system, surrounded at the inlet end by a concrete apron sloped to the drain, and with a suitable hinged cover provided for the riser. A water outlet shall be included to permit sanitary maintenance of the station. The water outlet shall be marked: **THIS WATER FOR FLUSHING AND CLEANING - NOT FOR DRINKING OR DOMESTIC PURPOSES.** The water outlet hose shall be reel or tower mounted to assure sanitary storage when not in use. A vacuum breaker shall be installed at the highest point on the reel or tower mounting. A sanitary station may not be located within 50 feet of a surface watercourse.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.12 Service building. (1) **GENERAL.** A service building at a campground shall be constructed in compliance with chs. ILHR 50 to 64.

(2) **FIXTURES.** (a) When a service building is provided at a campground, the number of sanitary fixtures shall be in accord with table 178.12 and pars. (b) and (c).

Table 178.12

MINIMUM NUMBER OF SANITARY FIXTURES REQUIRED
IN A CAMPGROUND SERVICE BUILDING

| CAMPSITES Dependent on the Service Building | FIXTURES | | | | | | |
|---|----------|---------|------------|---------|-----------|------------|---------|
| | For Men | | | | For Women | | |
| | STOOLS | URINALS | LAVATORIES | SHOWERS | STOOLS | LAVATORIES | SHOWERS |
| 1 - 15 | 1 | 1 | 1 | 1 | 2 | 1 | 1 |
| 16 - 45 | 2 | 1 | 2 | 2 | 3 | 2 | 2 |
| 46 - 100 | 3 | 2 | 3 | 3 | 5 | 3 | 3 |

(b) Campgrounds having more than 100 camp sites dependent on provided toilet facilities shall provide 1 additional stool and handwashing facility for each sex for every additional 75 camp sites or fraction thereof, 1 additional shower for each sex for every additional 100 sites or fraction thereof, and 1 additional men's urinal for every additional 100 camp sites or fraction thereof.

(c) When a campground having a service building is operated in connection with a resort, other business establishment or park system, the number of sanitary fixtures required for the service building under pars. (a) and (b) shall be in addition to the number of fixtures provided for use by persons not using the campground.

(3) SELF-CONTAINED RECREATIONAL VEHICLE CAMPGROUNDS. Where a campground is designed for and exclusively limited to use by self-contained recreational vehicles, the campground shall provide a backup flush toilet and lavatory for each sex for every 100 camp sites or fraction thereof.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.13 Garbage and refuse. (1) DEVELOPED CAMPGROUNDS. (a) Garbage and refuse on the premises of a developed campground shall be stored in a manner to make them inaccessible to insects and rodents. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing garbage or refuse is prohibited.

(b) There shall be a sufficient number of containers to hold all the garbage and refuse that accumulates.

(c) Garbage and refuse containers shall be emptied as often as necessary to prevent the development of odor, the attraction of insects and rodents and overflow. Containers shall be kept clean.

(d) Where garbage or refuse is burned on the premises, the burning shall be done by controlled incineration that prevents the escape of particulate matter in accordance with state law and local ordinances. Areas around incinerator facilities shall be clean and orderly.

(e) Solid waste disposal sites on the premises shall be in compliance with ch. NR 180 and shall be licensed by the department of natural resources.

(2) PRIMITIVE CAMPGROUNDS. At primitive campgrounds, garbage and refuse shall be disposed of each day by burial, covering or supervised burning. The soil cover shall be at least 12 inches (30 cm). The burial site

shall be a place that is not subject to inundation by periodic flooding by which the garbage or refuse is likely to be washed by flood waters into a watercourse.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.14 Fire protection. Campgrounds shall be kept free of litter, rubbish and other flammable materials. Adequate fire protection shall be provided in accordance with local ordinances. At least one portable fire extinguisher shall be installed in the developed campground's office or in another building on the campgrounds.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.15 Management. (1) **GENERAL.** The campground operator shall maintain the campground in a clean, safe and sanitary condition at all times.

(2) **REGISTER.** At developed campgrounds a register shall be maintained containing the name of the principal camp site occupant and the number in the party. The register shall be available to any authorized employe or agent of the department who, in carrying out his or her duties, wishes to inspect the register.

(3) **CHANGE OF OWNERSHIP.** The campground operator shall promptly notify the department in writing of an intention to cease operations and shall supply the department with the names and mailing addresses of any new operators.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.16 Special events. Any person desiring to furnish temporary facilities for accommodating a recreational vehicle rally or other special event involving recreational vehicles shall make application for a permit for the activity to the department or its agent prior to the rally. The location of the site, density of recreational units, water supply, toilet facilities, sewage disposal arrangements, solid waste hauling and, in relation to these, the duration of the rally, shall comply with the requirements of this chapter and otherwise be approved by the department or its agent before a permit will be issued. A recreational vehicle rally or other special event involving recreational vehicles shall be subject to s. HSS 178.17.

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.

HSS 178.17 Enforcement. (1) **ACCESS.** An authorized employe or agent of the department, upon presenting proper identification, shall be permitted to enter any campground at any reasonable time for the purpose of inspecting the campground to determine compliance with this chapter. The department's authorized employe or agent shall be permitted to examine the records of the campground, including campgrounds registration records.

(2) **ENFORCEMENT POLICY.** (a) *Notification.* If upon inspection of a campground the authorized employe or agent of the department finds that the campground is not planned, operated or equipped as required by this chapter, the employe or agent shall, except as provided under par. (b), notify the operator in writing and shall specify the changes required to make the campground conform to the standards established in this chapter and the time period within which compliance shall take place. If

the order to correct violations is not carried out by the expiration of the time period stipulated in the order, or any extension of time granted for compliance, the department may issue an order suspending or revoking the permit to operate the campground. The suspension or revocation order shall take effect 15 days after the date of issuance unless a request for a hearing has been received under sub. (3).

(b) *Order to deal with an immediate danger to health.* Where there is reasonable cause to believe that any construction, sanitary condition, operation or method of operation of the premises of a campground or of equipment used on the premises creates an immediate danger to health, an authorized employe or agent of the department may, pursuant to s. 50.575, Stats., acting as the designee of the administrator of the department's division of health, and without advanced written notice, issue a temporary order to remove the immediate danger to health. That order shall take effect on delivery to the operator or other person in charge of the campground. The order shall be limited to prohibiting the continued operation or method of operation of specific equipment, requiring the premises to cease other operations or methods of operations, or a combination of these, except that if a more limited order will not remove the immediate danger to health the order may direct that all operations authorized by the permit shall cease. If before scheduled expiration of the temporary order, the department determines that an immediate danger to health does in fact exist, the temporary order shall remain in effect. The department shall then schedule and hold the hearing required under s. 50.575 (3), Stats., unless the immediate danger to health is removed or the order is not contested and the operator and the department mutually agree that no purpose would be served by a hearing.

Note: Under s. 50.575, Stats., the temporary order is effective for 14 days and may be extended for another 14 days to permit the department to complete its examination. The order expires at the end of the 14-day or 28-day period unless it is terminated by the department by notice to the operator within that period, or is kept in effect beyond that period, pending a hearing, by department notification to the operator. The hearing is to be held by the department no later than 15 days after the notice is served on the operator unless the department and the operator agree on a later date, and the department must issue a final decision on the matter within 10 days after the hearing.

(3) **APPEAL BY THE OPERATOR.** Any operator aggrieved by an order of the department under this chapter, except for an order issued pursuant to s. 50.575, Stats., and sub. (2) (b), may request a hearing under this subsection to challenge the order. A request for a hearing under this subsection shall be submitted to the department's office of administrative hearings and shall be received by that office within 15 days after issuance of the order. Procedures for the hearing shall be in accordance with ch. 227, Stats. After the hearing, the department shall affirm, set aside or modify the order. The final decision of the department may be appealed to the circuit court as provided in ch. 227, Stats.

Note: The mailing address of the office of administrative hearings is P.O. Box 7875, Madison, Wisconsin 53707.

(4) **LOCAL ENFORCEMENT.** Notwithstanding subs. (2) and (3), if an agent issues permits directly under this chapter, the agent shall create enforcement and appeal procedures in accordance with ss. 50.535 (2) (g) and 66.124, Stats., which shall supersede subs. (2) and (3).

History: Cr. Register, October, 1985, No. 358, eff. 11-1-85.