

## County of Orange, Health Care Agency, Environmental Health 1241 E. Dyer Rd., Ste. 120, Santa Ana, CA 92705 (714) 433-6000

#### **Guidance Document**

# Common Restroom Facilities for Food Establishments at Amusement Parks, Stadiums, Arenas, Retail Shopping Centers and Similar Premises

The purpose of this Guidance Document is to establish criteria for the use of common restroom facilities by employees of food establishments which are located within amusement parks, stadiums, arenas, retail shopping centers, and similar premises, such as Disneyland, Knott's Berry Farm, Anaheim Stadium, and Westminster Mall. The criteria which are included in this Guidance Document are required to ensure that the common restroom facilities will be properly maintained and readily available at all times to the employees of each food establishment.

### I. <u>LEGAL AUTHORITY</u>

California Retail Food Code (CalCode), Section 114250.1, which states:

Food facilities located within amusement parks, stadiums, arenas, food courts, fairgrounds, and similar premises shall not be required to provide toilet facilities for employee use within each food facility if approved toilet facilities are located within 200 feet in travel distance of each food facility and are readily available for use by employees. Food facilities subject to this section shall be provided with approved handwashing facilities for employee use.

#### II. SCOPE

A. This Guidance Document applies only to newly constructed food establishments located within the boundaries of amusement parks, stadiums, arenas, and retail shopping centers. Restroom facilities which have been previously installed in food establishments may not be eliminated. Typically, the amusement park, stadium, etc. either owns and operates all of the food establishments within its boundaries or leases out the space to one or more food vendors, to whom a health permit is issued. The common denominator for these types of operations is the presence of on-site management which controls and maintains the common areas, including restrooms, within the boundaries of the amusement park, stadium, etc.

The food establishments in many retail shopping centers, such as in strip commercial centers, operate independently from each other and from the property owner. If such a strip commercial center does not provide management for the entire center (for packaged food facilities) or on-site management (for open food facilities), those food establishments within the center would not qualify to use common restroom facilities.

B. Although the criteria in this Guidance Document call for a management entity to maintain the common restroom facilities, the legal responsibility to provide properly maintained and readily available restroom facilities still rests with each

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individual food establishment. Section 114399 of CalCode states that violations pertaining to facilities held in common or shared by more than one food facility shall be deemed a violation for which the owner, manager, or operator of each food facility is responsible. Therefore, when citing violations in common restroom facilities, the violations should be included on the Food Facility Inspection Report for each food establishment which utilizes the common restroom facilities.

C. If subsequent changes occur such that the criteria contained in this Guidance Document can no longer be met, each individual food establishment may be required to provide and maintain approved restroom facilities within its own premises.

### III. CRITERIA FOR COMMON RESTROOM FACILITIES

In order to assure that common restroom facilities are readily available and properly maintained, <u>all</u> of the criteria listed within this section must be met prior to this Agency granting approval of the common restroom facilities:

### A. Management

- 1. The entire amusement park, stadium, arena, or retail shopping center must be under the control of a single management entity which has control over all of the common areas within the boundaries, including the common restroom facilities.
- 2. **FOR OPEN FOOD FACILITIES**: The management entity must have an office <u>on-site</u> at the amusement park, stadium, retail shopping center, etc.
- 3. The management office must be staffed with personnel whose job it is to maintain the common restroom facilities in the following manner:
  - a. Keep the common restroom facilities reasonably secure from vandalism.
  - b. Maintain the common restroom facilities clean and in good repair.
  - c. Maintain a constant supply of hot and cold running water to the hand sinks.
  - d. Maintain a constant supply of soap, sanitary towels, and toilet paper in the dispensers.
  - e. Keep the common restroom facilities available at all times during which any of the food establishments using those facilities are in operation. This includes periods of time prior to opening and

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following closing when food is being handled within the food establishment.

- B. All of the common restroom facilities and food establishments which share those facilities must be located within the boundaries of the amusement park, stadium, etc.
- C. The common restroom facilities must be readily available and located within 200 feet, in travel distance, of each food establishment designated to use the facilities.
- D. Each food establishment is responsible for providing a letter to this Agency from the management entity, using their letterhead. The letter should state that the management entity complies with all of the criteria contained in this Guidance Document. (Refer to Attachment I for a sample letter.)
- E. The common restroom facilities must comply with all applicable requirements contained in the Uniform Plumbing Code, Uniform Building Code, and CalCode.
- F. Approved handwashing facilities, capable of providing water at a minimum temperature of 100° Fahrenheit, must be provided within each open food establishment which utilizes the common restroom facilities. These handwashing facilities are required in addition to those required within the common restroom facilities.

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#### ATTACHMENT I

## Sample Letter From a Management Entity

(Name and address of management company) certifies that the following conditions exist at (name of amusement park, stadium, etc.):

1.	Restroom	facilitie	s which	which comply			applicable			building,	plum	bing,	and healt	h and
	safety co	des have	e been	provided	for	the	use	of	the	employe	ees in	the	following	food
	establishr	ments:		-									•	

a.

b.

c.

- 2. (Name of management company) has sole control of all the common areas of (name of amusement park, stadium, etc.) including the common restroom facilities.
- 3. (Name of management company) has an on-site (if food facility has open food) office which is staffed with personnel whose responsibility it is to maintain the designated common restroom facilities available, clean, in good repair, and constantly supplied with soap, sanitary towels, and toilet paper. The designated personnel will be on duty at all times that any food service personnel are handling food in any of the food establishments using the common restroom facilities.

(Name of management company) has reviewed the criteria contained in the Orange County Environmental Health Guidance Document pertaining to common restroom usage and agrees to continue to meet the criteria in the future. This company is aware, and has notified each food establishment named in this letter, that approved restroom facilities may be required within the premises of each food establishment if the conditions of this agreement are not adhered to.

Sincerely,

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