

ARTICLE 48
SUMMER DAY CAMPS, CHILDREN'S OVERNIGHT CAMPS,
CHILDREN'S TRAVELING SUMMER DAY CAMPS,
AND MUNICIPAL CAMPS

§48.01 Scope.

The provisions of this Article apply to all Summer Day Camps, Children's Overnight Camps, and Children's Traveling Summer Day Camps and Municipal Camps located in the City which are occupied by ten (10) or more children except:

- (a) programs approved, certified or licensed under the Social Services Law;
- (b) programs operated by the government of the United States or the State of New York;
- (c) any operation or use of a tract of land or property determined by the State Commissioner of Health as not being within the intent of or regulation by Subpart 7-2 of the State Sanitary Code;
- (d) any place occupied by children under 18 years of age for overnight occupancy of 72 consecutive hours or less;
- (e) day camps operating less than all or part of 5 days in any 2 week period;
- (f) activities as unscheduled or drop-in neighborhood- center settings; single-purpose activity such as athletic events and associated training practice, "special olympics", little league baseball, Pop Warner football; and recreational activity without a specified time period of attendance required.

§48.03 Definitions.

When used in this Article:

- (a) Summer Day Camp shall mean a property consisting of a tract of land and any tents, vehicles, buildings, or other structures that may be pertinent to its use, any part of which may be occupied on a scheduled basis at any time between June 1 and September 15 in any year by children under 16 years of age, under general supervision, primarily for the purpose of outdoor organized group activities for a period of less than 24 hours on any day the property is so occupied and for which no provisions are made for overnight occupancy by such children.
- (b) A children's overnight camp means a property consisting of a tract of land and any tents, vehicles, buildings or other structures that may be pertinent to its use, any part of which may be occupied by persons under 18 years of age under general supervision for the purpose of outdoor or indoor organized activities and on which provisions are made for overnight occupancy of children.
- (c) A traveling summer day camp means a summer day camp which regularly operates in a period between May 15 and September 15, and which provides care and regularly transports children under 16 years of age on a regular schedule to a facility, site, or property, including any tract of land, beach, park, stadium, building, tent or other structures pertinent to its use and primarily for the purpose of organized group activities.
- (d) Municipal summer day camps means a property owned, leased or operated by a municipal corporation, school district, or public board, body, commission or authority consisting of a tract of land, and any tents, vehicles, buildings or other structures that may be pertinent to its use, any part of which may be occupied on a scheduled basis at any time between June 1 and

September 15 in any year by children under 16 years of age under general supervision, primarily for the purpose of outdoor organized group activities, for a period of less than 24 hours on any day the property is so occupied, and on which no provisions are made for overnight occupancy by such children except a swimming pool or bathing beach as defined in Part 6 of The New York State Sanitary Code.

(e) Municipal traveling summer day camp means a summer day camp owned, leased or operated by a municipal corporation, school district, or public board, body, commission or authority which regularly operates in the period between May 15 and September 15 and which regularly transports children under the age of 16 on a regular schedule to a facility, site, or property, including any tract of land, beach, park stadium, building, tents or other structures pertinent to its use and primarily for the purposes of organized group activity.

(f) A developmental disability is a severe, chronic disability of a person which is attributable to mental retardation, cerebral palsy, epilepsy, autism or neurological impairment, or is attributable to any other condition of a person similar to mental retardation, cerebral palsy, epilepsy, autism or neurological impairment because such condition results in similar impairment of general intellectual functioning and/or adaptive behavior and requires treatment and services similar to those required for such persons; originates before 18; is likely to continue indefinitely.

§48.05 Permit required, exceptions.

No person shall operate or hold himself out as operating a summer day camp, children's overnight camp or children's traveling summer day camp without a permit issued by the Commissioner. The fee for and the expiration date of a permit issued pursuant to this section shall be prescribed by §5.07 of this Code, except that no fee shall be charged in the case of a municipal operation or a summer day camp, children's overnight camp or children's traveling summer day camp operated by a person, firm, corporation or association for charitable, philanthropic or religious purposes.

§48.07 Permit; application, issuance and renewal.

(a) An application for a permit to operate any camp under this article shall be made by the operator to the Department, on a form furnished by the Department, at least 60 days before the first day of operation. Such application shall also be filed when the name, ownership or operator of the camp is changed. All applications shall include a copy of the camp's written safety plan required pursuant to §48.11.

(b) Applications for permits made more than 90 days before the first day of camp operation may be submitted to the Department by mail. Applications made between 90 and 60 days before the first day of camp operation shall be submitted to the Department in person.

(c) A permit shall not be issued unless the camping program is conducted on or within property consisting of land, tents, vehicles, buildings or other structures pertinent to its use.

(d)

(1) A permit shall not be issued to any camp program unless all required documents have been reviewed and approved by the Department and the Department is satisfied, upon inspection and evaluation, that the camp conforms or will conform with the requirements of this Code at the time of operation. However, if and when the Department determines that a camp has previously operated in a manner sufficient to assure that no unreasonable risk to the health and safety of camp attendees has occurred, the operator may submit a completed and

certified self-inspection in a format approved by the Department, in lieu of an on-site pre-permit inspection.

(2) Effective January 1, 2003, a permit shall not be issued unless the camp director has attended an orientation session provided by the Department regarding the requirements set forth in this Article. Attendance at Department orientation sessions need not be repeated by a director who has attended a session unless the Department determines that the substance of the orientation has changed and requires re-attendance. The director shall be responsible for ensuring that the materials covered in the orientation sessions are incorporated into camper and staff orientation programs as required by this Article.

(e) A permit shall not be issued to a children's traveling summer day camp unless the camp has an indoor manned home base and, when applicable, a permit from the Department of Parks and Recreation authorizing the use of a specific outdoor park site.

(f) Whenever necessary, to prevent public health hazards, as defined in §7-2.1(b) of the State Sanitary Code [10 N.Y.C.R.R.], or successor regulation, the Department may, in specific instances impose additional requirements on a children's camp. The Department shall describe in writing the conditions of operation that have been imposed, including, but not limited to, amendment of the written safety plan, and the reasons for the additional requirements.

§48.09 Staff qualifications.

(a) The permittee shall be the camp operator.

(b) Each children's camp shall be supervised by a camp director, who may also be the camp operator, and who shall have at least:

(1) a bachelor's degree or be at least 25 years of age for an overnight camp or 21 years of age for a summer day or traveling summer day camp; and

(2) 24 weeks of previous administrative or supervisory experience in camping or equivalent experience acceptable to the State Commissioner of Health and the Department.

(3) There shall be on file at the Department a notification from the Department of Social Services Statewide Central Register of Child Abuse and Maltreatment that the director has not been the subject of an indicated report, pursuant to Title 6 of the New York State Social Services Law, or successor law.

(4) The camp director shall file with the Department a form entitled Prospective Children's Camp Director Certified Statement Relative to the Conviction of a Crime or the Existence of a Pending Criminal Action, as provided by the Department, and a determination shall be made by the Department that the camp director has no criminal conviction record for which:

(i) there is a direct relationship between one or more of the criminal offenses and the applicant's employment as a camp director; and

(ii) employment as a camp director would involve an unreasonable risk to the property or to the safety or welfare of camp participants or the general public.

(c) Senior counselors, including specialty and general counselors, shall be at least 18 years of age at a children's overnight camp, and at least 16 years of age at a summer day camp or traveling summer day camp. In addition, the counselor shall either have experience in camping and supervision of children, or have completed a training course acceptable to the Department.

(d) A junior counselor or counselor-in-training is a camper who is assigned to assist on-duty counselors or other staff members, as described in the camp's written safety plan, in

performing specific duties. A junior counselor may not supervise campers, and shall be supervised as a camper. All junior counselors shall receive training specific to their duties, and camper orientation. Junior counselors shall not be included in calculating counselor to camper supervision ratios.

- (1) Junior counselors at a children's overnight camp shall be at least 16 years of age and have at least two seasons' prior experience as a camper.
 - (2) Junior counselors at a summer day or traveling summer day camp shall be at least 15 years of age and have at least two seasons' prior experience as a camper.
- (e) A trip leader shall be in charge of all trips away from camp, shall be at least 18 years of age and have participated in at least three out-of-camp trips in a similar program activity as a children's camp staff member. Trip leaders for wilderness, equestrian, boating and similar specialized activities shall be competent in the activity. A trip leader of a camp trip with an itinerary that includes an activity where emergency medical care is not readily available, or an activity such as wilderness hiking, camping, rock climbing, horseback riding, bicycling, swimming and/or boating, shall possess or be accompanied by staff who either possess a current certificate in Responding to Emergencies first aid issued by the American Red Cross (ARC) or a current certificate in first aid issued by a certifying agency determined by the State Commissioner of Health to provide an adequate level of first aid training.
- (f) A camp aquatics director shall:
- (1) be at least 21 years of age;
 - (2) have three seasons of previous waterfront experience as a lifeguard and/or a camp aquatics director;
 - (3) possess either:
 - (i) a current cardiopulmonary resuscitation (CPR) certificate, not exceeding one year in duration, in CPR for the Professional Rescuer issued by the ARC; or
 - (ii) a current CPR certificate, not exceeding one year in duration, issued by a certifying agency determined by the State Commissioner of Health to provide an adequate level of CPR training; and
 - (4) be either:
 - (i) a progressive swimming instructor; or
 - (ii) a qualified lifeguard, as specified in the New York State Sanitary Code [10 N.Y.C.R.R.] §7-2.5(g), or successor regulation, who meets lifeguarding, first aid and CPR certification requirements detailed in Part 6 of the State Sanitary Code.
- (g) A progressive swimming instructor shall be either:
- (1) a currently certified ARC water safety instructor; or
 - (2) possess a current certificate issued by a certifying agency determined by the State Commissioner of Health to provide an adequate level of similar training.
- (h) A qualified lifeguard shall:
- (1) be at least 17 years of age; and
 - (2) meet lifeguarding, first aid and CPR certification requirements as detailed in Part 6 of the State Sanitary Code including the following:

<i>Bathing Facility Type</i>	<i>Minimum Lifeguard Supervision Level</i>
Ocean surf	Supervision Level I
Pool only	Supervision Level IIa
Pool and/or beach	Supervision Level IIb

(i) The camp operator shall maintain a copy of each staff member's application, and any records identifying staff qualifications, such as resumes, licenses or certifications, on file for inspection by the Department. The camp operator shall verify all employees' prior education, experience, training and character references.

§48.11 Written Safety Plan.

(a) The camp operator shall develop, review annually and update, in accordance with changed circumstances, conditions or activities, or as required by the Department, a written safety plan, which shall be submitted for review and approval by the Department. The written plan shall be considered satisfactory for approval when it is found to include all the information required in this Article and in §7-2.5 of the State Sanitary Code, or successor regulation, and accurately reflects the camp's compliance with such provisions of law. When there are no changes in a previously approved written safety plan, the camp operator shall submit an affirmation in a form acceptable to the Department stating that no changes were needed or made to the plan. The camp's approved written safety plan shall be implemented by the camp operator and kept on file at the children's camp.

(b) The written safety plan shall consist of, at a minimum, a table of contents and the following components:

(1) *Staff*: chain of command; staff job descriptions; and a procedure for verification of staff qualifications.

(2) *Facility operation and maintenance*: water supply; sewage treatment system; lightning risk assessment; transportation; housing; grounds; food protection; and waterfront physical facility maintenance (if on-site aquatic activities are provided).

(3) *Fire safety*: evacuation of buildings and property, assembly, supervision, and accounting for campers and staff; fire prevention; coordination with local fire officials; fire alarm and detection systems and their operation, maintenance, and routine testing; type, location and maintenance of fire extinguishers; inspection and maintenance of exits; required fire drills and log; electrical safety; and reporting to the Department within 24 hours fires which destroy or damage any camp building, or which result in notification of the fire department, or are life or health threatening. A copy of the fire safety section of the plan shall be submitted to the New York City Fire Department.

(4) *Medical requirements*: review of camper medical histories to address restrictions and special needs; initial health screening of campers; daily health surveillance of campers; procedures for providing basic first aid, handling and reporting medical emergencies, including outbreaks and procedures for response to allegations of child abuse; identification of and provisions for medical, nursing and emergency medical services; names, qualifications and duties of health director and health personnel certified in first aid and CPR; description of health facilities available at the camp or community health facilities to be used by the camp; storage and administration of medicines; location and use of first aid and CPR supplies; maintenance of a medical log; description of universal precautions for blood borne pathogens; reporting of illness and injuries, including reporting camper abuse/allegations to the Department and other appropriate authorities, within 24 hours; and provisions to supervise sanitation at the children's camp.

(5) *General and activity specific safety*: description of the required camper supervision, including general supervision; supervision between activities; during passive activities, as defined in §48.12(d)(5); during sleeping and rest hours; during transportation; and in

emergencies. Safety requirements and supervision shall be discussed for specific camper activities, including but not limited to, swimming, boating, horseback riding, rope or challenge courses, archery, camp trips, wilderness hiking, overnight camping, rock climbing, bicycling, visits to aquatic and amusement parks, and out-of-city trips and all safety standards required by §48.13. The safety plan shall include an itinerary for all off-site trips planned during the current camp season. The camp operator or director shall submit to the Department for approval, 48 hours in advance of undertaking such activities, updated safety plans and itineraries for any activities not included in the approved safety plan and any amendments to such itineraries. No trips shall be provided which have not been included in the approved safety plan, or have otherwise been approved by the Department. The safety plan shall require that a consent, in a form approved by the Department, be obtained from the parent or guardian of each camper prior to any off-site trip.

(6) *Staff training*: training curriculum outline; tour of camp; description of camp hazards; chain of command; procedures for camper supervision and discipline; child abuse recognition and reporting; provisions for first aid and emergency medical assistance; reporting of camper injury and illness; buddy system; lost swimmer plan (if camp has an aquatics program); lost camper plan; lightning plan; fire safety and fire drills; camp evacuation procedures; activity specific training for assigned activities; camp trips (if provided); and process to document attendance at staff training.

(7) *Camper orientation*: orientation curriculum outline; tour of camp; description of camp hazards; reporting illness, injury and other incidents; buddy or other accountability system approved by the Department; lost camper plan; fire drills and evacuation; lightning plan; camp trips; and process to document attendance at orientation.

§48.12 Supervision.

(a) The camp operator shall provide adequate supervision.

(b) Adequate supervision shall mean that:

- (1) each camper is protected from any unreasonable risk to his or her health or safety, including physical or sexual abuse or any public health hazard;
- (2) each camper shall be under the immediate visual observation of a counselor, and in verbal contact with a counselor, during all activities, and
- (3) each camper's whereabouts shall be accounted for at all times.

(c) *Counselor to camper ratios*:

- (1) In each non-overnight camp there shall be at least one senior counselor for every:
 - (i) six children less than six years of age;
 - (ii) nine children six to seven years of age; and
- (iii) twelve children eight years of age or over.
- (2) In each overnight camp there shall be at least one senior counselor for every:
 - (i) six children seven years of age or under; and
 - (ii) eight children eight years of age or over.
- (3) On any off-site camp trip, a minimum counselor to camper ratio of 1:5 shall be maintained, with at least one trip leader and one other counseling staff member in attendance.
- (4) In addition to providing at least one qualified lifeguard, as defined in the New York State Sanitary Code [10 N.Y.C.R.R.] §7-2.5(g), or successor regulation, during all

swimming activities, for every 25 swimmers, where each qualified lifeguard supervises no more than 3,400 square feet of pool surface and no more than 50 yards of shoreline at bathing beaches, there shall be at least one senior counselor for every:

- (i) four children under six years of age;
- (ii) six children six to seven years of age; and
- (iii) eight children eight years of age and older.

(5) During passive activities, the ratio of counselors to campers shall be at least 1:25. A passive activity is defined as an activity that takes place in a defined on-site area, where participants are spectators, or have limited mobility, and use no tools or equipment (other than computers). Examples of passive activities include, but are not limited to, religious instruction, story telling, coloring, viewing movies or drama, singing and board games. The camp's passive activities shall be described in the camp's approved written plan. At the conclusion of the passive activity, supervision ratios shall be restored to and maintained at Code required levels for non-passive activities.

§48.13 Safety standards for activities.

(a) *Swimming and aquatic activities.*

(1) *Facilities and equipment.*

(i) Only swimming facilities operating pursuant to a permit issued by the Department or other local permit issuing official in accordance with Article 165 and Article 167 of this Code or Subpart 6 of the New York State Sanitary Code, or other local law, and identified in the camp's written safety plan shall be used by children's camps.

(ii) All swimming areas shall be maintained in a sanitary and hazard free condition.

(iii) Any known hazards which cannot be removed shall be conspicuously marked and cordoned off.

(iv) Entrances and exits at the camp's permanent swimming areas shall be monitored; lifeguard station(s) shall provide unobstructed views of swimming areas, and lifesaving equipment shall be provided in accordance with this Code and the State Sanitary Code, 10 N.Y.C.R.R. Subpart 7-2. Swimming pools shall be protected by fences. Entrance gates shall be locked except when lifeguard(s) are on duty.

(v) Swimming shall be prohibited at a distance of more than 150 feet from the shore at bathing beaches.

(vi) Camper swimming shall be prohibited between sunset and sunrise at bathing beaches, wilderness areas, lakes and rivers. Lighting at indoor and nighttime swimming pool activities shall comply with the requirements of this Code and the State Sanitary Code and shall be sufficient to allow for all campers to be constantly observed and effectively supervised.

(vii) All water craft shall comply with applicable United States Coast Guard, State and local standards.

(viii) All motorized boats used at camp shall be registered with the New York State Department of Motor Vehicles, shall display registration numbers on their bows, and current registration and inspection certificates shall be available for examination by the Department. Procedures and conditions for the use of non-motorized boats shall be included in the camp's approved written safety plan.

- (ix) All piers, floats and platforms shall be in good repair and where used for diving the minimum water depth shall be indicated on the deck or planking and shall comply with all applicable requirements of this Code and Part 6 of the State Sanitary Code.
- (x) The minimum water depth for a one-meter diving board shall be ten (10) feet; for outdoor diving areas, the bottom shall be cleared of stumps, rocks, and other obstacles. Diving boards shall be mounted on a firm foundation and the top surface shall be slip resistant and shall comply with all applicable requirements of this Code and Part 6 of the State Sanitary Code.

(2) *Aquatic staff responsibilities.*

- (i) All swimming activities at any facilities used by children's camps shall be directly supervised by the camp aquatics director. The aquatics director shall be present during all swimming and watercraft activities; shall establish and oversee all such activities at the children's camp waterfront or off-site, and shall supervise all staff and campers participating in these activities.
- (ii) The progressive swimming instructor, as defined in §48.09, shall assess the swimming ability of each camper prior to allowing the child to participate in aquatic activities.
- (iii) During all swimming activities, the camp aquatics director shall have in his or her possession, the approved written safety plan. The camp aquatics director shall maintain for each swimming session a "board" or other accountability system detailed in the written safety plan and approved by the Department for recording the name of each camper, the camper's swimming ability as determined by the progressive swimming instructor, the name of the camper's buddy with the same swimming ability, the swim area to which each camper is assigned and the time of each camper's entry to and exit from the swim area.
- (iv) At least one qualified lifeguard, as defined in New York State Sanitary Code [10 N.Y.C.R.R.] §7-2.5(g), or successor regulation, shall be provided for every 25 campers and for every 3,400 square feet of pool surface area or 50 yards of shoreline at a bathing beach. Lifeguards shall actively supervise participants in the camp's aquatic activities, as detailed in the camp's approved written safety plan. While on duty at the waterfront, qualified lifeguards shall not be engaged in duties or activities which distract them from the direct supervision of the waterfront.

(3) *Camper safety.*

- (i) The camp's permanent swimming areas shall be divided into non-swimmer and swimmer areas. Campers shall be confined to the area appropriate to their assessed swimming ability or an area requiring a lower level of swimming ability.
- (ii) Non-swimmers shall be conspicuously identified to be readily distinguishable from swimmers except where non-swimmers are restricted from entering the swimmer area by a physical barrier such as a swim crib or dock, or are in a separate pool designated only for non-swimmers.
- (iii) Non-swimmers shall be restricted to water less than chest deep, except:
 - (aa) during learn-to-swim programs; or
 - (bb) when counselors directly supervise a maximum of three non-swimmers in shallow water in the non-swimmer area.

- (iv) A detailed buddy system and "buddy board" or other accountability system detailed in the written safety plan approved by the Department shall be established for supervising and checking campers, and shall include, but not be limited to:
- (aa) an accountability system which identifies each camper by name, the camper's swimming ability and the swimming area to which the camper is assigned;
 - (bb) a record of the entry to and exit from the swim area for each camper;
 - (cc) the assignment of each camper to a buddy who shall have the same level of swimming ability. If the camp cannot avoid pairing a non-swimmer with a swimmer, both shall remain in the non-swimmer area. Only one group of three swimmers shall be allowed in each swimming area. Buddies shall be instructed to notify the lifeguard when their partner is in distress or is missing;
 - (dd) that buddy checks of the campers are made at least every 15 minutes and results recorded on the buddy board or in accordance with the accountability system detailed in the camp's written safety plan approved by the Department.
 - (ee) When the camp aquatics director has determined that campers are unable to comprehend or implement the buddy system, another method which the Department has determined provides an equivalent level of camper safety, supervision and accountability may be substituted for the buddy system and board system and included in the camp's approved written safety plan.
- (v) Prior to each aquatic activity, the camp aquatics director shall meet with all counselors assigned to the activity and review their roles and duties at the area. The review shall include emergency procedures for "lost swimmers."
- (vi) The written "lost swimmer plan" included in the camp's written safety plan shall specify duties of all staff in case of aquatic activity emergencies. The plan's emergency procedures shall be posted in a conspicuous place within the camp's permanent swimming areas and shall detail the procedures to be followed whenever there is a "lost swimmer" and the specific responsibilities of all staff. The "lost swimmer plan" shall be utilized whenever a buddy check fails to account for all swimmers and whenever a swimmer is reported missing.
- (vii) Small craft carrying passengers shall never be towed behind power or sail boats, and no small craft shall be allowed in the swimming area unless operated by lifeguards on waterfront duty.
- (viii) All boat occupants in any craft shall always wear a Coast Guard approved life jacket or vest.
- (ix) A lifeguard shall be present in any watercraft having a capacity of eight or more persons whenever carrying non-swimmers unless such watercraft is a public vessel as defined in §2(6)(a) of the New York State Navigation Law, or successor provision.
- (x) Watercraft or boats may be used only by persons having permission of the camp aquatics director or camp director.
- (xi) All persons shall wear Coast Guard approved life jackets or vests while waterskiing. Practices and equipment specified for use in waterskiing or other activities, including head protection for whitewater canoeing and personal flotation devices for specialty aquatic activities such as waterskiing, scuba diving or whitewater canoeing, shall be included in the camp's written safety plan.

(xii) All specialized aquatic activities, such as canoeing, sailing, waterskiing and scuba diving, conducted by the camp shall be under the leadership of a counselor trained in the specialty.

(4) *Off-site aquatic activities.* In addition to all other requirements of this section, off-site aquatic activities shall be offered in accordance with the following:

(i) The camp aquatics director shall be responsible for ensuring that all provisions of the camp's written safety plan pertaining to safety and supervision during aquatic activities are implemented at off-site swimming and aquatic activity facilities.

(ii) When a camp uses any off-site facility for swimming, the camp operator shall supply one lifeguard for every 75 campers provided that the owner or operator of the off-site facility has stated, in writing, that the facility has the physical capacity to accommodate the campers; the off-site facility's lifeguard(s) will be present to guard the campers; the ratio of lifeguards to swimmers complies with the requirements of this Code and the State Sanitary Code, 10 N.Y.C.R.R. Subpart 7-2 so that there is one lifeguard for every 25 swimmers and each qualified lifeguard supervises no more than 3,400 square feet of pool surface and no more than 50 yards of shoreline at bathing beaches.

(iii) When using any other off-site swimming facility, the camp operator shall supply one qualified lifeguard for every 25 campers. Each such qualified lifeguard shall supervise no more than 3,400 square feet of pool surface and no more than 50 yards of shoreline at bathing beaches. However, when campers participate in aquatic theme park activities which allow only one or two patrons in the water at a time, and the water depth does not exceed chest deep for non-swimmers, a camp supplied lifeguard shall not be required.

(iv) Prior to every trip to an off-site swimming facility not owned by the camp, the camp director shall obtain and maintain on file for each camper a written consent from a parent or guardian. The consent, in a form approved by the Department, shall be incorporated in the written safety plan and shall include the child's name and age, the destination and type of activities authorized during the field trip, and the date of the trip.

(b) *Riflery.* No camp operated in the City of New York shall include riflery as a camp activity.

(c) *Archery.*

(1) The archery range shall not endanger any person or persons in other program activities and shall be clearly marked to warn passing campers away from the danger area. The shooting area shall have at least 50 yards of clearance or an archery net behind each target. Bowmen shall fire from a common firing line and a ready line shall be marked behind it.

(2) A *ready* line shall be marked at least 15 feet behind the firing line.

(3) *The* archery supervisor shall be responsible for maintaining all archery equipment in good condition and stored under lock and key when not in use.

(4) No individually owned weapon, bows, or special equipment shall be brought to camp without the camp director's written permission. If any such article is permitted to be brought to camp, it shall be kept under lock and key and used only by the person who brought it to the facility in accordance with camp safety regulations.

(5) An archery staff-camper ratio of one for every 10 campers on the firing line shall be maintained.

(d) *Horseback Riding.*

- (1) A riding instructor shall determine the camper's riding experience and level of skill at the first day of riding, and take such experience and skill into account in assigning horses and deciding whether the camper shall ride in the ring or on the trail.
- (2) One experienced instructor shall be assigned for every 10 riders for each trail excursion and a minimum of two staff persons shall accompany such excursion.
- (3) A riding instructor means a person who holds a certificate from a riding academy acceptable to the Department after completing a course in methods and techniques of riding and who has had two years experience in teaching children to ride.
- (4) At all times, campers shall wear protective headgear certified as meeting the American Society for Testing Standards (ASTS) standard ASTM F1163, as specified in §1265 of the New York State Vehicle and Traffic Law, or successor law or regulation.
- (5) Children shall wear shoes with heels, or closed stirrups shall be used.

(e) *Arts and Crafts.*

- (1) All safety regulations peculiar to the needs of the arts and crafts programs should be well formulated and carefully enforced and supervised.
- (2) Equipment used for arts and crafts shall be in good repair, of safe design, and properly installed.

(f) *Sports.* Sufficient facilities and equipment appropriate to each sport activity and designed to protect the participants in such activity, such as masks, guards for eye glasses, shin-guards, chest protectors and non-hazardous playing fields shall be available and supplied.

(g) *Outdoor Cooking Fire Safety.*

- (1) Outdoor cooking shall be performed under the personal supervision of an adult counselor.
- (2) The counselor shall find a safe place where it will be easy to keep the fire under control.
- (3) The counselor shall demonstrate how to build a fire large enough to serve the need, but small enough for safety, and shall teach the campers how to control the fire, what steps shall be taken if the fire gets out of control and what steps shall be taken if anyone's clothing catches on fire.
- (4) The counselor shall insure that the fire is under control at all times, and shall never leave the fire unattended.
- (5) The counselor shall insure that the fire has been extinguished when no longer needed.

§48.15 Safety standards for facilities.

(a) *Fire Protection.*

- (1) The camp director shall be responsible for the regular inspection of all fire protection facilities and equipment of the camp.
- (2) If water under pressure is available, adequate lengths of hose for fire fighting shall be provided.
- (3) Fire extinguishers and other suitable fire fighting equipment shall be placed at strategic and easily accessible points.
- (4) Containers for gasoline, kerosene and other inflammable materials shall be properly marked and stored in a properly vented and locked building not occupied by campers or staff at a safe distance from program buildings and sleeping quarters. Such materials shall be used only under qualified supervision.

- (5) Fire drills shall be held within the first 48 hours of each camping session and periodically thereafter in accordance with the fire safety plan. A log with drill dates and times must be maintained and verified by the camp director. It must be available for inspection at all times.
- (6) The means of egress from all structures shall be maintained in an unobstructed, easily traveled condition at all times, and protected from hazardous areas such as heating plant, kitchen and inflammable storage.
- (7) All tents housing five or more persons shall be of the fiber-impregnated flame-retardant variety or equivalent.
- (8) Fire extinguishers and other fire fighting equipment acceptable to the Department shall be provided, inspected and tagged by the camp operator prior to the camp season. The equipment shall be maintained in operating condition at all times.
- (9) Means of egress from buildings used for sleeping quarters by 30 or more persons shall be protected by a minimum of three-quarter hour fire-resistant construction. The Department may issue a variance for one-story buildings having direct outside exits from each sleeping quarter.
- (10) Buildings used for sleeping 50 or more persons, or buildings two stories or more in height used for sleeping shall have a fire alarm system, that when activated sounds an alarm which can be heard throughout the camp. However, buildings three stories or more in height used for sleeping shall be protected with an automatic fire detection system including smoke detectors installed in corridors, assembly areas, storage rooms, stairways and heat detection devices installed in kitchens.
- (11) Sleeping quarters with an occupancy of 15 or more persons shall be provided with at least two separate means of egress located as far apart as practical. Each door shall swing in the direction of egress. Windows in a sleeping quarter two stories or less in height may be substituted for one approved exit, provided the sill is not more than three feet above the floor and the drop from the windowsill to an unobstructed area on the ground is less than 14 feet.
- (12) Two separate means of egress shall be provided from each floor of a multistory building. In buildings constructed prior to September 1, 1978, dead end corridors up to 35 feet in length are acceptable. An exitway shall lead to an outside exterior stairway that complies with the State Building Construction Code or to an interior smoke-tight passageway having a minimum of three-quarter hour fire-resistant construction and leading to the outdoors at grade. Stairs extending beyond two occupied floors shall have a self-closing, tight door at each floor level.
- (13) Except for an individual room, a door containing hardware and forming part of a means of egress shall be non-locking against egress and operable with a single motion in the direction of egress. The use of nooks and eyes, bolts, bars and similar devices is prohibited; widths of exit doors shall be a minimum of 28 inches.
- (14) All assemblage areas, including a recreation room, dining hall or chapel, shall have at least two means of egress acceptable to the Department and doors shall comply with the requirements of subdivision 14 of this subsection.
- (15) Exits from a room occupied by 15 or more persons, or exits not readily visible to the occupants, shall be identified by lighted exit signs, including directional signs where needed.

(16) Emergency lighting shall be provided for halls, stairways and exit signs where required by the Department.

(b) *Camp Equipment.* Camp equipment shall be of safe design, properly installed and kept in good order and repair.

(c)

(1) No person shall modify, develop or convert a property for use as a children's camp without first notifying the Department at least 30 days before construction commences. The notice shall give the name and location of the property, a brief description of the facilities to be provided, and the name, telephone number and mailing address of the person giving notice. The notice shall be supplemented by additional information including plans or sketches as requested by the Department. Construction shall not start prior to the required approval of the plans or sketches by the appropriate regulatory official.

(2) All new construction including alterations, enlargements and improvements shall be in accordance with the New York State Uniform Fire Prevention and Building Code 9 NYCRR (Executive (B) Subtitle S, Chapter I), the provisions of the State Environmental Quality Review Act or the New York City Building Code, whichever is stricter. The building permit and certificate of occupancy shall be readily available for review and submission to the Department. A written statement signed by a registered architect or professional engineer certifying construction compliance with the State Uniform Fire Prevention and Building Code shall be submitted to the Department prior to occupancy of all new construction.

(d) *Housing Maintenance.*

(1) A building or structure of a children's camp shall be safe, adequate in size for its use, clean, and have watertight roof and sides. However, a lean-to or an open recreational facility, which excludes rain from occupied portions of the structure, may be used as a shelter.

(2) *Heat, light and ventilation.* Windows or skylights having a minimum total area within the casement equal to 10 percent of the floor area shall be maintained in all occupied rooms; at least 40 percent of the window shall be openable. Artificial in lieu of natural lighting and mechanical ventilation may be provided in toilet rooms.

(3) Camps occupied between October 1 and May 1 shall have at least one building with heating facilities for emergency use.

(4) *Heating.* Stoves or other heat sources, where provided shall be installed and maintained in accordance with the manufacturer's instructions to avoid fire hazards and dangerous concentrations of fumes or gas. Water heaters shall not be installed in sleeping quarters.

(5) Camps which enroll children 10 years of age or under shall ensure that all windows are safely guarded, except windows giving access to fire escapes or a window on the first floor that is a required means of egress from the premises.

(e) *Location, grounds.* A children's camp shall be so located that adequate surface drainage can be provided during the period of operation and so that adequate soil and space will permit the installation and operation of proper sewage disposal system and/or water system, unless other provisions are made acceptable to the Department.

(f) *Food Sanitation.*

(1) All supervisors of food operations at all camps shall successfully complete a food protection course approved by the Department as specified in §81.15 of this Code.

(2) All food storage, preparation and service operations conducted by the camp permittee shall be in accordance with Article 81 of this Code provided, however, that the camp permittee shall not be required to obtain an additional permit to operate a food service establishment.

(3) If food is not prepared on premises, is catered, or campers are permitted to bring food from home for lunches and snacks, or food is carried off-site on trips, facilities shall be provided to maintain potentially hazardous foods at temperatures required by §81.09 of this Code,

(i) All foods shall be protected from contamination at all times.

(ii) All foods shall be prepared, processed or packed with sanitary utensils and equipment.

(iii) Packaged foods shall not be stored in direct contact with ice or water if packaging allows entry of water.

(iv) Raw fruits and vegetables shall be thoroughly washed with potable water before service.

(v) Ready to eat foods shall be protected from bare hand contact. Utensils, sanitary gloves, or other barriers shall be provided and used to eliminate bare hand contact.

(g) *Toilets; Showers.*

(1) For overnight camps, the following facilities shall be provided: one toilet or privy seat for each 15 males or less, plus one urinal for each 30 males or less; one (1) toilet or privy for each 15 females or less; at least one (1) lavatory with water under pressure for each 20 occupants or less, or other handwashing facilities acceptable to the Department.

(2) At all non-overnight camps the ratio of toilet or privy seats per camper may be one for each 30 females and one for each 60 males including one urinal for each 60 males. In addition, a minimum of one lavatory shall be provided for each 40 campers; showers are not required.

(3) Overnight camps shall provide showers with water under pressure heated to between 90 and 100 degrees Fahrenheit, and one shower head for each 20 occupants or less, shall be provided.

(4) Toilets, privy seats and lavatories as specified above shall be provided within 200 feet of the sleeping quarters; however, no privy shall be located within 50 feet of any sleeping room, dining room, mess hall or kitchen.

(h) *Sleeping quarters.*

(1) Every bed, mattress and related sleeping accessories provided by the operator, shall be clean and in good condition at the time of issue; clean sheets and pillow-cases shall be provided weekly. Laundry facilities shall be available when campers and staff provide their own linens.

(2) A minimum clear space of 27 inches above the sleeping surface of a bed, and six feet between heads of sleepers, shall be maintained; triple-decker beds are prohibited.

(3) In sleeping quarters housing more than four persons, 40 square feet of floor area per individual shall be provided to accommodate a bed, for storage of personal belongings and space for aisles and ready exit in case of fire.

(4) The Commissioner may waive any requirement setting a minimum standard of floor space per camper in a camp sleeping quarters in accordance with the State Public Health Law and the regulations pursuant thereto.

(5) An undivided room shall not have more than 35 occupants.

(6) A sleeping room shall have minimum clear height of five feet above the floor area, and at least 80 per cent of the floor area shall have a continuous minimum clear height above it of seven feet. The walls shall extend from the floor to the ceiling or roof, or to a minimum height of eight feet.

(7) At least one adult counselor shall be present during sleeping hours on every level of a building used for sleeping.

(i) *Other Environmental Controls.*

(1) *Hazardous materials.* Agricultural, commercial or household pesticides and toxic chemicals shall be stored and/or used to cause no air, surface water or ground water pollution or be hazardous to the occupants of the camp. They shall be stored in their original containers in areas designated for such use.

(2) *Vector and vermin control.* The premises are to be free of insect and rodent infestation that may cause a nuisance or health hazard. Bats shall be excluded from living areas of occupied buildings.

(3) *Refuse storage and disposal.* Refuse shall mean solid wastes. Facilities shall be provided and maintained for the storage, handling and disposal of refuse to prevent nuisance conditions, insect and rodent infestations and pollution of air and water.

(4) No animals suspected of carrying a communicable disease shall be kept in camp. Animals kept in *camp* shall comply with the Environmental Conservation Law and with the Agriculture and Markets Law.

§48.17 Health and medical care.

(a) A camp health program shall be maintained under the supervision of a physician and shall include the keeping of comprehensive health records including records of physical examinations of each child and each adult; appropriate and adequate nutrition; emergency plan; first aid procedures; plan for reported accidents, disaster, search and rescue for lost, missing and runaway persons; daily observation of the children; daily check of food service and food service facilities; and adequate cleanliness and maintenance of all facilities.

(b) In addition to the health director, there shall be one staff member for every 50 campers who shall have at least a current certificate indicating completion of a course in Standard First Aid and Personal Safety or Standard First Aid (Modular System) from an accredited training program such as the American Red Cross. Also, in addition to the waterfront supervisor, one on-site staff member per 100 campers should possess a basic life support cardiopulmonary resuscitation (CPR) certificate as issued by the American National Red Cross or equivalent certifying agency.

(c) A New York State Registered Nurse or a Licensed Practical Nurse shall be in attendance at all camps serving 100 or more campers whose primary constituency is handicapped or retarded children.

(d) Camps which predominantly serve handicapped children shall include in their camping program files their written plan for treating the special physical and/or mental problems of such children.

(e) Every child in camp shall have a record of a thorough medical examination by a licensed physician within one year prior to admission. Such record shall include a signed statement containing a summary of the results of the examination, the past medical history and, if a disease or abnormal condition is found, recommendations for exclusion or treatment of the child, or modification of his activities; or plan for the health supervision of a handicapped child. In

addition, a current medical history, including the child's immunization record which shall include immunization dates against diphtheria, measles, mumps, poliomyelitis, rubella and tetanus, shall be kept on file for every camper and updated annually. The camper's and staff's family or other responsible person's name, address, and telephone number to contact during an emergency shall be kept on file.

(f) If there is a bona fide religious objection to physical examination or immunization with respect to any child, there shall be submitted a written statement signed by parents or legal guardian to the effect that such child is in good health and that they assume the health responsibility for the child while in camp with the understanding they will be notified immediately if anything unforeseen occurs. Such statement shall include a provision that if the camp is unable or does not have the opportunity to locate the persons designated to be notified in case of emergency, camp authorities may take such emergency measures as they deem appropriate.

(g) Every staff member including kitchen and maintenance staff shall have had a recent medical examination including regular tuberculin testing as approved by the Department.

(h) Written arrangements for emergency medical services shall be made with an ambulance organization and with a hospital, clinic or doctor's office, as close as possible to the camp where children can be taken in case of serious injury or illness.

(i) All parents and legal guardians shall sign a statement providing in the event of the camp's inability to locate promptly a person designated to be notified in case of emergency, camp authorities may take such emergency measures as they deem appropriate and shall notify the parent or legal guardian as soon as possible.

(j) A record shall be kept containing information permitting immediate notification of a camper or staff member's family in case of emergency and shall include full name, age, home and work addresses and phone numbers of parents, guardians, or other family members to be notified.

(k) All camper and staff injuries, illnesses, and diseases and conditions reportable to the Department in accordance with Article 11 of this Code, shall be reported to the camp health director and recorded in the medical log, including the date and time of the illness or injury, nature of complaint, diagnosis, treatment, disposition of case, area in camp where the accident causing the injury occurred, activity in which accident victim was engaged and tool or item of program equipment or other object causing injury. In addition, all camper and staff injuries or illnesses which result in death or which require resuscitation or admission to a hospital, all instances where epinephrine was administered to a staff member or camper, camper injuries to the eye, head, neck or spine which require referral to a hospital or other facility for medical treatment, camper injuries where the victim sustains second or third degree burns to five percent or more of the body, camper injuries which involve bone fractures or dislocations, camper lacerations requiring sutures, camper physical or sexual abuse allegations; all camper and staff illnesses suspected of or confirmed as being water-, food- or air-borne, or spread by contact; and any persons exposed to rabies shall be reported by the designated camp health director or camp operator within twenty-four hours to the Department. Any camper or staff member suspected of having a communicable disease shall be suitably isolated. No individual known to be a carrier of a communicable disease listed in Part 2 of the State Sanitary Code or Article 11 of this Code shall be employed at a children's camp.

(l) At all camps there shall be an equipped first aid cabinet with appropriate contents relative to size and activities of the camp and a telephone service emergency communications system. In

addition, all non-overnight camps which travel from their home base shall carry with them an adequately and properly equipped First Aid Kit.

(m) An infirmary having hot and cold running water, examining room, isolation area, convalescent space, bathroom with flush toilets and showers shall be provided at all resident camps with one hundred or more persons in residence including staff.

(n) Serious illness or accident shall be reported to the appropriate Bureau in the Department within 24 hours.

(o) In all non-overnight camps a quiet place shall be set aside away from the group where a child with a minor illness or injury can relax with an adult counselor in attendance.

(p) The camp health director may be a physician, nurse practitioner, physician's assistant, registered nurse, licensed practical nurse, emergency medical technician, or other person acceptable to the Department. At a children's overnight camp, the camp health director shall be on-site. At a summer day camp or a children's traveling summer day camp, the camp health director shall be available as specified in the camp's approved written safety plan. If not on-site, the camp health director shall designate an assistant as specified in the camp's approved written safety plan.

(q) Reserved.

§48.19 Compliance with other laws.

(a) All camp premises shall comply with all applicable provisions of the Building Code (Administrative Code) of the City of New York and the Zoning Regulations of the City of New York.

(b) No camp premises shall be operated or maintained unless the operator has obtained:

- (1) a certificate of occupancy; or when such certificate is not required by the Administrative Code, a statement from the Department of Buildings that the camp premises comply with all applicable laws enforced by such Department; and
- (2) a statement from the New York City Fire Department that the camp premises comply with all applicable laws and regulations pertaining to fire control and the fire prevention directives of the New York City Fire Department.

(c) All electrical services shall comply with the Administrative Code of the City of New York and the rules and regulations of the New York City Department of Public Works, Bureau of Gas and Electricity. Swimming pool facilities shall comply with the applicable provisions of Article 165 of this Code and shall also comply with the requirements of the New York City Building Code (Administrative Code) and Zoning Regulations.

(d) All new electrical wiring and lighting fixtures shall be installed by a licensed electrician in accordance with the New York City Building Code or the National Electric Code of the National Fire Protection Association, whichever is stricter, and all existing electrical service, wiring and fixtures shall be in good repair and safe condition. Where conditions indicate a need for inspection and on a new or remodeling project, the electrical service and wiring shall be inspected by a qualified electrical inspector and a copy of the certificate of approval shall be submitted to the Department.

(e) Camp drinking water facilities shall comply with Article 141 of this Code. Common drinking utensils are prohibited. Drinking fountains when provided shall be in accordance with the New York State Uniform Fire Prevention and Building Code.

§48.21 Insurance.

(a) Adequate insurance coverage shall be obtained prior to the camping season and shall include workers' compensation for the camp staff, comprehensive liability and motor vehicle insurance on camp vehicles.

(b) Camp transportation units shall be covered by minimum liability insurance of \$100,000 for death or injury to any one person and \$500,000 for two or more persons.

(c) A camp shall also carry a non-owner policy for all transportation units used but not owned by the camp.

(d) Every vehicle used for transporting staff or campers shall comply with the regulations of the Department of Motor Vehicles and State Department of Transportation and be equipped with at least a first aid kit, tools, fire extinguishers and flares.

(e) In addition, the camp shall arrange for the purchase of accident and health insurance at a minimum coverage of \$1,000 for accidents and \$300 for illness for each staff member and campers.

(f) All Children's Traveling Summer Day Camps shall arrange for purchase of accident and health insurance at a minimum coverage of \$5,000 for accident, \$1,000 for illness for each staff member and camper, and shall have a minimum liability insurance of \$100,000 for death or injury to one person.

(g) All Summer Day Camps, Children's Overnight Camps, and Children's Traveling Summer Day Camps shall provide the New York City Department of Health with name, address and telephone numbers of the insurance company, including the amount of coverage for campers and staff.

§48.23 Transportation.

(a) All transportation equipment shall be maintained in a safe operating condition and shall bear the required inspection sticker of the New York State Department of Motor Vehicles or, where required, the inspection sticker of the New York State Department of Transportation and be equipped with at least a first aid kit, tools, fire extinguisher and flares.

(b) All operators of vehicles for camps shall be at least 18 years old, shall possess a current valid driver's license and have at least one year's driving experience as a licensed operator.

(c) All bus operators shall have a current valid chauffeur's license, be physically capable of handling equipment and have driving records free from serious accidents and violations.

(d) While children are being transported by private conveyance, they shall be under the supervision of at least two staff members at least eighteen years of age in addition to the driver.

(e) No camp operator shall knowingly permit any child to embark for, or depart from, the camp premises unless at all times accompanied by a parent, legal guardian or adult counselor.

(f) A truck shall not be used as a means of transporting children except in the cab.

(g) Drivers of vehicles should not be counted as staff members and should never be used to supervise children.

(h) Children's Traveling Summer Day Camp and Municipal Traveling Summer Day Camp must receive written permission from camper's parents or legal guardians to be transported (by public or private transportation) on a regular schedule to a facility, site or property for the purpose of organized group activities.

(i) The camp operator of a Children's Traveling Summer Day and Municipal Traveling Summer Day Camp shall be responsible for instituting a program of accountability for each child

on trips and shall have regular checking of children by roll call after each rest or activity stop or whenever potential problems concerning accountability for presence of each child may arise.

(j) The operator of a Children's Traveling Summer Day Camp and Municipal Traveling Summer Day Camp shall be responsible for the safety of the children from Home Base to the camp site and be accountable for the safe delivery of all campers to their respective home at the end of every camping day.

(k) No camper in a Children's Traveling Summer Day Camp or Municipal Traveling Summer Day Camp shall be left or released to the care of any person other than a parent, legal guardian or any other person so designated legally or in writing by the natural parent or legal guardian of said child at the end of every camping day.

§48.25 Additional requirements for camps with camper enrollments of 20 percent or more developmentally disabled campers.

(a) *Personnel and Supervision.*

(1) The camp director, who may also be the camp operator, must possess a Bachelor's Degree from an accredited program in the field of physical education, recreation, education, social work, psychology, rehabilitation or related human services fields and must present evidence of specialized training or one year of experience in treating or working with the developmentally disabled.

(2) A camp director does not have to meet the requirements of paragraph (1) above if:

(i) The individual was a camp director for a camp for developmentally disabled campers during each of the three camping seasons preceding the 1986 camping season; and

(ii) Conditions at the camp did not threaten the health or safety of campers during that person's tenure as camp director; and

(iii) The individual otherwise meets the minimum qualifications for a camp director, as set forth in §48.09 of this Article.

(3) The ratio of counselors to campers who are confined to wheelchairs or require the use of adaptive equipment or bracing to achieve ambulation, but who do not possess, for whatever reason, the ability to fit, secure or independently manipulate such devices satisfactorily to achieve ambulation, shall be 1:2.

(4) The camp director shall develop a written staff training program appropriate to the specific needs of the developmentally disabled enrolled in the camp.

(b) *Medical Requirements.*

(1) The camp health director must be a physician, physician's assistant, registered nurse or licensed practical nurse and must be on-site for the period the camp is in operation.

(2) The camper's confidential medical history shall include the camper's physician's name, address and telephone number, and identification of the camper's seizure disorders, allergies, and/or any existing communicable disease.

(3) The number of staff members, in addition to the camp health director, who must possess at least a current Standard First Aid and Personal Safety certificate issued by the American Red Cross or its equivalent acceptable to the State Commissioner of Health shall be a minimum of one per 50 campers or fraction thereof or Standard First Aid (Modular System).

- (4) Modified diets must be identified by specific camper prior to arrival at camp, planned for, provided for in accordance with supplied directions, and reviewed by the designated camp health director.
- (c) *Toilets, privies, lavatories, showers.* All lavatories and showers used by the physically handicapped shall be equipped with specialized fixtures, grab bars and controls.
- (d) *Transportation.*
- (1) A camp serving wheelchair-bound campers shall provide an appropriately equipped vehicle for transportation.
 - (2) There shall be at least one counselor in addition to the driver in any vehicle transporting campers or as provided in the camp safety plan approved under §48.11 of this Article.
- (e) *Recreational Safety.*
- (1) All appropriate recreational activities shall be accessible by providing ramps, proper surfaces for movement, and/or adaptive equipment.
 - (2) The minimum counselor-to-camper ratio during swimming pool and waterfront activities shall be:
 - (i) One counselor for each camper with a seizure disorder or with any other handicapping condition identified by the camper's parents, guardian, physician or residential care provider that might result in unusual emergencies in the water;
 - (ii) One staff member for every five (5) campers not designated in (i).
 - (3) No camper can participate in swimming activities unless a written permission statement signed by the camper's parent or guardian or the residential care provider is on file at the camp. Also, special medical restrictions should be specified in writing in the camper's confidential medical history.
 - (4) The camp safety plan approved under §48.11 of this Article shall contain a procedure to address the handling of seizures, gag syndrome and choking on ingested water. All waterfront and swimming pool staff must be trained to implement the procedure prior to the date the camp begins operation. Drills using this procedure shall be conducted and documented within two weeks of the commencement of the camp's operation and at two week intervals during the duration of the camp's operation.
- (f) *Location; grounds.* Exterior paths of travel shall be free of encumbrances and provide an appropriate surface for movement during inclement weather as appropriate for the camp population being served.
- (g) *Sleeping quarters.*
- (1) Buildings housing non-ambulatory or wheelchair-bound campers shall have ramps constructed in accordance with the New York State Fire Prevention and Building Code 9 NYCRR (Executive (B) Subtitle S, Chapter I) to facilitate access and egress and shall maintain a minimum 36 inch wide clear path to exits if two ramps are provided or a 60 inch wide clear path when only one ramp is provided.
 - (2) Non-ambulatory campers shall not have their sleeping accommodations above the ground floor.

§48.27 Modification.

When the strict application of any provision of this Article presents practical difficulties or unusual or unreasonable hardships, the Commissioner in a specific instance may modify the application of such provision consistent with the general purpose and intent of this Article and upon such conditions as in his opinion are necessary to protect the health of the children. A copy

of the modification shall be furnished to the New York State Department of Health, New York City Affairs Office. Such variance shall be approved or denied within 30 days of the request. The denial by the Commissioner of a request for modification may be appealed to the Board in the manner provided by §5.21.

§48.28 Nutritional requirements for beverages; camper access to vending machines.

(a) *Sugary Drinks*. Except as provided in subdivision (c) and (d), permittees must not serve campers beverages that contain more than ten (10) calories per eight (8) ounces or beverages that are sweetened with sugar or another caloric sweetener including, but not limited to, high fructose corn syrup, sucrose, and honey.

(b) *Additives*. Beverages that permittees provide to campers must not contain caffeine, artificial sweeteners, or non-nutritive sweeteners including, but not limited to, stevia and erythritol.

(c) *Milk*. Except when permitted by federal law, milk that permittees provide to campers must be unflavored, unsweetened milk with 1% or less milk-fat, unless milk with a higher fat content is medically required for an individual child as documented by the child's medical provider.

(d) *100% Juice*. Except when permitted by federal law, permittees must not provide more than one portion of juice to campers daily, and such portion must not contain more than six (6) ounces and must consist of 100% fruit or vegetable juice.

(e) *Water*. Potable water to which no artificial or natural sweetener has been added must be made available and be easily accessible to campers at all times, including at meals and snacks.

(f) *Vending machines*. Wherever feasible and practicable, permittees must restrict access to food and beverage vending machines in child-accessible areas of the camp during camp hours of operation, and must prohibit campers from using food and beverage vending machines during camp hours and on camp trips.

§48.29 Overnight Camps, Summer Day Camps, Traveling Summer Day Camps; Enrollment Application Requirements.

Any enrollment application forms and/or enrollment contract forms mailed or delivered to a person for purposes of enrollment of a child for any children's overnight camp, children's summer day camp and traveling summer day camp shall contain or be accompanied by a written statement which declares:

(a) That such camp is required to be licensed by the New York City Department of Health and Mental Hygiene;

(b) That such camp is required to be inspected twice yearly; and

(c) The address where inspection reports concerning such camp are filed.