

4301:1-1-17. Sanitation requirements.

(A) This rule shall be known as the "Sanitation requirements."

(B) It shall apply to the permit premises of all holders of permits that authorize retail sales, and to any other permit premises under a permit allowing sales for consumption of alcoholic beverages on the premises, except as provided for in paragraph (G) of this rule.

(C) All such premises shall be provided with an adequate supply of hot and cold running water from a source satisfactory to the board or department of health of the health district in which such premises are located.

(D) All rooms, basements, or other places used to sell, serve, store or consume alcoholic beverages shall be maintained in a clean and sanitary manner at all times.

(E) All fixtures and equipment, including bars, tables, counters, coolers, kitchen utensils and equipment, refrigerators, and extra beer tap rods shall be maintained in a clean and sanitary manner at all times.

(F) This paragraph applies only to permit premises to which permits are issued that allow for the sale of alcoholic beverages for on-premises consumption. This paragraph does not apply to A-3A or D-8 permit holders. Such permit premises shall have:

(1) Except as otherwise provided in this section, separate Separate toilet facilities for men and women. Toilet facilities shall contain at least one toilet, complete with seat. If two or more toilets are installed, partitions and doors shall be provided to ensure complete privacy. The requirement for separate toilet facilities for men and women is not applicable to an A-1 or A-2 permit holder to whom the division has not also issued an A-1A liquor permit. Such A-1 and A-2 permit holders are required to have toilet facilities that meet the remaining requirements of this rule.

(2) Water-flushed toilets, if the permit premises are located in a place where a public water supply and a public sewage system are available.

(3) Toilet facilities of a type and kind approved by the board or department of health of the health district in which the permit premises are located, if the permit premises are located in a place where a public water supply and a public sewage system are not available. Such toilet facilities shall be installed in accordance with specifications of such board or department of health.

(G) All toilet facilities shall be reasonably soundproof, shall be located and constructed so as to assure complete privacy, and shall be easily accessible. No entrance to such toilet facilities for patron or customer use shall open into a kitchen. All toilet facilities shall be in compliance with the standards of the board or department of health of the health district in which such premises are located.

(H) Hand-washing facilities, including wash bowl or lavatory with running water, shall be provided either in each of the separate toilet facilities for men and women, or shall be located convenient to

the toilet facilities. In either case, in connection with each such wash bowl or lavatory, there shall at all times be available soap and individual-type sanitary towels or hand dryers.

(I) All toilet facilities shall be kept at all times in a clean and sanitary condition, free from filth and accumulated waste, and in good repair.

(J) All alcoholic beverages held or offered for sale shall be maintained in a potable condition. Conviction in any court of competent jurisdiction of any permit holder, or agent or employee of a permit holder, under section 4399.15 of the Revised Code, shall constitute a violation of this rule.

(K) Any retail permit holder located in an enclosed shopping center, as defined in division (B)(17) of section 4301.01 of the Revised Code but excluding a retail permit holder in a free-standing building on the enclosed shopping center tract of land, or in a multi-tenanted building wherein separate restrooms for men and for women are provided by the owner of such building for the use of the public frequenting the building, or for the use of the customers of all of the tenants in such building, is not required to have separate restrooms on the permit premises, provided that the common restrooms meet the requirements of the local board of health; but no permit holder shall use for its customers the restrooms of another permit holder if such restrooms are located on the permit premises of another permit holder.

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Rule Amplifies: 4301.03(B).

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