

RULES AND REGULATIONS

**ARTICLE XII
CARBON MONOXIDE
HAZARDS**



542 4th Avenue
Pittsburgh, PA 15219
412.687.ACHD (2243)

alleghenycounty.us/healthdepartment

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ALLEGHENY COUNTY HEALTH DEPARTMENT

Rules and Regulations

ARTICLE XII: CARBON MONOXIDE HAZARDS

1201. PURPOSE

To prevent the creation of carbon monoxide hazards within structures by the installation or use in an unsafe manner of heaters, vehicles, tools, generators, appliances, stripping or cleaning devices, and ice resurfacing equipment.

1202. DEFINITIONS

Director, the term "Director" shall mean the Director of the Allegheny County Health Department or authorized representative.

Person, the term "Person" shall mean an individual, firm, corporation, partnership, association or political subdivision.

Department, the term "Department" shall mean Allegheny County Health Department.

Fresh Air, the term "Fresh Air" shall mean air obtained directly from outdoors.

Approved Heater, the term "Approved Heater" shall mean those approved by the American Gas Assn. Laboratories, and have otherwise demonstrated its safety to the satisfaction of the Director.

Carbon Monoxide Producing Device, any furnace, tool, heater, water heater, vehicle, generator, appliance, cleaning or stripping device, ice resurfacing machine or other device utilizing a carbon based fuel run within a structure. This does not include wood or coal fueled furnaces or vehicles licensed by the Pennsylvania Department of Motor Vehicles.

Ice Arena, any building with a roof and partially or fully enclosed side which contains an ice rink.

Ice Resurfacing Machine, any internal combustion engine powered machine used for modifying the ice rink surface.

1203. It shall be unlawful to run, operate or utilize any carbon monoxide producing device within a building open to the public unless adequate ventilation is available and utilized so as to prevent the accumulation of carbon monoxide anywhere within the structure to a level of 35 ppm (parts per million) or greater.

1204. It shall be unlawful to install or operate, within the County of Allegheny, any carbon monoxide producing device in a structure open to the public or in any dwelling unit that by its design, installation, or use creates a risk of health by reason of production of carbon monoxide or depletion of available oxygen.

1205. INSTALLATION AND USE

A. It shall be unlawful to install or use any unapproved gas room or space heater. With the exception of approved unvented heaters, all types of gas room, space and water heaters installed or used in the County of Allegheny shall be connected to a proper, adequate and safe chimney, flue or vent. Adequate ventilation for combustion purposes shall be provided.

B. No unvented heater shall be installed in sleeping quarters, bathrooms, recreational vehicles,

mobile homes or institutions such as, but not limited to, homes for aged, sanitariums, convalescent homes, orphanages, rooming houses, daycare centers, and schools.

- C. Fresh air, directly from outdoors, must be provided in accordance with manufacturer's instructions when using an approved unvented heater.

1206. ENTRY AND INSPECTION OF DWELLINGS AND OTHER STRUCTURES

- A. Subject to the limitations of the Constitutions of the United States and of the Commonwealth of Pennsylvania, and in order to carry out the purpose and provisions of these Rules and Regulations, the Director, upon showing proper identification of office, may enter and inspect any dwelling structure or place of business at all reasonable times and in an emergency at any time, the owner, operator or occupant of any dwelling or structure shall give the Director free access for the purpose of such inspection.
- B. An owner of a dwelling or other structure or authorized agent may enter the dwelling or structure at all reasonable times for the purpose of complying with any provision of these Rules and Regulations or with any order issued thereunder.

1207. ALLEGED VIOLATIONS

- A. Whenever the Director determines that there has been a violation of any provision of these Rules and Regulations, he shall give notice of the alleged violation in the manner provided in this section to the responsible party.
- B. The notice shall:
 - 1. Be in writing;
 - 2. Include a statement of the reason why it is being issued;
 - 3. Specify a reasonable time for the performance of any act it requires; and
 - 4. Inform the person responsible for compliance of right to a hearing.
- C. The notice shall be served in the following manner:
 - 1. By handing a copy to the responsible party or agent; or
 - 2. By sending a copy to last known address by regular mail; or
 - 3. By posting a copy in a conspicuous place in or about the facility.

1208. HEARINGS

Any person aggrieved by a notice or decision may request and shall be granted a hearing in compliance with ARTICLE XI of the Allegheny County Rules & Regulations.

1209. EMERGENCY ORDER: ACTION BY DIRECTOR WITHOUT PRIOR NOTICE

Whenever the Director determines that an emergency exists which necessitates immediate action to protect the public health, safety or welfare, he shall without prior notice, issue an order reciting the existence of the emergency and requiring whatever action he deems advisable to meet the emergency, notwithstanding the provisions of Sections 1207 and 1208, this order shall be effective upon issuance and shall be complied with immediately. If a verbal order is issued, it shall be reduced to writing and served upon the responsible party within 24 hours of issuance.

1210. ORDERS: NON-COMPLIANCE

In the event of the failure to comply with an order issued pursuant to any section of these Rules and Regulations, the Director may institute appropriate actions or proceedings at law or in equity to restrain, correct or abate the violation of the order, or he may cause the order to be carried out at the expense of

the County. The County may recover the amount of the expense in the manner provided by law for the collection of municipal claims.

1211. MAINTENANCE OF AIR QUALITY AT AN ICE ARENA

- A. Owner/operators of ice arenas utilizing a carbon monoxide producing device shall monitor the levels of carbon monoxide in the (ambient) air within the facility and maintain the air at all times below a level of 35 ppm of carbon monoxide. Measurement of such carbon monoxide levels shall be done in a manner approved by the Department and records of monitoring shall be maintained in a manner and on such forms as the Department may so direct. All carbon monoxide monitors shall have a valid calibration and be capable of on-site calibration.
- B. (1) All information contained on carbon monoxide monitoring forms shall be made available to the Director and on reasonable request, to any person with an interest in the operation of the ice arena including, but not limited to, headmasters/school superintendents, league/association officials, referees and coaches, users or parents.

(2) The owner/operator of an arena must post a notice in the ice arena foyer or other location readily accessible to the public that carbon monoxide is routinely monitored and monitoring reports are available for inspection as required by the Allegheny County Health Department. The owner/operator of an ice arena shall measure air quality conditions each time the ice is cut or resurfaced. The measurement shall be made: at board height at the red line or mid ice following the use of the ice resurfacing machine or other areas as approved by the Director and prior to resumption of skating.
- C. Any time the carbon monoxide level of an ice arena when in use reaches or exceeds 35 ppm for a period of 30 minutes or longer, the owner/operator shall immediately suspend skating at the facility and provide additional ventilation until the levels of carbon monoxide are below 35 ppm.
- D. Any time the carbon monoxide level in an ice arena which is open to the public reaches 100 ppm, the owner/operator shall close the facility and evacuate the building of all persons except for employees involved with maintenance and ventilation. The facility shall remain closed until an evaluation of the facility and corrective action plans have been submitted to and approved by the Director.
- E. The owner/operator of an ice arena shall immediately notify the Health Department upon any closure required by the presence of carbon monoxide at a level of 100 ppm or above when the facility is open to the public.
- F. Any time the facility reaches or exceeds a level of 35 ppm for 30 consecutive minutes, three (3) times within a 24-hour period, the owner/operator shall close the facility and it shall remain closed until the Director has been satisfied that the levels of carbon monoxide have been consistently reduced and maintained at a level below 35 ppm.

1212. REGISTRATION OF ICE ARENAS

The owner/operators of any ice arena utilizing ice resurfacing equipment run with a carbon based fuel shall register yearly with the Department on forms provided by the Department. The Department may charge an annual registration fee.

1213. PENALTIES

- A. Summary Offenses**--Any person who violates any of the provisions of this article or any rule or regulation of the Allegheny County Department of Health, or who interferes with the Director or any other agent of the Department of Health in the discharge of official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before any alderman or justice of the peace of Allegheny County, or before any police magistrate if such offense be committed in a city of the second class, be sentenced to pay the costs of prosecution and a fine of not less than thirty dollars (\$30) nor more than three hundred dollars (\$300) and, in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.
- B. Misdemeanors**--Any person who violates any of the provisions of this article or any rule or regulation of the County Department of Health, or who interferes with a Health Director or any other agent of the Department of Health in the discharge of official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) or to undergo imprisonment not exceeding one (1) year, or both.
- C. Separate Offenses**--For the purpose of this section, violations on separate days shall be considered separate offenses. Each violation of any separate subsection or section of this article shall constitute a separate offense.

1214. UNCONSTITUTIONALITY CLAUSE

Should any section, paragraph, sentence, clause, or phrase of these Rules and Regulations be declared unconstitutional or invalid for any reason, the remainder of said Rules and Regulations shall not be affected thereby.

1215. These Rules and Regulations shall become effective May 1, 1993.