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LRB094 03623 RXD 39623 a

1 AMENDMENT TO HOUSE BILL 43

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 43 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Construction Site Temporary Restroom Facility Act.

6 Section 5. Legislative finding. It has been established by  
7 scientific evidence that improper plumbing can result in the  
8 introduction of pathogenic organisms into the potable water  
9 supply, result in the escape of toxic gases into the  
10 environment, and result in potentially lethal disease and  
11 epidemic. It is further found that minimum numbers of plumbing  
12 facilities and fixtures are necessary for the comfort and  
13 convenience of workers and persons in public places.

14 Section 10. Temporary restroom facility. The owner or the  
15 owner's representative of a temporary building or building  
16 under construction, that is not yet occupied for its intended  
17 purpose, shall ensure that employees working on the  
18 construction site have access to restroom facilities which meet  
19 the following requirements:

20 (1) Toileting facilities shall be enclosed and  
21 discharged into a sanitary sewer. In lieu of connecting to  
22 a sewer, the sanitary facility may be a portable, enclosed,  
23 chemically-treated tank-tight unit.

1           (2) If individual portable units are used, separate  
2           toileting facilities are not required for males and  
3           females. Toileting facilities shall be provided based on  
4           the Occupational Safety and Health Administration  
5           construction sanitation standards, which are as follows:

6                   (A) For 20 employees or less, one toilet facility  
7                   shall be provided.

8                   (B) For 20 employees or more, one toilet facility  
9                   and one urinal per 40 workers shall be provided.

10                   (C) For 200 or more employees, one toilet facility  
11                   and one urinal per 50 workers shall be provided.

12           (3) Hand cleansing units shall be provided.

13           (4) All non-sewered units shall be pumped and cleansed  
14           regularly to ensure adequate working facilities.

15           (5) For non-residential temporary buildings or  
16           non-residential buildings, the restroom facilities shall  
17           be located within 300 feet of the entrance of the building  
18           under construction.

19           (6) For residential temporary buildings or residential  
20           buildings, the restroom facilities shall be made readily  
21           available in nearby areas.

22           Section 15. Enforcement. Inspectors employed by  
23           municipalities and counties may inspect construction sites to  
24           ensure compliance with this Act.

25           Section 20. Penalty.

26           (a) Any owner who fails or refuses to comply with the  
27           provisions of this Act shall be deemed guilty of a petty  
28           offense.

29           (b) Any owner convicted of violating the provisions of this  
30           Act shall be subject to a conviction for succeeding offenses  
31           for each day he or she fails or refuses to comply with the  
32           provisions of this Act.

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".