

CHAPTER 25

NEW JERSEY YOUTH CAMP SAFETY STANDARDS

Authority

N.J.S.A. 26:12-1 et seq., specifically 26:12-5.

Source and Effective Date

R.2003 d.350, effective July 30, 2003.  
Sec: 34 N.J.R. 3454(a), 35 N.J.R. 4082(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 25, New Jersey Youth Camp Safety Standards, expires on January 26, 2009. See: 40 N.J.R. 4888(a).

Chapter Historical Note

Chapter 25, Youth Camp Safety Act Standards, was adopted as R.1974 d.156, effective June 19, 1974. See: 6 N.J.R. 180(a), 6 N.J.R. 264(b).

Pursuant to Executive Order No. 66(1978), Chapter 25, Youth Camp Safety Act Standards, was readopted as R.1983 d.186, effective May 20, 1983. See: 15 N.J.R. 467(a), 15 N.J.R. 918(b).

Pursuant to Executive Order No. 66(1978), Chapter 25, Youth Camp Safety Act Standards, was readopted as R.1988 d.269, effective May 19, 1988. See: 20 N.J.R. 463(a), 20 N.J.R. 1428(a).

Pursuant to Executive Order No. 66(1978), Chapter 25, Youth Camp Safety Act Standards, was readopted as R.1993 d.264, effective May 11, 1993. See: 25 N.J.R. 756(a), 25 N.J.R. 2546(b).

Chapter 25, Youth Camp Safety Act Standards, was repealed, and Chapter 25, New Jersey Youth Camp Safety Standards, was adopted as R.1998 d.226, effective May 4, 1998. See: 30 N.J.R. 812(a), 30 N.J.R. 1602(b).

Chapter 25, New Jersey Youth Camp Safety Standards, was readopted as R.2003 d.350, effective July 30, 2003. See: Source and Effective Date.

Cross References

Child care center physical facility requirements, see N.J.A.C. 10:122-5.1 et seq.

Children's group home physical facility requirements, see N.J.A.C. 10:128-4.1 et seq.

Children's shelter physical facility requirements, see N.J.A.C. 10:124-5.1 et seq.

Residential child care facility maintenance and sanitation requirements, see N.J.A.C. 10:127-4.4.

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SUBCHAPTER 1. GENERAL PROVISIONS

**8:25-1.1 Purpose**

(a) This chapter sets forth the standards necessary to promote, protect, and safeguard the health and well-being of the youth of the State who attend day camps and resident camps.

(b) This chapter establishes the minimum standards with which youth camps shall comply in order to receive and maintain approval from the Department.

**8:25-1.2 Scope**

This chapter shall apply to all private day and resident youth camps operating in New Jersey. The provisions of this chapter shall be enforceable by the Commissioner of the Department of Health and Senior Services or his or her designee.

**8:25-1.3 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Act” means the New Jersey Youth Camp Safety Act, P.L. 1973, c.375, N.J.S.A. 26:12-1 et seq., and any amendments thereto.

“Activity specialist” means a person who has specialized training and/or experience in a hazardous camp activity.

“Adult” means a person who is at least 18 years of age.

“Applicant” means any private individual, partnership, corporation, or other entity, whether for profit or nonprofit, who applies to the Department on prescribed application forms (see N.J.A.C. 8:25-2.2) for the purpose of requesting a certificate of approval to operate a day or resident youth camp.

“Approved” means a youth camp has been determined acceptable to the State Department of Health and Senior Services or the local health authority, based on its determination as to conformance with the requirements of this chapter.

“Buddy system” means a pairing of campers in order to facilitate the accounting of all campers.

“Camp director” means an individual who is in charge of the youth camp and who is qualified in accordance with N.J.A.C. 8:25-3.2.

“Campsite” means land, including natural features, where the main camp facilities are located.

“Commissioner” means the Commissioner of the Department of Health and Senior Services or his or her designee.

“Counselor” means a staff member who is at least 16 years of age.

“Department” means the New Jersey State Department of Health and Senior Services.

“Facility” means a structure, including furnishings and installations, on a campsite used for living and program purposes.

“Health director” means an adult who meets the qualifications required by N.J.A.C. 8:25-5.2 and who is responsible for the proper medical recordkeeping, care, and treatment of all campers as required in this chapter.

“Lifeguard” means a person who is at least 16 years of age and who holds a lifeguarding certificate from an organization recognized by the New Jersey Department of Health and Senior Services, in accordance with N.J.A.C. 8:25-9.2(a).

“Lifeguard supervisor” means an adult who meets the qualifications for a lifeguard and who is in charge at a waterfront and supervises swimming and watercraft activities and related staff, in accordance with N.J.A.C. 8:25-9.2(a).

“Local health authority” means the local board of health of any municipality or the boards, body, or officers in such municipality lawfully exercising any of the powers of a local board of health under the laws governing such municipality.

“Passenger vehicle” means a motorized vehicle that has a capacity of nine or fewer persons.

“Pit toilet” means a receptacle for the containment and disposal of excrement which is not connected to a pressurized water supply.

“Privy” means an outbuilding with one or more seats containing a pit for use as a toilet.

“Sanitary sewage” means any liquid waste containing animal or vegetable matter in suspension or solution, or the water carried wastes resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water carried wastes of human origin or containing putrescible material. This term specifically excludes industrial, hazardous, or toxic wastes and materials.

"Septage" means the combination of liquid and solid residues resulting from the treatment of water-borne domestic waste in on-site treatment systems.

"Solid waste" means any garbage, refuse, sludge, or any other waste material if it is disposed of by being discharged, deposited, injected, dumped, spilled, leaked, or placed into or on any land or water so that such material or any constituent thereof may enter the environment or be emitted into the air or discharged into ground or surface waters.

"Type I school bus" means a school bus having a capacity of 17 to 58 passengers, as determined by the vehicle manufacturer.

"Type II school bus" means a school bus having a capacity of 10 to 16 passengers, as determined by the vehicle manufacturer.

"Vehicle" means any motorized carrier used on public highways to transport campers to and from camp or places incidental to the camp program.

"Youth camp" means any parcel or parcels of land having the general characteristics and features of a camp as the term is generally understood, used wholly or in part for recreational or educational purposes that accommodates five or more children under 18 years of age, other than counselors or lifeguards, for a period of, or portions of, two days or more and includes a site that is operated as a day camp or as a resident camp. The term "youth camp" does not include a day program which offers only a minimal recreational component if the recreational component included in the day program involves no hazardous recreational activity such as (but not limited) to aquatics, archery, horseback riding, and riflery.

"Youth camp operator" means any private agency, organization, or person, and any individual, who operates, controls, or supervises a youth camp, whether such camp is operated for profit or not-for-profit.

#### 8:25-1.4 Waiver

(a) The Commissioner or his or her designee may, in accordance with the general purposes and intent of N.J.S.A. 26:12-1 et seq., and amendments thereto, waive sections of this chapter if, in his or her opinion, such waiver would not endanger the safety or health of the public.

(b) The youth camp operator seeking a waiver of the standards in this chapter shall apply in writing to:

Public Health Sanitation and Safety Program  
Consumer and Environmental Health Services  
NJ Department of Health and Senior Services  
PO Box 369  
Trenton, New Jersey 08625-0369

(c) A written application for waiver shall include the following:

1. Nature of the waiver requested;
2. The specific standard(s) for which a waiver is requested;
3. Reason(s) for requesting a waiver, including a statement of the type and degree of hardship that would result upon full compliance;
4. An alternative proposal which would ensure public health and safety; and
5. Documentation to support the waiver application.

(d) The Department reserves the right to request additional information before processing an application for waiver.

(e) A youth camp or activity may be exempted from provisions of this chapter after:

1. A review of materials submitted by the applicant;
2. An inspection of the affected premises and facilities by a representative of the Department; and
3. A determination by the Department that the conditions, practices, or activities to be used are as safe and healthful as those which would prevail if the standards was not waived.

(f) As a condition of the waiver, appropriate notice thereof shall be made in writing to the parents and guardians of the affected campers by the camp operator.

## SUBCHAPTER 2. CERTIFICATE OF APPROVAL

### 8:25-2.1 Certificate of approval

Any private individual, partnership, corporation, or other entity, whether for profit or not-for-profit, desiring to operate or conduct a day or resident youth camp in New Jersey shall obtain a certificate of approval for such operation from the Department.

### 8:25-2.2 Application for certificate of approval

(a) Application for the issuance or renewal of a certificate of approval shall be made on forms prescribed by the Commissioner. Such forms may be obtained from:

Public Health Sanitation and Safety Program  
Consumer and Environmental Health Services  
New Jersey Department of Health and Senior Services  
PO Box 369  
Trenton, New Jersey 08625-0369

(b) The applicant shall submit a filing fee of \$50.00 for a day camp and \$100.00 for a resident camp. The fee shall be made payable to "Treasurer, State of New Jersey."

1. If the application for certificate of approval is denied, the fee shall be refunded to the applicant.

#### 8:25-2.3 Issuance of a certificate of approval

(a) A certificate of approval to establish and operate a day or resident youth camp shall be issued upon approval of the Commissioner.

1. Youth camp structures and facilities shall comply with local building, zoning, and health codes. Letters of approval or a Certificate of Occupancy, as the case may be, issued by the appropriate local authority shall be available for review at new camps and renovated facilities.

(b) The Commissioner may issue a provisional certificate of approval to establish and operate a day or resident youth camp prior to inspection by the Department. Conversion to and issuance of final approval shall be contingent upon the completion of two satisfactory inspections conducted while the camp is operational.

(c) The certificate of approval shall be nontransferable.

#### 8:25-2.4 Annual renewal of certificate of approval

(a) Each certificate of approval shall be valid for a period of one year from the date of issue and shall be renewed annually.

(b) Application for the renewal of a certificate of approval shall be made to the Department on forms prescribed by the Commissioner.

(c) The application process and filing fee for renewal are the same as set forth at N.J.A.C. 8:25-2.2(a) and (b), respectively.

#### 8:25-2.5 Insurance

Liability insurance, in an amount consistent with the expected risks, shall be carried by the youth camp.

### SUBCHAPTER 3. ADMINISTRATION

#### 8:25-3.1 General care of campers

(a) The youth camp shall state in writing its policies and practices for the discipline of campers and furnished to all camp staff.

1. In no instance shall a camper be deprived of food, isolated, or subjected to corporal punishment or abusive physical exercise as a means of punishment either by staff or by another camper.

(b) Reasonable groupings, according to the age and the capabilities of each camper, shall be observed in all activities.

(c) Any camp owner, operator, director, counselor, or other employee who has reason to believe that a camper has been or is being subjected to any form of hitting, corporal punishment, abusive language or ridicule, or harsh, humiliating or frightening treatment, or any kind of child abuse or neglect by any person shall immediately report such allegations to the Department of Human Services, Division of Youth and Family Services, Office of Child Abuse Control at 1-800-792-8610 or 1-609-292-0617.

#### 8:25-3.2 Staff

(a) Each youth camp shall employ a camp director. The camp director shall be at least 21 years of age and shall have at least two years of administrative experience in an organized camp.

(b) A youth camp shall have a written statement of personnel policies and practices. Staff shall be informed of these policies and practices and of their specific duties by means of a written job description of each staff classification.

(c) The youth camp shall conduct and document pre-season orientation and training for the staff. This orientation and training shall include:

1. Verbal and printed materials on policies and procedures which are required pursuant to this chapter, including, but not limited to:

- i. Personnel policies and practices;
- ii. Job descriptions;
- iii. Disciplinary policies;
- iv. Basic principles of emergency first aid;
- v. Emergency procedures;
- vi. Daily health surveillance procedures;
- vii. Lost camper policies;
- viii. Lost swimmer policies; and
- ix. Any other expectations of the camp director, as applicable.

2. The youth camp operator shall consult with the Department of Human Services, Division of Youth and Family Services for guidance in the development of staff training on issues related to child abuse and neglect.

(d) The youth camp operator shall certify a prospective staff member's background and character through reasonable inquiries. These inquiries shall include, but not be limited to, character references, personal or telephone interviews, and a review of prior employment records. Documentation to verify a prospective staff member's background and character checks shall be available to the Department upon request.

(e) Hazardous camp activities, such as, but not limited to, aquatics, archery, horseback riding, riflery, rope courses, and out-of-camp trips, shall be conducted by a qualified adult activity specialist.

1. Hazardous camp activities shall be conducted in accordance with guidelines issued by an organization recognized in the specialized field. Copies of the guidelines may be obtained from the Department at no charge.

(f) An adult, who is assisted by a counselor, shall be responsible for the care and supervision of every 20 campers for all camp activities, including off-site camp activities. The camp director shall not be included in this ratio in camps serving over 50 children.

#### SUBCHAPTER 4. PHYSICAL PLANT AND ENVIRONMENT

##### 8:25-4.1 Site

(a) The location of a youth camp shall not present a fire, health, or safety hazard. Any youth camp constructed after June 19, 1974 shall not be divided by a major public highway or railroad.

(b) A youth camp shall be located on land that provides good natural drainage or is properly drained through engineered means so that there is no standing water.

(c) Youth camps shall protect campers from hazardous areas such as roadways, cliffs, sinkholes, pits, and abandoned excavations. These areas shall either be guarded or fenced off and warnings posted to eliminate the possibility of accidents.

##### 8:25-4.2 Buildings

(a) Youth camp structures and facilities shall comply with local building, zoning, and health codes. Letters of approval or a certificate of occupancy, as the case may be, issued by the appropriate local authority shall be available for review at new camps and renovated facilities.

(b) In new construction in a resident youth camp, an enclosed structure containing sleeping quarters shall be separated from all other such structures by at least 25 feet.

(c) In a resident youth camp, each camper shall be provided with his or her own bed and not less than 300 cubic feet of air space in his or her sleeping quarters, with at least two feet of space between the sides of each bed, except that, if tents are used as permanent sleeping quarters, at least 30 square feet of floor space shall be provided for each camper.

(d) The total window or skylight area, as measured between stops, for every habitable room shall be 10 percent of

the floor area of such room. Windows and/or skylights shall be able to be opened at least 45 percent.

(e) During fly season, each door, window, or other opening to the outside which is used for ventilation shall be outfitted with a screen of at least 16 mesh. Each screen door shall swing outward and have an operable self-closing device.

(f) A health center shall be established and maintained on the campsite for the temporary isolation and treatment of sick or injured members of the camp community. The health center may be a room, tent, or building. Hot water shall be available at the health center. This facility shall:

1. Be protected from flies and insects;
2. Be located so as to ensure privacy and quiet;
3. Be situated away from the kitchen or food preparation areas; and
4. Include medical equipment and supplies deemed necessary by the directing physician for the health and welfare of the campers.

##### 8:25-4.3 Heating plant

(a) All heating equipment shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Heating equipment shall maintain a minimum temperature of 68 degrees Fahrenheit when the outside temperature is zero degrees Fahrenheit. This temperature shall be measured at a point three feet above the floor. An accurate thermometer shall be used to make such measurements.

(c) Portable heating devices and/or space heaters shall not be used.

(d) Fireplaces and hot water and steam radiators and pipes shall be shielded to prevent burns.

##### 8:25-4.4 Equipment

Equipment used in the youth camp's programs shall be of good quality and not present undue risk of injury to campers or staff. Power equipment, especially that used for maintenance of the camp, shall not be stored or left unattended in camp areas.

#### SUBCHAPTER 5. HEALTH

##### 8:25-5.1 Health program

(a) Each youth camp shall establish a medical program. This program shall be under the direction of a physician licensed to practice medicine or osteopathy in New Jersey.

Consultation for medical treatment of campers and staff shall be readily available.

(b) A written arrangement for medical treatment of serious injury and illness shall be made with a hospital, clinic, or physician's office as close as possible to the camp where the campers can be taken in case of serious illness or injury.

(c) During precamp training, all staff shall be instructed in the basic principles of emergency first aid.

(d) A bound medical log, listing the date, name of patient, ailment, treatment, and the name of the person who administered treatment shall be maintained at the health center. If an injury or illness is serious, the physician specified at (a) above shall be consulted immediately, and the parents or guardians shall be notified as soon as possible.

(e) A youth camp shall have a written outline of daily procedures for health surveillance of campers and staff. If a camper or staff member is suspected of having a communicable disease, he or she shall be isolated and medical assistance obtained.

(f) On or before October 1 of each year, every youth camp shall report to the Department all accidents resulting in death or serious injury. This does not include minor injuries which require only first aid treatment and which do not involve professional medical treatment, loss of consciousness, restriction of activity or motion, or premature termination of the camper's stay at the camp.

(g) The following conditions regarding campers shall be reported to the Department within 24 hours of occurrence:

1. Death;
2. Head, neck, or spinal cord injuries; and
3. Any injury which renders a camper unconscious.

#### 8:25-5.2 Health director

(a) A resident youth camp shall have on duty at all times a resident health director, who is an adult and who is either:

1. A physician licensed to practice medicine or osteopathy in New Jersey;
2. A registered nurse or licensed practical nurse licensed by the State Board of Nursing;
3. An individual who is certified as a paramedic or emergency medical technician or first responder/CIM accredited by the Department or by the American Red Cross in their First Responder-level training; or
4. An athletic trainer certified by the National Athletic Trainers' Association Board of Certification (NATA-BOC), with the appropriate level of training provided by the National Safety Council, or an equivalent certification approved by the Department.

(b) A day youth camp, at a minimum, shall have on duty at all times, a health director who is an adult and who is certified by the American Red Cross in Standard First Aid-level training, or has equivalent certification approved by the Department.

(c) All day and resident youth camp health directors shall hold a current certification from the American Red Cross or American Heart Association in professional-level infant, child, and adult cardiopulmonary resuscitation.

#### 8:25-5.3 Medication administration and storage

(a) Prescription medication shall be administered only after receipt of written authorization from the camper's parent, guardian, or prescriber.

(b) Nonprescription medication shall be administered only after receipt of written authorization from the camper's parent or guardian, or in accordance with the camp's standing orders. Standing orders shall be established by the directing physician.

(c) All medication shall be labelled and stored in the original prescription container and in accordance with manufacturers' instructions. All medications shall be stored in a secure area that is inaccessible to the campers. Drugs requiring refrigeration shall be kept in a separate, locked box in the refrigerator, in a locked refrigerator, or in a refrigerator in a locked medication room. The refrigerator shall have a thermometer to indicate temperature in conformance with United States Pharmacopoeia requirements set forth in the Twenty-third Revision of the United States Pharmacopoeia (USP XXIII) and the Eighteenth Revision of the National Formulary (NF XVIII), as amended and supplemented, available from the U.S. Pharmacopeial Convention, 12601 Twinbrook Parkway, Rockville, MD 20852 (telephone: 1-800-227-8772).

(d) Medications for external use shall be kept separate from drugs for internal use.

(e) Each camper shall be identified prior to drug administration.

(f) Medications dispensed for one camper shall not be administered to another camper.

(g) The health director shall insure that the staff members are informed as to the medication needs of each camper under their direct supervision, and any limitations commonly associated with the medication.

(h) The health director shall only administer medication authorized by parents, guardians, the camper's attending physician, or the prescribing physician. The health director may designate an adult to administer medications for life threatening conditions and to campers participating in off-site trips.

(i) When any medications are administered to a camper, the camp shall maintain on file a record of:

1. The camper's name and parental authorization;
2. The name of the medication administered;
3. The condition for which the medication is being used and any cautionary information specific to the medication;
4. The instructions for administration, including the dosage and frequency of administration; and
5. The date, time, and name of the person administering the medication to the camper.

(j) Medication errors and adverse drug reactions shall be reported immediately to the health director and to the prescribing physician, and an entry shall be made in the camper's medical record.

(k) Whenever practical, unused personal medication shall be returned to the camper's parents or guardians when it is no longer being administered. Any medication which is not returned or claimed within three working days after the camper's last day at camp shall be destroyed.

(l) Youth camps that do not administer medication shall inform the parents or guardians of this policy prior to the time of enrollment.

**8:25-5.4 First aid supplies**

(a) First aid equipment shall be available at all times and shall be fully restocked within 24 hours of use. The minimum first aid equipment shall include the following, or equivalent, items:

<u>Product Description, items required</u>	<u>Quantity</u>
Adhesive compress strips (band-aid type)	100
Sterile gauze dressings (sponge) (2"x2")	25
Sterile gauze dressings (sponge) (2"x3")	25
Sterile gauze dressings (sponge) (4"x4")	25
Sterile gauze roller bandage (1" wide)	15
Sterile gauze roller bandage (3" wide)	15
Sterile eye dressing pads (box)	1
Triangle bandages	6
Waterproof tape (1"x5 yards)	1
Bandage scissors	1
Tweezers (4 1/2")	1
Emergency thermal blanket	1
Instant cold pack	5
Disposable protective face shield	1
Disposable protective gown	10
Latex gloves (box)	1
Pocket resuscitation mask	6
Liquid hand soap	1
First aid guidebook	1

(b) First aid kits shall be available for all out-of-camp trips and shall be stocked with the items deemed appropriate and necessary by the health director or directing physician for the activities of that trip.

**8:25-5.5 Health records**

(a) A written health history for all campers, specifying all known physical and mental conditions including allergies, shall be completed and submitted by a parent, guardian, or physician at the time of admission to the youth camp.

(b) A written health history for all staff, specifying all known physical and mental conditions including allergies, shall be completed and submitted by the staff member, a physician, or by a parent or guardian, if the staff member is under the age of 18 at the time of employment.

(c) The written health history for campers and staff shall be maintained on file at the youth camp while it is in session.

(d) All campers shall be immunized, according to the immunization schedule set forth at Immunization of Pupils in School, N.J.A.C. 8:57-4, against diphtheria, tetanus, polio, measles, pertussis, mumps, and rubella or shall provide a statement from a physician that immunization is in progress.

1. A child may be exempted from mandatory immunization if it is medically contraindicated. The parent or guardian shall submit to the camp a written statement signed by a physician licensed to practice medicine or osteopathy in any jurisdiction in the United States indicating that an immunization is medically contraindicated for a specific period of time, and the reason(s) for the medical contraindication, based upon valid medical reasons as enumerated by the Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) guidelines, available from the U.S. Public Health Service, Centers for Disease Control and Prevention, Atlanta, GA 30333, or the American Academy of Pediatrics, Committee on Infectious Diseases, PO Box 927, Elk Grove, IL 60009-0927. Such statement shall be kept on file by the youth camp while it is in session.

2. A child shall be exempted from mandatory immunization if the parent or guardian objects thereto in a written statement submitted to the youth camp, signed by the parent or guardian, explaining how the administration of immunizing agents conflicts with the child's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds. This statement shall be kept on file by the youth camp while it is in session.

3. Those children with medical or religious exemptions from receiving immunizing agents may be excluded from the youth camp during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner of Health and Senior Services or his or her designee.

**SUBCHAPTER 6. SAFETY****8:25-6.1 General provisions**

(a) Every youth camp shall establish written emergency procedures that address, at a minimum, evacuation of the camp, fires, natural disasters, serious accidents, illness or injury, and lost camper(s). These procedures shall be in accordance with guidelines of the New Jersey State Police, Office of Emergency Management. These guidelines are available upon request from the Office of Emergency Management, or from the Department.

(b) Each staff member shall be informed of his or her duties in case of an emergency.

(c) Fire and emergency drills shall be conducted at least once each camp period or every two weeks, whichever is more frequent.

**8:25-6.2 Hazardous substances**

Youth camps shall store and handle flammable liquids and hazardous substances in conformance with the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23, and applicable local laws and ordinances.

**8:25-6.3 Fire-fighting equipment**

Youth camps shall strategically place fire extinguishers which meet the requirements of the Fire Underwriters Association so that they are easily accessible. Each fire extinguisher shall be serviced regularly and shall be inspected at the time application is made for the certificate of approval and at periodic intervals thereafter for proper care and maintenance.

**8:25-6.4 Fire safety**

(a) The youth camps shall obtain certification from the State Fire Marshall or his or her designee that the youth camp is in compliance with all local and State fire regulations.

(b) The youth camp shall conform to the requirements of the Forest Fire Laws of New Jersey, N.J.S.A. 13:9-19, and amendments thereto.

(c) The youth camp shall only use tents made of fire-retardant fabrics.

(d) All permanent structures which are used as sleeping quarters shall be equipped with a smoke detector.

(b) The youth camp shall provide food of sufficient quantity and nutritional quality to provide for the dietary needs of each camper.

(c) Youth camps shall prepare and serve meals in an appetizing and sanitary manner, and shall prepare meals as close to serving time as possible.

(d) Youth camps shall post the current week's menu in the food preparation area. Food substitutes shall be noted on the menus in writing. After use, the menus shall be kept on file for the entire period of the camping season.

(e) Youth camps shall schedule mealtimes to meet the camper's needs and so that there are no excessively long periods of time without food. At least three meals shall be provided each day in a resident youth camp.

(f) The youth camp shall not permit potentially hazardous foods, as defined at N.J.A.C. 8:24-1.3, to be brought on site unless there is a refrigerated facility capable of maintaining the foods at or below a temperature of 45 degrees Fahrenheit.

**8:25-7.2 Potable water**

(a) The potable water supply shall meet the requirements of the New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq., and all rules promulgated thereunder, regarding construction, operation, and water quality.

(b) Those day or resident youth camps which are opened for less than a calendar quarter every year shall present evidence of a water bacteriological and nitrate analysis deemed satisfactory by the standards of (a) above, prior to opening for the season.

(c) Drinking fountains, if provided, shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:25-7.3 Water sampling records**

The results of water samples which are required by this chapter at N.J.A.C. 8:25-7.2 shall be assembled, recorded, and maintained on site by the youth camp operator for inspection by the New Jersey Department of Health and Senior Services, the local health authority, and/or the Department of Environmental Protection.

**SUBCHAPTER 8. TRANSPORTATION****8:25-8.1 Vehicles**

Any youth camp, person, or agency which provides transportation for campers shall conform to the requirements of Motor Vehicles and Traffic Regulation, N.J.S.A. 39:1-1 et seq., and the Division of Motor Vehicles rules promulgated thereunder at N.J.A.C. 13.

**SUBCHAPTER 7. FOOD AND WATER****8:25-7.1 Nutrition and meal service**

(a) Youth camps shall conform to Retail Food Establishments and Food and Beverage Vending Machines Chapter XII, N.J.A.C. 8:24, with respect to foods and food service.

**8:25-8.2 Vehicle-related safety practices**

(a) Youth camps shall ensure the following when providing, or making provision for, transportation of campers:

1. Campers shall never be left unattended in a bus or vehicle.
2. Campers shall only enter and exit from the curbside of the bus or vehicle.
3. The interior and exterior of each bus or vehicle shall be maintained in a clean and safe condition with clear passage to operable doors.
4. Each bus or vehicle used to transport children who are under 18 months of age shall be equipped with child passenger restraint systems which meet Federal motor vehicle safety standards, in accordance with provisions of the Division of Motor Vehicles, pursuant to N.J.S.A. 39:3-76.2a. The child passenger shall be secured in the restraint system when the vehicle is in motion.
5. The driver shall not transport more persons than specified by the manufacturer.
6. All passengers shall be seated and shall remain seated whenever the bus or vehicle is in motion.
7. All passengers shall be secured by an operable seat belt, if provided, or proper restraint system, as specified in (a)4 above, as applicable when the vehicle is in motion.
8. In addition to the driver, at least one adult shall be present for every 10 campers being transported in any one vehicle to and from off-site trips, except that at least one adult or counselor shall be present for every seven children who are under the age of six.
9. The driver shall check the vehicle daily to ensure that the vehicle and all safety equipment are in sound operating condition.
10. The driver shall check the vehicle after each run is complete to ensure that no campers remain in the vehicle.

(b) The youth camp shall establish a written policy in which preschool campers shall only be discharged from a vehicle to the custody of a designated person, previously specified in writing, who may be the camper's parent, guardian, or other person(s) stipulated by the parent or guardian for such purpose.

(c) The youth camp shall perform emergency evacuation drills for Type I and Type II buses at least once during each camping season.

**8:25-8.3 Vehicle insurance**

Any youth camp, person, or agency which provides transportation for campers shall maintain vehicle liability insurance for bodily injury or death as specified by applicable State statutes and rules.

**8:25-8.4 Recordkeeping**

(a) Each youth camp shall establish and maintain a record of transportation routes, including the names of the campers being transported, the name and address of the driver, a photostatic copy of his or her valid school bus drivers license, and if a contractor is used to provide transportation services, the name and address of the contractor.

(b) Each youth camp shall maintain on file the name and address of the person(s) designated as the additional adult(s) to whom each camper may be released as set forth at N.J.A.C. 8:25-8.2(b), and the license tag number of the school bus or vehicle to which each camper is assigned.

(c) The youth camp shall maintain documentation of emergency evacuation drills for all passengers who ride the Type I or Type II school buses in a log book containing the following:

1. The date of the drill;
2. The number of passengers;
3. The time taken to evacuate the bus; and
4. The signature of the person conducting the drill.

**8:25-8.5 Special requirements for physically handicapped, non-ambulatory campers**

(a) For youth camps which provide or arrange for transportation services for physically handicapped campers who are non-ambulatory, the following additional vehicle requirements shall apply:

1. A ramp device or a hydraulic lift shall be provided with a lift minimum payload of 600 pounds.
  - i. If a ramp device is installed, it shall have a non-skid surface, be securely stored, be protected from the elements when not in use, and have at least three feet of length for each foot of incline.
2. Wheelchairs shall be securely fastened and face forward.
3. The arrangement of wheelchairs shall not impede access to the emergency or exit door.
4. Seat belts, or other restraints approved by the Division of Motor Vehicles, shall be installed for each passenger, including those seated in wheelchairs.
5. Aisles leading from a wheelchair position to an emergency or exit door shall have a minimum width of 30 inches.

**SUBCHAPTER 9. WATERFRONT SAFETY****8:25-9.1 Swimming areas**

(a) Youth camps shall have or use only swimming pools and bathing beaches that conform to all applicable municipi-

pal ordinances, State statutes, and the provisions of N.J.A.C. 8:26, Public Recreational Bathing, except as are otherwise specified in this chapter.

(b) Every youth camp shall designate sections in its permanent swimming areas, if any, for non-swimmers, beginners, and swimmers. The designation of these sections shall be made pursuant to the standards set forth by the American Red Cross, YMCA, or Boy Scouts of America.

#### 8:25-9.2 Waterfront staff

(a) All lifeguards and lifeguard supervisors in any youth camp or any place where youth camp activities are conducted who supervise wading, swimming, or watercraft programs shall be currently certified as lifeguards by the American Red Cross, YMCA, or Boy Scouts of America. Each lifeguard and lifeguard supervisor's certification shall be appropriate to the level of training and supervision which the lifeguard or lifeguard supervisor provides. A lifeguard shall be at least 16 years of age, and a lifeguard supervisor shall be at least 18 years of age.

(b) During non-instructional swimming, a lifeguard supervisor shall be in attendance and supervise the program. Watercraft activities shall be supervised pursuant to the provisions of N.J.A.C. 8:25-9.4.

(c) During non-instructional swimming, a lifeguard supervisor and one lifeguard shall be on duty for each 30 campers who are in the water. One additional lifeguard shall be on duty for every additional 30 campers or fraction thereof.

(d) During instructional swimming, one lifeguard and two adults or one adult lifeguard and two counselors shall be on duty for each 30 or fewer campers in the water. One additional lifeguard shall be on duty for every additional 30 campers or fraction thereof.

(e) Swimming pools having a maximum depth of 36 inches and having a maximum swimming area of 500 square feet shall be supervised by one lifeguard with the assistance of two adults for each 20 or fewer campers who are in the water. One additional lifeguard and one additional adult shall be on duty for every additional 20 campers or fraction thereof.

(f) Youth camps shall conduct off-site swimming activities only at public bathing facilities having waterfront staffing in compliance with N.J.A.C. 8:26, with prior notification provided to the operator of the public bathing facility. Upon arrival, the youth camp group leader shall notify the waterfront supervisors of the public bathing facility as to the size of the youth camp group, age range of the group, and any physical handicaps of the campers. An adult, who is assisted by a counselor, shall be responsible for the care and supervision of every 20 campers at off-site swimming activities.

Amended by R.1998 d.411, effective August 3, 1998.

See: 30 N.J.R. 1520(a), 30 N.J.R. 2903(a).  
Rewrote (f).

#### 8:25-9.3 Swimming procedures

(a) Each youth camp that includes swimming activities shall develop a system to assess the swimming ability of each camper, classifying each camper as a non-swimmer, a beginner, or a swimmer.

(b) Youth camps shall confine campers to swimming areas commensurate with the limits of their swimming ability or in a swimming area which requires lesser skills for which they have been classified.

(c) A camper shall be classified as a swimmer only if the camper can, exclusive of a swimming instructional session, jump feet first into water which is over his or her head, come to the surface, swim a distance of 25 feet, change directions, using different strokes, swim a distance of 25 feet, stop and float or tread water for one minute.

(d) Youth camps shall establish and implement a system of supervising and checking bathers using the check or buddy board, the buddy system, the colored cap system, or any combination thereof.

1. The system shall be supervised during swimming periods by a member of the aquatics staff.

2. Bather checks shall be conducted at least every ten minutes.

(e) Youth camps shall institute a written lost swimmer plan, which shall include, at a minimum, the following:

1. All staff shall know exactly what their duties are in case of a waterfront emergency.

2. A lost swimmer drill shall be held at least once every two weeks.

#### 8:25-9.4 Watercraft

(a) Youth camps shall conform to the following when involved in watercraft activities:

1. Watercraft activities shall be conducted only during daylight hours.

2. An inherently buoyant Type I, II, III, or V personal flotation device (PFD), approved by the United States Coast Guard, in good and serviceable condition and of appropriate size for the intended user, shall be provided for and worn by each occupant of a watercraft.

3. Boating on lakes, tidal waters, and ponds shall be supervised by a lifeguard who is on a paddle-board or in a lifeboat or in a rescue craft with another adult observing the activity from a vantage point on the shore or water.

i. The paddle-board shall be capable of supporting two adults.

ii. The lifeboat or rescue craft shall be equipped with a ring buoy or similar device which is attached to a minimum of 25 feet of rope.

4. Boating on rivers and streams shall be supervised by an adult who has demonstrated boating experience. A lifeguard shall also patrol and supervise the trip in a boat which is equipped with a ring buoy or similar device which is attached to a minimum of 25 feet of rope.

## SUBCHAPTER 10. SANITATION

### 8:25-10.1 Plumbing

All plumbing and plumbing fixtures shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

### 8:25-10.2 Sewer lines and appurtenances

Sewer lines and appurtenances shall conform to the requirements of the New Jersey Water Pollution Control Act rules, N.J.A.C. 7:14.

### 8:25-10.3 Storm sewer drainage

Storm water sewers shall be separate and apart from any sanitary sewage disposal system.

### 8:25-10.4 Sewage disposal facilities

(a) No person shall construct, expand, or operate a youth camp unless the local health authority and the Department of Environmental Protection have granted approval for the sewage disposal facilities.

(b) Where sewage disposal is to be effected by subsurface means, the sewage disposal facilities shall be designed and constructed pursuant to Standards for Individual Subsurface Sewage Disposal Systems, N.J.A.C. 7:9A-1, and the New Jersey Water Pollution Control Act rules, N.J.A.C. 7:14. The subsurface sewage disposal facility shall be approved by the local health authority and the Department of Environmental Protection.

(c) Where sewage disposal is to be affected by means of a wastewater treatment plant discharging a treated effluent into the waters of this State, such wastewater treatment plants shall be designed and constructed pursuant to the Rules and Regulations for the Preparation and Submission of Plans for Sewer and Wastewater Treatment Plants, N.J.A.C. 7:9A-1, and the New Jersey Water Pollution Control Act rules, N.J.A.C. 7:14. The wastewater treatment plant shall be approved by the Department of Environmental Protection prior to its construction.

(d) A subsurface sewage disposal system or a wastewater treatment plant shall not be approved where a public sanitary sewer system is available within 100 feet of any sewered building or campsite or as specified by local ordinance.

(e) Septage shall be disposed of pursuant to the rules for the Statewide Management of Septage Disposal, N.J.A.C. 7:14-5.

### 8:25-10.5 Flush toilets

(a) Except as provided under N.J.A.C. 8:25-10.6(a), flush toilets and urinals shall be provided at one or more locations in every youth camp.

(b) Separate bathroom facilities shall be provided for males and females and shall be clearly marked as such.

1. Resident youth camps shall provide one toilet for every 10 female occupants, one toilet for every 15 male occupants and one urinal, or equivalent, shall be available for every 30 male occupants if urinals are used in the youth camp.

2. Day youth camps shall provide one toilet for every 20 persons. If it is an all male day youth camp, one toilet and one urinal, or equivalent, shall be provided for every 30 persons.

(c) Each flush toilet shall be in a separate compartment equipped with a door to ensure privacy.

(d) An adequate supply of toilet paper shall be provided for each toilet.

(e) Flush toilets and urinals shall be maintained in a clean and sanitary condition. Whenever a youth camp is occupied, toilet seats shall be washed at least once a day with a disinfectant solution. Unless provided with a flushing device, urinals shall be washed daily with a disinfectant solution.

(f) The female bathroom facility shall have a container for sanitary napkin disposal. The container shall have a lid and shall be made from durable, impervious, and readily cleanable material.

(g) Portable toilets shall be permitted pursuant to the provisions of Treatment Works Approvals, Sewer Bans, Sewer Ban Exemptions, and Technical Requirements for Treatment Works Approval Applications, N.J.A.C. 7:14A-22 and 23, respectively.

### 8:25-10.6 Existing privies and pit-toilets

(a) Youth camps which have used privies and pit-toilets prior to June 6, 1994 shall be permitted to continue using them where it would be impracticable under Department of Environmental Protection rules to provide flush toilets.

(b) Privies and pit-toilets shall be constructed of readily cleanable material and shall be provided with adequate natural lighting and ventilation.

(c) Privy and pit-toilet doors shall be self-closing.

(d) Privy and pit-toilet windows and vents shall be equipped with fly-proof screens.

(e) Each privy and pit-toilet shall be provided with a watertight vault so that flies cannot gain access to the excrement. Excrement shall not be allowed to fall or spill onto the ground. The vault shall not extend below the prevailing water table.

(f) Each privy and pit-toilet shall have a raisable seat and lid and both shall be made from smooth, durable, impervious, and readily cleanable material.

(g) Each privy and pit-toilet shall be located at least 150 feet from any well or point well, stream, or lake, and at least 50 feet from any campsite.

(h) Lime or other deodorant substances shall be sprinkled at least once daily on the contents of privy vaults to minimize odors.

(i) The vault of a privy or pit-toilet shall be emptied regularly and the contents thereof shall be disposed of pursuant to the requirements of N.J.A.C. 7:14A-22 and 23.

## SUBCHAPTER 11. WATER CLOSETS AND SHOWERS

### 8:25-11.1 Building requirements

(a) Concerning water closets and showers, youth camps shall comply with the following:

1. Buildings housing water closets or showers shall be substantially constructed and shall have adequate natural lighting and ventilation.

2. Buildings housing water closets or shower facilities for males and females within the same structure shall be separated by a sound-resistant wall.

3. Exterior water closet and shower building doors shall be self-closing. The exterior doors shall be screened by a vestibule or wall to prevent direct view of the interior when the exterior doors are open.

4. All water closet and shower building windows and vents shall have fly-proof screens.

5. The window area of water closet and shower buildings shall equal at least 12 percent of the floor area. Windows shall be located as high as possible and, wherever possible, along more than one wall.

6. The interior finish of water closets and showers shall be made from moisture-resistant material which shall be able to withstand frequent washing and cleaning.

7. Water closet and shower floors shall be constructed from material that is impervious to water.

8. Shower floors shall be sloped to properly trapped floor drains connected to the sewerage system, in accordance with provisions of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

9. The interior finish of all water closets and showers shall be washed and painted regularly to maintain them in a clean and sanitary condition. The floors shall be washed at least once daily with disinfectant solution.

(b) Youth camps may utilize portable showers if the portable showers comply with the provisions of Treatment Works Approvals, Sewer Bans, Sewer Ban Exemptions, and Technical Requirements for Treatment Works Approval Applications, N.J.A.C. 7:14A-22 and 23, respectively.

### 8:25-11.2 Common towels

Youth camps shall not permit the use of common towels.

## SUBCHAPTER 12. SOLID WASTE

### 8:25-12.1 Collection, storage, and disposal of solid waste

(a) Youth camps shall manage the storage, collection, and disposal of solid waste to prevent health hazards, rodent harborage, insect breeding, accident hazards, and air pollution, including at least the following:

1. All solid waste shall be stored in durable, watertight containers.

2. Where the separation of solid waste and recyclables is required as an aid to municipal solid waste collection, separate marked containers shall be provided and appropriately identified as required by local ordinance.

3. Unless solid waste is collected daily, the containers shall be furnished with a fly-tight lid.

4. Solid waste and recycling containers shall be located at one or more centralized locations within the camp.

5. The storage capacity of solid waste and recycling containers shall be sufficient to hold all of the solid waste and recyclables which accumulate between periods of removal from the premises.

6. Solid waste and recycling containers shall be washed regularly to keep them clean and odor-free and to prevent the breeding of insects therein.

7. All solid waste and recyclables shall be collected regularly, but not less than two times per week.

(b) In addition to (a) above, youth camps shall conform to the requirements of the Rules of the Bureau of Solid Waste Management, N.J.A.C. 7:26, and the applicable District Solid Waste Management Plan.

## SUBCHAPTER 13. MISCELLANEOUS

**8:25-13.1 Electricity**

A youth camp's electrical systems, equipment, and grounding shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:25-13.2 Buildings**

(a) Youth camps shall ensure that all buildings are in compliance with the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Youth camps shall ensure that buildings used in the preparation of food and drink are constructed and operated pursuant to the requirements of Retail Food Establishments and Food and Beverage Vending Machines Chapter XII, N.J.A.C. 8:24.

**8:25-13.3 Insect, rodent, and weed control**

(a) Youth camps shall control mosquito breeding by keeping the youth camp free of cans, jars, buckets, old tires, and other articles which may hold water and provide temporary breeding places for mosquitoes.

1. When mosquito control measures and supplemental larvicidal measures are necessary to control mosquito populations, such measures shall be undertaken pursuant to the requirements of the New Jersey Pesticide Control rules, N.J.A.C. 7:30-1.

(b) Youth camps shall control fly breeding by eliminating unsanitary practices which may promote the development of breeding places.

1. Leaking solid waste and recycling containers shall be repaired or replaced.

2. The area surrounding waste and recycling containers shall not be littered with food wastes or other solid wastes.

(c) Youth camps shall maintain all enclosed buildings so as to eliminate rodent harborage, placing special emphasis on buildings where food is stored or served.

(d) Youth camps shall control weed growth along pathways and within each campsite to reduce tick and chigger populations.

1. Poison ivy, poison oak, and poison sumac shall be controlled within each campsite.

2. The application of pesticide(s) shall conform to the requirements of the New Jersey Pesticide Control rules, N.J.A.C. 7:30.

**8:25-13.4 Farm and domestic animals**

(a) Youth camps shall not locate any living quarters, kitchens, or mess halls within 100 feet of housing for horses or other farm animals.

(b) Wherever farm or domestic animals are kept, youth camps shall not allow manure to remain for more than 24 hours.

1. Fly repellent and other precautions shall be used to prevent these areas from becoming an attraction to or breeding place for flies.

(c) Youth camps shall not allow drainage from stables and temporary horse quarters to flow into a spring, stream, or lake.

(d) Youth camps shall not permit farm and/or domestic animals on a bathing beach or in the water in the area used for waterfront activities.

**8:25-13.5 Maintenance**

(a) Youth camps shall be maintained in a clean, safe, and sanitary condition, ensuring, at a minimum, the following:

1. All roofs, exterior walls, doors, skylights, and windows shall be weather- and watertight and kept in sound condition and in good repair.

2. All floors, interior walls, and ceilings shall be sound and in good repair and maintained in a clean and sanitary condition.

3. All plumbing fixtures and water and waste pipes shall be maintained in working condition and kept clean.

4. All water closet, bathroom, and kitchen floors shall be maintained to be reasonably impervious to water and in a manner providing for a clean and sanitary condition.

i. Floor finishes should be of non-slip material.

ii. Floors shall be cleaned at least once per day and kept in good repair.

5. Recreational equipment, including playground devices, shall be inspected at least once per week during the use season.

i. A permanent record of each inspection shall be maintained.

ii. Equipment shall be maintained in safe operating condition at all times.

## SUBCHAPTER 14. ENFORCEMENT PROCEDURES

**8:25-14.1 Operation standard**

All youth camps shall be operated in compliance with the provisions of this chapter and the New Jersey Youth Camp Safety Act, N.J.S.A. 26:12-1 et seq., and all amendments thereto.

**8:25-14.2 Inspection**

(a) The Department or local health authority shall inspect every youth camp as required by Recognized Public Health Activities and Minimum Standards of Performance for Local Boards of Health in New Jersey, N.J.A.C. 8:52, and as often as the Department deems necessary.

(b) The youth camp operator shall permit access to representatives of the Department or local health authority to all parts of the youth camp.

**8:25-14.3 Powers of the Commissioner**

(a) In addition to the powers and duties of the Commissioner otherwise provided in any other Act or rule, the Commissioner may:

1. Enter and inspect any youth camp and its records;
2. Question a camp's staff, employees, and its contractors;
3. Investigate facts, conditions, practices, or other matters to the extent he deems it necessary and appropriate to determine whether the youth camp, its owners, operators, employees, and contractors are in compliance with the Act and this chapter;
4. Administer oaths;
5. Examine witnesses under oath;
6. Issue subpoenas;
7. Compel the attendance of witnesses;
8. Compel the production of papers, books, accounts, records, payroll, documents, and testimony; and
9. Take depositions and affidavits in any proceeding before the Commissioner.

**8:25-14.4 Penalties**

(a) Whenever the Department finds that a youth camp operator has violated any provision of the Act or this chapter, the Commissioner may revoke the certificate of approval and may assess a civil administrative penalty not to exceed \$1,000 per day. If the violation is of a continuing nature, each day shall constitute an additional and separate offense.

(b) No revocation shall occur nor any assessment shall be levied pursuant to this section until the violator has received notice which shall:

1. Be delivered by personal service or certified mail to the violator's last known address;
2. Specify the provisions of the Act or N.J.A.C. 8:25 which have been violated;
3. Contain a concise statement of the facts alleged to constitute the violation;

4. Specify the amount of civil administrative penalties to be imposed; and

5. Provide notice of the violator's right to a hearing or an informal conference or review pursuant to N.J.A.C. 8:25-14.5. Such notice shall:

- i. Specify the time period in which the violator may submit a written request for a hearing; and
- ii. Specify the address to which such request may be submitted.

(c) In assessing a civil administrative penalty pursuant to the Act or this chapter, the Commissioner shall consider the following factors, where applicable, in determining what constitutes an appropriate penalty for the particular violation:

1. Degree of hazard posed to human safety and welfare;
2. Degree of harm posed to the proper administration of the youth camp certification program;
3. Past history of compliance on the part of the violator;
4. Economic benefit that the violator accrues as a result of the violation; and
5. Performance of the violator in correcting the violation.

(d) In addition to other sanctions in this chapter, the Commissioner shall require the immediate correction of any violation.

(e) No existing civil or criminal remedy for any wrongful action which is a violation of any code, rule, or regulation shall be excluded or impaired by this chapter.

**8:25-14.5 Hearings**

(a) The Commissioner may order the revocation of a youth camp's certificate of approval, the payment of a fine, or both, upon a finding of violation of the Act, this chapter, or an order issued pursuant thereto.

1. The order shall not become final, and may not be sued upon by the Commissioner in accordance with N.J.S.A. 2A:58-1 et seq. (the Penalty Enforcement Law), until the youth camp has received written notice of the order, and an opportunity for a hearing.
2. The order shall be in writing and shall set forth all known violations, as well as the following:
  - i. The facts, statutes, rules, and orders, if any, upon which the finding is based;
  - ii. The penalty(ies) imposed;

iii. The date by which revocation of the certificate of approval shall be effective, and the youth camp shall be closed following the date the order becomes final, as appropriate to the circumstances;

iv. The date by which payment of the fine(s) is required following the date the order becomes final, as appropriate to the circumstances;

v. The date by which any corrective action by the youth camp must complete following the date the order becomes final, as appropriate to the circumstances;

vi. The right of the youth camp to request a hearing within 10 days of receipt of the order, and the minimum information which must be contained in the hearing request;

vii. The right of the youth camp to request an informal conference prior to commencement of the hearing;

viii. The right of the youth camp to request a settlement conference at any time prior to the rendering of a final decision on the hearing; and

ix. A statement explaining that if the youth camp does not request a hearing within 10 days of receipt of the order, the order becomes final, and the youth camp waives its right to an administrative hearing.

3. Notwithstanding (a)1 above, the Commissioner may seek injunctive relief through a summary proceeding prior to the exhaustion of administrative remedies by the youth camp, which shall not in any way reduce any penalty imposed by the Commissioner.

4. Either the Commissioner or the youth camp may request an informal conference prior to the hearing.

5. Either the Commissioner or the youth camp may request a settlement conference at any time prior to the issuance of a final decision following a hearing.

(b) A youth camp shall request a hearing within 10 days of receipt of an order of finding of violation or waive its right to such a hearing.

1. An informal hearing at the Department shall be scheduled within 60 days of the receipt of the request for a hearing.

2. If the matter is not resolved at the informal hearing, the Commissioner shall transfer the matter to the Office of Administrative Law in accordance with the provisions of N.J.S.A. 52:14B-1 et seq.

3. The decision of the agency following a hearing shall be a final agency decision, and the order set forth therein shall be a final order on the matter.

i. The order set forth in the final agency decision may accept, modify, or reject the order of finding of violation.

(c) Notice of the order and any requests for a hearing or conferences shall be effective upon receipt if sent by certified mail to the address on file with the Department of the holder of the certificate of approval for the youth camp, or to the address specified in N.J.A.C. 8:25-2.2, as appropriate.

(d) The Commissioner shall consider the following in determining what penalty to impose upon a youth camp found to be in violation of the Act, this chapter, or any order issued pursuant thereto:

1. The degree of hazard posed to human safety and welfare;

2. The degree of harm posed to the proper administration of the youth camp certification program;

3. The past history of compliance by the youth camp, its owners, operators, employees, and contractors;

4. The economic benefit that accrues, or which may accrue, to the youth camp as a result of the violation; and

5. The youth camp's performance in correcting the violation(s).