

# Workgroup to discuss proposed amendments to the Sanitary Regulations for Hotels (12VAC5-431)

Lynchburg Health Department  
307 Alleghany Avenue, Lynchburg, VA 24501  
April 30, 2026  
10:00AM

## DRAFT Meeting Minutes

<b>Workgroup Members Present</b>	
<b>In-person, on location</b>	
Briana Bill, VDH	Pat Odedara
<b>WebEx, online</b>	
Liz Scheessele	Melinda Fieldes Dickson
Haroon Rashid	Larry Reynolds
Kristin Clay	Brent Jackson
Brian Wells	Julia Balsley
Kate Ellis, Hotel Indigo	Katie Kurkjian
Melanie Baker, SHX	Mary Wainwright
Tommy Herbert	Scott Vogel
Charmelle Washington	Julia Murphy
Joshua Anderson	Orville Nolen

## Meeting Notes

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### Welcome and Introductions

- Briana Bill (Bill), Environmental Health Coordinator with the Virginia Department of Health (VDH) Office of Environmental Health Services, provided a welcome to the first workgroup meeting to discuss amendments to the Sanitary Regulations for Hotels. Bill provided an introduction, reviewed the agenda and proposed schedule of the meeting, and introduced herself as the regulatory program manager for hotels.
- Bill spoke to the overarching definition of hotels as a permitted lodging establishment that may be referred to by other names such as motels, bed and breakfasts, etc.
- Bill reviewed:

- The overview of workgroup representation (agency, industry, organizations, associations).
- The purpose of the meeting, the purpose of regulation, the purpose of the agency.
- The meeting structure and process and outlined rules of engagement.
- Bill spoke to the in-person location (Lynchburg Health Department) and thanked the local health department (LHD) for the location and assistance; identified that people were present on location; requested online participants identify themselves and their affiliation in the chat.
- Bill reviewed reference materials, including Draft #2.
- Bill discussed how to interact in the meeting, including online hand raising, comments in the chat, and frequent question breaks.

### Reference materials

- Bill stated that the workgroup should have already received Draft #2 in an email and reminded participants that Draft #2 comments were due May 22, 2026.

### Questions

- Bill asked for questions.
- It was asked, “Does ‘hotel’ cover short term rentals?” Bill offered that short-term rentals could meet the definition of a hotel based upon the number of lodging units rented.
- It was asked, “Are Airbnbs short term rentals?” Bill offered that many rental options offered on app rental platforms may be considered short term rentals or hotels, based upon the number of lodging units rented and how they are rented.
- No further questions or comments.

### Part I Discussion

- Bill provided that the draft content includes proposed stricken content and proposed amendments underlined.
- Bill outlined that substantial changes between Draft 1 and Draft 2 are highlighted in yellow for reference and that workgroup participants will need to compare drafts to observe the changes between drafts.
- Section 10 – Definitions.
  - Bill explained that definitions that reference other regulations have been amended to include additional language to incorporate any subsequent chapters.

- Bill explained to the group that all comments and suggestions are considered and that many of the amendments are directly related to workgroup suggestions.
- Bill explained that the “Infestation” definition was amended to remove the phrase “any bedbug” as suggested by the workgroup.
- Bill explained that the “Lodging unit” definition previously used the term “temporary occupancy” and the term “transient occupancy” was proposed. Bill asked, Should “transient” be used and if so, should length of stay be considered?
  - The consensus was to use the term ‘transient’ and to not establish times for length of stay.
- There was a comment on the definition of “Employees” including those under contractual agreement. Some contractual staffing situations may create a grey area on the permit holder responsibility for short-term/temporary staffing through third party contracts.
- Bill explained that many regulatory sections are proposed to be repealed as they unnecessarily repeat content that already exists in the Code of Virginia.
  - Bill identified 12VAC5-431-20 through 50 are proposed to be repealed.
  - Workgroup Question: When sections are stricken, does the numbering change? Bill explained that the section numbering will not change. The section numbering will remain the same and have the phrase “repealed” after the section number.
- No other comments.

## Part II – Procedural Regulations

- Bill provided that many sections have been amended to align with the Virginia style and format requirements and to be consistent with other regulations in an effort to promote consistency, especially within administrative topics and content.

*12VAC5-431-60 through 80 (repealed)*

*12VAC55-431-90. Suspension of regulations during disasters.*

- No change

*12VAC5-431-100. Variances. (as amended)*

- No questions or comments.

*12VAC5-431-110 through 150 (repealed)*

*12VAC5-431-160. Plan review (as amended)*

- Bill asked the workgroup about a preferred plan review approval expiration date. The draft suggests a three-year expiration date.
  - It was discussed that some construction projects can take up to 5 years and may be subject to situation.
  - It was suggested that plans and time to completion be considered when determining an expiration date or possible extension.

*12VAC5-431-170 (repealed)*

*12VAC5-431-180. Permits (as amended)*

- Bill summarized the overall change from self-renewing permits to annual permitting requirements to align with the fee schedule.
- It was suggested that subsection C #10: “statement signed by the hotel owner with the date of signature that attests to the accuracy of the information provided in the application...” also allow for “operator”.
  - Bill offered that the regulation allows for an “authorized agent” to submit an application and therefore an ‘operator or other authorized agent’ could be included in the subsection.

*12VAC5-431-185. Existing establishments, permit renewal, change of ownership, or termination.*

- Bill introduced the workgroup to a new proposed section specific to permit renewals, change of ownership and notification requirements. Bill offered that this is proposed to help solve the problem of local health departments not being informed of ownership changes or business closure.
- No questions or comments.

*12VAC5-431-190 through 200 (repealed)*

*12VAC5-501-210. Notice, enforcement, informal conferences (as amended)*

- Bill offered that the section was revised to identify that alleged violators shall be notified in writing of the alleged violations and added content to include options for conference.
- Bill identified that the workgroup requested the discussion around imminent health threats provide more examples for clarity. Bill offered that the section was amended in response to that request. Bill asked the workgroup for additional comment on the edits.

- The workgroup offered that adding more content in the description helps the understanding. There was voiced concern that if the definition of “infestation” was edited to include “single bed bug” that including “infestation” in this section may be problematic.
  - Bill offered that many stakeholders insisted on that the definition of infestation not include the “presence of a single bed bug”.
- It was suggested that the phrase “extended interruption” in subsection B be clarified. It was suggested that the duration and reason for extended interruption be considered in the language of the section.
- It was suggested that delivery method of notice be identified, either certified mail, hand-delivery with signature and local health department follow up with owner/operator.
- It was suggested that notification to the locality be considered in the event of suspension or revocation. It was discussed that local differences may warrant local processes that may not be best included in regulation.

*12VAC5-431-220 (repealed)*

*12VAC5-431-230. Permits issued under prior regulations (as amended)*

- Bill reviewed the proposed changes to the section including the enactment date and requirements to comply with chapter within one year.
- No comments.

*12VAC5-431-240 (repealed)*

*12VAC5-431-250. Inspection (as amended)*

- Bill reviewed frequency of inspection amendments, including an inspection once every 12 to 36 months, depending on circumstances and department discretion.
- Bill reviewed proposed content regarding access to rooms and the requirement that the department be accompanied by the permit holder or person in charge during certain circumstances.
- It was asked if the typical inspection timing is between 8am-5pm. Bill confirmed that those hours are typical, with a few exceptions based on the hours of operations of specific facilities.
- It was suggested that timelines for corrective action be considered in internal agency policy. Bill reviewed the current methods of determining corrective action timelines through communication with the permit holder or person in charge and with the department, collectively establishing corrective action timelines.

*12VAC5-431-260. Performance-based and risk-based inspections*

- Bill reviewed the content of the section.
- No questions or comments.

*12VAC5-431-270 (repealed)*

**Part III – Design, Construction and Operational Criteria.**

*12VAC5-431-280. Supervision, employee health and cleanliness (as amended)*

- Bill offered that subsection A has been identified by stakeholders to be impracticable for some business models. It has been suggested that having a person on premises at all times may not be part of the business model or ability of the permit holder.
- It was asked what is the purpose of having someone onsite at all times? Bill offered that the intent is understood to be a historical expectation that someone is onsite to aid in emergency response or to be available for patrons on call. There was discussion on the potential reasons and rationale for having and not having a person on site at all times at various establishments.
- It was suggested that the section be considered for revision and possible separation of content.
- Bill spoke to the edits in subsection C and D and offered that the term “infectious condition” replaced communicable disease.
- Bill reviewed the extension of reasons for handwashing.

*12VAC5-431-290. General sanitation.*

- No changes, no comments.

*12VAC5-431-300. Floor requirements (as amended)*

- Bill offered that this section was revised for spelling.
- No comment.

*12VAC5-431-310. Walls and ceiling requirements (as amended)*

- Bill offered that minor edits are proposed in the section, including removing comments to construction and exposed rafters.
- The workgroup agreed with the edits.
- The workgroup asked what “permanently secured” windows mean. Does an installed guard that prevents windows from opening meet the requirement? Bill offered that a mechanism installed in the window to prohibit window opening could meet the intent of “permanently secured.”

*12VAC5-431-320. Room furnishing requirements (as amended)*

- Bill offered that the minor edits and word changes, as well as the addition of subsection B that requires doors and windows have operable locks.

*12VAC5-431-330. Air volume, heat, light, and ventilation requirements (as amended)*

- Bill offered that the term “applicable building code” replaced “Virginia Statewide Building Code” to capture compliance with the applicable code at the time of construction.

*12VAC5-431-340. Box springs, mattresses, bedding and linen requirements (as amended)*

- The group discussed the concept of fully enclosed duvet covers and the potential for triple sheeting to meet the idea of “enclosed”. It was suggested that subsections D and I be reconsidered and perhaps combined for clarity.
- The group discussed the laundering of blankets and quilts stored in in-room closets and ensuring they are clean/cleaned between use. Bill requested the workgroup provide suggested edits for section 340 specific to bedding and cleaning.

**LUNCH BREAK – 12:15 - 1:15pm**

*12VAC5-431-343. Laundry and laundry rooms.*

- The group discussed offsite laundry services, existing inspection expectations of such services, and the need to clarify the inspection of dryer vents is facility specific and does not apply to inspection of offsite laundry facilities.
- It was asked if laundry waste or discharge may be disposed of on the ground or directly into water ways. Bill offered that the disposal of laundry water waste is considered wastewater that is subject to the Sewage Handling and Disposal Regulations and that discharging wastewater to the ground or waterways, or otherwise not in an approved system, is not allowed.
- It was asked if the laundry room is part of the inspection process. Bill offered that yes, the laundry room or laundry area is part of the hotel premises and part of the inspection process.

*12VAC5-431-350. Bed spacing and provisions (as amended)*

- The group discussed the need for guardrails on bunk beds and possible clarification in instances where children would or would not be present, or in the event the facility catered to mostly adults, such as a hiker hostel.

*12VAC5-431-360. Toilet, lavatory, and bath facilities requirements (as amended)*

- The group discussed allowing for the provision for bathmats.

*12VAC5-431-370. Solid waste (as amended)*

- The group discussed timelines for cleaning of room trash and there were suggestions to remove the timeframe; other members of the group were okay with a timeframe with the exception “or as otherwise directed by the department.”
- It was suggested to replace the term “vector” with “pest.”

*12VAC5-431-380. Pest control (as amended)*

- It was suggested that “animals” be considered in addition to rodents, reptiles, or insects – such as birds or bats.

*12VAC5-431-390. Aquatic venues and saunas.*

- Bill offered a summary of the section content. No comments.

*12VAC5-431-400. Water supply systems (as amended)*

- Bill provided a summary of the section content.
- It was suggested that the language referencing 15 connections to be a waterworks be reconsidered to remove the numerical requirement in case the regulations change.

*12VAC5-431-410. Sewage disposal.*

- Bill provided a summary of the section content. No comments.

*12VAC5-431-420. Life and fire safety.*

- Bill provided a summary of the section content.
- It was suggested that all smoke detectors be hardwired into rooms as many occupants will remove the battery or disconnect the detectors. It was suggested that carbon monoxide detectors be considered in fuel burning areas. It was suggested that any requirements for detectors be confirmed to not be in conflict with the building code.
- It was suggested that subsection B be reworded to state, “in accordance with the applicable building code, all stairways shall be provided with ...” to ensure that stairways that do not require handrails are not accidentally considered out of compliance, such as stairways with three steps or less.
- It was asked if the maintenance code applies to some of the compliance items outlined in the proposed regulations. Bill offered that while some localities have adopted the maintenance code, not all localities have and in the absence of the maintenance code, the hotels regulations would need to be able to stand on their own for enforcement purposes.

*12VAC5-431-430. Chemical and physical hazards.*

- Bill provided a summary of the section content. No comments.

*12VAC5-431-440. Food services (as amended)*

- Bill provided a summary of the section content and changes to ice machine allowances and future prohibitions.
- The group discussed the provisions for ice dispensing machines and the existence and allowance for open-type ice bins.

*12VAC5-431-450. Lodging unit kitchens (as amended)*

- Bill provided a summary of the section content.
- The group discussed the requirement for refrigerators to be capable of maintaining a temperature of 41°F. Bill offered the idea that the public may have the perception and expectation that a provided refrigerator would not present a health hazard from improper temperatures.
- The group discussed the washing of reusable dishes and suggested a clarifier be added to ensure “reusable” dishes would require washing, rinsing, and sanitizing.

*12VAC5-431-460. Repealed*

- Bill informed the workgroup that a stakeholder had suggested the section be revised to provide section content specific to “employee safety buttons.” Bill asked the workgroup if the content should be included in regulation. The workgroup suggested that the use of an employee safety button is a best practice but it is not appropriate to include in regulation.

*12VAC5-431-470. Repealed*

- The workgroup agreed on the removal.

*12VAC5-431-480. Repealed*

- Bill provided a summary of the reason for the proposed repeal of the section content, including that the health and safety considerations for room posting may not be valuable in routine inspections through the requirements outlined in regulation. Bill offered that the requirements still exist in the Code of Virginia and may be enforced by the local health department on a notification or complaint basis.

*12VAC5-431-490. Employee training*

- Bill provided the only change to this section is the removal of the July 1, 2023 date.
- No comments

*12VAC5-431-500. Bed and breakfast operations.*

- Bill provided a summary of the minor edits to the section content.
- No comment.

**Conclusion**

**Next steps**

- The next step is review and comment on Draft #2.
- Draft #2 comments due May 22, 2026.
- Draft #3 will be provided after receipt and review of Draft #2 comments.
- If another meeting is preferred by the workgroup, Bill asked that the workgroup please identify the preferred location for the meeting.
- Upon subsequent drafts, eventually a proposed draft will be submitted to the Board of Health for approval.

**Adjournment**

Briana Bill thanked all the participants. The meeting was adjourned at approximately 2:58pm.