

**§ 136-140.16. Eligibility criteria.**

A business or facility is eligible to participate in the TODS program if it meets all of the following conditions:

- (1) It is open to the general public and is not restricted to "members only".
- (2) It does not restrict access to its facilities by the general public.
- (3) It complies with all applicable laws, ordinances, rules, and regulations concerning the provision of public accommodations without regard to race, religion, color, age, sex, national origin, disability, and any other category protected by federal or State constitutional or statutory law concerning the granting of licenses and approvals for public facilities.
- (4) It meets the following standards:
  - a. It is in continuous operation at least eight hours a day, five days a week during its normal season or the normal operating season for the type of business or facility.
  - b. It is licensed and approved by the appropriate State and local agencies regulating the particular type of business or activity. (2001-383, s. 1.)