

## **Chapter 15. SWIMMING POOLS. ANALYSIS**

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### **Article 1. DEFINITIONS.**

#### **15-1. Definitions.**

The words, terms or phrases listed below for the purpose of this Code and Chapter shall be defined and interpreted as follows:

(a) Alter - Alter shall mean and include any major replacement or repair to any portion or unit of an existing swimming pool.

(b) Authorized Agent - An authorized agent is a licensed health officer, Registered Environmental Health Specialist, or any other properly qualified and licensed person who is delegated to function within specified limits as the agent of the Board of Health.

(c) Approved - Approved shall mean accepted or acceptable under applicable specifications stated or cited in the Code, or accepted as suitable for the proposed use under Rules and Regulations pursuant to Section 15-16.

(d) Construct - Construct shall mean and include building or installing a new swimming pool or enlarging an existing swimming pool or any of its facilities.

(e) Locate - Locate shall mean designating the site or place of a swimming pool.

(f) Operate - Operate shall mean to conduct, maintain or otherwise provide facilities for bathing at swimming pools.

(g) Person - Person includes corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals.

(h) Swimming Pool - Swimming Pool shall mean and include fill and draw, flow through and re-circulation pools, outdoor and indoor, which are artificially constructed to provide recreational facilities for swimming, bathing or wading, including spas and whirlpools, and all buildings, equipment and appurtenances thereto.

It shall not include naturally or artificially constructed outdoor ponds, rivers or lakes, or baths used for cleansing of the body or practice of the healing arts. It shall not include swimming or wading pools established or maintained upon any premises by any individual for personal or family use or use by guests of the household.

(i) Wading Pool - A wading pool is a shallow pool intended for use by children.

## **Article 2. ADMINISTRATION.**

### **15-2. Approval to locate and construct or alter.**

Swimming pools shall not be located and constructed or altered by any person until the Health Department has given formal plan approval.

### **15-3. Procedure for obtaining approval to locate and construct.**

Licenses or permits shall not be issued until the Health Department has received and approved a letter of application therefor, together with letters of approval from the planning and zoning agencies, and final plans, specifications and reports prepared by a licensed professional engineer or registered architect fully describing and setting forth all data as hereinafter required or as may otherwise be required by the Board of Health or its authorized agent.

(a) Plans, specifications and reports shall include but not be limited to:

(1) Proposed site of the pool.

(2) Nature and extent of the area to be served by the pool including type of pool (general public, club, instructional, camp, etc.) and estimated daily patronage and method of estimation.

(3) Basic design factors, including pool use and capacities of various units; source, volume, and nature of various wastes and method of disposal.

(4) Pool layout, construction and dimensions, including piping arrangement, pumps, bathhouses, toilet facilities and all other pool appurtenances, including recreational facilities.

(5) Disposal facilities for filter waste waters, sanitary sewage and shower wastes if a municipal sewer is not available or if a municipal sanitary sewer is available, the details of connection thereto.

(6) Proposed operation and maintenance procedure.

(7) Proposed supervisory personnel and safety equipment.

(8) Well construction if public water supply is not available.

(9) Specifications for construction of the swimming pool shall accompany all detail plans and reports.

(b) Upon compliance with all provisions of this Code and approval of the final plans, specifications, and report, together with the data contained therein, a license or permit shall be issued for the facility.

### **15-4. Procedure for obtaining a license or permit to alter.**

(a) Approval to alter a swimming pool shall not be issued until the Health Department has received a letter of application therefor, together with such plans, specifications or reports as may be requested by the Board of Health to fully describe the proposed alteration.

(b) Upon compliance with all applicable provisions of this Code and approval of the requested alteration or proposal, a license or permit shall be issued.

**15-5. Proposed design or construction not conforming to Code.**

Proposed design or construction features of a pool differing from the provisions of this Code may be approved upon submission of evidence to the satisfaction of the Board of Health that public health or safety would not be affected by such design or construction.

**15-6. Existing swimming pools.**

Section 15-3 of this Code relating to location and construction shall not apply to swimming pools in existence at the time of its adoption, except that any alterations of any unit or units of such swimming pool shall be made in accordance with the applicable provisions of this Code. The provisions for enclosure in the Rules and Regulations shall apply to all pools.

**15-7. Approval to operate.**

Swimming pools shall not be operated by any person until the Health Department has given formal approval therefor by issuance of an appropriate license or permit. This license or permit shall be displayed in a conspicuous place on the premises where it may be readily observed by all patrons. No person shall operate a pool whose license therefor is suspended.

**15-8. Procedure for obtaining license or permit to operate.**

Licenses or permits to operate a swimming pool shall not be issued until a properly executed application containing information as requested on a form supplied by the Health Department has been submitted and approved by the Board.

**15-9. Denial of license or permit.**

Persons denied a license or permit shall be notified in writing accordingly by the Health Department. Such notice shall specify the reason for such action and the remedial action necessary to obtain approval for issuance of a license or permit.

**15-10. Suspension of License or permit to operate.**

The license or permit of any person to operate a swimming pool may be suspended at any time when in the opinion of the Health Department or its authorized agent such action is necessary to abate a present or threatened menace to public health.

The Health Officer may order the owner or operator of a swimming pool to prohibit any person from using it until correction for any of these reasons:

(a) Failure of the swimming pool equipment, structure, area or enclosure such as to jeopardize the health or safety of the persons using or operating it.

(b) Lack of properly functioning equipment or proper material for re-circulating, treating or testing the swimming pool water.

(c) Lack of required supervisory personnel or required lifeguards.

(d) Presence of a pollutant or of a hazardous object or substance in the swimming pool.

(e) Failure to meet a water quality standard.

(f) Failure to possess a valid license to operate.

(g) Any other reason which poses an immediate health hazards.

**15-11. Closing of swimming pools; procedure.**

(a) When the Health Officer orders closing of a swimming pool, he shall issue a written order to the swimming pool owner or operator or his representative, stating that the swimming pool is to be closed

immediately and specifying corrective action to be taken. The order shall be served upon the owner, representative or a person in charge of the swimming pool. The person on whom the order is served shall close the swimming pool immediately and shall prohibit any person from using it.

(b) After the specified corrective action has been taken, the owner or operator or his representative shall notify the Health Officer that the swimming pool is ready for re-inspection.

(c) If upon re-inspection the corrective action is approved, the swimming pool may be opened for use.

(d) If upon re-inspection the corrective action is not approved, the swimming pool shall be kept closed and out of use until corrective action is approved.

#### **15-12. Suspension notification.**

The person whose license or permit has been suspended or his representative in charge of the pool shall, at the time such license is suspended, be informed in writing that the license or permit to operate the Pool is suspended, the reason for such action and the remedial action to be taken before the suspension may be lifted.

#### **15-13. Hearings.**

Persons whose licenses or permits have been denied or suspended shall be afforded hearings pursuant to Chapter 8 of this Code.

#### **15-14. Monthly operating reports.**

Reports of pool operation shall be submitted to the Health Department or its authorized agent within ten (10) days after the last day of the preceding month upon report forms furnished by the Health Officer.

#### **15-15. Opening inspections required.**

No pool shall open to the public until written opening approval has been issued by the Health Department. Seasonally operated swimming pools shall be inspected each spring, prior to opening, to assure compliance with the provisions of this Code.

### **Article 3. RULES AND REGULATIONS.**

#### **15-16. Rules and regulations.**

Rules and Regulations Governing the Construction, Maintenance and Operation of Swimming Pools are hereby established pursuant to Section 1-9 of this Code. A copy of said rules and regulations is annexed hereto and made a part hereof without the inclusion of the text thereof herein. Three copies of the said rules and regulations have been placed on file in the office of the Secretary of the Board of Health for the use and examination of the public.