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CH. 29 SWIMMING POOLS

CHAPTER 29
SWIMMING POOLS

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§ 29101. Definitions.

As used in this Chapter:

(a) *Swimming pool* means any artificial structure, basin, chamber or tank constructed of impervious material used or intended to be used for swimming, diving, wading or recreational bathing. It does not include conventional bathtubs where the primary purpose is the cleaning of the body or individual therapeutic tubs;

(b) *Wading pool* means an artificial basin, chamber or tank constructed of impervious material used or intended to be used for wading by small children and having a maximum depth not to exceed eighteen (18) inches at the deepest point and not more than twelve (12) inches in depth at the side wall;

(c) *Public swimming pool* means any swimming or wading pool that is available for public use, whether for a fee or free of charge; or any swimming or wading pool owned or used by any business, partnership, corporation or person for the use of their customers, clients, guests or employees including but not limited to a commercial pool, a community pool or a pool at a hotel, motel, resort, auto park, trailer park, apartment house or other multiple rental unit, private club, public club, public or private school, gymnasium or health establishment; and

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(d) *Private residential swimming pool* means any swimming or wading pool located on private residential property and under the direct control of the homeowner, the use of which is limited to swimming or bathing by members of his family or guests.

SOURCE: GC § 9590.

§ 29102. Supportive Structures and Equipment.

The provisions of this Chapter shall apply to any public swimming pool and to all supportive structures and equipment necessary or required for the operation of the public swimming pool. These structures and equipment shall include, but not limited to, plumbing fixtures, filtration equipment, pumps, disinfecting equipment and structures housing this equipment, showers and shower rooms, dressing rooms, locker rooms and toilet facilities; pool decks, diving boards, safety fences and safety equipment and similar equipment necessary for pool operation and maintenance.

SOURCE: GC § 9590.1.

§ 29103. Exception.

The provisions of this Chapter shall not apply to a private residential swimming pool.

SOURCE: GC § 9590.2.

§ 29104. Rules and Regulations.

The Director shall adopt rules and regulations regarding the construction, operation and maintenance of public swimming pools. These rules and regulations shall assure that the public swimming pools are constructed, operated and maintained in the interest of the health and safety of the people.

SOURCE: GC § 9590.3.

§ 29105. Construction Permit Required.

No person shall construct, reconstruct or alter any public swimming pool without first obtaining a permit from the Department. To apply for a construction permit, the applicant must submit complete, detailed plans of the swimming pool, supportive structures and equipment, specifications, site plans and any other information required by the Director. Construction, reconstruction or alteration shall not be started until the plans for the pool are approved by the Director.

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SOURCE: GC § 9590.4.

§ 29106. Operation of New Construction.

No public swimming pool constructed under permit of the Department shall be placed into operation until the Director has approved the final construction and a sanitary permit is issued for it.

SOURCE: GC § 9590.5.

§ 29107. Fees.

The Director may establish fees for sanitary permits and construction permits by regulation and collect such fees.

SOURCE: GC § 9590.6.

§ 29108. Public Display of Sanitary Permit.

Every public swimming pool shall display in a conspicuous place designated by the Director, the sanitary permit issued to it showing thereon the latest date of inspection. No person other than the Director shall remove, deface, destroy or conceal such sanitary permit.

SOURCE: GC § 9590.7.

§ 29109. Closure of Pool.

The Director shall order a public swimming pool to immediately close down whenever he finds that the pool or its operation jeopardizes the health and safety of the people. Additionally, the public swimming pool shall be closed for any of the following conditions:

- (a) It is declared a "public nuisance" as defined in § 20107;
- (b) Failure of any of the filtration or disinfection equipment;
- (c) Lack of adequate safety equipment;
- (d) Failure to meet the minimal water quality standards established for swimming pools;
- (e) Lack of adequate supervisory personnel; or
- (f) Lack of a current sanitary permit or construction permit from the Department.

Whenever a pool is ordered closed by the Director, the pool shall be closed immediately to all swimming and shall remain closed until the condition is corrected and the Director authorizes opening.

SOURCE: GC § 9590.8.

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§ 29110. Reinspection.

Whenever a public swimming pool is closed by the Director, the pool owner shall notify the Director when the pool is ready for reinspection. The Director shall inspect the pool within twenty-four (24) hours after the request for inspection, excluding weekends and legal holidays.

SOURCE: GC § 9590.9.

§ 29111. Closure to Be Posted.

When a public swimming pool is closed by the Director, he shall post a notice easily visible to the public stating that the pool is closed by order of the Director and that swimming is prohibited.

SOURCE: GC § 9590.10.

§ 29112. Removal Prohibited.

Any person who removes a notice of closure posted by the Director, except with the express written consent of the Director, is guilty of a misdemeanor.

SOURCE: GC § 9590.11.

§ 29113. Operation Records.

The owner or operator of any public swimming pool shall keep a daily log of pool operations including disinfection residuals, PH, maintenance and any other operation and maintenance procedures required in the rules and regulations.

SOURCE: GC § 9590.12.
