

Dear Senators MARTIN, Souza, Jordan, and  
Representatives WOOD, Wagoner, Chew:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of  
the Department of Health and Welfare:

IDAPA 16.02.14 - Rules Governing Construction and Operation of Public Swimming Pools in Idaho  
- Proposed Rule (Docket No. 16-0214-1901).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 11/21/2019. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/20/2019.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee

**FROM:** Principal Legislative Drafting Attorney - Elizabeth Bowen

**DATE:** November 01, 2019

**SUBJECT:** Department of Health and Welfare

IDAPA 16.02.14 - Rules Governing Construction and Operation of Public Swimming Pools in Idaho - Proposed Rule (Docket No. 16-0214-1901)

#### Summary and Stated Reasons for the Rule

This proposed rule revises terminology and removes obsolete and extraneous language.

#### Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was not conducted. However, stakeholder feedback was taken at meetings in all seven health districts, and written comments were accepted as well. There is no anticipated negative fiscal impact on the state general fund.

#### Statutory Authority

This rulemaking appears to be within the Department's statutory authority.

cc: Department of Health and Welfare  
Frank Powell and Trinette Middlebrook

#### \*\*\* PLEASE NOTE \*\*\*

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**  
**16.02.14 – RULES GOVERNING CONSTRUCTION AND OPERATION**  
**OF PUBLIC SWIMMING POOLS IN IDAHO**

**DOCKET NO. 16-0214-1901**

**NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 56-1003 and 56-1007, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 16, 2019.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This chapter is being rewritten to update the required sections at the beginning of the chapter, and to remove all obsolete and extraneous restrictive language. This rewrite brings this chapter of rules into conformity with the Red Tape Reduction Act.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking:

There is no anticipated fiscal impact to state general funds or any other funds related to this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted. However, informal negotiated rulemaking meetings were held in all seven Public Health Districts. In addition, stakeholders were given an email address to send written comments if they could not attend a meeting.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Sonja Schriever at (208) 334-6950.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2019.

Dated this 19th day of August, 2019.

Tamara Prisock  
DHW – Administrative Rules Unit  
450 W. State Street – 10th Floor  
P.O. Box 83720  
Boise, ID 83720-0036  
Phone: (208) 334-5564  
Fax: (208) 334-6558  
E-mail: [dhwrules@dhw.idaho.gov](mailto:dhwrules@dhw.idaho.gov)

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 16-0214-1901  
(Only Those Sections With Amendments Are Shown.)

**000. LEGAL AUTHORITY.**

Sections 56-1003 and 56-1007, Idaho Code, grant authority to the ~~Board of Health and Welfare to adopt and to the Director, of the~~ Department of Health and Welfare, to enforce minimum standards of health, safety and sanitation and to establish reasonable fees for services for all public swimming pools within the ~~S~~state of Idaho. (3-16-04)( )

**001. TITLE, ~~AND SCOPE, AND INTENT.~~**

**01. Title.** These rules are titled IDAPA 16.02.14, "~~Rules Governing~~ Construction and Operation of Public Swimming Pools ~~in Idaho.~~" (4-5-00)( )

**02. Scope.** The provisions of these rules apply to all public swimming pools ~~as hereinafter defined, including all and related~~ facilities ~~incident thereto.~~ The purpose of these rules is to control and regulate the design, construction, operation, and maintenance of ~~such~~ public pools to protect public health and safety. (4-5-00)( )

**03. Intent.** To prevent the spread of communicable disease and to assure a clean and safe environment in public swimming pools. ( )

**002. ~~WRITTEN INTERPRETATIONS. (RESERVED)~~**

~~In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may write statements that pertain to the interpretation of the rules in this chapter, or to the documentation of compliance with the rules of this chapter. The documents are available for public inspection and copying at cost in the main office of the Department of Health and Welfare.~~ (4-5-00)( )

**003. ADMINISTRATIVE APPEALS.**

~~Appeals~~ All contested cases are governed by ~~Idaho Department of Health and Welfare Rules~~ the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (4-5-00)( )

**004. CONFIDENTIALITY OF RECORDS AND PUBLIC RECORDS ACT REQUESTS.**

~~The Public Health Districts will comply with Title 74, Chapter 1, Idaho Code, when requests for the examination and copying of public records are made, unless otherwise exempt, as set forth in Title 74, Chapter 1, Idaho Code.~~ (4-5-00)

**01. Confidentiality of Records.** Any information about an individual covered by these rules and contained in the Department's records must comply with IDAPA 16.05.01, "Use and Disclosure of Department Records." ( )

**02. Public Records Act.** The Department will comply with Title 74, Chapter 1, Idaho Code, when requests for the examination and copying of public records are made. Unless otherwise exempted, all public records in the custody of the Department are subject to disclosure. ( )

**0065. APPLICABILITY.**

All public swimming pools, as defined, ~~shall~~ must be constructed and operated in conformance with these rules. Public swimming pools constructed prior to 1982 that can meet the requirement of Sections 190 through 198 and Sections 230 and 231 ~~of these rules shall~~ are not be required to meet the structural aspects of these rules. These rules ~~shall~~ apply to all public swimming pools ~~except private pools and special-use pools.~~ (4-5-00)( )

**0076. -- 009. (RESERVED)**

**010. DEFINITIONS.**

For the purpose of these rules, the following words and phrases ~~will be~~ are used, as defined below: (4-5-00)( )

01. **Bather.** A person who becomes partially or totally immersed in water in a pool. (4-5-00)
02. **Board.** Idaho ~~State~~ Board of Health and Welfare. ~~(4-5-00)~~( )
03. **Break in Grade.** Where the slope of the bottom of pool exceeds a uniform slope greater than one (1) foot in twelve (12) feet horizontally. (4-5-00)
04. **Department.** Idaho Department of Health and Welfare. (4-5-00)
05. **Director.** Director of the ~~Idaho~~ Department of Health and Welfare. ~~(4-5-00)~~( )
06. **Director's Designee.** The seven Public Health Districts. (4-5-00)
07. **Geothermal Water.** Water derived from and heated exclusively from the natural heat energy from the earth. (4-5-00)
08. **Geothermal Pool.** A flow-through public pool, which uses water solely derived from and heated exclusively by the natural heat energy from the earth. (4-5-00)
09. **Flow-Through Pool.** A pool fed by a continuous supply of acceptable water that causes an equal volume of water to overflow to waste. (4-5-00)
10. **Lifeguard.** A person who holds a current lifeguard training certificate and basic life support cardiopulmonary resuscitation (CPR) certificate from the American Red Cross, YMCA, Ellis & Associates, or any other equivalent certifying agency approved by the Director's Designee. (4-5-00)
11. **Lifeguard Chair.** An elevated stand erected for use by a lifeguard while superintending the safety of bathers in a pool. The height and location ~~shall~~ **must** afford the user an unobstructed view of all bathers within the pool enclosure. ~~(4-5-00)~~( )
12. **Operator.** An individual eighteen (18) years of age or older, who is familiar with the operation of the pool and is responsible for the health and safety of the public using the pool and for operating the pool in compliance with these rules. The operator ~~shall~~ **must** have an approved certification of competency from a Certified Pool Operator (CPO), National Swimming Pool Foundation Certification; an Aquatic Facility Operator (AFO), National Recreation and Parks Association Certification; a National Swimming Pool Institute (NSPI Tech 1), National Spa and Pool Institute Certification Program, District Health Department Certification, or other certification programs approved by the Director designee. The operator ~~shall~~ **must** also have a basic life support cardiopulmonary resuscitation (CPR) certificate and current first aid certification as stated in Subsection 010.10 of these rules. ~~(4-5-00)~~( )
13. **Person.** A person, firm, partnership, association, corporation, company, governmental agency, club or organization of any kind. (4-5-00)
14. **Pool.** An artificial structure containing water and its ~~appurtenances~~ **related elements** used or intended to be used for swimming, diving, or recreation. ~~(4-5-00)~~( )
15. **Private Pool.** Any pool constructed in connection with or appurtenant to single-family dwellings or condominiums used solely by the persons maintaining their residence within such dwellings and the guests of such persons. (4-5-00)
16. **Public Swimming Pool.** Herein referred to as public pool. A pool, and its ~~appurtenances~~ **related elements**, that contains water more than two (2) feet deep, is used or intended to be used for swimming, diving, or recreational bathing, and is for the use of any segment of the public ~~pursuant to~~ **under** a general invitation but not an invitation to a specific occasion or occasions. ~~(4-5-00)~~( )
17. **Remodel.** To replace all or part of any structure, circulation system, or ~~appurtenance~~ **related**

~~element~~ of a pool facility, or to modify to the extent its design, configuration, or operating characteristics differ from those of the original. The term does not include normal maintenance, repair, or replacement of equipment or similar equipment that has previously been approved. Only that which is being remodeled needs to meet current specifications. (4-5-00)(    )

**18. Spa.** An artificial structure containing water no more than four (4) feet deep and a recirculation system primarily designed for relaxation or therapeutic use where the user is sitting, reclining, or at rest. (4-5-00)

**19. Special-Use Pool.** A pool used exclusively for rehabilitating, curing, or treating a disease or disorder. This term also includes geothermal flow-through pools used exclusively for relaxation or therapeutic use where the user is sitting, reclining, or at rest. (4-5-00)

**20. Wading Pool.** A public pool with water less than two (2) feet deep used mainly by non-swimming children and those supervising the children. (4-5-00)

**011. -- 019. (RESERVED)**

**020. SUBMISSION OF PLANS AND SPECIFICATIONS.**

**01. Plans.** No person ~~shall~~ **may** construct or remodel any public pool until plans, specifications, and a plan review fee have been submitted, and the Director's designee has issued a letter of acceptance. Plans and specifications ~~shall~~ **must** be prepared by an architect or engineer licensed to practice in the state of Idaho. The architect or engineering plans, specifications and reports, ~~shall~~ **must** contain information sufficient to demonstrate the proposed pool is in compliance with these rules and ~~shall so~~ certify **the same**. (4-5-00)(    )

**02. Construction Compliance Certificate.** The operator ~~shall~~ **must** submit, prior to public use of new facilities, a construction compliance certificate to the Director's designee. This certificate ~~shall~~ **must**: (    )

**a.** ~~Be~~ **Be** prepared and signed by a professional engineer or architect licensed to practice in the state of Idaho. ~~The certificate shall:~~ **and** (    )

**b.** ~~Include~~ **Include** a statement that the pool and the ~~appurtenances~~ **related elements** have been constructed in accordance with approved plans and specifications. (4-5-00)(    )

**03. Stability.** Pools ~~shall~~ **must** be designed and constructed to withstand all anticipated loadings for both full and empty conditions. A hydrostatic relief valve or other suitable means ~~shall~~ **must** be provided in areas having a high water table. The designing architect or engineer ~~shall be~~ **is** responsible for certifying ~~to~~ the structural stability and safety of the pool. (4-5-00)(    )

**021. -- 029. (RESERVED)**

**030. PERMITS.**

No public pool may be open to the public unless the operator has applied for and received a permit. Permits ~~shall~~ expire on December 31 of each year, unless earlier revoked or suspended for violation of these rules. Exempt pools may voluntarily request to obtain a permit and be inspected. Only persons who comply with these rules ~~shall be~~ **are** entitled to receive and retain a permit. Permits are not transferable. (4-5-00)(    )

**031. APPLICATION.**

An application for permit ~~shall~~ **must** be made on forms obtained from the Director's designee. (4-5-00)(    )

**032. PERMIT FEE AND PLAN REVIEW FEE.**

~~01. Fee Amounts.~~ All applications ~~shall~~ **must** be accompanied by payment of the permit fee of fifty dollars (\$50) annually for each swimming pool. A plan review fee per unit for each swimming pool is one hundred dollars (\$100). (3-16-04)(    )

**033. WAIVER OF FEES.**

Upon written application to the Director ~~of the Department of Health and Welfare~~, a waiver of a specific fee may be

granted to an applicant who is required by these rules to pay the fee. ~~(3-16-04)~~( )

**01. Determination of Good Cause.** Good cause for a waiver must be shown before it is granted by the Director. Good cause may include hardship or extenuating circumstances, as determined by the Director. (3-16-04)

**02. Duration of Waiver.** If the fee sought to be waived becomes due periodically, the fee may be waived for a designated period of time. (3-16-04)

**03. Limitations.** Granting of a waiver ~~shall will~~ not be considered as precedent or be given any force or effect in any other proceeding. ~~(3-16-04)~~( )

**034. -- 039. (RESERVED)**

**040. INSPECTIONS.**

The Director's designee is authorized to conduct inspections as deemed necessary to insure compliance with all provisions of these rules and ~~shall will~~ have right of entry at any time the pool is in operation. ~~(4-5-00)~~( )

**041. NOTICE OF VIOLATION.**

If a violation of any provision of these rules is found during an inspection, the inspector ~~shall will~~ provide a written notice of such violation to the operator, which will establish a time frame for correction. ~~(4-5-00)~~( )

**042. REINSPECTION.**

A reinspection will be made to determine if the violation has been corrected. If upon reinspection the violation has been corrected, the pool will be allowed to remain open. If upon reinspection the violation still remains, the permit may be temporarily suspended and the pool closed until such time the violation has been corrected and approved by the Director, or ~~the~~ Director's designee. ~~(4-5-00)~~( )

**043. -- 049. (RESERVED)**

**050. TEMPORARY SUSPENSION AND REVOCATION OF PERMITS.**

**01. Cause.** The Director or the Director's designee may temporarily suspend, or ~~may~~ revoke a permit for failure to comply with these rules or in cases where the permit has been obtained through nondisclosure, misrepresentation, or misstatement of a material fact. ~~(4-5-00)~~( )

**02. Suspension.** If the Director or the Director's designee determines that conditions at a public pool constitutes a serious danger to the health or safety of the public, a written order stating the particular reason for suspension ~~shall will~~ be given to the operator; the permit ~~shall will~~ be immediately suspended and the pool closed until such time the condition is corrected. If the violation to these rules has not been corrected and a reinspection shows the violation still remains, a written order stating the particular reason for suspension ~~shall will~~ be given to the operator and the permit ~~shall will~~ be temporarily suspended and the pool closed until such time the condition is corrected. In the event a permit is suspended, the person to whom the permit was issued ~~shall be afforded has~~ the right to appeal ~~pursuant to under~~ Section 003 of these rules. ~~(4-5-00)~~( )

**03. Revocation.** If an operator fails to comply with the orders of a temporary suspension, the permit ~~shall will~~ be revoked unless the operator immediately closes the pool. Before a permit is revoked, the person to whom the permit was issued ~~shall will~~ receive notice in writing indicating items that fail to comply with this chapter. The permit holder ~~shall will~~ be advised of his right to appeal ~~pursuant to Section 003 of these rules~~. ~~(4-5-00)~~( )

**04. Reissue.** The permit may be reissued upon proper application and upon presentation of evidence that the deficiencies or abuses causing revocation have been corrected. ~~(4-5-00)~~( )

**051. -- 059. (RESERVED)**

**060. PENALTY.**

Any person who willfully violates, disobeys, or disregards the provisions of these rules ~~shall be is~~ guilty of a misdemeanor under the provisions of Section 56-1008, Idaho Code. ~~(4-5-00)~~( )

061. -- 069. (RESERVED)

070. CONSTRUCTION REQUIREMENTS: PLUMBING CODES.

All plumbing ~~shall~~ must conform with and meet the provisions of ~~Division of Building Safety~~ IDAPA 07.02.06, "Rules Concerning the Idaho State Plumbing Code;" ~~adopted by the Idaho State Plumbing Board.~~ (4-5-00)(    )

071. CONSTRUCTION REQUIREMENTS: ELECTRICAL CODE.

All electrical appliances and wiring ~~shall~~ must conform with and meet the provisions of ~~Division of Building Safety~~, IDAPA 07.01.06, "Rules Governing the Use of National Electrical Code;" ~~adopted by the Idaho State Electrical Board.~~ (4-5-00)(    )

072. CONSTRUCTION REQUIREMENTS: UNIFORM BUILDING CODE.

All buildings ~~shall~~ must conform with and meet the provisions of ~~Division of Building Safety~~ IDAPA 07.03.06~~1~~, "Rules ~~Governing the Use of the Uniform~~ Building Code Safety." (4-5-00)(    )

073. CONSTRUCTION REQUIREMENTS: MATERIALS.

Pools and all ~~appurtenances thereto shall~~ related elements must be constructed of materials that are inert, nontoxic to humans, impervious, permanent, and enduring; ~~which~~ can withstand the design stresses; and ~~which~~ will provide a tight tank with a smooth and easily cleanable surface, or to which an easily cleaned surface finish can be applied. (4-5-00)(    )

074. CONSTRUCTION REQUIREMENTS: CORNERS.

Corners formed by intersection of walls and floors ~~shall~~ must be rounded. (4-5-00)(    )

075. CONSTRUCTION REQUIREMENTS: FINISH.

Pool finish, including bottom and sides, ~~shall~~ must be of light colored material, nontoxic to humans, with a smooth and easily cleanable surface. (4-5-00)(    )

076. -- 079. (RESERVED)

080. DESIGN DETAIL: DIMENSIONS.

No limits are specified for length and width of pools except any pool in which diving is allowed ~~shall~~ must be at least sixteen (16) feet wide. (4-5-00)(    )

081. DESIGN DETAIL: CIRCULATION.

Provisions ~~shall~~ must be made for complete, continuous circulation of water throughout all parts of the pool. Pools with a recirculation system ~~shall~~ must have the necessary treatment and filtration equipment as required. Flow-through pools that can meet the bacterial and clarity requirements of Sections 230 and 231 will not be required to meet Sections 250 through 256 and Sections 260 and 261 of these rules. (4-5-00)(    )

082. DESIGN DETAIL: SHAPE.

The shape of any pool ~~shall~~ must be such that the circulation of water and the safety of bathers are not impaired. (4-5-00)(    )

083. DESIGN DETAIL: WADING POOLS.

~~All~~ wading pools ~~shall~~ must have a maximum depth of two (2) feet, ~~and shall~~ be physically separated from any pool; ~~The wading pool shall~~ have a turnover rate of at least once every two (2) hours; ~~All wading pools shall~~ have separate equipment for water recirculation and disinfection ~~and there shall be~~ with no cross connections between a wading pool and any other pool; ~~Wading pools shall~~ and be equipped with anti-vortex drains to avoid any possibility of entrapment. (4-5-00)(    )

084. DESIGN DETAIL: NO DIVING SIGN.

If a pool is not designed for diving, a conspicuous sign ~~shall~~ must be posted ~~which and~~ states: "NO DIVING;" ~~such sign shall~~ and contain lettering no less than six (6) inches high. Pools allowing diving ~~shall~~ must be at least eight (8) feet six (6) inches deep and meet manufacturer's installation criteria. (4-5-00)(    )

**085. DESIGN DETAIL: SAFETY LINE.**

A safety line ~~shall be required to~~ **must** provide a visual and physical indicator of the separation between the shallow and deep portions of a pool. ~~The safety line shall~~ **and** be in place when the pool is open to the general public, except during periods of lap swimming, competitive swimming or supervised training. ~~The safety line shall~~ **It must** be located in the shallow area no closer than one (1) foot nor any further than two (2) feet away from the break in grade line or five (5) foot depth. ~~The safety line shall~~ be securely fastened to wall anchors of corrosion-resistant material and of the type that ~~shall be~~ **is** recessed or ~~have~~ **has** no projections that ~~shall would~~ constitute a hazard when the line is removed. ~~and The safety line's position shall~~ be marked with visible floats. (4-5-00)(    )

**086. -- 089. (RESERVED)**

**090. SLOPE OF FLOOR: SHALLOW AREA.**

Any portion of the pool floor with a depth less than five (5) feet ~~shall~~ **must** be uniform, slope to drain, and ~~shall~~ **must** not exceed a slope of more than one (1) foot in twelve (12) feet horizontally. (4-5-00)(    )

**091. SLOPE OF FLOOR: DEEP AREA.**

The slope of the pool floor at a water depth of five (5) feet or more ~~shall~~ **must** be uniform, sloped to drain, and ~~shall~~ **must** not exceed a slope of one (1) foot in three (3) feet horizontally. (4-5-00)(    )

**092. -- 099. (RESERVED)**

**100. SIDE WALLS.**

Walls of a swimming pool ~~shall~~ **must** be either: vertical for water depth of at least six (6) feet; or vertical to a depth of three (3) feet below the water surface and then curved to join the bottom with a radius not greater than the difference between the depth at that point and three (3) feet, provided vertical is interpreted to permit slopes not greater than one (1) foot horizontally for each five (5) feet of sidewall depth (eleven (11) degrees from vertical). (4-5-00)(    )

**(BREAK IN CONTINUITY OF SECTIONS)**

**110. WIDTH OF DECKS AND WALKWAYS.**

**01. Pool Deck. A pool must have:** (    )

**a.** A continuous deck, a minimum of eight (8) feet wide, ~~shall that~~ **extends** completely around the pool ~~if it has one thousand eight hundred (1,800) square feet of surface area, or more;~~ (    )

**b.** ~~except a pool with less than eighteen hundred (1800) square feet of surface area shall have a~~ A continuous deck a minimum of four (4) feet wide ~~if it has less than one thousand eight hundred (1,800) square feet of surface area; and~~ (    )

**c.** A minimum of three (3) feet ~~shall be provided~~ at the rear of any diving equipment or slide. (    )

**02. Spa. A spa may be constructed adjacent to a pool provided:** (    )

**a.** ~~‡~~The spa has one hundred twenty (120) square feet of water surface area or less; (    )

**b.** ~~‡~~The spa is separated from the pool by a common wall no more than twelve (12) inches wide; (    )

**c.** ~~‡~~The common wall is constructed ~~in such a fashion~~ to prevent its use as a walkway; and (    )

**d.** ~~‡~~A continuous deck a minimum of four (4) feet wide extends completely around the pool and the spa. (4-5-00)(    )

**111. SLOPE OF DECKS AND WALKWAYS.**

Decks ~~shall~~ **must** have a nonslip surface and be sloped to remove any surface drainage from entering the pool water.

Drainage ~~shall~~ **must** be conducted from the deck in a manner that will not create hazardous or objectionable conditions. ~~Drainage from the decks shall and~~ not be returned to the recirculation system. (4-5-00)(    )

112. -- 119. (RESERVED)

120. LADDERS, RECESSED STEPS, AND STAIRS REQUIREMENTS.

Recessed steps, stairs, or ladders ~~shall~~ **must** be provided at the shallow and deepest end of a pool. If the pool is over thirty (30) feet wide, such steps, ladders, or stairs ~~shall~~ **must** be installed on each side. (4-5-00)(    )

121. RECESSED STEPS.

Recessed steps ~~shall~~ **must** be readily cleanable and ~~shall~~ **must** be arranged to drain into the pool. The steps ~~shall~~ **must** have a minimum tread of five (5) inches and a minimum width of fourteen (14) inches. (4-5-00)(    )

122. STAIRS.

Where stairs are provided, they ~~shall~~ **must** be equipped with a handrail, ~~have~~ **W**walking surfaces and treads ~~shall be that are~~ of nonslip design ~~and have with~~ the leading edge in contrasting color, ~~have~~ **S**steps ~~shall have with~~ a minimum tread of twelve (12) inches and a maximum rise of ten (10) inches, ~~There shall be and have~~ no abrupt drop-off or submerged projections into the pool, unless guarded by handrails. (4-5-00)(    )

123. LADDERS.

~~All~~ **L**adders ~~shall~~ **must** be corrosion-resistant, ~~and shall be~~ equipped with nonslip treads, ~~All ladders shall be so designed as~~ to provide a handhold, ~~and shall be~~ rigidly installed, ~~There shall be and have~~ a clearance of not more than five (5) inches or less than three (3) inches between any ladder and the pool wall. (4-5-00)(    )

124. HANDRAILS.

Where recessed steps or ladders are provided within the pool, ~~there shall be a~~ handrails ~~must be positioned~~ at the top of both sides that extend ~~s~~ over the coping or edge of the deck. ~~Handrails shall and~~ be tight and secure. (4-5-00)(    )

125. ACCESS TO DIVING BOARDS.

Platforms and steps for diving boards ~~shall~~ **must** be of sufficient structural strength to safely carry the maximum anticipated loads. Steps ~~shall~~ **must** be of corrosion-resistant material, easily cleanable, and of nonslip design. Handrails ~~shall~~ **must** be provided at all steps and ladders leading to diving boards more than one (1) meter above the water. Platforms and diving boards over one (1) meter high ~~shall~~ **must** be protected with guard railings. (4-5-00)(    )

126. -- 129. (RESERVED)

130. DIVING AREA: HEADROOM.

All pools ~~shall~~ **must** have at least thirteen (13) feet of unobstructed area above each diving board as measured from the front end of the board, and this unobstructed area ~~shall~~ **must** extend horizontally at least sixteen (16) feet forward of the plummet, at least eight (8) feet behind the plummet, and at least eight (8) feet to both sides of the plummet. (4-5-00)(    )

131. DIVING AREA: WATER DEPTH.

The dimensions of the diving area on public pools ~~shall~~ **must** conform to the following:

Minimum Dimensions					
Height of the diving board above the water level		Depth of water at the plummet	Distance ahead of plummet	Depth of water at the distance L From plummet	Overhang of diving board beyond edge of pool
H		D-1	L	D-2	O-H
Meters	Feet	Feet	Feet	Feet	Feet

0.00 to 0.50	0'0" to 1.7"	8'6"	11'6"	8'6"	3'0"
0.51 to 0.75	1'8" to 2'6"	9'3"	11'6"	9'3"	4'0"
0.76 to 1.00	2'7" to 3'3"	10'0"	14'0"	10'0"	5'0"
1.01 to 3.00	3'4" to 10'0"	13'0"	20'0"	13'0"	6'0"
*Diving boards and platforms in excess of three (3) meters or ten (10) feet in height are not allowed in a pool without special provisions, controls, and definite limitation on their use, which has been approved by the Director's designee.					

(4-5-00)( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**133. SEPARATION OF LOW DIVING BOARDS.**

All diving boards installed on pools at heights not greater than three (3) feet three (3) inches or one (1) meter above the water level *shall must* be separated from adjacent diving boards of the same or less height by a distance of not less than eight (8) feet, and *shall must* be located not less than ten (10) feet from the side wall of the pool.

(4-5-00)( )

**134. SEPARATION OF HIGH DIVING BOARDS.**

All diving boards installed on pools at heights greater than three (3) feet three (3) inches or one (1) meter above the water level *shall must* be separated from adjacent diving boards of the same or less height by a distance of not less than ten (10) feet, and *shall must* be located not less than twelve (12) feet from the side wall of the pool.

(4-5-00)( )

**135. ANCHORING OF DIVING BOARDS.**

All installed equipment *shall must* be firmly anchored.

(4-5-00)( )

**136. -- 139. (RESERVED)**

**140. LIGHTING AND ELECTRICAL REQUIREMENTS.**

All electrical appliances and wiring *shall must* conform with and meet the provisions of *the Division of Building Safety, IDAPA 07.01.06, "Rules Governing the Use of National Electrical Code," adopted by the Idaho Electrical Board.* Defects in the electrical system, including underwater lights, overhead lights, and their respective lenses, *shall must* be immediately repaired.

(4-5-00)( )

**141. PORTABLE ELECTRICAL DEVICES.**

Portable electrical devices such as announcing systems and radios, unless battery operated, are prohibited within the pool enclosure. (4-5-00)

**142. OVERHEAD WIRING.**

There *shall may not* be ~~no~~ *any* overhead electrical wiring within twenty (20) feet horizontal distance of the pool enclosure. (4-5-00)( )

**143. UNDERWATER LIGHTING.**

Where underwater lighting is used, the lights *shall must* be spaced to provide illumination so all portions of the pool, including the bottom, may be readily seen without glare. (4-5-00)( )

**144. -- 149. (RESERVED)**

**150. VENTILATION.**

All indoor pools, bathhouses, dressing rooms, shower rooms, and toilet spaces *shall must* be ventilated either by natural or mechanical means to prevent corrosion or the build-up of mold or mildew. (4-5-00)( )

151. -- 159. (RESERVED)

160. DRESSING ROOMS, TOILETS, AND SHOWERS.

Dressing rooms, toilets, and showers ~~shall~~ **must** be made available to all users of a pool. Dressing rooms ~~shall~~ **must** be finished in light colors and planned so good sanitation can be maintained throughout the buildings at all times. No glass containers ~~shall be~~ **are** permitted. (4-5-00)( )

161. LOCATION OF DRESSING ROOMS.

Dressing rooms ~~shall~~ **must** be located near toilets and showers, and should be adjacent to the locker or checkroom. ~~The, and have a~~ layout ~~of the dressing rooms shall be~~ such that bathers, on leaving the dressing room, should pass the toilet and shower en route to the pool. (4-5-00)( )

162. FLOORS IN DRESSING ROOMS, TOILETS, AND SHOWERS.

Floors ~~shall~~ **must** be constructed of non-absorbent materials with non-slip finishes ~~and shall~~, slope to properly located drains. ~~A, and have a~~ sufficient number of drains ~~shall be~~ installed to prevent water from collecting on the floor. (4-5-00)( )

163. CONSTRUCTION OF DRESSING ROOMS.

The material used for walls, partitions, and furniture ~~shall~~ **must** be such that it can be easily cleaned and will not be damaged by frequent hosing, wetting, or disinfection. (4-5-00)( )

164. TOILETS.

Toilet facilities ~~shall~~ **must** be provided for both men and women; ~~shall~~ be accessible to disabled persons; and ~~shall~~ be kept clean and properly maintained. (4-5-00)( )

165. SHOWERS.

~~The following must be provided:~~ ( )

~~01. Showers.~~ Showers ~~shall be provided~~ for both men and women, ~~and shall be that are~~ accessible to disabled persons. ( )

~~02. Fixtures.~~ Fixtures ~~shall be that are~~ kept clean and properly maintained. ( )

~~03. Water Temperature.~~ ~~The H~~Hot water ~~temperature~~ for showers ~~shall be that is~~ not less than ninety (90) degrees and no more than one hundred twenty (120) degrees. ( )

~~04. Scald Prevention.~~ Thermostatic tempering, or mixing valves, ~~shall be installed~~ to prevent scalding of bathers. ( )

~~05. Soap.~~ ~~shall be made available.~~ (4-5-00)( )

166. HAND SINKS.

A minimum of one (1) hand wash sink with hot and cold running water ~~shall~~ **and soap must** be provided in each toilet room. ~~Soap shall be made available.~~ (4-5-00)( )

167. EXCEPTION.

The requirements of Sections 160 through 166 ~~of these rules~~ do not apply to any pool operated solely for and in conjunction with a hotel, motel, or other place of lodging or other facility containing multiple dwellings. However, dressing rooms, toilets, and showers ~~shall~~ **must** be in compliance with ~~this~~ Sections 160 through 166 ~~of these rules~~, if provided in the pool area of hotels, motels, or other facilities containing multiple dwellings. (4-5-00)( )

168. -- 169. (RESERVED)

170. WATER SUPPLY.

The water supply serving a pool ~~shall~~ **must** meet the water quality requirements of the Director's designee for potable water except the Director's designee may approve the use of geothermal waters. Drinking water ~~shall~~ **must** be approved and, if applicable, meet ~~the~~ provisions of IDAPA 58.01.08, "Idaho Rules For Public Drinking Water

Systems.” All portions of the water distribution system ~~shall~~ **must** be protected against backflow and cross connections. (4-5-00)( )

171. -- 179. (RESERVED)

180. SEWER SYSTEM.

A sewer system ~~shall~~ **must** be provided and be adequate to serve the facility, including bathhouse, locker room, and related accommodations. The sanitary sewer serving the pool and auxiliary facilities ~~shall~~ **must** discharge to a public sewer system wherever possible. Where no such sewer is available, the connection ~~shall~~ **must** be made to a suitable disposal system designed, constructed, and operated in accordance with IDAPA 58.01.03, “Individual/Subsurface Sewage Disposal Rules.” (4-5-00)( )

181. -- 189. (RESERVED)

190. HEALTH AND SAFETY: POOL CLOSURE.

The operator ~~shall~~ **must** immediately close the pool when a pool is in violation of Sections 191, 192, 198, and 230 of these rules, or when ordered by the Director or the Director’s designee, ~~and keep~~ **and** the pool ~~shall remain~~ closed until such time as conditions are brought into compliance or the order has been rescinded. (4-5-00)( )

191. HEALTH AND SAFETY: OPERATOR.

All pools ~~shall~~ **must** have an operator. (4-5-00)( )

192. HEALTH AND SAFETY: LIFEGUARD REQUIREMENT.

**01. When Lifeguards Are Required.** Lifeguard(s) ~~will be~~ **are** required at any public swimming pool when: ( )

**a.** ~~¶~~ The numbers of bathers within the pool enclosure exceed thirty-five (35); ~~and~~ ( )

**b.** ~~Any pool that allows~~ Children under the age of thirteen (13) ~~are allowed~~ to swim without adult supervision ~~shall have a lifeguard on duty.~~ ( )

**02. When Lifeguards Are Not Required.** When lifeguard services are not required, a warning sign ~~shall~~ **must**: ( )

**a.** ~~Be~~ placed in plain view for all swimmers; ~~and shall~~ ( )

**b.** ~~State,~~ “WARNING NO LIFEGUARD ON DUTY” with clearly legible letters at least four (4) inches in height; ~~and~~ ( )

**c.** ~~In addition, the sign shall~~ **Also** state, “CHILDREN UNDER 13 YEARS OLD SHALL NOT USE THE FACILITY WITHOUT AN ADULT IN ATTENDANCE,” and “DO NOT SWIM ALONE.” (4-5-00)( )

193. HEALTH AND SAFETY: LIFEGUARD CHAIRS.

If lifeguard chairs are provided, they ~~shall~~ **must** be ~~so~~ located and constructed ~~as~~ to provide a clear, unobstructed view of the pool bottom in the area under surveillance. (4-5-00)( )

194. HEALTH AND SAFETY: LIFESAVING EQUIPMENT.

**01. Rescue Tube.** Each lifeguard on duty ~~shall~~ **must** have a rescue tube. ( )

**02. Shepherd’s Crook, Backboard, and First Aid Kit.** Every pool ~~shall~~ **must** have: ( )

**a.** ~~At~~ least one (1) shepherd’s crook or life-saving pole, having blunted ends, at least twelve (12) feet in length; ~~Equipment shall be readily accessible and shall be mounted in a conspicuous place and be kept in good repair and ready condition. Each pool shall have~~ ( )

**b.** ~~#A~~ readily accessible full-length backboard that *shall* comply with American Red Cross specifications or equivalent. ~~Each pool shall have; and~~ ( )

**c.** ~~#A~~ readily accessible first aid kit and a pocket face mask to assist with CPR. (4-5-00)( )

**03. Equipment Accessibility and Condition.** Equipment must be readily accessible, be mounted in a conspicuous place, and be kept in good repair and ready condition. (4-5-00)( )

**195. HEALTH AND SAFETY: SAFETY AND SANITATION.**

A lifeguard or operator *shall must* be in full charge of bathers and *shall* have authority and responsibility to enforce all rules of safety and sanitation. Suitable placards embodying sanitation requirements are to be conspicuously posted in the pool enclosure. Safety and sanitation requirements are as follows: (4-5-00)( )

**01. Shower.** A cleansing shower should be taken before swimming. (4-5-00)

**02. Disease.** Persons having an infectious or communicable disease that may be transmitted through water ~~shall be~~ *are* excluded from swimming. (4-5-00)( )

**03. Running and Roughhousing.** No running or rough play ~~shall be~~ *are* permitted. (4-5-00)( )

**04. Contamination.** Contamination of water, walkways, or dressing room floors in any way is prohibited. (4-5-00)

**05. Glass.** Glass containers ~~shall be~~ *are* prohibited in the pool area. (4-5-00)( )

**196. HEALTH AND SAFETY: ACCESS.**

When the pool is not open for use, access *shall must* be restricted. (4-5-00)( )

**197. HEALTH AND SAFETY: EMERGENCY COMMUNICATION.**

A means of contacting emergency medical services *shall must* be readily accessible and be provided on the premises. (4-5-00)( )

**198. CLARITY.**

Water *shall must* have sufficient clarity at all times so the main drain can be clearly visible from the deck. Failure to meet this requirement ~~shall constitute~~ *is* grounds for immediate closure of the pool. It is the responsibility of the operator to close the pool when conditions exist that the main drain is not visible from the deck. (4-5-00)( )

**199. (RESERVED)**

**200. SUPERVISION.**

Every pool *shall must* be operated under the supervision of an operator who assumes responsibility for compliance with all parts of these rules. The operator ~~shall be~~ *is* responsible for operating the pool in a safe and healthful manner. (4-5-00)( )

**201. OPERATIONS MANUAL.**

Each pool *shall must* have a readily accessible pool operations manual, ~~in order~~ to ensure proper operation and maintenance. ~~The pool operations manual shall be readily accessible.~~ The operations manual should include instructions for such items as maintenance schedules, records and reports, water chemistry, accidents, emergency procedures, care of filters, operation of pumps and other equipment, and proper handling and storage of all chemicals used. (4-5-00)( )

**202. RECORD KEEPING.**

The following information *shall must* be recorded each day the pool is open, and *shall* be kept on the premises and available for review: (4-5-00)( )

**01. Disinfectant Levels;** (4-5-00)

- 02. pH Readings; (4-5-00)
- 03. Clarity Readings; (4-5-00)
- 04. Amount and Type of Chemicals Used; and (4-5-00)
- 05. **Accidents Requiring Professional Medical Treatment.** Accidents requiring professional medical treatment, including drownings or near drownings. (4-5-00)

**203. REPORTABLE ACCIDENTS.**

Accidents requiring professional medical treatment, including drownings or near drownings, ~~shall~~ **must** be reported within twenty-four (24) hours of occurrence to the Director's designee. ~~(4-5-00)~~( )

**204. -- 209. (RESERVED)**

**210. DEPTH MARKING LOCATIONS.**

- 01. Water Depth.** Water depth ~~shall~~ **must** be plainly marked at or above the water surface on the vertical wall of the pool and on the horizontal edge of the deck or walk next to the pool. ( )
- 02. Depth Markers.** Depth markers ~~shall~~ **must** be placed at: ( )
  - a.** ~~##~~Maximum and minimum depths; ( )
  - b.** ~~##~~The five (5) foot break between the deep and shallow portions; ( )
  - c.** ~~##~~Intermediate one (1) foot increments of depth, where the water depth is five (5) feet or less; and ( )
  - d.** ~~##~~Regular intervals around the pool, not more than twenty-five (25) feet apart. ~~(4-5-00)~~( )

**211. DEPTH MARKERS.**

Depth markers ~~shall~~ **must** be numerals a minimum of four (4) inches high of a color contrasting with the background, ~~and plainly visible to persons both in and out of the pool.~~ Where depth markers cannot be placed on the vertical walls above the water level, other means ~~shall~~ **must** be used. ~~The markings shall be plainly visible to persons both in and out of the pool.~~ ~~(4-5-00)~~( )

**212. -- 219. (RESERVED)**

**220. WATER QUALITY STANDARDS.**

Pools ~~shall~~ **must** be designed to provide for continuous disinfection of the pool water with a chemical that has an effective disinfectant and imparts an easily measured, active residual. A test kit for measuring the accurate concentration of the disinfectant ~~shall~~ **must** be provided at each pool. ~~(4-5-00)~~( )

**221. CHLORINE DISINFECTION.**

When chlorine is used, a minimum free available chlorine residual of not less than one (1) part per million (ppm) with a maximum of five (5) parts per million (ppm) ~~shall~~ **must** be maintained whenever a pool is in use. ~~(4-5-00)~~( )

**222. BROMINE DISINFECTION.**

When bromine is used, a minimum residual of not less than one (1) part per million (ppm) with a maximum of five (5) parts per million (ppm) ~~shall~~ **must** be maintained whenever a pool is in use. ~~(4-5-00)~~( )

**223. CHLORINATED ISOCYANURATES DISINFECTION.**

If chlorinated isocyanurates are used, the maximum allowable concentration ~~shall~~ **must** be one hundred (100) parts per million (ppm). When isocyanurates are used, a test kit for measuring the concentration of the stabilizer ~~shall~~ **must** be provided. ~~(4-5-00)~~( )

(BREAK IN CONTINUITY OF SECTIONS)

226. ACID BASED CHEMISTRY.

Pool water ~~shall~~ **must** be maintained in an alkaline condition as indicated by a pH of not less than seven and two-tenths (7.2) and not over seven and eight-tenths (7.8). The total alkalinity of the water should be within the acceptable range of eighty (80) parts per million (ppm) to two hundred (200) parts per million (ppm). An accurate pH testing kit ~~shall~~ **must** be provided at each pool. (4-5-00)( )

227. OTHER CHEMICALS.

Any chemical ~~shall~~ **must** be used in accordance with the manufacturer's recommendations and ~~shall~~ not cause irritation to the eyes or skin of the bathers, or have other objectionable physiological effects on bathers. (4-5-00)( )

228. CHEMICAL STORAGE.

All chemicals ~~shall~~ **must** be kept from the reach of the general public. ~~Chemicals shall~~ be stored in original containers, and ~~shall~~ be stored in accordance with the instructions of the manufacturer or, in the absence of such instructions, as directed by the Director's ~~D~~designee. (4-5-00)( )

229. CLEANING.

**01. Pools.** Pools ~~shall~~ **must** be maintained and operated in a clean, safe, and sanitary manner at all times. Pool walls and bottom should be vacuumed or brushed as needed to remove visible material. ( )

**02. Decks.** Decks ~~shall~~ **must** be kept clean, safe, and maintained in good condition. ( )

**03. Bathrooms, Showers, and Dressing Rooms.** Bathrooms, showers, and dressing rooms ~~shall~~ **must** be kept clean, safe, and sanitary at all times. (4-5-00)( )

230. BACTERIOLOGICAL QUALITY OF POOL WATERS.

The water in public pools ~~shall~~ **must** not contain the presence of fecal coliform bacteria. If fecal coliform bacteria are present in any sample, a confirmation sample ~~shall~~ **must** be taken within twenty-four (24) hours. Should any two (2) consecutive water samples taken show the presence of fecal coliform bacteria, the pool ~~shall~~ **must** be ~~immediately~~ closed ~~immediately~~ until the bacterial quality of the water is found absent for the presence of fecal coliform bacteria. (4-5-00)( )

231. MONTHLY SAMPLING.

Pools not required to have a disinfection system, or those pools having a disinfection system but do not meet the requirements of Sections 220 through 225 ~~of these rules, shall be~~ **are** required to sample the water for the presence of fecal coliform bacteria on a monthly basis. Sampling ~~shall~~ **must** be done during hours of peak bather loads. (4-5-00)( )

232. -- 239. (RESERVED)

240. DISINFECTANT AND CHEMICAL FEEDERS.

**01. Feeder.** Pools ~~shall~~ **must** be equipped with a disinfectant feeder or feeders that ~~shall~~ meet the following requirements. ~~Equipment must be:~~ (4-5-00)( )

a. ~~Equipment shall be e~~Capable of being easily disassembled for cleaning or repair and ~~shall~~ be constructed of corrosion-resistant materials. (4-5-00)( )

b. ~~Equipment shall be c~~Constructed to permit repeated adjustments without loss of output rate accuracy and ~~shall~~ be constructed to minimize stoppage from debris that may be contained in aid chemicals used. (4-5-00)( )

c. ~~Equipment shall be d~~Designed specifically for the type of disinfectant used. ~~and~~ (4-5-00)( )

d. ~~Equipment shall be p~~Provided with controls for adjusting the flow rate of disinfectant.

(4-5-00)( )

**02. Backflow Prevention.** When the disinfectant is introduced at the suction side of the pump, a device or method *shall must* be provided to prevent air lock of the pump or recirculation system. (4-5-00)( )

**03. Chlorine Gas Equipment.** When compressed chlorine gas is used, the following additional features *shall must* be provided: (4-5-00)( )

a. Chlorine rooms *shall must* have a ventilating fan with an airtight duct beginning near the floor and terminating at a safe point of discharge to the outdoors, away from any occupied area or any fresh air intake. A louvered air intake *shall must* be provided near the ceiling. The ventilating fan *shall must* provide one (1) air change per minute and operate from a switch located outside the door. (4-5-00)( )

b. Chlorinator equipment *shall must* be designed to withstand wear without developing leaks. (4-5-00)( )

c. Chlorine cylinders *shall must* be anchored in an upright position to prevent falling over. A valve stem wrench *shall must* be maintained on the chlorine cylinder so the supply can be shut off quickly in the case of an emergency. Empty chlorine gas cylinders *shall must* be tagged as such. Full and empty gas cylinders *shall must* be stored only in the chlorine room and have protective hoods in place when not in use. (4-5-00)( )

d. A new washer or gasket approved for use on chlorine gas *shall must* be used each time a chlorine cylinder is connected to the chlorinator. Spare washers/gaskets *shall must* be kept on site. (4-5-00)( )

e. A self-contained breathing apparatus designed for use in a chlorine atmosphere *shall must* be provided, and *shall* be located in an area outside the chlorination room, ~~and is~~ easily accessible to pool employees. (4-5-00)( )

f. An automatic chlorine leak detector or commercial twenty-six (26) degrees Baume Aqua Ammonia *shall must* be provided for chlorine gas leak detection. (4-5-00)( )

g. Installation of chlorinator equipment, and operation thereof, *shall must* be carried out by or under the supervision of personnel trained in the installation and operation of such equipment. (4-5-00)( )

**04. Hypochlorite Equipment.** When a hypochlorite solution is fed through hypochlorinator equipment, such equipment *shall must* also provide the following additional features: (4-5-00)( )

a. ~~Feed shall be p~~Positive *feed* under all conditions of pressure in the circulating system, without artificial constriction of the pump suction line whether this line is under vacuum or pressure head. (4-5-00)( )

b. ~~Shall provide e~~Constant feed with varying supply or back pressure. (4-5-00)( )

c. Prevent backflow from the circulation system to the solution container. ~~and~~ (4-5-00)( )

d. Prevent siphoning of hypochlorite solution when recirculation pump and hypochlorinator are both turned off. (4-5-00)

241. -- 249. (RESERVED)

**250. RECIRCULATION SYSTEM: FLOW RATE.**

A recirculation system, consisting of pumps, piping, skimmers, filters, water disinfection equipment, and other accessory equipment *shall must* be so designed and sized as to completely recirculate the pool volume of water at least once every eight (8) hours. (4-5-00)( )

**251. RECIRCULATION SYSTEM: SIZING.**

All equipment and connecting piping *shall must* be designed to reduce friction losses, and for the piping to carry the required quantity of water at a velocity not to exceed six (6) feet per second for suction side pipe, and not more than

ten (10) feet per second for filter discharge pipe. Piping ~~shall~~ must be of non-toxic material, resistant to corrosion, and able to withstand normal operating pressures. It is recommended all plastic pipes conform with NSF Standard 14 for potable water applications of the National Sanitation Foundation (NSF) and bear the NSF seal. ~~(4-5-00)~~( )

**252. RECIRCULATION SYSTEM: CLEANING.**

**01. Cleaning System.** A cleaning system ~~shall~~ must be provided to remove dirt from the bottom of the pool. ( )

**02. Integral Vacuum.** When a vacuum is used as an integral part of the recirculation system: ( )

**a.** ~~e~~Connections ~~shall~~ must be located in the walls of the pool, at least eight (8) inches below waterline, and at such point the floor of pool can be cleaned: and ( )

**b.** ~~When a vacuum is used as an integral part of the recirculation system, t~~The vacuum system ~~shall~~ must also be designed to preclude any possible entrapment. ~~(4-5-00)~~( )

**253. RECIRCULATION SYSTEM: FLOW INDICATOR.**

A functioning rate-of-flow indicator ~~shall~~ must be installed and located so the recirculation rate will be accurately measured: ~~It shall~~ be accurate within five percent (5%) of true flow, and ~~shall~~ be located in a position that is easy to read. ~~(4-5-00)~~( )

**254. RECIRCULATION SYSTEM: CLEANING.**

A pump and motor unit ~~shall~~ must be provided for the recirculation of water that has been selected to meet the quantity of water required for filtering, and cleaning the filter, with the total dynamic head developed by the complete system. It is recommended the pump comply with requirements of NSF Standard 50, "Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs," of the National Sanitation Foundation (NSF) and bear the NSF seal. ~~(4-5-00)~~( )

**255. RECIRCULATION SYSTEM: THERMOMETERS.**

Pools equipped with heaters ~~shall~~ must have a minimum of one (1) fixed thermometer located between the heating outlet and the pool. ~~(4-5-00)~~( )

**256. RECIRCULATION SYSTEM: STRAINER.**

The recirculation system ~~shall~~ must include a corrosion-resistant strainer, readily accessible for frequent cleaning. ~~(4-5-00)~~( )

**257. -- 259. (RESERVED)**

**260. FILTRATION SYSTEM AND FILTERS.**

**01. Filtration System.** All pools ~~shall~~ must be equipped with a filtration system for the purpose of clarifying the water so it meets or exceeds the minimum clarity requirement. ( )

**02. Filters.** All ~~F~~filters ~~shall~~ must: ( )

**a.** ~~b~~Be designed and sized to achieve the proper turnover rate without exceeding the maximum flow rate: ( )

**b.** ~~All filters shall b~~Be equipped with pressure or vacuum gauges: and ( )

**c.** ~~Any filter used in a pool shall e~~Comply with all applicable requirements of NSF Standard 50, "Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs," or in the absence of applicable requirements, be approved by the Director's designee. ~~(4-5-00)~~( )

**261. DISPOSAL OF WASTE.**

Provisions ~~shall~~ must be made to dispose of material cleaned from filters and backwash water in a manner that will

not create a nuisance. If drainage to a sanitary sewer or storm drain is permitted, an air gap ~~shall~~ **must** be provided that will positively preclude against surge or backflow introducing contaminated water into the pool or recirculation system. (4-5-00)( )

262. -- 269. (RESERVED)

270. WALL INLETS.

**01. General Inlet Requirements.** Except as otherwise provided in this ~~section rule~~, inlets ~~shall~~ **must**: ( )

**a.** ~~b~~**B**e rounded and smooth and installed not less than eighteen (18) inches below the normal operating level and located to produce a uniform circulation, without the existence of dead spots: ~~and~~ ( )

**b.** ~~Inlets shall n~~**o**t extend from the pool wall or floor so as to create a hazard. ( )

**02. Wall Inlet Requirements.** If wall inlets are used, there ~~shall~~ **must**: ( )

**a.** ~~b~~**B**e at a minimum of one (1) per each six hundred (600) square feet of pool surface area. ( )

**b.** ~~If wall inlets are used there shall b~~**B**e a minimum of two (2) inlets. In case of a shallow pool, the Director's ~~D~~**d**esignee may grant an exception to this requirement if inlets cannot be installed at the depth otherwise required. (4-5-00)( )

271. FLOOR INLETS.

Any pool having a width greater than forty (40) feet ~~shall~~ **must** have floor inlets or a combination of wall and floor inlets that meet the requirements of Section 260 ~~of these rules. They shall be~~ **and are** located so they provide general circulation and ~~do~~ **n**ot direct flow to floor drains. (4-5-00)( )

272. -- 279. (RESERVED)

280. OVERFLOW SYSTEMS.

All pools ~~shall~~ **must** be designed to provide continuous skimming, ~~have~~ **o**verflow gutters or surface skimmers ~~shall be provided. The and have an~~ overflow system ~~shall be~~ designed and installed so the water level of the pool is maintained at the operating level of the rim or weir device. (4-5-00)( )

281. OVERFLOW GUTTERS.

~~The gutter, drains, and return piping to the surge system must be designed to rapidly remove overflow water caused by recirculation displacement, wave action, or other causes produced from the maximum pool bathing load.~~ ( )

**01. General Requirements.** Overflow gutters ~~shall~~ **must**: ( )

**a.** ~~e~~**E**xtend around the entire perimeter of the pool except at steps or recessed ladders: ( )

**b.** ~~Have T~~**H**e gutter lip ~~shall~~ be level within three-tenths (.3) inch: ( )

**c.** ~~The gutter shall b~~**B**e capable of continuously removing fifty percent (50%) of the recirculated water and returning it to the recirculation system: ~~and~~ ( )

**d.** ~~Be designed to prevent entrance or entrapment of bathers.~~ ( )

**02. Overflow Gutters Connected to the Recirculation System.** All overflow gutters connected to the recirculation system must be connected in an approved manner, such as a surge tank. ~~The gutter, drains, and return piping to the surge system shall be designed to rapidly remove overflow water caused by recirculation displacement, wave action, or other causes produced from the maximum pool bathing load. Gutters shall be designed to prevent entrance or entrapment of bathers.~~ (4-5-00)( )

282. SKIMMERS: REQUIREMENT.

**01. Minimum Requirements.** There must be provided: ( )

**a.** A minimum of one (1) skimmer ~~shall be provided~~ for each four hundred (400) square feet of water surface area or fraction thereof; ~~and~~ ( )

**b.** ~~There shall be n~~No fewer than two (2) skimmers in every pool. ( )

**02. Standard Requirements.** Any skimmer used in a pool ~~shall~~ **must** comply with all applicable requirements of NSF Standard 50 "Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs," of the NSF International or in the absence of applicable requirements, be approved by the Director's designee. (4-5-00)( )

**283. SKIMMERS: CAPACITY.**

**01. Total Capacity.** The total capacity of all skimmers used ~~shall~~ **must** be a minimum of two-thirds (2/3) of the required filter flow. ( )

**02. Piping.** Piping for skimmers used ~~shall~~ **must** be designed for a capacity of not less than eighty (80) percent of the required filter flow of the recirculation system, and in no case less than thirty (30) gallons per minute per eight (8) inches of weir. (4-5-00)( )

**284. SKIMMERS: EQUALIZERS.**

**01. Equalizer Valve and Line.** All skimmers used ~~shall~~ **must** be equipped with an approved equalizer valve and an equalizer line with an inside diameter of not less than two (2) inches, installed not less than twelve (12) inches below the normal operating level of the water. ( )

**02. Inlet to the Equalizer Line.** The inlet to the equalizer line or lines ~~shall~~ **must**: ( )

**a.** ~~b~~Be designed to prevent the creation of a holding force whenever the body or limb of a bather comes into contact with the inlet; ~~and~~ ( )

**b.** ~~The inlet shall b~~Be protected by a grill or shroud that will prevent a bather or any limb of a bather from entering the inlet. (4-5-00)( )

**285. SKIMMERS: LOCATION.**

All inlets ~~shall~~ **must** be spaced at least five (5) feet away from any skimmer. One (1) skimmer ~~shall~~ **must** be placed at a point in the pool opposite the direction of the prevailing winds. (4-5-00)( )

**286. -- 289. (RESERVED)**

**290. LOCATION OF DRAINS.**

Every pool ~~shall~~ **must** have a tandem main drain located in the deepest section of the pool and ~~shall~~ have the ability to empty the pool through this drain. (4-5-00)( )

**291. MULTIPLE DRAINS.**

Multiple drains ~~shall~~ **must** be provided. Outlet drains ~~shall be~~ **must not be** further apart than twenty (20) feet on center. (4-5-00)( )

**292. DRAIN GRATING.**

The main drain outlet grating ~~shall~~ **must**: ( )

**01. Area of Openings.** ~~H~~Have an area of openings four (4) times the area of the discharge pipe or provide sufficient area so the maximum velocity of water passing through the grate will not exceed six (6) feet per second; ( )

**02. Maximum Width of Openings.** ~~The maximum width of~~ Have grate openings ~~shall be~~ with a maximum width of not more than one-half (1/2) inch; and ( )

**03. Securely Fastened.** ~~Main drain grates shall be~~ Be securely fastened in such a way that they cannot be removed without the use of tools. (4-5-00)( )

293. -- 299. (RESERVED)

**300. FENCE AND BARRIERS.**

**01. For Pools Under 1,800 Square Feet.** A fence or barrier a minimum of four (4) feet high to exclude unauthorized persons from the pool area ~~shall~~ **must** enclose each public pool with less than one thousand eight hundred (1,800) square feet of surface area. ( )

**02. For Pools 1,800 Square Feet or Greater.** A fence or barrier a minimum of eight (8) feet high to exclude unauthorized persons from the pool area ~~shall~~ **must** enclose each public pool with one thousand eight hundred (1,800) square feet of surface area, or greater. (4-5-00)( )

301. -- 309. (RESERVED)

**310. GEOTHERMAL POOL EXEMPTIONS.**

~~Geothermal pools are hereby exempt from the following rules.~~ (4-5-00)

**01. Exemptions.** ~~Geothermal pools are hereby exempt from the following rules:~~ (4-5-00)( )

**a.** If a geothermal pool can meet the bacterial requirements of Section 230 of these rules and the clarity requirements of Section 198 of these rules, it will not be required to meet any requirements of Sections 220 through 225, and Sections 240, 250, and 260 of these rules. (4-5-00)( )

**b.** Section 226 of these rules, "Acid Base Chemistry." (4-5-00)( )

**c.** If an existing geothermal pool has a gravel bottom, Sections 075, 271, and Sections 290 through 292 of these rules. (4-5-00)( )

**02. Remodeling.** Remodeling of an existing geothermal pool will not change exemptions. (4-5-00)

311. -- 319. (RESERVED)

**320. TECHNICAL WAIVERS OR MODIFICATIONS.**

**01. Director Waiver.** The Director or the Director's designee may waive or modify the requirements of these rules as a condition of the permit to operate a pool, except no technical waiver or modification will be granted from the health and safety portion of these rules. ( )

**02. Waiver Requirements.** The person requesting a technical waiver or modification ~~shall~~ **must** submit a written request to the Director's designee specifying: ( )

**a.** ~~T~~he section number of these rules and the rationale for considering a modification or waiver of the requirements; ( )

**b.** ~~A~~n analysis of the potential public health, safety hazards, and issues associated with the proposed action; and ( )

**c.** ~~S~~cientific data or other information, as appropriate, showing safety or public health will not be compromised by the proposed action. (4-5-00)( )

321. -- 999. (RESERVED)