

EXHIBIT A

1. CLASSIFICATIONS

1.1 Category I Aquatic Venue- shall consist of swimming pools, wading pools, spas, hot-tubs, whirlpool baths, and aquatic play features owned and/or operated by a municipality, other political subdivision, or any other government agency that are offered for use to the general public.

1.2 Category II Aquatic Venue- shall consist of swimming pools, wading pools, spas, hot-tubs, whirlpool baths, and aquatic play features operated by entities such as hotels, motels, rental apartments, athletic clubs, hospitals, rehabilitation centers, fraternal and social organizations, retirement centers, camps, schools, home associations (including, without limitation, subdivision, town home, planned unit development, and condominium associations), country clubs, day care centers, health spas and all other facilities not specifically included in Category I and Category II that are offering use to members, patrons, residents and guests of such establishments.

1.3 Category III Aquatic Venue- shall consist of spray grounds owned and/or operated by a municipality, political subdivision, any other government agency, hotels, motels, rental apartments, athletic clubs, hospitals, rehabilitation centers, fraternal and social organizations, retirement centers, camps, schools, home associations (including, without limitation, subdivision, town home, planned unit development, and condominium associations), country clubs, day care centers, health spas and all other facilities not specifically included in that are offering use to the general public, members, patrons, residents and guests of such establishments.

1.4 Category IV Aquatic Venue - shall consist of swimming pools, spas, hot-tubs, and whirlpool baths on the premises of a single-family residential dwelling.

2. DEFINITIONS

2.1 Aquatic Venue- Includes swimming pools, wading pools, aquatic play features, spray grounds, spas, hot-tubs, & whirlpool baths.

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2.2 Aquatic Play Features –features that provide patron play and recreational activity. Aquatic play features include, but not limited to; water slides, lazy river rides, water course rides, water activity pools, interactive water features, water fountains that permit bathing and wave pools. Spray Grounds shall not be considered Aquatic Play Features.

2.3 Contamination Response Plan- written procedure for handling contamination from formed-stool, diarrheal-stool, vomit, and contamination involving blood.

2.4 Deep Area – the area of the Aquatic Venue which has, or can have, a water depth of five (5) feet or more.

2.5 Fecal/Vomit Accident – There are two types of fecal accidents, formed stool and diarrhea. Diarrhea must be reported. Vomit accidents are when the full contents of the stomach are emptied into the water. This does not include vomiting from swallowing too much water.

2.6 Licensed Aquatic Venue Operator- A person who has been formally trained in aquatic operations and safety and has received a license from that training. Licensing can be achieved by receiving certification from Certified Pool Operator, Aquatic Facility Operator, Association of Pool and Spa Professionals, or other courses with Public Health Official approval in aquatic operations and safety. License must be renewed upon expiration.

2.7 Lifeline – a continuous line of rope attached to opposite sides of the Aquatic Venue that divides shallow from deep water and serves as a barrier to prevent non-swimmers from venturing into deep water. The line of rope shall not be less than ¼ inch in diameter, supported by brightly colored buoys, not less than 12 inches apart and tight enough to support the weight of an adult.

2.8 Person – any individual, firm, partnership, association, corporation, company, municipality, political subdivision, governmental agency, lab, organization or other entity owning or operating an Aquatic Venue as defined herein.

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2.9 Shallow Area – the area of the Aquatic Venue which has, or can have, a water depth of less than five (5) feet.

2.10 Spa, Hot-tub, & Whirlpool bath – a pool designed for relaxation, recreational, or therapeutic use where the user is sitting, reclining, or at rest and the pool is not drained, cleaned, or refilled for each user. The spa may include, but not be limited to, hydrojet circulation, hot water, cold water, mineral baths, or air induction bubbles or any combination.

2.11 Spray Feature- a device that creates a spray of water. This includes but not limited to fountains and waterfalls.

2.12 Spray Ground – a structure designed to allow for recreational activities with recirculated, filtered, and treated water, but having minimal collective water. Water from the interactive fountain type features is collected by gravity below grade in a collector tank or sump. The water is filtered, disinfected and then pumped to the feature spray discharge heads.

2.13 Swimming Pool – any artificial basin of water which has been wholly designed, modified, improved, constructed or installed for the purpose of swimming, diving, recreational activities, rehabilitation, or therapeutic exercising and shall include any and all accessory equipment.

2.14 Transition Point – the area of the floor of the Aquatic Venue where an abrupt change in slope occurs between the shallow and deep areas of the Aquatic Venue.

2.15 Wading Pool – any artificial pool of water equal to or less than 24 inches deep and intended for wading purposes.

3. OPERATING PERMIT

3.1 No person shall operate any Aquatic Venue classified under 1.1, 1.2 or 1.3 of these Regulations unless the facility holds a valid operating permit from the Public Health Official for each Aquatic Venue being operated.

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3.2 All applicants for an operating permit of a Category I, II or III Aquatic Venue shall provide proof of the Licensed Aquatic Venue Operator that will supervise that facility.

3.3 Operating permits shall be issued for one year from the date of issuance.

3.4 Operating permits shall not be transferable.

3.5 Operating permit shall be conspicuously posted at the facility.

4. PLANS AND SPECIFICATIONS

4.1 No person shall begin construction, installation or structural renovation of any Category I, II or III Aquatic Venue without first having submitted plans to the Public Health Official for review.

4.2 Plans shall include the following:

- (a) Illustrations showing the Aquatic Venue, bathhouse and equipment room;
- (b) Specifications and layout of all treatment equipment;
- (c) Piping schematic;
- (d) Layout of chemical storage room;
- (e) Specifications for the water supply and wastewater disposal systems;
- (f) Certification by a professional engineer, architect or other professional.

4.3 No permit for operation of a Category I, II or III Aquatic Venue shall be issued until an inspection of the completed Aquatic Venue is made by the Public Health Official and compliance with the requirements herein is satisfied.

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4.4 Existing Aquatic Venues constructed prior to the effective date of these regulations may continue in use so long as equipment, water quality, safety, supervision, operation and maintenance can comply with these regulations.

5. VARIANCES

5.1 Variances may be considered and granted by the Public Health Official if the variance does not jeopardize public health or safety.

5.2 Request for variance must be submitted in writing to the Public Health Official.

6. SHOWER ROOMS, SHOWERS, TOILETS, AND LAVATORIES

6.1 Shower facilities are required for all Category I Aquatic Venues. Showers shall be supplied with hot and cold running water from an approved source.

6.2 The number of showers, toilets, drinking fountains and lavatories shall comply with applicable building permit requirements.

6.3 At all venues, if shower rooms are provided, they shall be maintained in good repair, maintained in a clean condition at all times with sanitary supplies provided, and free from dirt, standing water, mold and algae.

6.4 If towels are furnished, they shall be thoroughly washed with detergent and water, rinsed, dried, and stored in a clean place.

7. LICENSED AQUATIC VENUE OPERATORS

7.1 Licensing shall be achieved by successfully completing a Public Health Official approved course, examination and payment of any applicable fees. License shall be valid for not more than five (5) years from the date of issuance.

7.2 License may be suspended or revoked by the Public Health Official if:

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(a) The Aquatic Venue that the Licensed Aquatic Venue Operator is supervising is closed by the Public Health Official two or more times within a 365 day period;

(b) The Licensed Aquatic Venue Operator is not readily available, reachable by phone generally within 30 minutes, at the time of Public Health Official's inspection.

8. SUPERVISION

8.1 Every Category I, II or III Aquatic Venue shall be under the supervision of a Licensed Aquatic Venue Operator who shall be responsible for compliance with these regulations. The Licensed Aquatic Venue Operator is not required to be present on site at all times, but shall be readily available during all times the facility is open. The Licensed Aquatic Venue Operator's contact information must be posted in a conspicuous place at the facility. The Licensed Aquatic Venue Operator shall have his/her license readily accessible at the time of inspection. If an Aquatic Venue has a history of violations the Public Health Official may require the Licensed Aquatic Venue Operator be present on site during all times the Aquatic Venue is open.

8.2 All Category I Aquatic Venues must provide qualified lifeguards. When qualified lifeguards are used the staffing plan shall include diagrammed zones of patron surveillance for each aquatic venue such that:

1. The qualified lifeguard is capable of viewing the entire area of the assigned zone of patron surveillance.
2. The qualified lifeguard is able to reach the furthest extent of the assigned zone of patron surveillance within 20 seconds.
3. Identify whether the qualified lifeguard is in an elevated stand, walking, in-water, and/or other approved position.
4. Identifying any additional responsibilities for each zone, and
5. All areas of each aquatic venue are assigned a zone of patron surveillance.

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8.3 All Category II Aquatic are recommend to have lifeguard services but it is not required. The proper “WARNING – NO LIFEGUARD ON DUTY” signage shall be placed throughout the pool.

8.4 The minimum qualifications for a lifeguard shall be satisfactory completion and current certification from a nationally recognized lifeguard training program. Each lifeguard shall have current CPR and First Aid certification.

8.5 All lifeguards shall wear distinguishing swimsuits or emblems while on duty.

8.6 All Category I and Category II Aquatic Venues that have a water surface area in excess of 2,000 square feet and a depth of six feet shall provide at least one elevated lifeguard chair or platform. One (1) additional elevated lifeguard chair or platform shall be provided for each additional 2,000 square feet of water surface area and a depth of six feet.

8.7 All Category II Aquatic Venues where lifeguard service is not required or continuously provided, shall provide a warning sign stating “WARNING – NO LIFEGUARD ON DUTY” in letters at least four (4) inches high and shall be conspicuously placed at the entrance to the swimming pool.

8.8 All Category I or II Aquatic Venues shall have “Pool/ Spa Rules” posted in a conspicuous place that shall contain, but not be limited to, the following:

(a) No person with open cuts, sores, lesions, infections, obvious communicable disease or diarrhea shall use the swimming pool;

(b) Animals are not allowed in or around the swimming pool, service animals as defined by the ADA must be allowed on pool decks and any other places the public is allowed to go. Service animals are not allowed in the water, on diving boards, on water slides, in floatation rafts, etc.;

(c) Glass containers are not allowed in or around the swimming pool;

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(d) Children who are not toilet trained shall wear tight fitting plastic underwear or swim diapers that will prevent leakage;

(e) No diving (at swimming pools without an approved diving well configuration);

(f) Children, as defined by the aquatic venue, shall be accompanied by an adult.

The following only apply to spas, hot-tubs and whirlpool baths:

(g) Due to high temperature and humidity the spa can be dangerous to your health. Consult your physician before use.

(h) Observe reasonable time limits (no longer than 15 minutes); then leave the water and cool down before returning.

8.9 All Category III Aquatic Venues shall have “Spray Ground Rules” posted in a conspicuous place that shall contain, but not limited to the following:

(a) No person with open cuts, sores, lesions, infections, obvious communicable disease or diarrhea shall use the spray ground;

(b) Animals are not allowed in or around the spray ground;

(c) Glass containers are not allowed in or around the spray ground;

(d) Children who are not toilet trained shall wear tight fitting plastic underwear or swim diapers that will prevent leakage;

(e) Spray features use recirculated water, DO NOT DRINK THE WATER;

(f) Children shall be accompanied by an adult.

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8.10 All Category I and Category II Aquatic Venues shall post their maximum design patron load and shall not permit more patrons than indicated. Patron load shall be calculated as follows:

- (a) 1 person per 20 square feet of water surface area for swimming pools and aquatic play features;
- (b) 1 person per 10 square feet of water surface area for spas, hot-tubs, and whirlpool baths.

9. SAFETY REQUIREMENTS

9.1 The following shall be provided at all Category I and Category II Aquatic Venues:

- (a) A life pole or shepherd's crook 12 feet long or a reach beyond half the distance of the width of the pool;
- (b) A ring buoy, Coast Guard approved or equivalent fitted with a ¼ inch-diameter line attached with a length of 1.5 times the maximum width of the swimming pool or 50 feet, whichever is less;
- (c) A blanket;
- (d) A first aid kit with the following minimum supplies:
 - (1) Triangular bandages
 - (2) One roll 1-inch tape
 - (3) Plain gauze pads 3" X 3" and 4" X 4"
 - (4) One roll 2-inch gauze bandage
 - (5) One tube or bottle of antiseptic
 - (6) First Aid Book
 - (7) Scissors
 - (8) Assorted band-aids

9.2 All life saving equipment shall be mounted in a conspicuous place, readily accessible, and in ready condition for use, except that the blanket

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and first aid kit may be kept in a designated place approved by the Public Health Official.

9.3 All Category I and II Aquatic Venues shall have a readily accessible emergency telephone or other means of emergency communication that is operational and only for emergency use. Directions to the emergency telephone shall be clearly posted. Emergency phone numbers along with the venue's address must be prominently posted.

9.4 All chemicals used in Aquatic Venue's maintenance shall be stored under conditions where they are only accessible to authorized persons and stored in a dry, well-ventilated storage room according to manufactures' instructions. The following additional requirements shall be followed:

- (a) Chemicals shall be stored in their original containers and tightly closed. All chemical containers, drums, boxes, and bags shall be stored at least 6 inches off the floor or in a manor to eliminate contact with standing water. Overhead storage of chemicals is prohibited.
- (b) Incompatible chemicals shall be stored away from each other in specifically identified locations in the chemical storage room.
- (c) "No Smoking" signs shall be posted in the chemical storage room;
- (d) Swimming pool chemicals and test kit reagents shall be stored out of direct sunlight.

9.5 On all Category I and Category II Aquatic Venues the depth of the water shall be plainly marked at or above the water surface on the vertical wall of the Aquatic Venue, and on the edge of the deck next to the Aquatic Venue. Where depth markers cannot be placed on the vertical walls above the water level, other means shall be used so that markings will be plainly visible to persons in the Aquatic Venue. Markers shall be at least 4 inch high numbers and of a color contrasting with the background. Depth markers shall be:

- (a) located at the points of maximum and minimum depths;

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- (b) On both sides and both ends of the Aquatic Venue;
- (c) Spaced so that the distance between adjacent markers is not greater than 25 feet when measured peripherally;
- (d) At appropriate points as to denote water depth in diving areas, if the swimming pool is designed for diving (swimming pools without an approved diving well configuration shall also have "NO DIVING" included in the posted pool rules).

9.6 The point of transition in the slope between the deep and the shallow areas shall be identified by a buoyed lifeline that separates the deep area from the shallow area and be located 2 feet toward the shallow end from the point of transition or a line of contrasting color on the floor and walls of the pool must be present at the point of transition.

9.7 If night swimming is provided, deck and underwater lighting shall be provided to illuminate all underwater areas so that water clarity requirements will be maintained.

9.8 Electrical equipment and wiring in or adjacent to Aquatic Venues shall meet the requirements of the National Electric Code (NEC 70), Article 680 and any additional local requirements.

9.9 Steps, ladders, stairs or ramps shall be provided at the shallow and deep ends of the Aquatic Venue. If the Aquatic Venue is over 30 feet wide steps, ladders, stairs or ramps shall be installed on each side. Ramps shall not exceed a slope of 1:12. Handrails shall be provided for use with all ladders, steps and stairs. Handrails shall be maintained in sound working condition.

9.10 All steps, ramps and diving boards are to be of non-slip construction or be covered with non-slip materials.

9.11 The Aquatic Venue shall be immediately closed and the swimmers removed from the water when any of the following occurs. Closure resulting from an inspection will require a re-inspection before the aquatic venue begins operating again.

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- (a) Failure to meet required disinfectant concentrations;
- (b) Failure to meet water clarity requirements;
- (c) The grate on the main drain is missing or broken;
- (d) Failure to meet lifeguard requirements;
- (e) A recirculation or filter pump is non-operational;
- (f) The water temperature exceeds 104° Fahrenheit;
- (g) A fecal or vomit accident (documentation of the accident and measures taken must be documented and submitted to the health officer.);
- (h) The presence of an electrical storm for outdoor venues;
- (k) Readily accessible emergency telephone/communications device is inoperable.

9.12 All Aquatic Venues shall be in compliance with all current and any future state and federal regulations. This includes but not limited to the Virginia Graeme Baker Pool and Spa Safety Act and the Americans with Disabilities Act (ADA).

9.13 The Public Health Official shall be notified as soon as possible in the event of a drowning that result in a death or fecal/vomit accident. Each Aquatic Venue shall have and follow an approved *Contamination Response Plan* for dealing with fecal, blood and vomit contamination. The Aquatic Venue shall document all fecal, blood and vomit accidents. Documentation of fecal, blood and vomit accidents shall be retained for at least one (1) year after the accident.

9.14 The water supply for all Aquatic Venues shall be from a water source approved by the Public Health Official. No piping arrangements shall exist

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which, under any conditions, will permit sewage or waste water to enter the Aquatic Venue's water system or water from the Aquatic Venue to enter the make-up water supply.

9.15 Because of serious safety considerations the use of gas chlorine is not recommended and may not be approved. When used, the operation must be in compliance with all state and federal safety requirements.

10. WATER QUALITY OF SWIMMING POOLS

10.1 The water shall have sufficient clarity at all times so that either a black disc six (6) inches in diameter is readily visible in the deepest portion of the swimming pool or the bottom drain at the deepest point is clearly visible.

10.2 The water shall be free of all scum and floating matter on the surface and dirt and other material on the floor of the swimming pool.

10.3 Disinfection shall be provided by mechanical feeders. The water in all parts of the swimming pool shall have a minimum free available chlorine (FAC) content of at least 1.0 ppm, but shall not exceed 10.0 ppm.

(a) Bromine used as a disinfectant shall be maintained at a residual of not less than 2.0 ppm but shall not exceed 10.0 ppm.

(b) Other disinfecting materials or methods must be approved by the Public Health Official.

10.4 If cyanuric acid or chlorinated isocyanurates are used, the concentration of cyanuric acid in the water should ideally be at least 30 ppm to 50 ppm and shall not exceed 1000 ppm and the free available chlorine (FAC) shall be at least 2.0 ppm.

10.5 The water shall be maintained at a pH of not less than 7.2 and not over 7.8.

10.6 The total alkalinity shall be maintained within the range of 60 ppm to 180 ppm.

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10.7 No harsh or irritating chemical in concentrated form shall be added manually and directly to the water of any swimming pool while any person is present in the water. When chemicals are added, use of the swimming pool shall be stopped until such time as the chemical is completely dissolved and is thoroughly diffused throughout the swimming pool water.

10.8 The water in a swimming pool shall be continuously recirculated. The circulation system for swimming pools shall achieve a turnover rate of six (6) hours or less. The circulation system for wading pools shall achieve a turnover rate of two (2) hours or less. All Category I and Category II swimming/wading pools shall have a flow meter installed that is capable of measuring from $\frac{1}{2}$ to at least 1-1/2 times the designed flow of the circulation system.

11. SPAS, HOT-TUBS, AND WHIRLPOOL BATHS

11.1 Maximum water depth shall be four (4) feet measured from the water line. The maximum depth of any seat or sitting bench shall be two (2) feet measured from the water line.

11.2 The water shall be clear at all times, be free of scum and floating matter on the surface and dirt and other material on the floor.

11.3 Water temperature controls shall be provided to prevent the water temperature from exceeding 104° F.

(a) A thermometer shall be available to monitor water temperature.

11.4 Spas, hot-tubs and whirlpool baths shall be equipped with a 15-minute timer controlling the hydrotherapy jets and blower operation.

11.5 Spas, hot-tubs and whirlpool baths shall be equipped with an emergency shut-off switch to stop all circulation. Shut-off switch shall be visible from the spa, hot-tub or whirlpool bath.

11.6 Spray features shall be prohibited in all spas, hot-tubs and whirlpool baths.

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11.7 Disinfection shall be provided by mechanical feeders and water shall have a minimum free available chlorine (FAC) content of 3 ppm but shall not exceed 10 ppm and a maximum combined chlorine level of 0.5 ppm. For bromine disinfection the minimum total bromine level shall be 4.0 ppm but shall not exceed 10 ppm.

(a) Other disinfecting materials or methods must be approved by the Public Health Official.

(b) The water shall be maintained at a pH of not less than 7.2 and not over 7.8.

(c) The total alkalinity shall be maintained within the range of 60 to 180 ppm.

(d) The calcium hardness shall ideally be maintained within the range of 150 to 250 ppm but not exceed 1000 ppm.

11.8 The water in a spa, hot-tub or whirlpool bath shall be continuously recirculated. The circulation system for spas, hot-tubs, and whirlpool baths shall achieve a turnover rate of 30 minutes or less. All Category I and Category II spas, hot-tubs, and whirlpool baths shall have a flow meter installed that is capable of measuring from $\frac{1}{2}$ to at least 1-1/2 times the designed flow of the circulation system.

11.9 All spas, hot-tubs and whirlpool baths shall have posted in a conspicuous place the "Spa Rules" for the facility.

11.10 All spas, hot-tubs and whirlpool baths not drained weekly shall superchlorinate water and filtering system to a level of 10 ppm at least once a week.

11.11 Spas, hot-tubs and whirlpool baths shall be drained and refilled as needed to maintain proper water quality.

11.12 No harsh or irritating chemical in concentrated form shall be added manually and directly to the water of any spa, hot-tub or whirlpool bath

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while any person is present in the water. When chemicals are added, use of the spa, hot-tub or whirlpool bath shall be stopped until such time as the chemical is completely dissolved and is thoroughly diffused throughout the spa, hot-tub or whirlpool bath water.

11.13 All spas, hot-tubs and whirlpool baths shall be closed immediately and the patrons removed from the water when any health or safety hazard exists. Closure resulting from an inspection will require a re-inspection before the aquatic venue begins operating again.

- (a) Failure to meet required disinfectant concentrations;
- (b) Failure to meet water clarity requirements;
- (c) The grate on the main drain is missing or broken;
- (d) Failure to meet lifeguard requirements;
- (e) A recirculation or filter pump is non-operational;
- (f) The spa water temperature exceeds 104° Fahrenheit;
- (g) A fecal, blood or vomit accident;
- (h) The presence of an electrical storm at an outdoor venue;
- (i) Readily accessible emergency telephone/communications device is inoperable.

12. SPRAY GROUNDS

12.1 Disinfection shall be provided by mechanical feeders and water shall have a minimum free available chlorine (FAC) content of 2 ppm but shall not exceed 10 ppm.

- (a) Other disinfecting materials or methods must be approved by the Public Health Official.

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(b) The water shall be maintained at a pH of not less than 7.2 and not over 7.8.

(c) The total alkalinity shall be maintained within the range of 60 to 180 ppm.

12.2 All spray grounds shall have posted in a conspicuous place the “Spray Ground Rules” for the facility.

12.3 The water in a spray ground shall be continuously circulated, filtered and disinfected.

12.4 The spray pad shall be adequately cleaned and flushed daily.

12.5 All spray grounds shall be closed immediately and the patrons removed from the spray ground when any health or safety hazard exists, such as:

(a) Failure to meet required disinfectant concentrations;

(b) The grate on the main drain is missing or broken;

(c) A reported fecal, blood or vomit accident;

(d) The presence of an electrical storm; (A sign may be posted warning of danger during electrical storms in unattended areas.)

(e) Readily accessible emergency telephone/communications device is inoperable.

12.6 All spray grounds shall be fenced to prevent access by animals.

13. AIR CIRCULATION FOR INDOOR AQUATIC VENUES

13.1 All indoor Aquatic Venues constructed after these rules and regulations go into effect shall meet the ventilation standards established

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by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE).

14. POOL AND SPA HEATERS

14.1 All heaters shall be installed per the American National Standards Institute guidelines: ANSI Standard 2223.1 and comply with all applicable local codes.

15. OPERATING RECORDS

15.1 All Category I, II and III venues shall maintain records showing:

- (a) Disinfectant residuals – a minimum of two times daily or as often as needed to maintain the water quality as indicated in Sections 11, 12 and 13;
- (b) pH reading – a minimum of two times daily or as often as needed to maintain the water quality as indicated in Sections 11, 12, and 13;
- (c) Chemicals used during the operation period;
- (d) Cyanuric acid level – at least once a week;
- (e) Alkalinity – at least once a week;
- (g) Record of fecal, blood and vomit accidents;

15.2 Additional records for spas, hot-tubs and whirlpool baths shall be:

- (a) Dates of superchlorination;
- (b) Temperature reading – a minimum of every 3 hours of operation;
- (c) Calcium Hardness- at least once a week;
- (d) Dates of drain and refill.

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15.3 All records shall be retained for at least one (1) year.

16. TESTING EQUIPMENT

16.1 The following test equipment shall be present at each swimming pool, wading pool, spa, hot-tub or whirlpool bath:

- (a) A DPD chlorine tester or bromide tester, capable of measuring residuals in the range of 0 to 10.0 ppm. When chlorine is used, the test equipment shall be capable of measuring both free available chlorine and total combined chlorine;
- (b) A pH tester capable of measuring pH between 6.8 and 8.2;
- (c) An alkalinity tester capable of measuring the range of 50 to 200 ppm;
- (d) A cyanuric acid test kit (where applicable);
- (e) A calcium hardness tester capable of measuring the range of 150 to 500 ppm. (required for spas, hot-tubs and whirlpool baths recommended for all Aquatic Venues)

17. FENCES/ENCLOSURES/SAFETY COVERS

17.1 All Category I, II, III and IV Aquatic Venues shall be protected by a fence, wall, building or other enclosure or any combination thereof which completely encloses the Aquatic Venue area such that all the following conditions are complied with:

- (a) Constructed so as to afford no external handholds or footholds;
- (b) Constructed of durable materials;
- (c) A four (4) foot minimum height is provided entirely around the Aquatic Venue;

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(d) The horizontal space between vertical members of the enclosure shall not exceed four (4) inches;

(e) The height of any opening under the bottom of the enclosure shall not exceed two (2) inches; and

(f) Where no lifeguards are present, all gates and doors shall be equipped with self-closing and positive self-latching closure mechanisms which shall be located as high as possible and comply with the Americans with Disabilities Act (ADA) requirements.

17.2 If a safety cover is used it must meet ASTM standard F1346-91 Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs.

18. WASTEWATER DISPOSAL

18.1 All wastewater from Category I, II, III and IV Aquatic Venues shall be disposed of in a manner which will not create a nuisance and is in accordance with applicable local regulations.

19. GENERAL MAINTENANCE

19.1 All Category I, II, III and IV Aquatic Venues must be maintained in such a way not to create a nuisance or public health risk.

20. INSPECTIONS

20.1 The Public Health Official shall conduct such inspections as often as deemed necessary to ensure compliance with all the provisions of these regulations and he/she shall have right of entry at any reasonable time to the Aquatic Venue, records and accompanying facilities.

20.2 Upon investigation or inspection of an Aquatic Venue, the Public Health Official determines that conditions exist that warrant the closing of the facility, the Public Health Official shall issue a written closing order to the owner or operator of the Aquatic Venue, noting the violations. A “notice of closure” sign shall be conspicuously placed at the entrance to the facility.

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It shall be unlawful for any person to remove a “notice of closure” sign unless authorized to do so by the Public Health Official. The owner or operator, thereafter, shall be responsible for prohibiting any person from using the facility until the violations have been abated. If the Public Health Official notes violations, which do not warrant closing the facility, a written notice shall be provided to the owner or operator with reasonable times for compliance. If the noted violations are not abated within the time set forth in the notice, the facility shall then be automatically closed unless the Public Health Official, upon good cause, extends the time for compliance.

20.3 The following violations shall warrant immediate closure by the Public Health Official. Closure resulting from an inspection will require a re-inspection before the aquatic venue begins operating again.

- (a) Any hazardous condition that may create an immediate danger;
- (b) Failure of the Aquatic Venue’s equipment or structure that may jeopardize the health or safety of the persons using or operating it;
- (c) Failure to meet required disinfectant concentrations;
- (d) Failure to meet water clarity requirements;
- (e) The grate on the main drain is missing or broken;
- (f) Failure to meet lifeguard requirements;
- (g) The spa water temperature exceeds 104^o Fahrenheit;
- (h) Readily accessible emergency telephone/communications device is inoperable;
- (i) Failure to have all entrances equipped with self-closing and self-latching door/gate;
- (j) Lack of required safety equipment;

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(k) Failure to meet the Licensed Aquatic Venue Operator requirement;

(l) Repeat violations from previous inspection(s);

(m) If the Aquatic Venue has been linked to a recreational water illness outbreak confirmed by a licensed physician.

20.4 The Public Health Official shall conduct a follow-up inspection to insure all violations from the initial investigation(s)/inspection(s) have been abated. Fees shall apply for all follow-up inspections.

20.5 If violation(s) are corrected at the time of the initial investigation/inspection a follow-up inspection will not be required.

20.6 Closing orders shall be repealed once all violations that warranted the closing order have been abated and inspected by the Public Health Official.

20.7 Aquatic Venues built prior to 2017 will have six months from the initial inspection to be compliant with this ordinance.

21. FEES

22. PENALTIES

23. NONCONFLICT OF LAWS

23.1 Nothing contained in these regulations numbered 1 – 23 shall be deemed to be in conflict with any other rule, regulation, and statute or law whether federal, state or local. In all cases the more restrictive provision shall govern.