

PUBLIC SWIMMING POOL REGULATION

Section A - Definitions

For the purposes of these regulations;

1. “Authorized Agent” means an employee of the Farmington Valley Health District designated by the Director of Health to enforce the provisions of the Farmington Valley Health District Public Pool Code.
2. “Health District” means the Farmington Valley Health District
3. “Director of Health” means the Director of Health of the Farmington Valley Health District or his authorized agent.
4. “Non-profit organization” means an organization holding tax exempt status as defined by the United States Internal Revenue Code 26 USC 501, which is operated by an entity which is not associated with a branch of Federal, State or local government.
5. “Person” means any individual, firm, partnership, association, corporation, company, municipality, political subdivision, community governmental agency, club, organization, or other entity owning or operating a public pool.
6. “Person in charge” means the individual present at the public pool who is the apparent supervisor of the public pool at the time of the inspection. If no individual claims to be the supervisor, then any employee present is deemed to be the person in charge for the purposes of this code.
7. “Public Health Code” means the Public Health Code of the State of Connecticut.
8. “Public Pool” means any artificial basin as defined in Section 19-13-B33b of the Public Health Code of the State of Connecticut.
9. “Swimming pool operator” means a person at least eighteen (18) years of age who is responsible for the daily operation of the public pool and who shall be held responsible for compliance with all applicable provisions of the Farmington Valley Health District Public Pool Code and the Public Health Code of the State of Connecticut.

Section B - Authority

This code is enacted pursuant to the powers and duties set forth in C.G.S. 7-148, 19a-206, and 19a-207, 19a-243, Section 19-13-B33b of the Public Health Code of the State of Connecticut and other applicable Connecticut General Statutes.

Section C - Permits

1. No person shall operate, maintain or permit the operation of any public pool in the Farmington Valley Health District without having a permit from the Director of Health. Any person desiring to operate a public pool in the Farmington Valley Health District shall, at least ten (10) days before the opening date, make application for such a permit on forms provided by the Director of Health. Such application shall include the name and address of the pool, the name and mailing address of the owner(s) of the pool including the names of the corporate officers if applicable. The applicant shall also provide the name of the swimming pool operator who shall be legally responsible for the daily operation of the pool and for compliance with all applicable codes and ordinances and such other information as shall be deemed necessary by the Director of Health. The application shall be accompanied by the permit fee, which shall be set by the Farmington Valley Health District Board of Directors. Public pools operated by schools, government organizations or non-profit organizations must obtain a permit, but shall be exempt from the permit fee.
2. **Each public pool at a single location which has its own recirculation and water treatment system shall be deemed to be a separate pool and shall be required to have a separate permit.**
3. Prior to the issuance of final approval for a permit, the Director of Health, or his authorized agent, shall inspect the public pool to determine compliance with the provisions of this code, the Public Health Code and any other applicable statutes, ordinances, or rules and regulations.
4. The Director of Health shall issue a permit to the applicant if the inspection reveals that the public pool meets the requirements of this code and the Public Health Code.
 - a. Permits shall be renewed annually and shall be valid from the date they are issued until April 30th unless revoked by the Director of Health, or until such time as the pool changes ownership, closes or goes out of business.
 - b. Permits shall not be transferable from person to person, nor from location to location. The valid permit shall be posted in a location easily observed by patrons.

Section D - Supervision of Public Pools

Every pool shall be under the immediate supervision of a swimming pool operator at least eighteen (18) years of age who shall be held responsible for compliance with all provisions and regulations relating to equipment, pool operation, maintenance, testing and safety of bathers. The operator shall be knowledgeable in the operation of the pool and in pool water chemistry and testing. Competency may be demonstrated by the successful completion of a written exam administered by the Health District or other training acceptable to the Director of Health. Information on how to contact the swimming pool operator shall be posted at the swimming pool whenever the operator is not on the premises where the public pool is located. The name(s) of the swimming pool operator(s) shall be submitted to the Director of Health at the time of application for a permit and shall be kept updated whenever there is a change in personnel.

Section E - Inspections

The Director of Health or his authorized agent shall conduct inspections to ensure compliance with all provisions of this code and the Public Health Code and shall have the right of entry at any reasonable hour to inspect the pool and appurtenant facilities.

Section F - Closure of Public Pools

1. The Director of Health or his authorized agent may order a pool to close if it is found that any one or several of the following conditions exist:
 - a. The amount of residual disinfectant is less than the minimum amount specified in Section 19-13-B33b(b)(5) of the Public Health Code or Section K of this code.
 - b. The pH of the water does not comply with the provisions of Section 19-13-B33b(b)(6) of the Public Health Code.
 - c. The clarity of the water does not comply with the provisions of Section 19-13-B33b(b)(4) of the Public Health Code.
 - d. The temperature of the pool water exceeds 104°F.
 - e. There is a malfunction or non-function of the pool recirculation system.
 - f. The safety equipment required by Section 19-13-B33b(b) (10)(14)(16)(18)(c)(1)(3)(4) of the Public Health Code or Section L of this code is not provided.
 - g. Accessibility to Pool Area is not being controlled in accordance with Section 19-13-B33(b)13.
 - h. The public pool does not have a valid permit issued by the Director of Health.
 - i. The Director of Health or his authorized agent finds any other condition, which constitutes a public health or safety hazard or a health nuisance to bathers or pool patrons.
2. Procedure for Closure
 - a. Closure under this code shall be effective immediately upon the posting of a “Notice of Closure” placard at the public pool by the Director of Health or his authorized agent.
 - b. Public pools closed under this code shall remain closed until the conditions that warranted pool closure have been addressed and permission to reopen has been issued by the Director of Health or his authorized agent.
 - c. Any person who is aggrieved by a directive to close a public pool may, within 48 hours of the receipt of such directive, file a written request for a hearing with the Director of Health. If a written request for a hearing is filed with the Director of Health by the permit holder or person in charge within forty-eight (48) hours following the service of such notice, the Director of Health shall thereupon immediately examine into the merits of such closure and may sustain, modify or rescind such closure. The permit holder or person in charge who is aggrieved by such action of the Director of Health may, within forty-eight (48) hours after the making of such decision, appeal to the Commissioner of Health who shall thereupon immediately notify the authority from whose decision the appeal was taken and examine into the merits of such case and may sustain, modify or rescind such action.
 - d. An appeal of a directive of the Director of Health to close a public pool issued pursuant to this Section shall not stay enforcement of closure unless granted in writing by the Director of Health.

Section G - Operation of Public Pools

1. Public pools shall comply with the requirements of Section 19-13-B33b of the Public Health Code except as otherwise provided in this code.

2. If bromine is used as a disinfectant in the public pool, the bromine residual shall be maintained at a level of not less than 2.0 ppm. in a swimming pool, and at a level of 3.0 – 5.0 ppm in a whirlpool or spa.
3. The total alkalinity of the pool water shall be maintained at a level of 80-150 ppm. Equipment for measuring the total alkalinity of the pool water shall be available at each pool.
4. Every public pool shall be have available and use a D.P.D. (diethyl-p-phenylene-diamine) type test kit or other testing method acceptable to the Director of Health for measuring disinfectant residuals in the pool
5. Chemical tests for disinfectant residual and pH shall be performed at least three (3) times per day during the operating season. Testing for total alkalinity and cyanuric acid level, if applicable, shall be performed weekly and within three (3) hours of the addition of make-up water to the pool. Records of chemical tests shall be kept on forms acceptable to the Director of Health and shall be maintained at the pool site.
6. Person(s) suffering from diarrhea or vomiting or having skin lesions, inflamed eyes, ear discharges, throat infection, or any other condition which has the appearance of being infectious shall be prohibited from using the pool.
7. Infants and children who are not fully toilet trained shall wear tight fitting rubber or plastic pants or other leak proof clothing when using the pool.

Section H - Safety

1. Lifeguards, when provided, shall possess a current life saving certificate from the American Red Cross or other certifying agency acceptable to the Director of Health. Lifeguards shall also have certification in cardiopulmonary resuscitation as specified in Section 19a-113a-1 of the Public Health Code.
2. Where there is a change in the slope of the pool bottom, a safety line shall be provided across the pool at the point of the change in slope to delineate the non-swimmers area from the swimmers area. This line shall be equipped with floats not more than five (5) feet apart, and shall be kept in place at all times, except during competitive swimming events and in areas designated for lap swimming where lane float lines are used.
3. No glass containers or glass objects other than pool testing equipment and eyeglasses shall be permitted in the pool or on the decks surrounding the pool.
4. Adequate fencing and self closing/latching gates must be provided.
5. Drain grates must be securely fastened.

Section I - Food Service

Where provision is made for serving food and/or beverages at the pool, no containers of glass or other material, which might cause a hazard to bathers, shall be used. The pool facility shall be so arranged and posted to permit the consumption of food and beverages only in a specified area. Any food service area shall comply with the Public Health Code and the Code of the Farmington Valley Health District.

Section J - Conflict of Regulations

In any case where a provision of this code is found to be in conflict with a regulation of the State Department of Public Health or any other law, regulation or ordinance on the effective date of this code, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

Section K - Severability

If any provision or application of this code is held invalid for any reason, that invalidity shall not affect other provisions of this code.

Section L - Effective Date

This code shall become effective upon its adoption and approval by the Board of Directors of the Farmington Valley Health District.

Adopted: 7-12-05