

UTAH COUNTY BOARD OF HEALTH

Resolution 14-04

TITLE: Amend Utah County Health Department Regulation governing design, construction and operation of public pools, interactive water features - Regulation 09-01

AUTHOR: Bryce C. Larsen, Division of Environmental Health, Utah County Health Department

REFERRED TO: Utah County Board of Health

Whereas, regulation governing the design, construction and operation of public pools and interactive water features was adopted by the Utah County Board of Health on March 23, 2009 for the purpose of regulating public swimming pools, and interactive water features within Utah County, and

Whereas, the Utah Department of Health has adopted State Rules R392-302 and R392-303, Design, Construction and Operation of Public Pools effective July 1, 2013 which affects the design, construction and operation of public pools and interactive water features, and

Whereas, under Utah Code 26A-1-108, the Utah County Health Department is required to enforce state health laws, and

Whereas Utah State Rule R392-302 and R392-303, Design, Construction and Operation of Public Pools accomplishes similar purposes as the Utah County Health Department regulation governing design, construction and operation of public pools and interactive water features therefore, be it

Resolved, the Utah County Health Department regulation governing design, construction and operation of public pools and interactive water features, regulation 09-01, adopted by the Utah County Board of Health on March 23, 2009 is hereby amended as attached here to.

Approved and adopted January 27, 2014
Date



Doug Witney, Chair
Utah County Board of Health



Joseph K. Miner, Executive Director
Utah County Health Department

Utah County Health Department

Health Regulation 09-01

**Design, Construction and Operation of Public Pools
and Interactive Water Features**

Adopted by the Utah County Board of Health

March 23, 2009

Amended January 27, 2014

Under the Authority of Utah Code 26a-1-211

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1.0 Purpose

The purpose of this regulation is to protect the public health by increasing the safety of public pools and interactive water features. This regulation incorporates by reference the Utah Department of Health's "Design, Construction and Operation of Public Pools" rule, R392-302 and R392-303 of the Utah Administrative Code, and adds provisions clarifying the Utah County Health Department's regulatory authority; and adopts requirements for interactive water features.

2.0 General Requirements Applicable to Public Pools

- 2.1 The Utah Department of Health's rule governing "Design, Construction and Operation of Public Pools," R392-302 and R392-303 of the Utah Administrative Code, is hereby incorporated by reference.
- 2.2 No person shall commence construction of a public pool, or change the construction, equipment, or appurtenances of any existing public pool, without first obtaining approval therefore from the Utah County Health Department. No construction work shall be commenced until a construction permit has been issued by the Utah County Health Department.
- 2.3 Before a construction permit is granted, the applicant shall submit complete plans and specifications, certified by an engineer or architect licensed to practice in the State of Utah, to the effect that the plans and specifications meet the requirements of this regulation. A minimum of two copies of the plans and specifications shall be submitted with the accompanying fee.
- 2.4 At least one set of plans bearing the approved stamp of the Utah County Health Department shall be available on the construction site at all times during construction. The pool and facilities shall conform to and be built in accordance with such plans unless prior approval of changes has been given in writing by the Utah County Health Department.
- 2.5 The owner or contractor shall notify the Utah County Health Department at specific stages of construction predetermined by the Utah County Health Department, and at the time of completion of the pool, to permit adequate inspection of the pool and related equipment. The pool shall not be placed in operation until such inspection shows compliance with the requirements of this regulation.
- 2.6 Variances from the design and construction requirements of this regulation may be approved by the Utah County Health Department if approved by the Utah County Board of Health.

- 2.7 No person shall operate a public pool without a valid operating permit from the Utah County Health Department. Permits shall cover the calendar year in which the permit is issued, expiring the 31st day of December of the year of issuance. No permit is transferable from one operator to another.
- 2.8 Hydrotherapy pools are issued an operating permit and regulated by the Utah County Health Department to the extent allowed by R392-302-31(4) "Hydrotherapy Pools."
- 2.9 The Utah County Health Department is authorized to conduct such inspections as it deems necessary to insure compliance with the provisions of these regulations, and shall have right to entry at any reasonable hour to public pools for this purpose.
- 2.10 Fees may be charged to the owner or operator for all inspections and services necessary for the enforcement of this regulation and shall be paid to the Utah County Health Department prior to the inspection or service. Fees shall be set and adjusted as needed by the Utah County Board of Health.
- 2.11 An operating permit may be suspended or revoked by the Utah County Health Department when there are willful or repeated violations of this regulation, or when it appears that the violation is of such a nature as to immediately harm the public health or safety.
- 2.12 A person whose permit has been suspended or revoked may request a hearing with the local health officer, as provided in Utah Code § 26A-1-121. The request must be made in writing to the local health officer within 10 days after notice of the local health department's action. Unless a timely request for a hearing is made, the decision of the Utah County Health Department to suspend or revoke the permit is final.
- 2.13 The Utah County Health Department may request that a city attorney or the Utah County Attorney, as appropriate, take criminal or civil legal action to enforce the provisions of this regulation. Violation of this regulation is a misdemeanor under Utah Code § 26A-1-123.

3.0 Authority and Effective Date

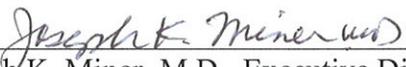
Adoption of this regulation is authorized by Utah Code 26a-1-211. This regulation becomes effective upon approval by the Utah County Board of Health.

Approved and adopted March 23, 2009.

Amendments approval adopted January 27, 2014



Commissioner Doug Witney - Chair
Utah County Board of Health



Joseph K. Miner, M.D., Executive Director
Utah County Health Department