

# **THE DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC SWIMMING POOLS**

Excerpts from:  
California Health and Safety Code  
California Code of Regulations  
California Building Code  
California Electrical Code

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## TABLE OF CONTENTS

	Page
<b>California Health and Safety Code, Sections 115950– 115952 Wave Pool Safety Act</b>	<b>1</b>
<b>California Health and Safety Code, Sections 116025 – 116068 Swimming Pool Sanitation</b>	<b>2</b>
<b>California Code of Regulations, Title 22, Chapter 20, Articles 1, 2, 3, Public Swimming Pools, Operation and Maintenance</b>	<b>8</b>
<b>California Code of Regulations, Title 24, Chapter 31B California Building Code, Public Swimming Pool Design and Construction</b>	<b>14</b>
<b>California Code of Regulations, Title 24, Article 680 California Electrical Code, Swimming Pools</b>	<b>15</b>
<b>California Health and Safety Code, Division 2.5, Article 5 Training of Lifeguards to Administer First Aid and CPR</b>	<b>15</b>

# CALIFORNIA HEALTH AND SAFETY CODE

## Sections 115950-115952

### **115950. Wave Pool Safety Act**

This article shall be known and may be cited as the Wave Pool Safety Act.

### **115951. Definitions**

For purposes of this article, the following definitions shall apply:

- (a) "Nonswimmer" means a person who is a weak or inexperienced swimmer or a person who cannot swim.
- (b) "Patron" means a swimmer or nonswimmer using a wave pool.
- (c) "Rest period" means a period of time that the wave generating equipment for the wave pool is not producing breaking waves.
- (d) "Wave pool" means a swimming pool designed for the purpose of producing breaking wave action in the water and that is not primarily designed for standup surfing or body boarding.

### **115952. Requirements for wave pools**

On and after January 1, 2009, a wave pool in this state shall comply with all of the following:

(a) (1) A wave pool operator shall provide a United States Coast Guard-approved Type II or Type III life vest that is free and available for use by a nonswimmer or a child under 48 inches in height. A wave pool operator shall also provide a United States Coast Guard-approved Type II or Type III life vest that is free and available for use to any other patron at the request of the patron.

(2) Notwithstanding paragraph (1), a patron, including a nonswimmer and child, may use his or her own life vest if that life vest is a United States Coast Guard-approved Type II or Type III life vest.

(b) (1) Children under 48 inches in height, regardless of whether the child is accompanied by an adult, shall wear a properly fitting United States Coast Guard-approved Type II or Type III life vest to gain access to a wave pool.

(2) A child under 42 inches in height shall be accompanied by an adult in order to gain entry into the park. A wave pool operator shall deny entrance into the park of a child under 42 inches in height if that child is not accompanied by an adult.

(3) Any person or child who refuses to comply with paragraph (2) of subdivision (a) or paragraph (1) of this subdivision shall be removed from the park by the wave pool operator.

(c) In all cases where wave action is suspended for any reason, an audible signal shall be used prior to resuming wave action to warn patrons of impending waves. That audible signal may be of any duration, but shall sound within 15 seconds immediately prior to resuming the breaking wave action. The audible signal shall be loud enough so that it can be heard by all patrons of the wave pool, but shall not exceed 90 decibels.

(d) (1) Lifeguards shall be assigned to guard a wave pool.

(2) The wave pool operator shall ensure that there are a sufficient number of lifeguards on duty to recognize, respond, and provide care to swimmers in distress or passive or active drowning persons within, but no longer than, 30 seconds of the onset of their peril.

(3) A lifeguard subject to this subdivision shall have an unobstructed view of, and be able to completely observe, in its entirety, his or her defined zone of protection in the wave pool.

(4) A wave pool operator shall ensure that conditions in a wave pool are continually reevaluated for safety and shall adjust lifeguard staffing accordingly.

(e) An emergency stop for the wave equipment shall be easily accessible to the lifeguards and other pool officials, as required by the Division of Occupational Safety and Health.

(f) A wave pool operator shall ensure that the wave pool has regular periods without breaking waves being produced; to accomplish this, the wave pool operator shall ensure that continuous breaking wave cycles in a wave pool shall not exceed 15 minutes.

(g) Signs with clearly legible letters and, if appropriate, symbols, indicating the requirements described in subdivisions (a) to (c), inclusive, shall appear at the ticket booth or entrance gate to the park or other facility where the wave pool is located.

## **Swimming Pool Sanitation Sections 116025 - 116068**

### **116025 Public swimming pool defined.**

"Public swimming pool," as used in this article, means any public swimming pool, bathhouse, public swimming and bathing place and all related appurtenances.

### **116028 Lifeguard service defined.**

"Lifeguard service," as used in this article, means the attendance at a public swimming pool during periods of use, of one or more lifeguards who possess, as minimal qualifications, current Red Cross advanced lifesaving certificates or Y.M.C.A. senior lifesaving certificates, or have equivalent qualifications and who are trained to administer first aid, including, but not limited to, cardiopulmonary resuscitation in conformance with Section 123725 and the regulations adopted there under, and who have no duties to perform other than to supervise the safety of participants in water-contact activities. "Lifeguard services" includes the supervision of the safety of participants in water-contact activities by lifeguards who are providing swimming lessons, coaching or overseeing water-contact sports, or providing water safety instructions to participants when no other persons are using the facilities unless those persons are supervised by separate lifeguard services.

### **116030 Pools in excess of 20,000 square feet.**

(a) The construction standards as set forth in this article and the rules and regulations adopted pursuant thereto, shall not apply to any artificially constructed swimming facility in excess of 20,000 square feet of surface area, including, but not limited to, a manmade lake or swimming lagoon with sand beaches.

(b) The requirements of this article and rules and regulations adopted pursuant thereto, pertaining to the operation, maintenance, and use of a public swimming pool, including the quality and purity of the water, lifesaving and other measures to ensure the safety of bathers, and measures to ensure personal cleanliness of bathers shall apply to the swimming facilities described in subdivision (a).

### **116033 Requirements for persons providing aquatic instruction.**

Persons providing aquatic instruction, including, but not limited to, swimming instruction, water safety instruction, water contact activities, and competitive aquatic sports, at a public swimming pool shall possess an American Red Cross Emergency Water Course Certificate, or have equivalent qualifications, as determined by the state department. In addition, these persons shall be certified in standard first aid and cardiopulmonary resuscitation (CPR). All of these persons shall meet these qualifications by January 1, 1991. Persons who only disseminate written materials relating to water safety, are not persons providing aquatic instruction within the meaning of this section.

The requirements of this section shall be waived under either of the following circumstances: (a) when one or more aquatic instructors possessing the American Red Cross Emergency Water Safety Course Certificate or its equivalent are in attendance continuously during periods of aquatic instruction, or (b) when one or more lifeguards meeting the requirements of Section 116028 are in attendance continuously during periods of aquatic instruction.

(Amended Stats. 1988, Ch1370 sec 1, Amended Stats. 1990 Ch4-1)

### **116035 Supervising agency.**

The Department has supervision of sanitation, healthfulness, and safety of public swimming pools.

### **116038 Filing copy of plans prior to construction of public swimming pool.**

Every person proposing to construct a public swimming pool shall file a copy of the plans therefore, prior to construction, with the local health officer having jurisdiction for approval.

### **116040 Operation and maintenance in sanitary, healthful and safe manner.**

Every person operating or maintaining a public swimming pool must do so in a sanitary, healthful and safe manner.

### **116043 Sanitary, healthful and safe condition of pool, appurtenances. etc.**

Every public swimming pool, including swimming pool structure, appurtenances, operation, source of water supply, amount and quality of water recirculated and in the pool, method of water purification, lifesaving apparatus, measures to insure safety of bathers, and measures to insure personal cleanliness of bathers shall be such that the public swimming pool is at all times sanitary, healthful and safe.

### **116045 Necessity of lifeguard service.**

(a) Lifeguard service shall be provided for any public swimming pool which is of wholly artificial construction and for the use of which a direct fee is charged. For all other public swimming pools, lifeguard service shall be provided or signs shall be erected clearly indicating that such service is not provided.

(b) "Direct fee," as used in this section, means a separately stated fee or charge for the use of a public swimming pool to the exclusion of any other service, facility, or amenity.

#### **116048 Record keeping for common interest developments of less than 25 units.**

(a) On or after January 1, 1987, for public swimming pools in any common interest development, as defined in Section 1351 of the Civil Code, which consists of fewer than 25 separate interests, as defined in Section 4100 or 6534 of the Civil Code, that consists of fewer than 25 separate interests, as defined in Section 4185 or 6564 of the Civil Code, the person operating each pool open for use shall be required to keep a record of the information required by subdivision (a) of Section 65523 of Title 22 of the California Administrative Code, except that the information shall be recorded at least two times per week and at intervals no greater than four days apart.

(b) On or after January 1, 1987, any rule or regulation of the state department which is in conflict with subdivision (a) is invalid.

#### **116049 Ground-fault Circuit Interrupter - Municipal Pools.**

(a) "Public swimming pool," as used in this section, means any public swimming pool defined in Section 116025 that is owned or operated by the state or any local governmental entity, including, but not limited to, any city, county, city and county, charter city, charter county, or charter city and county.

(b) All dry-niche light fixtures, and all underwater wet-niche light fixtures operating at more than 15 volts in public swimming pools shall be protected by a Ground-fault Circuit Interrupter in the branch circuit, and all light fixtures in public swimming pools shall have encapsulated terminals. This subdivision is declaratory of existing law.

(c) Any public swimming pools that do not meet the requirements specified in subdivision (b) by January 1, 1995, shall be retrofitted to comply with these requirements by January 1, 1996.

(d) The Ground-fault Circuit Interrupter required pursuant to this section shall comply with Underwriter's Laboratory standards.

(e) Any state or local governmental entity that owns or operates a public swimming pool shall have its public swimming pool inspected by a qualified inspector prior to July 1, 1996, to determine compliance with this section.

(f) A public swimming pool may charge a fee, or increase its fee charged, to the public for use of the pool, for the purpose of recovering the administrative and other costs of retrofitting pools in compliance with this section. The charge or increase due to this section shall terminate when funds sufficient to cover these costs are collected.

(g) All electrical work required for compliance with this section shall be performed by an electrician licensed pursuant to Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code.

#### **116049.1 Ground-fault circuit interrupter - Non- Municipal Pools**

(a) "Public swimming pool," as used in this section, means any swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club, including any swimming pool located on the grounds of a hotel, motel, inn, an apartment complex, or any residential setting other than a single-family home. For purposes of this section, public swimming pool shall not include a swimming pool located on the grounds of a private single-family home.

(b) The design and installation of all underwater lighting systems, operating at more than 15 volts, supplied from a branch circuit either directly or by way of a transformer, shall be installed in a public swimming pool, as defined in this section, so that there is no shock hazard with any likely combination of fault conditions during normal use, and shall comply with both of the following requirements: (1) An approved ground-fault circuit interrupter shall be installed in the branch circuit that supplies all fixtures operating at more than 15 volts. (2) Only approved underwater lighting fixtures shall be used and no lighting fixtures shall be installed for operations at more than 150 volts between conductors.

(c) Any public swimming pool that does not meet the requirements specified in subdivision (b), shall be retrofitted to comply with these requirements by May 1, 1999.

(d) The ground-fault circuit interrupter required pursuant to this section shall comply with standards acceptable to the authority having jurisdiction.

(e) The owner or operator of a public swimming pool shall, on or before May 1, 1999, comply with both of the following:

(1) Obtain an inspection of its public swimming pool by the local health officer or a qualified contractor as set forth in subdivision (f).

(2) Certify to the local health officer as set forth in Section 116053 that the public swimming pool facility is in compliance with this section.

(f) All electrical work required for compliance with this section shall be performed by a person licensed to

perform electrical work within his or her general, specialty, or limited specialty contractor' s licensed scope of practice pursuant to Section 7059 of the Business and Professions Code.

(g) This section shall be known and may be cited as the Yasmin Paleso'o Memorial Swimming Pool Safety Law.

**116050 Rules and regulations: enforcement of building standards; adoption of standards.**

Except as provided in Section 18930, the department shall make and enforce regulations pertaining to public swimming pools as it deems proper and shall enforce building standards published in the State Building Standards Code relating to public swimming pools; provided, that no rule or regulation as to design or construction of pools shall apply to any pool that has been constructed before the adoption of the regulation, if the pool as constructed is reasonably safe and the manner of the construction does not preclude compliance with the requirements of the regulations as to bacteriological and chemical quality and clarity of the water in the pool. The department shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 for the purposes described in this section.

**116053 Enforcement officers.**

Every health officer shall enforce the building standards published in the State Building Standards Code relating to swimming pools and the other regulations adopted by the department pursuant to this article in his or her jurisdiction.

**116055 Authority to enter and investigate.**

For the purposes of this article, any health officer, or any inspector of the department, may at all reasonable times enter all parts of the premises of a public swimming pool to make examination and investigation to determine the sanitary condition and whether this article, building standards published in the State Building Standards Code relating to swimming pools, or the other rules and regulations adopted by the department pursuant to this article are being violated.

**116058 Publication of inspection reports.**

The department may publish the reports of inspections.

**116060 Public nuisance.**

Any public swimming pool constructed, operated, or maintained contrary to the provisions of this article is a public nuisance, dangerous to health.

**116063 Abatement of nuisance.**

Any nuisance maintained in violation of this article may be abated or enjoined in an action brought by a local health officer, or the department, or it may be summarily abated in the manner provided by law for the summary abatement of other public nuisances dangerous to health.

**116064 Public Wading Pools**

(a) As used in this section the following words have the following meanings:

(1)(A) "Public wading pool" means a pool that meets all of the following criteria:

(i) It has a maximum water depth not exceeding 18 inches.

(ii) It is a pool other than a pool that is located on the premises of a one-unit or two-unit residence, intended solely for the use of the residents or guests.

(B) "Public wading pool" includes, but is not limited to, a pool owned or operated by private persons or agencies, or by state or local governmental agencies.

(C) "Public wading pool" includes, but is not limited to, a pool located in an apartment house, hotel, or similar setting, that is intended for the use of residents or guests.

(2) "Alteration" means any of the following:

(A) To change, modify, or rearrange the structural parts or the design.

(B) To enlarge.

(C) To move the location of.

(D) To install a new water circulation system.

(E) To make any repairs costing fifty dollars (\$50) or more to an existing circulation system.

(3) "ANSI/APSP performance standard" means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).

(4) "Suction outlet" means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.

(b) A public wading pool shall have at least two circulation suction outlets per pump that are hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and are separated by a distance of at least

three feet in any dimension between the suction outlets.

(c) All public wading pool suction outlets shall be covered with anti-vortex grates or similar protective devices. All suction outlets shall be covered with grates or anti-vortex plates that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers..

(d) (1) The State Department of Health Services may adopt regulations pursuant to this section.

(2) The regulations may include, but not be limited to, standards permitting the use of alternative devices or safeguards, or incorporating new technologies, that produce, at a minimum, equivalent protection against entrapment and suction hazard, whenever these devices, safeguards, or technologies become available to the public.

(3) Regulations adopted pursuant to this section constitute building standards and shall be forwarded pursuant to Section 11343 of the Government Code to the California Building Standards Commission for approval as set forth in Section 18907 of the Health and Safety Code.

(e) The California Building Standards Commission shall approve the building standards as set forth in this section and publish them in the California Building Standards Code by November 1, 1999. The commission shall publish the text of this section in Title 24 of the California Code of Regulations, Part 2, Chapter 31B, requirements for public swimming pools, with the following note: "NOTE: These building standards are in statute but have not been adopted through the regulatory process." Enforcement of the standards set forth in this section does not depend upon adoption of regulations, therefore, enforcement agencies shall enforce the standards pursuant to the timeline set forth in this section prior to adoption of related regulations.

(f) The maximum velocity in the pump suction hydraulic system shall not exceed six feet per second when 100 percent of the pump's flow comes from the main drain system and any main drain suction fitting in the system is completely blocked.

(g) On and after January 1, 1998, all newly constructed public wading pools shall be constructed in compliance with this section.

(h) Commencing January 1, 1998, whenever a construction permit is issued for alteration of an existing public wading pool, it shall be retrofitted so as to be in compliance with this section.

(i) By January 1, 2000, every public wading pool, regardless of the date of original construction, shall be retrofitted to comply with this section.

#### **116064.2. Requirement for anti-entrapment devices or systems**

(a) As used in this section, the following words have the following meanings:

(1) "ANSI/APSP performance standard" means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).

(2) "ASME/ANSI performance standard" means a standard that is accredited by the American National Standards Institute and published by the American Society of Mechanical Engineers.

(3) "ASTM performance standard" means a standard that is developed and published by ASTM International.

(4) "Public swimming pool" means an outdoor or indoor structure, whether in-ground or above-ground, intended for swimming or recreational bathing, including a swimming pool, hot tub, spa, or nonportable wading pool, that is any of the following:

(A) Open to the public generally, whether for a fee or free of charge.

(B) Open exclusively to members of an organization and their guests, residents of a multiunit apartment building, apartment complex, residential real estate development, or other multifamily residential area, or patrons of a hotel or other public accommodations facility.

(C) Located on the premises of an athletic club, or public or private school.

(5) "Qualified individual" means a contractor who holds a current valid license issued by the State of California or a professional engineer licensed in the State of California who has experience working on public swimming pools.

(6) "Safety vacuum release system" means a vacuum release system that ceases operation of the pump, reverses the circulation flow, or otherwise provides a vacuum release at a suction outlet when a blockage is detected.

(7) "Skimmer equalizer line" means a suction outlet located below the waterline, typically on the side of the pool, and connected to the body of a skimmer that prevents air from being drawn into the pump if the water level drops below the skimmer weir. However, a skimmer equalizer line is not a suction outlet for purposes of subdivisions (c) and (d).

(8) "Suction outlet" means a fitting or fixture of a swimming pool that conducts water to a recirculating pump.

(9) "Unblockable suction outlet" means a suction outlet, including the sump, that has a perforated (open) area that cannot be shadowed by the area of the 18 inch by 23 inch Body Blocking Element of the ANSI/APSP-16 performance standard, and that the rated flow through any portion of the remaining open area cannot create a suction force in excess of the removal force values in Table 1 of that standard.



(b) (1) Subject to subdivision (e), every public swimming pool shall be equipped with anti-entrapment devices or systems that comply with the ANSI/APSP-16 performance standard or successor standard designated by the federal Consumer Product Safety Commission.

(2) A public swimming pool that has a suction outlet in any location other than on the bottom of the pool shall be designed so that the recirculation system shall have the capacity to provide a complete turnover of pool water within the following time:

- (A) One-half hour or less for a spa pool.
- (B) One-half hour or less for a spray ground.
- (C) One hour or less for a wading pool.
- (D) Two hours or less for a medical pool.
- (E) Six hours or less for all other types of public pools.

(c) Subject to subdivisions (d) and (e), every public swimming pool with a single suction outlet that is not an unblockable suction outlet shall be equipped with at least one or more of the following devices or systems that are designed to prevent physical entrapment by pool drains:

(1) A safety vacuum release system that has been tested by a nationally recognized testing laboratory and found to conform to ASME/ANSI performance standard A112.19.17, as in effect on December 31, 2009, or ASTM performance standard F2387, as in effect on December 31, 2009.

(2) A suction-limiting vent system with a tamper-resistant atmospheric opening, provided that it conforms to any applicable ASME/ANSI or ASTM performance standard.

(3) A gravity drainage system that utilizes a collector tank, provided that it conforms to any applicable ASME/ANSI or ASTM performance standard.

(4) An automatic pump shutoff system tested by a department-approved independent third party and found to conform to any applicable ASME/ANSI or ASTM performance standard.

(5) Any other system that is deemed, in accordance with federal law, to be equally effective as, or more effective than, the systems described in paragraph (1) at preventing or eliminating the risk of injury or death associated with the circulation system of the pool and suction outlets.

(d) Every public swimming pool constructed on or after January 1, 2010, shall have at least two suction outlets per pump that are hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the suction outlets. A public swimming pool constructed on or after January 1, 2010, that meets the requirements of this subdivision, shall be exempt from the requirements of subdivision (c).

(e) A public swimming pool constructed prior to January 1, 2010, shall be retrofitted to comply with subdivisions (b) and (c) by no later than July 1, 2010, except that no further retrofitting is required for a public swimming pool that completed a retrofit between December 19, 2007, and January 1, 2010, that complied with the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. Sec. 8001 et seq.) as in effect on the date of issue of the construction permit, or for a nonportable wading pool that completed a retrofit prior to January 1, 2010, that complied with state law on the date of issue of the construction permit. A public swimming pool owner who meets the exception described in this subdivision shall do one of the following prior to September 30, 2010:

(1) File the form issued by the department pursuant to subdivision (f), as otherwise provided in subdivision (h).

(2) (A) File a signed statement attesting that the required work has been completed.

(B) Provide a document containing the name and license number of the qualified individual who completed the required work.

(C) Provide either a copy of the final building permit, if required by the local agency, or a copy of one of the following documents if no permit was required:

(i) A document that describes the modification in a manner that provides sufficient information to document the work that was done to comply with federal law.

(ii) A copy of the final paid invoice. The amount paid for the services may be omitted or redacted from the final invoice prior to submission.

(f) Prior to March 31, 2010, the department shall issue a form for use by an owner of a public swimming pool to indicate compliance with this section. The department shall consult with county health officers and directors of departments of environmental health in developing the form and shall post the form on the department's Internet Web site. The form shall be completed by the owner of a public swimming pool prior to filing the form with the appropriate city, county, or city and county department of environmental health. The form shall include, but not be limited to, the following information:

(1) A statement of whether the pool operates with a single suction outlet or multiple suction outlets that comply with subdivision (d).

(2) Identification of the type of anti-entrapment devices or systems that have been installed pursuant to subdivision (b) and the date or dates of installation.

(3) Identification of the type of devices or systems designed to prevent physical entrapment that have been installed pursuant to subdivision (c) in a public swimming pool with a single suction outlet that is not an unblockable suction outlet and the date or dates of installation or the reason why the requirement is not applicable.

(4) A signature and license number of a qualified individual who certifies that the factual information provided on the form in response to paragraphs (1) to (3), inclusive, is true to the best of his or her knowledge.

(g) A qualified individual who improperly certifies information pursuant to paragraph (4) of subdivision (f) shall be subject to potential disciplinary action at the discretion of the licensing authority.

(h) Except as provided in subdivision (e), each public swimming pool owner shall file a completed copy of the form issued by the department pursuant to this section with the city, county, or city and county department of environmental health in the city, county, or city and county in which the swimming pool is located. The form shall be filed within 30 days following the completion of the swimming pool construction or installation required pursuant to this section or, if the construction or installation is completed prior to the date that the department issues the form pursuant to this section, within 30 days of the date that the department issues the form. The public swimming pool owner or operator shall not make a false statement, representation, certification, record, report, or otherwise falsify information that he or she is required to file or maintain pursuant to this section.

(i) In enforcing this section, health officers and directors of city, county, or city and county departments of environmental health shall consider documentation filed on or with the form issued pursuant to this section by the owner of a public swimming pool as evidence of compliance with this section. A city, county, or city and county department of environmental health may verify the accuracy of the information filed on or with the form.

(j) To the extent that the requirements for public wading pools imposed by Section 116064 conflict with this section, the requirements of this section shall prevail.

(k) The department shall have no authority to take any enforcement action against any person for violation of this section and has no responsibility to administer or enforce the provisions of this section.

**116065 Violation; misdemeanor; penalty.**

Every person who violates any provision of this article, building standards published in the State Building Standards Code relating to swimming pools, or the rules and regulations adopted pursuant to the provisions of this article, is guilty of a misdemeanor, punishable by a fine of not less than fifty dollars (\$50) nor more than one thousand dollars (\$1000), or by imprisonment for not more than six months, or both.

**116068 Separate offense for each day.**

Each day that a violation of this article continues is a separate offense.

**California Code of Regulations  
Title 22, Chapter 20  
Public Swimming Pools**

Article 1. Definitions and Scope

**65501 Definitions.**

(a) **"Swimming Pool" or "Pool"** means an artificial basin, chamber or tank used, or intended to be used, for public swimming, diving, or recreational bathing, but does not include baths where the main purpose is the cleaning of the body, nor individual therapeutic tubs.

(b) **"Wading Pool"** means an artificial basin, chamber or tank used, or intended to be used, for wading by small children and having a maximum depth of not to exceed 46 centimeters (18 inches) at the deepest point nor more than 30 centimeters (12 inches) at the side walls.

(c) **"Special Use Pools"** means pools designed and used exclusively for a single purpose such as wading, instruction, diving, competition or medical treatment where a licensed professional in the healing arts is in attendance.

(d) **"Enforcing Agent"** means the Health Officer or Director of Environmental Health or their designated registered sanitarian representative.

(e) **"Temporary Training Pool"** means an artificial basin, chamber or tank intended to be used for instruction in swimming and so constructed as to be readily disassembled for storage or for transporting to and reassembling at a different location.

(f) **"Spa Pool"** means a pool, not used under medical supervision, that contains water of elevated temperature, and incorporates a water jet system, an aeration system or a combination of the two systems.

(g) **"Department"** means the State Department of Health Services.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116025 through 116068, Health and Safety Code.

**HISTORY:**

1. New Chapter 20 (Articles 1-3, Sections 65501-65547, not consecutive) filed 10-16-80; designated effective 10-1-81 (Register 80, No. 42).
2. Editorial correction of effective date of History Note No. 1 (Register 80, No. 52)
3. Editorial change filed 9-4-81 redesignating effective date of 10-16-80 order from 10-1-81 to 12-30-81 (Register 81, No. 36)

**65503 Scope.**

(a) The provisions of this Chapter apply to all pools as defined in Section 65501, including but not limited to:

- (1) Commercial pools.
- (2) Real estate pools.
- (3) Community pools.
- (4) Hotel pools.
- (5) Motel pools.
- (6) Resort pools.
- (7) Auto and trailer park pools.
- (8) Auto court pools.
- (9) Apartment house pools.
- (10) Club pools.
- (11) Public or Private school pools.
- (12) Gymnasium pools.
- (13) Health establishment pools.
- (14) Townhouse pools.
- (15) Condominium pools.
- (16) Mobile home park pools.
- (17) Campground pools.
- (18) Homeowner association pools.

(b). Only private pools maintained by an individual for the use of family and friends are exempt from the provisions of this Chapter.

(c). The provisions of this Chapter shall apply to all auxiliary structures and equipment provided and maintained in connection with pools, including but not limited to:

- (1) Locker rooms.
- (2) Shower rooms.
- (3) Dressing rooms.
- (4) Toilet facilities.
- (5) Filtration equipment.
- (6) Pumping equipment.
- (7) Piping.
- (8) Disinfecting equipment.
- (9) Safety equipment.

NOTE: Authority cited: Section 208 and 116050, Health and Safety Code. Reference: Section 116025, Health and Safety Code.

## **Article 2. Plans, Construction and Inspection**

### **65505 Plans and Specifications.**

(a) A person proposing to construct, reconstruct or alter a swimming pool or auxiliary structure or equipment shall submit legible plans and specifications to the enforcing agent for review and written approval prior to commencing the work and in advance of the issuance of any building, plumbing or electrical permit.

(b) Plans submitted for approval pursuant to this section shall be drawn to a scale of 1 centimeter equals 0.48 meters (1/4 inch equals 1 foot), except that plans for spa pools shall be drawn to a scale of 1 centimeter equals 0.12 meters (1 inch equals 1 foot).

(c) The enforcing agent may require the submission of such additional information as may be required to determine the compliance of plans and specifications submitted for approval.

(d) Within 30 days of the receipt of plans and specifications, the enforcing agent shall notify the person submitting the plans and specifications of their approval or disapproval.

NOTE: Authority cited: Section 208 and 116050, Health and Safety Code. Reference: Section 116038, Health and Safety Code.

### **65507 Records.**

(a) The enforcing agent shall retain one copy of the plans and specifications submitted for approval.

(b) At the request of the Department, the enforcing agent shall make available to the Department records pertaining to swimming pools which are within the enforcing agent's jurisdiction.

NOTE: Authority cited: Section 208 and 116050, Health and Safety Code. Reference: Sections 116038 and 116058, Health and Safety Code.

### **65509 Construction.**

(a) Swimming pools shall be constructed, reconstructed or altered in compliance with plans approved pursuant to Section 65505, unless written approval of variance from such plans is obtained from the enforcing agent.

(b) Swimming pools shall conform to the requirements of Chapter 31B, Title 24, Building Standards, California Administrative Code.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116038, Health and Safety Code.

### **65511 Inspection.**

(a) The swimming pool owner, or his designated agent, shall notify the enforcing agent at least two working days before uniting or constructing the pool shell to allow inspection and approval by the enforcing agent. Following pool construction, the enforcing agent shall again be notified at least two days in advance of placing the pool in operation to allow for final inspection and approval.

(b) No pool shall be placed in use without the written approval of the enforcing agent.

NOTE: Authority cited: Section 208 and 116050, Health and Safety Code. Reference: Sections 116038 and 116055, Health and Safety Code.

### **Article 3. Maintenance and Operation**

#### **65521 Pool Supervision Responsibility.**

(a) Every pool shall be under the supervision of a person who is fully capable of, and shall assume responsibility for, compliance with all requirements relating to pool operation, maintenance and safety of bathers.

(b) No pools shall be used or available for use unless all of the requirements of subsection (a) and the following are complied with.

(1) Routine (e.g., daily and weekly) operating procedures shall be permanently posted in a location accessible to and frequented by the operator.

(2) Manufacturers' instructions for operation and maintenance of mechanical and electrical equipment shall be kept available for the operator.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116043 and 116050, Health and Safety Code.

#### **65523 Operation Records.**

(a) The operator of each pool open for use shall keep a daily record of information regarding operation, including readings of disinfectant residual, pH and maintenance procedures such as cleaning of filters and quantity of chemicals used.

(b) If cyanuric acid by itself or in a combined form with the disinfectant is added to a pool, the cyanuric acid concentration shall be measured a minimum of once per month and records shall be kept of the results of such testing

(c) Data collected pursuant to subsections (a) and (b) shall be maintained at least one year for inspection by the enforcing agent, or shall be submitted to the enforcing agent upon his request.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116040 and 116043, Health and Safety Code.

#### **65525 Recirculation and Purification System Operation.**

The pumps, filters, disinfectant and chemical feeders, flow indicators, gauges and all related parts of the pool water purification system shall be kept in operation whenever the pool is available for use, and at such additional times and periods as may be necessary to maintain the water in the pool in a clear and disinfected condition. The variation in flow during a filtration cycle shall be such as to not reduce the flow below 65 percent of the rate required in Section 3124B of Title 24, California Administrative Code.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116043 and 116050, Health and Safety Code.

#### **65527 Clarity of Water.**

The recirculation and purification system shall be operated and maintained so as to keep the pool water clean and clear. Under no circumstances shall the pool be used if the main drain is not clearly visible from the deck. Such a pool shall be closed and shall not be reopened until the water is clean and clear, and upon specific written approval of the enforcing agent. If the pool drain is still not visible 48 hours following inspection and closure by the enforcing agent, the enforcing agent may order the pool drained as a safety precaution.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116043, 116050, 116053 and 116055, Health and Safety Code.

#### **65529 Disinfection, pH Control and Cyanuric Acid.**

(a) Pools, when open or in use, shall be disinfected continuously by a chemical which imparts a residual effect and shall be maintained in an alkaline condition at a pH between 7.2 and 8.0. For pools using hypochlorite or gaseous chlorine without a stabilizer, a free chlorine residual at least 1.0 ppm shall be maintained throughout the pool. If cyanuric acid or a chlorinated isocyanurate is used, a free chlorine residual of at least 1.5 ppm shall be maintained throughout the pool. The cyanuric acid concentration in any pool shall not exceed 100 ppm. Appropriate test kits for measuring the pH, concentration of the disinfectant, and, when used, concentration of cyanuric acid shall be provided at each pool. If halogens other than chlorine are used, residuals of equivalent strength shall be maintained. A test kit for measuring the concentration of the disinfectant accurate to within 0.1 ppm shall be available at each pool.

(b) When test kits for chlorine utilize comparative color standards, the standards shall be accurate to within plus or minus 0.1 ppm. There shall be at least four color standards as follows: 0.6, 1.0, 1.5 and 2.0. The test kit shall be capable of testing for free chlorine residual.

(c) The enforcing agent may accept other disinfecting materials or methods after they have been demonstrated to provide a readily measurable residual. Such materials or methods must be as effective as the required chlorine concentration and must not be dangerous to public health or create objectionable physiological effects.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116043, Health and Safety Code.

**65531 Bacteriological and Chemical Quality of Pool Water.**

(a) Bacteriological quality of water in the pool shall be such that not more than two consecutive samples, taken when the pool is in use, shall:

(1) Contain more than 200 bacteria per millimeter, as determined by the standard (35<sup>0</sup>C) plate count; or

(2) Contain a total coliform organism MPN (most probable number) count of 2.2 or greater per 100 milliliters of sample.

(b) Chemical quality of water in the pool shall not cause irritation of eyes or skin of the bathers, or have other objectionable physiological effects on bathers.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116043, Health and Safety Code.

**65533 Cleanliness of Pool.**

(a) Floating scum, sputum or debris shall not be allowed to accumulate in the pool. Skimmers, where provided, and water levels shall be maintained and operated to remove such material continuously. The bottom and sides of the pool shall be cleaned as often as necessary to be kept in a clean condition. The sides and bottom of pools, decks and other surfaces shall be kept free of slime and algae.

(b) Animals shall not be permitted in the pool or pool area.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116043, Health and Safety Code.

**65535 Cleaning and Maintenance.**

(a) All parts of the pool and related pool facilities and equipment shall be maintained in good repair. Floors shall be kept free from cracks and other defects and in compliance with Section 3115B, Title 24, California Administrative Code. Walls, ceilings, partitions, doors, lockers and similar surfaces and equipment shall be refinished in a manner acceptable to the enforcing agent as often as necessary to be kept in a state of good repair.

(b) Hoses shall be provided for regular flushing and cleaning. The whole pool area shall be kept clean, sanitary and free of litter and vermin.

(c) Toilets, urinals, showers, wash basins and other plumbing fixtures shall be maintained in a clean condition, and in good repair.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116043, Health and Safety Code.

**65537 Bathing Suits, Caps and Towels.**

Bathing suits and towels furnished by the management shall be laundered and clean, and caps shall be sanitized after each usage.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116043, Health and Safety Code.

**65539 Lifesaving, First Aid and Control of Bathers.**

(a) Lifeguard services shall be provided in accordance with Sections 116028 and 116045 of the Health and Safety Code.

(b) Where lifeguard service is provided, the number of lifeguards shall be adequate to maintain continuous surveillance over the bathers.

(c) Where no lifeguard service is provided, a warning sign shall be placed in plain view and shall state "Warning- No Lifeguard on Duty" with clearly legible letters at least 10.2 centimeters (4 inches) high. In addition, the sign shall also state "Children Under the Age of 14 Should Not Use Pool Without An Adult In Attendance".

(d) The enforcing agent may require posting of notices directing the bathers to make use of the toilets and showers before entering the pool. At all pools, diagrammatic illustrations of artificial respiration procedures shall be posted where clearly visible from the nearby deck. Such illustrations shall be protected against the elements. Also, the telephone number of the nearest ambulance, fire and police or sheriff's department shall be kept similarly posted along with instructions that, if needed, manual or mouth-to-mouth artificial respiration should be started immediately and continued until a physician arrives or mechanical resuscitators are applied.

(e) Every swimming pool shall be equipped for safety and rescue purposes with one or more rescue poles not less than 3.6 meters (12 feet) in length with body hooks, and one or more life rings having a minimum exterior

diameter of 43 centimeters (17 inches) readily accessible for use. Such life rings shall have attached to them an 0.476 centimeter (<sup>3</sup>/<sub>16</sub>-inch) line long enough to span the maximum width of the pool. The line shall be stored when not in use in such a way as to prevent kinking or fouling. When rescue can be affected from the perimeter of a spa pool, such a pool may be exempt from the requirements of this paragraph if so approved by the enforcing agent

(f) When, in the opinion of the enforcing agent, any pool is of such size that unaided swimming by lifeguards may not offer sufficient protection to swimmers, one or more square-sterned boats equipped with oars, oarlocks and life rings, or paddle boats, as the enforcing agent shall order, shall be provided.

(g) A first aid kit shall be provided at all swimming pools when required by the enforcing agent.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116028, 116043 and 116045, Health and Safety Code.

#### **65541 Health of Employees and Patrons.**

(a)

(b) All patrons known to be, or suspected by the enforcing agent or the management of being afflicted with an infectious disease, suffering from a cough, cold or sores, or wearing bands or bandages shall be excluded from all public bathing places unless at least one of the following conditions is met:

(1) The patron submits a current written statement, signed by a licensed physician, confirming that the patron does not present a health hazard to other pool users.

(2) Pool use by the patron is approved by the enforcing agent.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116040, 116043 and 116055, Health and Safety Code.

#### **65543 Wading Pool-Water Clarity.**

The water of every wading pool shall be kept sufficiently clear so that the bottom of the wading pool will be visible at all times.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116043, Health and Safety Code.

#### **65545 Pool Closure.**

(a) If, in the opinion of the enforcing agent, a pool is maintained or operated in a manner which creates an unhealthful, unsafe, or unsanitary condition, the pool may be closed by the enforcing agent. Such a pool shall not be reopened until correction is made, and upon, specific written approval of the enforcing agent.

(b) Unhealthful, unsafe or unsanitary conditions include, but are not limited to, the failure to meet clarity, disinfection, pH, safety or bacteriological standards.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116040, 116043, 116053 and 116055, Health and Safety Code.

#### **65547 Compressed Chlorine Gas.**

(a) When compressed chlorine gas is employed, the following requirements shall be met:

(1) A solution of commercial strength ammonia shall be kept available for use in testing for chlorine gas leaks.

(2) A gas mask designed for use in a chlorine atmosphere shall be provided unless a self-contained breathing apparatus meeting the requirements of paragraph (a) (3) is provided. Gas masks shall be of a type approved by the U.S. Bureau of Mines and/or the National Institute for Occupational Safety and Health. The following requirements for gas mask canisters shall be met:

(A) A replacement canister shall be provided and kept serviceable. Any canister which has been utilized during chlorine leakage shall be discarded and a replacement canister provided.

(B) The date of attaching a canister to the mask breathing tube shall be recorded on the canister. The canister shall be discarded one year from the date of attachment, or sooner if the canister is expended as shown by an indicator color change.

(C) Date stamped expired canisters shall be replaced with unexpired, unused containers.

(3) A self-contained breathing apparatus may be used in place of a gas mask only if all pool attendants and lifeguards who may be responsible for the health and safety of pool users have received formal training in the use of the equipment. Following initial formal training, responsible pool attendants and lifeguards shall receive refresher training at least once every six months if working at pools which are open year-round. For pools open on a seasonal basis, all returning responsible personnel shall receive retraining on the use of the equipment before the pool is opened for the season. The self-contained breathing apparatus provided shall comply with the provisions of Section 5144 of Title 8, California Administrative Code, and the following:

(A) Only parts approved for the specific respiratory system shall be used for replacement.

(B) The respirator equipment shall be kept at a readily accessible point outside the room in which the chlorinator is maintained.

(4) All swimming pools with gas type automatic chlorinators shall post in a conspicuous location near the entrance to the pool an emergency pool evacuation procedure.

(A) Emergency exit doors or gates shall not be locked when the pool is open for use. Keys to such doors and gates shall be readily available to pool attendants and lifeguards.

(B) Pool attendants and lifeguards shall receive training in the application of effective pool emergency procedures. Such training shall be reviewed at least once every six months for pools open year-round. For pools open on a seasonal basis, training in emergency procedures shall be conducted before the pool is opened for the season.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference Sections 116040, 116043 and 116050, Health and Safety Code.

#### **65549 Replacement of Equipment or Appurtenances.**

When fixed or installed equipment or appurtenances are changed or replaced, the change or replacement units shall meet applicable requirements of this Chapter subject to the provisions of Section 116050 of the Health and Safety Code, and shall first be cleared with the enforcing agent before substitution if not an exact duplicate of the units being changed or replaced.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Sections 116038, 116043 and 116050, Health and Safety Code.

#### **HISTORY**

1. New section filed 1-14-81; designated effective 10-14 81 (Register 81, No. 3).

#### **65551. Shower, Toilet and Dressing Facilities.**

(a) For shower, toilet and dressing facilities, the walls, partitions, doors, lockers and similar surfaces which require periodic cleaning shall be maintained smooth and finished so as to facilitate cleaning.

(b) Showers shall be provided with soap in soap dispensers or containers.

(c) For toilet facilities, handwashing detergent or soap, sanitary towels or hot air blowers, and toilet tissues shall be provided in permanently installed dispensing devices.

NOTE: Authority cited: Section 116050, Health and Safety Code. Reference: Section 116043. Health and Safety Code.

HISTORY: 1. New section filed 1- 14-81; designated effective 10 1 81 (Register 81, No. 3)



**California Code of Regulations**  
**Title 24**  
**PUBLIC SWIMMING POOLS**  
**CHAPTER 31B [DPH]**

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**California Code of Regulations  
Title 24, Article 680**

**680-12. Gas Chlorination Equipment Rooms.**

**(a) Switch Location.** Switches for the control of mechanical ventilation and lighting fixtures in a room used for gas chlorination equipment shall be located adjacent to the entry door outside of the room. Each switch shall be clearly labeled "Turn On Before Entering".

**(b) Equipment Interlocks.** The gas chlorine feeding devices shall be interlocked with the pool recirculating pump so that the gas chlorine feeding devices shall not operate when the recirculating pump is off or during the filter backwash cycle.

**680-13. Emergency Switch for Spa Pools.** A clearly labeled emergency shut-off switch for the control of both the recirculation system and the aeration and/or jet system shall be installed adjacent to the spa pool.

**California Health and Safety Code  
Division 2.5, Chapter 3**

**Article 5. Personnel  
Section 1797.182**

**1797.182 Training of lifeguards and firefighters to administer first aid and cardiopulmonary resuscitation.**

All ocean, public beach, and public swimming pool lifeguards and all firefighters in this state, except those whose duties are primarily clerical or administrative, shall be trained to administer first aid and cardiopulmonary resuscitation. The training shall meet standards prescribed by the authority, and shall be satisfactorily completed by such persons as soon as practical, but in no event more than one year after the date of employment. Satisfactory completion of a refresher course which meets the standards prescribed by the authority in cardiopulmonary resuscitation and other first aid shall be required at least every three years.

The authority may designate a public agency or private nonprofit agency to provide for each county the training required by this section. The training shall be provided at no cost to the trainee.

As used in this section, "lifeguard" means any regularly employed and paid officer, employee, or member of a public aquatic safety department or marine safety agency of the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of this state.

(Added Stats 1983 Ch 1246)