



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <http://rules.wyo.gov>

Revised July 2019

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		

* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☐ No. ☐ Yes. If the rules are new, please provide the Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154):

3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title* and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
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Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed

* If the name of a chapter of rules is changing, please provide the NEW chapter name in parenthesis following the OLD chapter name. *Example:* Old Chapter Name: General Provisions; New Chapter Name: General Provisions and Requirements. This would appear as "General Provisions (General Provisions and Requirements)."

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. ☐ No. ☐ Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?

☐ By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

☐ To the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ No. ☐ Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:	
Indicate one (1):	
☐ The proposed rules meet, but do not exceed, minimum federal requirements.	
☐ The proposed rules exceed minimum federal requirements.	
Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:	
☐ To the Agency at the physical and/or email address listed in Section 1 above.	
☐ At the following URL: _____	

6. State Statutory Requirements

a. Indicate one (1):

☐ The proposed rule change *MEETS* minimum substantive statutory requirements.

☐ The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. ☐ The Agency has completed a takings assessment as required by W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

☐ By contacting the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

☐ These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

☐ The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

(Provide chapter numbers)

☐ These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

(Provide chapter numbers)

b. Checklist

☐ The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

☐ If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual

Title of Authorized Individual

Date of Authorization



STATEMENT OF PRINCIPAL REASONS FOR REVISIONS TO THE WYOMING REGULATIONS FOR SWIMMING POOLS, SPAS AND SIMILAR INSTALLATIONS

Pursuant to Wyo. Stat. Ann. § 35-28-106, the Wyoming Department of Agriculture is proposing to revise the current Wyoming Regulations for Public Swimming Pools, Spas and Similar Installations. First, the Department changed the title of the regulations to “Wyoming Regulations for Pools, Spas, and Aquatic Features” because the term “aquatic features” is more widely used by industry. The Department also made several substantive changes to bring the regulations up to date with the latest industry safety standards and technological advancements.

Furthermore, the proposed regulations contain significant non-substantive changes to improve clarity, readability, and conciseness. Additionally, the proposed regulations correct grammatical and typographical errors. As a result, the proposed regulations are approximately 12% shorter. These revisions further the Department’s goal of making it easier for industry to comply with them.

The Department is proposing to adopt these revised and updated regulations for the specific reasons listed below.

- Chapter 1: Authority; Variances; Definitions; Operator Requirements (*Currently: General Provisions*)
 - The Department has updated the definitions section by removing unnecessary definitions, adding relevant definitions, and revising some existing definitions to improve readability and compliance and to reflect industry usage.
 - The Department has separated the acronyms from the definitions to make the regulations more user friendly.
 - The Department has updated and corrected the documents incorporated by reference and their relevant Internet URLs to match current industry standards.
- Chapter 2: Plans and Specifications; License Contents and Issuance; Inspection; Enforcement. (*Currently: Requirements for Plan Submission & Specifications; License Application & Issuance; Inspection*)
 - The Department has clarified the license application process.
 - The Department has clarified that each new or remodeled pool, spa, or aquatic feature must have its own circulation system and a separate license.
 - The Department has clarified when a license applicant or license holder must submit plans and specifications for review.
 - The Department has updated what plans and specifications must contain.

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The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

- The Department has updated and clarified the enforcement provisions to better align with statutory requirements.
- Chapter 3: General & Structural Design; Equipment Standards
 - The Department has added safety standards for interactive play aquatic features.
 - The Department has updated the safety requirements for enclosures and added requirements for mesh fence enclosures.
 - The Department has updated and clarified depth and design requirements.
- Chapter 4: Sanitary Facilities and Controls
 - The Department has clarified which turnover rates apply to each type of pool and aquatic feature, such as lazy rivers, interactive play features, and wave pools.
 - The Department has updated some terminology to reflect industry usage.
 - The Department has included turnover rates for lazy rivers, interactive play features, and wave pools.
 - The Department has clarified the suction outlet requirements.
- Chapter 5: Water Quality; Test Kits; Record Keeping (*Currently: Water Quality, Test Kits, Record Keeping*)
 - The Department has clarified and updated the water quality requirements.
 - The Department has updated the draining, refilling, and temperature requirements for spas and flow-through pools.
- Chapter 6: Lifesaving Measures; Slides; Flumes; Safety Requirements; Fecal or Vomitus Incidents. (*Currently: Lifeguards, Lifesaving Equipment; Ladders, Recessed Steps; Diving Boards; Slides*)
 - The Department has revised the lifeguard standards for general-use pools to accommodate sanctioned competitions at general-use pools.
 - The Department has added requirements regarding service animals and when license holders may allow animals in pools.
 - The Department has updated the lifeguard chair provisions.
 - The Department has updated the safety requirements for slides and flumes.
 - The Department has added safety requirements to address contamination from fecal matter, vomitus, or blood.
- Chapter 7: Bathhouses and Sanitary Facilities (*Currently: Dressing & Sanitary Facilities; Bathhouses*)

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Wyoming
DEPARTMENT OF Agriculture

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Web: agriculture.wy.gov • Email: wda1@wyo.gov

The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

- The Department has updated the requirements for bathhouses, sanitary facilities, and diaper changing areas.

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Chapter 1

Purpose Authority; Variances; Definitions; and Operator Requirements

Section 1. Authority. ~~The following regulations are promulgated pursuant to the authority vested in the director of the Wyoming Department of Agriculture by virtue of W.S. 35-28-102, and 35-28-107, together with the Department of Health, Wyoming Statute § 35-28-106, the following regulations are hereby promulgated. These provisions shall be known as the Wyoming Regulations for Pools, Spas, and Aquatic Features, hereinafter referred to as these regulations.~~

~~Section 2. Wyoming Regulations for Swimming Pools, Spas, and Similar Installations.~~

~~(a) These provisions shall be known as the Wyoming Regulations for Swimming Pools, Spas, and Similar Installations, hereinafter referred to as these Regulations.~~

~~(b) Due to the unique nature of mineral flow through pools, chapters 1 through 7, of these regulations shall only be applied where appropriate and as indicated by the regulatory authority.~~

Section 3 2. Statement of Purpose Applicability.

~~(b) The purpose of these Regulations is to protect the health and safety of the public in public swimming pools, spas and similar installations.~~

~~(c) (a) These Regulations shall apply to any person who owns, operates, or manages a public swimming general-use or limited-use pool, spa, or similar installation aquatic feature in this State.~~

~~(d) These Regulations prescribe minimum design, construction and operation requirements, are intended to protect the health and safety of the public, apply to any bathing facility operated by an owner, licensee or concessionaire, regardless of whether a fee is charged for use.~~

~~(e) These Regulations provide for the review of construction plans; issuance of a certificate of compliance with the requirements of these Regulations; require inspection during construction, as well as a final construction inspection prior to issuance of an operating license.~~

~~(b) These regulations do not apply to private-use pools, spas, or aquatic features.~~

~~(c) These regulations do not apply to pools, spas, and aquatic features that are drained and cleaned after each use or before reuse, except for mineral flow-through pools.~~

~~(d) Due to their unique nature, these regulations only apply to mineral flow-through pools as indicated.~~

Section 4. Public Health Protection.

~~(a) The intent of these Regulations shall be to assure the user of a sanitary, healthful and safe facility and prevent the spread of communicable diseases.~~

~~(b) — These regulations do not apply to private-use swimming pools, spas or similar installations such as:~~

~~(i) — A structure at a single-family residence, controlled by the owner of the residence, the use of which is limited to family members and/or invited guests.~~

~~(c) — These regulations do not apply to pools and spas which are drained and cleaned after each use or before reuse.~~

Section 5 3. Variances of Modifications and Waivers.

(a) The Wyoming Department of Agriculture may grant a variance by modifying or waiving the requirements of these Regulations if:

(i) In the opinion of the Wyoming Department of Agriculture, a health or safety hazard or nuisance will not result from the variance; or

(ii) Compliance would be highly burdensome or impractical due to special circumstances or unforeseen conditions.

~~(b) — If a variance is granted, the Wyoming Department of Agriculture shall retain the information specified under chapter 1, section 6, in its records for the facility.~~

~~Section 6. — Documentation of Proposed Variance and Justification.~~

~~(a) (b) Before a variance from a requirement of these Regulations is approved, the information that shall be provided by the person requesting the variance and the person requesting the variance shall provide the following information, which shall be retained in the Wyoming Department's of Agriculture's file on the facility pool, spa, or aquatic feature must include:~~

~~(i) A statement of the proposed variance of from the Regulations requirement, citing the relevant Regulation section numbers,; and~~

~~(ii) An analysis of the rationale for how the potential public health and safety hazards and nuisances addressed by the relevant Regulation sections will be alternatively addressed by the proposal how the proposed variance will address the potential public health or safety hazards or nuisances addressed by the relevant regulation sections from which the proposed variance is being requested.~~

Section 4. Acronyms. The following acronyms are in use throughout these regulations:

(a) “ANSI” means the American National Standards Institute.

(b) “APSP” means the Association of Pool and Spa Professionals.

(c) “ASTM” means the American Society of Testing Materials.

- (d) “CPSC” means the U.S. Consumer Product Safety Commission.
- (e) “CPR” mean cardio pulmonary resuscitation.
- (f) “EPA” means the U.S. Environmental Protection Agency.
- (g) “FINA” means the - Federation Internationale de Natation (formerly the Federation Internationale de Natation Amateur).
- (h) “ICC” means the International Code Council.
- (i) “IPC” means the International Swimming Pool and Spa Code.
- (j) “NFHS” means the National Federation of State High School Associations.
- (k) “NRPA” means the National Recreation and Park Association.
- (l) “NSF” means the National Sanitation Foundation International.
- (m) “NSPF” means the National Swimming Pool Foundation.
- (n) “UV” means ultraviolet.
- (o) “WAPA” means the Wyoming Administrative Procedure Act, W.S. §§ 16-3-107 through -115.

Section 7 5. Definitions ~~Applicability and Terms Defined.~~ Any defined terms within the Act and (a) The following defined terms are defined and apply in the interpretation and application of these Regulations.:

(i) (a) “Abrasion hazard” means a sharp or rough surface or edge ~~that~~ which could scrape the skin by chance during normal use.

(ii) (b) “Accessible” means easily exposed for inspection and replacement of materials or parts with or without the use of tools.

(iii) ~~“Actual water level” means the specific level of water observe at any time.~~

(c) “Act” means the Public Pool, Spa, Health and Safety Act, codified in W.S. §§ 35-28-101 through -110.

(d) “Activity Pool” means a water attraction designed primarily for play activity that uses constructed features and devices including pad walks, flotation devices, and similar attractions.

(iv) (e) “Administrative meeting” means an informal meeting conducted by the Wyoming

Department of Agriculture, or the local board of health for the purpose of facilitating a mutually agreed upon plan of compliance for the license holder.

~~(v)~~ (f) “Air gap” means the unobstructed vertical distance through the free atmosphere between the lowest opening from an inlet pipe and the flood-level rim of a receptacle or floor drain.

~~(vi)~~ (g) “Air induction system” means a system:

~~(A)~~ (i) ~~A system whereby a volume of air (only) is induced into a hollow ducting in a spa floor, bench, or other location; and~~

~~(B)~~ (ii) ~~The air induction system That is activated by a separate air power blower, or other means.~~

~~(vii)~~ —“Algae” means microscopic plant-like organisms that contain chlorophyll and include green, blue-green or black, brown and yellow-green (mustard) algae.

~~(viii)~~ —“Algicide” means a natural or synthetic substance used for killing, destroying, or controlling algae.

~~(ix)~~ (h) “Alkalinity” means is a measure of the amount of bicarbonate, carbonate, or hydroxide compounds present in a water solution.

~~(x)~~ —“ANSI” means the American National Standards Institute.

~~(xi)~~ —“ANSI/NSPI 11991” means the American National Standards Institute and National Spa and Pool Institute, Standards for Public Swimming Pools.

~~(xii)~~ —“ANSI/NSPI 2” means the American National Standards Institute and National Spa and Pool Institute, Standards for Public Spas.

(i) “Aquatic facility” means a physical place that contains one or more pools, spas, or aquatic features, including any supporting infrastructure, under a single management structure.

(j) “Aquatic feature” means an artificially constructed structure, modified natural structure, or individual component of a pool, spa, or any indoor or outdoor installation where water passes through a circulation system and is intended for bathing, diving, surfing, wading, any similar use, or recreational or therapeutic purposes. Such features do not necessarily contain standing or captured water, so exposure to water may occur via contact, ingestion, or aerosolization. This includes slides and interactive play features such as structures designed to be climbed or walked across, structures that create falling or shooting water, mushrooms, buckets, spray guns or nozzles, splash pads, spray pads, or wet decks.

~~(xiii)~~ —“Approved” means acceptable to the regulatory authority based on determination of conformity with principles, practices, and generally recognized standards that protect public health.

~~(xiv) —“ARC” means the American Red Cross.~~

~~(xv) —“ASHRAE” means the American Society of Heating, Refrigeration and Air Conditioning Engineers, Inc.~~

~~(xvi) —“ASME” means the American Society of Mechanical Engineers.~~

~~(xvii) —“ASTM” means the American Society of Testing Materials.~~

~~(xviii) —“AWWA” means the American Water Works Association.~~

~~(xix)~~ (k) “Backwash” means the process of cleaning the filter medium and/or elements by the reverse flow of water through the filter.

~~(xx) —“Barrier” means a fence, wall, or combination thereof, which completely surrounds the pool or spa and obstructs access to the pool or spa.~~

~~(xxi)~~ (l) “Bather” means any person using a pool, spa ~~or similar installation~~, or aquatic feature and adjoining deck area for the purpose of water sports, recreation, therapy, or related activities.

~~(xxii) —“Bathhouse” means a structure that contains dressing rooms, showers and toilet facilities for use with an adjacent public pool.~~

~~(xxiii)~~ (m) “Bather load” means the number of persons in the pool, spa, ~~or similar installation~~ aquatic feature at any given moment or during any stated period of time.

(n) “Bathhouse” means a structure that contains dressing rooms, showers, and sanitary facilities for use with an adjacent pool, spa, or aquatic feature.

~~(xxiv) —“Beginners area” means water areas in pools which are three (3) feet or less in depth.~~

~~(xxv) —“Booster pump system” means:~~

~~(A) —A system whereby one or more hydrotherapy jets are activated by the use of a pump which is completely independent of the filtration and heating system of a spa; or~~

~~(B) —A device used to provide hydraulic support for certain types of equipment such as cleaning systems, gas chlorinators and solar systems.~~

~~(xxvi) —“Breakpoint chlorination” means the addition of a sufficient amount of chlorine to water to destroy the combined compounds present.~~

~~(xxvii) —“Bromine” means a chemical element that exists as a liquid in its elemental form or as part of a chemical compound which is a biological agent used to disinfect pool or spa water.~~

~~(xxviii)~~ (o) “Brominator” means a device to apply or deliver a bromine disinfectant to water at a controlled rate.

(p) “Calcium hypochlorite” is a solid form of chlorine in granular or tablet form with 65% available chlorine

~~(xxix)~~ (q) “Cartridge” means a ~~depth~~, pleated, or surface-type filter component with fixed dimensions ~~and~~ designed to remove suspended particles from water flowing through the filter.

~~(xxx)~~ “Catch basin” means ~~bodies of water located at the termination of a manufactured water slide attraction provided for the specific purpose of terminating the slide action and providing a means for exit to a deck or walkway area.~~

~~(xxxi)~~ (r) “Certified Operator” means someone who has successfully completed the ~~Certified Pool Operator (CPO) course sanctioned by the National Swimming Pool Foundation (NSPF), or the Aquatic Facility Operator (AFO) course sanctioned by the National Recreation and Park Association (NRPA), the NSPI Tech I course sanctioned by the National Spa and Pool Institute Certification Program or an equivalent course approved by the regulatory authority; and who is compliant with the re-certification or continuing education requirements of~~ has been re-certified or obtained Continuing Education Units (CEU’s), as required by the sanctioning organization.

~~(xxxii)~~ (s) “Chemical feeder” means a mechanical device used for applying chemicals to pool, spa, or ~~similar installation~~ aquatic feature water, such as a brominator or chlorinator.

~~(xxxiii)~~ (t) “Chloramine” ~~means is~~ a compound formed when chlorine combines with nitrogen or ammonia, which may cause eye and skin irritation and may have a strong, objectionable odor.

~~(xxxiv)~~ (u) “Chlorinator” means a device used to apply or ~~to~~ deliver a chlorine sanitizer to water at a controlled rate.

~~(xxxv)~~ “Chlorine” means:

(A) ~~—A chemical element that exists as a gas in its elemental form or as a part of a chemical compound which is an oxidant.~~

(B) ~~—Chlorine is a biocidal agent used to disinfect pool, spa or similar installation water.~~

~~(xxxvi)~~ (v) “Chlorine demand compounds” means organic matter, chloramine, and other such compounds that chlorine reacts with and ~~that~~ which depletes chlorine.

~~(xxxvii)~~ “Chlorine generator” means ~~equipment that generates chlorine, hypochlorous acid, or hypochlorite on-site for disinfection and oxidation of water contaminants.~~

~~(xxxviii)~~ (w) “Circulation equipment” means the mechanical components ~~that which~~ are a part of a circulation system on a pool ~~or~~, spa, or aquatic feature. ~~(A)~~ The components have separate functions, but when connected to each other by piping, perform as a coordinated system for purposes of maintaining pool ~~or~~, spa, or aquatic feature water in a clear, sanitary, and desirable condition. ~~(B)~~ Circulation equipment may include, but is not limited to:

- ~~(I)~~ (i) ~~Categories of p~~Pumps;
- ~~(II)~~ (ii) Hair and lint strainers;
- ~~(III)~~ (iii) Filters;
- ~~(IV)~~ (iv) Valves;
- ~~(V)~~ (v) Gauges;
- ~~(VI)~~ (vi) Meters;
- ~~(VII)~~ (vii) Heaters;
- ~~(VIII)~~ (viii) ~~Surface s~~Skimmers;
- ~~(IX)~~ (ix) Inlet/outlet fittings; or
- ~~(X)~~ (x) Chemical feeding devices.

~~(xxxix)~~ (x) “Circulation system” means the arrangement of mechanical equipment or components, connected by piping to and from a pool ~~or~~, spa, or aquatic feature in a closed circuit. ~~(B)~~ The ~~circulation system~~ function of a circulation system is to direct water ~~from the pool or spa causing it to flow~~ through the various system components of a pool, spa, or aquatic feature for purposes of:

- ~~(I)~~ (i) Clarifying;
- ~~(II)~~ (ii) Heating;
- ~~(III)~~ (iii) Purifying; and
- ~~(IV)~~ (iv) Returning ~~the water back to the original body of water~~ pool, spa, or aquatic feature.

~~(xl)~~ —“Clarifier” means:-

~~(A)~~ —A chemical which coagulates and neutralizes suspended particles in ~~water.~~

~~(B)~~ —Clarifier can also mean coagulant or flocculent.

(C) — A clarifier is:

(I) — Inorganic salts of aluminum or iron; or

(II) — Water-soluble organic polyelectrolyte polymers.

(xli) (y) “Combined residual chlorine” means: (A) The portion of the total residual chlorine existing in water in chemical combination with ammonia, nitrogen, chloramine and/or other organic compounds, ~~mostly comprised of chloramine.~~ (B) Combined residual chlorine plus free residual chlorine equals total residual chlorine and is calculated from the results of measuring the free and total residual chlorine with a test kit.

(xlii) — “Confirmed disease outbreak” means a food or water borne disease outbreak in which laboratory analysis of appropriate specimens identifies a causative agent and epidemiological analysis implicates the food or water as the source of the illness.

(xliii) — “Contact concentration” means the concentration of a chemical in a flow of water.

(A) — Contact concentration depends on:

(I) — The rate of addition;

(II) — The flow rate of the water; and

(III) — The efficiency of the mixing.

(B) — Contact concentration is calculated using the equation:

(I) — $\text{Amount of chemical (grams/hour) / water flow rate (gpm)} \times 4.41 =$
contact concentration (mg/L).

(xliv) — “Contaminant” means any physical, chemical, biological, or radiological substance or matter in water.

(z) — “Continuous overflow system” means overflows, gutters, skimmers, and surface collection systems of various design and manufacture used for removal of pool, spa, or aquatic feature water.

(xlv) (aa) — “Coping” means the cap on a pool or, spa, or aquatic feature wall that ~~which~~ provides a finishing edge around the pool or, spa, or aquatic feature. (A) Coping may be:

(I) (i) Formed;

(II) (ii) Cast in place or pre-cast; or

~~(HH)~~ (iii) Pre-fabricated from metal, ceramic, or plastic materials.

~~(xli)~~ (bb) “Cove” means the radius between the pool or spa wall and the pool or spa floor of a pool, spa, or aquatic feature.

~~(xlvii)~~ “Covers” means material or structure which covers, protects, or shelters a pool or spa.

~~(xlviii)~~ “CPSC” means United States Consumer Product Safety Commission.

~~(xlix)~~ (cc) “Critical item.” violation (A) “Critical item or critical violation” means a violation of a provisions of these Regulations or the Act that, if in non-compliance, is more likely than other violations to contribute to water contamination, illness, or creates an environmental imminent health or safety hazard.

(A) (dd) “Cross-connection” means:

(A) (i) The physical connection between the potable water system and a non-potable water source such as a pool or, spa, or aquatic feature; or

(B) (ii) A The physical connection between a pool or, spa, or aquatic feature and the sanitary sewer or waste water disposal system.

(ee) “CT inactivation value” means a value unique to a particular microbe that describes the concentration (C) of a disinfectant chemical in water and the amount of time (T) that such chemical needs to be in contact with the water in order to inactivate that particular microbe.

(fi) (ff) “Cyanuric acid” is also called stabilizer, isocyanuric acid, conditioner, or triazinetrione, means and is a chemical that which helps reduce the excess loss of chlorine in water due to the ultraviolet UV rays of the sun.

(gii) (gg) “Deck” means an area immediately adjacent to or attached to a pool, spa, or similar installation aquatic feature which are specifically constructed or installed for sitting, standing, or walking.

(hiii) (hh) “Deep areas” means water areas depths in excess of five (5') feet in depth.

(liv) —“Department” means the Wyoming Department of Agriculture.

(iv) (ii) “Depth” means the vertical distance measured at three (3) feet from the pool, spa or similar installation to the design water level operating water level to the bottom of the pool, spa, or aquatic feature. For pools, depth is measured at 3' from the pool wall.

(lvi) —“Design water level” means the design water level defined in one of the following

ways:

(A) — Skimmer system:

(i) — The design water level shall be at the mid point of the operating range of the skimmer.

(B) — Overflow system:

(i) — The design waterline shall be the top of the overflow rim of the gutter system.

(lvii) — “Diatomite” means the filtering medium of a diatomaceous earth filter composed of microscopic fossil skeletons of the diatom, a tiny freshwater aquatic plankton.

(jj) — “Diatomaceous earth” is a white powder composed of fossilized skeletons containing microscopic pores from one-celled organisms called diatoms.

(lviii) — “Director” means the director of the Wyoming Department of Agriculture or his duly authorized representative.

(lix) (kk) — “Disinfectant” means any oxidant, including but not limited to, chlorine, chlorine dioxide, chloramines, and ozone, added to water in any part of the treatment or distribution process that is intended to kill or inactivate pathogenic microorganisms.

(lx) — “Diving board” means a recreational mechanism for entering a pool, consisting of a semi-rigid board which derives its elasticity through the use of a fulcrum mounted below the board.

(lxi) — “Diving equipment, competition” means competitive diving boards and fulcrum setting diving stands intended to provide adjustment for competitive diving.

(lxii) (ll) — “DPD” means is diethyl-phenylene diamine, (B) DPD is a reagent and test method that which specifically measures bromine or free available and total residual chlorine. (C) DPD produces a series of colors from pale pink to dark red.

(lxiii) (mm) — “Effective filter area” means the total surface area through which the designed flow rate will be maintained during filtration.

(lxiv) (nn) — “Effluent” means the water that flows out of ~~the~~ a filter, pump, or other device.

(oo) — “Electrical Code” means the electrical code to which an aquatic facility is subject.

(lxv) (pp) — “Employee” means the license holder, person in charge, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in an public swimming pool, spa or similar installation aquatic facility.

~~(lxvi)~~ “EPA” means the U.S. Environmental Protection Agency.

~~(lxvii)~~ (qq) “Equalizer line” means a pipe that runs from below the water level in a swimming pool or, spa, or aquatic feature to the body of the skimmer and that which is designed to automatically prevent air from being drawn into the pump when the water level drops below the skimmer inlet.

~~(lxviii)~~ “Facility” means the pool, spa, or similar installation, restroom, dressing rooms, equipment rooms, deck enclosure, and other appurtenances directly serving the pool, spa or similar installation.

~~(lxix)~~ (rr) “Feet of head” means is the basis for indicating the a measure of pressure or resistance in a hydraulic system; that is equivalent to the height of a column of water that would cause the same resistance (100 feet of head equals 43.29 pounds per square inch psi). The total dynamic head is the sum of all resistances in a complete operating system.

~~(lxx)~~ (ss) “Filter” means a device designed to remove undissolved particles from water by recirculating the water through a porous substance (a filter medium or element). such as Types of filters include:

(A) (i) A medium filter, which is a filter that utilizes ~~a medium such as sand, gravel, or~~ other medium that under normal use will not have to be replaced frequently;

~~(B)~~ (ii) A diatomaceous earth filter, which is a filter that utilizes a thin coating of diatomaceous earth over a porous substructure as its filter medium;

~~(C)~~ (iii) A cartridge filter, which is a filter that utilizes a porous element that acts as a filter medium in a cartridge, or

~~(D)~~ (iv) A vacuum filter, which is a filter that operates under a vacuum from the suction pump.

~~(lxxi)~~ (tt) “Filter medium” means a finely graded material, such as sand, diatomaceous earth, polyester fabric, or anthracite, used to trap solid particles from the influent water and return clear water to the pool, spa, or ~~similar installation~~ aquatic feature.

~~(lxxii)~~ (uu) “Flotation tank” means a tank designed for body immersion in skin-temperature salt water.

~~(lxxiii)~~ “Flow rate” means the same as the definition of “rate of flow”.

~~(lxxiv)~~ (vv) “Flow-through pool” means an artificial or partially-artificial pool, spa, or aquatic feature that depends on the natural flow of water through it to maintain adequate water quality.

~~(lxxv)~~ (ww) “Flume” means a ~~recreational water slide~~ that is enclosed or banked and that is

designed to provide a descending ride into a plunge-pool, runout area, or aquatic feature at the base of the slide.

~~(lxxvi)~~ (xx) “Free available chlorine” means the portion of the total residual chlorine remaining in chlorinated water that is not combined with ammonia or nitrogen compounds and that will react chemically with undesirable or pathogenic organisms.

~~(lxxvii)~~ (yy) “General-use ~~public pool~~” means any pool, spa, or aquatic feature open to the general public other than limited-use public pools that does not fall under the definition of private-use or limited-use.

~~(lxxviii)~~ “Handrail” means a device which may be gripped by a user for the purpose of resting or steadying themselves.

~~(A)~~—A handrail may be located, but is not limited to:

~~(I)~~—Within or without the pool or spa; or

~~(II)~~—As part of a set of steps or deck-installed equipment.

~~(lxxix)~~ (zz) “Hardness” ~~means is~~ the amount of calcium and magnesium salts dissolved in water. ~~(A)~~ Hardness is measured by a test kit and expressed as parts per million (~~ppm~~) of equivalent calcium carbonate.

~~(lxxx)~~ (aaa) “Health Officer” means the person appointed by the director of the Department of Health pursuant to W.S. §§ 9-2-101(f) and 9-2-103.

(bbb) Hearing Officer means a presiding officer of the regulatory authority, an attorney who has been retained by the regulatory authority to preside over a contested case, an officer of the regulatory authority who has been designated to preside over a contested case, or any other person who is statutorily authorized to preside over a contested case. If the Department is the regulatory authority, a hearing officer can also be a hearing examiner from the Office of Administrative Hearings.

~~(lxxxii)~~ “Heat exchanger” means a device with coils, tubes or plates that absorb heat from any fluid, liquid or air, and transfers that heat to another fluid without intermixing the fluids.

~~(lxxxii)~~ “Heat pump” means a refrigeration compressor, usually electrically driven, that is operated in reverse.

~~(A)~~—A heat pump obtains heat by exposing the evaporator side (cooling side) to warm water, air or ground; and

~~(B)~~—The evaporator coil absorbs the heat from this source and transfers it to the condenser coil where it discharges the heat to the pool, spa or similar installation to be heated.

~~(lxxxiii) —“Hydrotherapy spa” means a unit that may have a therapeutic use but which is not drained, cleaned or refilled for each individual.~~

~~(A) —A hydrotherapy spa may include but is not limited to:~~

~~(V) —Hydrotherapy jet circulation;~~

~~(VI) —Hot water;~~

~~(VII) —Cold water;~~

~~(VIII) —Mineral baths;~~

~~(IX) —Air induction bubbles; or~~

~~(X) —Any combination thereof.~~

~~(B) —A hydrotherapy spa includes, but is not limited to:~~

~~(I) —A therapeutic pool;~~

~~(II) —A hydrotherapy pool;~~

~~(III) —A whirlpool;~~

~~(IV) —A hot spa; or;~~

~~(V) —A hot tub.~~

~~(lxxxiv) —“Hot tub” means a spa constructed of wood with sides and bottoms formed separately and joined together by pressure from surrounding hoops, bands or rods, distinct from spa units formed of plastic, concrete, metal or other materials.~~

~~(lxxxv) “IESNA” means the Illuminating Engineering Society of North America.~~

~~(lxxxvi) (ccc) “Influent” means water entering a filter or other device.~~

~~(ddd) “Inlet” means the aperture or fitting through which the water under positive pressure returns into a pool, spa, or aquatic feature.~~

~~(lxxxvii) —“Jump board” means a recreational mechanism used for entering a pool that has a coil spring or comparable device located beneath the board which is activated by the force exerted in jumping on the board.~~

~~(lxxxviii) (eee) “Labeled” means: (B) that a label, symbol, or other identifying mark has been~~

~~attached to e~~Equipment, or material to which has been attached a label, symbol, or other identifying mark of an article that designates the equipment, indicating that the equipment or article has been inspected by, or manufactured to specifications set by, an organization that is acceptable to the regulatory authority and concerned with product evaluation that maintains periodic inspection of production labeled equipment of materials; and (C) By whose labeling the manufacturer indicates is in compliance with appropriate standards of performance in a specified manner.

(lxxxix) “Ladder” means:

(A) — A deck ladder used in ascending from ground level outside a pool, spa or similar installation to the level of a deck; or

(B) — An in pool or in spa ladder located in a pool, spa or similar installation to provide ingress and egress from the deck.

(xc) — “Law” means applicable local, state, and federal statutes, rules, regulations, and ordinances.

(~~xc~~i) (~~fff~~) “License” means the document issued by the regulatory authority that authorizes a person to operate a public swimming pool, spa, or similar installation aquatic feature.

(~~xcii~~) (~~ggg~~) “License holder” means the person entity that: (A) Is legally responsible for the operation of the public swimming a pool, spa, or similar installation aquatic feature, such as the owner, the owner’s agent, or other person; and (B) who possesses a valid license to operate a public swimming pool, spa, or similar installation aquatic feature.

(~~xciii~~) (~~hhh~~) “Lifeguard” means an individual qualified in water safety, lifesaving, CPR, and first aid who holds the appropriate certificates, approved by the regulatory authority in accordance with Chapter 6, Section 2(a) of these regulations.

(iii) — “Lifeline” means a continuous line across a pool that is not less than 1/2” in diameter and supported by regularly spaced floats and that is used to designate a change in slope in the pool bottom, the beginning of deep areas, or exercise or racing lanes.

(~~xciv~~) (~~jjj~~) “Limited-use public pool” means any pool, spa, or aquatic feature open to a segment of the public that is located at and operated in connection with on the premises of, or is part of, and operated in conjunction with, a companion facility, including but not limited to, such as:

(A) (i) A residential housing facility having four or more living units Hotels;

(B) (ii) Traveler’s accommodations Apartment or condominium complexes;

(C) (iii) Mobile home parks;

(D) (iv) Recreation parks Subdivisions;

~~(E) (v) Boarding schools~~ Clubs;

~~(F) (vi) Organizational~~ eCamps;

~~(G) (vii)~~ Bed and breakfasts;

~~(H) (viii)~~ Dude ranches; or

~~(I) (ix) A club or association where use of the pool is limited to residents, patrons, or members of the companion facility. Institutions, universities, or schools where access is restricted to students, staff, or faculty; or~~

~~(x)~~ Similar establishments where the primary business of the establishment is not the operation of the pool, spa, or aquatic feature, and where the admission to the use of the pool, spa, or aquatic feature is included in the fee, or consideration, paid for the primary use of the premises by such groups and their invited guests.

~~(xcv) (kkk)~~ “Listed” means: ~~(A) Equipment or materials:~~

~~(i)~~ i~~ncluded in a list published by an organization that is acceptable to the regulatory authority, and is concerned with product evaluation, and that maintains inspection of the production of listed equipment or materials; and~~

~~(B) (ii)~~ Whose listing states either that the equipment or material meets appropriate designated standards or has been tested and found suitable for use in a specified manner.

~~(xcvi) (lll)~~ “Multi-port control valve” means a ~~multi-port~~ valve having a number of control positions for various filter operations that combines in one unit the function of two ~~(2)~~ or more single valves.

~~(xcvii) “NRPA” means the National Recreation & Park Association.~~

~~(xcviii) “NSPF” means the National Swimming Pool Foundation.~~

~~(xcix) “NEC” means the National Electric Code.~~

~~(c) “NEMA” means the National Electric Manufacturers Association.~~

~~(ci) “NFPA” means the National Fire Protection Association.~~

~~(cii) “Non-swimming area” means any portion of a pool or similar installation where the water depth, offset ledges or similar irregularities would prevent normal swimming activities.~~

~~(ciii) “NSFI” means the National Sanitation Foundation International.~~

~~(civ) “NSPI” means the National Swimming Pool Institute.~~

~~(cv) (mmm)~~ “Offset ledge” means a horizontal shelf or ledge projecting toward the interior of a pool or aquatic feature from the vertical wall that provides safe footing for a pool user bather to stand on in deep areas ~~of the pool~~.

~~(cvi) (nnn)~~ “Operating water level ~~range~~” means the ~~operating~~ water level maintained while a pool, spa, or aquatic feature is in operation, defined in one of the following ways, according to the type of ~~pool~~ construction:

(A) (i) Skimmer system: ~~two (2) inches (5 cm) above to two (2) inches (5 cm) below the midpoint of the operating range of the skimmer throat, or manufacturer’s maximum stated operating range; or,~~

(B) (ii) Overflow gutter system: ~~the manufacturer’s maximum stated operating range above the designed of water level~~ slightly over the overflow gutter lip.

~~(cvii) (ooo)~~ “Organic matter” means perspiration, urine, fecal matter, saliva, suntan oil, cosmetics, lotions, dead skin, and similar debris introduced into water by bathers and the environment.

~~(cviii) ppp)~~ “ORP” means ~~the~~ oxidation reduction potential and is the oxidation level produced by strong oxidizing, sanitizing, or similar chemicals agents in a water solution. (A) The oxidation level is measured in millivolts by an ORP meter.

~~(cix) “Overflow system” means overflows, gutters, surface skimmers, and surface collection systems of various design and manufacture used for removal of pool or spa water.~~

~~(cx) “Parts per million (ppm)” means a unit of measurement in chemical testing which indicates the parts by weight in relation to one (1) million parts by weight of water.~~

(A) ~~Parts per million as applied to pool and spa water chemistry is identical to the term milligrams per liter (mg/l).~~

~~(cxi) “Person” means an individual, partnership, corporation, association, other legal entity, government, or governmental subdivision or agency.~~

~~(cxii) (qqq)~~ “Person in charge” means the individual present at a public swimming pool, spa, or similar installation aquatic feature who is responsible for the operation of the aquatic facility at the time of inspection.

~~(cxiii) (rrr)~~ “Personal care items” means items or substances that may be poisonous, toxic, or a source of contamination and are used to maintain or enhance a person's health, hygiene, or appearance. (A) ~~“Personal care items” include including items such as medicines, first aid supplies, and other items such as cosmetics, and toiletries such as toothpaste and mouthwash.~~

~~(cxiv) “pH” means the symbol for the negative logarithm of the hydrogen ion concentration, which is a measure of the degree of acidity or alkalinity of a solution. Values between zero (0) and seven (7) indicate acidity and values between seven (7) and fourteen (14) indicate alkalinity. The value for pure distilled water is seven (7), which is considered neutral.~~

~~(cxv) “Physical facilities” means the structure and interior surfaces of a public swimming pool, spa or similar installation including accessories such as soap and towel dispensers and attachments such as light fixtures and heating or air conditioning system vents.~~

~~(cxvi) “Plaster” means:~~

~~(A) — A mixture of white cement and aggregate used as a type of interior finish, which is white or lightly tinted; and~~

~~(B) — Is applied to a concrete pool, spa or similar installation.~~

(sss) “Plumbing Code” means the plumbing code to which an aquatic facility is subject.

~~(cxvii)~~ (ttt) “Plumbing fixture” means a receptacle or device that:

~~(A)~~ (i) Is permanently or temporarily connected to the water distribution system of the premises and demands a supply of water from the system; or

~~(B)~~ (ii) Discharges used water, waste materials, or sewage directly or indirectly to the drainage system of the premises.

~~(cxviii)~~ (uuu) “Plumbing system” means the water supply and distribution pipes; plumbing fixtures and traps; soil, waste, and vent pipes; sanitary and storm sewers; and building drains; and water-treating equipment, including their respective connections, devices, and appurtenances, within located on the premises; ~~and water treating equipment.~~

~~(cxix) — “Plummet” means a line perpendicular to the water surface and extending vertically to a point located at the front of the diving board and at the center line directly in front of the diving board.~~

~~(cxxx)~~ (vvv) “Plunge pool” means the pool located at the lower end of a flume.

~~(cxxi)~~ (www) “Poisonous or toxic materials” means substances that are not intended for ingestion and are included in any of the following four ~~(4)~~ categories:

~~(A)~~ (i) Cleaners and sanitizers, ~~which include~~ ing cleaning and sanitizing chemicals ~~agents~~ and chemicals ~~agents~~ such as caustics, acids, drying agents, polishes, and other chemicals;

~~(B)~~ (ii) Pesticides, except sanitizers, ~~which include~~ ing substances such as insecticides and rodenticides;

~~(C)~~ (iii) Substances necessary for the operation and maintenance of the establishment, such as non-food grade lubricants and personal care items that may be deleterious to health; and

~~(D)~~ (iv) Substances that are not necessary for the operation and maintenance of the establishment and are on the premises for retail sale, such as petroleum products and paints.

~~(cxxxii)~~ “Pool” means an artificial structure containing water used for swimming, bathing, diving, surfing, wading or a similar use and is operated by an owner, lessee, operator, licensee, or concessionaire regardless of whether a fee is charged for use.

~~(cxxxiii)~~ (xxx) “Precipitate” means is a solid material which is forced out of a solution by some chemical reaction and that which settles out or remains as a haze in suspension, causing turbidity.

~~(cxxxiv)~~ (yyy) “Premises” means:

(A) (i) The ~~physical~~ aquatic facility, its contents, and the contiguous ~~land or~~ property under the control of the license holder; ~~or~~ and

(B) (ii) ~~The physical facility, its contents, and the land or property not described under Subparagraph (A) of this definition, if its facilities and contents are under the control of the license holder and may impact the facility personnel, facilities, or operations, if the aquatic facility is only one component of a larger operation (such as a healthcare facility, hotel, motel, school, or recreational camp), or prison, any additional facilities, contents, land, or property under the control of the license holder that may impact the aquatic facility's personnel, facilities, or operations.~~

~~(cxxxv)~~ (zzz) “Private-use pool” means any ~~constructed pool, permanent or portable spa, or aquatic feature, which is intended for noncommercial use as a swimming pool by not over three owner families and their guests, and which; and located at a single-family residence, controlled and maintained by the owner of the residence, the use of which is limited to family members and invited guests.~~

(A) — Is over twenty four inches (24”) in depth; and

(B) — Has a surface area exceeding two hundred fifty (250) square feet;
or

(C) — A volume over three thousand two hundred fifty (3,250) gallons.

~~(cxxxvi)~~ “PSI” means pounds per square inch.

~~(cxxxvii)~~ — “Public pool” means a pool that is open to the public or a segment of the public.

~~(xxxviii)~~——“Public water system” has the meaning state in 40 CFR 141 National Primary Drinking Water Regulations, as amended.

~~(xxxix)~~ “Pump” means a mechanical device, usually powered by an electric motor, which causes hydraulic flow and pressure for the purpose of filtration, heating, and circulation of pool, spa, and similar installation water.

~~(xxxx)~~ “Rate of flow” means the quantity of water flowing past a designated point within a specified time, such as the number of gallons flowing in during one minute.

~~(xxxi)~~ “Rated pressure” means pressure that is equal to or less than the designed pressure and appears on the data plate of the equipment.

~~(xxxii)~~ (aaaa) “Recessed ~~treads~~ steps” means a series of vertically spaced cavities in the pool, spa, or ~~similar installation~~ aquatic feature wall creating ~~tread~~ areas for stepholes.

~~(xxxiii)~~ (bbbb) “Recreational water” means a facility or area, together with associated buildings, appurtenances, and equipment, in conjunction with artificial or natural ponds, springs, lakes, streams, or other bodies of water, that is designated for public bathing, recreational, and swimming use.

~~(xxxiv)~~——“Regulatory authority” means the local, state, or federal enforcement body or authorized representative having jurisdiction over the public swimming pool, spa or similar installation.

~~(xxxv)~~ (cccc) “Removable” means capable of being disassembled with the use of only simple tools such as a screwdriver, pliers, or wrench.

~~(xxxvi)~~——“Return inlet” means the aperture or fitting through which the water under positive pressure returns into a pool, spa or similar installation.

~~(xxxvii)~~ (dddd) “Return piping” means piping ~~which is referred to as~~ that carries effluent to the pool, spa, or aquatic feature.

~~(xxxviii)~~ (eeee) “Ring buoy” means a ring-shaped floating ~~buoy~~ rescue device capable of supporting a bather and having an outside diameter of ~~twenty (20”) inches.~~

~~(xxxix)~~——“Risk” means the likelihood that an adverse health effect will occur within a population as a result of a hazard in the water of a public swimming pool, spa or similar installation.

~~(xli)~~——“Rope and float line” means a continuous line not less than one-half (½) inch in diameter, which is supported by buoys and attaches to opposite sides or ends of a pool to separate the deep and shallow ends or mark exercise or racing lanes.

~~(xlii)~~——“Scale” means the precipitate that forms on surfaces in contact with water when the calcium hardness, pH, or total alkalinity levels are too high.

~~(exlii)~~ (ffff) “Self-closing” or “self-latching” means a device which causes a gate to automatically fully close and latch without human or electrical power.

~~(exliii)~~ (ggggg) “Separation tank” means a tank used in conjunction with a filter to facilitate the separation of filtrate material for disposal.

(hhhh) “Service animal” means any dog, miniature horse, or other animal allowed under federal law that is individually trained to do work or perform tasks for the benefit of an individual with a disability.

~~(exliv)~~ (iiii) “Sewage” means liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.

~~(exlv)~~ (jjjj) “Shallow areas” means ~~pool~~ water areas in a pool, spa, or aquatic feature that which are less than ~~five (5)~~ feet deep in depth.

~~(exlvi)~~ “Shock treatment” means ~~the practice of adding significant amounts of an oxidizing chemical to water to destroy ammonia, nitrogenous and organic contaminants in the water.~~

~~(exlvii)~~ (kkkk) “Skimmer weir” means ~~the part of a skimmer which adjusts automatically to small changes in water level to assure a continuous flow of water to the skimmer~~ a device installed in the wall of a pool, spa, or aquatic feature that permits the continuous removal of floating debris and surface water to the filters.

~~(exlviii)~~ (llll) “Slide” means a slide that is not a flume used in conjunction with a pool ~~twelve feet (12) or (3.66m) or less in height above the pool water surface~~ or aquatic feature.

~~(exlix)~~ (mmmm) “Slip-resistant” means a surface which has been treated or constructed to significantly reduce the chance of a bather slipping.

(cl) (nnnn) “Sodium hypochlorite (NaOCl)” ~~means is a the~~ clear liquid form of an inorganic chlorine compound obtainable in concentrations of ~~five (5) to one hundred sixty (160) per zero~~ (10) 10% to 15% available chlorine.

(oooo) “Springline” means the point where a pool wall breaks from vertical and begins its arc in the radius of curvature (for cove construction) to the bottom of the pool.

~~(cli) —“Spa pool” means a bathing facility such as, but not limited to, a hot tub or whirlpool designed for recreational or therapeutic use and not designed to be drained, cleaned, and refilled for each use.~~

~~(A) —Spas are designed to provide a means of agitation, and includes, but are not limited to:~~

~~(1) —Hydrojet circulation;~~

(II) — Hot water;

(III) — Cold water;

(IV) — Mineral baths;

(V) — Air induction systems; or

(VI) — Any combination thereof.

(clii) — “Stabilizer” means a chemical which helps reduce the excess loss of residual chlorine in water due to the ultraviolet rays of the sun.

(cliii) — “Steps” mean:

(A) — A riser or tread or a series of risers or treads extending down from the deck and terminating at the pool or spa, floor.

(B) — Steps may include recessed steps that have the risers located outside of user areas.

(cliv) (pppp) “Suction piping” means the piping which is referred to as influent or tube that feeds into the inlet side of a pump.

(clv) (qqqq) “Suction outlet” means the aperture or fitting through which the water under negative pressure a location within a pool, spa, or aquatic feature through which water is drawn from the pool, spa or similar installation by a pump through the circulation system.

(clvi) — “Superchlorination” means:

(A) — The practice of adding a sufficient amount of a chlorinating compound to water to destroy chlorine demand compounds and any combined chlorine which is present.

(II) — The level of chlorine added is generally ten (10) times the level of combined residual chlorine in the water.

(clvii) — “Surface skimmer system” means a device installed in the wall of an in-ground pool, spa or similar installation which permits the continuous removal of floating debris and surface water to the filters.

(A) — A surface skimmer may have the same meaning as a “through-wall system”.

(clviii) — “Swimming pool” means a body of water, other than a natural swimming area, maintained exclusively for swimming, recreative bathing or wading, and includes

~~appurtenances used in connection with the swimming pool.~~

~~(clx)~~ (rrrr) “Temperature measuring device” means a thermometer, thermocouple, thermistor, or other device that ~~indicates~~ accurately measures the temperature of ~~food, air, or~~ water below the surface of the water.

~~(clx)~~ (ssss) “Test kit” means a device for monitoring or measuring a specific chemical level in the water of a pool, spa, or ~~similar installation~~ aquatic feature ~~water.~~

~~(clxi)~~ ————— “This act” means W.S. 35-28-101 through 35-28-110.

~~(clxii)~~ (tttt) “Time ~~clock~~ switch” means a mechanical device that automatically controls the periods during which a pump, filter, chlorinator, heater, blower, ~~and~~ or other electrical devices are in operation ~~the on position.~~

~~(uuuu)~~ “Therapy pool” means a pool used exclusively for aquatic therapy, physical therapy, or rehabilitation to treat a diagnosed injury, illness, or medical condition, wherein the therapy is provided under the direct supervision of a licensed physical therapist, occupational therapist, or athletic trainer.

~~(clxiii)~~ (vvvv) “Total alkalinity” ~~means is:~~ ~~(A)~~ The ability or capacity of water to resist change in pH. ~~(B)~~ Total alkalinity is also known as the buffering capacity of water, and consists mainly of carbonates, bicarbonates, and hydroxides. ~~(C)~~ Total alkalinity is measured with a test kit and expressed as parts per million ~~(ppm).~~

~~(clxiv)~~ (wwww) “Total available chlorine” means the sum of both the free available and combined chlorine.

~~(clxv)~~ (xxxx) “Total dissolved solids” ~~means is~~ a measure of the total amount of dissolved matter in water, including but not limited to:

~~(A)~~ (i) Calcium;

~~(B)~~ (ii) Magnesium;

~~(C)~~ (iii) Carbonates;

~~(D)~~ (iv) Bicarbonates; or

~~(E)~~ (v) Metallic compounds

~~(yyyy)~~ “Total dynamic head” is a measure of a system’s resistance to flow. It is the sum of all resistances in a complete circulation system.

~~(clxvi)~~ “Turbidity” ~~means a cloudy condition of water due to the presence of extremely fine particulate materials in suspension which interfere with the passage of light.~~

~~(clxvii)~~ ~~(zzzz)~~ “Turnover rate” means the period of time, usually in hours, required to circulate a volume of water equal to the water capacity of the pool, spa, or ~~similar installation~~ aquatic feature capacity.

~~(clxviii)~~ —“UFC” means the Uniform Fire Code.

~~(clxix)~~ ~~(aaaaa)~~ “Underwater light” means: ~~(A)~~ Aa fixture designed to illuminate a pool, spa, or ~~similar installation~~ aquatic feature from beneath the water surface. ~~(B)~~ An underwater light includes the following:

~~(I)~~ (i) A wet niche light, ~~(1.)~~ which is Aa watertight and water-cooled light unit placed in a submerged, wet niche in the pool, spa, or ~~similar installation~~ aquatic feature wall, ~~or~~

~~(II)~~ (ii) A dry niche light, ~~(1.)~~ which is Aa light unit placed behind a watertight window in the pool, spa, or ~~similar installation~~ aquatic feature wall.

~~(clxx)~~ —“UL” means Underwriters Laboratory.

~~(clxxi)~~ ~~(bbbbb)~~ “Vacuum” means: ~~(A)~~ The reduction of atmospheric pressure within a pipe, tank, pump, or other vessel. ~~(B)~~ Vacuum is measured in inches of mercury.

~~(I)~~ (i) One ~~(1”) inch~~ of mercury is equivalent to ~~one point thirteen (1.13’)~~ feet of head.

~~(II)~~ (ii) The practical maximum vacuum for a pool, spa, or aquatic feature is ~~thirty (30’)~~ inches of mercury or 33.9 feet of head.

~~(clxxii)~~ ~~(ccccc)~~ “Valve” means: ~~(A)~~ Any device in a pipe that will partially or totally obstruct the flow of water, as in a ball, gate, or globe valve, or permit flow in one direction only, as in a check or foot valve. ~~(B)~~ Valve types include:

~~(I)~~ (i) Bleeder valve; a device ~~which~~ that allows air to be vented from a closed system; ~~or~~

~~(II)~~ (ii) Multi-port valve; a device ~~which~~ that allows the multi-directional control of the passage or flow of water through a system; ~~or~~

~~(III)~~ (iii) Push-pull valve; a device ~~which~~ that allows the dual-directional control or flow of water through a system.

(iv) Hydrostatic relief valve: a device that is designed to prevent hydrostatic pressure from uplifting the pool when empty from a high water table or due to excessive surface water surrounding the pool or aquatic feature.

~~(clxxiii)~~ —“Variance” means a written document issued by the Wyoming Department of Agriculture that authorizes a modification or waiver of one or more requirements of these Regulations if, in the opinion of the regulatory authority, a health or safety hazard or nuisance will not result from the

~~modification or waiver.~~

~~(clxxiv)~~ “Velocity” means the speed at which a liquid flows between two specified points, expressed in feet per second.

~~(ddddd)~~ “VGB Covers” means covers that comply with the Virginia Graeme Baker Pool and Spa Safety Act.

~~(clxxv)~~ ~~(eeee)~~ “Wading pool” means a pool or aquatic feature that contains water no greater than two (2) feet, (6m) or less in depth.

~~(clxxvi)~~ ~~(ffff)~~ “Walls” means the interior pool, spa, ~~or similar installation~~ aquatic feature wall surfaces consisting of surfaces from plumb to a slope of ~~eleven (11) degrees~~ (11°) from plumb.

~~(clxxvii)~~ ~~(ggggg)~~ “Waste water disposal system” means a plumbing system used to dispose of backwash or other water from a pool, spa, ~~or similar installation~~ aquatic feature or from dressing rooms and other facilities associated with a pool, spa, ~~or similar installation~~ aquatic feature.

~~(clxxviii)~~ — “Water line” means, when associated with:

(A) — A skimmer system:

(I) — The water line at the midpoint of the operating range of the ~~skimmers when there are no users in the pool, spa or similar installation; or~~

(B) — An overflow system:

(I) — The water line at the top of the overflow rim.

~~(clxxix)~~ ~~(hhhhh)~~ “Wave pool” means a pool with artificial waves designed to be used for body or board surfing.

~~(iiii)~~ “Weir” means the part of a skimmer that adjusts automatically to small changes in water level to ensure a continuous flow of water to the skimmer.

~~(clxxx)~~ ~~(jjjjj)~~ “Zero depth pool” means a pool design in which the ~~pool~~ floor intersects the water surface along at least one side of ~~the a pool, spa, or aquatic feature~~.

Section 8 6. Operator Requirements.

(a) The ~~owner or operator of~~ license holder for each general-use or limited-use ~~public~~ pool, spa, or aquatic feature shall have on staff or under contract for each aquatic facility a ~~current~~ Certified Pool Operator (CPO), an Aquatic Facility Operator (AFO), a National Spa and Pool Institute (NSPI) Tech I Certification certified operator or person with another equivalent certification approved by the regulatory authority.

~~(i) Owners or operators of general use or limited use public pools operating such facilities prior to July 1, 2003, shall have two (2) years from July 1, 2003, to comply with subsection (a) of this section.~~

~~(ii) Any new owner or operator opening a general use or limited use pool after July 1, 2003, shall have one (1) year to comply with subsection (a) of this section.~~

~~(iii) (b) Owners or operators of~~ License holders for general use or limited use pools, spas, or aquatic features shall replace, within ninety (90) days, any certified operator or contractor who terminates employment and/or service with the general use or limited use pool, spa, or aquatic feature within ninety (90) days of such termination with a certified pool operator and/or contractor.

(c) Any new license applicant opening a general use or limited use pool, spa, or aquatic feature shall have a certified operator on duty or under contract at the time of licensure.

(d) Except as allowed in subsection (b) of this section, any licensed pool, spa, or aquatic feature without a certified operator shall not be able to operate.

~~(b)~~ (e) The A certified operator shall:

~~(i) Keep the aquatic facility all parts and facilities of the public swimming pool, spa or similar installation clean;~~ (i) In good repair; ~~and~~ (ii) Free of safety hazards; and

~~(iv) (ii) Ensure that personnel trained and knowledgeable in water testing; and the operations of the water treatment equipment and are available whenever a the aquatic facility pool or spa is open for use;~~

~~(e) (iii) Immediately close any pool, spa, or aquatic feature if, at any time, testing indicates that the pool water does not comply with the requirements for clarity, residual free chlorine, pH, or temperature, (spas and flotation tanks) or chemical or bacteriological quality, the operator shall immediately close the facility to the public until these requirements are met; and~~

(iv) Report serious injury or death to the regulatory authority within 24 hours.

(f) If a pool, spa, or aquatic feature has been closed by the regulatory authority, it shall remain closed until corrections have been made by aquatic facility personnel or a certified operator, and shall not be re-opened until approved by the regulatory authority.

(g) Aquatic facilities with an off-site certified operator shall meet the following additional requirements:

(i) A contracted off-site certified operator shall provide a minimum of one visit per week per aquatic facility and assistance whenever needed. The license holder shall ensure that documentation of these visits is available at the aquatic facility.

(ii) All aquatic facilities without a full-time, on-site certified operator shall have on-

site a responsible supervisor. The supervisor shall:

(A) Be capable of testing the water quality levels as required by these regulations;

(B) Be capable of making adjustments as needed to maintain water quality levels as specified in Chapter 5, Section 1 of these regulations; and

(C) Have knowledge of pool operation, required pool closures, and when having a certified operator on-site is necessary.

(iii) An off-site certified operator shall be able to get to the aquatic facility within 45 minutes.

(iv) An off-site certified operator shall provide assistance to aquatic facility personnel and be on-site during inspections.

(v) A certified operator shall provide service for no more than three aquatic facilities unless the regulatory authority grants permission for a particular certified operator to provide service to more than three designated aquatic facilities.

Section 9 7. Person in Charge Requirement.

(a) The license holder shall be the person in charge or shall designate a person in charge and shall ensure that a person in charge is available during all hours of operation.

(b) The person in charge shall be knowledgeable in pool, spa and aquatic feature operation.

Section ~~10~~ 8. Records.

(a) Operators of ~~public swimming pools, spas, or similar installations~~ aquatic features shall keep records pertaining to the operation and maintenance of the facility they operate. ~~(i)~~ The records shall include:

~~(A)~~ (i) The bather load at the time of water quality testing;

~~(B)~~ (ii) The amounts of chemicals added to the ~~swimming pool, spa, or similar installation~~ aquatic feature;

~~(C)~~ (iii) The results of the tests described in Chapter 5, Section 1(a) of these regulations;

~~(D)~~ (iv) The date and time of filter backwash;

~~(E)~~ (v) The dates the ~~swimming pool, spa, or similar installation~~ aquatic feature

was emptied and/or cleaned; and

(F) (vi) The periods of recirculation equipment operation, and/or malfunction, and repair;

(vii) The results of microbiological analyses, if required;

(viii) The date and time of installation and repair of any VGB covers;

(ix) Reports of accidents, injuries, and illnesses; and

(x) The hours of operation for each day the aquatic facility is open for business.

~~(ii) (b) The records shall: (A) Be updated throughout every day that maintained daily during periods when the aquatic facility swimming pool, spa or similar installation is open and shall; (B) Be retained by the operator and made available to the inspector upon request; and (C) Be retained for a period of one (1) year.~~

Section 11 9. ~~Adoption~~ Incorporation by Reference.

(a) For any code, standard, rule, or regulation incorporated by reference in these rules:

(i) The Department has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter later than January 1, 2020;

(iii) The agency, organization, or association originally issuing the code, standard, rule, or regulation makes copies of it readily available to the public, at the locations cited.

(iv) The incorporated code, standard, rule, or regulation is maintained, and is available for public inspection and copying at cost, at 2219 Carey Avenue, Cheyenne, WY, 82002.

~~For the purpose of all chapters, the citations herein are referenced throughout these Regulations.~~

~~(i) — Certified Pool Operator (CPO); the American National Standards Institute (ASME); the American Red Cross (ARC); the American Society of Heating, Refrigeration and Air Conditioning Engineers, Inc., (ASHRAE); the American Society of Mechanical Engineers (ASME); the American Society of Testing Materials (ASTM); the American Water Works Association (AWWA); the Aquatic Facility Operator (AFO); the Illuminating Engineering Society of North American (IESNA); the National Electrical Code (NEC); the National Electric Manufacturers Association (NEMA); the National Environmental Health Association Model Pool Code; The National Fire Protection Association (NFPA); the National Recreation and Park Association (NRPA); the National~~

Sanitation Foundation International (NSFI); the National Swimming Pool Institute (NSPI); the National Swimming Pool Foundation (NSPF); the Standard Methods for Examination of Water and Wastewater; the United States Consumer Product Safety Commission (CPSC); the United States Environmental Protection Agency (EPA); the Uniform Building Code; the Uniform Fire Code; the Uniform Plumbing Code; Underwriters Laboratory (UL); and the Wyoming State Electrical Code.

(ii) — ~~ANSI/NSPI 50-1996, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs; ANSI Z223.1-1996, National Fuel Gas Code; ANSI Z21.56-1994, Standards for Gas Fired Heaters; ANSI/UL 1563-1995, Standard for Electric Hot Tubs, Spas and Associated Equipment; ANSI/NFPA 58-1998, Storage and Handling of Liquefied Petroleum Gases; ASME/ANSI A.112.19.8M R96, Suction Fitting for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances; NSPI June 1995 Workmanship Standards for Swimming Pools and Spas; Safety Standards for Swimming Pool Slides; the National Electrical Code, Chapter 6, Article 680-12 Disconnecting Means; the National Electrical Code, Chapter 6, Article 680 Swimming Pools, Fountains, and Similar Installations; the National Sanitation Foundation (NSF) Standard for Plastic Piping System Components and Related Materials and Circulation System Components; Underwriters Laboratory (UL) 1261-1992 Electric Heaters; Underwriters Laboratory (UL) 559-1985 Heat Pumps; Underwriters Laboratory (UL) 1241, Junction Boxes for Swimming Pool Fixtures; and Underwriters Laboratory (UL) 1081, Swimming Pool Pumps, Filters and Chlorinators;~~

(iii) — ~~The Code of Federal Regulations (CFR): 29 CFR 1910 Occupational Health and Safety Standards; 40 CFR 141 National Primary Drinking Water Regulations.~~

(iv) — ~~Regulations, rules, and other authorities listed in (i), (ii) and (iii) above are hereby adopted by the Wyoming Department of Agriculture insofar as they are not inconsistent with the rules, regulations and laws of the State of Wyoming. These documents are available to the public at the office of the Wyoming Department of Agriculture.~~

(b) ~~All references to regulations or other authorities in this rule should be to the provision existing on the effective date of this rule and do not include any later additions or amendments. The following codes, standards, rules, and regulations are hereby incorporated by reference in these regulations, only insofar as they are not inconsistent with the rules, regulations, and laws of the State of Wyoming:~~

(i) 16 CFR § 1207, Safety Standard for Swimming Pool Slides (2019) found electronically at:
<https://www.ecfr.gov/cgi-bin/text-idx?SID=da88fb93e65a72f7ac13b6b4f79d42dc&mc=true&node=pt16.2.1207&rgn=div5>

(ii) 29 CFR § 1910.134, Respiratory Protection (2019) found electronically at:
https://www.ecfr.gov/cgi-bin/text-idx?SID=17bcbe01aa396dc86d636b7498ce453e&mc=true&node=se29.5.1910_1134&rgn=div8

(iii) 30 CFR § 72.710, Selection, Fit, Use, and Maintenance of Approved Respirators (2019) found electronically at:
https://www.ecfr.gov/cgi-bin/text-idx?SID=88a431e542ee7d137e14efac5fd0f0c6&mc=true&node=se30.1.72_1710&rgn=div8

(iv) ANSI/APSP/ICC 7-13, American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins, American National Standards Institute / Association of Pool and Spa Professionals / International Code Council (2013) found electronically at:
https://codes.iccsafe.org/content/ISPSC2018/american-national-standard-for-suction-entrapment-avoidance-in-swimming-pools-wading-pools-spas-hot-tubs-and-catch-basins?site_type=public

(v) ASTM F2387-04, Standard Specification for Manufactured Safety Vacuum Release Systems (SVRS) for Swimming Pools, Spas and Hot Tubs, American Society for Testing and Materials (2012) found electronically at:
<https://www.astm.org/Standards/F2387.htm>

(vi) FINA Facilities Rules, Part X, Federation Internationale de Natation, (2017) found electronically at:
https://www.fina.org/sites/default/files/2017_2021_facilities_16032018_full_medium.pdf

(vii) International Swimming Pool and Spa Code, International Code Council (2018) Sections:

(A) 304.2;

(B) 306.1;

(C) 307.2;

(D) 311.4;

(E) 316;

(F) 313.8;

(G) 321; and

(H) 505.2,

found electronically at: <https://codes.iccsafe.org/content/ISPSC2018>

(viii) NFHS Swimming and Diving Rules Book, National Federation of State High School Associations (2013) found electronically at:
https://ihsaa-static.s3.amazonaws.com/swimming/2013_14/2013-14%20Swimming%20&%20Diving%20Rules%20Book.pdf

(ix) NSF/ANSI 14-2018, Plastic Piping System Components and Related Materials, National Sanitation Foundation International / American National Standards Institute (2018) found electronically at:
<https://webstore.ansi.org/Standards/NSF/NSFANSI142018>

(x) NSF/ANSI 50-2017, Equipment for Swimming Pools, Spas, Hot Tubs, and Other Recreational Water Facilities, National Sanitation Foundation International / American National Standards Institute (2017) found electronically at:
<https://webstore.ansi.org/standards/nsf/nsfansi502017>

(xi) Virginia Graeme Baker Pool and Spa Safety Act, 15 U.S.C. 8001 *et seq.* (2019) found electronically at:
<https://www.poolsafely.gov/wp-content/uploads/2016/04/pssa.pdf>

Chapter 2
Requirements for Plans ~~Submission~~ and Specifications; License Contents Application and Issuance; Inspection; Enforcement.

Section 1. Prerequisite for Operation. ~~(a) No person shall operate a public swimming pool, spa, or similar installation~~ aquatic feature without a ~~valid~~ license issued by the regulatory authority.

~~(i) (a) Each public~~ Aquatic facilities that have swimming pools, spas, or similar installation aquatic features operating which operates on a separate one circulation system; shall be licensed receive one license for the entire facility; however, all pools, spas, and aquatic features remodeled or constructed after the effective date of these regulations shall have a separate circulation system for each pool, spa, or aquatic feature and shall have a separate license for each pool, spa, or aquatic feature.

~~(ii) (b) When a person operates two (2) or more public swimming pools, spas or similar installations not on the same premises in this state, a separate license shall be required for each~~ Aquatic facilities that have pools, spas, or aquatic features operating on more than one circulation system shall have a separate license for the pools, spas, or aquatic features operating on each individual circulation system; however, all pools, spas, and aquatic features remodeled or constructed after the effective date of these regulations shall have a separate circulation system for each pool, spa, or aquatic feature and shall have a separate license for each pool, spa, or aquatic feature.

~~(iii) (c) A person operating more than one public swimming pool, spa or similar installation which is on the same circulation system, on the same premises may operate under one (1) license~~ When a person operates two or more aquatic facilities that are not on the same premises, a separate license(s) shall be required for each aquatic facility in accordance with subsections (a) and (b) of this section.

Section 2. Qualifications and Responsibilities of Applicants. To qualify for a license, an applicant shall:

(a) Be an owner of the pool, spa, or aquatic feature, or the person legally in charge of the business entity owning the pool, spa, or aquatic feature;

(b) Comply with the requirements of these regulations; and

(c) As specified under Section 23(a) of this chapter, agree to allow the regulatory authority access to the aquatic facility and provide all required information.

Section 2 3. ~~Submission~~ and Contents of the License Application.

~~(a) Pursuant to W.S. 35-28-108(a), any person operating a public pool, spa or similar installation shall obtain a license from the Wyoming Department of Agriculture or a local health department and shall be thoroughly knowledgeable on good practices of swimming pool and spa operation and with the laws and regulations pertaining to public swimming pools, spas, and similar installations. The license is not transferable, shall be renewed on an annual basis and~~

shall be prominently displayed in the facility. No public pool, spa or similar installation shall operate without valid license.

~~(b) — Pursuant to W.S. 35-28-108(b), written application for a new license shall be made on a form approved by the Wyoming Department of Agriculture and provided by the Wyoming Department of Agriculture or the local health department and shall be signed by the applicant.~~

~~(i)~~ The application shall include:

~~(A)~~ (a) The name, mailing address, telephone number, and signature of the person applying for the license; ~~the name, mailing address, and telephone number of the registered agent; and the name, mailing address, and location of the public swimming pool, spa or similar installation;~~

~~(B)~~ (b) Information specifying whether the ~~public swimming pool, spa, or similar installation~~ aquatic feature is owned by an association, corporation, individual, partnership, or other legal entity, and the name, mailing address, and telephone number of the registered agent;

(c) The name, mailing address, and specific location of the pool, spa, or aquatic feature;

~~(C)~~ (d) A statement signed by the applicant that:

~~(I)~~ (i) Certifies to the accuracy of the information provided in the application; and

~~(II)~~ (ii) Affirms that the applicant will:

~~(1.)~~ (A) Comply with these Regulations; and

~~(2.)~~ (B) Allow the regulatory authority access to the facility, as specified under ~~chapter 2, s~~Section 23(a) of this chapter, and access to the records specified under ~~e~~Chapter 1, sSection 10 8 of these regulations.

~~Section 3. — Qualifications and Responsibilities of Applicants.~~

~~(a) — To qualify for a license, an applicant shall:~~

~~(i) — Be an owner of the public swimming pool, spa or similar installation or the person legally in charge of the business entity;~~

~~(ii) — Comply with the requirements of these Regulations; and~~

~~(iii) — As specified under chapter 2, section 22(a), agree to allow access to the public swimming pool, spa or similar installation and to provide required information.~~

Section 4. Issuance of a License. ~~(a) For public swimming pools, spas or similar installations that are required to submit plans as specified under chapter 2, section 5(a), t~~The

regulatory authority shall issue a new license, renew an existing license, or issue a license to a new owner of an existing pool, spa, or aquatic feature to the applicant after:

~~(i)~~ (a) The applicant submits A properly completed license application and applicable fee is submitted;

~~(ii)~~ (b) The required regulatory authority reviews and approves any plans, specifications, and information are reviewed and approved required by these regulations; and

(c) The regulatory authority determines that the pool, spa, or aquatic feature is in compliance with these regulations and provisions of the Act; and

~~(iii)~~ (d) For a license issuance other than a renewal, A pre-operational inspection shows that the public swimming pool, spa, or similar installation aquatic feature is built or remodeled in accordance with the approved plans and specifications and that the facility is in compliance with these Regulations.

~~(b) — The regulatory authority may renew a license for an existing public swimming pool, spa or similar installation or may issue a license to a new owner of an existing public swimming pool, spa or similar installation after:~~

~~(i) — A properly completed application is submitted, reviewed, and approved;~~
and

~~(ii) — An inspection shows that the public swimming pool, spa or similar installation is in compliance with these Regulations.~~

Section 5. When Plans and Specifications Are Required. ~~(a)~~ A license applicant or license holder shall submit to the regulatory authority properly prepared plans and specifications for review and approval before beginning to:

~~(i)~~ (a) The cConstruction of a public swimming pool, spa, or similar installation aquatic feature;

~~(ii)~~ (b) The cConversion of an existing structure for use as a public swimming pool, spa, or similar installation aquatic feature; ~~or~~

~~(iii)~~ (c) The rRemodeling of a public swimming pool, spa, or similar installation aquatic feature;

or

(d) a cChange of the type of the public swimming a pool, spa, or similar installation aquatic feature as specified under chapter 2, section 6, if the regulatory authority determines that plans and specifications are necessary to ensure compliance with these ~~R~~regulations.

Section 6. Contents of the Plans and Specifications.

(a) Signed Plans and specifications with supporting data must be prepared by a licensed professional engineer who is registered in this state, or an licensed architect who is registered in this state, or a licensed contractor who holds a license issued by the state contractors' board. The plans and specifications shall:

~~(i) Include the seal or signature of the registered engineer or architect; or~~

~~(ii) Include the signature of the licensed contractor.~~

~~(b) The plans must be:~~

~~(i) Be drawn to scale;~~

~~(ii) Contain a north arrow; and~~

~~(iii) Must be accompanied by proper specifications so as to permit a comprehensive public health review of the plans; and~~

~~(iv) Be accompanied by the plan review sheet approved and provided by the regulatory authority.~~

~~(e) (b) One set of The plans and specifications shall be submitted, and must include:~~

~~(i) The surface area of the pool, spa, or aquatic feature;~~

~~(ii) The volume, turn-over time, flow rate, filter, and automatic chemical feed apparatus, filter head loss, and pump curve showing designed flow;~~

~~(iii) The source of the water used;~~

~~(iv) The means of disposing of wastewater according to law;~~

~~(v) Plan and sectional views with all necessary dimensions of the facility;~~

~~(vi) A piping diagram showing all appurtenances, including treatment facilities, in sufficient detail, as well as pertinent elevation data to permit a hydraulic analysis of the system;~~

~~(vii) Details on all treatment equipment, including: (A) The manufacturer, make, and model numbers of the pump, filter, and automatic chemical feed apparatus; the (B) Filter head loss; and (C) a pump curve showing designed flow;~~

~~(viii) Catalog identification;~~

~~(A) If mechanical equipment is specified by the use of a trade name or catalog numbers, individual leaflets, catalogs, equipment specification sheets or other descriptive material must be furnished. This material will be returned to the applicant on his request after the review of the plans.~~

~~(ix)~~ (viii) An electrical diagram showing the method of grounding, junction boxes, and other pertinent details;

~~(x)~~ (ix) Detailed plans of bathhouses, equipment rooms, dressing rooms, toilet facilities, showers, and other appurtenances;

~~(xi)~~ (x) One-site plan with a legal description of the pool, spa, or aquatic feature location; and

(xi) Equipment specification sheets, as applicable.

~~(xii)~~ (c) The regulatory authority may require aAny additional data ~~required by the regulatory authority~~ for purposes of clarification, describing the anticipated use, or to support any changes in design or scope of the project. If required, this additional data must be submitted prior to beginning to construction, convert, remodel, or change the type of a pool, spa, or aquatic feature.

Section 7. Approval of Plans and Specifications.

(a) The regulatory authority shall review all plans and specifications to determine if they ~~are in compliance with these Regulations. After reviewing the plans and specifications the regulatory authority shall:~~

~~(i) Complete a plan review sheet~~

(b) If the regulatory authority approves the plans and specifications are approved, the regulatory authority shall provide to the license applicant or license holder a copy of the plan review sheet denoting the approval ~~shall be provided to the license applicant or license holder.~~

(c) If the regulatory authority disapproves the plans and specifications are disapproved, the regulatory authority shall provide to the license applicant or license holder a copy of the plan review sheet stating the reason for disapproval ~~shall be provided to the license applicant or license holder.~~

(d) The review of the plans by the regulatory authority will not include a review of the structural design or structural stability of any section or part of the facility. Certification of structural adequacy is the responsibility of the architect, ~~a qualified professional licensed engineer who is licensed by the state board of registered professional engineers or qualified contractor~~ architect.

Section 8. ~~Pre-Operational~~ Inspections.

(a) The regulatory authority shall conduct ~~one or more~~ a pre-operational inspections to verify that the ~~swimming pool, spa, or similar installation~~ aquatic feature is constructed and equipped in accordance with the approved plans and specifications, including any approved modifications of those plans, and is in compliance with law and these Regulations.

(b) The regulatory authority shall conduct a pre-opening inspection prior to the issuance of

any license other than a renewal. A routine inspection shall be performed on the pool, spa, or aquatic feature within 30 days of performing the pre-opening inspection.

Section 9. Denial of License Application; Notice

(a) The ~~director~~ regulatory authority may, by order, deny a license application if ~~he~~ it finds:

(i) The applicant ~~has~~ made false statements on the license application;

(ii) The applicant ~~has~~ violated or failed to comply with any part of these regulations or provisions of law the Act;

(iii) The applicant is the subject of an order issued by any authority within the past two (2) years ~~of any regulatory authority in this state or any other~~ denying, suspending, or revoking a pool, spa, or aquatic feature license; ~~and~~

(iv) The regulatory authority is unable to determine that a pool, spa, or aquatic feature is in compliance with these regulations or the Act;

(v) The applicant failed to submit the appropriate fees; or

~~(iv) (vi)~~ The applicant ~~has~~ failed to correctly and completely fill out the license application.

(b) If a license application is denied, the regulatory authority issuing the denial shall provide the applicant with a notice that includes:

(i) The specific reasons ~~and regulation citations~~ for the license application denial with reference to the applicable provisions of these regulations or the Act;

(ii) The actions, if any, that the applicant must take to qualify for a license application;

(iii) ~~Advisement~~ Notice of the applicant's right to request a hearing ~~before the director; and~~

(iv) The legal authority under which the hearing is to be held; ~~and~~

~~(v) — A short plain statement of the matters asserted.~~

(c) The applicant must request a hearing within ~~twenty (20)~~ days of the receipt of the ~~director's~~ notice.

(d) If a hearing is requested, the ~~director~~ regulatory authority issuing the denial shall schedule a time and place for the hearing; to be held not later than ~~thirty (30 days)~~ from the date of the

request unless a later date is agreed to by the parties.

(e) The regulatory authority issuing the denial shall notify the applicant ~~shall be notified~~ of the time, date, and place of the hearing at least ~~seven (7)~~ days before the date of the hearing.

~~(i) — The legal authority under which the hearing is to be held; and~~

~~(ii) — A short plain statement of the matters asserted.~~

(f) If the applicant supplies evidence of correction and all other license requirements have been met, a license ~~shall~~ may be issued prior to the hearing.

Section 10. Responsibilities of the License Holder. ~~(a)~~ Upon acceptance of a license issued by the regulatory authority, the license holder ~~in order to retain the license shall:~~

~~(i) (a)~~ Post the license in a location at the public swimming pool, spa or similar installation aquatic facility, in a location that is conspicuous to the public;

~~(ii) (b)~~ Comply with the provisions of these Rregulations, including the conditions of a granted variance, as specified under eChapter 1, sSection 5 3 of these regulations, and approved plans approved pursuant to as specified under chapter 2, sSection 7 of this chapter;

~~(iii) (c)~~ Immediately cease discontinue operations and notify the regulatory authority if an imminent health or safety hazard exists;

~~(iv) (d)~~ Allow representatives of the regulatory authority access to the establishment aquatic facility as specified under chapter 2, sSection 22 23 of this chapter;

~~(v) (e)~~ Update, Rreplace, or remodel existing facilities and equipment within aquatic facilities with facilities and equipment that to comply with these Rregulations if:

~~(A) (i)~~ The regulatory authority directs the replacement because the facilities and equipment constitute a public health or safety hazard or nuisance or no longer comply with the criteria upon which the facilities and equipment were accepted;

~~(B) (ii)~~ The regulatory authority directs the replacement of the facilities and equipment because of a change of ownership; or

~~(C) (iii)~~ The facilities and equipment are replaced in the normal course of operation;

~~(vi) (f)~~ Comply with directives of the regulatory authority, including all time-frames for corrective actions specified in inspection reports, notices, orders, and warnings, and other directives issued by the regulatory authority in regard to the license holder's swimming pool, spa or similar installation or in response to community emergencies;

(g) Notify the regulatory authority of any change in address; and

~~(vii)~~ (h) Accept notices issued and served by the regulatory authority at the address on file with the regulatory authority according to law; and

~~(viii) Be subject to the administrative, civil, injunctive, and criminal remedies authorized in law for failure to comply with these Regulations or a directive of the regulatory authority, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives.~~

Section 11. Ceasing Operations and Reporting.

~~(a) Except as specified in chapter 2, section 11(b), a license holder shall immediately discontinue operations and notify the regulatory authority if an imminent health or safety hazard may exist because of an emergency such as, but not limited to, a fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, or gross insanitary occurrence or condition.~~

~~(b) A license holder need not discontinue operations in an area of the swimming pool, spa or similar installation that is unaffected by the imminent health or safety hazard.~~

Section 12. Resumption of Operations.

~~(a) If operations are discontinued as specified under chapter 2, section 11, or otherwise according to law, the license holder shall obtain approval from the regulatory authority before resuming operations.~~

Section 11 13. Conditions Warranting Remedy. ~~(a) The regulatory authority may seek an administrative or judicial remedy, including an administrative meeting, to achieve compliance with the provisions of these Regulations if a person operating a public swimming pool, spa, or similar installation aquatic feature, or including an employee:~~

~~(i) (a) Fails to have a valid license to oOperates a public swimming pool, spa, or similar installation aquatic feature without a license as specified under chapter 2, section 1;~~

~~(ii) (b) Violates any term or condition of a license, as specified under chapter 2, sSection 10 of this chapter;~~

~~(iii) (c) Allows serious or repeated or critical Regulation-violations of these regulations to remain uncorrected beyond time-frames for correction, as approved, directed, or ordered by the regulatory authority under chapter 2, Sections 24-25 and through 26 27 of this chapter;~~

~~(iv) (d) Fails to comply with an order issued as a result of a hearing for an administrative remedy conducted in accordance with the WAPA;~~

~~(v) (e) Fails to comply with a cease operations order or summary suspension notice order~~

issued by the regulatory authority as specified in chapter 2, Sections 15; or

~~(vi)~~ (f) Fails to comply with any other Rule or provision of these Regulations or the Act.

Section 12 14. Administrative Meetings.

(a) The purpose of an administrative meeting is to facilitate a mutually agreed upon plan of compliance for the license holder.

~~(a)~~ (b) The Wyoming department of agriculture, or a local board of health regulatory authority may initiate an administrative meeting for with the licensee holder if for:

(i) ~~There is a~~ A history of non-compliance with the act or the Regulations adopted under the act these regulations or the Act; or

(ii) ~~There was a~~ Refusal to grant the regulatory authority access by the regulatory authority to the aquatic facility.

~~(b)~~ (c) The Nnotice of administrative meeting shall state:

(i) The reasons for the ~~notice of administrative meeting with reference to the provisions of the Regulations that are in violation~~;

(ii) The location and time the administrative meeting will be held; and

~~(i)~~ (iii) That The licensee holder may appear in person or by ~~or with~~ counsel licensed to practice in the State of Wyoming.

~~(e)~~ (d) The Wyoming Department of Agriculture, or local board of health regulatory authority will shall conduct the administrative meeting and hear opposing opinions regarding the issue(s) in question specified in the notice.

~~(d)~~ — The purpose of the administrative meeting is to facilitate a mutually agreed upon plan of compliance for the license holder.

~~(a)~~ — The plan of compliance shall be:

(i) — Presented, in writing to the license holder after the meeting;

(ii) — Effective immediately upon presentation with a correction completion date ten (10) business days from the presentation date at which time a re-inspection will be performed; and

~~(f)~~ (e) The administrative meeting may have three (3) possible will result in one of the following outcomes:

(i) Institution of a A mutually agreed upon plan of compliance with a re-inspection

date;

(ii) No agreement of cooperation by the license holder, resulting in a revocation notice being issued; or

(iii) ~~Dismissal of the meeting by the Wyoming Department of Agriculture or local board of health~~ A finding by the regulatory authority that no plan of compliance is necessary and that revocation is not appropriate. The regulatory authority will notify the license holder of any additional requirements if necessary.

~~(g) (f) If no agreement is reached between the Wyoming Department of Agriculture or local board of health~~ the regulatory authority and the license holder fail to reach an agreement, or the re-inspection finds the plan of compliance has been ignored and the regulatory authority determines that revocation is appropriate, a revocation notice shall be issued within ten (10) business days of the no agreement date or the re-inspection date.

(g) Any plan of compliance shall be:

(i) Presented in writing to the license holder after the administrative meeting; and

(ii) Signed by the license holder and the regulatory authority.

(h) Unless otherwise specified, the license holder shall have 10 business days from the date of presentation to complete the items in the plan of compliance, after which the regulatory authority will conduct a re-inspection.

(i) Upon re-inspection, if the regulatory authority finds that the license holder has not complied with the terms in the plan of compliance or any other requirements of these regulations or the Act, a revocation notice shall be issued within 10 business days of the re-inspection date.

Section 13. Ceasing Operations and Reporting.

(a) Except as specified in subsection (b) of this section, a license holder shall immediately cease operations and notify the regulatory authority if an imminent health hazard exists because of an emergency, including a fire, flood, extended interruption of electrical or water service, sewage backup, waterborne disease outbreak, misuse of poisonous or toxic materials, or insanitary occurrence or condition.

(b) A license holder need not voluntarily cease operations in an area of the aquatic facility that is unaffected by the imminent health hazard.

(c) If the regulatory authority has probable cause to believe that an imminent health hazard exists due to a critical violation committed by any person, the regulatory authority may issue a cease operations order.

(d) A summary suspension notice shall also operate as a cease operations order.

Section ~~14~~ 15. Summary Suspension.

(a) The regulatory authority may summarily suspend a license to operate a ~~public swimming pool, spa, or similar installation~~ aquatic feature if it determines, through inspection, water quality testing, records, or other authorized means, or after consultation with the state health officer, that an imminent health ~~or safety~~ hazard exists because of an emergency, including, but not limited to, a fire, flood, extended interruption of electrical or water service, sewage backup, or waterborne illness or disease outbreak, misuse of poisonous or toxic materials, or insanitary occurrence or condition.

~~(b)~~ (b) The regulatory authority may summarily suspend a license by providing written notice of the summary suspension to the license holder or the person in charge without prior warning, notice of a hearing, or a hearing.

Section 15. Cease Operations Order and Summary Suspension Notice.

(a) A cease operations order shall state:

(i) That all operations shall immediately cease;

(ii) The reasons that the regulatory authority has probable cause to believe that an imminent health hazard exists with reference to the provisions of these regulations or the Act believed to have been violated;

(iii) The type of imminent health hazard believed to be caused by the alleged violation;

(iv) The name and address of the regulatory authority representative to whom notice for re-inspection may be made and who may certify that the reasons for the cease operations order have been eliminated;

(v) That the license holder may request a contested case hearing within five days of the issuance of the cease operations order;

(vi) That if a contested case hearing is requested, the regulatory authority shall hold a hearing within 10 days of the issuance of the cease operations order; and

(vii) The name and address of the regulatory authority representative to whom a request for a contested case hearing may be made.

~~(b)~~ (b) A summary suspension notice shall state:

~~(A)~~ (i) That the license is immediately suspended and that all operations shall immediately cease;

~~(B)~~ (ii) The reasons that the regulatory authority has determined that an imminent

health hazard exists for summary suspension with reference to the provisions of these Regulations or the Act being violated;

~~(C)~~ (iii) The type of imminent ~~threat to the public~~ health hazard that may be caused by the violation;

~~(D)~~ (iv) The name and address of the regulatory authority representative to whom notice for re-inspection may be made and who may certify that the reasons for the suspension ~~are~~ have been eliminated;

~~(E)~~ (v) That the license holder may request a contested case hearing within five (5)-business days of the issuance of the summary suspension notice. The regulatory authority shall hold a hearing, if requested, within ten (10) business days of the summary suspension; and

(vi) That if a contested case hearing is requested, the regulatory authority shall hold a hearing within 10 days of the issuance of the summary suspension notice; and

~~(F)~~ (vii) ~~The regulatory authority shall provide t~~The name and address of the regulatory authority representative to whom a request for a contested case hearing may be made.

Section 16. Resumption of Operations.

~~(iii)~~ (a) Within 48 hours after receiving notice from the license holder that the conditions cited in a cease operations order or summary suspension notice no longer exist, tThe regulatory authority shall conduct a re-inspection of the public swimming pool, spa, or similar installation aquatic feature for which the cease operations order or summary suspension notice was issued ~~license was summarily suspended within forty-eight (48) hours after receiving notice from the license holder stating that the conditions cited in the summary suspension order no longer exist.~~

(b) A cease operations order shall remain in effect until:

(i) The conditions cited in the cease operations order no longer exist and their elimination has been confirmed by the regulatory authority through re-inspection or other means, as appropriate;

(ii) The regulatory authority determines that the conditions cited in the order do not create an imminent health hazard; or

(iii) A court of competent jurisdiction otherwise orders.

(c) If operations cease as specified in Section 13 of this chapter, whether voluntarily or as the result of a cease operations order, a license holder shall obtain approval from the regulatory authority before resuming operations.

~~(iv)~~ (c) A summary suspension shall remain in effect until:

(i) ~~The conditions cited in the notice of summary suspension~~ no longer exist and their elimination has been confirmed by the regulatory authority through re-inspection and or other means, as appropriate;

(ii) The regulatory authority determines that the license should not be suspended;

(iii) The license is revoked; or

(iv) ~~until a~~ A court of competent jurisdiction otherwise orders.

~~(v) (e) Whenever a~~ The suspended license shall be is reinstated, immediately if the regulatory authority determines that the imminent health or safety hazard no longer exists. A notice of reinstatement shall be provided to the license holder or person in charge.

Section ~~17~~ 16. Revocation.

(a) The regulatory authority may initiate revocation proceedings for a license if:

(i) A summary suspension was issued and ~~The conditions for which the summary suspension was issued is~~ have not been corrected; ~~or~~

(ii) There is a history of noncompliance with the ~~a~~ Act or ~~these~~ regulations adopted under the act; or

(iii) There was a refusal to grant ~~access to~~ the regulatory authority access to the aquatic facility.

(b) The revocation notice shall state:

(i) That unless a contested case hearing is requested the license shall be revoked ~~fifteen (15) calendar days after receipt of the revocation notice and that all~~ any continuing operations shall cease at that time ~~unless a contested case hearing is requested;~~

~~(A) The revocation notice shall be sent by certified mail, return receipt requested, or personally served on the person in charge.~~

(ii) The reasons for revocation with reference to the provisions of these ~~Regulations or the Act that alleged to~~ have been violated;

(iii) That the license holder may request a contested case hearing ~~by submitting a request within fifteen (15) days of the receipt of the notice of revocation;~~

(iv) The name and address of the regulatory authorities ~~y~~ representative to whom a request for a contested case hearing may be made;

(v) That ~~If~~ a contested case hearing is requested, the hearing shall be conducted by

a hearing officer in accordance with the ~~Wyoming Administrative Procedure Act, W.S. 16-3-107 through 115~~ WAPA; and

(vi) ~~That the licensee holder may appear in person or by or with counsel licensed to practice in the State of Wyoming.~~

(c) The notice of final decision and order, ~~accompanied by including~~ written findings of fact and conclusions of law ~~and order~~, shall be issued by the ~~director of the Wyoming Department of Agriculture or local board of health~~ regulatory authority.

(d) ~~The final decision shall be delivered to the license holder by certified mail, return receipt requested.~~

Section 18 17. Hearings. ~~(a) All hearings provided for in this these Regulations shall be conducted in accordance with the Wyoming Administrative Procedure Act, W.S. 16-3-107 through 115 WAPA. Appeal from any final order of the Wyoming Department of Agriculture or local board of health regulatory authority shall be taken as provided by the Wyoming Administrative Procedure Act WAPA and the Wyoming Rules of Appellate Procedure. If the Department is the regulatory authority, hearings shall also comply with Chapter 23 of the Department rules.~~

Section 19 18. Service of Notices.

(a) A notice issued in accordance with these ~~Regulations or the Act~~, except for a cease operations order or notice of summary suspension notice, ~~which shall be considered properly served pursuant to chapter 2, section 15, shall be considered to be is properly served by certified mailing, return receipt requested, sent by the regulatory authority to the last known address of the license holder or the person operating a pool, spa, or aquatic feature, if it is served by one of the following methods:~~

(b) A cease operations order is properly served by:

(i) Providing a copy of the order to the license holder or the person in charge; or

(ii) Posting a copy of the order at a public entrance to the premises.

(c) A notice of summary suspension is properly served in accordance with Section 14(b) of this chapter.

(i) ~~The notice is personally served by the regulatory authority, a law enforcement officer, or a person authorized to serve a civil process to the license holder, the person in charge, or person operating a public swimming pool, spa or similar installation without a license;~~

(ii) ~~The notice is sent by the regulatory authority to the last known address of the license holder or the person operating a public swimming pool, spa or similar installation without license, by registered or certified mail return receipt requested or by other public means so that a written acknowledgment of receipt may be acquired;~~

(iii) ~~— If the notice is unable to be delivered after reasonable attempts to serve, then the notice shall be clearly posted by the regulatory authority at a public entrance to the public swimming pool, spa or similar installation; or~~

(iv) ~~— The notice is provided by the regulatory authority in accordance with another manner of service authorized in law.~~

Section ~~20~~ 19. When Service is Effective.

(a) Service of a notice issued in accordance with these regulations or the Act, except for a cease operations order or summary suspension notice, is effective:

(i) Aat the time of the receipt of the notice; or

(ii) 30 days after a certified mailing of the notice to the last known address of the license holder or the person operating a pool, spa, or aquatic feature at the time of the posting of the notice.

(b) Service of a cease operations order or summary suspension notice is effective immediately upon being properly served.

Section ~~21~~ 20. Establishing Inspection Interval.

(a) The regulatory authority shall inspect ~~public swimming pools, spas, and similar installations~~ aquatic features based on the relative risk to public health and safety, with no such aquatic facility receiving less than one ~~(1)~~ inspection per year.

(b) Pursuant to Section 22 of this chapter, The regulatory authority may ~~increase the interval between inspections beyond once per year:~~ conduct more than one inspection per year.

Section ~~22~~ 24. Performance and Risk-Based Inspections. ~~(a) Within the parameters specified under chapter 2, section 20, t~~The regulatory authority shall prioritize and conduct more frequent inspections based upon its assessment of a ~~public swimming pool, spa, or similar installations~~ aquatic feature according to its assessment of the relative risk to public health and safety ~~and the history of compliance with these Regulations by evaluating based upon:~~

~~(i) (a) Past performance, for~~ A history of noncompliance ~~nonconformance~~ with these Regulations or the Act;

~~(ii) (b) Past performance, for numerous or~~ The number of violations, including any repeat violations of these Regulations;

~~(iii) (c) Past performance, for~~ The number of complaints investigated and found to be valid;

~~(iv) (d) The health or safety hazards associated with the particular public swimming pool, spa, or similar installation~~ aquatic feature;

~~(v)~~ (e) The type of operation; and

~~(vi)~~ (f) The number of people served.

Section ~~23~~ 22. Access for Inspection.

(a) After the regulatory authority presents official credentials and states ~~the purpose of, and~~ an intent to conduct an inspection, the person in charge shall allow the regulatory authority access to determine if the swimming pool, spa, or similar installation aquatic feature is in compliance complies with these ~~R~~regulations by:

(i) Allowing physical access to the swimming pool, spa, or ~~similar installation~~ aquatic feature;

(ii) Allowing inspection of the premises, including inspection of any necessary documentation; ~~and~~

(iii) Allowing examination, sampling, and testing of pool, spa, or aquatic feature water, including water used within the circulation system; and

(iv) Providing information and records specified in these ~~R~~regulations, and to which the regulatory authority is entitled according to law, during the hours of operation of the swimming pool, spa, or similar installation aquatic feature hours of operation and other reasonable times.

(b) Denial of access to inspect shall be grounds for revocation of a license. Any intimidation or harassment of inspectors shall be deemed a denial of access to inspect and grounds for revocation of a license.

(c) The details of ~~the~~ a denial of access shall be recorded on the inspection report form.

Section ~~24~~ 23. Documenting Information and Observations. ~~(a)~~ The regulatory authority shall document on an inspection report form:

~~(i)~~ (a) Administrative information about the ~~public swimming pool, spa, or similar installations~~ aquatic feature, including:

(i) ~~legal identity~~; Owner information;

(ii) ~~s~~Street and mailing addresses;

(iii) ~~€~~Type of facility and operation, as specified under chapter 2, s~~Section 2 3(b) of~~ this chapter;

(iv) ~~i~~Inspection date; ~~and other information such as~~

- (v) ~~†~~Type of water supply and sewage disposal;
- (vii) ~~s~~Status of the license; and
- (viii) ~~p~~Personnel certificates that may be required; and
- (ix) Any other relevant information.

(ii) (b) Specific factual observations of ~~violative~~ conditions that violate or other deviations deviate from these ~~R~~regulations or the Act that require correction by the license holder, including ~~but not limited to:~~

(A) (i) ~~Failure of the public swimming pool, spa or similar installation being to maintained, in whole or in part, the pool, spa, or aquatic feature~~ in a clean and sanitary condition, in good repair, and free of safety hazards;

(B) (ii) ~~Testing verifies Failure to maintain the pool, spa, or similar installation aquatic feature water does not comply in compliance with the requirements set forth in these Rregulations or the Act, as indicated by test results;~~

(C) (iii) ~~Is failing Failure to meet generally accepted health and safety practices for pool, spa, and similar installation aquatic feature operation in compliance with these laws and regulations pertaining to public swimming pool, spa and similar installations or the Act; and~~

(C) ~~Failure of the appropriate employees to demonstrate sufficient knowledge of good practices of swimming pool, spa and similar installation operation;~~

(D) ~~Failure of the appropriate employees to demonstrate sufficient knowledge of the laws and regulations pertaining to public swimming pool, spa or similar installations; and~~

(E) (iv) Failure to keep and maintain records pertaining to the operation and maintenance of the ~~public pool, spa, or similar installation~~ aquatic feature as required in ~~c~~Chapter 1, ~~s~~Section 40 8 of these regulations.

Section ~~25~~ 24. Timely Correction ~~for~~ of a Critical Item Violation.

(a) Except as specified in ~~chapter 2, section 24(b)~~ subsection (b) of this section, a license holder shall ~~at the time of inspection~~ correct a critical violation of these ~~R~~regulations at the time of inspection.

(b) ~~Considering the nature of the potential health or safety hazard involved and the complexity of the corrective action needed, †The regulatory authority may agree to or specify a longer time-frame, not to exceed ten (10) calendar days after the inspection, for the license holder to correct critical violations of these Rregulations, based on the nature of the imminent health hazard involved and the complexity of the corrective action. (i) If a determination by the inspector determines that the corrective action cannot be completed within 10 (ten) days, the inspector may request an~~

extension be granted, which must be approved in writing by a supervisor.

Section ~~26~~ 25. Verification and Documentation of Correction ~~for~~ of a Critical Item Violation.

(a) After observing ~~at the time of inspection a correction of~~ that an employee has corrected a critical ~~item~~-violation during an inspection, the regulatory authority shall enter the violation and information about the corrective action on the inspection report.

(b) After receiving notification that the license holder has corrected a critical ~~item~~-violation, or at the end of the specified period of time, the regulatory authority shall verify the correction, or lack thereof ~~of the violation~~, document the information on an inspection report, and enter the report in the regulatory authority's records.

Section ~~27~~ 26. Time-Frame for Correction ~~for~~ of a Noncritical Violation.

(a) Except as specified in ~~chapter 2, section 26(b)~~ subsection (b) of this section, the license holder shall correct noncritical violations by a date and time ~~agreed to or~~ specified by the regulatory authority, but no later than ~~ninety (90) calendar~~ days after the inspection.

(b) The regulatory authority may approve a compliance schedule that extends beyond 90 days ~~the time limits specified under chapter 2, section 24(b)~~, if a written schedule of compliance is submitted by the license holder and no health or safety hazard exists or will result from allowing an extended schedule for compliance.

Section ~~28~~ 27. Issuing a Report and Obtaining Acknowledgment of Receipt. ~~(a)~~ At the conclusion of ~~the~~ an inspection, the regulatory authority shall provide a copy of the completed inspection report to the license holder or to the person in charge, and request a signed acknowledgment of receipt.

Section ~~29~~ 28. Refusal to Sign Acknowledgment. ~~(a)~~ The regulatory authority shall: ~~(i)~~ Inform a person who declines to sign an acknowledgment of receipt of an inspection report findings that:

~~(A)~~ (a) An acknowledgement of receipt of an inspection report is not an agreement with the findings in the inspection report;

~~(B)~~ (b) Refusal to sign an acknowledgment of receipt of an inspection report will not affect the license holder's obligation to correct the violations noted in the inspection report within the time-frames specified; and

~~(C)~~ (c) A Refusal to sign an acknowledgment of receipt of an inspection report ~~will be~~ is noted in the inspection report and ~~conveyed to~~ the regulatory authority's historical record for the public-swimming pool, spa, or similar installation aquatic feature.

Section 29. — Examining, Sampling, and Testing Water Used in Public Swimming Pools, Spas or Similar Installations.

~~(a) The regulatory authority may examine, sample, and test water used in public swimming pools, spas or similar installations in order to determine its compliance with these Regulations.~~

Chapter 3 General and Structural Design; Equipment Standards

Section 1. Overall Structure.

(a) ~~Public pools, spas, and similar installations~~ aquatic features, and all appurtenances shall be:

(i) Constructed of materials which are considered to be nontoxic to humans and the environment;

(ii) ~~Are impervious, and enduring, and will~~ capable of withstanding design stresses; and

(iii) ~~Will provide a w~~Water-tight structure with smooth and easily cleanable surfaces without cracks or joints, excluding structural joints.

(b) The structural design and materials used for pools, spas, ~~or similar installations~~ and aquatic features shall be in accordance with generally accepted industry engineering practices and methods prevailing at the time of original construction. ~~(i) It is recommended that p~~Pools and, spas, aquatic features, and aquatic facilities shall be constructed to meet the NSPI Workmanship Standards for Swimming Pools and Spas following standards, when applicable, or other nationally recognized standards determined by the Department to be at least as protective as the applicable standard listed below:

(i) ANSI/APSP/ICC 7-13

(ii) Sections 304.2, 306.1, 307.2, and 316 of the IPC.

(iii) The Plumbing Code.

(iv) The Electrical Code.

(c) A ~~public pool, spa, or aquatic feature~~ shall have no sharp edges or protrusions where walls meet at an acute angle and. ~~(i) The pool shall be shaped to provide for complete water re-~~
circulation and mixing.

(d) The shell ~~and~~, appurtenances, piping, filter system, pump ~~and~~, motor, and other components shall be designed and constructed to facilitate protection from damage due to freezing.

Section 2. Interior Surface Characteristics; Color.

(a) ~~Earth Soil~~ Soil shall not be permitted as an interior finish in a pool, spa, or ~~similar installation~~ aquatic feature.

(b) The colors, patterns, or finishes of a ~~public pool, spa, or similar installation~~ aquatic

feature shall not obscure the existence or presence of objects or surfaces within the pool, spa, or ~~similar installation~~ aquatic feature.

(c) All new pool, spa, or ~~similar installation~~ aquatic feature interior finishes shall be ~~(i) Light-colored~~ except for:

(A) (i) ~~Water lines that are~~ Tiled lines marking the operating water level;

(B) (ii) Racing lane markings (painted or tiled to a maximum of twelve (12") inches wide);

(C) (iii) Turn targets (painted or tiled); and

(D) (iv) Safety markers.

Section 3. Hydrostatic Relief Valve. ~~(a)~~ A hydrostatic relief valve or a more extensive hydrostatic system shall be installed if necessary to prevent ground water pressure from displacing or otherwise damaging a new pool ~~or~~, spa, or aquatic feature.

Section 4. Interior Surface Footing.

(a) ~~The s~~Surfaces within a pool, spa or ~~similar installation~~ intended to provide footing for users bathers within a pool, spa, or aquatic feature shall have a slip-resistant surface ~~to help reduce the chance for a fall.~~ (i) The roughness or irregularity of such surfaces shall not cause injury to the feet during normal use.

(b) Functional protrusions, extensions, and other elements in interactive play attractions shall be designed and installed to minimize entrapment of or hazard to the bather.

(i) Where interactive play attractions, functional protrusions, extensions, and other elements project into the aquatic feature, other floor and wall fittings shall be configured so as to not present a hazard to the bather.

(ii) When the function or nature of a recreation attraction incorporates protrusions or obstacles, they shall be marked with an identifying feature, such as a contrasting color, to warn bathers of their presence.

Section 5. Roofs or Canopies. ~~(a)~~ Roofs or canopies over pools, spas, or ~~similar installations~~ aquatic features shall be constructed so that water run-off or other forms of possible pollution do not drain or fall into the pool, spa, or ~~similar installation~~ aquatic feature.

Section 6. Plumbing. ~~(a)~~ Plumbing shall be sized, installed, and maintained according to applicable state regulations ~~or~~ and local plumbing codes.

Section 7. Piping; Design, Material, Color Coding.

(a) Pool, spa, and aquatic feature re-circulation piping shall be sized to carry the following maximum design loads:

(i) Discharge piping (except copper and asbestos cement pipe): 10 fps ft./sec. ~~(3.05m/sec.)~~.

(ii) Discharge piping (copper): 8 fps ft./sec. ~~(2.44m/sec.)~~.

(iii) Suction piping velocity: 6 fps ft./sec. ~~(1.83m/sec.)~~.

(iv) Discharge and suction piping (asbestos cement): 6 fps ft./sec. ~~(1.83m/sec.)~~.

(b) All pool, spa, and aquatic feature re-circulation piping shall be rated and capable of withstanding four ~~(4)~~ times the maximum operating pressure at maximum water temperatures.

(c) Plastic pool, spa, and aquatic feature re-circulation piping shall comply with ~~the National Sanitation Foundation Standard #14 for Plastic Piping System Components and Related Materials~~ NSF/ANSI 14-2018.

(d) Metallic piping, except stainless steel, used in pool, spa, and aquatic feature re-circulation systems shall have a corrosion resistant internal lining.

(e) Metal or chlorinated polyvinyl chloride pipe (CPVC) shall be used ~~eighteen (18")-~~ inches (49cm) upstream and downstream of heating equipment.

(f) The piping system shall have direction of flow arrows indicated on the pipes.

(g) Public pools, spas, and aquatic features shall have available, on the premises, at all times, a flow diagram of the ~~pool's~~ piping system with operation instructions.

~~(i) The flow diagram and instructions shall be available on the premises at all times.~~

(h) A piping system for a general-use pool, spa, or aquatic feature shall be color coded as specified in the following chart:

Pool water	Blue
Fill or makeup water, untreated water	Red
Treated, filtered water	White
Back wash water	Black

Section 8. Walls.

(a) Walls shall not be greater than ~~eleven (11°)~~ degrees from plumb for a minimum depth of

~~two (2') feet three (3') inches~~ in the shallow areas. ~~(i)~~ Below these depths the wall may be radiused to join the floor.

(b) If a pool or aquatic feature design requires the wall have a greater slope than ~~eleven (11°) degrees~~ the slope shall be designed so as not to exceed ~~one (1') foot in twelve (12') feet~~.

(c) There shall be no wall ledges in a public pool, spa, or aquatic feature.

Section 9. Size.

(a) The size of a pool, spa, or ~~similar installation~~ aquatic feature shall be governed by the requirements of the activities for which the installation is intended.

(b) A public pool, spa, or similar installation aquatic feature shall not exceed the design limit of user functions described in the following chart:

Outdoor swimming pool <u>or aquatic feature</u>	Maximum load = $A^* / 20$
Indoor swimming pool, and wading pool, or <u>aquatic feature</u>	Maximum load = $A^* / 24$
Spa pool	Maximum load = $A^* / 10$
Plunge pool	Maximum load = $A^* / 50$
Where A^* equals the surface area of the pool, <u>spa, or aquatic feature</u> in ft^2 square feet.	

Section 10. Water Depth, Requirements.

(a) The shallowest point of any pool, including a ~~A public swimming pool, competition pool, plunge pool, or wave pool,~~ shall be no greater than a maximum of three (3') feet six (6") inches (1.07m) in depth at the shallowest point.

(b) ~~The transitional point from the shallow area to the deep area and at the points of separation of diving, slide and amusement areas shall be visually set apart with:~~

(i) ~~A rope and float line;~~

(ii) ~~Depth markers; and~~

(iii) ~~A four (4) inch minimum row of floor tile, painted line or similar means of color which contrasts with the bottom of the pool.~~

(c) (b) Zero depth designs for pools or similar installations, spas, or aquatic features shall be allowed where the bottom of the pool, spa, or aquatic feature in the shallow area is designed and constructed to meet the pool deck surface at a slope not to exceed one (1) foot in twelve (12) feet to a water depth of 18" ~~one and one half (1½) feet.~~

(i) (c) In pools, spas, or aquatic features where the water depth is less than 18" ~~one and one half (1½) feet~~, floor inlets shall: (A) ~~B~~ be provided; and (B) ~~S~~ spaced uniformly with at least one inlet per ~~two hundred (200 ft²) square feet~~ or portion thereof.

(d) A wading pool shall not be more than ~~two (2) feet (.6m)~~ in depth as measured from the operating water level line.

(e) — A spa pool shall not be more than four (4) feet (1.2m) in depth. (i) The depth to be ~~measured from the water line.~~

(f) (e) Depths and clearances for pools without diving boards shall comply with the following figure and tables:

Figure 10(e) (No Diving Board – Longitudinal View)

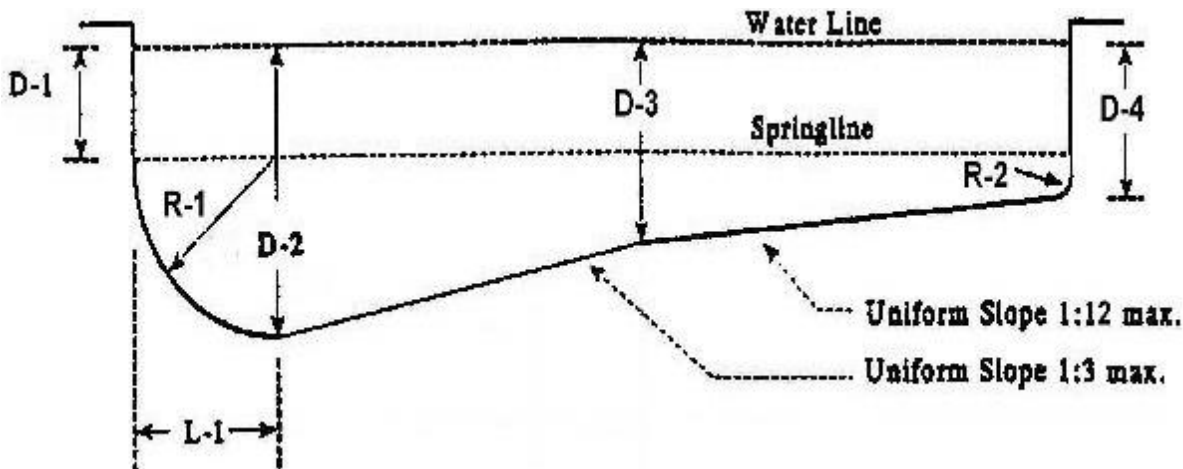


Table 10(e)(1) (No Diving Board – Pool Depth 6' or Less)

<u>Dimension</u>	<u>D-1</u>	<u>D-2</u>	<u>D-3</u>	<u>D-4</u>	<u>L-1</u>	<u>R-1</u>	<u>R-2</u>
<u>Minimum</u>	(1)	---	5'0"	---	3'6"	---	(2)
<u>Maximum</u>	---	6'0"	---	3'6"	---	(3)	1'0"
(1)	<u>2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.</u>						
(2)	<u>No minimum requirement for zero-depth entries; otherwise, 0'6"</u>						
(3)	<u>D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1.</u>						

Table 10(e)(2) (No Diving Board – Pool Depth Greater than 6')

<u>Dimension</u>	<u>D-1</u>	<u>D-2</u>	<u>D-3</u>	<u>D-4</u>	<u>L-1</u>	<u>R-1</u>	<u>R-2</u>
<u>Minimum</u>	(1)	6'0"	5'0"	---	3'6"	---	(2)
<u>Maximum</u>	---	---	---	3'6"	---	(3)	1'0"
(1)	<u>2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.</u>						
(2)	<u>No minimum requirement for zero-depth entries; otherwise, 0'6".</u>						
(3)	<u>D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1.</u>						

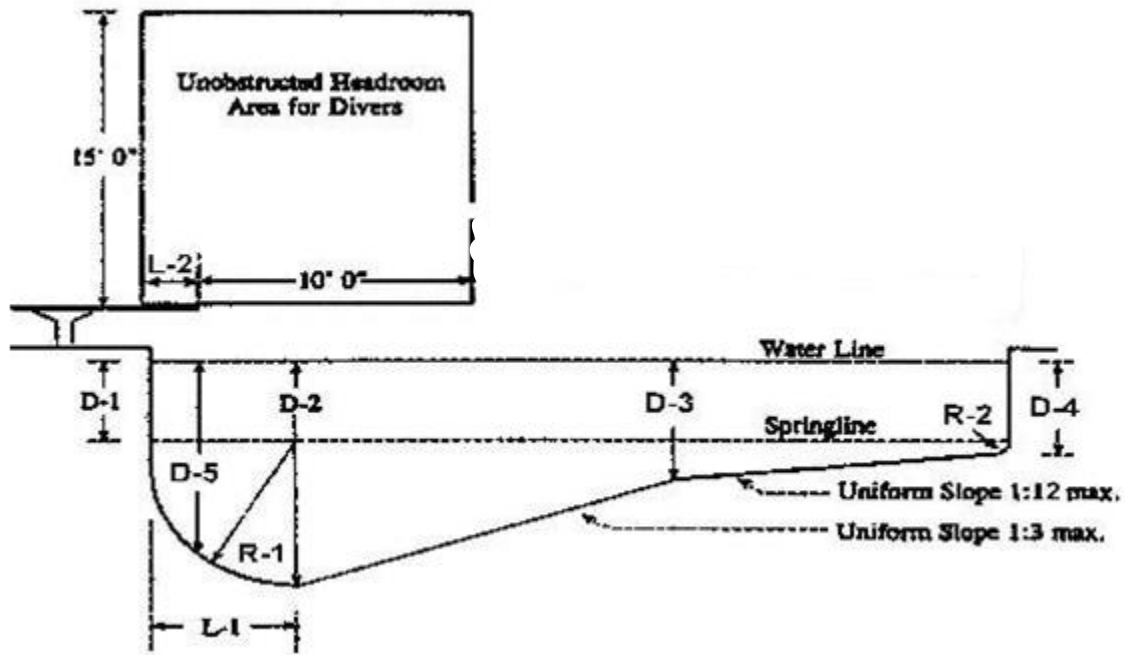
and, table:

LONGITUDINAL SECTION

Dimension	D-1	D-2	D-3	D-4	L-1	R-1	R-2
Minimum	2'6"	(1)	—	0'0"	3'6"	—	0'"
Maximum	—	—	5'0"	3'6"	—	(2)	1'0"
(1)	Shall be located to provide complete drainage of the pool						
(2)	D-2 minus D-1						

(g) (f) Depths and clearances for pools with diving boards thirty (30") inches or less above the water line operating water level shall comply with the following figures and table:

Figure 10(f)(1) (Diving Board 30" or Less – Longitudinal View)



LONGITUDINAL SECTION

Figure 10(f)(2) (Diving Board 30" or Less – Transverse View at Deepest Point)

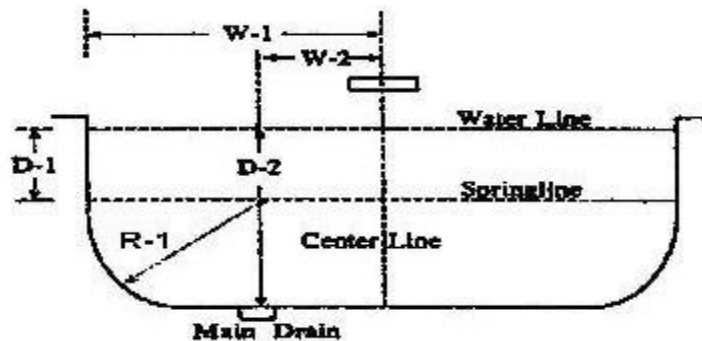


Table 10(f) (Diving Board 30" or Less)

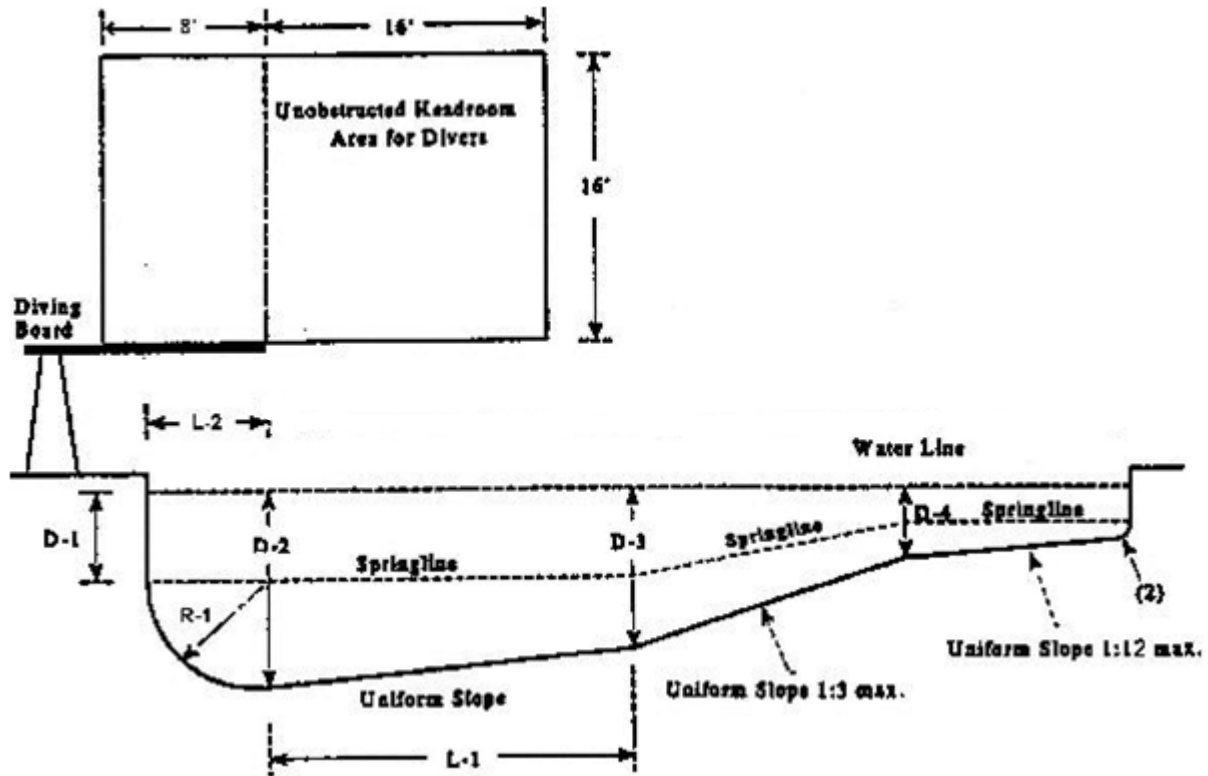
<u>Dimension</u>	<u>D-1</u>	<u>D-2</u>	<u>D-3</u>	<u>D-4</u>	<u>D-5</u>	<u>L-1</u>	<u>L-2</u>	<u>W-1</u>	<u>W-2</u>	<u>R-1</u>	<u>R-2</u>
<u>Minimum</u>	(1)	8'6"	4'6"	=	7'0"	6'0"	2'6"	9'0"	3'0"	=	(2)
<u>Maximum</u>	=	=	5'0"	3'6"	=	10'0"	4'0"	=	=	(3)	1'0"
(1)	<u>2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.</u>										
(2)	<u>No minimum requirement for zero-depth entries; otherwise, 0'6"</u>										
(3)	<u>D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1</u>										

TRANSVERSE SECTION AT D-2

Dimension	D-1	D-2	D-3	D-4	D-5	L-1	L-2	W-1	W-2	R-1	R-2
Minimum	2'6"	8'6"	4'6"	0'0"	7'0"	6'0"	2'6"	9'0"	3'0"	—	0'6"
Maximum	—	—	5'0"	3'6"	—	10'0"	4'0"	—	—	(1)	1'0"
(1)	D-2 minus D-1										

(g) Depths and clearances for pools with diving boards greater than thirty (30") inches above the water line operating water level shall comply with the following figures and tables:

Figure 10(g)(1) (Diving Board Greater than 30" – Longitudinal View)



LONGITUDINAL SECTION

Figure 10(g)(2) (Diving Board Greater than 30" – Transverse View at Deepest Point)

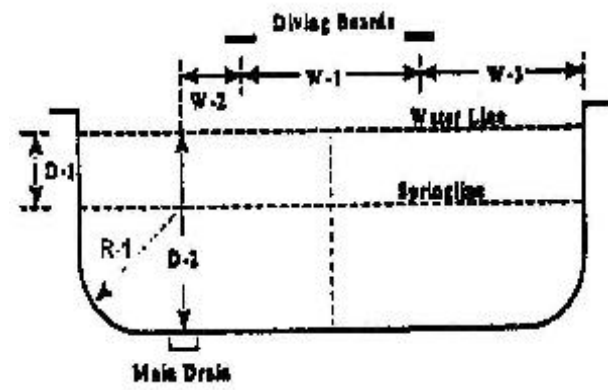


Figure 10(g)(3) (Diving Board Greater than 30" – Enlarged Shallow End View)

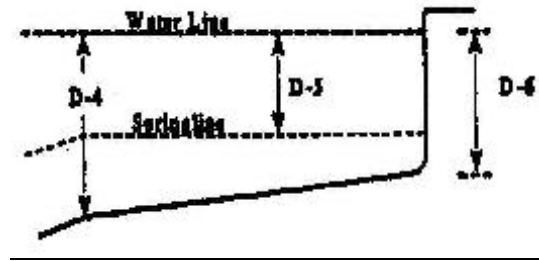
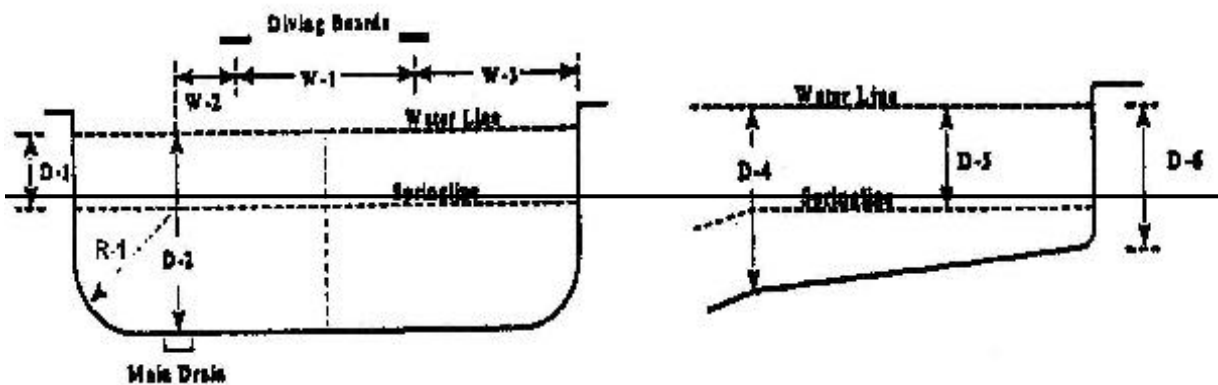


Table 10(g) (Diving Board Greater than 30")

<u>Brd</u>	<u>Dim</u>	<u>D-1</u>	<u>D-2</u>	<u>D-3</u>	<u>D-4</u>	<u>D-5</u>	<u>D-6</u>	<u>L-1</u>	<u>L-2</u>	<u>W-1</u>	<u>W-2</u>	<u>W-3</u>	<u>R-1</u>	<u>R-2</u>
<u>1 m</u>	<u>Min</u>	<u>6'0"</u>	<u>12'0"</u>	<u>11'0"</u>	<u>4'6"</u>	(1)	=	<u>20'0"</u>	<u>4'0"</u>	<u>10'0"</u>	<u>5'0"</u>	<u>11'0"</u>	=	(2)
<u>2 m</u>	<u>Min</u>	<u>7'0"</u>	<u>13'0"</u>	<u>12'0"</u>	<u>4'6"</u>	(1)	<u>3'6"</u>	<u>20'0"</u>	<u>6'0"</u>	<u>10'0"</u>	<u>5'0"</u>	<u>12'0"</u>	(3)	<u>1'0"</u>
(1)		2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.												
(2)		No minimum requirement for zero-depth entries; otherwise, 0'6"												
(3)		D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1												



TRANSVERSE SECTION THROUGH D 2 — ENLARGED SHALLOW END SECTION

Brd	Dim	D-1	D-2	D-3	D-4	D-5	D-6	L-1	L-2	W-1	W-2	W-3
1-m	Min	6'0"	12'0"	11'0"	4'6"	2'6"	0'0"	20'0"	4'0"	10'0"	5'0"	11'0"
2-m	Min	7'0"	13'0"	12'0"	4'6"	2'6"	3'6"	20'0"	6'0"	10'0"	5'0"	12'0"

Section 11. Floor Slopes.

- (a) Floor slopes in ~~a public~~ pools shall, at a minimum, meet the following requirements:
- (i) All slopes shall be uniform;
 - (ii) The shallow area shall be uniform to a depth of ~~five (5) feet (1.52m)~~ and shall not exceed ~~one (1) foot (.3m)~~ of fall in ~~twelve (12) feet (3.66m)~~; and
 - (iii) The transition area between the deep and shallow areas ~~portions~~ of the pool shall not exceed ~~one (1) foot (.3m)~~ of fall in ~~three (3) feet (.91m)~~.
- (b) The ~~wall/flooring~~ transition radius from wall to floor shall:
- (i) Have its center no less than ~~two (2') feet six (6") inches (.79m)~~ below the surface of the water;
 - (ii) Be tangent to the point where the radius meets the wall or the floor; and
 - (iii) Have a radius at least equal to the depth of the pool minus the vertical wall depth measured from the operating water level line.

Section 12. Equipment Rooms. ~~(b) Pool, spa, or aquatic feature~~ equipment rooms shall:

- ~~(i) (a)~~ Be large enough to permit access to all equipment for both operation and maintenance;
- ~~(ii) (b)~~ Be adequately ventilated;
- ~~(iii) (c)~~ Have a floor sloped to a floor drain; ~~and~~
- ~~(iv) (d)~~ Protect pool, spa, or aquatic feature equipment from the weather; and
- ~~(e)~~ Be locked, permitting access only to authorized personnel.

Section 13-. Electrical Requirements; Lighting.

- (a) All new installations of electrical equipment at ~~pools, spas, and similar installations,~~

~~and other aquatic facilities serving the pool, spa or similar installation~~ shall comply with the applicable provisions set forth in the Electrical Code NEC, ~~or state or local electrical codes~~.

(b) Electrical equipment shall be listed by an ANSI-accredited, independent, third-party conformity assessment organization.

(c) All electrical components shall:

(i) Be installed to meet manufacturer's specifications;

(ii) Meet applicable federal, state, ~~or~~ and local codes and regulations; and

(iii) Be in compliance with Sections 313.8 and 321 of the IPC ~~UL 1241, Junction Boxes for Swimming Pool Fixtures; and~~

(iv) ~~Be in compliance with UL 1081, Swimming Pool Pumps, Filters, and Chlorinators.~~

(d) Light fixtures shall be shielded or safety coated to prevent broken glass from falling onto the deck area or into the pool, spa, or aquatic feature.

(e) A pool, spa, or aquatic feature and any adjacent deck areas shall be lighted by natural or artificial means when in use. A pool, spa, or aquatic feature intended to be used at night shall be equipped with artificial lighting that is designed and spaced so that all parts of the pool, spa, or aquatic feature, including the bottom, may be seen without glare.

Section 14. ~~Electrical Equipment, Ground Fault Interrupters.~~ (a) ~~Equipment such as duplex plugs, lighting, and other electrical equipment serving a pool, spa, or similar installation facilities~~ aquatic feature shall be protected with ground fault interrupted circuits which comply with the Electrical Code NEC.

Section 15. Bonding and Grounding.

(a) Electrical equipment serving pools, spas, and ~~similar installations~~ aquatic features shall be grounded as described in ~~ANSI/UL 1563 1995, Standard for Electric Hot Tubs, Spas and Associated Equipment, and the~~ Electrical Code NEC and Sections 313.8 and 316.2 of the IPC.

(b) Pool, spa, and ~~similar installation~~ aquatic feature pumps shall be both internally and externally grounded.

Section 16. Overhead Wires. (a) ~~No overhead electrical wiring shall pass within twenty (20) feet of the pool, spa, or similar installation~~ aquatic feature enclosure.

Section 17. Electrical Disconnecting Means. (a) ~~Electrical disconnecting means for pools, spas, and similar installations~~ aquatic features shall be:

- (i) ~~(a)~~ Be ~~a~~ Accessible;
- (ii) ~~(b)~~ Be ~~l~~ Located within sight of the pool, spa, or ~~similar installation~~ aquatic feature; and
- (iii) ~~(c)~~ Be ~~l~~ Located at a distance from the inside wall of the pool, ~~or spa, or aquatic feature~~, as required by the Electrical Code NEC, chapter 6, article 680-12-Disconnecting Means.

Section 18. Location of Other Electrical Equipment, ~~Location~~. (a) Electrical switches, outlets, deck lights, and other such electrical equipment shall be located at a distance from the inside wall of a pool, spa, or ~~similar installation~~ aquatic feature in accordance with the Electrical Code unless separated from the pool, spa, or ~~similar installation~~ aquatic feature by a solid fence, wall, or other permanent barrier as required by the NEC, chapter 6, article 680—Swimming Pools, Fountains, and Similar Installations.

Section 19. Pool Heaters, ~~Types~~.

- (a) A fuel-burning ~~swimming pool, spa, or aquatic feature~~ heater shall:
 - (i) Be situated so the pilot light, if present, is readily accessible; and
 - (ii) Have an adequate supply of combustion air.
- (b) Electrical heaters shall be installed in accordance with the ~~Wyoming State~~ Electrical Code.
- (c) Temperature and pressure relief devices on all heaters shall be installed according to the ~~Uniform Building Code and Uniform Plumbing Code and Section 316 of the IPC standards on all heaters~~.

Section 20. Heaters and Boilers, ~~Certification~~. (a) Pool, spa, and ~~similar installation~~ aquatic feature heaters and boilers shall: ~~(i) Be~~ designed, constructed, and operated to comply with applicable federal, state, ~~or~~ and local codes and standards; and ~~(ii) Be designed to comply with the manufacturer's specifications~~.

Section 21. Heaters and Boilers, ~~Installation and Testing~~.

- (a) All heating equipment using either fossil fuels, such as natural gas, liquid petroleum gas, ~~or No. 2 fuel oil~~, or electric heating equipment for heating ~~pool water for pools, and spas, and aquatic features~~ shall:
 - (i) Comply with Section 316 of the IPC ANSI Z21.56, Standards for Gas-Fired Heaters; ~~or~~
 - (ii) ~~Comply with UL 1261, Standard for Electric Heaters or UL 559, Standards for Heat Pumps.~~

~~(iii)~~ (ii) Be installed on a surface with sufficient structural strength to support the heater when it is full of water and operating;

~~(iv)~~ (iii) Be level and stationary after plumbing, gas, and/or electrical connections are completed;

~~(A) — Heaters requiring a non-combustible surface per the manufacturer shall be placed on a concrete or other acceptable surface in accordance with ANSI Z21.56, Standards for Gas-Fired Heaters.~~

~~(v)~~ (iv) Be installed and maintained with at least the minimum clearances to combustibles for which the heater has been tested, as specified by the manufacturer;

~~(vi)~~ (v) Have adequate ventilation in order to ensure proper operation; and

~~(vii)~~ (vi) Be grounded and bonded to reduce electrical shock hazard; and

(vii) For heaters requiring a non-combustible surface, per the manufacturer, be placed on concrete or other acceptable surface, in accordance with Section 316 of the IPC.

(b) Heaters with electronic ignition shall be wired in series with the circulation pump to ensure they will not turn on when the pump is off.

(c) Water flow through the heater, bypass plumbing, cross-connection protection, and heat sinks shall be in accordance with the manufacturer's specifications and with the requirements of state and/or local regulatory authorities.

Section 22. Heating Energy Sources.

(a) The heating energy source for pools, spas, and ~~similar installations~~ aquatic features shall: ~~(i) Be designed, constructed, and operated to comply with any manufacturer specifications and applicable federal, state, or and local codes and standards; and~~

~~(ii) — Be designed to comply with the manufacturer's specifications.~~

(b) Natural gas energy supply piping shall: ~~(i) Comply with the manufacturer's specifications; and~~ Section 316 of the IPC.

~~(ii) With ANSI Z223., National Fuel Gas Code.~~

(c) Gas lines shall: ~~(i) Have a gas cock, properly sized and readily accessible outside the jacket, to stop the flow of natural gas for heater service or emergency shutdown.~~

(d) Where liquid petroleum gas appliances are used, including within a pit or enclosed area, they shall be installed as approved by the applicable fire safety authority in accordance with ANSI/NFPA 58, Storage and Handling of Liquefied Petroleum Gases. (i) The storage tank, supply

pipings, and regulator shall be adequately sized to ensure operating fuel pressures, as specified by the appliance manufacturer.

~~(ii) Propane appliances located in a pit or enclosed area shall be installed in accordance with ANSI/NFPA 58, Storage and Handling of Liquefied Petroleum Gas.~~

Section 23. Air Blower and Air Induction Systems; ~~Entry Devices.~~

(a) This section pertains to all devices and systems that ~~which~~ induce or allow air to enter the pool, spa, or aquatic feature, either by means of a power pump or passive design.

~~(b)~~ (b) Air intake sources shall not: ~~(A) Induce dirt, contaminants, or external water external~~ into the pool, spa, or aquatic feature; ~~unit; and~~

~~(B) Induce dirt or contaminants into the spa.~~

~~(c)~~ (c) An air blower installed within an enclosure or indoors shall be:

~~(A)~~ (i) ~~Be~~ provided with adequate ventilation;

~~(B)~~ (ii) ~~Be~~ installed in accordance with any applicable federal, state, ~~or~~ and local codes;

~~(C)~~ (iii) ~~Be~~ installed according to the manufacturer's recommendations; and

~~(D)~~ (iv) ~~Be~~ accessible for inspection and service.

~~(d)~~ (d) Integral air passages shall be pressure tested at the time of manufacture to provide structural integrity to a value of one and one-half (~~1½~~) times the intended working pressure.

~~(e)~~ (e) An air induction system shall totally prevent water back-up that could cause electrical shock hazards.

~~(f)~~ (f) A hydrotherapy pump and air blower in a spa, other than a therapy pool, ~~pool~~ shall be connected to a maximum ~~fifteen (15)~~ minute time switch located no closer than ~~ten (10)~~ feet (3m) from the spa water's edge.

~~(g)~~ (g) Air blower and air induction systems ~~must~~ shall be separate from the recirculation system.

Section 24. Decks; ~~Size Requirements.~~

(a) Decks shall be ~~designed, installed and provided at all public swimming pools, spas, and similar installations~~ aquatic features and shall be designed and installed to meet the following minimum continuous unobstructed widths, which may include the coping size requirements:

(i) General-use pools or aquatic features—: ~~eight (8)~~ feet (2.44m);

(ii) Limited-use pools or aquatic features—: ~~four (4') feet (1.22 m); or~~

(iii) ~~Spas~~ pools with less than ~~one hundred (100 ft²) square feet (9.3 m²)~~ of water surface area shall have a ~~six (6') foot (1.83 m) by eight (8') foot (2.44 m)~~ continuous, unobstructed deck on at least one side of the spa.

(A) (iv) ~~Spas~~ with ~~one hundred (100 ft²) square feet (9.3 m²) or more~~ of water surface area ~~or more~~ shall provide additional deck area at least ~~four (4') feet (1.22 m)~~ wide around at least ~~fifty (50%) percent~~ of the spa.

(b) A minimum of ~~four (4') feet (1.22 m)~~ of unobstructed deck shall be provided on all sides of diving equipment except the side facing the pool or aquatic feature.

~~(c) Decks shall slope no less than one forth (1/4) inch (6mm) per foot (30cm).~~

~~(i) Deck water shall not:~~

~~(A) Drain into the pool; or~~

~~(B) Puddle on the deck surface.~~

Section 25. Decks; Surface Materials.

(a) Deck surfaces shall be constructed of:

(i) Concrete;

(ii) ~~Nons~~Slip-resistant tile; or

(iii) An equally impervious material with a smooth, slip-resistant, cleanable surface.

(b) Joints between concrete deck slabs shall be water tight and. ~~(c) All decks: (i) S shall be provided with have:~~

~~(i) Expansion joints; (ii)~~

~~(iii) (ii) The v~~Voids between adjoining concrete deck slabs ~~shall be no greater than three sixteenths (3/16") of an inch (5mm); and~~

(iii) Adjoining deck surface elevations ~~shall~~ varying no more than ~~one fourth (1/4")~~ inch (6mm).

Section 26. Decks; Drainage.

(a) Decks shall slope no less than 1/4" per 1' and be sloped to drain to perimeter drains.

(i) Drainage shall remove the following types of water, without leaving standing water:

- (A) Pool ~~and~~, spa, and aquatic feature splash water;
- (B) Deck cleaning water; ~~and~~
- (C) Rainwater.

(ii) Deck drain lines shall have an indirect connection to the sewer line to prevent sewage from backing up onto the deck.

(b) The surface of a deck ~~must~~ shall not drain into the pool, spa, aquatic feature, or the overflow gutter and ~~must~~ shall not be returned to the re-circulation system. ~~(i) Drainage must~~ shall be conducted from the deck in a manner that ~~which~~ will not create muddy, hazardous, or ~~objectionable~~ insanitary conditions.

(c) ~~Site-~~ All drainage at an aquatic facility shall be provided in order to directed away from pools, spas, and aquatic features. This includes:

- (i) All perimeter deck drainage;
- (ii) General site drainage; and
- (iii) Roof drainage

~~away from the pool.~~

~~(A)~~ (d) When required, yard drains shall be installed to prevent the accumulation or puddling of site water in the general area of the deck and related improvements.

Section 27. Decks; Equipment.

(a) Valves installed in or under the deck shall ~~be provided with~~ have a minimum ~~ten (10")~~ inch diameter access cover and a valve pit to facilitate servicing.

(b) An aquatic facility shall have a sufficient number of hose bibs, equipped with vacuum breakers, ~~shall be provided for~~ washing down the deck area.

Section 28. Decks; Prohibited Material.

- (a) Wood decking around ~~public~~ pools, spas, and aquatic features is prohibited; ~~and~~
- (b) Wood decks, carpets, and other absorbent materials are prohibited in the wet deck area.

Section 29. Pool, Spa, and Aquatic Feature Enclosures.

(a) All ~~public pools, spas, and similar installations~~ aquatic features shall be protected by an enclosure.

(i) The enclosure shall be:

(A) A fence;

(B) A wall; or

(C) A building without private entrances to the pool, spa, or aquatic feature area.

(ii) The enclosure shall form the perimeter of the deck whenever possible.

(b) Pool, spa, and aquatic feature enclosures, including gates, shall be constructed to discourage-prevent access to the pool, spa, or aquatic feature by unsupervised children or domestic animals.

(c) Enclosures shall not be less than ~~four (4) feet (1.22m)~~ in height, measured from the outside ground level at a point ~~one (1) foot (30cm)~~ horizontal from the base of the enclosure.

(d) There shall not be more than ~~four (4") inches (10cm)~~ of space between the bottom of the enclosure and ~~the ground's surface or pool deck~~ a hard surface, such as a pool, spa, or aquatic feature deck, and not more than 2" of space between the bottom of the enclosure and a soft surface, such as soil.

(e) Mesh fences, other than chain-link fences, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

(i) Each section of the enclosure shall be attached to a supporting structure no less than 45" above the ground.

(ii) There shall not be more than 1" of space between the bottom of the enclosure and the ground surface.

(iii) The construction of the enclosure shall not permit the mesh fence to be lifted so as to create more clearance between the enclosure and the ground surface than that allowed in subsection (d) of this section.

(e) (f) Gates in swimming pool, spa, or aquatic feature enclosures shall open outward, away from the pool, spa, or aquatic feature, and shall be self-closing and equipped with a lockable, self-latching device attached on the inside of the gate located at least ~~forty-two (42") inches (107cm)~~ above the ground.

~~(f)~~ (g) Any building enclosing a ~~swimming~~ pool, spa, or aquatic feature shall be ventilated to prevent condensation and alleviate odors.

Section 30. Wading Pool Requirements.

~~(e)~~ (a) Wading pools shall have:

- (i) ~~Have a~~ A maximum water depth of ~~twenty four (24")~~ inches;
- (ii) ~~Have a~~ A slope which does not exceed ~~one (1') foot~~ in ~~twelve (12') feet~~;
- (iii) ~~Have a~~ A slip-resistant finish;
- (iv) ~~Have a~~ A maximum turnover cycle of two (2) hours;
- (v) ~~Have a~~ A separate re-circulation system; and
- (vi) ~~Have a~~ A at least two (2) inlets halfway between the bottom of the wading pool and the surface of the water.

~~(d)~~ (b) The standards for water quality, surface skimming, and all other details must be equal or superior to those set forth in these regulations.

~~(e)~~ (c) Adequate sanitary facilities, as required in ~~e~~Chapter 7 of these regulations, must be available in the vicinity of the wading pool.

~~(f)~~ (d) A water cooler, water station, or sanitary drinking fountain must be provided at one side or end of the wading pool area. ~~(i)~~ A sanitary drinking ~~found~~ fountain must have a raised step or be set at an acceptable height to enable children of all sizes to drink without assistance.

~~(g)~~ (e) Wading pools shall be:

- (i) ~~Be~~ located at the shallow end of the main ~~swimming~~ pool or ~~similar installation~~ aquatic feature; and
- (ii) ~~Must be~~ Separated from ~~it~~ the main pool or aquatic feature by a separate barrier or fence meeting the requirements of these regulations.

~~(h)~~ (f) Underwater lights are prohibited in wading pools.

Section 31. Interactive Play Aquatic Feature Requirements.

(a) In addition to the general aquatic feature requirements stated in these regulations, interactive play aquatic features shall comply with the additional provisions of this section.

(b) Interactive play aquatic features shall:

(i) Have a slip-resistant and easily cleanable surface, with any manufactured surfacing deemed suitable by the manufacturer for aquatic and chlorinated environments;

(ii) Be properly sloped so that only water from the interactive play aquatic feature flows back to the interactive play aquatic feature collection tank, such that:

(A) Areas adjacent to the interactive play aquatic feature slope away from the collection drains for the interactive play aquatic feature; and

(B) The slope of the interactive play aquatic feature is sufficient to prevent standing water from collecting on the pad;

(iii) Have drains, the size, number, and location of which shall be determined and specified so as to assure water does not accumulate on the interactive play aquatic feature pad, such that:

(A) Flow through the drains to the interactive play aquatic feature collection tank is under gravity;

(B) There are no direct suction outlets from the interactive play aquatic feature;

(C) Openings in the grates covering the drains do not exceed 1/2" wide; and

(D) Gratings are not removable without the use of tools; and

(iv) Have a collection tank designed to provide ready access for cleaning and inspections, such that:

(A) The collection tank can be completely drained; and

(B) The access hatch or lid is locked or requires a tool to open.

(c) The deck area of the interactive play aquatic feature shall be:

(i) Kept free of landscape debris by either:

(A) 8' of deck area;

(B) Raised curbs; or

(C) Raised planters;

(ii) Of a uniform, easily cleaned, impervious material; and

(iii) Protected from surface runoff.

(d) A barrier shall be provided to separate an interactive play aquatic feature from another body of water within the same facility unless the interactive play aquatic feature is separated by a distance of at least 15' from other bodies of water.

(e) If an aquatic facility only consists of an interactive play aquatic feature, then the requirements for an enclosure shall not apply.

(f) Spray features shall be designed and installed to be seen clearly, so as not to be a hazard to bathers due to water velocity from the spray feature discharge or other safety hazards. Maximum velocity at the orifice of the spray feature nozzle shall not exceed 20 fps.

(g) Depth markings and warning signs shall not be required for interactive play aquatic features.

Section ~~31~~ 32. Food Service.

(a) Food service operations located and conducted in a public swimming pool, spa or similar installation at an aquatic facility shall comply with the Wyoming Food, Drug and Cosmetic Safety Act and the Wyoming Food Safety Rule.

(b) Food or drink shall be permitted only in designated areas away from the any pool, spa, or similar installation aquatic feature water.

~~(i)~~ (c) Food may be permitted in a spectator area located near the a pool, spa, or similar installation aquatic feature, provided the deck area remains clean.

Section 32 33. Drinking Fountains, Water Coolers, and Water Stations. ~~(a)~~ Drinking fountains, water coolers, or water stations shall be provided within the pool, spa, or aquatic feature enclosure for all public pools, spas and similar installations at all aquatic facilities.

Chapter 4 Sanitary Facilities and Controls

Section 1. Water Supply.

(a) ~~Water supplied from a public water system to a public pool, spa, or similar installation aquatic feature shall meet 40 CFR 141 National Primary Drinking Water Regulations.~~ Water supplied from a public water system to a public pool, spa, or similar installation aquatic feature shall be obtained from an approved source that is:

(i) A public water system; or

(ii) A nonpublic water system that is constructed, maintained, and operated according to law.

(b) Water supplied to a pool, spa, or aquatic feature shall be obtained from the source through the use of:

(i) An approved public water main; or

(ii) One or more of the following that shall be constructed, maintained, and operated according to law:

(A) Nonpublic water main, water pumps, pipes, hoses, connections, and other appurtenances;

(B) Water transport vehicles; or

(C) Water containers.

~~(b)~~ (c) Water from a nonpublic water system shall meet the standards set by these regulations.

Section 2. Conveying Sewage.

(a) Filter backwash water and water drained from a pool, spa, or similar installation aquatic feature shall be discharged into a sanitary sewer through an approved air gap or disposed of by other means approved by the regulatory authority.

(b) There shall be no direct physical connection between the wastewater disposal system and a drain or re-circulation system.

(c) Backwash water or water drained from a pool, spa, or similar installation aquatic feature shall: ~~(i) Be~~ discharged through an air gap formed by positioning the discharge pipe opening at least two (2) pipe diameters above the overflow level of any confining barrier which could cause flooding and submergence of the discharge opening, in the event that the disposal system should fail, or by other means approved by the regulatory authority.

~~(A)~~ (d) Splash screening barriers are permitted as long as they do not ~~destroy~~ compromise air gap effectiveness.

Section 3. Approved Sewage Disposal System; Other Liquid Wastes and Rainwater.

- (a) Sewage shall be disposed of through an approved facility that is:
 - (i) A public sewage treatment plant; or
 - (ii) An individual sewage disposal system that is sized, constructed, maintained, and operated according to law.
- (b) Condensate drainage and other non-sewage liquids and rainwater shall be drained from point of discharge to disposal in accordance with law.

Section 4. Sanitizing Disinfection Equipment and Chemical Feeders.

(a) Sanitizing Disinfection equipment for pools, spas, and ~~similar installations~~ aquatic features shall meet the requirements of ~~ANSI/NSPI-50, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs~~ NSF/ANSI-50-2017.

(b) Sanitizing Disinfection feed systems shall have the capacity to: ~~(i) Maintain up to five (5) 8 parts per million ppm chlorine or up to 12 ppm bromine or approved equivalent for outdoor all pools and similar installations, spas, and aquatic features; and~~

~~(ii) — Up to three (3) parts per million chlorine or approved equivalent for indoor pools and similar installations under all conditions of use.~~

~~(iii) — The sanitizing feed equipment for spas shall have the capacity to:~~

~~(A) — Maintain up to eight (8) parts per million chlorine or approved equivalent for outdoor spas; and~~

~~(B) — Up to five (5) parts per million chlorine or approved equivalent for indoor spas.~~

Section 5. Sanitizing Disinfection Equipment, and Practices.

- (a) Sanitizing Disinfection equipment and practices shall comply with the following:
 - (i) A chlorine or bromine residual, or residual of other ~~sanitizers,~~ disinfectants approved by the regulatory authority, shall be maintained in the pool, spa, or ~~similar installation~~ aquatic feature to meet the water quality parameters outlined in ~~Chapter 5, s~~ Section 1(a) of these regulations; and

(ii) ~~Sanitizing~~ Disinfection equipment shall be selected, ~~and installed, and~~ operated in accordance with the manufacturer's instructions so that continuous and effective ~~sanitizing~~ disinfection can be maintained under all conditions.

~~(A)~~ (iii) The use of elemental gas chlorine shall be in accordance with ~~Sections 28 through 35~~ 20 through 27 of this chapter.

(b) Water shall be continuously ~~sanitized~~ disinfected by a ~~sanitizing agent~~ disinfection chemical. ~~(i)~~ The residual must be easily measured by simple and accurate field tests approved by the regulatory authority.

(c) ~~If needed in order to~~ To maintain proper chemical levels, chlorine, pH, or other chemical control, equipment ~~that which~~ adjusts chemical feed based on demand, shall be provided.

(d) If ancillary non-chlorine or non-bromine ~~sanitizer~~ disinfectant is used, it shall be used in addition to chlorine or bromine or other approved equivalent unless the ~~sanitizing~~ disinfection method used is capable of producing a measurable residual when tested with an accurate and approved field test kit.

(e) ~~Sanitizing agents~~ Disinfection chemicals shall be:

(i) Capable of being tested by a field test kit; and

(ii) Registered for use by the ~~United States Environmental Protection Agency~~ (EPA).

(f) Stabilized chlorine shall not be used for indoor aquatic features.

Section 6. ~~Sanitizing~~ Disinfection Equipment; Prohibited Practices.

(a) Supplemental hand feeding of ~~sanitizing agents~~ disinfection chemicals or other chemicals directly into the pool, spa, or aquatic feature shall not occur when the pool, spa, or ~~similar installation~~ aquatic feature is occupied by ~~users~~ bathers.

(b) ~~Pool and, spa, and aquatic feature~~ skimmer baskets and pump strainer baskets shall not be used as chemical feeders.

(c) In pools, spas, and ~~similar installations~~ aquatic features ~~which that~~ are not maintaining the required ~~sanitizing~~ disinfection residuals and pH, a remote automated chemical control system that monitors the ~~sanitizing agent~~ disinfection chemical and pH shall be installed to assure constant and adequate disinfectant and pH levels and to preclude overfeeding.

~~(i)-(d)~~ Any use of remote monitor control systems for automatic chemical systems shall be constructed as a backup system to the required on-site monitoring and control system.

Section 7. ~~Sanitizing~~Disinfection; Personnel Responsibilities. (a) Personnel responsible for the operation of the ~~sanitizing~~ disinfection and associated equipment and other potentially hazardous chemicals shall: (i) ~~Be~~ properly trained; and (ii) ~~W~~ wear protective equipment and clothing, including rubber gloves, goggles, and any other protective gear and safety equipment ~~that~~ which may be necessary.

Section 8. Chemical Storage.

(a) ~~The license holder shall ensure that disinfection~~ Sanitizing or other chemicals and feed equipment shall be stored in such a manner that ~~pool, spa or similar installation aquatic facility users shall not have access to them such facilities and/or chemicals.~~

(b) Dry chemicals shall:

(i) Be stored off the floor; and

(ii) Protected against flooding or wetting from floors, walls, and ceilings.

(c) Chemical bulk tanks shall be clearly labeled to indicate the tank's contents.

(d) Solution containers shall be provided with a cover to prevent the entrance of dust, insects, and other contaminants.

(e) ~~Sanitizing compounds~~ Disinfection chemicals shall not be stored in the same area as other chemical products.

(f) Safety Data Sheets shall be available and current for all chemicals used on the property.

Section 9. Pool, Spa, and Aquatic Feature Pumps; Requirements; and Uses.

(a) A pump and motor shall re-circulate the pool, spa, or aquatic feature water.

(i) A hair and lint strainer shall be located on the suction side of the pump;

(ii) The strainer shall be at least equal in size to the pump suction line; ~~and~~

(iii) Strainers and pumps installed below water level shall have a valve on each side to facilitate cleaning, maintenance, and removal.

(iv) Pumps not located below the operating water level shall be self-priming or the system shall be designed to provide a means of priming.

(b) The performance of pumps shall meet the conditions of flow required for filtering and backwashing the filters against the total dynamic head developed by the complete system.

~~(f)~~ (c) The pumps shall be capable of providing designed flow rates at no less than ~~sixty~~ (60') feet (1.83 kg/cm²) of total dynamic head.

~~(e)~~ (d) Pumps shall be capable of pumping at a rate sufficient to turn over the total pool, spa, or aquatic feature volume within the periods of time specified in ~~s~~Section 13 12(b) of this chapter.

~~(d)~~ (e) Pumps on public swimming pools, spas, and aquatic features shall comply with the ~~NSFS-50, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs~~ NSF/ANSI 50-2017.

~~(e)~~ (f) Pumps shall be sized so as to pump the flow required in subsection ~~(e)~~ (d) of this section under ~~the filter soil conditions that create~~ described in the following chart:

(i) For high rate sand filters: a 15 psi increase above that created using clean filter media.

(ii) For rapid sand filters: An 8 psi increase above that created using clean filter media

(iii) For diatomaceous earth filters: A pressure differential at which the manufacturer recommends filter cleaning.

(iv) For cartridge filters: A 10 psi difference between influent and effluent pressures.

High rate sand filters	Filter soil conditions such as to create a fifteen (15) psi (1.06 kg/cm²) increase above that created using clean filter media.
Rapid sand filters	Filter soil conditions such as to create an eight (8) psi (.56 kg/cm²) difference between influent and effluent pressures.
Diatomaceous earth filters	Filter soil conditions such as to create pressures or vacuums at which manufacturer's recommend filter cleaning.
Cartridge Filters	Filter soil conditions such as to create a ten (10) psi (.70 kg/cm²) difference between influent and effluent pressures.

~~(f)~~ (g) A spa ~~pool~~ shall have a two (2) pump ~~re-circulation~~ system as follows:-

(i) One pump ~~will~~ shall provide the required turnover rate, filtration, and disinfection for the spa water; and

(ii) The second pump shall provide the water for the hydrotherapy turbulence of the water.

Section 10. Filters; Types, Uses, and Requirements.

~~(i)~~ (a) Filters used in pools, spas, and ~~similar installations~~ aquatic features shall be capable of maintaining pool, spa, and aquatic feature water clarity, as described in ~~Chapter 5,~~ Section 1 of these regulations, under maximum use load conditions.

~~(ii)~~ (b) The filter rate shall not exceed the following:

(i) For hHigh rate sand filters-: ~~twenty (20) gpm or (56.8 Lpm)~~ per square foot ~~(-.093 m²)~~ of filter media or ~~that rate approved by the National Sanitation Foundation NSF for that particular filter, whichever is less;~~

(ii) For rRapid sand filters-: ~~three (3) gpm (11.4 Lpm)~~ per square foot ~~(-.093 m²)~~ of filter media;

(iii) For dDiatomaceous earth filters-: ~~two (2) gpm (7.6 Lpm)~~ per square foot ~~(-.093 m²)~~ of filter media; ~~or~~

(iv) For cCartridge filters-: ~~0.5 1/2 gpm (1.9 Lpm)~~ per square foot ~~(-.093 m²)~~ of effective filter area.

(c) The filter tank shall be designed to permit the release of air that enters it ~~the filter tank~~.

(d) Filter components that require servicing shall be accessible and available for inspection and repair.

(e) Filters shall be designed so that filtration surfaces may be easily inspected and serviced.

(f) Filters shall meet the safety performance standards of the ~~NSF 50, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs~~ NSF/ANSI-50-2017.

(g) Diatomaceous earth filter backwash water must discharge to the sewer system through a separation tank. ~~(i)~~ The separation tanks shall have:

~~(A)~~ (i) ~~Be provided with a~~ A manual ~~means air release~~ mechanism or a lid to release air that provides a slow and safe release of pressure; and

~~(B)~~ (ii) ~~Have a~~ A precautionary statement affixed to warn the user that the air release must be opened before starting the circulation pump.

~~(h)~~ — Pools with a perimeter overflow system shall be provided with surge tanks unless predesigned and prefabricated to use in gutter surge.

(i) ~~—The surge tanks shall have a capacity of one (1) gallon (3.8 l) per square foot (.093 m²) of pool surface.~~

Section 11. Chemical Feeders.

(a) Chemical feeders shall:

(i) Be installed, maintained, and operated in accordance with the manufacturer's specifications;

(ii) Be installed: ~~(A) So~~ the gas or solution is introduced downstream from the filter and heater; ~~and (B) If possible,~~ at a point lower than the heater outlet fitting, if possible, or according to the manufacturer's instructions;

(iii) Incorporate failure-proof features so that if equipment or power fails the chemicals cannot feed into the:

(A) ~~The p~~Pool, spa, or ~~similar installation~~ aquatic feature;

(B) ~~The p~~Piping system;

(C) ~~The w~~Water supply system; or

(D) ~~The p~~Pool, spa, ~~and or similar installation~~ aquatic feature enclosure ~~if equipment or power fails;~~

~~(I) —Chemical feed pumps shall be wired so they cannot operate unless there is adequate return flow to properly disperse the chemical throughout the pool, spa or similar installation as designed.~~

(iv) Be regulated to ensure constant feed with varying supply or back pressure;

(v) Be designed to prevent siphoning from the ~~re~~-circulation system to the solution container and to prevent siphoning of the chemical solution into the pool, spa, or ~~similar installation~~ aquatic feature; and

(vi) Have a graduated and clearly marked dosage adjustment to provide flows from full capacity to ~~ten (10) percent~~ 10% of such capacity, such that the device:

(A) ~~The device shall be~~ Is capable of continuous delivery within ~~ten (10) percent~~ 10% of the dosage at any setting; and

(B) ~~Be~~ Is provided with make-up water supply lines to chemical feeder solution tanks that have an air gap or other acceptable cross-connection control.

(b) Chemical feed pumps shall be wired so they cannot operate unless there is adequate return flow to properly disperse the chemical throughout the pool, spa, or aquatic feature as designed.

~~Section 12. Overflow Systems.~~

~~(a) A public pool shall be operated with a continuous overflow system.~~

~~(i) The overflow system shall be a perimeter type system or a system of overflow skimmers.~~

~~(b) A general use pool or a limited use pool with more than two thousand (2,000) square feet (185.78 m²) of surface area shall use a perimeter type overflow system.~~

~~(c) A limited use pool with less than two thousand (2,000) square feet (185.87 m²) of surface area shall use a perimeter type system or a skimmer system.~~

~~(d) A perimeter type system shall in addition be connected to the re-circulation system with a system surge capacity of at least one (1) gallon (3.785 l) per square foot (.3m²) of pool surface.~~

~~(i) External surge systems shall be capable of transferring water at a rate equal to one hundred (100) percent of the design flow rate.~~

~~(e) Gutters shall:~~

~~(i) Drain in two (2) minutes or less after sudden flooding;~~

~~(ii) Extend completely around the pool;~~

~~(iii) Be smooth and easy to clean;~~

~~(iv) Slope at least one eighth (1/8) inch (3mm) per foot (30cm); and~~

~~(v) In combination with the upper rim of the pool, constitute a handhold.~~

~~(f) A skimmer type system shall:~~

~~(i) Have one skimmer for each four hundred (400) square feet (37.17m²) of surface area with a minimum of two skimmers per pool;~~

~~(ii) Be used only in conjunction with a continuous handhold extending the full perimeter of the pool; and~~

~~(iii) Be located so as to achieve effective skimming action over the entire surface area of the pool.~~

~~(g) — Where surface skimmers are used in a spa pool, the flow rate through the skimmer shall:~~

~~(i) — Be designed to provide fifty (50) percent of the total turnover rate with a maximum flow through any single skimmer of thirty (30) gpm;~~

~~(ii) — Have the minimum width of a skimmer intake throat of five (5) inches (12.5cm); and~~

~~(iii) — Where surface skimmers are used as the sole overflow system, one (1) surface skimmer shall be provided for each one hundred (100) square feet (9.3m²) or fraction thereof of the spa's surface area.~~

~~(A) — If a conflict arises between (i) and this subsection, the subsection requiring the greatest number of skimmers shall apply.~~

~~(iv) — When two (2) or more skimmers are used in a spa, they shall be located to maintain effective skimming action over the entire surface area of the spa.~~

~~(h) — Overflow systems shall be designed to return overflow water to the re-circulation system ahead of the filters; and~~

~~(i) — Provisions shall be made for diverting gutter water to waste when cleaning the gutter.~~

Section ~~13~~ 12. Re-Circulation Systems.

~~(a) A public pool~~ Pools, spas, and aquatic features shall: ~~(i) Have re-circulation and filtration systems with piping, pumps, filters, disinfection, and other equipment to maintain the pool water quality as required by these R~~egulations.

(b) The system of pumps, filters, disinfection facilities, and other equipment shall be of adequate size to re-circulate, filter, and disinfect the entire volume of pool, spa, or aquatic feature water in the following maximum time intervals:

<u>Pool-Type and Aquatic Features</u>	<u>Maximum Turnover Time in Hours</u>
General Use or Limited Use pool over 2,000 square feet (185.87m²) of surface area	6
Limited Use pool less than 2,000 square feet (185.87m²) of surface area	8
Wading and plunge pool	2
Spa	1½
<u>Activity pools</u>	<u>2 hours or less</u>
<u>Diving pools</u>	<u>8 hours or less</u>
<u>Interactive play</u>	<u>.5 hours or less</u>
<u>Lazy river</u>	<u>2 hours or less</u>
<u>Plunge pools</u>	<u>1 hour or less</u>
<u>Slide with runout area</u>	<u>1 hour or less</u>
<u>Wave pools</u>	<u>2 hours or less</u>
<u>All other pools</u>	<u>6 hours or less</u>
Flotation Tank	A minimum of three (3) turnovers between users bathers. Bather load = one (1) person per tank unit.

<u>Spas</u>		
<u>Temperatures</u>	<u>Load</u>	<u>Turnover Maximum</u>
<u>< 72° – 93°F</u>	<u>>2500 gals/person</u>	<u>4 hours or less</u>
<u>≤ 72° – 93°F</u>	<u>>450 gals/person</u>	<u>2 hours or less</u>
<u>< 72° – 93°F</u>	<u>≤450 gals/person</u>	<u>1 hour or less</u>
<u>≥ 93° – 104°F</u>	<u>All</u>	<u>.5 hours or less</u>

~~;~~ and (i) (c) Overflow water shall not be less than ~~fifty (50) percent~~ 50% of the total re-circulated water.

(d) External surge systems shall be capable of transferring water at a rate equal to 100% of the designed pool, spa, or aquatic feature flow rate.

~~(e)~~ (e) A flow meter must be installed in all re-circulation systems and shall:

- (i) Measure the flow in gallons per minute;
- (ii) Be mounted in accordance with the manufacturer's recommendations; and
- (iii) Be easily accessible and easy to read.

~~(d)~~ (f) Pressure gauges must be installed on the inlet and outlet of the filter.

~~(e)~~ (g) Spa pool-circulation systems shall be separate from adjacent swimming pools and aquatic features.

Section 13. Continuous Overflow Systems.

(a) All pools, spas, and aquatic features shall be operated with a continuous overflow system.

(b) All pools, spas, and aquatic features with more than 2,000 ft² of water surface area shall use a perimeter gutter system.

(c) All pools, spas, and aquatic features with less than 2,000 ft² of water surface area shall use either a perimeter gutter system or a skimmer system.

(d) Continuous overflow systems shall be designed, constructed, installed, and operated:

- (i) So as to not constitute a hazard to the bather;
- (ii) To prevent entrance or entrapment of a limb, body, or hair;
- (iii) To skim the surface of the pool, spa, or aquatic feature water when the water level is maintained at the operating water level of the system's rim or weir device; and
- (iv) To return overflow water to the circulation system ahead of the filters.

Section 14. Inlet and Suction Outlet Requirements.

~~(a) Inlets and suction outlets shall be provided and arranged to produce a uniform circulation of water and maintain a uniform disinfectant residual throughout the pool, spa or similar installation.~~

~~(b) A minimum of two (2) return inlets shall be provided regardless of the size of a pool, spa or similar installation.~~

~~(c) The depth of inlets must be located not less than eighteen (18) inches below the normal water level.~~

Section 14. Perimeter Gutter Systems

(a) Gutters shall:

- (i) Drain in two minutes or less after sudden flooding;
- (ii) Be smooth and easy to clean;
- (iii) Slope at least 1/8" per foot; and
- (iv) Constitute a handhold, in combination with the upper rim of the pool, spa, or aquatic feature.

(b) When used as the sole continuous overflow system, perimeter gutter systems shall be continuous around the pool, spa, or aquatic feature perimeter except at:

- (i) Stairs;
- (ii) Recessed ladders;
- (iii) Directly under a slide or flume; and
- (iv) Along the weirs that separate splash pools, aquatic features, and pump reservoirs.

(c) When cleaning gutters, provisions shall be made for diverting gutter water such that it does not return to the water or circulation system of any pool, spa, or aquatic feature.

(d) Pools, spas, and aquatic features with a perimeter overflow system shall be provided with surge tanks unless predesigned and prefabricated to use in-gutter surge. The surge tanks shall have a capacity of at least:

- (i) One gallon per square foot of pool or aquatic feature water surface area; or
- (ii) Two gallons per square foot of spa water surface area.

Section 15. Skimmer Systems

(a) The minimum number of skimmers in a skimmer system shall be determined as follows:

- (i) For pools and aquatic features: one skimmer for each 400 ft² of water surface area, or fraction thereof, with a minimum of two skimmers per pool or aquatic feature.
- (ii) For spas, the greater of:

(A) The minimum number of skimmers required to provide 50% of the total turnover rate with a maximum flow through any single skimmer of 30) gpm; or

(B) One skimmer for each 100 ft² of water surface area or fraction thereof.

(b) The flow rate through surface skimmers shall be no less than 3 gpm per skimmer per weir inch.

(c) A skimmer system shall:

(i) Comply with all applicable requirements of NSF/ANSI-50-2017;

(ii) Be used only in conjunction with a continuous handhold extending the full perimeter of the pool, spa, or aquatic feature;

(iii) Be located so as to achieve effective skimming action over the entire water surface area of the pool, spa, or aquatic feature, with at least one skimmer located in an outdoor pool, spa, or aquatic feature opposite the direction of prevailing summer winds;

(iv) Have any skimmer covers located on a walking surface:

(A) Be securely seated;

(B) Be slip-resistant;

(C) Be of sufficient strength to withstand normal deck use; and

(D) Not constitute a tripping hazard;

(v) Be provided with a skimmer equalizer line that is connected from the skimmer housing to the pool, spa, or aquatic feature wall at a minimum of 12" below the skimmer throat;

(vi) Be sized to satisfy the pump demand and prevent air lock;

(vii) Have the appropriate equalizer and float valve assemblies installed in the skimmer as per the manufacturer's instructions and the requirements of NSF/ANSI-50-2017; and

(viii) For spas, have skimmer intake throats no less than 5" wide.

Section ~~15~~ 16. Wall Inlets and Fill Lines.

(a) Inlets in pools, spas, and aquatic features shall be evenly spaced and arranged to produce a uniform circulation of water and maintain a uniform disinfectant residual throughout the pool, spa, or aquatic feature.

(b) A minimum of two inlets shall be provided regardless of the size of the pool, spa, or aquatic feature.

(c) The depth of inlets must be not less than 18" below the operating water level.

(d) Pool, spa, or aquatic feature fill lines shall be:

(i) Over-the-rim fill spouts with air gaps (a minimum of 2" or two times the return piping diameter, whichever is greater) located under a diving board or beside grab rails; or

(ii) Through-the-wall fill lines located above the water level and equipped with an atmospheric vacuum breaker downstream of the last shutoff valve or inline back flow preventer.

~~(a)~~ (e) Wall inlets shall:

(i) Be rounded and smooth;

(ii) Not extend from the pool or spa so as to create a hazard;

(iii) Not exceed ~~fifteen (15) feet~~ 20' between adjacent inlets; ~~and~~

(iv) Not be located within ~~five (5') feet~~ of a skimmer; and

(v) For new construction after January 1, 2020, not be more than 5' from any corner

~~Section 16. Floor Inlets.~~

~~(a)~~ (f) When a pool or similar installation, spa, or aquatic feature is in excess of forty (40) feet 50' in width, floor inlets or a combination of floor and wall inlets shall be used;

(g) Floor inlets and shall:

(i) Be flush with the floor of the pool ~~or similar installation, spa, or aquatic feature;~~

(ii) Prevent entanglement; ~~and~~

(iii) Have ~~the a~~ distance between adjacent floor inlets not exceeding ~~fifteen (15) feet~~ 20'; and

(iv) Be located within ten (10') feet of the side walls.

(h) All spa inlet fittings shall have tamper-proof screws which are in place whenever the spa is in use.

Section 17. Suction Outlets.

(a) Suction outlets for pools, spas, and ~~similar installations~~ aquatic features shall:

(i) Not constitute a hazard to the bather; and

(ii) Be designed to protect against entrapment, hair entrapment, or entanglement hazard; ~~(ii) Not constitute a hazard to the user; and (iii) protect against evisceration;~~ by having:

(A) Drain configurations that prevent a seal from occurring (such as a large aspect cover 18" x 23" or larger);

(B) Long channels that cannot be blocked by the body; and

(C) A large outlet grate with a diagonal measure of 29" or more.

(b) Suction outlets, other than skimmer throats, shall ~~(i) Be provided with~~ have anti-vortex covers; or grates, ~~installed according to manufacturer's specifications, that have been tested by a nationally recognized testing laboratory and comply with Sections 311.4 and 505.2 of the IPCASME/ANSI A.112.19.8M R96, Suction Fitting for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances.~~

~~(A) The installation of the anti-vortex covers or grates shall be according to manufacturer's specifications; and~~

~~(B) (c) Except as provided in subsection (n) of this section, a~~ (2) ~~A minimum of two (2)~~ hydraulically balanced suction outlets ~~(suction fittings)~~ with anti-vortex covers or grates shall be provided per pool, ~~or spa, or aquatic feature~~ pump suction line. These suction outlet covers shall be certified, in accordance with ANSI/APSP/ICC 7-13, for their use and intended flow rate.

~~(I) Multiple sets of pump suction shall be permitted into two (2) or more suction outlets as long as they are hydraulically balanced and meet the requirements of these Regulations.~~

~~(II) The distance between the suction fittings shall be three (3) to five (5) feet for suction outlets less than twelve (12) inches by twelve (12) inches and/or one hundred forty four (144) square inches.~~

~~(HH) (d) In any pool, spa, or aquatic feature using All suction outlets larger than twelve (12) inches by twelve (12) inches and/or one hundred forty four (144 in²) square inches;~~

~~(i)~~ There shall be on any pool or spa shall have a minimum of two (2) hydraulically balanced suction outlets (main drains) in the lowest point of the pool, spa, or aquatic feature floor;

~~(ii)~~ The distance between the suction outlets shall be at least with a separation distance of three (3) feet; or more in the lowest point of the pool or spa floor.

~~(IV)~~ The spacing of the suction outlets (main drains) shall not be:

~~(1-)~~ (iii) The distance between the centers of the suction outlets shall be no more Greater than twenty (20) feet on centers; and or

~~(2-)~~ (iv) The suction outlets shall be no mMore than fifteen (15) feet from each side wall.

(e) In any pool or aquatic feature using suction outlets no larger than 144 in², the distance between the suction outlets shall be 3' to 5'.

(f) In any spa using suction outlets no larger than 144 in², the suction outlets shall be separated by a minimum of 3' or located on two different planes (one suction outlet on the bottom and one suction outlet on a vertical wall, or one suction outlet each on two separate vertical walls). The suction outlets shall be plumbed to draw water through them simultaneously, through a common line to the pump, and to eliminate the possibility of entrapping suction.

(g) All spa suction outlet grates and anti-vortex covers shall have tamper-proof screws that are in place whenever the spa is in use.

~~(V)~~ (h) Except as provided in subsection (n) of this section, nNo means of isolating suction outlets is permitted that which could allow one (1) suction outlet to serve as the sole source of water to a pump.

~~(VI)~~ (i) A single pipe to sump for a suction outlet that serves two (2) or more suction outlets may be valved to shut off the flow to the pump.

(j) Multiple sets of suction pumps shall be permitted into two or more suction outlets as long as they are hydraulically balanced and meet the requirements of these regulations.

~~(e)~~ (k) Water velocity through suction outlet grates shall not: (i) Exceed 1.5 fps, six (6) feet per second. (A) Suction outlets with velocities exceeding one and one half (1 ½) feet per second are permitted, provided unless each suction outlet has an anti-vortex cover that has been tested and approved for such greater velocities by a nationally recognized testing laboratory and complies with Sections 311.4 and 505.2 of the IPCASME/ANSI A.112.19.8M R96, Suction Fitting For Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances.

(l) Water velocity through anti-vortex suction outlet covers shall not exceed 6 fps.

(m) For pools, spas, and aquatic features with a main drain system:

~~(B) (i)~~ The maximum velocity in the pump suction hydraulic system shall not exceed ~~six (6) fps~~ feet per second when ~~one hundred (100) percent~~ 100% of the pump flow comes from the main drain system; and

~~(C) (ii)~~ The flow through the open area of ~~the remaining suction grate outlet or outlets other than the main drain system~~ shall not exceed 1.5 fps ~~one and one half (1 ½) feet per second~~ and shall comply with Sections 311.4 and 505.2 of the IPC ~~meet ASME/ANSI A.112.19.8M R96, Suction Fitting for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances.~~

~~Section 18. — Spa Outlets.~~

~~(a) — A spa outlet shall be designed so that the pumping system complies with one of the following:~~

~~(i) — Two (2) outlets of equal pipe diameter size designed so that:~~

~~(A) — Neither one of the two outlets be cut out of the suction line by a valve; or~~

~~(B) — By other means which would prevent entrapment of the bather on the suction orifices.~~

~~(ii) — One antivortex drain:~~

~~(A) — The antivortex drain shall not present a tripping or stubbing hazard to the feet; and~~

~~(B) — The diameter of the antivortex plate shall be at least six (6) inches (15cm).~~

~~(iii) — An open area of one hundred forty four (144) square inches (928 cm²) or larger grate.~~

~~(b) — All outlet grates, antivortex plates and inlet fittings shall have tamper proof screws; and~~

~~(i) — Grates, vortex plates and inlet fittings shall be in place whenever the spa is in use.~~

(n) In addition to having a drain cover or other anti-entrapment device that complies with ANSI/APSP/ICC 7-13, pools, spas, or aquatic features with a single suction outlet must have at least one of the following additional systems or devices:

(i) A safety vacuum release system that has been tested by an independent third party; has been found to conform to ANSI/APSP/ICC 7-13 or ASTM F2387-04; and that ceases operation of the pump, reverses the circulation flow, or otherwise provides a vacuum release at a suction outlet when blockage is detected.

(ii) A suction-limiting vent system with a pipe teed to the suction side of the circulation system on one end and open to the atmosphere on the opposite end, such that:

(A) The pipe is normally full of water equal to the same height as the pool, spa, or aquatic feature; and

(B) When blockage occurs at the main drain, air is introduced into the suction line, causing the pump to lose prime and relieving the suction forces at the main drain.

(iii) A gravity drainage system that utilizes a collector tank, also referred to as a reservoir, surge tank, or surge pit, consisting of a separate water storage vessel from which the pool, spa, or aquatic feature circulation pump draws water where water moves from the pool, spa, or aquatic feature to the collector tank due to atmospheric pressure, gravity, and the displacement of water by bathers, which removes the need for direct suction at the pool, spa, or aquatic feature.

(iv) An automatic pump shut-off system that senses a drain blockage and shuts off the pump system.

(v) A device or system that disables the drain.

(vi) Any other system determined by the regulatory authority to be equally effective as or better than the systems described above.

Section 19 18. Vacuum Outlets, and Covers.

(a) Each aquatic facility operator shall maintain an approved vacuum capable of effectively removing settled material from the bottom of a pool, spa, or aquatic feature.

(a) (b) Vacuum outlets for pools, spas, and ~~similar installations~~ aquatic features shall be provided with covers ~~that~~ which:

(i) Automatically close;

(ii) Automatically latch;

(iii) Can only be opened with the use of a tool; and

(iv) Can be secured and latched when the pool, spa, or ~~similar installation~~ aquatic feature is open for use.

~~(b)~~ (c) Where a vacuum outlet is internally located in a skimmer ~~that~~ which is provided with a cover, a separate cover for the vacuum outlet is not required.

~~(c)~~ (d) If vacuum cleaner fittings are provided, they shall be located in an accessible position at least ~~twelve (12")~~ inches and no greater than ~~eighteen (18")~~ inches below water level, or as an attachment to the skimmers.

Section 20 ~~19~~. Automatic Cleaners; Entanglement. (a) Automatic bottom or side cleaners shall not be used when the a pool, spa, or aquatic feature is open for use.

~~Section 21. Skimmer Equalization Suction Outlets.~~

~~(a) The skimmer equalizer suction outlet must be designed to prevent entrapment by bathers~~

~~Section 22. Surface Skimmers, Perimeter Overflow Gutter Systems; Safety.~~

~~(a) Surface skimmers and perimeter overflow gutter systems shall:~~

~~(i) Be designed and installed so as to not constitute a hazard to the user; and~~

~~(ii) Be designed to prevent entrance or entrapment of a limb, body, or hair.~~

~~Section 23. Surface Skimmers and Perimeter Overflow Gutter Systems, Design.~~

~~(a) Surface skimmers and perimeter overflow gutter systems shall:~~

~~(i) Be provided, designed and constructed to skim the surface of the pool or spa water when the water level is maintained within the operating water level range of the systems rim or weir device.~~

~~(ii) The operating water level for perimeter overflow gutter systems shall:~~

~~(A) Be slightly over the overflow gutter lip;~~

~~(B) In the case of surface skimmers, within the vertical operating range of the skimmers.~~

~~Section 24. Surface Skimmers.~~

~~(b) — Surface skimmers for pools, spas and similar installations shall comply with all applicable requirements of ANSI/NSPI-50, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs.~~

~~(c) — Surface skimmers shall be located to maintain effective skimming action throughout the pool, spa or similar installation.~~

~~(i) — At least one skimmer shall:~~

~~(A) — Be located at a point in an outdoor pool or similar installation opposite the direction of prevailing summer winds;~~

~~(B) — Be provided for each four hundred (400) square feet of water surface area, or fraction thereof.~~

~~(f) — There shall be a minimum of two (2) skimmers in each pool or similar installation.~~

~~(c) — At least one skimmer shall be provided for each one hundred (100) square feet of spa water surface area, or fraction thereof.~~

~~(d) — The flow rate through surface skimmers shall be no less than three (3) gallons per minute per skimmer per weir inch.~~

~~(e) — Skimmer covers located on a walking surface shall:~~

~~(i) — Be securely seated;~~

~~(ii) — Be slip resistant;~~

~~(iii) — Be of sufficient strength to withstand normal deck use; and~~

~~(iv) — Not constitute a tripping hazard.~~

~~(f) — Surface skimmer systems shall:~~

~~(i) — Be provided with a skimmer equalizer line which is connected from the skimmer housing to the pool or spa wall at a minimum of twelve (12) inches below the skimmer throat; and~~

~~(ii) — Be sized to satisfy the pump demand and prevent air lock.~~

~~(g) — The appropriate equalizer and float valve assemblies shall be installed in the skimmer as per manufacturer's instructions and the requirements of ANSI/NSPI-50, Circulation System Components and Related Materials for Swimming Pools, Spas/Hot Tubs.~~

Section 25. ~~Perimeter Overflow Gutter Systems.~~

(a) ~~Perimeter overflow gutter systems for pools, spa and similar installations shall:~~

~~(i) When used as the sole surface skimming system be continuous around the pool or spa perimeter except at:~~

~~(A) Stairs;~~

~~(B) Recessed ladders;~~

~~(C) Directly under a slide flume; or~~

~~(D) Along the weirs that separate splash pools and pump reservoirs.~~

~~(b) Perimeter overflow gutter systems for pools and similar installations shall be connected to the circulation system with a system surge capacity of not less than one (1) gallon for each square foot of pool water surface.~~

~~(c) Perimeter overflow gutter systems of spas shall be connected to the circulation system with a system surge capacity of not less than two (2) gallons per square foot of spa water surface.~~

Section 26 20. Gas Chlorination; Approved Installation.

(a) Gas chlorination equipment may only be installed to replace approved, existing gas chlorination equipment.

(b) Gas chlorination equipment may not be installed on new pools, spas, or ~~similar installations~~ aquatic features.

Section 27 21. Gas Chlorination; Equipment, and Trained Personnel.

(a) Only trained, designated personnel shall operate the gas chlorinator and change chlorine cylinders.

(b) Personnel responsible for the operation of gas chlorination equipment and other potentially hazardous chemicals shall:

(i) Be ~~properly~~ adequately trained to ensure safe operation; and

(ii) Wear protective equipment and clothing, including:

(A) Rubber gloves;

(B) Goggles;

(C) A Self-contained breathing apparatus; and

(D) Any other protective gear and safety equipment necessary to prevent personal injury.

(c) Two (2) persons trained in the performance of routine gas chlorination operation and emergency procedures shall be readily available during normal operating hours.

(d) ~~Pool~~ Aquatic facility personnel shall be informed about leak control procedures.

(e) The license holder shall ensure that a Chlorine Institute Emergency Kit ~~shall be~~ is provided and stored at an approved location where it is easily accessible, ~~per the~~ in accordance with an emergency response plan approved by the local emergency planning committee or local fire chief.

Section 28 22. Gas Chlorination; Equipment Location. ~~(a)~~ Gas chlorination equipment shall be located so that failure or malfunction will have a minimum effect on evacuation of ~~pool~~ aquatic facility users during an emergency.

Section 29 23. Gas Chlorination; System, Design. ~~(a)~~ Gas chlorinators shall:

~~(i)~~ (a) Be of the type where the regulator attaches to the cylinder with the injector located at the point of injection;

~~(ii)~~ (b) Have a vacuum line taking suction at the regulator and delivering the gas to the vacuum injector; and

~~(b)~~ (c) ~~Gas chlorinators shall be~~ Be designed to prevent the suction of water into the chlorination system if the booster pump fails.

Section 30 24. Gas Chlorinationers; Booster Pump. ~~(a)~~ A booster pump water supply for the gas chlorinator injector shall be:

~~(i)~~ (a) ~~Be e~~Capable of producing the flow rate and pressure required by the manufacturer's specifications for proper operation of the equipment;

~~(ii)~~ (b) ~~Be a~~Activated by a booster pump using ~~re~~-circulated water supplied via the ~~re~~-circulation system; and

~~(iii)~~ (c) ~~Be i~~Interlocked to the filter pump to prevent feeding of chlorine when the ~~re~~-circulation pump is not running.

Section 34 25. Gas Chlorinationers; Enclosure.

(a) The gas chlorinator, cylinders of chlorine, and associated equipment shall be enclosed in a separate, corrosion-resistant, reasonably gas-tight room having a floor area adequate for the purpose.

~~(a)~~ (b) Enclosures shall be:

(i) ~~Be~~located at or above ground level; and

(ii) ~~Be~~provided with:

(A) Ducts located at the bottom of the enclosure to allow ventilation to an unrestricted area; ~~and~~

(B) A motor-driven louvered exhaust fan capable of producing at least one air change per minute located near the top of the enclosure, for admitting fresh air; and

~~(C)~~ (C) Negative pressure ventilation, ~~may be provided as long as only if~~ the facilities also have gas containment and treatment as prescribed by the applicable fire safety authority-Uniform Fire Code (UFC).

~~(b)~~ (c) The temperature of the gas chlorination equipment and cylinders must not fall below ~~fifty five (55) degrees Fahrenheit 55°F~~. (i) If necessary, a means of keeping the temperature at ~~fifty five (55) degrees Fahrenheit 55°F~~ or above shall be provided.

(d) Doors to the gas chlorine enclosure room shall:

(i) Have a warning sign posted on the exterior side which states, in ~~four (4")~~ inch minimum size lettering, "DANGER--CHLORINE";

(ii) Open away from the pool, spa, or aquatic feature area;

(iii) Open outward;

(iv) Have ~~panic~~ emergency shut-off hardware;

(v) Have at least one ~~(1)~~ viewport to permit the operators to look into the enclosure room before entering; and

(vi) Be kept locked when the enclosure ~~chlorine room~~ is not being serviced.

(e) Electrical switches for the control of artificial lighting and ventilation shall be on the outside of the enclosure, adjacent to the door.

~~(f)~~ (f) Adequate lighting shall be provided in the enclosure.

Section ~~32~~ 26. Gas Chlorination; Safety Requirements.

(a) ~~The following gas chlorination safety features shall be required:~~ (i) Two full-face, self-contained breathing apparatuses (SCBA) or supplied air respirators that ~~meet~~ comply with 29 CFR § 1910.134 (Occupational Safety and Health Administration standards (OSHA) or 30 CFR § 72.710 (Mine Safety Health Administration standards (MSHA) standards shall be provided for protection against chlorine gas in the event of a leak.

~~(A)~~ (b) The breathing equipment shall ~~have~~:

~~(I)~~ (i) Have ~~S~~sufficient capacity for the intended purpose; and

~~(II)~~ (ii) For self-contained breathing apparatuses SCBA equipment shall, be readily accessible at a location acceptable to the local emergency planning committees or ~~the~~ local fire chief;

~~(III)~~ (c) Entry into the chlorine enclosure room shall not be permitted without the necessary safety equipment ~~when conducting general maintenance;~~

~~(IV)~~ Two persons trained in the performance of routine gas chlorination operation and emergency procedures shall be readily available during normal operating hours; and

~~(V)~~ (d) A written respirator program shall: ~~(1.) Be provided;~~ and ~~(2.) Employees shall be trained in the use and maintenance of such equipment to ensure operability and safety, according to 29 CFR § 1910.134, (Occupational Health and Safety and Health Administration Standards) and any other applicable federal, state, or local requirements for the proper handling of gas chlorine.~~

Section ~~33~~ 27. Gas Chlorination: Gas Cylinders, Handling and Storage.

(a) Gas cylinders may be stored indoors or outdoors.

(b) Full and empty gas cylinders shall be:

(i) Segregated and appropriately tagged;

(ii) Stored in an upright position and properly secured; and

(iii) Chained to a wall or scale support.

(c) The storage conditions for gas cylinders shall:

(i) Minimize external corrosion;

(ii) Be clean and free of trash;

- (iii) Not be in an area near elevator shafts or intake vents; and
 - (iv) ~~Be away from~~ Not be in an area where there are elevated temperatures, heat sources, ~~and or~~ direct sunlight.
- (d) Gas ~~chlorine~~ cylinders shall be handled with care.
- (i) Valve protection caps and valve outlet caps shall be in place at all times except when the gas cylinder is in use.
 - (ii) Gas ~~C~~cylinders shall:
 - (A) Not be dropped;
 - (B) Be protected from falling objects;
 - (C) Be used on a first-in, first-out basis; and
 - (D) Have new, approved washers in place each time a cylinder is connected.
- (e) Empty ~~containers~~ gas cylinders shall have:
- (i) ~~Have a~~ The valve closed and the lines disconnected;
 - (ii) ~~Have a~~ The outlet cap applied promptly and the valve protection ~~hood~~ cap attached;
 - (iii) ~~Have a~~ The open end of the disconnected line plugged or capped promptly to keep atmospheric moisture out of the system; and
 - (iv) ~~Have a~~ A chlorine valve shut off wrench kept on the cylinder valve stem of the cylinder that is in use.
- (f) A scale, suitable for weighing gas cylinders must be present in facilities handling ~~chlorine~~ gas cylinders.
- (i) Changing a gas cylinders shall be accomplished only after weighing proves the gas cylinder to be exhausted; ~~and~~.
 - (ii) Care shall be taken to prevent water from back siphoning into the cylinder by closing the cylinder valve.
- (g) Emergency contact information shall be posted prominently at any aquatic facility using chlorine gas, and include including the following:

- (i) The name and telephone number of the gas chlorine supplier; and
- (ii) The telephone number of the local fire department or agency trained in the handling of ~~gas~~-chlorine gas leaks.
- (h) An automatic chlorine gas leak detector shall be installed in the ~~gas-chlorine enclosure room~~ with an audible alarm installed at the pool, spa, or aquatic feature site and at the remote site where emergency personnel are located.
- (i) The gas chlorinator and all line and tank fittings shall be checked for leaks at regular intervals and after every cylinder exchange.

~~Section 34. — Vacuum Cleaner.~~

- ~~(a) — Each public pool or similar installation operator shall maintain an approved vacuum capable of effectively removing settled material from the pool bottom.~~

Chapter 5 Water Quality, Test Kits, Record Keeping

Section 1. Water Quality.

(a) The water quality for pools, spas, and ~~similar installations~~ aquatic features shall meet the criteria outlined in the following charts:

Sanitizing Levels	Minimum	Ideal	Maximum
Free Chlorine, ppm	1.0	2.0- <u>3.0</u>	8.0 [±]
Free Chlorine, ppm - spas	2.0	3.0- <u>5.0</u>	8.0 [±]
Combined Chlorine, ppm	None	None	0.5 <u>1.0</u>
Bromine, ppm	2.5	2.5- <u>6.0</u>	12.0 [±]
Bromine, ppm - spas	4.5	5.5- <u>7.5</u>	12.0 [±]
[±] Refer to product label for maximum level.			

pH Levels	Minimum	Ideal	Maximum
pH	7.0 <u>7.2</u>	7.4- <u>7.6</u>	7.8

Water Clarity	Minimum	Ideal	Maximum
Water Clarity	Bottom and main drain grate design, clearly visible from the deepest part of the pool, spa, or similar installation <u>aquatic feature</u> .	N/A	N/A

Temperature ¹	Minimum	Ideal	Maximum
<u>Pool</u> Temperature, °F	N/A	78- <u>82</u>	98
<u>Spa</u> Temperature, °F - spas	N/A	102 or less	104
¹ Temperature must be measured with a temperature measuring device.			

Stabilizer, if used	Minimum	Ideal	Maximum
Cyanuric acid, ppm ¹	None	10.0- __ 40.0	100.0
¹ Cyanuric acid shall not be used in indoor pools, spas, or similar installations <u>aquatic features</u> or brominated pools, spas, or similar installations <u>aquatic features</u> without approval from the regulatory authority.			

Chemical Parameters	Minimum	Ideal	Maximum
Total alkalinity, ppm as CaCO ³	60.0	80- __ 100.0 ¹ 100.0- __ 120.0 ²	180.0
Total dissolved solids, ppm	300.0	1000.0- __ 2000.0	5000.0
Calcium hardness, ppm as CaCO ³	150.0	200.0- __ 400.0	500.0- __ 1000.0
Heavy metals	None	None	None
¹ For the following sanitizers <u>disinfectants</u> : calcium hypochlorite, lithium hypochlorite, and sodium hypochlorite.			
² For the following sanitizers <u>disinfectants</u> : S sodium dichlor, chlorine gas, and bromine compounds.			

(b) Water quality for pools, spas, and aquatic features shall meet the following bacterial parameters if testing is required by the regulatory authority:

Biological Parameters	Minimum	Ideal	Maximum
Algae	None	None	None
Bacteria (Presence/Absence)	E._ <u>coli</u> -, negative	E._ <u>coli</u> -, negative	E._ <u>coli</u> -, negative
Standard Plate Count (SPC)	None	None	<100 cfu/ml

Oxidation Reduction Potential (ORP)	Minimum	Ideal	Maximum
Oxidation Reduction Potential (ORP), mV ¹	650	N/A <u>700</u>	N/A <u>900</u>
¹ When chlorine or bromine is used as the primary sanitizing agent <u>disinfecting chemical</u> , ORP, also known as high resolution redox (HRR) , can be used as a supplemental measurement of proper sanitizer <u>disinfectant</u> activity. The use of ORP testing does not eliminate or supersede the need for testing the sanitizer <u>disinfectant</u> level with standard test kits, as the ORP reading may be affected by a number of factors, including pH, probe film, cyanuric acid, and others. <u>If ORP readings fall below 650 mV the pool, spa, or aquatic feature should be closed immediately and remain closed until an ORP of at least 700 mV is met.</u>			

Section 2. Water Quality Testing; Frequency.

(a) Operators of ~~public swimming pools, spas, and similar installations~~ aquatic features shall test the water for ~~sanitizing~~ disinfectant levels, pH levels, water clarity, and water temperature at the following minimum frequencies when the pool, spa, or ~~similar installation~~ aquatic feature is open for operation:

- (i) ~~Once prior to~~ Within 1/2 hour of opening the pool, spa, or aquatic feature for operation;
- (ii) Every four ~~(4)~~ hours during operation; ~~and~~
- (iii) ~~Once~~ Within 1/2 hour prior to closing the pool, spa, or aquatic feature operation.

(b) If, at any time, testing indicates the pool, spa, or ~~similar installation~~ aquatic feature water does not comply with any of the applicable parameters listed in Section 2 ~~1(a)~~ above of this chapter, the operator shall immediately close the pool, spa, or ~~similar installation~~ aquatic feature.

(i) Once testing indicates that the water has reached compliance with the applicable parameters listed in Section 2 ~~1(a)~~ above of this chapter, the operator may re-open the pool, spa, or ~~similar installation~~ aquatic feature.

(ii) Pools, spas, or aquatic features equipped with an automatic controller with a read-out of the disinfectant residual may make visual readings and record them. At least two manual tests shall be conducted and recorded each day.

(c) The ~~swimming pool, or spa, or aquatic feature~~ water shall be tested for total alkalinity and calcium hardness at least once each week the ~~swimming pool, or spa, or aquatic feature~~ is open for use.

(d) ~~If cyanuric acid or a stabilized chlorine is used at a swimming pool, spa, or aquatic feature,~~ the water shall be tested for cyanuric acid each month the pool, spa, or aquatic feature is open for use.

(e) Water testing results shall be recorded as described in Chapter 1, ~~s~~Section 10(a)(i) 8 of these regulations.

(f) ~~Due to the unique nature of mineral water, natural mineral flow through pools are exempt from the clarity parameters described in section 1(a) of this chapter. If chlorine is used as the disinfectant, the combined chlorine level shall also be recorded when the free and total chlorine levels are determined.~~

(g) At any time the water clarity becomes a could impact swimmer's safety factor ~~such as bottom visibility~~ in the professional judgement of the operator or lifeguard, such as when there is poor bottom visibility, the pool, spa, or aquatic feature shall be cleared of all bathers users.

(h) When instructed by the regulatory authority, and at least once a month when the aquatic facility is open for use, a water sample from each pool, spa, or aquatic feature shall be submitted to an EPA-certified laboratory for a determination of the bacteria present.

~~Section 3. Spa and Flow Through Pools; Draining and Refilling.~~

(a) ~~A spa pool shall be drained and refilled with fresh water at least once every two (2) weeks.~~

(i) ~~The date and time the spa pool was drained and refilled shall be recorded as described in chapter 1, section 10(a)(i)(E).~~

(b) ~~A flow through pool shall be drained and cleaned at least every two (2) weeks or more often as deemed necessary by the operator or the regulatory authority.~~

~~Section 4.3. Test Kits.~~

(a) A license holder shall supply E~~every pool, spa and similar installation aquatic facility falling under the license holder's license shall be supplied~~ with an accurate and reliable test kit containing a temperature measuring device and capable of measuring the following, within the ranges as specified in ~~s~~Section 1(a) above of this chapter:

(i) Free available chlorine ~~(FAC)~~, if chlorine is used.;

~~(i)~~ (ii) Total available chlorine ~~(TAC)~~, if chlorine is used.;

~~(ii)~~ (iii) Bromine or other disinfectant residuals, as applicable.;

~~(iii)~~ (iv) Cyanuric acid, if used.;

~~(iv)~~ (v) Total alkalinity,;

~~(v)~~ (vi) Calcium hardness,;

(vii) pH.

~~(vi)~~ (viii) Copper ~~and/or~~ silver, if a copper ~~and/or~~ silver ionization unit has been installed,; ~~and~~

~~(viii)~~ (ix) Any other ~~agent~~ chemical that is introduced into the pool, spa, or ~~similar installation~~ aquatic feature water.

(b) Upon request, a license holder shall supply ~~The regulatory authority shall, upon request, be supplied with~~ a field testing kit for any ~~agents~~ chemicals introduced into the pool, spa, or ~~similar installation~~ aquatic feature water. ~~(i) If a field testing kit is not available, the agent chemical cannot be introduced into the pool, spa, or similar installation aquatic feature water until standards for testing have been established and written approval has been obtained from the regulatory authority.~~

(c) Test kits for measuring free chlorine shall use DPD, as defined in Chapter 1, Section ~~7(4)(ii)~~ 5 of these regulations, as the reagent. ~~(i) The orthotolodine (OTO) test is not acceptable since it cannot distinguish between Ffree Aavailable Cchlorine (FAC) and Ttotal Aavailable Cchlorine (TAC).~~

(d) All test kit reagents shall be properly stored and ~~changed~~ replaced at frequencies recommended by the manufacturer to assure accuracy of the tests.

Section 4. Flow-Through Pools, Spas, and Aquatic Features: Draining and Refilling.

(a) A spa with depths no greater than 4' shall be drained and refilled with fresh water at least once every two weeks. The date and time the spa was drained and refilled shall be recorded as described in Chapter 1, Section 8 of these regulations.

(b) A spa with any depth greater than 4' need not be drained and refilled regularly, but shall continue to achieve the turnover time provided in the table for spas in Chapter 4, Section 12(b) of these regulations.

(c) A flow-through pool shall be drained and cleaned at least every two weeks, or more often, as deemed necessary by the operator or the regulatory authority.

Section 5. Flow-Through Pools, Spas, and Aquatic Features: Water Temperature. ~~(a) Natural mineral flow-through pools, spas, or aquatic features with may have incoming water temperatures exceeding 104°F shall be accepted provided: (i) only if Aa sign or signs, visible to all entering the pool is placed in a prominent location indicating danger: is~~

placed in a prominent location, visible to all entering the pool, spa, or aquatic feature that: (ii)
~~The sign or signs shall read in bold contrasting colors the following:~~

(a) Uses lettering with a minimum height of 2"; and

~~(A)~~ (b) Reads as follows, in bold, contrasting colors: "Danger, water temperature exceeds
104°F; eEnter at your own risk."

~~(B) The size of the lettering shall be a minimum of two (2) inches in~~
~~height.~~

Chapter 6
Lifeguards, Lifesaving Measures Equipment; Ladders, Recessed Steps; Diving Boards;
Slides; Flumes; and Safety Related Requirements; Fecal or Vomitus Incidents.

Section 1. Lifeguards; Number.

(a) An operator of a general-use public pool, spa, or aquatic feature, other than a therapy pool, shall have a minimum of one (1) lifeguard per for up to forty (40) bathers or fraction thereof on deck during operating hours. ~~(i) The number of lifeguards must~~ shall be adequate to maintain continuous surveillance over the bathers.

(b) When a general-use pool, spa, or aquatic feature is being used solely for a sanctioned competition, a lifeguard is not required to be on duty provided that at least one person on the premises holds all of the certifications required in Section 2(a) of this chapter.

~~(b)~~ (c) An operator of a limited-use public pool, spa, or aquatic feature may ~~shall~~ post a sign reading “No Lifeguard on Duty” in lieu of lifeguards.

Section 2. Lifeguards; Requirements and Duties.

(a) Lifeguards shall hold a current, nationally recognized, certification in:

- (i) Lifeguarding;
- (ii) Adult, child, and infant cardiopulmonary resuscitation (CPR); and
- (iii) First aid.

(b) Lifeguards conducting surveillance of a pools, spa, or aquatic feature shall not be subject to duties that would distract them from proper observation of the bathers ~~users~~ or that would prevent immediate assistance of persons in distress in the water.

(i) ~~When a lifeguard is~~ conducting active surveillance, ~~he/she~~ a lifeguard shall not be in the water except in the line of duty.

(ii) Lifeguards shall be dressed in swimming attire such that they are readily identifiable.

(c) ~~Lifeguards, pool and aquatic facility~~ operators or managers shall enforce the following rules at all ~~public pools or similar installations~~ aquatic facilities:

(i) Non-swimmers and children under eight ~~(8)~~ years of age shall not use ~~the~~ a general-use pool, spa, or aquatic feature unless a lifeguard is present.

~~(A) (ii) In~~ Children under eight years of age shall not use a limited-use pool, spa, or aquatic feature unless the child's parent or a responsible person of at least eighteen (18) years of age is also present.

~~(ii) (iii)~~ No person suffering from a communicable disease transmittable via water or under the influence of an intoxicating liquor or drug shall use the pool, spa, or aquatic feature.;

~~(iii) (iv)~~ No person shall take food or drink inside the pool, spa, or aquatic feature enclosure except in an area specifically designated for such use as described in Chapter 3, Section 28 32(b) of these regulations.;

~~(iv) (v)~~ No person shall bring, throw, or carry food, drink, smoking material, trash, debris, or any other foreign substances into the pool, spa, or aquatic feature.; ~~and~~

~~(v) (vi)~~ No person shall run or engage in horseplay in or around a public pool, spa, or aquatic feature.

(vii) Except for service animals, no animals are allowed in a pool, spa, or aquatic feature during times when the aquatic facility is open to the public. If an outdoor aquatic facility chooses to allow a day for pets, this shall be done as the last event of the season, and the public shall not be allowed into any pool, spa, or aquatic feature into which animals have been allowed until the following season. The public shall not be allowed in the water with pets except in emergency situations. Prior to opening to the public for the following season, the water shall meet all required testing parameters.

(d) A telephone shall be available on the premises of all public pools, spas and similar installations aquatic facilities and with emergency rescue phone numbers and the name and address of the aquatic facility shall be posted in view of the telephone. If a telephone is not in view of the pool, spa, or aquatic feature, a sign providing directions to the telephone shall be displayed.

Section 3. Lifesaving Equipment.

(a) The license holder shall provide a ~~At least one unit of lifesaving equipment must be provided at every public bathing or swimming facility aquatic facility. (i) One unit of~~ lifesaving equipment shall consist of:

~~(A) (i)~~ A ring buoy or rescue tube with a minimum outside diameter of twenty (20") inches, to which there must shall be attached a length of 1/4" one-quarter (1/4) inch rope not less than one and one half (1 1/2) times the maximum width of the pool or swimming area aquatic feature;

~~(B) (ii)~~ A minimum twelve (12') foot length; reach pole with shepherd's crook securely attached; and

~~(C)~~ (iii) At all general-use pools and aquatic features a first aid station equipped with a minimum of one ~~(1)~~ blanket and one ~~(1)~~ first aid kit, as recommended by the American Red Cross ~~shall be provided~~.

(b) One unit of lifesaving equipment shall be presumed to be adequate for ~~two thousand (2,000 ft²) square feet~~ of pool, aquatic feature, or swimming area. ~~(i)~~ One additional unit ~~must shall~~ be provided for each additional ~~two thousand (2,000 ft²) square feet~~ of pool, aquatic feature, or swimming area, or ~~major~~ fraction thereof, unless otherwise determined by the regulatory authority.

(c) Lifesaving equipment ~~must shall~~ be:

(i) Mounted in conspicuous places;

(ii) Distributed around the edge of the pool, aquatic feature, or swimming area, at lifeguard chairs or elsewhere;

(iii) Ready for use; and

(iv) ~~Its function p~~Plainly marked, as to its function and kept in good repair and ready condition.

(d) Bathers or other members of the general public ~~must shall~~ not be:

(i) Be pPermitted to tamper with lifesaving equipment;

(ii) Use ~~it~~ lifesaving equipment for any purpose other than its intended use; or

(iii) Remove ~~it~~ lifesaving equipment from its established location ~~unless in~~ except during an emergency.

Section 4. Lifeline.

(a) A lifeline shall be provided at all ~~public swimming pools and similar installations~~ aquatic features as applicable under subsection (b) of this section.

(b) A lifeline shall be located ~~two (2') feet (.6m)~~ on the shallow side of:

(i) The break in grade between the shallow and deep areas ~~ends~~; or

(ii) ~~At t~~The point where the water depth reaches ~~five (5') feet, six (6") inches~~ (1.65m).

(c) Lifelines shall be securely fastened to wall anchors. ~~(i)~~ Wall anchors shall be:

~~(A)~~ (i) Made of corrosion-resistant materials; and

~~(B)~~ (ii) Recessed or have no projections that would constitute a safety hazard when the lifeline is removed.

(d) Lifelines shall be:

(i) Marked with visible floats at not greater than ~~seven (7') foot (2.13m)~~ intervals;

(ii) Of sufficient size and strength to offer a good handhold and to support loads normally imposed by bathers; and

(iii) ~~Lie in~~ In place, except when pool use is restricted to lap swimming by competent swimmers, water exercise classes, or to supervised swimming instruction by a certified swim instructor.

Section 5. ~~Elevated~~ Lifeguard Chairs.

~~(b) (a)~~ A general-use pool and wave pool shall have one elevated lifeguard chair for each one-hundred twenty (120) feet (36m) of pool perimeter. The owner or operator of a general-use pool or aquatic feature shall coordinate with the regulatory authority to ensure that chairs and stands provide an unobstructed view of bather surveillance zones.

~~(i)~~ If more than one elevated lifeguard chair is required, one chair shall be located on each side of the pool.

(b) Elevated lifeguard chairs shall be at least six (6) feet (.83m) in height from the deck surface to the chair seat. Lifeguard chairs and stands shall be designed:

(i) With no sharp edges or protrusions;

(ii) With sturdy, durable, and UV resistant materials;

(iii) To elevate the lifeguard's line-of-sight above the heads of the bathers; and

(iv) To provide safe access and egress for the lifeguard.

~~(c)~~ (c) Pools and aquatic features with maximum water depths of ~~five (5') feet~~ or less are ~~exempt~~ shall not be required to use elevated chairs.

~~(d)~~ (d) Portable elevated lifeguard chairs are acceptable; provided that they are structurally sound and tilt proof.

~~(d)~~ Wading pools are exempt from this provision.

Section 6. Ladders, Recessed Steps, and Stairways.

(a) All ~~public swimming and wave~~ pools shall have a ladder, set of recessed steps, or stairway located at ~~seventy five (75') foot (22.86m)~~ intervals around the pool perimeter with a minimum of two such means of egress.

(i) Flotation tanks, spas, plunge ~~and~~ pools, wading pools, and aquatic features shall have at least one ~~(1)~~ ladder, set of recessed steps, or stairway for each ~~fifty (50') feet (15.25m)~~ of pool perimeter.

(ii) Wading pools and aquatic features with a ~~minimum pool water~~ maximum depth of less than ~~one (1') foot (.3m)~~ at the wading pool or aquatic feature wall and a maximum deck height of ~~one (1') foot (.3m)~~ above the wading pool or aquatic feature floor, are exempt from this requirement.

(b) Pool, spa, and aquatic feature ladders ~~must~~ shall be:

(i) Corrosion resistant;

(ii) Securely attached; and

(iii) Equipped with slip-resistant treads.

(c) At each side of each ladder or set of recessed steps, a side handrail extending up and above and returning to the horizontal surface of the pool, spa, or aquatic feature deck, curb, or coping ~~must shall~~ be provided ~~at each side of each ladder or set of steps~~. ~~(i)~~ Stairs shall have at least one ~~(1)~~ handrail.

(d) For ladders b~~Below~~ the operating water level line, there ~~must shall~~ be a clearance of not more than ~~five (5") inches~~ or less than ~~three (3") inches~~ between the ladder and the pool, spa, or aquatic feature wall.

(e) ~~If stepholes are provided, they must~~ Recessed steps shall be ~~of such~~ designed so that they:

(i) May be readily cleaned; ~~and must~~

(ii) Drain into the pool, spa, or aquatic feature, to prevent the accumulation of dirt; and

~~(i)~~ (iii) Stepholes must h~~Have~~ a minimum tread of ~~five (5") inches~~ and a minimum width of ~~fourteen (14") inches~~.

(f) Stairs, and recessed step surfaces and stairs leading into the pool, spa, or aquatic feature must shall: (i) ~~Have a slip-resistant design;~~ and (ii) ~~Have a minimum tread of twelve (12") inches, and a maximum rise of ten (10") inches.~~

~~(A) Recessed steps shall drain into the pool.~~

(g) Steps shall not project into a pool, spa, or aquatic feature in a manner that creates a hazard to bathers.

Section 7. Diving Boards.

(a) In ~~public~~ pools and aquatic features ~~similar installations in which~~ where both diving and swimming are allowed, the area of the pool or aquatic feature where ~~in which~~ diving is permitted ~~must shall~~ be:

(i) In the case of a rectangular pool or aquatic feature, at one end of the pool or aquatic feature that ~~which~~ is separated from the main swimming area by a lifeline; or

(ii) In the case of a T-, L-, or Z-shaped pool or aquatic feature, in a recessed area forming one of the legs of the T, L, or Z that ~~which~~ is separated from the main swimming area by a lifeline.

(b) A pool or aquatic feature designed only for diving may be located in an area that ~~which~~ is separate from a pool or aquatic feature designed for swimming.

(c) Diving boards, towers, and platforms in excess of three ~~(3)~~ meters in height shall:

(i) Comply with the dimensional design requirements of the FINA Facilities Rules; or the U.S. Diving, National Federation of State High School Associations (NFSHSA) Swimming and Diving Rules Book; and

(ii) Not be allowed in a pool or aquatic feature without special provisions, controls, and definite limitations on their use. Where such boards, towers, or platforms are permitted, their use ~~must shall~~ be limited to adequately trained personnel and ~~must shall~~ not be open to the general public.

(d) ~~Supports for diving equipment~~, platforms, stairs, and ladders for diving equipment shall be designed to carry the anticipated loads.

~~(i) (e)~~ Stairs and ladders shall have slip-resistant treads and shall be easily cleanable and made of a corrosion-resistant material, ~~easily cleanable and with slip-resistant tread.~~

~~(e) (f)~~ Platforms and diving equipment ~~of one (1) meter or more in height higher~~ shall be protected with hand rails that ~~which~~ shall be at least ~~thirty (30") inches~~ above the diving board and extend to the edge of the pool or aquatic feature wall, ~~and: (i) All platforms or diving~~

equipment higher than one (1) meter (3.3 ft) shall have guard rails ~~that~~ which are at least thirty six (36") inches above the diving board and extend to the edge of the pool or aquatic feature wall.

~~(f)~~ (g) Diving equipment shall:

- (i) Be designed for ~~swimming~~ pool or aquatic feature use;
- (ii) Be installed in accordance with the manufacturer's recommendations;
- (iii) Have slip-resistant tread surfaces; and
- (iv) Be permanently anchored to the pool deck. ~~(A) With the edge of the board at the tip end shall be parallel to the water surface; and (B) The tip end of the board over the pool water surface may be level with or higher than the butt end of the board.~~

Section 8. Slides.

~~(b)~~ (a) Slides installed and located at ~~public swimming pools and similar installations~~ aquatic features shall:

- (i) Comply with 16 CFR § 1207 ~~the requirements of the U.S. Consumer Product Safety Commission (CPSC Safety Standards for Swimming Pool Slides);~~
 - (ii) Be sturdily constructed of corrosion-resistant material;
 - (iii) Be securely fastened to the pool or aquatic feature deck;
 - (iv) Have a ladder equipped with slip-resistant treads and rigidly attached handrails; and
 - (v) Have slide runways that are:
 - (A) Ssmooth, of one piece, and free of cutting, pinching, puncturing, or abrasion hazards; ~~and~~
 - ~~(vi) (B) Have slide runways that are p~~ Provided with side rails not less than ~~two (2") inches (5 cm)~~ in height on both sides; and
 - ~~(A) (C) Slide runways shall be w~~ Water lubricated when in use.
- (b) There shall be no slides with a riding surface higher than ~~twelve (12') feet (3.66m)~~ above the water surface.

(c) Water depths, ~~four (4') feet, five (5') inches (1.37m)~~ beyond the end of the slide, shall be based on the slide height described in the following chart:

Height	Minimum Water Depths
7.5'-feet (2.29m) or less	4'-feet (1.22m)
≥7.5'-feet (2.29m) – 8'-feet (2.44m)	5'-feet (1.52m)
≥8'-0 feet (2.44m) – 11'-feet (3.35m)	5.5'-feet (1.68m)
≥11'-0 feet (3.35m) – 12'-feet (3.66m)	6'-feet (1.83m)

Section 9. Flumes; Design and Construction.

(a) ~~Each f~~Flumes ~~must~~ shall meet the following design and construction parameters:

- (i) ~~It~~ A flume shall be watertight;
- (ii) The surface of a flume ~~must~~ shall be inert, nontoxic, smooth, and easily cleanable;
- (iii) All curves, turns, and tunnels within the path of a flume shall be designed so the impact of bathers ~~users~~ with the walls of the flume or ceiling of a tunnel does not present a hazard;

~~(A) (iv)~~ The A flume shall be banked so that forces on the bathers keep them safely inside the flume under all foreseeable circumstances of operation; ~~(I) Bathers must not become~~ A flume shall prevent bathers from becoming airborne.

~~(B) (v)~~ In the curved sections of a flume, the design of the wall of the flume ~~must~~ shall cause the outward thrust of the body of the bather to be dissipated towards the centerline of the flume.

~~(iv) (vi)~~ All slopes in a flume ~~must~~ shall be designed so the speed of the bathers does not reach a point at which a safe equilibrium of dynamic forces cannot be maintained on any curve or turn in the flume;

~~(v) (vii)~~ In sections of a flume where bathers can stop, provisions ~~must~~ shall be made by design or modification to prevent bathers from falling out of the flume;

~~(vi) (viii)~~ The construction, dimensions, and methods of mechanical attachment of a flume ~~must~~ shall provide a smooth and continuous surface through the entire length of the flume; ~~(A) Any misalignment of joints in a sectional flume must~~ shall not exceed ~~one-eighth (c) 1/8" inch.~~

~~(vii)~~ (ix) The walls of any flume ~~must shall~~ be designed: ~~(A) So that the~~ continuous and combined action of hydrostatic, dynamic, and static loads, as well as normal environmental deterioration, do not damage the flume, ~~bed to the extent of creating a structural failure that presents a hazard of injury to users; or~~

~~(B) (x) So that they do~~ Flumes shall not require frequent patch repairs that may weaken their structural integrity ~~of the flume.~~

(b) If a tube-type flume is used, it ~~must shall~~ be designed or ventilated to prevent a hazardous concentration of toxic ~~sanitizing~~ disinfection fumes under all circumstances of operation.

Section 10. Flume Exits.

(a) The exit of any flume ~~must shall~~ be designed to ensure that bathers enter the ~~splash plunge pool, or slide-runout area, or aquatic feature~~ at a safe speed and angle of entry.

(b) If a pool or aquatic feature has two ~~(2)~~ or more flumes, and there is a point of intersection between the centerlines of any two flumes; ~~(i) the distance between that point and the point of exit for each intersecting flume must shall~~ not be:

(i) Less than twenty (20') feet; or

(ii) Less than thirty (30') feet, if any bather user exits any flume at high speed.

(c) If ~~bathers users~~ exit ~~the a~~ flume into a ~~splash plunge pool or aquatic feature~~, the flume ~~must exit shall~~ be designed:

(i) To be horizontal; and ~~(ii) Perpendicular to the wall of the plunge pool or aquatic feature at the point of exit;~~

~~(iii) (ii) Designed w~~ With an exit system grade that which does not exceed 10% for the last 10'. provides for safe entry into the splash pool or flume runout; and

~~(iv) — Designed with an exit grade which, for the last ten (10) feet, does not exceed ten (10) percent.~~

~~(d) (iii) The flume exit must~~ To be flush with the vertical wall of the plunge pool or aquatic feature at the point of exit and not more than two (2") inches above, nor less than six (6") inches below, the normal-operating water level of the plunge pool or aquatic feature;:

~~(e) (iv) The~~ With a distance of at least 5' between the point of exit from a flume and the side walls of the plunge pool or aquatic feature on both sides of the flume and that portion of the flume exit nearest the wall;:

(i) ~~must not be less than five (5) feet at the point of exit.~~

(A) (v) With a distance of at least 6', at the point of exit, between the centerline of the any flume and the centerline of any adjacent flume ~~must not be less than six (6) feet at the point of exit; and~~

(B) (vi) With a distance between the point of exit from a flume and the side wall of the plunge pool or aquatic feature opposite the bathers as they exit, excluding any steps, must of at least ~~not be:~~

(I) (A) Less than twenty (20') feet, if the flume ends above or below the normal-operating water level of the plunge pool or aquatic feature; or

(II) (B) Less than thirty (30') feet, if the flume ends at the normal-operating water level of the plunge pool or aquatic feature.

Section 11. Flume Walkways; Pumps. (a) ~~A four (4) foot (1.22m) minimum width walkway, walkway steps, or a stairway leading to the top of a flume shall be provided between the plunge pool and the top of the flume.~~ (i) Walkways and steps shall be:

(a) At least 4' wide;

(A) (b) Well drained;

(B) (c) Slip-resistant;

(C) (d) Separated from the flume by a physical barrier;

(D) (e) Set back far enough from the operating flume so that bathers users are unable to touch them while traversing the flume; and

(E) (f) Have Equipped with a ladder or stairs equipped with slip-resistant treads and rigidly attached handrails.

(b) ~~Pump reservoirs or pumps shall have:~~

(i) ~~Sufficient volume to contain at least two (2) minutes of combined flow from all water treatment; and~~

(ii) ~~Enough water to insure that the plunge pool or aquatic feature will maintain a constant water depth.~~

Section 12. Flume; Mats. (a) Flexible or plastic foam mats used to traverse the a flume shall be: (i) ~~Stored dry; and~~ (ii) ~~Wiped or soaked daily, prior to dry storage, with one of the following sanitizing solutions:~~

~~(A)~~ (a) 50-—200 ppm of free chlorine;

~~(B)~~ (b) 12.5-—25 ppm of titratable iodine; or

~~(C)~~ (c) 200 —400 ppm of quaternary ammonia.

Section 13. Flume Attendants. ~~(b)~~ All general use pools or aquatic features shall provide an attendant at: ~~(i) Any plunge pool; and (ii) At the top and bottom of a flume.~~

Section 14. Plunge Pool and Aquatic Feature Pumps. Plunge pool and aquatic feature pump reservoirs or pumps shall have:

(a) Sufficient volume to contain at least two minutes of combined flow from all water treatment; and

(b) Enough water to ensure that the plunge pool or aquatic feature will maintain a constant water depth.

Section 14 ~~15.~~ Signs; Pools and Similar Installations, Spas, and Aquatic Features.

(a) ~~An public pool or similar installation~~ aquatic facility operator shall post a at least one sign at the entrance to the aquatic facility and at least one sign within each pool, spa, or aquatic feature enclosure stating the following information:

(i) No person suffering from a communicable disease transmittable via water or under the influence of an intoxicating liquor or drug shall use the pool, spa, or aquatic feature;

(ii) All non-swimmers and children under eight ~~(8)~~ years of age shall be accompanied by a responsible adult observer;

(iii) No person shall run or engage in horseplay in or around the pool, spa, or aquatic feature;

~~(iv) Elderly persons and those suffering from heart disease, diabetes or high blood pressure should consult their physician before using the spa pool;~~

~~(v)~~ (iv) Persons using prescription medications should consult their physician before using the pool, spa, or aquatic feature;

~~(vi) Pregnant women should not use the spa pool without consulting their physician;~~

~~(vii) Persons should spend no more than fifteen (15) minutes in the spa pool at any one time; and~~

~~(viii)~~ (v) The emergency rescue number;

(vi) All bathers shall shower before entering the pool, spa, or aquatic feature.

(b) Signs at facilities containing spas or natural mineral flow-through pools shall contain the following additional information:

(i) Elderly persons and those suffering from heart disease, diabetes, or high blood pressure should consult their physician prior to using the spa or natural mineral flow-through pool.

(ii) Persons should spend no more than 15 minutes in the spa or natural mineral flow-through pool at any one time.

(iii) Pregnant women should not use the spa or natural mineral flow-through pool without consulting their physician.

(c) Signs shall be a minimum of ~~eighteen (18")~~ inches by ~~twenty-four (24")~~ inches with letters at least ~~1/2" one-half (1/2)~~ inch in height.

(d) "No Diving" signs shall be placed on the deck or in locations where they will be readily noticeable for pools or aquatic features with a depth of 5' or less.

Section ~~15~~ 16. Depth Markings.

(a) The depth of the water, whether in feet or meters, shall be plainly and conspicuously marked above the operating water level on the vertical pool or aquatic feature wall and on the top of the coping or edge of the deck or walk next to the pool or aquatic feature.

(b) Depth markings shall be:

(i) Be aAt least ~~four (4")~~ inches (10cm) in height and of a ~~contrasting~~ color that contrasts with the background;

(ii) BeLocated at the minimum and maximum depth points and at ~~one (1') foot (.3m)~~ depth increments in the shallow portion of the pool or aquatic feature;

(iii) Be sSpaced at no more than ~~twenty-five (25') foot (7.62m)~~ intervals; and

(iv) Be lLocated at slope breaks.

(c) The transitional point from the shallow area to the deep area and at the points of separation of diving, slide, and amusement areas shall be visually set apart with:

- (i) A lifeline;
- (ii) Depth markers; and
- (iii) A 4" minimum row of floor tile, painted line, or similar means of color that contrasts with the bottom of the pool or aquatic feature.

Section 17. Fecal or Vomit Incidents.

(a) If contamination by fecal matter or vomitus should occur at an aquatic facility, the operator shall take immediate and appropriate action as follows:

- (i) All bathers shall exit the pool, spa, or aquatic feature.
- (ii) The pool, spa, or aquatic feature, and any other pool, spa, or aquatic feature using the same circulation system, shall be closed until the appropriate actions described in this section are taken.
- (iii) No one shall be allowed to enter the contaminated pool, spa, or aquatic feature until all decontamination procedures are completed.
- (iv) The operator shall evaluate the contamination and attempt to determine who contaminated the pool, spa, or aquatic feature and remove such person from the water.

(b) If the fecal matter or vomitus is intact, easily picked up, and illness is not suspected, the following actions shall be taken:

(i) Remove as much of the fecal matter or vomitus as possible using a net or scoop and dispose of it in a sanitary manner.

(A) Aquatic vacuum cleaners shall not be used for removal of contamination from the water or adjacent surfaces.

(B) Small material that is floating on the surface and cannot be removed by the use of leaf catchers or leaf rakes should be pushed toward the overflow or skimmers until all visible material is removed.

(ii) Clean and disinfect the net or scoop (after cleaning, leave the net or scoop immersed in the pool, spa, or aquatic feature during disinfection).

(iii) Ensure that the circulation system is operating while the pool, spa, or aquatic feature reaches and maintains the proper free chlorine concentration throughout the disinfection process.

(iv) Raise the free chlorine concentration to 2 ppm and ensure that the pH is

between 7.2 and 7.5 and that the pool, spa, or aquatic feature water temperature is 77°F or higher.

(v) Maintain this free chlorine concentration, pH, and temperature for at least 25 minutes before reopening the pool, spa, or aquatic feature.

(A) Other free chlorine concentrations and disinfection times can be used as long as a CT inactivation value of 45 is achieved.

(B) See the Department's guidance for pool operations, available at <http://wyagric.state.wy.us/divisions/chs/pools>, for more information about calculating CT inactivation values and using alternate free chlorine concentrations and disinfection times.

(vi) Reopen the pool, spa, or aquatic feature once the CT inactivation value has been achieved and the chemicals in the water are properly balanced.

(vii) Establish an incident log. Document each incident by recording the date and time of the event, whether any fecal matter was formed stool or diarrhea, and the free chlorine and pH levels at the time of observation of the event. Before reopening the pool, spa, or aquatic feature, record the free chlorine and pH levels, the procedures followed in response to the incident (including the process used to increase chlorine levels if necessary), and the disinfection time. Maintain this record with the daily operating records as provided in Chapter 1, Section 8 of these regulations.

(c) If the fecal matter or vomitus is loose and not easily picked up, the following actions shall be taken:

(i) Follow the procedures in subsections (b)(i) and (ii) of this section.

(ii) For pools or aquatic features:

(A) Ensure that the circulation system is operating while the pool or aquatic feature reaches and maintains the proper chlorine concentration throughout the disinfection process.

(B) Raise the free chlorine concentration to 20 ppm and ensure that the pH is between 7.2 and 7.5 and that the pool or aquatic feature water temperature is 77°F or higher.

(C) Maintain this free chlorine concentration, pH, and temperature for at least 12.75 hours before reopening the pool or aquatic feature.

(I) Other free chlorine concentrations and disinfection times can be used as long as a CT inactivation value of 15,300 is achieved.

(II) See the Department's guidance for pool operations,

available at <http://wyagric.state.wy.us/divisions/chs/pools>, for more information about calculating CT inactivation values and using alternate free chlorine concentrations and disinfection times.

(III) Many conventional test kits cannot measure free chlorine concentrations as high as 20 ppm. Use chlorine test strips that can measure free chlorine in a range that includes 20 – 40 ppm (such as those used in the food industry) or make dilutions for use in a standard DPD test kit using chlorine-free water. A certified operator should be able to determine the amount of chlorine to add to the pool to obtain 20 ppm and for making dilutions for the test kit.

(D) Backwash the filter thoroughly after reaching the CT inactivation value. Be sure that the effluent is discharged directly to waste and in accordance with state or local regulations. Do not return the backwash through the filter. Where appropriate, replace the filter media.

(E) Reopen the pool or aquatic feature once the CT inactivation value had been achieved, the chemicals in the water are properly balanced, and the chlorine level has been returned to the normal operating range allowed by the regulatory authority.

(iii) For spas and wading pools:

(A) Spas and wading pools shall be drained, the sides and bottom brushed with 100 ppm chlorine, and then refilled and properly balanced.

(B) Backwash the filter.

(C) Reopen the spa or wading pool once the chemicals in the water are properly balanced.

(iv) Follow the procedures in subsection (b)(vii) of this section.

Section 18. Blood Incidents. For incidents involving blood, the following actions shall be taken:

(a) If an incident involving blood occurs as a result of only minor cuts and scrapes to a bather, verify that at the time of the incident, the pool, spa, or aquatic feature disinfection level meets the requirements outlined in these regulations.

(b) If there is a serious injury resulting in significant blood loss in the pool, spa, or aquatic feature, follow the procedures outlined in Sections 17(a) and (b)(iii) through (vii) of this chapter.

Chapter 7 **Dressing Bathhouses and Sanitary Facilities, ~~Bathhouses~~**

Section 1. ~~Sanitary Facilities; Bathhouses~~ General Requirements.

(a) ~~Adequate sanitary facilities, such as a bathhouse, shall be provided and maintained at a~~ All general-use swimming pools aquatic facilities shall have a properly maintained bathhouse with adequate sanitary facilities.

(b) ~~Where a general-use swimming or wave pool~~ aquatic facility is operated in conjunction with a companion facility, a bathhouse common to both facilities ~~is shall be~~ acceptable; provided ~~that~~ the minimum facility ratios and locations described in sSections 3 2 through 4 of this chapter are followed.

Section 2. Bathhouse Requirements. ~~(a)~~ A bathhouse shall:

- ~~(i)~~ (a) Meet the requirements of the ~~Uniform~~ Plumbing Code;
- ~~(ii)~~ (b) Be located within ~~two hundred (200') feet (60.96m)~~ of and provide immediate access to the general-use swimming pool, spa, or aquatic feature;
- ~~(iii)~~ (c) Contain dressing rooms and sanitary facilities; separate for each sex;
- (d) Provide hot and cold or tempered water at all sinks and shower heads such that:
 - (i) A minimum temperature of at least 90°F is available at all times; and
 - (ii) Tempered water does not exceed 110°F;
- (e) Have at least one shower head per 40 aquatic facility users, with a minimum of two;
- ~~(iv)~~ (f) Have slip-resistant and easy to clean floors coved to a height of ~~four (4") inches (10cm);~~
- ~~(v)~~ (g) Have interior wall and ceiling finishes that are smooth, easy to clean, and impervious to water;
- ~~(vi)~~ (h) Have shower stall floors that are finished with ~~non-slip-resistant~~, impervious surfaces;
- ~~(vii)~~ (i) Be kept clean; and free of dirt, algae, molds, or other debris; ~~and~~
- (j) Have shielded light fixtures; and

~~(viii)~~ (k) Have shower compartments with walls that are impervious to water to a height of ~~six (6') feet (1.83_m)~~ above the floor.

~~(A)~~ (i) In shower compartments;

(A) ~~An~~ effective water-tight joint between the wall and the floor shall be maintained; and

(B) Glass bath or shower doors shall be made of approved safety glass.

~~(F)~~ (ii) Wooden racks or duck boards over shower floors are not permitted.

~~(ix)~~ Have shielded light fixtures.

Section 3. Sanitary Facilities; Minimum Number.

(a) General-use ~~swimming and wave pools~~ aquatic facilities shall provide sanitary facilities within a bathhouse in the following numbers, based upon maximum user load and equal distribution of sexes:

(i) One ~~(1)~~ toilet per ~~forty (40)~~ pool aquatic facility users, with a minimum of two ~~(2)~~; ~~(A)~~ Urinals are shall be an acceptable substitute for no more than 1/2 of the toilets for men.

(ii) One ~~(1)~~ handwashing lavatory adjacent to the toilet per ~~sixty (60)~~ pool aquatic facility users, with a minimum of one; and

~~(iii)~~ One ~~(1)~~ shower head per ~~forty (40)~~ pool users, with a minimum of two (2);

~~(A)~~ Showers shall be located to provide users immediate access to the pool deck.

(b) All public pools other than general use, swimming, wave and wading pools, Limited-use aquatic facilities shall: ~~(i)~~ Provide:

(i) Sanitary facilities toilets, lavatories and showers as described in subsection (a) of this section; ~~(ii) Provide such toilets, lavatories and showers within three hundred (300') feet (91.4_m) of the pool, spa, or aquatic feature; and~~

~~(iii)~~ Provide Showers and sinks as described in ~~sSections 2(a)(v), (vi)(f), and (viii), (d) through (k)~~ of this chapter.

~~(A)~~ Hot and cold or tempered water only shall be provided:

~~(I)~~ At all shower heads; and

~~(H) — A minimum temperature of at least 90°F (32°C) shall be available at all times.~~

~~(1.) — Tempered water shall not exceed 110°F (43°C).~~

Section 4. Hand Washing and Drying Provisions Cleanser; Availability.

(a) Each handwashing lavatory or group of two ~~(2)~~ adjacent lavatories shall be provided with a supply of ~~hand cleaning liquid, powder, or bar soap.~~

~~(b) Section 5. Hand Drying Provision.~~ (a) Each handwashing lavatory or group of adjacent handwashing lavatories shall be provided with:

- (i) Individual, disposable towels;
- (ii) A continuous towel system that supplies the user with a clean towel; or
- (iii) ~~An heated-air-hand-drying device.~~

~~(b) (c)~~ If disposable towels are used at handwashing lavatories, a waste receptacle shall be located at each lavatory or group of adjacent lavatories.

Section ~~5~~ 6. Sanitary Facilities; Floors.

(a) Floors of ~~the~~ sanitary facilities shall:

- (i) Be free of joints or openings;
- (ii) Be continuous throughout the area;
- (iii) Slope a minimum of 1/4" ~~one-fourth (1/4) inch (6 mm)~~ per foot;
- (iv) Drain to floor drains; and
- (v) Have a slip-resistant surface.

(b) Hose bibs with approved vacuum breakers shall be provided for washing down the bathhouse interior.

Section ~~6~~ 7. Diaper-Changing Areas.

(a) Aquatic facilities shall have at least:

(i) One diaper-changing area in the male dressing room or sanitary facility and one diaper-changing area in the female dressing room or sanitary facility; or

(ii) One diaper changing area located in a single occupancy, unisex sanitary facility.

(a) (b) Diaper-changing areas shall be:

(i) Be immediately accessible from the wading Located within a 200' walking distance of a pool, spa, or aquatic feature;

(ii) Used only for changing diapers;

(iii) Constructed of smooth, non-porous material; and

(iv) ~~Be e~~Easily accessible to a handwashing facility.

Chapter 1

Authority; Variances; Definitions; Operator Requirements

Section 1. Authority. The following regulations are promulgated pursuant to Wyoming Statute § 35-28-106. These provisions shall be known as the Wyoming Regulations for Pools, Spas, and Aquatic Features, hereinafter referred to as these regulations.

Section 2. Applicability.

(a) These regulations shall apply to any person who owns, operates, or manages a general-use or limited-use pool, spa, or aquatic feature in this State.

(b) These regulations do not apply to private-use pools, spas, or aquatic features.

(c) These regulations do not apply to pools, spas, or aquatic features that are drained and cleaned after each use or before reuse, except for mineral flow-through pools.

(d) Due to their unique nature, these regulations only apply to mineral flow-through pools as indicated.

Section 3. Variances and Waivers.

(a) The Department may grant a variance by modifying or waiving the requirements of these regulations if:

(i) In the opinion of the Department, a health or safety hazard or nuisance will not result from the variance; or

(ii) Compliance would be highly burdensome or impractical due to special circumstances or unforeseen conditions.

(b) Before a variance from a requirement of these regulations is approved, the person requesting the variance shall provide the following information, which shall be retained in the Department's file on the pool, spa, or aquatic feature:

(i) A statement of the proposed variance from the regulations, citing the relevant regulation sections.

(ii) An analysis of how the proposed variance will address the potential public health or safety hazards or nuisances addressed by the relevant regulation sections from which the proposed variance is being requested.

Section 4. Acronyms. The following acronyms are in use throughout these regulations:

(a) "ANSI" means the American National Standards Institute.

- (b) “APSP” means the Association of Pool and Spa Professionals.
- (c) “ASTM” means the American Society of Testing Materials.
- (d) “CPSC” means the U.S. Consumer Product Safety Commission.
- (e) “CPR” means cardio pulmonary resuscitation.
- (f) “EPA” means the U.S. Environmental Protection Agency.
- (g) “FINA” means the Federation Internationale de Natation (formerly the Federation Internationale de Natation Amateur).
- (h) “ICC” means the International Code Council.
- (i) “IPC” means the International Swimming Pool and Spa Code.
- (j) “NFHS” means the National Federation of State High School Associations.
- (k) “NRPA” means the National Recreation and Park Association.
- (l) “NSF” means the National Sanitation Foundation International.
- (m) “NSPF” means the National Swimming Pool Foundation.
- (n) “UV” means ultraviolet.
- (o) “WAPA” means the Wyoming Administrative Procedure Act, W.S. §§ 16-3-107 through -115.

Section 5. Definitions. Any defined terms within the Act and the following defined terms apply in the interpretation and application of these regulations:

- (a) “Abrasion hazard” means a sharp or rough surface or edge that could scrape the skin by chance during normal use.
- (b) “Accessible” means easily exposed for inspection and replacement of materials or parts with or without the use of tools.
- (c) “Act” means the Public Pool, Spa, Health and Safety Act, codified in W.S. §§ 35-28-101 through -110.
- (d) “Activity Pool” means a water attraction designed primarily for play activity that uses constructed features and devices including pad walks, flotation devices, and similar attractions.

(e) “Administrative meeting” means an informal meeting conducted by the Department or the local board of health for the purpose of facilitating a mutually agreed upon plan of compliance.

(f) “Air gap” means the unobstructed vertical distance through the free atmosphere between the lowest opening from an inlet pipe and the flood-level rim of a receptacle or floor drain.

(g) “Air induction system” means a system:

(i) Whereby a volume of air (only) is induced into a hollow ducting in a spa floor, bench, or other location; and

(ii) That is activated by a separate air power blower or other means.

(h) “Alkalinity” is a measure of the amount of bicarbonate, carbonate, or hydroxide compounds present in a water solution.

(i) “Aquatic facility” means a physical place that contains one or more pools, spas, or aquatic features, including any supporting infrastructure, under a single management structure.

(j) “Aquatic feature” means an artificially constructed structure, modified natural structure, or individual component of a pool, spa, or any indoor or outdoor installation where water passes through a circulation system and is intended for bathing, diving, surfing, wading, any similar use, or recreational or therapeutic purposes. Such features do not necessarily contain standing or captured water, so exposure to water may occur via contact, ingestion, or aerosolization. This includes slides and interactive play features such as structures designed to be climbed or walked across, structures that create falling or shooting water, mushrooms, buckets, spray guns or nozzles, splash pads, spray pads, or wet decks.

(k) “Backwash” means the process of cleaning the filter medium or other elements by the reverse flow of water through the filter.

(l) “Bather” means any person using a pool, spa, or aquatic feature and adjoining deck area for the purpose of water sports, recreation, therapy, or related activities.

(m) “Bather load” means the number of persons in the pool, spa, or aquatic feature at any given moment or during any stated period of time.

(n) “Bathhouse” means a structure that contains dressing rooms, showers, and sanitary facilities for use with an adjacent pool, spa, or aquatic feature.

(o) “Brominator” means a device to apply or deliver a bromine disinfectant to water at a controlled rate.

(p) “Calcium hypochlorite” is a solid form of chlorine in granular or tablet form with 65% available chlorine.

(q) “Cartridge” means a pleated- or surface-type filter component with fixed dimensions

designed to remove suspended particles from water flowing through the filter.

(r) “Certified Operator” means someone who has successfully completed the certified pool operator course sanctioned by the NSPF or the aquatic facility operator course sanctioned by the NRPA and who is compliant with the re-certification or continuing education requirements of the sanctioning organization.

(s) “Chemical feeder” means a mechanical device used for applying chemicals to pool, spa, or aquatic feature water, such as a brominator or chlorinator.

(t) “Chloramine” is a compound formed when chlorine combines with nitrogen or ammonia, which may cause eye and skin irritation and may have a strong, objectionable odor.

(u) “Chlorinator” means a device used to apply or deliver a chlorine sanitizer to water at a controlled rate.

(v) “Chlorine demand compounds” means organic matter, chloramine, and other such compounds that chlorine reacts with and that deplete chlorine.

(w) “Circulation equipment” means the mechanical components that are a part of a circulation system on a pool, spa, or aquatic feature. The components have separate functions, but when connected to each other by piping, perform as a coordinated system for purposes of maintaining pool, spa, or aquatic feature water in a clear, sanitary, and desirable condition. Circulation equipment may include:

- (i) Pumps;
- (ii) Hair and lint strainers;
- (iii) Filters;
- (iv) Valves;
- (v) Gauges;
- (vi) Meters;
- (vii) Heaters;
- (viii) Skimmers;
- (ix) Inlet or outlet fittings; or
- (x) Chemical feeding devices.

(x) “Circulation system” means the arrangement of mechanical equipment or components

connected by piping to and from a pool, spa, or aquatic feature in a closed circuit. The function of a circulation system is to direct water through the various system components of a pool, spa, or aquatic feature for purposes of:

- (i) Clarifying;
- (ii) Heating;
- (iii) Purifying; and
- (iv) Returning water back to the pool, spa, or aquatic feature.

(y) “Combined residual chlorine” means the portion of the total residual chlorine existing in water in chemical combination with ammonia, nitrogen, chloramine, or other organic compounds. Combined residual chlorine plus free residual chlorine equals total residual chlorine and is calculated from the results of measuring the free and total residual chlorine with a test kit.

(z) “Continuous overflow system” means overflows, gutters, skimmers, and surface collection systems of various design and manufacture used for removal of pool, spa, or aquatic feature water.

(aa) “Coping” means the cap on a pool, spa, or aquatic feature wall that provides a finishing edge around the pool, spa, or aquatic feature. Coping may be:

- (i) Formed;
- (ii) Cast in place or pre-cast; or
- (iii) Pre-fabricated from metal, ceramic, or plastic materials.

(bb) “Cove” means the radius between the wall and floor of a pool, spa, or aquatic feature.

(cc) “Critical violation” means a violation of a provision of these regulations or the Act that creates an imminent health hazard.

(dd) “Cross-connection” means:

- (i) The physical connection between the potable water system and a non-potable water source such as a pool, spa, or aquatic feature; or
- (ii) The physical connection between a pool, spa, or aquatic feature and the sanitary sewer or waste water disposal system.

(ee) “CT inactivation value” means a value unique to a particular microbe that describes the concentration (C) of a disinfectant chemical in water and the amount of time (T) that such chemical needs to be in contact with the water in order to inactivate that particular

microbe.

(ff) “Cyanuric acid” is also called stabilizer, isocyanuric acid, conditioner, or triazinetrione, and is a chemical that helps reduce the excess loss of chlorine in water due to the UV rays of the sun.

(gg) “Deck” means an area immediately adjacent to or attached to a pool, spa, or aquatic feature specifically constructed or installed for sitting, standing, or walking.

(hh) “Deep areas” means water areas in excess of 5’ in depth.

(ii) “Depth” means the vertical distance from the operating water level to the bottom of the pool, spa, or aquatic feature. For pools, depth is measured at 3’ from the pool wall.

(jj) “Diatomaceous earth” is a white powder composed of fossilized skeletons containing microscopic pores from one-celled organisms called diatoms.

(kk) “Disinfectant” means any oxidant, including chlorine, chlorine dioxide, chloramines, and ozone, added to water in any part of the treatment or distribution process that is intended to kill or inactivate pathogenic microorganisms.

(ll) “DPD” is diethyl-phenylene diamine, a reagent and test method that specifically measures bromine or free available and total residual chlorine. DPD produces a series of colors from pale pink to dark red.

(mm) “Effective filter area” means the total surface area through which the designed flow rate will be maintained during filtration.

(nn) “Effluent” means the water that flows out of a filter, pump, or other device.

(oo) “Electrical Code” means the electrical code to which an aquatic facility is subject.

(pp) “Employee” means the license holder, person in charge, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in an aquatic facility.

(qq) “Equalizer line” means a pipe that runs from below the water level in a pool, spa, or aquatic feature to the body of the skimmer and that is designed to automatically prevent air from being drawn into the pump when the water level drops below the skimmer inlet.

(rr) “Feet of head” is a measure of pressure or resistance in a hydraulic system that is equivalent to the height of a column of water that would cause the same resistance (100 feet of head equals 43.29 psi).

(ss) “Filter” means a device designed to remove undissolved particles from water by circulating the water through a porous substance (a filter medium or element). Types of filters include:

(i) A medium filter, which is a filter that utilizes sand, gravel, or other medium that under normal use will not have to be replaced frequently;

(ii) A diatomaceous earth filter, which is a filter that utilizes a thin coating of diatomaceous earth over a porous substructure as its filter medium;

(iii) A cartridge filter, which is a filter that utilizes a porous element that acts as a filter medium in a cartridge; or

(iv) A vacuum filter, which is a filter that operates under a vacuum from the suction pump.

(tt) “Filter medium” means a finely graded material, such as sand, diatomaceous earth, polyester fabric, or anthracite, used to trap solid particles from the influent water and return clear water to the pool, spa, or aquatic feature.

(uu) “Flotation tank” means a tank designed for body immersion in skin-temperature salt water.

(vv) “Flow-through” means an artificial or partially artificial pool, spa, or aquatic feature that depends on the natural flow of water through it to maintain adequate water quality.

(ww) “Flume” means a slide that is enclosed or banked and that is designed to provide a descending ride into a plunge-pool, runout area, or aquatic feature at the base of the slide.

(xx) “Free available chlorine” means the portion of the total residual chlorine remaining in chlorinated water that is not combined with ammonia or nitrogen compounds and that will react chemically with undesirable or pathogenic organisms.

(yy) “General-use” means any pool, spa, or aquatic feature open to the general public that does not fall under the definition of private-use or limited-use.

(zz) “Hardness” is the amount of calcium and magnesium salts dissolved in water. Hardness is measured by a test kit and expressed as parts per million of equivalent calcium carbonate.

(aaa) “Health Officer” means the person appointed by the director of the Department of Health pursuant to W.S. §§ 9-2-101(f) and -103.

(bbb) Hearing Officer means a presiding officer of the regulatory authority, an attorney who has been retained by the regulatory authority to preside over a contested case, an officer of the regulatory authority who has been designated to preside over a contested case, or any other person who is statutorily authorized to preside over a contested case. If the Department is the regulatory authority, a hearing officer can also be a hearing examiner from the Office of Administrative Hearings.

(ccc) “Influent” means water entering a filter or other device.

(ddd) “Inlet” means the aperture or fitting through which the water under positive pressure returns into a pool, spa, or aquatic feature.

(eee) “Labeled” means that a label, symbol, or other identifying mark has been attached to equipment, or an article that designates the equipment, indicating that the equipment or article has been inspected by, or manufactured to specifications set by, an organization acceptable to the regulatory authority and is in compliance with appropriate standards of performance.

(fff) “License” means the document issued by the regulatory authority that authorizes a person to operate a pool, spa, or aquatic feature.

(ggg) “License holder” means the person legally responsible for the operation of a pool, spa, or aquatic feature, such as the owner, the owner’s agent, or other person, and who possesses a license to operate a pool, spa, or aquatic feature.

(hhh) “Lifeguard” means an individual qualified in water safety, lifesaving, CPR, and first aid and who holds the appropriate certificates, in accordance with Chapter 6, Section 2(a) of these regulations.

(iii) “Lifeline” means a continuous line across a pool that is not less than 1/2” in diameter and supported by regularly spaced floats and that is used to designate a change in slope in the pool bottom, the beginning of deep areas, or exercise or racing lanes.

(jjj) “Limited-use” means any pool, spa, or aquatic feature open to a segment of the public that is located on the premises of, or is part of, and operated in conjunction with, a companion facility, including:

- (i) Motels;
- (ii) Apartment or condominium complexes;
- (iii) Mobile home parks;
- (iv) Subdivisions;
- (v) Clubs;
- (vi) Camps;
- (vii) Bed and breakfasts;
- (viii) Dude ranches;
- (ix) Institutions, universities, or schools where access is restricted to students, staff, or faculty; or

(x) Similar establishments where the primary business of the establishment is not the operation of the pool, spa, or aquatic feature, and where the admission to the use of the pool, spa, or aquatic feature is included in the fee, or consideration, paid for the primary use of the premises by such groups and their invited guests.

(kkk) “Listed” means equipment or materials:

(i) Included in a list published by an organization that is acceptable to the regulatory authority, is concerned with product evaluation, and maintains inspection of the production of listed equipment or materials; and

(ii) Whose listing states either that the equipment or material meets appropriate designated standards or has been tested and found suitable for use in a specified manner.

(lll) “Multi-port valve” means a valve having a number of control positions for various filter operations that combines in one unit the function of two or more single valves.

(mmm) “Offset ledge” means a horizontal shelf or ledge projecting toward the interior of a pool or aquatic feature from the vertical wall that provides safe footing for a bather to stand on in deep areas.

(nnn) “Operating water level” means the water level maintained while a pool, spa, or aquatic feature is in operation, defined in one of the following ways according to the type of construction:

(i) Skimmer system: the midpoint of the operating range of the skimmer throat.

(ii) Overflow gutter system: slightly over the overflow gutter lip.

(ooo) “Organic matter” means perspiration, urine, fecal matter, saliva, suntan oil, cosmetics, lotions, dead skin, and similar debris introduced into water by bathers and the environment.

(ppp) “ORP” means oxidation reduction potential and is the oxidation level produced by strong oxidizing, sanitizing, or similar chemicals in a water solution. The oxidation level is measured in millivolts by an ORP meter.

(qqq) “Person in charge” means the individual present at a pool, spa, or aquatic feature who is responsible for the operation of the aquatic facility at the time of inspection.

(rrr) “Personal care items” means items or substances that may be poisonous, toxic, or a source of contamination and are used to maintain or enhance a person's health, hygiene, or appearance, including medicines, first aid supplies, cosmetics, and toiletries.

(sss) “Plumbing Code” means the plumbing code to which an aquatic facility is subject.

(ttt) “Plumbing fixture” means a receptacle or device that:

(i) Is permanently or temporarily connected to the water distribution system of the premises and demands a supply of water from the system; or

(ii) Discharges used water, waste materials, or sewage directly or indirectly to the drainage system of the premises.

(uuu) “Plumbing system” means the water supply and distribution pipes; plumbing fixtures and traps; soil, waste, and vent pipes; sanitary and storm sewers; building drains; and water-treating equipment, including their respective connections, devices, and appurtenances, located on the premises.

(vvv) “Plunge pool” means the pool located at the lower end of a flume.

(www) “Poisonous or toxic materials” means substances that are not intended for ingestion and are included in any of the following four categories:

(i) Cleaners and sanitizers, including cleaning and sanitizing chemicals and chemicals such as caustics, acids, drying agents, polishes, and other chemicals;

(ii) Pesticides, except sanitizers, including substances such as insecticides and rodenticides;

(iii) Substances necessary for the operation and maintenance of the establishment, such as non-food grade lubricants and personal care items that may be deleterious to health; and

(iv) Substances that are not necessary for the operation and maintenance of the establishment and are on the premises for retail sale, such as petroleum products and paints.

(xxx) “Precipitate” is a solid material that is forced out of a solution by some chemical reaction and that settles out or remains as a haze in suspension, causing turbidity.

(yyy) “Premises” means:

(i) The aquatic facility, its contents, and the contiguous property under the control of the license holder; and

(ii) If the aquatic facility is only one component of a larger operation (such as a healthcare facility, hotel, motel, school, or recreational camp), any additional facilities, contents, land, or property under the control of the license holder that may impact the aquatic facility's personnel, facilities, or operations.

(zzz) “Private-use” means any pool, spa, or aquatic feature intended for noncommercial use and located at a single-family residence, controlled and maintained by the owner of the residence, the use of which is limited to family members and invited guests.

(aaaa) “Recessed steps” means a series of vertically spaced cavities in the pool, spa, or aquatic

feature wall creating areas for stepholes.

(bbbb) “Recreational water” means a facility or area, together with associated buildings, appurtenances, and equipment, in conjunction with artificial or natural ponds, springs, lakes, streams, or other bodies of water, that is designated for public bathing, recreational, and swimming use.

(cccc) “Removable” means capable of being disassembled with the use of only simple tools such as a screwdriver, pliers, or wrench.

(dddd) “Return piping” means piping that carries effluent to the pool, spa, or aquatic feature.

(eeee) “Ring buoy” means a ring-shaped floating rescue device capable of supporting a bather and having an outside diameter of 20”.

(ffff) “Self-closing” or “self-latching” means a device that causes a gate to automatically fully close and latch without human or electrical power.

(gggg) “Separation tank” means a tank used in conjunction with a filter to facilitate the separation of filtrate material for disposal.

(hhhh) “Service animal” means any dog, miniature horse, or other animal allowed under federal law that is individually trained to do work or perform tasks for the benefit of an individual with a disability.

(iiii) “Sewage” means liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.

(jjjj) “Shallow areas” means water areas in a pool, spa, or aquatic feature that are less than 5’ in depth.

(kkkk) “Skimmer” means a device installed in the wall of a pool, spa, or aquatic feature that permits the continuous removal of floating debris and surface water to the filters.

(llll) “Slide” means a slide that is not a flume used in conjunction with a pool or aquatic feature.

(mmmm) “Slip-resistant” means a surface that has been treated or constructed to significantly reduce the chance of a bather slipping.

(nnnn) “Sodium hypochlorite” is the clear liquid form of an inorganic chlorine compound obtainable in concentrations of 10% to 15% available chlorine.

(oooo) “Springline” means the point where a pool wall breaks from vertical and begins its arc in the radius of curvature (for cove construction) to the bottom of the pool.

(pppp) “Suction piping” means the piping or tube that feeds into the inlet side of a pump.

(qqqq) “Suction outlet” means a location within a pool, spa, or aquatic feature through

which water is drawn by a pump through the circulation system.

(rrrr) “Temperature measuring device” means a thermometer, thermocouple, thermistor, or other device that accurately measures the temperature of water below the surface of the water.

(ssss) “Test kit” means a device for monitoring or measuring a specific chemical level in the water of a pool, spa, or aquatic feature.

(tttt) “Time switch” means a mechanical device that automatically controls the periods during which a pump, filter, chlorinator, heater, blower, or other electrical devices are in operation.

(uuuu) “Therapy pool” means a pool used exclusively for aquatic therapy, physical therapy, or rehabilitation to treat a diagnosed injury, illness, or medical condition, wherein the therapy is provided under the direct supervision of a licensed physical therapist, occupational therapist, or athletic trainer.

(vvvv) “Total alkalinity” is the ability or capacity of water to resist change in pH. Total alkalinity is also known as the buffering capacity of water and consists mainly of carbonates, bicarbonates, and hydroxides. Total alkalinity is measured with a test kit and expressed as parts per million.

(www) “Total available chlorine” means the sum of both the free available and combined chlorine.

(xxxx) “Total dissolved solids” is a measure of the total amount of dissolved matter in water, including:

- (i) Calcium;
- (ii) Magnesium;
- (iii) Carbonates;
- (iv) Bicarbonates; or
- (v) Metallic compounds.

(yyyy) “Total dynamic head” is a measure of a system’s resistance to flow. It is the sum of all resistances in a complete circulation system.

(zzzz) “Turnover rate” means the period of time, usually in hours, required to circulate a volume of water equal to the water capacity of the pool, spa, or aquatic feature.

(aaaaa) “Underwater light” means a fixture designed to illuminate a pool, spa, or aquatic feature from beneath the water surface. An underwater light includes the following:

(i) A wet niche light, which is a watertight and water-cooled light unit placed in a submerged, wet niche in the pool, spa, or aquatic feature wall.

(ii) A dry niche light, which is a light unit placed behind a watertight window in the pool, spa, or aquatic feature wall.

(bbbbb) “Vacuum” means the reduction of atmospheric pressure within a pipe, tank, pump, or other vessel. Vacuum is measured in inches of mercury.

(i) 1” of mercury is equivalent to 1.13 feet of head.

(ii) The practical maximum vacuum for a pool, spa, or aquatic feature is 30” of mercury or 33.9 feet of head.

(ccccc) “Valve” means any device in a pipe that will partially or totally obstruct the flow of water, as in a ball, gate, or globe valve, or permit flow in one direction only, as in a check or foot valve. Valve types include:

(i) Bleeder valve: a device that allows air to be vented from a closed system.

(ii) Multi-port valve: a device that allows the multi-directional control of the passage or flow of water through a system.

(iii) Push-pull valve: a device that allows the dual-directional control or flow of water through a system.

(iv) Hydrostatic relief valve: a device that is designed to prevent hydrostatic pressure from uplifting the pool when empty from a high water table or due to excessive surface water surrounding the pool or aquatic feature.

(ddddd) “VGB Covers” means covers that comply with the Virginia Graeme Baker Pool and Spa Safety Act.

(eeeeee) “Wading pool” means a pool or aquatic feature that contains water no greater than 2’ in depth.

(fffff) “Walls” means the interior pool, spa, or aquatic feature wall surfaces consisting of surfaces from plumb to a slope of 11° from plumb.

(ggggg) “Waste water disposal system” means a plumbing system used to dispose of backwash or other water from a pool, spa, or aquatic feature or from dressing rooms and other facilities associated with a pool, spa, or aquatic feature.

(hhhhh) “Wave pool” means a pool with artificial waves designed to be used for body or board surfing.

(iiii) “Weir” means the part of a skimmer that adjusts automatically to small changes in water level to ensure a continuous flow of water to the skimmer.

(jjjj) “Zero depth” means a design in which the floor intersects the water surface along at least one side of a pool, spa, or aquatic feature.

Section 6. Operator Requirements.

(a) The license holder for each general-use or limited-use pool, spa, or aquatic feature shall have on staff or under contract for each aquatic facility a certified operator or person with another equivalent certification approved by the regulatory authority.

(b) License holders for general-use or limited-use pools, spas, or aquatic features shall replace, within 90 days, any certified operator who terminates employment or service with the pool, spa, or aquatic feature.

(c) Any new license applicant opening a general-use or limited-use pool, spa, or aquatic feature shall have a certified operator on duty or under contract at the time of licensure.

(d) Except as allowed in subsection (b) of this section, any licensed pool, spa, or aquatic feature without a certified operator shall not operate.

(e) A certified operator shall:

(i) Keep the aquatic facility clean, in good repair, and free of safety hazards;

(ii) Ensure that personnel trained and knowledgeable in water testing and the operation of water treatment equipment are available whenever the aquatic facility is open for use;

(iii) Immediately close any pool, spa, or aquatic feature if, at any time, testing indicates that the water does not comply with the requirements for clarity, residual free chlorine, pH, temperature, or chemical or bacteriological quality; and

(iv) Report serious injury or death to the regulatory authority within 24 hours.

(f) If a pool, spa, or aquatic feature has been closed by the regulatory authority, it shall remain closed until corrections have been made by aquatic facility personnel or a certified operator, and shall not be re-opened until approved by the regulatory authority.

(g) Aquatic facilities with an off-site certified operator shall meet the following additional requirements:

(i) A contracted off-site certified operator shall provide a minimum of one visit per week per aquatic facility and assistance whenever needed. The license holder shall ensure that

documentation of these visits is available at the aquatic facility.

(ii) All aquatic facilities without a full-time, on-site certified operator shall have on-site a responsible supervisor. The supervisor shall:

(A) Be capable of testing the water quality levels as required by these regulations;

(B) Be capable of making adjustments as needed to maintain water quality levels as specified in Chapter 5, Section 1 of these regulations; and

(C) Have knowledge of pool operation, required pool closures, and when having a certified operator on-site is necessary.

(iii) An off-site certified operator shall be able to get to the aquatic facility within 45 minutes.

(iv) An off-site certified operator shall provide assistance to aquatic facility personnel and be on-site during inspections.

(v) A certified operator shall provide service for no more than three aquatic facilities unless the regulatory authority grants permission for a particular certified operator to provide service to more than three designated aquatic facilities.

Section 7. Person in Charge Requirement.

(a) The license holder shall be the person in charge or shall designate a person in charge and shall ensure that a person in charge is available during all hours of operation.

(b) The person in charge shall be knowledgeable in pool, spa, and aquatic feature operation.

Section 8. Records.

(a) Operators of pools, spas, or aquatic features shall keep records pertaining to the operation and maintenance of the facility they operate. The records shall include:

(i) The bather load at the time of water quality testing;

(ii) The amounts of chemicals added to the pool, spa, or aquatic feature;

(iii) The results of the tests described in Chapter 5, Section 1 of these regulations;

(iv) The date and time of filter backwash;

(v) The dates the pool, spa, or aquatic feature was emptied or cleaned;

- (vi) The periods of circulation equipment operation, malfunction, and repair;
- (vii) The results of microbiological analyses, if required;
- (viii) The date and time of installation and repair of any VGB covers;
- (ix) Reports of accidents, injuries, and illnesses; and
- (x) The hours of operation for each day the aquatic facility is open for business.

(b) The records shall be updated throughout every day that the aquatic facility is open and shall be retained by the operator and made available to the inspector upon request for a period of one year.

Section 9. Incorporation by Reference.

(a) For any code, standard, rule, or regulation incorporated by reference in these rules:

(i) The Department has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter later than January 1, 2020;

(iii) The agency, organization, or association originally issuing the code, standard, rule, or regulation makes copies of it readily available to the public, at the locations cited.

(iv) The incorporated code, standard, rule, or regulation is maintained, and is available for public inspection and copying at cost, at 2219 Carey Avenue, Cheyenne, WY, 82002.

(b) The following codes, standards, rules, and regulations are hereby incorporated by reference in these regulations, only insofar as they are not inconsistent with the rules, regulations, and laws of the State of Wyoming:

(i) 16 CFR § 1207, Safety Standard for Swimming Pool Slides (2019) found electronically at:

<https://www.ecfr.gov/cgi-bin/text-idx?SID=da88fb93e65a72f7ac13b6b4f79d42dc&mc=true&node=pt16.2.1207&rgn=div5>

(ii) 29 CFR § 1910.134, Respiratory Protection (2019) found electronically at:

https://www.ecfr.gov/cgi-bin/text-idx?SID=17bcbe01aa396dc86d636b7498ce453e&mc=true&node=se29.5.1910_1134&rgn=div8

(iii) 30 CFR § 72.710, Selection, Fit, Use, and Maintenance of Approved Respirators (2019) found electronically at:

<https://www.ecfr.gov/cgi-bin/text-idx?SID=17bcbe01aa396dc86d636b7498ce453e&mc=true&node=se30.5.72.710&rgn=div8>

[idx?SID=88a431e542ee7d137e14efac5fd0f0c6&mc=true&node=se30.1.72 1710&rgn=div8](https://codes.iccsafe.org/content/ISPSC2018/american-national-standard-for-suction-entrapment-avoidance-in-swimming-pools-wading-pools-spas-hot-tubs-and-catch-basins?site_type=public)

(iv) ANSI/APSP/ICC 7-13, American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins, American National Standards Institute / Association of Pool and Spa Professionals / International Code Council (2013) found electronically at:

https://codes.iccsafe.org/content/ISPSC2018/american-national-standard-for-suction-entrapment-avoidance-in-swimming-pools-wading-pools-spas-hot-tubs-and-catch-basins?site_type=public

(v) ASTM F2387-04, Standard Specification for Manufactured Safety Vacuum Release Systems (SVRS) for Swimming Pools, Spas and Hot Tubs, American Society for Testing and Materials (2012) found electronically at:

<https://www.astm.org/Standards/F2387.htm>

(vi) FINA Facilities Rules, Part X, Federation Internationale de Natation, (2017) found electronically at:

https://www.fina.org/sites/default/files/2017_2021_facilities_16032018_full_medium.pdf

(vii) International Swimming Pool and Spa Code, International Code Council (2018) Sections:

(A) 304.2;

(B) 306.1;

(C) 307.2;

(D) 311.4;

(E) 316;

(F) 313.8;

(G) 321; and

(H) 505.2,

found electronically at: <https://codes.iccsafe.org/content/ISPSC2018>

(viii) NFHS Swimming and Diving Rules Book, National Federation of State High School Associations (2013) found electronically at:

https://ihsaa-static.s3.amazonaws.com/swimming/2013_14/2013-14%20Swimming%20&%20Diving%20Rules%20Book.pdf

(ix) NSF/ANSI 14-2018, Plastic Piping System Components and Related Materials, National Sanitation Foundation International / American National Standards Institute (2018) found

electronically at:

<https://webstore.ansi.org/Standards/NSF/NSFANSI142018>

(x) NSF/ANSI 50-2017, Equipment for Swimming Pools, Spas, Hot Tubs, and Other Recreational Water Facilities, National Sanitation Foundation International / American National Standards Institute (2017) found electronically at:

<https://webstore.ansi.org/standards/nsf/nsfansi502017>

(xi) Virginia Graeme Baker Pool and Spa Safety Act, 15 U.S.C. 8001 *et seq.* (2019) found electronically at:

<https://uscode.house.gov/view.xhtml?path=/prelim@title15/chapter106&edition=prelim>

Chapter 2

Plans and Specifications; License Contents and Issuance; Inspection; Enforcement.

Section 1. Prerequisite for Operation. No person shall operate a pool, spa, or aquatic feature without a license issued by the regulatory authority.

(a) Aquatic facilities that have pools, spas, or aquatic features operating on one circulation system shall receive one license for the entire facility; however, all pools, spas, and aquatic features remodeled or constructed after the effective date of these regulations shall have a separate circulation system for each pool, spa, or aquatic feature and shall have a separate license for each pool, spa, or aquatic feature.

(b) Aquatic facilities that have pools, spas, or aquatic features operating on more than one circulation system shall have a separate license for the pools, spas, or aquatic features operating on each individual circulation system; however, all pools, spas, and aquatic features remodeled or constructed after the effective date of these regulations shall have a separate circulation system for each pool, spa, or aquatic feature and shall have a separate license for each pool, spa, or aquatic feature.

(c) When a person operates two or more aquatic facilities that are not on the same premises, a separate license(s) shall be required for each aquatic facility in accordance with subsections (a) and (b) of this section.

Section 2. Qualifications and Responsibilities of Applicant. To qualify for a license, an applicant shall:

(a) Be an owner of the pool, spa, or aquatic feature, or the person legally in charge of the business entity owning the pool, spa, or aquatic feature;

(b) Comply with the requirements of these regulations; and

(c) As specified under Section 23(a) of this chapter, agree to allow the regulatory authority access to the aquatic facility and provide all required information.

Section 3. Contents of the License Application. The application shall include:

(a) The name, mailing address, telephone number, and signature of the person applying for the license;

(b) Information specifying whether the pool, spa, or aquatic feature is owned by an association, corporation, individual, partnership, or other legal entity, and the name, mailing address, and telephone number of the registered agent;

(c) The name, mailing address, and specific location of the pool, spa, or aquatic feature;

(d) A statement signed by the applicant that:

- (i) Certifies the accuracy of the information provided; and
- (ii) Affirms that the applicant will:

- (A) Comply with these regulations; and

- (B) Allow the regulatory authority access to the facility, as specified under Section 23(a) of this chapter, and access to the records specified under Chapter 1, Section 8 of these regulations.

Section 4. Issuance of a License. The regulatory authority shall issue a new license, renew an existing license, or issue a license to a new owner of an existing pool, spa, or aquatic feature after:

- (a) The applicant submits a properly completed license application and applicable fee;
- (b) The regulatory authority reviews and approves any plans, specifications, and information required by these regulations;
- (c) The regulatory authority determines that the pool, spa, or aquatic feature is in compliance with these regulations and provisions of the Act; and
- (d) For a license issuance other than a renewal, a pre-operational inspection shows that the pool, spa, or aquatic feature is built or remodeled in accordance with the approved plans and specifications.

Section 5. When Plans and Specifications Are Required. A license applicant or license holder shall submit to the regulatory authority properly prepared plans and specifications for review and approval before beginning to:

- (a) Construct a pool, spa, or aquatic feature;
- (b) Convert an existing structure for use as a pool, spa, or aquatic feature;
- (c) Remodel a pool, spa, or aquatic feature; or
- (d) Change the type of a pool, spa, or aquatic feature if the regulatory authority determines that plans and specifications are necessary to ensure compliance with these regulations.

Section 6. Contents of the Plans and Specifications.

- (a) Signed plans and specifications with supporting data must be prepared by a licensed professional engineer or a licensed architect. The plans and specifications shall:
 - (i) Be drawn to scale;

- (ii) Contain a north arrow;
 - (iii) Be accompanied by proper specifications so as to permit a comprehensive review of the plans; and
 - (iv) Be accompanied by the plan review sheet approved and provided by the regulatory authority.
- (b) The plans and specifications shall include:
- (i) The surface area of the pool, spa, or aquatic feature;
 - (ii) The volume, turn-over time, flow rate, filter, automatic chemical feed apparatus, filter head loss, and pump curve showing designed flow;
 - (iii) The source of the water used;
 - (iv) The means of disposing of wastewater according to law;
 - (v) Plan and sectional views with all necessary dimensions of the facility;
 - (vi) A piping diagram showing all appurtenances, including treatment facilities, in sufficient detail, as well as pertinent elevation data to permit a hydraulic analysis of the system;
 - (vii) Details on all treatment equipment, including: the manufacturer, make, and model numbers of the pump, filter, and automatic chemical feed apparatus; the filter head loss; and a pump curve showing designed flow;
 - (viii) An electrical diagram showing the method of grounding, junction boxes, and other pertinent details;
 - (ix) Detailed plans of bathhouses, equipment rooms, dressing rooms, toilet facilities, showers, and other appurtenances;
 - (x) On-site plan with a legal description of the pool, spa, or aquatic feature location; and
 - (xi) Equipment specification sheets, as applicable.
- (c) The regulatory authority may require any additional data for purposes of clarification, describing the anticipated use, or to support any changes in design or scope of the project. If required, this additional data must be submitted prior to beginning to construct, convert, remodel, or change the type of a pool, spa, or aquatic feature.

Section 7. Approval of Plans and Specifications.

(a) The regulatory authority shall review all plans and specifications to determine if they comply with these regulations.

(b) If the regulatory authority approves the plans and specifications, the regulatory authority shall provide to the license applicant or license holder a copy of the plan review sheet denoting the approval.

(c) If the regulatory authority disapproves the plans and specifications, the regulatory authority shall provide to the license applicant or license holder a copy of the plan review sheet stating the reason for disapproval.

(d) The review of the plans by the regulatory authority will not include a review of the structural design or structural stability of any section or part of the facility. Certification of structural adequacy is the responsibility of the licensed engineer or architect.

Section 8. Pre-Operational Inspections.

(a) The regulatory authority shall conduct a pre-operational inspection to verify that the pool, spa, or aquatic feature is constructed and equipped in accordance with the approved plans and specifications, including any approved modifications of those plans, and in compliance with law.

(b) The regulatory authority shall conduct a pre-opening inspection prior to the issuance of any license other than a renewal. A routine inspection shall be performed on the pool, spa, or aquatic feature within 30 days of performing the pre-opening inspection.

Section 9. Denial of License Application; Notice

(a) The regulatory authority may, by order, deny a license application if it finds:

(i) The applicant made false statements on the license application;

(ii) The applicant violated or failed to comply with any part of these regulations or provisions of the Act;

(iii) The applicant is the subject of an order issued by any authority within the past two years denying, suspending, or revoking a pool, spa, or aquatic feature license;

(iv) The regulatory authority is unable to determine that a pool, spa, or aquatic feature complies with these regulations or the Act;

(v) The applicant failed to submit the appropriate fees; or

(vi) The applicant failed to correctly and completely fill out the license application.

(b) If a license application is denied, the regulatory authority issuing the denial shall provide the applicant with a notice that includes:

(i) The specific reasons for the license application denial with reference to the applicable provisions of these regulations or the Act;

(ii) The actions, if any, that the applicant must take to qualify for a license;

(iii) Notice of the applicant's right to request a hearing; and

(iv) The legal authority under which the hearing is to be held.

(c) The applicant must request a hearing within 20 days of the receipt of the notice.

(d) If a hearing is requested, the regulatory authority issuing the denial shall schedule a time and place for the hearing to be held not later than 30 days from the date of the request unless a later date is agreed to by the parties.

(e) The regulatory authority issuing the denial shall notify the applicant of the time, date, and place of the hearing at least seven days before the date of the hearing.

(f) If the applicant supplies evidence of correction and all other license requirements have been met, a license may be issued prior to the hearing.

Section 10. Responsibilities of the License Holder. Upon acceptance of a license issued by the regulatory authority, the license holder shall:

(a) Post the license at the aquatic facility in a location that is conspicuous to the public;

(b) Comply with the provisions of these regulations, including the conditions of a granted variance, as specified under Chapter 1, Section 3 of these regulations, and plans approved pursuant to Section 7 of this chapter;

(c) Immediately cease operations and notify the regulatory authority if an imminent health hazard exists;

(d) Allow representatives of the regulatory authority access to the aquatic facility as specified under Section 23 of this chapter;

(e) Update, replace, or remodel existing facilities and equipment within aquatic facilities to comply with these regulations if:

(i) The regulatory authority directs the replacement because the facilities and equipment constitute a public health or safety hazard or nuisance or no longer comply with the criteria upon which the facilities and equipment were accepted;

(ii) The regulatory authority directs the replacement of the facilities and equipment because of a change of ownership; or

(iii) The facilities and equipment are replaced in the normal course of operation;

(f) Comply with directives of the regulatory authority, including all time-frames for corrective actions specified in inspection reports, notices, orders, and warnings.

(g) Notify the regulatory authority of any change in address; and

(h) Accept notices issued and served by the regulatory authority at the address on file with the regulatory authority.

Section 11. Conditions Warranting Remedy. The regulatory authority may seek an administrative or judicial remedy, including an administrative meeting, to achieve compliance with these regulations if a person operating a pool, spa, or aquatic feature, including an employee:

(a) Operates a pool, spa, or aquatic feature without a license;

(b) Violates any term or condition of a license, as specified in Section 10 of this chapter;

(c) Allows repeated or critical violations of these regulations to remain uncorrected beyond time-frames for correction, as approved, directed, or ordered by the regulatory authority under Sections 25 through 27 of this chapter;

(d) Fails to comply with an order issued as a result of a hearing conducted in accordance with the WAPA;

(e) Fails to comply with a cease operations order or summary suspension notice issued by the regulatory authority; or

(f) Fails to comply with any other provision of these regulations or the Act.

Section 12. Administrative Meetings.

(a) The purpose of an administrative meeting is to facilitate a mutually agreed upon plan of compliance for the license holder.

(b) The regulatory authority may initiate an administrative meeting with the license holder for:

(i) A history of non-compliance with these regulations or the Act; or

(ii) Refusal to grant the regulatory authority access to the aquatic facility.

- (c) The notice of administrative meeting shall state:
 - (i) The reasons for the administrative meeting;
 - (ii) The location and time the administrative meeting will be held; and
 - (iii) That the license holder may appear in person or by counsel.
- (d) The regulatory authority shall conduct the administrative meeting and hear opposing opinions regarding the issues specified in the notice.
- (e) The administrative meeting will result in one of the following outcomes:
 - (i) Institution of a mutually agreed upon plan of compliance with a re-inspection date.
 - (ii) No agreement of cooperation by the license holder, resulting in a revocation notice being issued.
 - (iii) A finding by the regulatory authority that no plan of compliance is necessary and that revocation is not appropriate. The regulatory authority will notify the license holder of any additional requirements if necessary.
- (f) If the regulatory authority and the license holder fail to reach an agreement, and the regulatory authority determines that revocation is appropriate, a revocation notice shall be issued within 10 business days.
- (g) Any plan of compliance shall be:
 - (i) Presented in writing to the license holder after the administrative meeting; and
 - (ii) Signed by the license holder and the regulatory authority.
- (h) Unless otherwise specified, the license holder shall have 10 business days from the date of presentation to complete the items in the plan of compliance, after which the regulatory authority will conduct a re-inspection.
- (i) Upon re-inspection, if the regulatory authority finds that the license holder has not complied with the terms in the plan of compliance or any other requirements of these regulations or the Act, a revocation notice shall be issued within 10 business days of the re-inspection date.

Section 13. Ceasing Operations and Reporting.

- (a) Except as specified in subsection (b) of this section, a license holder shall immediately cease operations and notify the regulatory authority if an imminent health hazard exists because of an

emergency, including a fire, flood, extended interruption of electrical or water service, sewage backup, waterborne disease outbreak, misuse of poisonous or toxic materials, or insanitary occurrence or condition.

(b) A license holder need not voluntarily cease operations in an area of the aquatic facility that is unaffected by the imminent health hazard.

(c) If the regulatory authority has probable cause to believe that an imminent health hazard exists due to a critical violation committed by any person, the regulatory authority may issue a cease operations order.

(d) A summary suspension notice shall also operate as a cease operations order.

Section 14. Summary Suspension.

(a) The regulatory authority may summarily suspend a license to operate a pool, spa, or aquatic feature if it determines, through inspection, water quality testing, records, or other authorized means, or after consultation with the state health officer, that an imminent health hazard exists because of an emergency, including a fire, flood, extended interruption of electrical or water service, sewage backup, waterborne disease outbreak, misuse of poisonous or toxic materials, or insanitary occurrence or condition.

(b) The regulatory authority may summarily suspend a license by providing written notice of the summary suspension to the license holder or the person in charge without prior warning, notice of a hearing, or a hearing.

Section 15. Cease Operations Order and Summary Suspension Notice.

(a) A cease operations order shall state:

(i) That all operations shall immediately cease;

(ii) The reasons that the regulatory authority has probable cause to believe that an imminent health hazard exists with reference to the provisions of these regulations or the Act believed to have been violated;

(iii) The type of imminent health hazard believed to be caused by the alleged violation;

(iv) The name and address of the regulatory authority representative to whom notice for re-inspection may be made and who may certify that the reasons for the cease operations order have been eliminated;

(v) That the license holder may request a contested case hearing within five days of the issuance of the cease operations order;

(vi) That if a contested case hearing is requested, the regulatory authority shall hold a

hearing within 10 days of the issuance of the cease operations order; and

(vii) The name and address of the regulatory authority representative to whom a request for a contested case hearing may be made.

(b) A summary suspension notice shall state:

(i) That the license is immediately suspended and that all operations shall immediately cease;

(ii) The reasons that the regulatory authority has determined that an imminent health hazard exists with reference to the provisions of these regulations or the Act being violated;

(iii) The type of imminent health hazard caused by the violation;

(iv) The name and address of the regulatory authority representative to whom notice for re-inspection may be made and who may certify that the reasons for the suspension have been eliminated;

(v) That the license holder may request a contested case hearing within five days of the issuance of the summary suspension notice;

(vi) That if a contested case hearing is requested, the regulatory authority shall hold a hearing within 10 days of the issuance of the summary suspension notice; and

(vii) The name and address of the regulatory authority representative to whom a request for a contested case hearing may be made.

Section 16. Resumption of Operations.

(a) Within 48 hours after receiving notice from the license holder that the conditions cited in a cease operations order or summary suspension notice no longer exist, the regulatory authority shall conduct a re-inspection of the pool, spa, or aquatic feature for which the cease operations order or summary suspension notice was issued.

(b) A cease operations order shall remain in effect until:

(i) The conditions cited in the cease operations order no longer exist and their elimination has been confirmed by the regulatory authority through re-inspection or other means, as appropriate;

(ii) The regulatory authority determines that the conditions cited in the order do not create an imminent health hazard; or

(iii) A court of competent jurisdiction otherwise orders.

(c) If operations cease as specified in Section 13 of this chapter, whether voluntarily or as the result of a cease operations order, a license holder shall obtain approval from the regulatory authority before resuming operations.

(d) A summary suspension shall remain in effect until:

(i) The conditions cited in the summary suspension notice no longer exist and their elimination has been confirmed by the regulatory authority through re-inspection or other means, as appropriate;

(ii) The regulatory authority determines that the license should not be suspended;

(iii) The license is revoked; or

(iv) A court of competent jurisdiction otherwise orders.

(e) Whenever a suspended license is reinstated, a notice of reinstatement shall be provided to the license holder or person in charge.

Section 17. Revocation.

(a) The regulatory authority may initiate revocation proceedings for a license if:

(i) A summary suspension was issued and the conditions for which the summary suspension was issued have not been corrected;

(ii) There is a history of noncompliance with the Act or these regulations; or

(iii) There was a refusal to grant the regulatory authority access to the aquatic facility.

(b) The revocation notice shall state:

(i) That unless a contested case hearing is requested, the license shall be revoked 15 days after receipt of the revocation notice and that any continuing operations shall cease at that time;

(ii) The reasons for revocation with reference to the provisions of these regulations or the Act that have been violated;

(iii) That the license holder may request a contested case hearing within 15 days of the receipt of the notice of revocation;

(iv) The name and address of the regulatory authority representative to whom a request for a contested case hearing may be made;

(v) That if a contested case hearing is requested, the hearing shall be conducted by a hearing officer in accordance with the WAPA; and

(vi) That the license holder may appear in person or by counsel.

(c) The notice of final decision and order, including written findings of fact and conclusions of law, shall be issued by the regulatory authority.

Section 18. Hearings. All hearings provided for in these regulations shall be conducted in accordance with the WAPA. Appeal from any final order of the regulatory authority shall be taken as provided by the WAPA and the Wyoming Rules of Appellate Procedure. If the Department is the regulatory authority, hearings shall also comply with Chapter 23 of the Department's rules.

Section 19. Service of Notices.

(a) A notice issued in accordance with these regulations or the Act, except for a cease operations order or summary suspension notice, is properly served by certified mailing, return receipt requested, sent by the regulatory authority to the last known address of the license holder or the person operating a pool, spa, or aquatic feature.

(b) A cease operations order is properly served by:

(i) Providing a copy of the order to the license holder or the person in charge; or

(ii) Posting a copy of the order at a public entrance to the premises.

(c) A notice of summary suspension is properly served in accordance with Section 14(b) of this chapter.

Section 20. When Service is Effective.

(a) Service of a notice issued in accordance with these regulations or the Act, except for a cease operations order or summary suspension notice, is effective:

(i) At the time of the receipt of the notice; or

(ii) 30 days after a certified mailing of the notice to the last known address of the license holder or the person operating a pool, spa, or aquatic feature.

(b) Service of a cease operations order or summary suspension notice is effective immediately upon being properly served.

Section 21. Establishing Inspection Interval.

(a) The regulatory authority shall inspect pools, spas, and aquatic features based on the relative risk to public health and safety, with no aquatic facility receiving less than one inspection per

year.

(b) Pursuant to Section 22 of this chapter, the regulatory authority may conduct more than one inspection per year.

Section 22. Performance and Risk-Based Inspections. The regulatory authority shall prioritize and conduct more frequent inspections of a pool, spa, or aquatic feature according to its assessment of the relative risk to public health and safety based upon:

- (a) A history of noncompliance with these regulations or the Act;
- (b) The number of violations, including any repeat violations;
- (c) The number of complaints investigated and found to be valid;
- (d) The health or safety hazards associated with the particular pool, spa, or aquatic feature;
- (e) The type of operation; and
- (f) The number of people served.

Section 23. Access for Inspection.

(a) After the regulatory authority presents official credentials and states an intent to conduct an inspection, the person in charge shall allow the regulatory authority access to determine if the pool, spa, or aquatic feature complies with these regulations by:

- (i) Allowing physical access to the pool, spa, or aquatic feature;
- (ii) Allowing inspection of the premises, including inspection of any necessary documentation;
- (iii) Allowing examination, sampling, and testing of pool, spa, or aquatic feature water, including water used within the circulation system; and
- (iv) Providing information and records specified in these regulations, and to which the regulatory authority is entitled according to law, during the hours of operation of the pool, spa, or aquatic feature and other reasonable times.

(b) Denial of access to inspect shall be grounds for revocation of a license. Any intimidation or harassment of inspectors shall be deemed a denial of access to inspect and grounds for revocation of a license.

- (c) The details of a denial of access shall be recorded on the inspection report form.

Section 24. Documenting Information and Observations. The regulatory authority shall document on an inspection report form:

- (a) Administrative information about the pool, spa, or aquatic feature, including:
 - (i) Owner information;
 - (ii) Street and mailing addresses;
 - (iii) Type of facility and operation, as specified under Section 3(b) of this chapter;
 - (iv) Inspection date;
 - (v) Type of water supply and sewage disposal;
 - (vii) Status of the license;
 - (viii) Personnel certificates that may be required; and
 - (ix) Any other relevant information.
- (b) Specific factual observations of conditions that violate or deviate from these regulations or the Act that require correction by the license holder, including:
 - (i) Failure to maintain, in whole or in part, the pool, spa, or aquatic feature in a clean and sanitary condition, in good repair, and free of safety hazards;
 - (ii) Failure to maintain the pool, spa, or aquatic feature water in compliance with these regulations or the Act, as indicated by test results;
 - (iii) Failure to meet health and safety practices for pool, spa, and aquatic feature operation in compliance with these regulations or the Act; and
 - (iv) Failure to keep and maintain records pertaining to the operation and maintenance of the pool, spa, or aquatic feature as required in Chapter 1, Section 8 of these regulations.

Section 25. Timely Correction of a Critical Violation.

- (a) Except as specified in subsection (b) of this section, a license holder shall correct a critical violation of these regulations at the time of inspection.
- (b) The regulatory authority may specify a longer time-frame, not to exceed 10 days after the inspection, for the license holder to correct critical violations of these regulations, based on the nature of the imminent health hazard involved and the complexity of the corrective action. If the inspector determines that the corrective action cannot be completed within 10 days, the inspector may request an extension, which must be approved in writing by a supervisor.

Section 26. Verification and Documentation of Correction of a Critical Violation.

(a) After observing that an employee has corrected a critical violation during an inspection, the regulatory authority shall enter the violation and information about the corrective action on the inspection report.

(b) After receiving notification that the license holder has corrected a critical violation, or at the end of the specified period of time, the regulatory authority shall verify the correction, or lack thereof, document the information on an inspection report, and enter the report in the regulatory authority's records.

Section 27. Time-Frame for Correction of a Noncritical Violation.

(a) Except as specified in subsection (b) of this section, the license holder shall correct noncritical violations by a date and time specified by the regulatory authority, but no later than 90 days after the inspection.

(b) The regulatory authority may approve a compliance schedule that extends beyond 90 days if a written schedule of compliance is submitted by the license holder and no health or safety hazard exists or will result from allowing an extended schedule for compliance.

Section 28. Issuing a Report and Obtaining Acknowledgment of Receipt. At the conclusion of an inspection, the regulatory authority shall provide a copy of the completed inspection report to the license holder or to the person in charge and request a signed acknowledgment of receipt.

Section 29. Refusal to Sign Acknowledgment. The regulatory authority shall inform a person who declines to sign an acknowledgment of receipt of an inspection report that:

(a) An acknowledgement of receipt of an inspection report is not an agreement with the findings in the inspection report;

(b) Refusal to sign an acknowledgment of receipt of an inspection report will not affect the license holder's obligation to correct the violations noted in the inspection report within the time-frames specified; and

(c) Refusal to sign an acknowledgment of receipt of an inspection report will be noted in the inspection report and the regulatory authority's historical record for the pool, spa, or aquatic feature.

Chapter 3

General and Structural Design; Equipment Standards

Section 1. Overall Structure.

- (a) Pools, spas, aquatic features, and all appurtenances shall be:
 - (i) Constructed of materials that are considered to be nontoxic to humans and the environment;
 - (ii) Impervious, enduring, and capable of withstanding design stresses; and
 - (iii) Water tight with smooth and easily cleanable surfaces without cracks or joints, excluding structural joints.

(b) The structural design and materials used for pools, spas, and aquatic features shall be in accordance with generally accepted industry engineering practices and methods prevailing at the time of original construction. Pools, spas, aquatic features, and aquatic facilities shall be constructed to meet the following standards, when applicable, or other nationally recognized standards determined by the Department to be at least as protective as the applicable standard listed below:

- (i) ANSI/APSP/ICC 7-13.
 - (ii) Sections 304.2, 306.1, 307.2, and 316 of the IPC.
 - (iii) The Plumbing Code.
 - (iv) The Electrical Code.
- (c) A pool, spa, or aquatic feature shall have no sharp edges or protrusions where walls meet at an acute angle and shall be shaped to provide for complete water circulation and mixing.
- (d) The shell, appurtenances, piping, filter system, pump, motor, and other components shall be designed and constructed to facilitate protection from damage due to freezing.

Section 2. Interior Surface Characteristics; Color.

- (a) Soil shall not be permitted as an interior finish in a pool, spa, or aquatic feature.
- (b) The colors, patterns, or finishes of a pool, spa, or aquatic feature shall not obscure the existence or presence of objects or surfaces within the pool, spa, or aquatic feature.
- (c) All new pool, spa, or aquatic feature interior finishes shall be light-colored except for:
 - (i) Tiled lines marking the operating water level;

- (ii) Racing lane markings (painted or tiled to a maximum of 12" wide);
- (iii) Turn targets (painted or tiled); and
- (iv) Safety markers.

Section 3. Hydrostatic Relief Valve. A hydrostatic relief valve or a more extensive hydrostatic system shall be installed if necessary to prevent ground water pressure from displacing or otherwise damaging a new pool, spa, or aquatic feature.

Section 4. Interior Surface Footing.

(a) Surfaces intended to provide footing for bathers within a pool, spa, or aquatic feature shall have a slip-resistant surface. The roughness or irregularity of such surfaces shall not cause injury to the feet during normal use.

(b) Functional protrusions, extensions, and other elements in interactive play attractions shall be designed and installed to minimize entrapment of or hazard to the bather.

(i) Where interactive play attractions, functional protrusions, extensions, and other elements project into the aquatic feature, other floor and wall fittings shall be configured so as to not present a hazard to the bather.

(ii) When the function or nature of a recreation attraction incorporates protrusions or obstacles, they shall be marked with an identifying feature, such as a contrasting color, to warn bathers of their presence.

Section 5. Roofs or Canopies. Roofs or canopies over pools, spas, or aquatic features shall be constructed so that water run-off or other forms of possible pollution do not drain or fall into the pool, spa, or aquatic feature.

Section 6. Plumbing. Plumbing shall be sized, installed, and maintained according to applicable state regulations and local plumbing codes.

Section 7. Piping: Design, Material, and Color Coding.

(a) Pool, spa, and aquatic feature circulation piping shall be sized to carry the following maximum design loads:

- (i) Discharge piping (except copper and asbestos cement pipe): 10 fps.
- (ii) Discharge piping (copper): 8 fps.
- (iii) Suction piping: 6 fps.

- (iv) Discharge and suction piping (asbestos cement): 6 fps.
- (b) All pool, spa, and aquatic feature circulation piping shall be rated and capable of withstanding four times the maximum operating pressure at maximum water temperatures.
- (c) Plastic pool, spa, and aquatic feature circulation piping shall comply with NSF/ANSI 14-2018.
- (d) Metallic piping, except stainless steel, used in pool, spa, and aquatic feature circulation systems shall have a corrosion resistant internal lining.
- (e) Metal or chlorinated polyvinyl chloride pipe shall be used 18" upstream and downstream of heating equipment.
- (f) The piping system shall have direction of flow arrows indicated on the pipes.
- (g) Pool, spas, and aquatic features shall have available, on the premises, at all times, a flow diagram of the piping system with operation instructions.
- (h) A piping system for a general-use pool, spa, or aquatic feature shall be color coded as specified in the following chart:

Pool water	Blue
Fill or makeup water, untreated water	Red
Treated, filtered water	White
Back wash water	Black

Section 8. Walls.

- (a) Walls shall not be greater than 11° from plumb for a minimum depth of 2' 3" in the shallow areas. Below these depths the wall may be radiused to join the floor.
- (b) If a pool or aquatic feature design requires the wall to have a greater slope than 11°, the slope shall be designed so as not to exceed 1' in 12'.
- (c) There shall be no wall ledges in a pool, spa, or aquatic feature.

Section 9. Size.

- (a) The size of a pool, spa, or aquatic feature shall be governed by the requirements of the activities for which the installation is intended.
- (b) A pool, spa, or aquatic feature shall not exceed the design limit of user functions described in the following chart:

Outdoor pool or aquatic feature	Maximum load = $A^* / 20$
Indoor pool, wading pool, or aquatic feature	Maximum load = $A^* / 24$
Spa	Maximum load = $A^* / 10$
Plunge pool	Maximum load = $A^* / 50$
Where A^* equals the surface area of the pool, spa, or aquatic feature in ft^2 .	

Section 10. Water Depth Requirements.

- (a) The shallowest point of any pool, including a swimming pool, plunge pool, or wave pool, shall be no greater than 3' 6" in depth.
- (b) Zero depth designs for pools, spas, or aquatic features shall be allowed where the bottom of the pool, spa, or aquatic feature in the shallow area is designed and constructed to meet the deck surface at a slope not to exceed 1' in 12' to a water depth of 18".
- (c) In pools, spas, or aquatic features where the water depth is less than 18", floor inlets shall be provided and spaced uniformly with at least one inlet per 200 ft^2 or portion thereof.
- (d) A wading pool shall not be more than 2' in depth as measured from the operating water level.
- (e) Depths and clearances for pools without diving boards shall comply with the following figure and tables:

Figure 10(e) (No Diving Board – Longitudinal View)

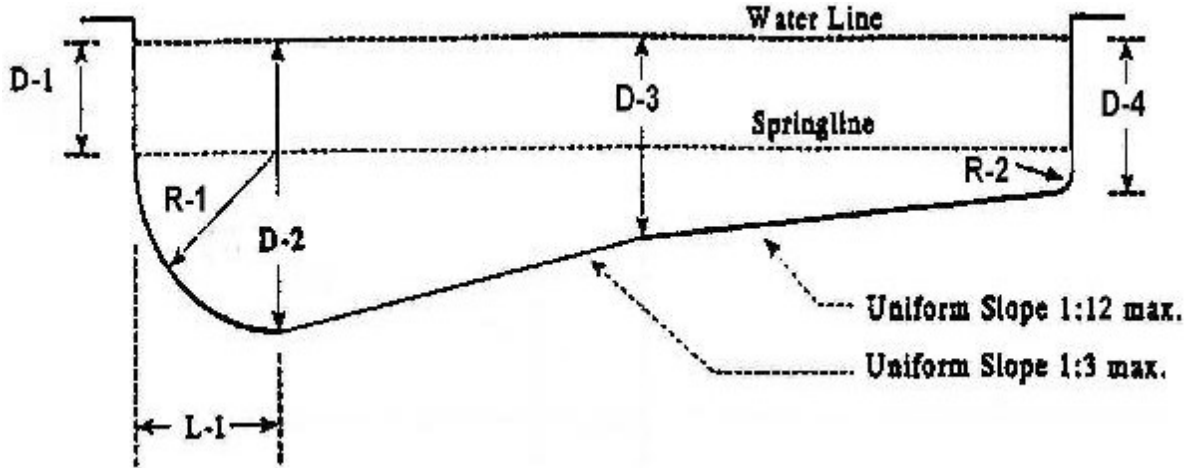


Table 10(e)(1) (No Diving Board – Pool Depth 6' or Less)

Dimension	D-1	D-2	D-3	D-4	L-1	R-1	R-2
Minimum	(1)	---	5'0"	---	3'6"	---	(2)
Maximum	---	6'0"	---	3'6"	---	(3)	1'0"
(1)	2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.						
(2)	No minimum requirement for zero-depth entries; otherwise, 0'6"						
(3)	D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1.						

Table 10(e)(2) (No Diving Board – Pool Depth Greater than 6')

Dimension	D-1	D-2	D-3	D-4	L-1	R-1	R-2
Minimum	(1)	6'0"	5'0"	---	3'6"	---	(2)
Maximum	---	---	---	3'6"	---	(3)	1'0"
(1)	2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.						
(2)	No minimum requirement for zero-depth entries; otherwise, 0'6".						
(3)	D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1.						

(f) Depths and clearances for pools with diving boards 30" or less above the operating water level shall comply with the following figures and table:

Figure 10(f)(1) (Diving Board 30" or Less – Longitudinal View)

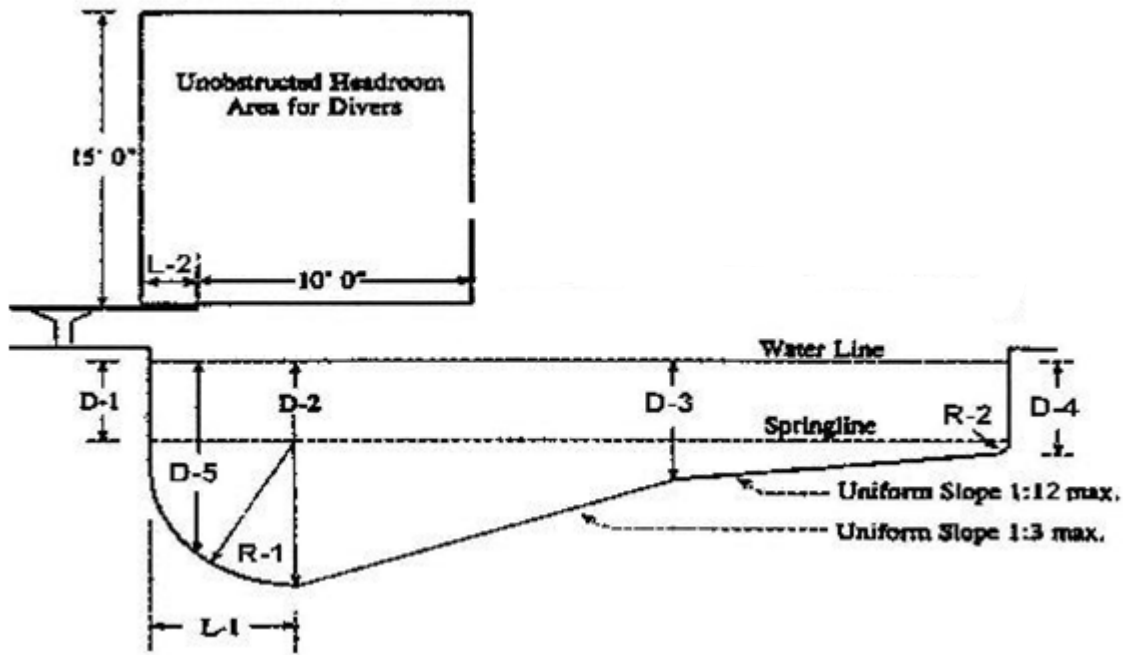


Figure 10(f)(2) (Diving Board 30" or Less – Transverse View at Deepest Point)

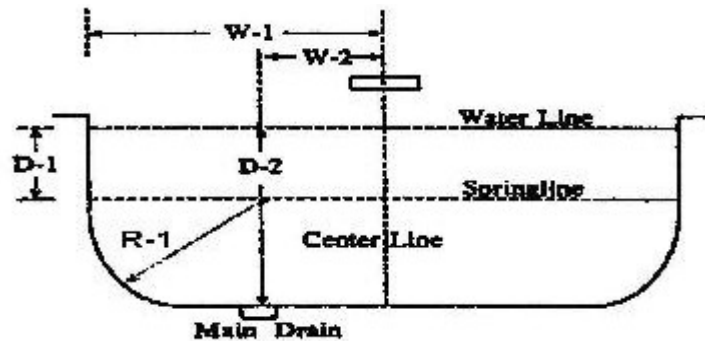


Table 10(f) (Diving Board 30" or Less)

Dimension	D-1	D-2	D-3	D-4	D-5	L-1	L-2	W-1	W-2	R-1	R-2
Minimum	(1)	8'6"	4'6"	—	7'0"	6'0"	2'6"	9'0"	3'0"	—	(2)
Maximum	—	—	5'0"	3'6"	—	10'0"	4'0"	—	—	(3)	1'0"
(1)	2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.										
(2)	No minimum requirement for zero-depth entries; otherwise, 0'6"										
(3)	D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1										

(g) Depths and clearances for pools with diving boards greater than 30" above the operating water level shall comply with the following figures and table:

Figure 10(g)(1) (Diving Board Greater than 30" – Longitudinal View)

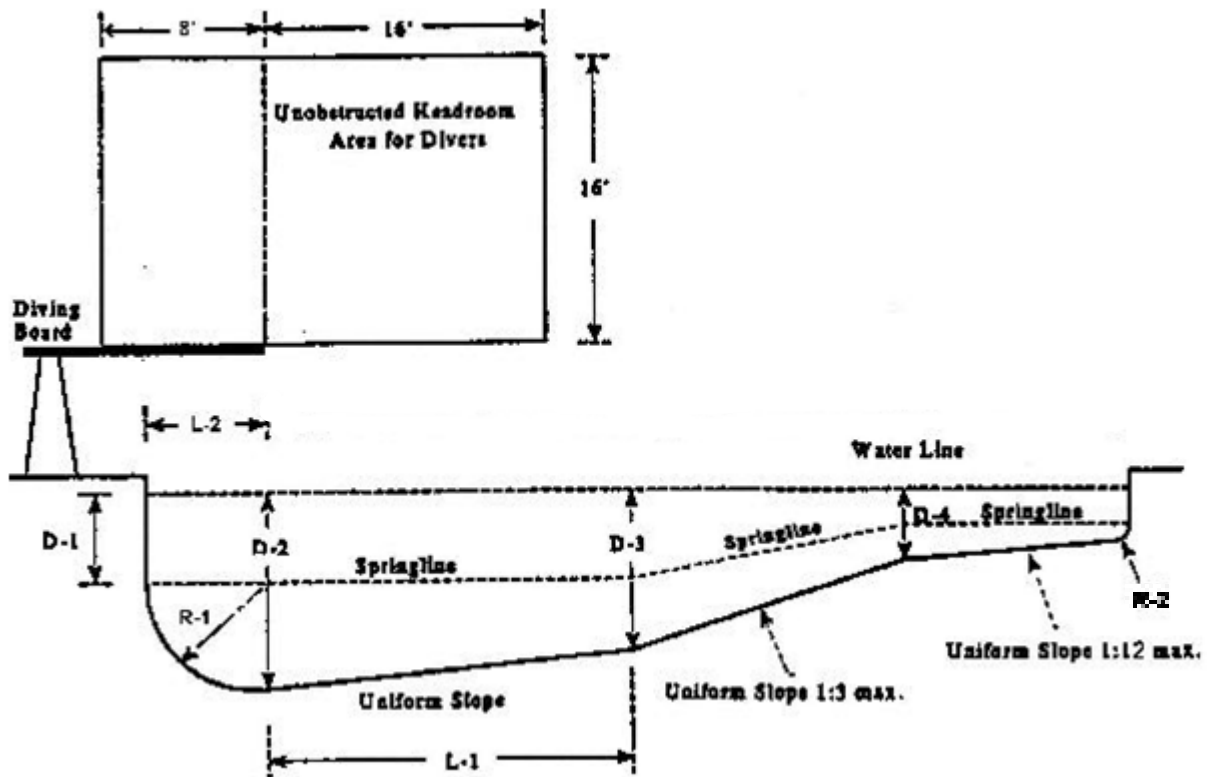


Figure 10(g)(2) (Diving Board Greater than 30" – Transverse View at Deepest Point)

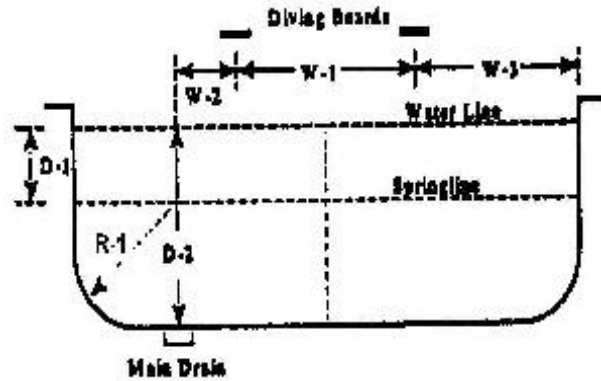


Figure 10(g)(3) (Diving Board Greater than 30" – Enlarged Shallow End View)

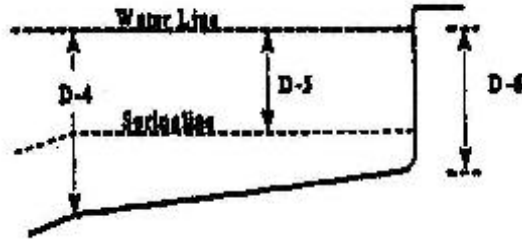


Table 10(g) (Diving Board Greater than 30")

Brd	Dim	D-1	D-2	D-3	D-4	D-5	D-6	L-1	L-2	W-1	W-2	W-3	R-1	R-2
1 m	Min	6'0"	12'0"	11'0"	4'6"	(1)	—	20'0"	4'0"	10'0"	5'0"	11'0"	—	(2)
2 m	Min	7'0"	13'0"	12'0"	4'6"	(1)	3'6"	20'0"	6'0"	10'0"	5'0"	12'0"	(3)	1'0"
(1)		2'6" minimum in areas greater than 3' in depth; does not apply in areas 3' or less in depth.												
(2)		No minimum requirement for zero-depth entries; otherwise, 0'6"												
(3)		D-2 (Distance from operating water level to pool bottom) minus D-1 (Distance from operating water level to springline) = R1												

Section 11. Floor Slopes.

(a) Floor slopes in a pool shall, at a minimum, meet the following requirements:

(i) All slopes shall be uniform.

(ii) The shallow area shall be uniform to a depth of 5' and shall not exceed 1' of fall in 12'.

(iii) The transition area between the deep and shallow areas of the pool shall not exceed 1' of fall in 3'.

(b) The transition radius from wall to floor shall:

(i) Have its center no less than 2' 6" below the surface of the water;

(ii) Be tangent to the point where the radius meets the wall or the floor; and

(iii) Have a radius at least equal to the depth of the pool minus the vertical wall depth measured from the operating water level.

Section 12. Equipment Rooms. Pool, spa, or aquatic feature equipment rooms shall:

(a) Be large enough to permit access to all equipment for both operation and maintenance;

(b) Be adequately ventilated;

(c) Have a floor sloped to a floor drain;

(d) Protect pool, spa, or aquatic feature equipment from the weather; and

(e) Be locked, permitting access only to authorized personnel.

Section 13. Electrical Requirements; Lighting.

(a) All new installations of electrical equipment at aquatic facilities shall comply with the applicable provisions set forth in the Electrical Code.

(b) Electrical equipment shall be listed by an ANSI-accredited, independent, third-party conformity assessment organization.

(c) All electrical components shall:

(i) Be installed to meet the manufacturer's specifications;

(ii) Meet applicable federal, state, and local codes and regulations; and

(iii) Be in compliance with Sections 313.8 and 321 of the IPC.

(d) Light fixtures shall be shielded or safety coated to prevent broken glass from falling onto the deck area or into the pool, spa, or aquatic feature.

(e) A pool, spa, or aquatic feature and any adjacent deck areas shall be lighted by natural or artificial means when in use. A pool, spa, or aquatic feature intended to be used at night shall be equipped with artificial lighting that is designed and spaced so that all parts of the pool, spa, or aquatic feature, including the bottom, may be seen without glare.

Section 14. Ground Fault Interrupters. Equipment such as duplex plugs, lighting, and other electrical equipment serving a pool, spa, or aquatic feature shall be protected with ground fault interrupted circuits that comply with the Electrical Code.

Section 15. Bonding and Grounding.

(a) Electrical equipment serving pools, spas, and aquatic features shall be grounded as described in the Electrical Code and Sections 313.8 and 316.2 of the IPC.

(b) Pool, spa, and aquatic feature pumps shall be both internally and externally grounded.

Section 16. Overhead Wires. No overhead electrical wiring shall pass within 20' of the pool, spa, or aquatic feature enclosure.

Section 17. Electrical Disconnecting Means. Electrical disconnecting means for pools, spas, and aquatic features shall be:

(a) Accessible;

(b) Located within sight of the pool, spa, or aquatic feature; and

(c) Located at a distance from the inside wall of the pool, spa, or aquatic feature, as required by the Electrical Code.

Section 18. Location of Other Electrical Equipment. Electrical switches, outlets, deck lights, and other such electrical equipment shall be located at a distance from the inside wall of a pool, spa, or aquatic feature in accordance with the Electrical Code unless separated from the pool, spa, or aquatic feature by a solid fence, wall, or other permanent barrier.

Section 19. Pool Heaters.

(a) A fuel-burning pool, spa, or aquatic feature heater shall:

(i) Be situated so the pilot light, if present, is readily accessible; and

(ii) Have an adequate supply of combustion air.

(b) Electrical heaters shall be installed in accordance with the Electrical Code.

(c) Temperature and pressure relief devices on all heaters shall be installed according to the Plumbing Code and Section 316 of the IPC.

Section 20. Heaters and Boilers: Certification. Pool, spa, and aquatic feature heaters and boilers shall be designed, constructed, and operated to comply with applicable federal, state, and local codes and standards and the manufacturer's specifications.

Section 21. Heaters and Boilers: Installation and Testing.

(a) All heating equipment using either fossil fuels, such as natural gas, liquid petroleum gas, or No. 2 fuel oil, or electric heating equipment for heating water for pools, spas, and aquatic features shall:

- (i) Comply with Section 316 of the IPC;
- (ii) Be installed on a surface with sufficient structural strength to support the heater when it is full of water and operating;
- (iii) Be level and stationary after plumbing, gas, and electrical connections are completed;
- (iv) Be installed and maintained with at least the minimum clearances to combustibles for which the heater has been tested, as specified by the manufacturer;
- (v) Have adequate ventilation in order to ensure proper operation;
- (vi) Be grounded and bonded to reduce electrical shock hazard; and
- (vii) For heaters requiring a non-combustible surface, per the manufacturer, be placed on concrete or other acceptable surface, in accordance with Section 316 of the IPC.

(b) Heaters with electronic ignition shall be wired in series with the circulation pump to ensure they will not turn on when the pump is off.

(c) Water flow through the heater, bypass plumbing, cross-connection protection, and heat sinks shall be in accordance with the manufacturer's specifications and with the requirements of state and local regulatory authorities.

Section 22. Heating Energy Sources.

(a) The heating energy source for pools, spas, and aquatic features shall be designed, constructed, and operated to comply with any manufacturer specifications and applicable federal, state, and local codes and standards.

(b) Natural gas energy supply piping shall comply with the manufacturer's specifications and Section 316 of the IPC.

(c) Gas lines shall have a gas cock, properly sized and readily accessible outside the jacket,

to stop the flow of natural gas for heater service or emergency shutdown.

(d) Where liquid petroleum gas appliances are used, including within a pit or enclosed area, they shall be installed as approved by the applicable fire safety authority. The storage tank, supply piping, and regulator shall be adequately sized to ensure operating fuel pressures, as specified by the appliance manufacturer.

Section 23. Air Blower and Air Induction Systems.

(a) This section pertains to all devices and systems that induce or allow air to enter the pool, spa, or aquatic feature, either by means of a power pump or passive design.

(b) Air intake sources shall not induce dirt, contaminants, or external water into the pool, spa, or aquatic feature.

(c) An air blower installed within an enclosure or indoors shall be:

- (i) Provided with adequate ventilation;
- (ii) Installed in accordance with any applicable federal, state, and local codes;
- (iii) Installed according to the manufacturer's recommendations; and
- (iv) Accessible for inspection and service.

(d) Integral air passages shall be pressure tested at the time of manufacture to provide structural integrity to a value of one and one-half times the intended working pressure.

(e) An air induction system shall totally prevent water back-up that could cause electrical shock hazards.

(f) A hydrotherapy pump and air blower in a spa, other than a therapy pool, shall be connected to a maximum 15 minute time switch located no closer than 10' from the spa water's edge.

(g) Air blower and air induction systems shall be separate from the circulation system.

Section 24. Decks: Size Requirements.

(a) Decks shall be provided at all pools, spas, and aquatic features and shall be designed and installed to meet the following minimum continuous unobstructed widths, which may include the coping size requirements:

- (i) General-use pools or aquatic features: 8'.

- (ii) Limited-use pools or aquatic features: 4'.
- (iii) Spas with less than 100 ft² of water surface area shall have a 6' by 8' continuous, unobstructed deck on at least one side of the spa.
- (iv) Spas with 100 ft² or more of water surface area shall provide additional deck area at least 4' wide around at least 50% of the spa.
- (b) A minimum of 4' of unobstructed deck shall be provided on all sides of diving equipment except the side facing the pool or aquatic feature.

Section 25. Decks: Surface Materials.

- (a) Deck surfaces shall be constructed of:
 - (i) Concrete;
 - (ii) Slip-resistant tile; or
 - (iii) An equally impervious material with a smooth, slip-resistant, cleanable surface.
- (b) Joints between concrete deck slabs shall be water tight and all decks shall have:
 - (i) Expansion joints;
 - (ii) Voids between adjoining concrete deck slabs no greater than 3/16"; and
 - (iii) Adjoining deck surface elevations varying no more than 1/4".

Section 26. Decks: Drainage.

- (a) Decks shall slope no less than 1/4" per 1' and be sloped to drain to perimeter drains.
 - (i) Drainage shall remove the following types of water without leaving standing water:
 - (A) Pool, spa, and aquatic feature splash water.
 - (B) Deck cleaning water.
 - (C) Rainwater.
 - (ii) Deck drain lines shall have an indirect connection to the sewer line to prevent sewage from backing up onto the deck.
- (b) The surface of a deck shall not drain into the pool, spa, aquatic feature, or overflow

gutter and shall not be returned to the circulation system. Drainage shall be conducted from the deck in a manner that will not create muddy, hazardous, or insanitary conditions.

(c) All drainage at an aquatic facility shall be directed away from pools, spas, and aquatic features. This includes:

- (i) All perimeter deck drainage;
- (ii) General site drainage; and
- (iii) Roof drainage.

(d) When required, yard drains shall be installed to prevent the accumulation or puddling of site water in the general area of the deck and related improvements.

Section 27. Decks: Equipment.

(a) Valves installed in or under the deck shall have a minimum 10" diameter access cover and a valve pit to facilitate servicing.

(b) An aquatic facility shall have a sufficient number of hose bibs, equipped with vacuum breakers, for washing down the deck area.

Section 28. Decks: Prohibited Material.

- (a) Wood decking around pools, spas, and aquatic features is prohibited.
- (b) Wood decks, carpets, and other absorbent materials are prohibited in the wet deck area.

Section 29. Pool, Spa, and Aquatic Feature Enclosures.

- (a) All pools, spas, and aquatic features shall be protected by an enclosure.
 - (i) The enclosure shall be:
 - (A) A fence;
 - (B) A wall; or
 - (C) A building without private entrances to the pool, spa, or aquatic feature area.
 - (ii) The enclosure shall form the perimeter of the deck whenever possible.
- (b) Pool, spa, and aquatic feature enclosures, including gates, shall be constructed to

prevent access to the pool, spa, or aquatic feature by unsupervised children or domestic animals.

(c) Enclosures shall not be less than 4' in height, measured from the outside ground level at a point 1' horizontal from the base of the enclosure.

(d) There shall not be more than 4" of space between the bottom of the enclosure and a hard surface, such as a pool, spa, or aquatic feature deck, and not more than 2" of space between the bottom of the enclosure and a soft surface, such as soil.

(e) Mesh fences, other than chain-link fences, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

(i) Each section of the enclosure shall be attached to a supporting structure no less than 45" above the ground.

(ii) There shall not be more than 1" of space between the bottom of the enclosure and the ground surface.

(iii) The construction of the enclosure shall not permit the mesh fence to be lifted so as to create more clearance between the enclosure and the ground surface than that allowed in subsection (d) of this section.

(f) Gates in pool, spa, or aquatic feature enclosures shall open outward, away from the pool, spa, or aquatic feature, and shall be self-closing and equipped with a lockable, self-latching device attached on the inside of the gate located at least 42" above the ground.

(g) Any building enclosing a pool, spa, or aquatic feature shall be ventilated to prevent condensation and alleviate odors.

Section 30. Wading Pool Requirements.

(a) Wading pools shall have:

(i) A maximum water depth of 24";

(ii) A slope that does not exceed 1' in 12';

(iii) A slip-resistant finish;

(iv) A maximum turnover cycle of two hours;

(v) A separate circulation system; and

(vi) At least two inlets halfway between the bottom of the wading pool and the surface of the water.

(b) The standards for water quality, surface skimming, and all other details must be equal or superior to those set forth in these regulations.

(c) Adequate sanitary facilities, as required in Chapter 7 of these regulations, must be available in the vicinity of the wading pool.

(d) A water cooler, water station, or sanitary drinking fountain must be provided at one side or end of the wading pool area. A sanitary drinking fountain must have a raised step or be set at an acceptable height to enable children of all sizes to drink without assistance.

(e) Wading pools shall be:

(i) Located at the shallow end of the main pool or aquatic feature; and

(ii) Separated from the main pool or aquatic feature by a separate barrier or fence meeting the requirements of these regulations.

(f) Underwater lights are prohibited in wading pools.

Section 31. Interactive Play Aquatic Feature Requirements.

(a) In addition to the general aquatic feature requirements stated in these regulations, interactive play aquatic features shall comply with the additional provisions of this section.

(b) Interactive play aquatic features shall:

(i) Have a slip-resistant and easily cleanable surface, with any manufactured surfacing deemed suitable by the manufacturer for aquatic and chlorinated environments;

(ii) Be properly sloped so that only water from the interactive play aquatic feature flows back to the interactive play aquatic feature collection tank, such that:

(A) Areas adjacent to the interactive play aquatic feature slope away from the collection drains for the interactive play aquatic feature; and

(B) The slope of the interactive play aquatic feature is sufficient to prevent standing water from collecting on the pad;

(iii) Have drains, the size, number, and location of which shall be determined and specified so as to assure water does not accumulate on the interactive play aquatic feature pad, such that:

(A) Flow through the drains to the interactive play aquatic feature collection tank is under gravity;

(B) There are no direct suction outlets from the interactive play aquatic

feature;

and (C) Openings in the grates covering the drains do not exceed 1/2" wide;

(D) Gratings are not removable without the use of tools; and

(iv) Have a collection tank designed to provide ready access for cleaning and inspections, such that:

(A) The collection tank can be completely drained; and

(B) The access hatch or lid is locked or requires a tool to open.

(c) The deck area of the interactive play aquatic feature shall be:

(i) Kept free of landscape debris by either:

(A) 8' of deck area;

(B) Raised curbs; or

(C) Raised planters;

(ii) Of a uniform, easily cleaned, impervious material; and

(iii) Protected from surface runoff.

(d) A barrier shall be provided to separate an interactive play aquatic feature from another body of water within the same facility unless the interactive play aquatic feature is separated by a distance of at least 15' from other bodies of water.

(e) If an aquatic facility only consists of an interactive play aquatic feature, then the requirements for an enclosure shall not apply.

(f) Spray features shall be designed and installed to be seen clearly, so as not to be a hazard to bathers due to water velocity from the spray feature discharge or other safety hazards. Maximum velocity at the orifice of the spray feature nozzle shall not exceed 20 fps.

(g) Depth markings and warning signs shall not be required for interactive play aquatic features.

Section 32. Food Service.

(a) Food service operations located and conducted at an aquatic facility shall comply with the Wyoming Food, Drug and Cosmetic Safety Act and the Wyoming Food Safety Rule.

(b) Food or drink shall be permitted only in designated areas away from any pool, spa, or aquatic feature water.

(c) Food may be permitted in a spectator area located near a pool, spa, or aquatic feature, provided the deck area remains clean.

Section 33. Drinking Fountains, Water Coolers, and Water Stations. Drinking fountains, water coolers, or water stations shall be provided within the pool, spa, or aquatic feature enclosure at all aquatic facilities.

Chapter 4

Sanitary Facilities and Controls

Section 1. Water Supply.

(a) Water supplied to a pool, spa, or aquatic feature shall be obtained from an approved source that is:

- (i) A public water system; or
- (ii) A nonpublic water system that is constructed, maintained, and operated according to law.

(b) Water supplied to a pool, spa, or aquatic feature shall be obtained from the source through the use of:

- (i) An approved public water main; or
- (ii) One or more of the following that shall be constructed, maintained, and operated according to law:
 - (A) Nonpublic water main, water pumps, pipes, hoses, connections, and other appurtenances;
 - (B) Water transport vehicles; or
 - (C) Water containers.

(c) Water from a nonpublic water system shall meet the standards set by these regulations.

Section 2. Conveying Sewage.

(a) Filter backwash water and water drained from a pool, spa, or aquatic feature shall be discharged into a sanitary sewer through an approved air gap or disposed of by other means approved by the regulatory authority.

(b) There shall be no direct physical connection between the wastewater disposal system and a drain or circulation system.

(c) Backwash water or water drained from a pool, spa, or aquatic feature shall be discharged through an air gap formed by positioning the discharge pipe opening at least two pipe diameters above the overflow level of any confining barrier which could cause flooding and submergence of the discharge opening in the event that the disposal system should fail, or by other means approved by the regulatory authority.

(d) Splash screening barriers are permitted as long as they do not compromise air gap effectiveness.

Section 3. Approved Sewage Disposal System; Other Liquid Wastes and Rainwater.

- (a) Sewage shall be disposed of through an approved facility that is:
 - (i) A public sewage treatment plant; or
 - (ii) An individual sewage disposal system that is sized, constructed, maintained, and operated according to law.
- (b) Condensate drainage and other non-sewage liquids and rainwater shall be drained from point of discharge to disposal in accordance with law.

Section 4. Disinfection Equipment and Chemical Feeders.

- (a) Disinfection equipment for pools, spas, and aquatic features shall meet the requirements of NSF/ANSI 50-2017.
- (b) Disinfection feed systems shall have the capacity to maintain up to 8 ppm chlorine or up to 12 ppm bromine or approved equivalent for all pools, spas, and aquatic features.

Section 5. Disinfection Equipment and Practices.

- (a) Disinfection equipment and practices shall comply with the following:
 - (i) A chlorine or bromine residual, or residual of other disinfectants approved by the regulatory authority, shall be maintained in the pool, spa, or aquatic feature to meet the water quality parameters outlined in Chapter 5, Section 1 of these regulations.
 - (ii) Disinfection equipment shall be selected, installed, and operated in accordance with the manufacturer's instructions so that continuous and effective disinfection can be maintained under all conditions.
 - (iii) The use of elemental gas chlorine shall be in accordance with Sections 20 through 27 of this chapter.
- (b) Water shall be continuously disinfected by a disinfection chemical. The residual must be easily measured by simple and accurate field tests approved by the regulatory authority.
- (c) To maintain proper chemical levels, chlorine, pH, or other chemical control, equipment that adjusts chemical feed based on demand shall be provided.

(d) If ancillary non-chlorine or non-bromine disinfectant is used, it shall be used in addition to chlorine or bromine or other approved equivalent unless the disinfection method used is capable of producing a measurable residual when tested with an accurate and approved field test kit.

(e) Disinfection chemicals shall be:

- (i) Capable of being tested by a field test kit; and
- (ii) Registered for use by the EPA.

(f) Stabilized chlorine shall not be used for indoor aquatic features.

Section 6. Disinfection: Prohibited Practices.

(a) Supplemental hand feeding of disinfection chemicals or other chemicals directly into the pool, spa, or aquatic feature shall not occur when the pool, spa, or aquatic feature is occupied by bathers.

(b) Pool, spa, and aquatic feature skimmer baskets and pump strainer baskets shall not be used as chemical feeders.

(c) In pools, spas, and aquatic features that are not maintaining the required disinfection residuals and pH, a remote automated chemical control system that monitors the disinfection chemical and pH shall be installed to assure constant and adequate disinfectant and pH levels and to preclude overfeeding.

(d) Any use of remote monitor control systems for automatic chemical systems shall be constructed as a backup system to the required on-site monitoring and control system.

Section 7. Disinfection: Personnel Responsibilities. Personnel responsible for the operation of the disinfection and associated equipment and other potentially hazardous chemicals shall be properly trained and wear protective equipment and clothing, including rubber gloves, goggles, and any other protective gear and safety equipment that may be necessary.

Section 8. Chemical Storage.

(a) The license holder shall ensure that disinfection or other chemicals and feed equipment shall be stored in such a manner that aquatic facility users shall not have access to them.

(b) Dry chemicals shall:

- (i) Be stored off the floor; and
- (ii) Protected against flooding or wetting from floors, walls, and ceilings.

- (c) Chemical bulk tanks shall be clearly labeled to indicate the tank's contents.
- (d) Solution containers shall be provided with a cover to prevent the entrance of dust, insects, and other contaminants.
- (e) Disinfection chemicals shall not be stored in the same area as other chemical products.
- (f) Safety Data Sheets shall be available and current for all chemicals used on the property.

Section 9. Pool, Spa, and Aquatic Feature Pumps: Requirements and Uses.

- (a) A pump and motor shall circulate the pool, spa, or aquatic feature water.
 - (i) A hair and lint strainer shall be located on the suction side of the pump.
 - (ii) The strainer shall be at least equal in size to the pump suction line.
 - (iii) Strainers and pumps installed below water level shall have a valve on each side to facilitate cleaning, maintenance, and removal.
 - (iv) Pumps not located below the operating water level shall be self-priming or the system shall be designed to provide a means of priming.
- (b) The performance of pumps shall meet the conditions of flow required for filtering and backwashing the filters against the total dynamic head developed by the complete system.
- (c) The pumps shall be capable of providing designed flow rates at no less than 60' of total dynamic head.
- (d) Pumps shall be capable of pumping at a rate sufficient to turn over the total pool, spa, or aquatic feature volume within the periods of time specified in Section 12(b) of this chapter.
- (e) Pumps on pools, spas, and aquatic features shall comply with the NSF/ANSI 50-2017.
- (f) Pumps shall be sized so as to pump the flow required in subsection (d) of this section under filter soil conditions that create:
 - (i) For high rate sand filters: A 15 psi increase above that created using clean filter media.

(ii) For rapid sand filters: An 8 psi increase above that created using clean filter media.

(iii) For diatomaceous earth filters: A pressure differential at which the manufacturer recommends filter cleaning.

(iv) For cartridge filters: A 10 psi difference between influent and effluent pressures.

(g) A spa shall have a two pump circulation system as follows:

(i) One pump shall provide the required turnover rate, filtration, and disinfection for the spa water; and

(ii) The second pump shall provide the water for the hydrotherapy turbulence of the water.

Section 10. Filters: Types, Uses, and Requirements.

(a) Filters used in pools, spas, and aquatic features shall be capable of maintaining pool, spa, and aquatic feature water clarity, as described in Chapter 5, Section 1 of these regulations, under maximum use load conditions.

(b) The filter rate shall not exceed the following:

(i) For high rate sand filters: 20 gpm per square foot of filter media or the rate approved by the NSF for that particular filter, whichever is less.

(ii) Rapid sand filters: 3 gpm per square foot of filter media.

(iii) Diatomaceous earth filters: 2 gpm per square foot of filter media.

(iv) Cartridge filters: 1/2 gpm per square foot of effective filter area.

(c) The filter tank shall be designed to permit the release of air that enters it.

(d) Filter components that require servicing shall be accessible and available for inspection and repair.

(e) Filters shall be designed so that filtration surfaces may be easily inspected and serviced.

(f) Filters shall meet the safety performance standards of the NSF/ANSI 50-2017.

(g) Diatomaceous earth filter backwash water must discharge to the sewer system through a separation tank. The separation tank shall have:

(i) A manual mechanism or a lid to release air that provides a slow and safe release of pressure; and

(ii) A precautionary statement affixed to warn the user that the air release must be opened before starting the circulation pump.

Section 11. Chemical Feeders.

(a) Chemical feeders shall:

(i) Be installed, maintained, and operated in accordance with the manufacturer's specifications;

(ii) Be installed so the gas or solution is introduced downstream from the filter and heater, at a point lower than the heater outlet fitting, if possible, or according to the manufacturer's instructions;

(iii) Incorporate failure-proof features so that if equipment or power fails chemicals cannot feed into the:

(A) Pool, spa, or aquatic feature;

(B) Piping system;

(C) Water supply system; or

(D) Pool, spa, or aquatic feature enclosure;

(iv) Be regulated to ensure constant feed with varying supply or back pressure;

(v) Be designed to prevent siphoning from the circulation system to the solution container and to prevent siphoning of the chemical solution into the pool, spa, or aquatic feature; and

(vi) Have a graduated and clearly marked dosage adjustment to provide flows from full capacity to 10% of such capacity, such that the device:

(A) Is capable of continuous delivery within 10% of the dosage at any setting; and

(B) Is provided with make-up water supply lines to chemical feeder solution tanks that have an air gap or other acceptable cross-connection control.

(b) Chemical feed pumps shall be wired so they cannot operate unless there is adequate return flow to properly disperse the chemical throughout the pool, spa, or aquatic feature as designed.

Section 12. Circulation Systems.

(a) Pools, spas, and aquatic features shall have circulation and filtration systems with piping, pumps, filters, disinfection, and other equipment to maintain the water quality as required by these regulations.

(b) The system of pumps, filters, disinfection facilities, and other equipment shall be of adequate size to circulate, filter, and disinfect the entire volume of pool, spa, or aquatic feature water in the following maximum time intervals:

Pools and Aquatic Features	Maximum Turnover Time in Hours
Activity pools	2 hours or less
Diving pools	8 hours or less
Interactive play	.5 hours or less
Lazy river	2 hours or less
Plunge pools	1 hour or less
Slide with runout area	1 hour or less
Wave pools	2 hours or less
All other pools	6 hours or less
Flotation tank	A minimum of three turnovers between bathers Bather load = one person per tank unit.

Spas		
Temperatures	Load	Turnover Maximum
$\leq 72^{\circ} - 93^{\circ}\text{F}$	>2500 gals/person	4 hours or less
$\leq 72^{\circ} - 93^{\circ}\text{F}$	>450 gals/person	2 hours or less
$\leq 72^{\circ} - 93^{\circ}\text{F}$	≤ 450 gals/person	1 hour or less
$\geq 93^{\circ} - 104^{\circ}\text{F}$	All	.5 hours or less

(c) Overflow water shall not be less than 50% of the total circulated water.

(d) External surge systems shall be capable of transferring water at a rate equal to 100% of the designed pool, spa, or aquatic feature flow rate.

(e) A flow meter must be installed in all circulation systems and shall:

- (i) Measure the flow in gallons per minute;
 - (ii) Be mounted in accordance with the manufacturer's recommendations; and
 - (iii) Be easily accessible and easy to read.
- (f) Pressure gauges must be installed on the inlet and outlet of the filter.
 - (g) Spa circulation systems shall be separate from adjacent pools and aquatic features.

Section 13. Continuous Overflow Systems.

- (a) All pools, spas, and aquatic features shall be operated with a continuous overflow system.
- (b) All pools, spas, and aquatic features with more than 2,000 ft² of water surface area shall use a perimeter gutter system.
- (c) All pools, spas, and aquatic features with less than 2,000 ft² of water surface area shall use either a perimeter gutter system or a skimmer system.
- (d) Continuous overflow systems shall be designed, constructed, installed, and operated:
 - (i) So as to not constitute a hazard to the bather;
 - (ii) To prevent entrance or entrapment of a limb, body, or hair;
 - (iii) To skim the surface of the pool, spa, or aquatic feature water when the water level is maintained at the operating water level of the system's rim or weir device; and
 - (iv) To return overflow water to the circulation system ahead of the filters.

Section 14. Perimeter Gutter Systems.

- (a) Gutters shall:
 - (i) Drain in two minutes or less after sudden flooding;
 - (ii) Be smooth and easy to clean;
 - (iii) Slope at least 1/8" per foot; and
 - (iv) Constitute a handhold, in combination with the upper rim of the pool, spa, or aquatic feature.

(b) When used as the sole continuous overflow system, perimeter gutter systems shall be continuous around the pool, spa, or aquatic feature perimeter except at:

- (i) Stairs;
- (ii) Recessed ladders;
- (iii) Directly under a slide or flume; and
- (iv) Along the weirs that separate splash pools, aquatic features, and pump reservoirs.

(c) When cleaning gutters, provisions shall be made for diverting gutter water such that it does not return to the water or circulation system of any pool, spa, or aquatic feature.

(d) Pools, spas, and aquatic features with a perimeter overflow system shall be provided with surge tanks unless predesigned and prefabricated to use in-gutter surge. The surge tanks shall have a capacity of at least:

- (i) One gallon per square foot of pool or aquatic feature water surface area; or
- (ii) Two gallons per square foot of spa water surface area.

Section 15. Skimmer Systems.

(a) The minimum number of skimmers in a skimmer system shall be determined as follows:

(i) For pools and aquatic features: one skimmer for each 400 ft² of water surface area, or fraction thereof, with a minimum of two skimmers per pool or aquatic feature.

(ii) For spas, the greater of:

(A) The minimum number of skimmers required to provide 50% of the total turnover rate with a maximum flow through any single skimmer of 30 gpm; or

(B) One skimmer for each 100 ft² of water surface area or fraction thereof.

(b) The flow rate through surface skimmers shall be no less than 3 gpm per skimmer per weir inch.

(c) A skimmer system shall:

- (i) Comply with all applicable requirements of NSF/ANSI 50-2017;

- (ii) Be used only in conjunction with a continuous handhold covering the full perimeter of the pool, spa, or aquatic feature;
- (iii) Be located so as to achieve effective skimming action over the entire water surface area of the pool, spa, or aquatic feature, with at least one skimmer located in an outdoor pool, spa, or aquatic feature opposite the direction of prevailing summer winds;
- (iv) Have any skimmer covers located on a walking surface:
 - (A) Be securely seated;
 - (B) Be slip-resistant;
 - (C) Be of sufficient strength to withstand normal deck use; and
 - (D) Not constitute a tripping hazard;
- (v) Be provided with a skimmer equalizer line that is connected from the skimmer housing to the pool, spa, or aquatic feature wall at a minimum of 12" below the skimmer throat;
- (vi) Be sized to satisfy the pump demand and prevent air lock;
- (vii) Have the appropriate equalizer and float valve assemblies installed in the skimmer as per the manufacturer's instructions and the requirements of NSF/ANSI 50-2017; and
- (viii) For spas, have skimmer intake throats no less than 5" wide.

Section 16. Inlets and Fill Lines.

- (a) Inlets in pools, spas, and aquatic features shall be evenly spaced and arranged to produce a uniform circulation of water and maintain a uniform disinfectant residual throughout the pool, spa, or aquatic feature.
- (b) A minimum of two inlets shall be provided regardless of the size of the pool, spa, or aquatic feature.
- (c) The depth of inlets must be not less than 18" below the operating water level.
- (d) Pool, spa, or aquatic feature fill lines shall be:
 - (i) Over-the-rim fill spouts with air gaps (a minimum of 2" or two times the return piping diameter, whichever is greater) located under a diving board or beside grab rails; or

(ii) Through-the-wall fill lines located above the water level and equipped with an atmospheric vacuum breaker downstream of the last shutoff valve or inline back flow preventer.

(e) Wall inlets shall:

(i) Be rounded and smooth;

(ii) Not extend from the pool or spa so as to create a hazard;

(iii) Not exceed 20' between adjacent inlets;

(iv) Not be located within 5' of a skimmer; and

(v) For new construction after January 1, 2020, not be more than 5' from any corner.

(f) When a pool, spa, or aquatic feature is in excess of 50' in width, floor inlets or a combination of floor and wall inlets shall be used.

(g) Floor inlets shall:

(i) Be flush with the floor of the pool, spa, or aquatic feature;

(ii) Prevent entanglement; and

(iii) Have a distance between adjacent floor inlets not exceeding 20'; and

(iv) Be located within 10' of the side walls.

(h) All spa inlet fittings shall have tamper-proof screws that are in place whenever the spa is in use.

Section 17. Suction Outlets.

(a) Suction outlets for pools, spas, and aquatic features shall:

(i) Not constitute a hazard to the bather; and

(ii) Be designed to protect against entrapment, hair entrapment, entanglement hazard, and evisceration by having:

(A) Drain configurations that prevent a seal from occurring (such as a large aspect cover 18" by 23" or larger);

(B) Long channels that cannot be blocked by the body; and

(C) A large outlet grate with a diagonal measure of 29" or more.

(b) Suction outlets, other than skimmer throats, shall have anti-vortex covers or grates, installed according to manufacturer's specifications, that have been tested by a nationally recognized testing laboratory and comply with Sections 311.4 and 505.2 of the IPC.

(c) Except as provided in subsection (n) of this section, a minimum of two hydraulically balanced suction outlets with anti-vortex covers or grates shall be provided per pool, spa, or aquatic feature pump suction line. These suction outlet covers shall be certified, in accordance with ANSI/APSP/ICC 7-13, for their use and intended flow rate.

(d) In any pool, spa, or aquatic feature using suction outlets larger than 144 in²:

(i) There shall be a minimum of two hydraulically balanced suction outlets (main drains) in the lowest point of the pool, spa, or aquatic feature floor;

(ii) The distance between the suction outlets shall be at least 3';

(iii) The distance between the centers of the suction outlets shall be no more than 20'; and

(iv) The suction outlets shall be no more than 15' from each side wall.

(e) In any pool or aquatic feature using suction outlets no larger than 144 in², the distance between the suction outlets shall be 3' to 5'.

(f) In any spa using suction outlets no larger than 144 in², the suction outlets shall be separated by a minimum of 3' or located on two different planes (one suction outlet on the bottom and one suction outlet on a vertical wall, or one suction outlet each on two separate vertical walls). The suction outlets shall be plumbed to draw water through them simultaneously, through a common line to the pump, and to eliminate the possibility of entrapping suction.

(g) All spa suction outlet grates and anti-vortex covers shall have tamper-proof screws that are in place whenever the spa is in use.

(h) Except as provided in subsection (n) of this section, no means of isolating suction outlets is permitted that could allow one suction outlet to serve as the sole source of water to a pump.

(i) A single pipe for a suction outlet that serves two or more suction outlets may be valved to shut off the flow to the pump.

(j) Multiple sets of suction pumps shall be permitted into two or more suction outlets as long as they are hydraulically balanced and meet the requirements of these regulations.

(k) Water velocity through suction outlet grates shall not exceed 1.5 fps, unless each suction outlet has an anti-vortex cover that has been tested and approved for greater velocities by a nationally recognized testing laboratory and complies with Sections 311.4 and 505.2 of the IPC.

(l) Water velocity through anti-vortex suction outlet covers shall not exceed 6 fps.

(m) For pools, spas, and aquatic features with a main drain system:

(i) The maximum velocity in the pump suction hydraulic system shall not exceed 6 fps when 100% of the pump flow comes from the main drain system; and

(ii) The flow through the open area of suction grate outlets other than the main drain system shall not exceed 1.5 fps and shall comply with Sections 311.4 and 505.2 of the IPC.

(n) In addition to having a drain cover or other anti-entrapment device that complies with ANSI/APSP/ICC 7-13, pools, spas, or aquatic features with a single suction outlet must have at least one of the following additional systems or devices:

(i) A safety vacuum release system that has been tested by an independent third party; has been found to conform to ANSI/APSP/ICC 7-13 or ASTM F2387-04; and that ceases operation of the pump, reverses the circulation flow, or otherwise provides a vacuum release at a suction outlet when blockage is detected.

(ii) A suction-limiting vent system with a pipe teed to the suction side of the circulation system on one end and open to the atmosphere on the opposite end, such that:

(A) The pipe is normally full of water equal to the same height as the pool, spa, or aquatic feature; and

(B) When blockage occurs at the main drain, air is introduced into the suction line, causing the pump to lose prime and relieving the suction forces at the main drain.

(iii) A gravity drainage system that utilizes a collector tank, also referred to as a reservoir, surge tank, or surge pit, consisting of a separate water storage vessel from which the pool, spa, or aquatic feature circulation pump draws water where water moves from the pool, spa, or aquatic feature to the collector tank due to atmospheric pressure, gravity, and the displacement of water by bathers, which removes the need for direct suction at the pool, spa, or aquatic feature.

(iv) An automatic pump shut-off system that senses a drain blockage and shuts off the pump system.

(v) A device or system that disables the drain.

(vi) Any other system determined by the regulatory authority to be equally effective as or better than the systems described above.

Section 18. Vacuum Outlets and Covers.

(a) Each aquatic facility operator shall maintain an approved vacuum capable of effectively removing settled material from the bottom of a pool, spa, or aquatic feature.

(b) Vacuum outlets for pools, spas, and aquatic features shall be provided with covers that:

(i) Automatically close;

(ii) Automatically latch;

(iii) Can only be opened with the use of a tool; and

(iv) Can be secured and latched when the pool, spa, or aquatic feature is open for use.

(c) Where a vacuum outlet is internally located in a skimmer that is provided with a cover, a separate cover for the vacuum outlet is not required.

(d) If vacuum cleaner fittings are provided, they shall be located in an accessible position at least 12" and no greater than 18" below water level, or as an attachment to the skimmers.

Section 19. Automatic Cleaners. Automatic bottom or side cleaners shall not be used when a pool, spa, or aquatic feature is open for use.

Section 20. Gas Chlorination: Approved Installation.

(a) Gas chlorination equipment may only be installed to replace approved, existing gas chlorination equipment.

(b) Gas chlorination equipment may not be installed on new pools, spas, or aquatic features.

Section 21. Gas Chlorination: Equipment and Trained Personnel.

(a) Only trained, designated personnel shall operate the gas chlorinator and change chlorine cylinders.

(b) Personnel responsible for the operation of gas chlorination equipment and other potentially hazardous chemicals shall:

- (i) Be adequately trained to ensure safe operation; and
- (ii) Wear protective equipment and clothing, including:
 - (A) Rubber gloves;
 - (B) Goggles;
 - (C) A self-contained breathing apparatus; and
 - (D) Any other protective gear and safety equipment necessary to prevent personal injury.
- (c) Two persons trained in the performance of routine gas chlorination operation and emergency procedures shall be readily available during normal operating hours.
- (d) Aquatic facility personnel shall be informed about leak control procedures.
- (e) The license holder shall ensure that a Chlorine Institute Emergency Kit is provided and stored at an approved location where it is easily accessible in accordance with an emergency response plan approved by the local emergency planning committee or local fire chief.

Section 22. Gas Chlorination: Equipment Location. Gas chlorination equipment shall be located so that failure or malfunction will have a minimum effect on evacuation of aquatic facility users during an emergency.

Section 23. Gas Chlorination: System Design. Gas chlorinators shall:

- (a) Be of the type where the regulator attaches to the cylinder with the injector located at the point of injection;
- (b) Have a vacuum line taking suction at the regulator and delivering the gas to the vacuum injector; and
- (c) Be designed to prevent the suction of water into the chlorination system if the booster pump fails.

Section 24. Gas Chlorination: Booster Pump. A booster pump water supply for the gas chlorinator injector shall be:

- (a) Capable of producing the flow rate and pressure required by the manufacturer's specifications for proper operation of the equipment;
- (b) Activated by a booster pump using circulated water supplied via the circulation system; and

(c) Interlocked to the filter pump to prevent feeding of chlorine when the circulation pump is not running.

Section 25. Gas Chlorination: Enclosure.

(a) The gas chlorinator, cylinders of chlorine, and associated equipment shall be enclosed in a separate, corrosion-resistant, reasonably gas-tight room having a floor area adequate for the purpose.

(b) Enclosures shall be:

(i) Located at or above ground level; and

(ii) Provided with:

(A) Ducts located at the bottom of the enclosure to allow ventilation to an unrestricted area;

(B) A motor-driven louvered exhaust fan capable of producing at least one air change per minute, located near the top of the enclosure, for admitting fresh air; and

(C) Negative pressure ventilation, only if the facilities also have gas containment and treatment as prescribed by the applicable fire safety authority.

(c) The temperature of the gas chlorination equipment and cylinders must not fall below 55°F. If necessary, a means of keeping the temperature at 55°F or above shall be provided.

(d) Doors to the gas chlorine enclosure shall:

(i) Have a warning sign posted on the exterior side which states, in 4" minimum size lettering, "DANGER-CHLORINE";

(ii) Open away from the pool, spa, or aquatic feature area;

(iii) Open outward;

(iv) Have emergency shut-off hardware;

(v) Have at least one viewport to permit the operators to look into the enclosure before entering; and

(vi) Be kept locked when the enclosure is not being serviced.

(e) Electrical switches for the control of artificial lighting and ventilation shall be on the outside of the enclosure, adjacent to the door.

- (f) Adequate lighting shall be provided in the enclosure.

Section 26. Gas Chlorination: Safety Requirements.

(a) Two full-face, self-contained breathing apparatuses or supplied air respirators that comply with 29 CFR § 1910.134 (Occupational Safety and Health Administration standards) or 30 CFR § 72.710 (Mine Safety Health Administration standards) shall be provided for protection against chlorine gas in the event of a leak.

- (b) The breathing equipment shall:

- (i) Have sufficient capacity for the intended purpose; and

- (ii) For self-contained breathing apparatuses, be readily accessible at a location acceptable to the local emergency planning committee or local fire chief;

(c) Entry into the chlorine enclosure shall not be permitted without the necessary safety equipment.

(d) A written respirator program shall be provided, and employees shall be trained in the use and maintenance of such equipment to ensure operability and safety, according to 29 CFR § 1910.134 (Occupational Safety and Health Administration standards) and any other applicable federal, state, or local requirements for the proper handling of gas chlorine.

Section 27. Gas Chlorination: Gas Cylinder Handling and Storage.

- (a) Gas cylinders may be stored indoors or outdoors.

- (b) Full and empty gas cylinders shall be:

- (i) Segregated and appropriately tagged;

- (ii) Stored in an upright position and properly secured; and

- (iii) Chained to a wall or scale support.

- (c) The storage conditions for gas cylinders shall:

- (i) Minimize external corrosion;

- (ii) Be clean and free of trash;

- (iii) Not be in an area near elevator shafts or intake vents; and

- (iv) Not be in an area where there are elevated temperatures, heat sources, or direct sunlight.

- (d) Gas cylinders shall be handled with care.
 - (i) Valve protection caps and valve outlet caps shall be in place at all times except when the gas cylinder is in use.
 - (ii) Gas cylinders shall:
 - (A) Not be dropped;
 - (B) Be protected from falling objects;
 - (C) Be used on a first-in, first-out basis; and
 - (D) Have new, approved washers in place each time a cylinder is connected.
- (e) Empty gas cylinders shall have:
 - (i) The valve closed and the lines disconnected;
 - (ii) The outlet cap applied promptly and the valve protection cap attached;
 - (iii) The open end of the disconnected line plugged or capped promptly to keep atmospheric moisture out of the system; and
 - (iv) A chlorine valve shut off wrench kept on the cylinder valve stem of the cylinder that is in use.
- (f) A scale suitable for weighing gas cylinders must be present in facilities handling gas cylinders.
 - (i) Changing a gas cylinder shall be accomplished only after weighing proves the gas cylinder to be exhausted.
 - (ii) Care shall be taken to prevent water from back siphoning into the cylinder by closing the cylinder valve.
- (g) Emergency contact information shall be posted prominently at any aquatic facility using chlorine gas, including:
 - (i) The name and telephone number of the gas chlorine supplier; and
 - (ii) The telephone number of the local fire department or agency trained in the handling of chlorine gas leaks.

(h) An automatic chlorine gas leak detector shall be installed in the chlorine enclosure with an audible alarm installed at the pool, spa, or aquatic feature site and at the remote site where emergency personnel are located.

(i) The gas chlorinator and all line and tank fittings shall be checked for leaks at regular intervals and after every cylinder exchange.

Chapter 5 Water Quality; Test Kits; Record Keeping

Section 1. Water Quality.

(a) The water quality for pools, spas, and aquatic features shall meet the criteria outlined in the following charts:

Sanitizing Levels	Minimum	Ideal	Maximum
Free Chlorine, ppm	1.0	2.0 – 3.0	8.0
Free Chlorine, ppm - spas	2.0	3.0 – 5.0	8.0
Combined Chlorine, ppm	None	None	1.0
Bromine, ppm	2.5	2.5 – 6.0	12.0
Bromine, ppm - spas	4.5	5.5 – 7.5	12.0

pH Levels	Minimum	Ideal	Maximum
pH	7.2	7.4 – 7.6	7.8

Water Clarity	Minimum	Ideal	Maximum
Water Clarity	Bottom and main drain grate design clearly visible from the deepest part of the pool, spa, or aquatic feature.	N/A	N/A

Temperature¹	Minimum	Ideal	Maximum
Pool Temperature, °F	N/A	78 – 82	98
Spa Temperature, °F	N/A	102 or less	104

¹Temperature must be measured with a temperature measuring device.

Stabilizer, if used	Minimum	Ideal	Maximum
Cyanuric acid, ppm ¹	None	10.0 – 40.0	100.0

¹ Cyanuric acid shall not be used in indoor pools, spas, or aquatic features or brominated pools, spas, or aquatic features without approval from the regulatory authority.

Chemical Parameters	Minimum	Ideal	Maximum
Total alkalinity, ppm as CaCO ³	60.0	80 – 100.0 ¹ 100.0 – 120.0 ²	180.0
Total dissolved solids, ppm	300.0	1000.0 – 2000.0	5000.0
Calcium hardness, ppm as CaCO ³	150.0	200.0 – 400.0	500.0 – 1000.0
Heavy metals	None	None	None
¹ For the following disinfectants: calcium hypochlorite, lithium hypochlorite, and sodium hypochlorite.			
² For the following disinfectants: sodium dichlor, chlorine gas, and bromine compounds.			

(b) Water quality for pools, spas, and aquatic features shall meet the following bacterial parameters if testing is required by the regulatory authority:

Biological Parameters	Minimum	Ideal	Maximum
Algae	None	None	None
Bacteria	E. coli negative	E. coli negative	E. coli negative
Standard Plate Count (SPC)	None	None	<100 cfu/ml

ORP	Minimum	Ideal	Maximum
ORP, mV ¹	650	700	900
¹ When chlorine or bromine is used as the primary disinfecting chemical, ORP, also known as high resolution redox (HRR), can be used as a supplemental measurement of proper disinfectant activity. The use of ORP testing does not eliminate or supersede the need for testing the disinfectant level with standard test kits, as the ORP reading may be affected by a number of factors, including pH, probe film, cyanuric acid, and others. If ORP readings fall below 650 mV the pool, spa, or aquatic feature shall be closed immediately and remain closed until an ORP of at least 700 mV is met.			

Section 2. Water Quality Testing: Frequency.

(a) Operators of pools, spas, and aquatic features shall test the water for disinfectant levels, pH levels, water clarity, and water temperature at the following minimum frequencies when the pool, spa, or aquatic feature is open for operation:

- (i) Within 1/2 hour of opening the pool, spa, or aquatic feature for operation.

Chapter 6

Lifesaving Measures; Slides; Flumes; Safety Requirements; Fecal or Vomitus Incidents.

Section 1. Lifeguards: Number.

(a) An operator of a general-use pool, spa, or aquatic feature, other than a therapy pool, shall have a minimum of one lifeguard for up to 40 bathers on deck during operating hours. The number of lifeguards shall be adequate to maintain continuous surveillance over the bathers.

(b) When a general-use pool, spa, or aquatic feature is being used solely for a sanctioned competition, a lifeguard is not required to be on duty provided that at least one person on the premises holds all of the certifications required in Section 2(a) of this chapter.

(c) An operator of a limited-use pool, spa, or aquatic feature may post a sign reading “No Lifeguard on Duty” in lieu of lifeguards.

Section 2. Lifeguards: Requirements and Duties.

(a) Lifeguards shall hold a current, nationally recognized, certification in:

- (i) Lifeguarding;
- (ii) Adult, child, and infant CPR; and
- (iii) First aid.

(b) Lifeguards conducting surveillance of a pool, spa, or aquatic feature shall not be subject to duties that would distract them from proper observation of the bathers or that would prevent immediate assistance of persons in distress in the water.

(i) When conducting active surveillance, a lifeguard shall not be in the water except in the line of duty.

(ii) Lifeguards shall be dressed in swimming attire such that they are readily identifiable.

(c) Lifeguards and aquatic facility operators or managers shall enforce the following rules at all aquatic facilities:

(i) Non-swimmers and children under eight years of age shall not use a general-use pool, spa, or aquatic feature unless a lifeguard is present.

(ii) Children under eight years of age shall not use a limited-use pool, spa, or aquatic feature unless the child’s parent or a responsible person of at least 18 years of age is also present.

(iii) No person suffering from a communicable disease transmittable via water or under the influence of an intoxicating liquor or drug shall use the pool, spa, or aquatic feature.

(iv) No person shall take food or drink inside the pool, spa, or aquatic feature enclosure except in an area specifically designated for such use as described in Chapter 3, Section 32 of these regulations.

(v) No person shall bring, throw, or carry food, drink, smoking material, trash, debris, or any other foreign substances into the pool, spa, or aquatic feature.

(vi) No person shall run or engage in horseplay in or around a pool, spa, or aquatic feature.

(vii) Except for service animals, no animals are allowed in a pool, spa, or aquatic feature during times when the aquatic facility is open to the public. If an outdoor aquatic facility chooses to allow a day for pets, this shall be done as the last event of the season, and the public shall not be allowed into any pool, spa, or aquatic feature into which animals have been allowed until the following season. The public shall not be allowed in the water with pets except in emergency situations. Prior to opening to the public for the following season, the water shall meet all required testing parameters.

(d) A telephone shall be available on the premises of all aquatic facilities with emergency rescue phone numbers and the name and address of the aquatic facility posted in view of the telephone. If a telephone is not in view of the pool, spa, or aquatic feature, a sign providing directions to the telephone shall be displayed.

Section 3. Lifesaving Equipment.

(a) The license holder shall provide at least one unit of lifesaving equipment at every aquatic facility. One unit of lifesaving equipment shall consist of:

(i) A ring buoy or rescue tube with a minimum outside diameter of 20", to which there shall be attached a length of 1/4" rope not less than one and one half times the maximum width of the pool or aquatic feature;

(ii) A minimum 12' length reach pole with a shepherd's crook securely attached; and

(iii) At all general-use pools and aquatic features, a first aid station equipped with a minimum of one blanket and one first aid kit, as recommended by the American Red Cross.

(b) One unit of lifesaving equipment shall be presumed to be adequate for 2,000 ft² of pool, aquatic feature, or swimming area. One additional unit shall be provided for each additional 2,000 ft² of pool, aquatic feature, or swimming area, or fraction thereof, unless otherwise determined by the regulatory authority.

- (c) Lifesaving equipment shall be:
 - (i) Mounted in conspicuous places;
 - (ii) Distributed around the edge of the pool, aquatic feature, or swimming area, at lifeguard chairs or elsewhere;
 - (iii) Ready for use; and
 - (iv) Plainly marked as to its function and kept in good repair and ready condition.
- (d) Bathers or other members of the general public shall not:
 - (i) Be permitted to tamper with lifesaving equipment;
 - (ii) Use lifesaving equipment for any purpose other than its intended use; or
 - (iii) Remove lifesaving equipment from its established location except during an emergency.

Section 4. Lifeline.

- (a) A lifeline shall be provided at all pools and aquatic features as applicable under subsection (b) of this section.
- (b) A lifeline shall be located 2' on the shallow side of:
 - (i) The break in grade between the shallow and deep areas; or
 - (ii) The point where the water depth reaches 5' 6".
- (c) Lifelines shall be securely fastened to wall anchors. Wall anchors shall be:
 - (i) Made of corrosion-resistant materials; and
 - (ii) Recessed or have no projections that would constitute a safety hazard when the lifeline is removed.
- (d) Lifelines shall be:
 - (i) Marked with visible floats at not greater than 7' intervals;
 - (ii) Of sufficient size and strength to offer a good handhold and to support loads normally imposed by bathers; and

(iii) In place, except when pool use is restricted to lap swimming by competent swimmers, water exercise classes, or supervised swimming instruction by a certified swim instructor.

Section 5. Lifeguard Chairs.

(a) The owner or operator of a general-use pool or aquatic feature shall coordinate with the regulatory authority to ensure that chairs and stands provide an unobstructed view of bather surveillance zones.

(b) Lifeguard chairs and stands shall be designed:

- (i) With no sharp edges or protrusions;
- (ii) With sturdy, durable, and UV resistant materials;
- (iii) To elevate the lifeguard's line-of-sight above the heads of the bathers; and
- (iv) To provide safe access and egress for the lifeguard.

(c) Pools and aquatic features with maximum water depths of 5' or less shall not be required to use elevated chairs.

(d) Portable elevated lifeguard chairs are acceptable provided that they are structurally sound and tilt proof.

Section 6. Ladders, Recessed Steps, and Stairways.

(a) All pools shall have a ladder, set of recessed steps, or stairway located at 75' intervals around the pool perimeter with a minimum of two such means of egress.

(i) Flotation tanks, spas, plunge pools, wading pools, and aquatic features shall have at least one ladder, set of recessed steps, or stairway for each 50' of perimeter.

(ii) Wading pools and aquatic features with a maximum depth of less than 1' at the wading pool or aquatic feature wall and a maximum deck height of 1' above the wading pool or aquatic feature floor are exempt from this requirement.

(b) Pool, spa, and aquatic feature ladders shall be:

- (i) Corrosion resistant;
- (ii) Securely attached; and
- (iii) Equipped with slip-resistant treads.

(c) At each side of each ladder or set of recessed steps, a side handrail extending up and above and returning to the horizontal surface of the pool, spa, or aquatic feature deck, curb, or coping shall be provided. Stairs shall have at least one handrail.

(d) For ladders below the operating water level, there shall be a clearance of not more than 5" or less than 3" between the ladder and the pool, spa, or aquatic feature wall.

(e) Recessed steps shall be designed so that they:

(i) May be readily cleaned;

(ii) Drain into the pool, spa, or aquatic feature, to prevent the accumulation of dirt; and

(iii) Have a minimum tread of 5" and a minimum width of 14".

(f) Stairs and recessed step surfaces leading into the pool, spa, or aquatic feature shall have a slip-resistant design, a minimum tread of 12", and a maximum rise of 10".

(g) Steps shall not project into a pool, spa, or aquatic feature in a manner that creates a hazard to bathers.

Section 7. Diving Boards.

(a) In pools and aquatic features where both diving and swimming are allowed, the area of the pool or aquatic feature where diving is permitted shall be:

(i) In the case of a rectangular pool or aquatic feature, at one end of the pool or aquatic feature that is separated from the main swimming area by a lifeline; or

(ii) In the case of a T-, L-, or Z-shaped pool or aquatic feature, in a recessed area forming one of the legs of the T, L, or Z that is separated from the main swimming area by a lifeline.

(b) A pool or aquatic feature designed only for diving may be located in an area that is separate from a pool or aquatic feature designed for swimming.

(c) Diving boards, towers, and platforms in excess of three meters in height shall:

(i) Comply with the dimensional design requirements of the FINA Facilities Rules or the NFHS Swimming and Diving Rules Book; and

(ii) Not be allowed in a pool or aquatic feature without special provisions, controls, and definite limitations on their use. Where such boards, towers, or platforms are

permitted, their use shall be limited to adequately trained personnel and shall not be open to the general public.

(d) Supports, platforms, stairs, and ladders for diving equipment shall be designed to carry the anticipated loads.

(e) Stairs and ladders shall have slip-resistant treads and shall be easily cleanable and made of a corrosion-resistant material.

(f) Platforms and diving equipment one meter or more in height shall be protected with hand rails that shall be at least 30" above the diving board and extend to the edge of the pool or aquatic feature wall, and guard rails that are at least 36" above the diving board and extend to the edge of the pool or aquatic feature wall.

(g) Diving equipment shall:

(i) Be designed for pool or aquatic feature use;

(ii) Be installed in accordance with the manufacturer's recommendations;

(iii) Have slip-resistant tread surfaces; and

(iv) Be permanently anchored to the deck with the edge of the board at the tip end parallel to the water surface and level with or higher than the butt end of the board.

Section 8. Slides.

(a) Slides installed and located at pools and aquatic features shall:

(i) Comply with 16 CFR § 1207 (CPSC Safety Standards for Swimming Pool Slides);

(ii) Be sturdily constructed of corrosion-resistant material;

(iii) Be securely fastened to the pool or aquatic feature deck;

(iv) Have a ladder equipped with slip-resistant treads and rigidly attached handrails; and

(v) Have slide runways that are:

(A) Smooth, of one piece, and free of cutting, pinching, puncturing, or abrasion hazards;

(B) Provided with side rails not less than 2" in height on both sides; and

(C) Water lubricated when in use.

(b) There shall be no slides with a riding surface higher than 12' above the water surface.

(c) Water depths 4' 5" beyond the end of the slide shall be based on the slide height described in the following chart:

Height	Minimum Water Depths
7.5' or less	4'
$\geq 7.5' - 8'$	5'
$\geq 8' - 11'$	5.5'
$\geq 11' - 12'$	6'

Section 9. Flume Design and Construction.

(a) Flumes shall meet the following design and construction parameters:

(i) A flume shall be watertight.

(ii) The surface of a flume shall be inert, nontoxic, smooth, and easily cleanable.

(iii) All curves, turns, and tunnels within the path of a flume shall be designed so the impact of bathers with the walls of the flume or ceiling of a tunnel does not present a hazard.

(iv) A flume shall be banked so that forces on the bathers keep them safely inside the flume under all foreseeable circumstances of operation. A flume shall prevent bathers from becoming airborne.

(v) In the curved sections of a flume, the design of the wall of the flume shall cause the outward thrust of the body of the bather to be dissipated towards the centerline of the flume.

(vi) All slopes in a flume shall be designed so the speed of the bathers does not reach a point at which a safe equilibrium of dynamic forces cannot be maintained on any curve or turn in the flume.

(vii) In sections of a flume where bathers can stop, provisions shall be made by design or modification to prevent bathers from falling out of the flume.

(viii) The construction, dimensions, and methods of mechanical attachment of a flume shall provide a smooth and continuous surface through the entire length of the flume. Any misalignment of joints in a sectional flume shall not exceed 1/8".

(ix) The walls of a flume shall be designed so that the continuous and combined action of hydrostatic, dynamic, and static loads, as well as normal environmental deterioration, do not damage the flume.

(x) Flumes shall not require frequent patch repairs that may weaken their structural integrity.

(b) If a tube-type flume is used, it shall be designed or ventilated to prevent a hazardous concentration of toxic disinfection fumes under all circumstances of operation.

Section 10. Flume Exits.

(a) The exit of a flume shall be designed to ensure that bathers enter the plunge pool, runout area, or aquatic feature at a safe speed and angle of entry.

(b) If a pool or aquatic feature has two or more flumes, and there is a point of intersection between the centerlines of any two flumes, the distance between that point and the point of exit for each intersecting flume shall not be:

(i) Less than 20'; or

(ii) Less than 30', if any bather exits any flume at high speed.

(c) If bathers exit a flume into a plunge pool or aquatic feature, the flume exit shall be designed:

(i) To be horizontal and perpendicular to the wall of the plunge pool or aquatic feature at the point of exit;

(ii) With an exit grade that does not exceed 10% for the last 10';

(iii) To be flush with the vertical wall of the plunge pool or aquatic feature at the point of exit and not more than 2" above, nor less than 6" below, the operating water level of the plunge pool or aquatic feature;

(iv) With a distance of at least 5' between the point of exit from a flume and the side walls of the plunge pool or aquatic feature on both sides of the flume;

(v) With a distance of at least 6', at the point of exit, between the centerline of any flume and the centerline of any adjacent flume; and

(vi) With a distance between the point of exit from a flume and the side wall of the plunge pool or aquatic feature opposite the bathers as they exit, excluding any steps, of at least:

(A) 20', if the flume ends above or below the operating water level of the plunge pool or aquatic feature; or

(B) 30', if the flume ends at the operating water level of the plunge pool or aquatic feature.

Section 11. Flume Walkways. A walkway, walkway steps, or stairway leading to the top of a flume shall be provided and shall be:

- (a) At least 4' wide;
- (b) Well drained;
- (c) Slip-resistant;
- (d) Separated from the flume by a physical barrier;
- (e) Set back far enough from the flume so that bathers are unable to touch them while traversing the flume; and
- (f) Equipped with a ladder or stairs with slip-resistant treads and rigidly attached handrails.

Section 12. Flume Mats. Flexible or plastic foam mats used to traverse a flume shall be stored dry and wiped or soaked daily, prior to dry storage, with one of the following sanitizing solutions:

- (a) 50 – 200 ppm of free chlorine;
- (b) 12.5 – 25 ppm of titratable iodine; or
- (c) 200 – 400 ppm of quaternary ammonia.

Section 13. Flume Attendants. All general use pools or aquatic features shall provide an attendant at the top and bottom of a flume.

Section 14. Plunge Pool and Aquatic Feature Pumps. Plunge pool and aquatic feature pump reservoirs or pumps shall have:

- (a) Sufficient volume to contain at least two minutes of combined flow from all water treatment; and

(b) Enough water to ensure that the plunge pool or aquatic feature will maintain a constant water depth.

Section 15. Signs: Pools, Spas, and Aquatic Features.

(a) An aquatic facility operator shall post at least one sign at the entrance to the aquatic facility and at least one sign within each pool, spa, or aquatic feature enclosure stating the following information:

(i) No person suffering from a communicable disease transmittable via water or under the influence of an intoxicating liquor or drug shall use the pool, spa, or aquatic feature.

(ii) All non-swimmers and children under eight years of age shall be accompanied by a responsible adult observer.

(iii) No person shall run or engage in horseplay in or around the pool, spa, or aquatic feature.

(iv) Persons using prescription medications should consult their physician before using the pool, spa, or aquatic feature.

(v) The emergency rescue number.

(vi) All bathers shall shower before entering the pool, spa, or aquatic feature.

(b) Signs at facilities containing spas or natural mineral flow-through pools shall contain the following additional information:

(i) Elderly persons and those suffering from heart disease, diabetes, or high blood pressure should consult their physician prior to using the spa or natural mineral flow-through pool.

(ii) Persons should spend no more than 15 minutes in the spa or natural mineral flow-through pool at any one time.

(iii) Pregnant women should not use the spa or natural mineral flow-through pool without consulting their physician.

(c) Signs shall be a minimum of 18" by 24" with letters at least 1/2" in height.

(d) "No Diving" signs shall be placed on the deck or in locations where they will be readily noticeable for pools or aquatic features with a depth of 5' or less.

Section 16. Depth Markings.

(a) The depth of the water, whether in feet or meters, shall be plainly and conspicuously marked above the operating water level on the vertical pool or aquatic feature wall and on the top of the coping or edge of the deck or walk next to the pool or aquatic feature.

(b) Depth markings shall be:

- (i) At least 4" in height and of a color that contrasts with the background;
- (ii) Located at the minimum and maximum depth points and at 1' depth increments in the shallow portion of the pool or aquatic feature;
- (iii) Spaced at no more than 25' intervals; and
- (iv) Located at slope breaks.

(c) The transitional point from the shallow area to the deep area and at the points of separation of diving, slide, and amusement areas shall be visually set apart with:

- (i) A lifeline;
- (ii) Depth markers; and
- (iii) A 4" minimum row of floor tile, painted line, or similar means of color that contrasts with the bottom of the pool or aquatic feature.

Section 17. Fecal or Vomitus Incidents.

(a) If contamination by fecal matter or vomitus should occur at an aquatic facility, the operator shall take immediate and appropriate action as follows:

- (i) All bathers shall exit the pool, spa, or aquatic feature.
- (ii) The pool, spa, or aquatic feature, and any other pool, spa, or aquatic feature using the same circulation system, shall be closed until the appropriate actions described in this section are taken.
- (iii) No one shall be allowed to enter the contaminated pool, spa, or aquatic feature until all decontamination procedures are completed.
- (iv) The operator shall evaluate the contamination and attempt to determine who contaminated the pool, spa, or aquatic feature and remove such person from the water.

(b) If the fecal matter or vomitus is intact, easily picked up, and illness is not suspected, the following actions shall be taken:

(i) Remove as much of the fecal matter or vomitus as possible using a net or scoop and dispose of it in a sanitary manner.

(A) Aquatic vacuum cleaners shall not be used for removal of contamination from the water or adjacent surfaces.

(B) Small material that is floating on the surface and cannot be removed by the use of leaf catchers or leaf rakes should be pushed toward the overflow or skimmers until all visible material is removed.

(ii) Clean and disinfect the net or scoop (after cleaning, leave the net or scoop immersed in the pool, spa, or aquatic feature during disinfection).

(iii) Ensure that the circulation system is operating while the pool, spa, or aquatic feature reaches and maintains the proper free chlorine concentration throughout the disinfection process.

(iv) Raise the free chlorine concentration to 2 ppm and ensure that the pH is between 7.2 and 7.5 and that the pool, spa, or aquatic feature water temperature is 77°F or higher.

(v) Maintain this free chlorine concentration, pH, and temperature for at least 25 minutes before reopening the pool, spa, or aquatic feature.

(A) Other free chlorine concentrations and disinfection times can be used as long as a CT inactivation value of 45 is achieved.

(B) See the Department's guidance for pool operations, available at <http://wyagric.state.wy.us/divisions/chs/pools>, for more information about calculating CT inactivation values and using alternate free chlorine concentrations and disinfection times.

(vi) Reopen the pool, spa, or aquatic feature once the CT inactivation value has been achieved and the chemicals in the water are properly balanced.

(vii) Establish an incident log. Document each incident by recording the date and time of the event, whether any fecal matter was formed stool or diarrhea, and the free chlorine and pH levels at the time of observation of the event. Before reopening the pool, spa, or aquatic feature, record the free chlorine and pH levels, the procedures followed in response to the incident (including the process used to increase chlorine levels if necessary), and the disinfection time. Maintain this record with the daily operating records as provided in Chapter 1, Section 8 of these regulations.

(c) If the fecal matter or vomitus is loose and not easily picked up, the following actions shall be taken:

(i) Follow the procedures in subsections (b)(i) and (ii) of this section.

(ii) For pools or aquatic features:

(A) Ensure that the circulation system is operating while the pool or aquatic feature reaches and maintains the proper chlorine concentration throughout the disinfection process.

(B) Raise the free chlorine concentration to 20 ppm and ensure that the pH is between 7.2 and 7.5 and that the pool or aquatic feature water temperature is 77°F or higher.

(C) Maintain this free chlorine concentration, pH, and temperature for at least 12.75 hours before reopening the pool or aquatic feature.

(I) Other free chlorine concentrations and disinfection times can be used as long as a CT inactivation value of 15,300 is achieved.

(II) See the Department's guidance for pool operations, available at <http://wyagric.state.wy.us/divisions/chs/pools>, for more information about calculating CT inactivation values and using alternate free chlorine concentrations and disinfection times.

(III) Many conventional test kits cannot measure free chlorine concentrations as high as 20 ppm. Use chlorine test strips that can measure free chlorine in a range that includes 20 – 40 ppm (such as those used in the food industry) or make dilutions for use in a standard DPD test kit using chlorine-free water. A certified operator should be able to determine the amount of chlorine to add to the pool to obtain 20 ppm and for making dilutions for the test kit.

(D) Backwash the filter thoroughly after reaching the CT inactivation value. Be sure that the effluent is discharged directly to waste and in accordance with state or local regulations. Do not return the backwash through the filter. Where appropriate, replace the filter media.

(E) Reopen the pool or aquatic feature once the CT inactivation value had been achieved, the chemicals in the water are properly balanced, and the chlorine level has been returned to the normal operating range allowed by the regulatory authority.

(iii) For spas and wading pools:

(A) Spas and wading pools shall be drained, the sides and bottom brushed with 100 ppm chlorine, and then refilled and properly balanced.

(B) Backwash the filter.

(C) Reopen the spa or wading pool once the chemicals in the water are properly balanced.

- (iv) Follow the procedures in subsection (b)(vii) of this section.

Section 18. Blood Incidents. For incidents involving blood, the following actions shall be taken:

- (a) If an incident involving blood occurs as a result of only minor cuts and scrapes to a bather, verify that at the time of the incident, the pool, spa, or aquatic feature disinfection level meets the requirements outlined in these regulations.

- (b) If there is a serious injury resulting in significant blood loss in the pool, spa, or aquatic feature, follow the procedures outlined in Sections 17(a) and (b)(iii) through (vii) of this chapter.

Chapter 7

Bathhouses and Sanitary Facilities

Section 1. General Requirements.

(a) All general-use aquatic facilities shall have a properly maintained bathhouse with adequate sanitary facilities.

(b) Where a general-use aquatic facility is operated in conjunction with a companion facility, a bathhouse common to both facilities is acceptable provided that the minimum facility ratios and locations described in Sections 2 through 4 of this chapter are followed.

Section 2. Bathhouse Requirements. A bathhouse shall:

- (a) Meet the requirements of the Plumbing Code;
- (b) Be located within 200' of and provide immediate access to the general-use pool, spa, or aquatic feature;
- (c) Contain dressing rooms and sanitary facilities separate for each sex;
- (d) Provide hot and cold or tempered water at all sinks and shower heads such that:
 - (i) A minimum temperature of at least 90°F is available at all times; and
 - (ii) Tempered water does not exceed 110°F;
- (e) Have at least one shower head per 40 aquatic facility users, with a minimum of two;
- (f) Have slip-resistant and easy to clean floors coved to a height of 4";
- (g) Have interior wall and ceiling finishes that are smooth, easy to clean, and impervious to water;
- (h) Have shower stall floors that are finished with slip-resistant, impervious surfaces;
- (i) Be kept clean and free of dirt, algae, molds, or other debris;
- (j) Have shielded light fixtures; and
- (k) Have shower compartments with walls that are impervious to water to a height of 6' above the floor.
 - (i) In shower compartments:

(A) An effective water-tight joint between the wall and the floor shall be maintained; and

(B) Glass bath or shower doors shall be made of approved safety glass.

(ii) Wooden racks or duck boards over shower floors are not permitted.

Section 3. Sanitary Facilities: Minimum Number.

(a) General-use aquatic facilities shall provide sanitary facilities within a bathhouse in the following numbers, based upon maximum user load and equal distribution of sexes:

(i) One toilet per 40 aquatic facility users, with a minimum of two. Urinals are an acceptable substitute for no more than 1/2 of the toilets for men.

(ii) One handwashing lavatory adjacent to the toilet per 60 aquatic facility users, with a minimum of one.

(b) Limited-use aquatic facilities shall provide:

(i) Sanitary facilities as described in subsection (a) of this section within 300' of the pool, spa, or aquatic feature; and

(ii) Showers and sinks as described in Sections 2(d) through (k) of this chapter.

Section 4. Hand Washing and Drying Provisions.

(a) Each handwashing lavatory or group of two adjacent lavatories shall be provided with a supply of soap.

(b) Each handwashing lavatory or group of adjacent handwashing lavatories shall be provided with:

(i) Individual, disposable towels;

(ii) A continuous towel system that supplies the user with a clean towel; or

(iii) An air-hand-drying device.

(c) If disposable towels are used at handwashing lavatories, a waste receptacle shall be located at each lavatory or group of adjacent lavatories.

Section 5. Sanitary Facilities: Floors.

(a) Floors of sanitary facilities shall:

- (i) Be free of joints or openings;
- (ii) Be continuous throughout the area;
- (iii) Slope a minimum of 1/4" per foot;
- (iv) Drain to floor drains; and
- (v) Have a slip-resistant surface.

(b) Hose bibs with approved vacuum breakers shall be provided for washing down the bathhouse interior.

Section 6. Diaper-Changing Areas.

- (a) Aquatic facilities shall have at least:
 - (i) One diaper-changing area in the male dressing room or sanitary facility and one diaper-changing area in the female dressing room or sanitary facility; or
 - (ii) One diaper-changing area located in a single-occupancy, unisex sanitary facility.
- (b) Diaper-changing areas shall be:
 - (i) Located within a 200' walking distance of a pool, spa, or aquatic feature;
 - (ii) Used only for changing diapers;
 - (iii) Constructed of smooth, non-porous material; and
 - (iv) Easily accessible to a handwashing facility.