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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 333
OREGON HEALTH AUTHORITY
PUBLIC HEALTH DIVISION

FILED: 10/30/2026 10:13 AM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Updating lifeguarded pool requirement related to direct adult supervision

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 11/30/2026 5:00 PM
The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Public Health Division
Rules Coordinator

HEARING(S)
Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 11/17/2026
TIME: 2:00 PM
OFFICER: Staff

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 971-277-2343
CONFERENCE ID: 985660741
SPECIAL INSTRUCTIONS:
This hearing is being held remotely via Microsoft Teams. To provide oral (spoken) testimony during this hearing, please contact publichealth.rules@odhsoha.oregon.gov to register to receive the link for the Microsoft Teams video conference via calendar appointment, or you may access the hearing using the meeting URL above. Alternatively, you may dial 971-277-2343, Phone Conference ID 985 660 741# for audio (listen) only. This hearing will close no later than 3:00PM but may close as early as 2:30PM if everyone who signs up to provide testimony has been heard from.

Accessibility Statement: For individuals with disabilities or individuals who speak a language other than English, OHA can provide free help. Some examples are: sign language and spoken language interpreters, real-time captioning, braille, large print, audio, and written materials in other languages. If you need help with these services, please contact the Public Health Division at 971-673-1222, 711 TTY or publichealth.rules@odhsoha.oregon.gov at least 48 hours before the meeting. All relay calls are accepted. To best ensure our ability to provide a modification please contact us if you are considering attending the meeting and require a modification. The earlier you make a request the more likely we can meet the need.

NEED FOR THE RULE(S):

Historically, Oregon has required children under 14 years in non-lifeguarded pools to have adult supervision. This rule provision was expanded as part of the 2025 rule update to align with the Model Aquatic Health Code (MAHC) to include lifeguarded pools. The MAHC does not differentiate between limited use and general use pools and instead specifies lifeguarded or non-lifeguarded pools.

After adoption, there was public concern around OAR 333-062-1000(6)(u), and (6)(w)(N), which specify that lifeguarded pools must have signage identifying that children under the age of 14 years must have direct supervision by a person aged 18 years or older in a general use pool and further requires the pool operator to enforce this requirement.

Given these concerns, the Oregon Health Authority's (OHA's) Food, Pool and Lodging Health and Safety Program initiated a temporary rulemaking (Temporary Administrative Order PH 26-2026) to provide pool operators with more flexibility over the summer season. While the temporary rule was in effect, OHA convened a workgroup to further consider the policy concerns regarding required supervision to create permanent rule language to use statewide moving forward.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Oregon Aquatic Facility Rules:
https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/RECREATION/POOLSLODGING/Documents/OAR%20333-062-1000.pdf

4th ed. MAHC: https://www.cdc.gov/model-aquatic-health-code/media/pdfs/2023-MAHC-508.pdf

4th ed. MAHC: https://www.cdc.gov/model-aquatic-health-code/media/pdfs/2023-MAHC-ANNEX-508.pdf

Pool or Spa Submersion: Estimated Nonfatal Drowning Injuries and Reported Drownings, 2026 Report:
https://www.cpsc.gov/content/Pool-or-Spa-Submersion-Estimated-Nonfatal-Drowning-Injuries-and-Reported-Drownings-2026-Report

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STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

OHA, Public Health Division does not anticipate the proposed rule changes having an effect on racial equity in the state. OHA will ensure that our training materials and resources are translated into as many languages as possible and that the required trainings are also available in Spanish. Though these translated materials are in response to the rule's roll out, it creates a positive equity impact for language access as we know pool operators predominantly speak English or Spanish as their first language at this time. Historically marginalized communities, including Black and African American communities as well as other ethnic and immigrant populations face historic and systemic barriers to pool access and having stricter supervision rules in place may potentially impact these communities. Additionally, families with lower incomes may lack available caregivers or the financial means to ensure supervised access to pools.

FISCAL AND ECONOMIC IMPACT:

There will be no fiscal or economic impact on the OHA, Public Health Division as a result of the proposed changes. The rules will be implemented by existing program staff and are part of current staff responsibilities relating to statewide rulemaking, consultation, training of local health department inspectors, and technical assistance. Most pool facilities are small businesses, and the cost of compliance and fiscal impact is discussed below. The fiscal impact to large pools/complexes will be less because they are likely already in compliance with what would be required in the proposed rule update. There may be an additional cost to the public if they will need to hire a caregiver to take children to the pool.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) Local health departments license and inspect these facilities under an existing intergovernmental agreement with OHA. The provisions of the proposed rules will be added to the current inspection protocol and there will be some training of local health department inspection personnel that is necessary. There will be no cost of compliance impact on other state agencies or the public.

(2)(a) There are approximately 6,000 public pools that will be affected by an update to the rules, and most of these are small businesses and non-profit organizations.

(b) There may be a minor impact on businesses that will need to train staff on how to implement the provisions of the updated rules.

(c) There may potentially be some impact on establishments to update old signs to reflect any changes in requirements.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

A rule advisory committee (RAC) was convened and membership included representatives of small businesses who reviewed and provided feedback on the proposed text, racial equity impact, and fiscal or cost of compliance impact to small businesses.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

AMEND: 333-062-1000

RULE SUMMARY: Amend OAR 333-062-1000(6)(u) and (6)(w)(N) related to age requirements for direct supervision at lifeguarded general use pools. Amendments are proposed to lower the supervision age to under 10 years old and the attendant age to 15 years old.

CHANGES TO RULE:

333-062-1000
Aquatic Facilities, Operations and Policies
(1) Authority and Purpose. OAR 333-062-1000 to 333-062-1025 (these rules) establish definitions and set standards for management and personnel, pool safety, and equipment and facilities, water supply, and sewage disposal.¶
(2) Incorporation by Reference. The requirements in the U.S. Public Health Service, Centers for Disease Control and Prevention (CDC), 2023 Model Aquatic Health Code 4th Edition, Chapters 2, 5 and 6 are adopted and

incorporated by reference.¶
(a) For purposes of these rules, the structural nomenclature of the 2023 Model Aquatic Health Code is as follows:¶
(A) Chapter 9¶
(B) Part 9.1¶
(C) Subpart 9.1.1¶
(D) Section (§) 9.1.1.1¶
(E) Paragraph (⍰) 9.1.1.1.1¶
(F) Subparagraph 9.1.1.1.1.1¶
~~Note:~~(b) Section numbers with superscript "A" (e.g., 4.0A) denote a corresponding discussion in the Annex to the 2023 Model Aquatic Health Code.¶
(~~b~~c) References in these rules to the 2023 Model Aquatic Health Code use the structural nomenclature identified in subsection (2)(a) of this rule.¶
(3) Deletions. The following are deleted from the 2023 Model Aquatic Health Code as adopted and incorporated by reference, in their entirety: ¶
(a) The term "MAHC" throughout;¶
(b) Chapter 1, Glossary of Abbreviations; ¶
(c) Chapter 3, Cited Standards and Laws;¶
(d) Chapter 7 Special Venues; and ¶
(e) MAHC Annex.¶
(4) Changes to Federal Regulation, Chapter 2.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 2.0, Glossary of Terms as adopted and incorporated by reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:¶
(a) Delete "Agitated Water."¶
(b) Delete "Air Delivery Rate." ¶
(c) Delete "Air Handling System." ¶
(d) Delete "Alpha Bar." ¶
(e) Add "Approved" means approved in writing by the Oregon Health Authority (Authority).¶
(f) Delete "Aquatic Facility or Aquatic Venue Enclosure." ¶
(g) Amend "Aquatic Venue" to read: means an artificially constructed structure or modified natural structure where the public is exposed to water intended for recreational or therapeutic purpose and where the primary intended use is not watering livestock, irrigation, water storage, fishing, or habitat for aquatic life. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. Examples include swimming pools, wave pools, lazy rivers, surf pools, spas (including spa pools and hot tubs), waterslide landing pools, spray pads, and other interactive water venues.¶
(A) Add "Aquatic Venue" subset: "General-Use" means any aquatic venue other than a limited-use aquatic venue. Public swimming pools operated in conjunction with a companion facility but not limited to use of the residents, patrons or members of the companion facility are general-use aquatic venues.¶
(B) Add "Aquatic Venue" subset: "Limited-Use" means any aquatic venue located at and operated in connection with a companion facility such as a residential housing facility having five or more living units, travelers' accommodations, mobile home park, recreation park, boarding school, organizational camp, dude ranch, club or association where use of the pool is limited to residents, patrons or members of the companion facility.¶
(C) Amend "Aquatic Venue" subset: "Special Use Aquatic Venue" means aquatic venues that do not meet the intended use and design features of any other aquatic venue or pool listed/identified in these rules which is designed specifically for sporting or recreational purposes.¶
(h) Amend "Aquatic Venue does not include" to read:¶
(A) A basin that is drained and refilled with potable water between each use;¶
(B) A private aquatic venue onboard a watercraft; ¶
(C) A floatation tank; or¶
(D) A therapy pool.¶
(i) Add "Athletic club" means a facility constructed to provide athletic or physical conditioning for its members, guests or patrons. It includes but is not limited to racquetball clubs, health spas, and fitness facilities.¶
(j) Add "Authority" to read: means the Oregon Health Authority.¶
(k) Amend "Authority Having Jurisdiction" (AHJ) to read: means the Oregon Health Authority, Local Public Health Authority, or an agency, organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, installations, or procedures.¶
(l) Delete "Average Sound Absorption Coefficient."¶
(m) Delete "Background Noise."¶
(n) Add "Bather Load Capacity", see "Maximum Bather Load."¶

(o) Add "Bathhouse", see "Hygiene Facility."¶
(p) Add "Builder" means a person who, in the pursuit of an independent business, undertakes, or offers to undertake, or submits a bid, to construct, alter, repair, or improve any aquatic venue and its appurtenances.¶
(q) Amend "Chlorine" to read: means an element that at room temperature and pressure is a heavy greenish yellow gas with a characteristic penetrating and irritating smell; it is extremely toxic. It can be compressed in liquid form and stored in heavy steel tanks. When mixed with water, chlorine gas forms hypochlorous acid (HOCl), the primary chlorine-based disinfecting agent, hypochlorite ion, and hydrochloric acid. HOCl dissociation to hypochlorite ion is highly pH dependent. Chlorine is a general term which refers to HOCl and hypochlorite ion in aqueous solution derived from chlorine gas or a variety of chlorine-based disinfecting agents.¶
(r) Delete "Climate Control System."¶
(s) Amend "Deck" to read: means surface areas serving the aquatic venue, including the dry deck, perimeter deck, and pool deck.¶
(A) "Dry Deck" means all pedestrian surface areas within the enclosure not subject to frequent splashing or constant wet foot traffic. The dry deck is not perimeter deck or pool deck, which connects the pool to adjacent amenities, entrances, and exits. Landscape areas are not included in this definition.¶
(B) "Perimeter Deck" means the hardscape surface area immediately adjacent to and within 4 feet (1.2 m) of the water's edge.¶
(C) "Pool Deck" means surface areas serving the aquatic venue, beyond perimeter deck, which is expected to be regularly trafficked and made wet by bathers.¶
(t) Add "Electrical Interlock System" means a control mechanism that automatically disables pool equipment operation components like pumps, heaters and chemical feeders during pump failure, inadequate flow, or electrical faults to ensure safety.¶
(u) Delete "Flat Water."¶
(v) Delete "Hot Water."¶
(w) Amend "Hygiene Facility" to read: means an enclosed structure or part of a structure that may contains a toilet, shower, diaper-changing unit, handwashing station, and dressing capabilities serving bathers and patrons at an aquatic facility. Also referred to as a bathhouse.¶
(x) Amend "Indoor Aquatic Facility" to read: means a physical place that contains one or more aquatic venues and the surrounding bather and spectator/stadium seating areas within a structure that meets the definition of "Building" per the Oregon Structural Specialty Code (OSSC). Indoor Aquatic Facility does not include equipment, chemical storage, or bather hygiene rooms or any other rooms with a direct opening to the aquatic facility. Otherwise known as a natatorium.¶
(y) Amend "Interactive Water Play Aquatic Venue" to read: means any indoor or outdoor installation that includes sprayed, jetted, or other water sources contacting bathers and not incorporating standing or captured water as part of the bather activity area. These aquatic venues are also known as splash pads and spray pads. For the purposes of these rules, only those designed to recirculate water and intended for public use and recreation shall be regulated.¶
(z) Add "Maximum Bather Load" means the maximum number of bathers allowed in the pool at any given time, as determined by the available pool space, water circulation, and safety standards. It is calculated based on the size of the pool and applicable code requirements to ensure safe usage, proper water quality, and effective emergency response capabilities.¶
(aa) Delete "Moisture Removal Capacity."¶
(bb) Delete "Moisture Removal Efficiency."¶
(cc) Amend "Non-Substantial Alteration" to read: means any minor modification, repair, or maintenance work that does not significantly change the pool's core structure, operational systems, or capacity.¶
(dd) Amend "Perimeter Gutter System" to read: means a weir or trough around the perimeter of a pool that is used to skim the surface of the water and return the water to the treatment system.¶
(ee) Add "Person" includes, in addition to the definition of "person" in ORS 174.100, municipalities, recreation districts, counties and state agencies, instrumentalities, or builder.¶
(ff) Amend "Pool" to read: means a subset of aquatic venues designed to have recirculated standing water that is chemically treated for total or partial bather immersion. This does not include spas.¶
(gg) Add "Private Swimming Pool" means any aquatic venue owned by no more than four individuals, either jointly, individually or through association, incorporation or otherwise, and operated and maintained in conjunction with a companion residential housing facility having no more than four living units, for the use of the occupants thereof and their personal friends only. Private swimming pools shall not be subject to the provisions of these rules.¶
(hh) Delete "Purge."¶
(ii) Amend "Qualified Lifeguard" to read: means an individual who has successfully completed a Council for Model Aquatic Health Code-certified lifeguard training program or equivalent approved by the Authority, holds a current certificate for such training, has met the pre-service requirements, and is participating in continuing in-service

training requirements of the aquatic facility.¶
(jj) Amend "Qualified Operator" to read: means a person performing the duties of the responsible supervisor, and responsible for providing direction and training to non-certified responsible supervisors and other pool personnel in regard to pool maintenance and operation. This person shall be certified by an organization providing training in pool safety, maintenance and operation recognized by the Authority. Such courses and organizations include the Certified Pool Operator Program, by the Pool and Hot Tub Alliance, and the Aquatic Facility Operator Program, by the National Recreation and Parks Association, or equivalent, as determined by the Authority.¶
(kk) Delete "Raceway."¶
(ll) Delete "Re-entrainment."¶
(mm) Add "Responsible Supervisor" means an individual onsite that is responsible for water treatment operations when a "qualified operator" is not onsite at an aquatic facility.¶
(nn) Delete "Reverberation."¶
(oo) Delete "Reverberation Time - RT60."¶
(pp) Amend "Slide" to read: means an aquatic feature where users slide down from an elevated height into water.¶
(A) "Drop Slide" means a slide that drops bathers into the water from a height above the water versus delivering the bather to the water entry point.¶
(B) "Pool Slide" means a slide having a configuration as defined in 16 CFR Part 1207 or is similar in construction to a playground slide used to allow users to slide from an elevated height to a pool. They shall include children's slides and all other non-flume slides that are mounted on the pool deck or within the basin of a pool.¶
(C) "Waterslide" means a slide that runs into a landing pool or runout through a fabricated channel with flowing water. ¶
(D) "Waterpark slide" means a slide at an aquatic venue, which has a length of at least 20 feet (6.1m), not including the platform.¶
(qq) Amend "Slip Resistant" to read: means surfaces shall have a minimum dynamic coefficient of friction at least equal to the requirements of ANSI A137.1 and 236 for that installation as measured by the DCOF AcuTest.¶
(rr) Delete "Sound Absorption."¶
(ss) Delete "Sound Transmission Class." ¶
(tt) Amend "Stadium Seating" to read: means an area of high-occupancy seating provided above the pool level for observation.¶
(uu) Amend "Substantial Alteration" to read: means any major renovation, construction, or modification that significantly impacts the pool's structural, mechanical, or operational systems.¶
(vv) Add "Swimming Pool", see "Pool."¶
(ww) Add "These rules" means OAR 333-062-1000 to 333-062-1025.¶
(xx) Delete "Theoretical Peak Occupancy."¶
(yy) Add "Tripping Hazard" means any condition or object within or around the aquatic venue that poses a risk of causing a person to lose their balance, stumble, or fall. This includes, but is not limited to, uneven surfaces, protruding objects, and improperly secured or misplaced pool equipment.¶
(zz) Add "Underwater Shelf" means a shallow, flat area within a pool that extends horizontally from the pool wall. It is designed to be submerged in water, typically with a depth of 8 to 24 inches, providing a shallow space for lounging, play, or easy entry into the pool. Also referred to as a tanning ledge, sun shelf, or Baja shelf.¶
(aaa) Add: "Variance" means written permission from the Authority for an aquatic venue to be operated when it does not comply with all the applicable rules for aquatic venues.¶
(bbb) Delete "Wet Deck."¶
(5) Changes to Federal Regulation, Chapter 5.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 5.0, Aquatic Facility Operation and Maintenance as adopted and incorporated by reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:¶
(a) Delete 5.2.2, Exemptions.¶
(b) Delete 5.2.3, Variances.¶
(c) Amend 5.4.1.1.1 Aquatic Venues With an Enclosure to read: Where the AQUATIC VENUE has an ENCLOSURE enclosing it per 4.8.6:¶
(A) The water shall be recirculated and treated to meet the criteria of this CODE; or¶
(B) The water shall be drained; and¶
(C) Access to the AQUATIC VENUE shall be restricted and routine checks of the integrity of the AQUATIC VENUE ENCLOSURE shall be made.¶
(d) Amend 5.4.1.1.2, Aquatic Venues Without an Enclosure but Open to the Public to read: Where the AQUATIC VENUE does not have an ENCLOSURE enclosing it per 4.8.6 and other parts of the AQUATIC FACILITY are open to the public:¶
(A) The water shall be recirculated and treated to meet the criteria of this CODE and the AQUATIC VENUE shall be

staffed to keep BATHERS out;¶
(B) The water shall be drained, and the AQUATIC VENUE shall be staffed to keep BATHERS out;¶
(C) A temporary ENCLOSURE for the AQUATIC VENUE shall be installed to keep bathers out, and routine checks of the integrity of the temporary AQUATIC VENUE ENCLOSURE shall be made; or¶
(D) An approved safety cover that is CERTIFIED, LISTED, AND LABELED to ASTM F1346-91 by an ANSI-accredited certification organization shall be installed, and routine checks of the integrity of the safety cover shall be made. ¶
(e) Amend 5.4.1.1.3, Aquatic Venues Without an Enclosure and Closed to the Public to read: Where the aquatic venue does not have an enclosure enclosing it per 4.8.6, and the aquatic facility is closed to the public, one of the following options must be followed:¶
(A) The water shall be recirculated and treated to meet the criteria of this CODE and all play equipment turned off; or¶
(B) The water shall be drained.¶
(f) Amend 5.4.1.2, Reopening to read: An owner or operator of a closed AQUATIC VENUE shall verify that the AQUATIC VENUE meets all applicable criteria of this CODE before reopening the AQUATIC VENUE. If the AHJ was present during the initial closure, the AHJ shall verify that the AQUATIC VENUE meets all applicable criteria of this code before reopening the AQUATIC VENUE. ¶
(g) Amend 5.4.2.2.1, Original Plans and Specifications Available to read: A paper or digital copy of the approved plans and specifications for each AQUATIC VENUE constructed after the adoption of this CODE shall be available at the AQUATIC FACILITY.¶
(h) Amend 5.4.3.1, Theoretical Peak Occupancy to a new title of Maximum Bather Load to read: The MAXIMUM BATHER LOAD per 4.1.2.3.5 shall not be exceeded.¶
(i) Amend 5.6.1.1.3.1, Ground-Fault Circuit Interrupter to read; All underwater lighting shall be GFCI protected.¶
(j) Delete 5.6.2, Indoor Aquatic Facility Ventilation.¶
(k) Amend 5.6.3.2.1, New Receptacles to read: The installation of new electrical receptacles shall be subject to all applicable local, state, territorial, federal, and Tribal laws.¶
(l) Amend 5.6.3.2.2, Repairs to read: Repairs or maintenance to existing receptacles shall maintain compliance with all applicable local, state, territorial, federal, and Tribal laws.¶
(m) Amend 5.6.3.6.1, Extension Cords and Temporary Connectors to read: Extension cords shall only be used temporarily for the duration of a swimming competition or sporting event, remodeling, maintenance, or repair of buildings, structures, or equipment with similar purposes. Extension cords and temporary power connectors shall not be used as a substitute for permanent wiring¶
(n) Amend 5.6.9.1.2.1, Swim-Up Bars to read: Swim-up bars are not allowed.¶
(o) Amend 5.6.9.3.1, Diaper Changing to read: Diaper changing shall only be done in the HYGIENE FACILITY or at a designated DIAPER-CHANGING STATION.¶
(p) Delete 5.6.9.3.8, Circulation Path.¶
(q) Delete 5.7.1.4.7, Flotation Test.¶
(r) Amend 5.7.1.5.1, Replaced to read: Loose, broken, or missing suction outlet covers and sumps shall be secured or replaced immediately and installed in accordance with the manufacturer's requirements. For replacements, specifications and certificate of compliance shall be submitted to the AHJ.¶
(s) Amend 5.7.1.5.1.1, Closed to read: AQUATIC VENUES shall be closed until the required repairs can be completed.¶
(t) Amend 5.7.2.1.2, Cleaned to read: Filters shall be backwashed, cleaned, and maintained according to the manufacturer's instructions and in accordance with. all applicable local, state, territorial, federal, and Tribal laws. Cleaning of cartridge filters on the deck is prohibited.¶
(u) Amend 5.7.2.2.1, Filtration Rates to read: High-rate granular media filters shall be operated at no more than 18 GPM per square foot of filter media or that rate approved by the manufacturer for that particular filter, whichever is less. Pools constructed prior to May1, 1986, may continue to use filters sized at 20 GPM per square foot of filter media until replaced.¶
(v) Amend 5.7.2.4.3.1, Cleaning Procedure to read: The filter housing and filter cartridge shall be cleaned per manufacturer's recommendation and comply with applicable local, state, territorial, federal, and Tribal laws. Cleaning of cartridge filters on the deck is prohibited.¶
(w) Delete 5.7.2.4.4, Spare Cartridge.¶
(x) Delete 5.7.3.1.1.3, Stagnant Water Lines.¶
(y) Amend 5.7.3.1.3.1, Cyanuric Acid to read: CYA or stabilized CHLORINE products shall not be used in indoor AQUATIC VENUES for all new construction, SUBSTANTIAL ALTERATIONS, or DISINFECTION equipment replacements at the following:¶
(A) SPAS; and ¶
(B) Indoor pools.¶

(z) Amend 5.7.3.1.3.2.1, Aquatic Venues, to read: The CYA level at all AQUATIC VENUES shall remain at or below 90 ppm (mg/L).¶
(aa) Amend 5.7.3.1.4.1.1, Separate Enclosure to read: The chlorinators and any cylinders containing CHLORINE gas used therewith shall be housed in an ENCLOSURE separated from other EQUIPMENT ROOMS, including the POOL, corridors, dressing rooms and other space.¶
(bb) Amend 5.7.3.5.1.2, Installed and Interlocked to read: For all new or SUBSTANTIALLY ALTERED AQUATIC VENUES, chemical feed system components shall be installed and interlocked so the chemical feeder cannot operate when the RECIRCULATION SYSTEM is in low or no flow circumstances as per 4.7.3.2.1.3.¶
(cc) Amend 5.7.3.5.1.5, Insufficient Size/Capacity to read: If it is determined that the chemical feed system is incapable of maintaining the minimum required disinfectant level at all times in accordance with these rules, additional capacity shall be designed and installed per 4.7.3.2.2.¶
(dd) Amend 5.7.3.7.1.1, Installed to read: An AUTOMATED CONTROLLER shall be required or all newly constructed AQUATIC VENUES or at the time of a SUBSTANTIAL ALTERATION of the disinfection system.¶
(ee) Amend 5.7.3.7.1.2, Interlocked to read: AUTOMATED CONTROLLERS shall be interlocked per 4.7.3.2.1.3.¶
(ff) Amend 5.7.5.1, Chemical Parameters to read: DPD-FC, COMBINED AVAILABLE CHLORINE (CAC), or TOTAL BROMINE (TB), and pH shall be tested and recorded at all AQUATIC VENUES prior to opening each day.¶
(gg) Amend 5.7.5.2, Manual Disinfectant Feed System to read: For all AQUATIC VENUES using a manual disinfectant feed system that delivers disinfectant via a flow through erosion feeder or metering pump without an AUTOMATED CONTROLLER, DPD-FC or bromine and pH shall be tested prior to opening to the public and every four hours while open to the public or every hour if the pool is outdoors and cyanuric acid is not used.¶
(hh) Amend 5.7.5.3, Automatic Disinfectant Feed System to read: For all AQUATIC VENUES using an automated disinfectant feed system, DPD-FC (or TB) and pH shall be tested and recorded prior to opening and every four hours while open to the public.¶
(ii) Amend 5.7.5.5, Total Alkalinity to read: Total Alkalinity (TA) shall be tested weekly and recorded at all AQUATIC VENUES.¶
(jj) Amend 5.7.5.6, Calcium Hardness to read: Calcium hardness shall be tested monthly and recorded at all AQUATIC VENUES.¶
(kk) Amend 5.7.5.7, Cyanuric Acid to read: CYA shall be tested monthly and recorded at all AQUATIC VENUES utilizing CYA.¶
(ll) Amend 5.7.5.7.2, Tested to read: CYA shall be tested 24 hours after the addition of CYA to the AQUATIC VENUE and recorded.¶
(mm) Amend 5.8.5.2.1.4, Alternate Communication Systems to read: Alternate functional systems, devices, or communication processes are allowed with AHJ approval in situations when a hardwired telephone is not logistically sound, and an alternate means of communication is available. AQUATIC FACILITIES using mobile devices as alternate communication systems must:¶
(A) Ensure the mobile device is plugged into a charger at the end of each day or whenever it is not in use to guarantee full battery.¶
(B) Use alerts or check the battery percentage regularly to ensure the mobile device is always at least 80 percent charged.¶
(C) Conduct a weekly test to make sure the mobile device works properly, both for calls and signal reception.¶
(D) Check the mobile device's signal reception regularly to ensure it has adequate coverage in the pool area. In case of poor reception, consider using a signal booster or alternative communication methods.¶
(E) Have a backup plan in case the mobile device has no signal, such as a secondary landline or a two-way radio.¶
(F) Assign responsibility to a specific person to verify the mobile device's readiness at the beginning and end of each shift.¶
(G) Maintain a written checklist for staff to verify the mobile device's readiness at the beginning and end of each shift.¶
(nn) Amend 5.8.5.2.2.1, Location for First Aid to read: GENERAL USE AQUATIC FACILITIES shall have designated locations for emergency and first aid equipment.¶
(oo) Amend 5.8.5.2.3.3, Management Contact Info to read: At LIMITED USE AQUATIC FACILITIES, a permanent sign shall be conspicuously posted and maintained displaying contact information for emergency personnel and AQUATIC FACILITY management.¶
(pp) Amend 5.8.5.3.8, Polarized Sunglasses, to read: When glare impacts the ability to see below the water's surface, QUALIFIED LIFEGUARDS are recommended to wear polarized sunglasses while conducting BATHER surveillance. ¶
(qq) Amend 5.8.5.4.5, Additional Signage, to read: For any AQUATIC VENUE with standing water, a sign shall be posted signifying a QUALIFIED LIFEGUARD is not on duty and that the following rules apply:¶
(A) Persons under the age of 14 years cannot be in the AQUATIC VENUE without direct supervision by a person aged 18 years or older; and¶

(B) Youth and childcare groups, are not allowed without a QUALIFIED LIFEGUARD providing PATRON surveillance.¶
(rr) Amend 5.8.6.3.1, Self-Closing and Latching to read: All primary public access gates or doors serving as part of an ENCLOSURE shall have functional self-closing and self-latching closures unless the gate or door meets the exceptions in 4.8.6.3.1.6.2 and staff and QUALIFIED LIFEGUARDS are provided per 6.3.4.1 and 6.3.4.3.1.¶
(ss) Amend 5.8.6.3.1.2, Propping Open to read: Required self-closing and self-latching gates or doors with staff at the entry point may be maintained in the open position when the AQUATIC VENUE is open and staffed as required¶
(tt) Amend 5.8.6.3.2, Locked to read: Gates or doors must be locked when the AQUATIC VENUE is closed.¶
(uu) Delete 5.9.1.2, OHA and EPA.¶
(vv) Amend 5.9.2.4.1, Automatically Introduced to read: DISINFECTION and pH control chemicals shall be automatically introduced through the RECIRCULATION SYSTEM for new and SUBSTANTIALLY ALTERED AQUATIC VENUES.¶
(ww) Amend 5.10.4.5, Diaper-Changing Stations to read: DIAPER-CHANGING STATIONS are required in all new and SUBSTANTIALLY ALTERED AQUATIC FACILITIES upon adoption of this CODE per 4.10.4.5.1.¶
(xx) Amend 5.10.4.5.1, Hand Wash Sink Installed and Operational to read: The adjacent handwashing sink shall be installed and operational.¶
(yy) Delete 5.10.4.5.4, Portable Handwashing.¶
(zz) Delete 5.10.4.7, Sharps.¶
(aaa) Amend 5.12.1.2.1, Calculated to read: Spa pools shall be drained and refilled with fresh water at least once every 30 days.¶
(bbb) Amend 5.12.1.3, Scrubbed to read: SPA surfaces, including interior of SKIMMERS, shall be scrubbed or wiped down prior to refill.¶
(6) Changes to Federal Regulation, Chapter 6.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 6.0, Policies and Management as adopted and incorporated by reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:¶
(a) Amend 6.1.1, Qualified Operator Qualifications to read: Qualified Operator Qualifications for General Use Aquatic Venues.¶
(b) Amend 6.1.1.1, Qualifications to read: A QUALIFIED OPERATOR of an AQUATIC FACILITY shall have completed an operator training course that is recognized by the AHJ. ¶
(c) Delete 6.1.2, Essential Topics in Qualified Operator Training Courses.¶
(d) Delete 6.1.3, General Requirements for Operator Training Courses.¶
(e) Delete 6.2.1.1, Course Content.¶
(f) Delete 6.2.1.2, Lifeguard Training Delivery.¶
(g) Delete 6.2.1.3, Competency and Certification.¶
(h) Delete 6.2.2, Lifeguard Supervisor Training.¶
(i) Amend 6.3.1.1.1, At Adoption to read: All public swimming pools serving or installed for the state or any political subdivision of the state, including a school district, municipality, or recreation district with 2000 square feet (185 m2) or more pool surface area in one or more pools must have at least one currently Certified Pool Operator, on staff. This person must be in a position with management responsibility for the way the pool is operated, including the authority to close the pool.¶
(j) Amend 6.3.1.2.5, Onsite Responsible Supervisor Duties to read: The designated onsite RESPONSIBLE SUPERVISOR shall:¶
(A) Be capable of testing and recording the water quality parameters required by this CODE;¶
(B) Know how to make adjustments, as needed, to maintain required water quality parameters required by this CODE;¶
(C) Know general maintenance procedures as required by daily operational verifications or adjustments required by this CODE;¶
(D) Know when the AQUATIC FACILITY or individual AQUATIC VENUE should be closed; and¶
(E) Know how and when to contact the contracted off-site QUALIFIED OPERATOR.¶
(F) For limited-use facilities, a responsible supervisor or individual appointed by the owner must observe all aquatic venues in person at least once every four hours during operating hours.¶
(k) Amend 6.3.2.1, List of Aquatic Facilities Requiring Qualified Lifeguards to read: ¶
(A) Any AQUATIC VENUE while it is being used for the recreation of youth groups, including but not limited to childcare usage or school groups;¶
(B) Any AQUATIC VENUE while it is being used for activities, including but not limited to, competitive swimming, or sports;¶
(C) Any AQUATIC VENUE with a configuration in which any point on the AQUATIC VENUE surface exceeds 30

feet (9.1 m) from the nearest DECK;¶
(D) Any AQUATIC VENUE with an induced current or wave action including but not limited to WAVE POOLS and LAZY RIVERS;¶
(E) Waterslide landing pools;¶
(F) Any AQUATIC VENUE in which BATHERS enter the water from any height above the DECK including but not limited to diving boards, DROP SLIDES, starting platforms, and climbing walls. This includes POOL SLIDES that discharge into water depths deeper than five feet (1.5 m). Limited-use facilities with pool slide flumes that are 6 feet or less in height or drop slides that discharge from a height of 6 inches or less above the water, are exempted from this requirement Exceptions to this provision apply to limited-use facilities with pool slide flumes that are 6 feet or less in height or drop slides that discharge from a height of 6 inches or less above the water; and¶
(G) Any AQUATIC FACILITY that sells or serves alcohol within the ENCLOSURE, during the periods when alcohol is sold or served.¶
(H) All GENERAL-USE AQUATIC VENUES.¶
(l) Amend 6.3.3, Safety Plan to read: All GENERAL-USE AQUATIC FACILITIES and LIMITED-USE AQUATIC FACILITIES that require QUALIFIED LIFEGUARDS shall create and implement a SAFETY PLAN to include, but not be limited to the following elements:¶
(A) Staffing plan;¶
(B) Emergency Action Plan (EAP);¶
(C) Biohazard action plan;¶
(D) Pre-service training plan; and¶
(E) In-service training plan.¶
(m) Delete 6.3.3.3.5, CPR/AED and First Aid Certificate.¶
(n) Delete 6.3.3.3.6, Documentation of Pre-Service Training.¶
(o) Delete 6.3.3.4, In Service Training.¶
(p) Amend 6.3.4.3.1, Minimum Number of Lifeguards to read: AQUATIC FACILITIES that require lifeguards must provide the minimum number of lifeguards during all hours of operation:¶
(A) One lifeguard for every 40 patrons in the pool, or fraction thereof, shall be provided.¶
(B) A pool operator may submit a lifeguard safety plan as an alternative to compliance with section (1) of this rule.¶
(q) Amend 6.4.1.1.1, Develop to read: Each AQUATIC FACILITY shall develop an operations manual to keep at the AQUATIC FACILITY in both printed and or electronic formats.¶
(r) Delete 6.4.1.2.2, Additional Documentation.¶
(s) Amend 6.4.1.3.1, Daily Inspection Items to read: The QUALIFIED OPERATOR or RESPONSIBLE SUPERVISOR shall ensure that a daily AQUATIC FACILITY preventive maintenance inspection is done before opening and that it shall include:¶
(A) Walkways/DECK and exits are clear, clean, free of debris;¶
(B) Drain covers, vacuum fitting covers, SKIMMER equalizer covers, and any other suction outlet covers are in place, secure, and unbroken;¶
(C) SKIMMER baskets, weirs, lids, flow adjusters, and suction outlets are free of any blockage;¶
(D) INLET and return covers and any other fittings are in place, secure, and unbroken;¶
(E) Safety warning signs and other signage are in place and in good repair;¶
(F) Safety equipment as required by this CODE are in place and in good repair, including emergency instructions and phone numbers;¶
(G) Entrapment prevention systems are operational;¶
(H) Recirculation, DISINFECTION systems, controller(s), and probes are operating as required;¶
(I) SECONDARY TREATMENT and SUPPLEMENTAL TREATMENT systems are operating as required;¶
(J) Underwater lights and other lighting are intact with no exposed wires or water in lights;¶
(K) Slime and biofilm have been removed from accessible surfaces of AQUATIC VENUES, SLIDES, and other AQUATIC FEATURES;¶
(L) Doors to nonpublic areas such as CHEMICAL STORAGE SPACES and offices are locked;¶
(M) First aid supplies, if supplied, are stocked;¶
(N) Emergency communication equipment and systems are operational;¶
(O) Fecal/vomit/blood incident CONTAMINATION RESPONSE PLANS, materials, and equipment are available;¶
(P) Water features and amenities are functioning in accordance with the manufacturer's recommendations;¶
(Q) Fencing/ENCLOSURES, gates, and self-latching or other locks are tested and are intact and functioning properly, and ENCLOSURES do not have nearby furniture to encourage climbing;¶
(R) Drinking fountains, if required, are clean and in functional condition;¶
(S) Electrical devices are in good working condition and meet the requirements specified in these rules;¶
(T) Alarms, if required, are tested and functioning properly; and¶
(U) Assessing water clarity such that the bottom and objects in the POOL are clearly visible.¶

(t) Delete 6.4.1.3.2, Other Inspection Items.¶
(u) Amend 6.4.2.2.1, Facility Rules to read: The operator shall post and enforce the AQUATIC FACILITY rules governing health, SAFETY, and sanitation. Pools with ~~existing~~ pool rule signs in use on April 1, 2025, may wait to comply with the requirements of this rule until the signs are replaced, repaired or moved. ¶
(v) Amend 6.4.2.2.2, Lettering to read: The lettering shall be legible and at least one inch (25.4 mm or three-point type) high, unless otherwise noted, with a contrasting background.¶
(w) Amend 6.4.2.2.3, Sign Messages to read: Signage shall be placed in a conspicuous place at the entrance of the AQUATIC FACILITY communicating expected and prohibited behaviors and other information using text that complies with the intent of the following information:¶
(A) In case of an emergency, dial 911 or other emergency instructions, per 6.3.4.5.8;¶
(B) Hours of operation;¶
(C) MAXIMUM BATHER LOAD;¶
(D) Do not swim if you have open wounds;¶
(E) Do not swim if you are ill with diarrhea or have had diarrhea within the past 2 weeks;¶
(F) SHOWER before entering the water;¶
(G) No glass items in the AQUATIC VENUE or on the DECK;¶
(H) Do not swallow or spit water;¶
(I) Diaper changing on the DECK is prohibited;¶
(J) No Diving, as applicable per 5.5.5;¶
(K) Intentional hyperventilation or extended breath holding activities are dangerous and prohibited;¶
(L) No animals in the AQUATIC VENUE and no animals on the DECK, except service animals, if applicable;¶
(M) No rough play or running; ¶
(N) Children under the age of 1~~4 years~~0 must have direct supervision by a person aged 1~~8~~5 years or older;¶
(O) BATHERS who are incontinent or not toilet trained must wear a swim diaper;¶
(P) Immuno-compromised individuals should use caution when using a public AQUATIC VENUE;¶
(Q) No food or drink allowed in the pool.; and¶
(R) No person under the influence of alcohol may use the pool.¶
(x) Amend 6.4.2.2.3.4, Unstaffed Aquatic Facilities without Lifeguards to read: In addition to signage messages in paragraphs (A through R) of subsection (6)(w) of this rule, unstaffed AQUATIC FACILITIES shall also include signage messages covering:¶
(A) No Lifeguard on Duty (In letters at least four inches high); ¶
(B) Hours of operation: AQUATIC FACILITY use prohibited at any other time; and¶
(C) Bring a Friend: Do not Swim Alone¶
(y) Amend 6.4.2.2.3.7, SPA Signs to read: In addition to the 6.4.2.2.3 requirements, SPAS shall also have the following information or text complying with the intent of the following information:¶
(A) Maximum water temperature is 104° F (40°C);¶
(B) Children under age 5 and people using alcohol or drugs that cause drowsiness shall not use spas;¶
(C) Pregnant people and those with heart disease, high blood pressure or other health problems should not use spas without prior consultation with a healthcare provider;¶
(D) Children under the age of 14 years must have direct supervision by a person aged 18 years or older; and¶
(E) Use of the spa when alone is prohibited (if no lifeguards onsite); and¶
(F) Bathers should spend no more than 15 minutes in the spa at any one session.¶
(z) Add 6.4.2.2.3.8, Interactive Water Play Venue Signs to read: INTERACTIVE WATER PLAY VENUES shall have the following information or text complying with the intent of the information below. If the venue is without an enclosure, the warning signs must be placed on four sides or not more than 50 feet apart, whichever is less. ¶
(A) "WARNING: NO LIFEGUARD" in letters at least four inches (100 mm) high¶
(B) Do not use the pool if you have had diarrhea in the last two weeks.¶
(C) All persons, who are not toilet trained, must wear swim diapers.¶
(D) Do not poop or pee in the water.¶
(E) Do not swallow or spit water.¶
(F) Do not leave children unsupervised.¶
(G) If the operator does not provide direct supervision, add: "For emergency assistance please (insert contact 911, or other emergency assistance site staffed during all hours the wading pool is open)" and "Please contact (insert contact person or agency and phone number) with any concerns about this pool". ¶
(aa) Delete 6.4.2.2.4, Hygiene Facility Signage.¶
(bb) Delete 6.4.2.2.5, Diaper Changing Station Signage.¶
(cc) Delete 6.4.2.3, Swimmer Empowerment Methods.¶
(dd) Amend 6.5.1.2, Contamination Training to read: For GENERAL USE AQUATIC FACILITIES The CONTAMINATION RESPONSE PLAN shall include procedures for response and cleanup, provisions for training

staff in these procedures, and a list of equipment and supplies for cleanup.¶
(ee) Delete 6.5.1.3, Equipment and Supply Verification.¶
(ff) Amend 6.5.2.3, Treated to read: AQUATIC VENUE water that has been contaminated by feces or vomit shall be treated as follows:¶
(A) Check to ensure that the water's pH is 7.5 or lower and adjust if necessary;¶
(B) Verify and maintain water temperature at 77 degrees Fahrenheit (25 degrees Celsius) or higher, except for AQUATIC VENUES without heaters;¶
(C) Operate the filtration/RECIRCULATION SYSTEM while the POOL reaches and maintains the proper DPD-FC concentration during the remediation process;¶
(D) Test the FREE CHLORINE RESIDUAL at multiple sampling points to ensure the proper DPD-FC concentration is achieved throughout the POOL for the entire DISINFECTION time; and¶
(E) Use only non-stabilized CHLORINE products to raise the DPD-FC concentrations during the remediation.¶
(gg) Amend 6.5.3.6.1, Remediation and Testing to read: For remediation and testing of AQUATIC VENUES suspected of being contaminated with Legionella the QUALIFIED OPERATOR shall:¶
(A) Close the SPA to BATHERS immediately, shut down the hydrotherapy jet system and circulation pumps, but do not drain the water.¶
(B) Contact the AHJ for information about laboratory testing for Legionella. If the AHJ determines that laboratory testing is needed, they will take water and biofilm samples from the SPA tub, hydrotherapy jets, drain, and filters/filter media to test for Legionella before taking the steps below. ¶
(C) Proceed as directed below, or according to AHJ guidance, after samples have been taken. The SPA should not be reopened to BATHERS until all test results are negative for Legionella.¶
(D) Scrub vigorously all SPA surfaces, skimming devices, circulation components with DPD-FC at a minimum concentration of five ppm (mg/L) to remove any biofilm or slime. After scrubbing, rinse the SPA with clean water and flush to waste.¶
(E) Drain all water from the SPA. Dispose of the water to waste or as directed by the AUTHORITY.¶
(F) Replace filters (for cartridge or DE filters) or filter media (for sand filters). Bag these filters and dispose as normal solid waste.¶
(G) Inspect the SPA thoroughly for any broken or poorly functioning components such as valves, sensors, tubing, or disinfectant feeders. Make any needed repairs.¶
(H) Refill the SPA with clean water.¶
(I) Hyperchlorinate using 20 ppm (mg/L) DPD-FC. ¶
(i) Keep the hydrotherapy jet system off and let the hyperchlorinated water circulate for one hour in all of the components of the SPA including the compensation/surge tank, filter housing, and piping. ¶
(ii) Turn on the hydrotherapy jet system to circulate the hyperchlorinated water for nine additional hours. Ensure that 20 ppm (mg/L) of DPD-FC is maintained in the system for the entire 10 hours.¶
(J) Flush the entire system to remove the hyperchlorinated water from all equipment prior to repeat sampling.¶
(K) Take repeat samples for culture-based laboratory testing to confirm that Legionella has been eliminated. Water and biofilm samples should be taken from the SPA tub, hydrotherapy jet system, drain, filters/filter media, and any part of the SPA that originally tested positive for Legionella.¶
(L) Keep the SPA closed to BATHERS until this repeat testing has confirmed the elimination of Legionella. If laboratory testing is positive for Legionella, repeat steps in paragraphs (D) through (K) of subsection (6)(gg) of this rule until all testing is negative for Legionella. When all tests are negative, the SPA can be reopened to BATHERS.¶
(M) Ensure that halogen (CHLORINE or bromine) concentration and pH meet applicable local, state, territorial, federal, and Tribal laws before reopening the SPA to BATHERS. Maintain water quality according to local, state, territorial, federal, and Tribal laws.¶
(N) If the SPA is associated with an outbreak, the following continued laboratory testing schedule shall be conducted: conduct culture-based testing every two weeks for three months, then every month for three months to ensure complete elimination of Legionella. If at any time during this laboratory testing schedule Legionella is found, disinfect again and start the testing schedule over. For AQUATIC VENUES that continue to grow Legionella, consider hiring a consultant with expertise in Legionella.¶
(hh) Delete 6.6.1.3, Based on Risk.¶
(ii) Amend 6.6.3.1, Violations Requiring Immediate Correction or Closure to read: The AHJ shall have the right to order immediate correction or order immediate POOL closure for any of the following IMMINENT HEALTH HAZARDS violations:¶
(A) Failure to provide supervision and staffing of the AQUATIC FACILITY as prescribed in 6.3.4.1;¶
(B) Failure to provide the minimum or exceeding the maximum disinfectant residual concentrations listed in 5.7.3.1;¶
(C) AQUATIC VENUES using CHLORINE STABILIZERS where the CYA:DPD-FC ratio exceeds 45:1 or when CYA levels exceed 150 ppm;¶

(D) pH below 7.0;¶
(E) pH above 7.8;¶
(F) Failure to continuously operate the AQUATIC VENUE filtration and DISINFECTION equipment when open for use;¶
(G) Use of an unapproved or contaminated water supply source for potable water use;¶
(H) Unprotected overhead electrical wires within 20 feet horizontally of the AQUATIC VENUE;¶
(I) Non GFCI protected electrical receptacles within 20 feet of the inside wall of the AQUATIC VENUE or the presence of bare electrical wires and other electrical deficiencies;¶
(J) The presence of lightning or severe storms within a minimum 10-mile (16km) proximity of an outdoor aquatic venue.¶
(K) Absence of all required lifesaving equipment on DECK;¶
(L) AQUATIC VENUE bottom not visible;¶
(M) Total absence of or improper depth markings at an AQUATIC VENUE;¶
(N) Plumbing CROSS-CONNECTIONS between the drinking water supply and AQUATIC VENUE water or between sewage system and the AQUATIC VENUE including filter backwash facilities;¶
(O) Failure to provide and maintain an ENCLOSURE to prevent unauthorized access to the AQUATIC FACILITY or AQUATIC VENUE when required;¶
(P) Use of unapproved chemicals or the application of chemicals by unapproved methods to the AQUATIC VENUE water;¶
(Q) Broken, unsecured, or missing main drain grate or any submerged suction outlet grate in the AQUATIC VENUE;¶
(R) Number of bathers/patrons exceeds the MAXIMUM BATHER LOAD;¶
(S) Broken glass or sharp objects in AQUATIC VENUE or on DECK area; or¶
(T) Any other item determined to be a public health hazard by the AHJ.¶
(jj) Amend 6.6.3.1.1, Low pH Violations to read: If pH testing equipment does not measure below 7.0, pH must be at or below the lowest value of the test equipment.¶
(kk) Amend 6.6.3.1.2, High pH Violations to read; If pH testing equipment does not measure above 7.8, pH must be at or above the highest value of the test equipment¶
(ll) Amend 6.6.3.2, Required Closing to read: An AQUATIC FACILITY owner, QUALIFIED OPERATOR, or RESPONSIBLE SUPERVISOR of an AQUATIC FACILITY or AHJ shall close an AQUATIC VENUE for any of the IMMINENT HEALTH HAZARDS in 6.6.3.1.¶
(mm) Delete 6.6.4, Enforcement.
Statutory/Other Authority: ORS 448.011
Statutes/Other Implemented: ORS 448.005 - 448.100, ORS 448.990, ORS 183.355

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

NOTE: Attachments referenced are attached to this document. You may view the attachment 333-062-1000.pdf from the Attachments panel. Alternately, you may view the attachments at the following link:
https://secure.sos.state.or.us/oard/viewAttachment.action?ruleVrsnRsn=341381