



## **Public Health Division**

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### **Oregon Administrative Rules**

## **Chapter 333 – Division 062 Public Spa Pools**

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This information is available in alternate format from the  
Oregon Health Authority - Health Services  
Public Swimming Pool Program at (971) 673-0448.

You may also obtain the rules from these websites:

[http://public.health.oregon.gov/HealthyEnvironments/Recreation/PoolLodging/ Documents/sparules.pdf](http://public.health.oregon.gov/HealthyEnvironments/Recreation/PoolLodging/Documents/sparules.pdf)

Current Revision September 1, 2014

First Published September 2014

**OREGON ADMINISTRATIVE RULES**  
**Chapter 333**  
**Public Spa Pools**

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# OREGON HEALTH AUTHORITY, PUBLIC HEALTH DIVISION

## DIVISION 333-062

### PUBLIC SPA POOL RULES

September 1, 2014

#### **333-062-0005 Purpose**

These rules adopted pursuant to the provisions of ORS 448.011, prescribe the requirements for the construction and operation of public spa pools and bathhouses. They are for the purpose of protecting the health and welfare of persons using these facilities.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0300

#### **333-062-0010 Adoption by Reference**

Outside standards, listings and publications referred to in these rules are by reference made a part of these rules.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 183.355

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0305

#### **333-062-0015 Definitions**

As used in these rules unless otherwise required by context:

- (1) "Administrator" means the Assistant Director of the Public Health Division of the Oregon Health Authority.
- (2) "Approved" means approved in writing by the Division.
- (3) "Bathhouse" means a structure which contains dressing rooms, showers and toilet facilities for use with an adjacent public spa pool or public swimming pool.
- (4) "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 public swimming pool, spa pool or bathhouse and the appurtenances.
- (5) "Cross Connection" means an unprotected connection between the piping carrying potable water and the piping or fixtures which carry other water or other substances.
- (6) "Division" means the Public Health Division of the Oregon Health Authority.
- (7) "General-Use Public Spa Pool" means any public spa pool other than limited-use public spa pool. Public spa 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 spa pools.
- (8) "Horseplay" means any unsafe activity which in the opinion of the Division or the spa operator endangers the spa users and bystanders.

(9) "Lifeguard" means a person with current American Red Cross lifeguard, National Pool and Waterpark Lifeguard, YMCA lifeguard (or equivalent as determined by the Public Health Division) certification or license.

(10) "Limited-use Public Spa Pool" means any public spa pool located at and operated in connection with a companion facility such as a residential housing facility having five or more living units, traveler's 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.

(11) "Oxidized" means a process of chemically removing organic debris, using a product used to reduce combined chlorine and for the purposes of these rules is an alternative to superchlorination.

(12) "Person" includes, in addition to the definition in ORS 174.100, municipalities, recreation districts, counties and state agencies or instrumentalities.

(13) "Private Swimming Pool" means any swimming pool, wading pool or spa pool 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 and having no more than four living units, for the use of the occupants thereof and their personal friends only. Private pools shall not be subject to the provisions of these rules.

(14) "Public Spa Pool" means any public swimming pool or wading pool designed primarily to direct water or air-enriched water under pressure onto the bather's body with the intent of producing a relaxing or therapeutic effect.

(15) "Public Swimming Pool" means an artificial structure and its appurtenances, which contains water more than two feet deep which is expressly designated or which is used with the knowledge and consent of the owner or operator for swimming or recreational bathing and which is for the use of any segment of the public. "Public swimming pool" includes, but is not limited to, swimming pools owned or operated by:

- (a) Traveler's accommodations;
- (b) Recreation parks;
- (c) Colleges;
- (d) Schools;
- (e) Organizational camps as defined in [ORS 446.310](#);
- (f) Clubs;
- (g) Associations;
- (h) Business establishments for their patrons or employees;
- (i) Private persons and that are open to the public;
- (j) Recreation districts;
- (k) Municipalities;
- (l) Counties; or
- (m) A state agency.

(16) "Public Wading Pool" means an artificial structure, and its appurtenances, which contains water less than two feet deep which is expressly designated or which is used with the knowledge and consent of the owner or operator for wading or recreational bathing and which is for the use of any segment of the public, whether limited to patrons of a companion facility or not.

(17) "Supplemental Disinfectant" means a disinfectant which is intended to augment water quality in a public swimming pool or spa and will provide disinfection in conjunction with the approved primary disinfectant.

(18) "These rules" mean OAR 333-062-0005 through 333-062-0185.

(19) "Variance" means written permission from the division for a public swimming pool, public spa pool or public wading pool to be operated when it does not comply with all the applicable rules for public swimming pools, public spa pools or public wading pools.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0310; HD 24-1983(Temp), f. & ef. 12-16-83; HD 18-1991, f. & cert. ef. 10-15-91; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0020 Compliance**

(1) Public spa pools built prior to June 23, 1981, are exempt from the following requirements of these rules, provided such pools are constructed and maintained in accordance with the plans approved by the Division for the construction of the spa pool, and provided the exemption does not present a health or safety hazard:

- (a) OAR 333-062-0065(3);
- (b) OAR 333-062-0085(1), (2), and (10);
- (c) OAR 333-062-0090(2)(a);
- (d) OAR 333-062-0095(3) and (4);
- (e) OAR 333-062-0100(2);
- (f) OAR 333-062-0115(2)(a), (b), (c);
- (g) OAR 333-062-0140(1).

(2) The above exemptions do not apply to any alteration or replacement of the affected components.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0315; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0025 Permit to Construct**

(1) No person shall construct a public spa pool or bathhouse adjacent thereto, or alter any such structures without:

- (a) Submitting complete plans and specifications to the Division;
- (b) Paying the stipulated plan review fee to the Division;
- (c) Receiving a written plan approval or conditional approval from the Division;
- (d) Paying the stipulated construction permit fee (unless fee exempt) to the Division;
- (e) Receiving a permit to construct from the Division.

(2) Plans, specifications, and fees required herein shall be submitted at the time of filing application for a construction permit.

(3) No person shall deviate from the approved or conditionally approved plans and specifications during the construction or alteration of a facility described in section (1) of this rule without the written approval of the Division.

(4) Construction permits will be issued only to the owner or authorized agent of the owner.

(5)(a) The Division may issue a conditional construction permit where the plans and specifications for the proposed public spa pool demonstrate a new technology or alternative mode of operation not contemplated in these rules. Such a permit may be issued only when the proponent of the facility has provided information to the Division from which the Division determines that the spa pool may be reasonably expected to:

- (A) Operate continuously in a clean and sanitary manner;
- (B) Not constitute a menace to public health or safety; and
- (C) Provide health and safety protection equal to or greater than that required by these rules.

(b) The conditional permit may impose conditions which will be set forth in a license for operation. These conditions may include but not be limited to submission of monitoring reports, sampling requirements, use restrictions, and such other conditions as the Division may deem necessary to protect the public health and safety or to further establish the Division's expectancy of such protection. Furthermore, any license issued subject to a conditional construction permit shall carry the condition that by its acceptance the holder understands that a conditional license may not be renewed, may be revoked or suspended, or a permanent license not issued in the future, if the Division determines that the provisions of subsections (5)(a), (b) and (c) of this rule are not met. Such conditional construction permit authority is not conferred upon any county notwithstanding any delegated or contractual authority in administration and enforcement of the public spa pool statutes and rules.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.020

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0320; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0030 Plans**

(1) Plans and specifications shall be prepared by a professional engineer or architect registered in the State of Oregon. Specific exemptions to this requirement may be granted by the Division, where in the judgment of the Division no architectural or engineering problems are presented and the plans accurately depict the proposed spa pool and address all requirements of these rules.

(2) Plans shall be submitted in duplicate, drawn to scale and in sufficient detail to completely and clearly illustrate what is to be constructed and shall include:

- (a) One plan view;
- (b) One cross section through the main drain;
- (c) One overall plan showing the pool in relation to other facilities in the area. (This plan may be combined with subsection (2)(a) of this rule);
- (d) One detailed view of the equipment room layout;
- (e) One vicinity map;
- (f) One piping schematic showing piping, pipe size, inlets, main drains, skimmers, gutter outlets, vacuum fittings, and all other appurtenances connected to the pool piping system. (This plan may be combined with subsection (2)(a) of this rule);
- (g) One cross section of the step treads and risers.

(3) Plans must show all required components of the spa pool and its appurtenances and plan notes such as "fence by owner" or "deck to be under separate contract" shall not be acceptable as a substitute for scale drawings.

(4) Plans shall include the following information in tabulated form:

- (a) Legal address of the facility;
- (b) Location of the facility if different from legal address;
- (c) Owner's or authorized agent's name, address and telephone number;
- (d) Surface area of pool;
- (e) Pool volume, turn over time, flow rate, filter rate/unit area, type of filter and total system head loss;
- (f) Manufacturer, make and model numbers of the pump, filter, and automatic chemical feed apparatus, filter head loss (clean and dirty), and pump curve showing design flow rate and head;
- (g) Source of water used at the pool;
- (h) Means of disposing of backwash water and/or drained water from the spa;
- (i) Specifications of materials relating to the spa pool, piping, inlets and outlets, skimmers.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.030

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0325; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0035 Licenses**

No person shall operate a public spa pool, without:

- (1) The pool having received a final construction inspection and approval from the Division;
- (2) Making application for a license to operate such a pool;
- (3) Paying the license fee; and
- (4) Securing a license from the Division;
- (5) Such license terminates and is renewable on December 31 of each year.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.035

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0330; HD 24-1983(Temp), f. & ef. 12-16-83; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0040 Conditional Licenses**

- (1) Conditional licenses may be issued by the Division in circumstances in which:
  - (a) There is substantial compliance with these rules;
  - (b) In which a written schedule for total compliance approved by the Division is instituted and maintained; and
  - (c) Where in the judgment of the Division, there will be no immediate threat to health and safety during the time in which to meet complete compliance. The Division may also require special safeguards to be instituted and maintained as a condition of the conditional license.
- (2) Conditional licenses may also be issued by the Division as provided in OAR 333-062-0025(5).

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0335; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0045 Maintenance and Modification**

- (1) All equipment of public spa pools shall be operational and shall be kept in good repair. Such equipment shall be maintained in conformance with the original design or better.
- (2) The structural components of all public spa pools and their appurtenances shall be maintained in good repair.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0340

### **333-062-0050 Size**

Public spa pools shall be sized according to and shall not exceed the design limit of the bather load function shown below. Bather loads are specific in-tank loads only.

$$\text{Maximum Load} = A \text{ divided by } 10$$

Where A equals the surface area of the public spa pool in square feet.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0345

### **333-062-0055 Dimensions**

- (1) Public spa pools shall not have sharp edges or protrusions where walls meet at an acute angle. Public spa pools shall be shaped so as to provide for complete water circulation and mixing.
- (2) Public spa pools shall be no deeper than 4' (1.22 m) measured from the water line.
- (3) The maximum depth of any seat or sitting bench shall be 2'0" (61 cm) measured from the waterline.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0350

### **333-062-0060 Finishes and Markings**

- (1) Wall and floor finishes shall be of non-toxic materials, shall be impervious and enduring. Such finishes shall be smooth and easily cleanable.
- (2) Public spa pools shall have permanent depth markings plainly and conspicuously posted and located as follows:
  - (a) The maximum water depth shall be clearly marked;
  - (b) Depth markings shall be at least 4" (10 cm) in height and of a contrasting color with the background;
  - (c) Depth markings shall be placed within 18" (46 cm) of the water's edge and shall be positioned to be read while standing on the deck facing the water;
  - (d) Depth markings shall be spaced at no more than 25' (7.62 m) intervals and shall be uniformly located around the perimeter of the spa.

(3) Spas with wooden interior surfaces are not allowed.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0355

### **333-062-0065 Illumination**

(1) Where underwater lighting is used, the electrical circuit to the underwater light shall be equipped with a ground fault interrupter.

(2) Where underwater lighting is not employed, and night or indoor bathing is permitted, the combined area and pool lighting shall be not less than two watts per square foot (0.93 m<sup>2</sup>) of deck area.

(3) Where underwater lighting is used, and night or indoor bathing is permitted, area lighting shall be provided for the deck areas and directed away from the spa pool surface. No less than 0.6 watts incandescent or the equivalent per square foot of deck area shall be used.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0360; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0070 Ventilation**

(1) A public spa pool license holder must ensure that there is sufficient ventilation to prevent build-up of harmful amounts of moisture or chemical byproducts in the air of buildings enclosing spa pools.

(2) New and public spa pool ventilation systems renovated after September 1, 2014 must comply with the requirements of the Oregon Structural Specialty Code, 2014 Edition, and the Oregon Mechanical Specialty Code, 2014 Edition.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0365; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

### **333-062-0075 Ladder, Recesses Steps and Stairways**

(1) Spa ladders, recessed steps or stairways shall be provided where spa depth exceed 24".

(2) There shall be at least one ladder, set of recessed steps or stairway for each 50 feet of spa pool perimeter or fraction thereof.

(3) Ladder treads, recessed step surfaces and stairs shall have slip-resistant surfaces.

(4)(a) Ladders and recessed steps shall be provided with two handrails;

(b) Stairs shall be provided with at least one handrail.

(5) Recessed steps shall drain into the pool.

(6) Stairway treads shall have a minimum unobstructed horizontal tread depth of 10" (25 cm) and a minimum unobstructed surface area of 240 square inches (154 cm<sup>2</sup>).

(7) Risers at the centerline of the stairway treads shall have a maximum uniform height of 12" (30cm). The vertical riser height from deck surface down to the top of the first tread shall not exceed 12" (30 cm). When the bottom tread serves as a bench or seat, the bottom riser shall be a maximum of 14" (35 cm).

(8) Ladders and handrails shall be securely mounted.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0370; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0080 Spa Pool Enclosure**

A public spa pool license holder must ensure that:

(1) A public spa pool is protected by an enclosure such as a fence, wall, or building without private entrances to the pool area; and

(2) Spa pool enclosures including windows, gates and doors are constructed in such a manner so as to discourage or prevent access to the pool by unsupervised children and domestic animals and incorporate the following construction standards:

(a) Enclosures shall not be less than four feet (1.2 m) in height measured from the outside ground at a point one foot (300 mm) horizontal from the base of the enclosure;

(b) There shall be not more than four inches (100 mm) of space between the bottom of the enclosure and the ground's surface or pool deck;

(c) Separation between vertical sections and bars shall be a maximum of four inches (100mm);

(d) Horizontal rails shall be spaced with a minimum 42 inches (1065mm) separation;

(e) All exterior projections or recessions shall be 42 inches (1065mm) from either the top or bottom of the fence;

(f) Gates and doors in spa enclosures shall be self-closing and shall be equipped with a lockable and self-latching device. The operating controls for the self-latching device shall be located at least 42 inches (1065 mm) above the exterior ground or pool deck. Gates and doors on new pools must swing "out" of the pool enclosure, or away from the pool. If an existing pool's gates or door does not swing away from the pool, it must be changed when the change is not highly burdensome or impractical due to special conditions or cause

(g) Entrances with self-closing and self-locking devices requiring the use of a key, keycard or combination code to gain access may have controls located at a minimum of 36 inches to 54 inches (0.9 m to 1.35 m) above the exterior ground surface. The gates or doors cannot require a key, keycard or combination code to exit the pool area;

(h) Construction methods and materials shall be used that provide a durable and low maintenance structure;

(i) Buildings enclosing public spa pools constructed on or after September 1, 2014 and buildings enclosing spa pools that are remodeled or renovated on or after September 1, 2014 shall be constructed in accordance with the requirements of the Oregon Structural Specialty Code 2014 Edition.

(3) When a pool is closed to patrons, all entry/exit points are to be properly maintained and secured against unauthorized entry.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0375; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

### **333-062-0085 Decks**

- (1) A 6' x 8' continuous unobstructed deck shall be provided on at least one side of all public spa pools with less than 100 square feet of water surface. Public spa pools with 100 square feet of water surface area or more shall provide additional deck area at least four feet wide around at least 50 percent of the spa.
- (2) Walkways and decks shall be constructed of concrete, non-slip tile or equally impervious material with a smooth, but non-slip, easily cleanable surface.
- (3) Decks shall slope no less than 1/4" (6 mm) per foot (30 cm).
- (4) Deck surfaces shall be slip-resistant.
- (5) Joints between concrete deck slabs shall be water tight and shall be designed so as to protect the pool, coping and its mortar bed from movement of the deck.
- (6) Decks shall be provided with expansion joints. New and replacement expansion joints shall not be constructed of wood.
- (7) Voids between adjoining concrete deck slabs shall be no greater than 3/16" (5 mm).
- (8) Adjoining deck surface elevations shall vary no more than 1/4" (6 mm).
- (9) Decks shall be drained to perimeter drains.
- (10) Wood decking around public spa pools is prohibited.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0380; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0090 Overflow Systems**

- (1) All public spa pools shall be operated with a continuous overflow.
- (2)(a) Where surface skimmers are used, the flow rate through the skimmer shall be designed to provide 50 percent of the total turnover rate with a maximum flow through any single skimmer of 30 gpm;
  - (b) The minimum acceptable width for the intake throat of a skimmer, measured at the wider location, shall be 5";
  - (c) Where surface skimmers are used as the sole overflow system, one surface skimmer shall be provided for each 100 square feet (9.3m<sup>2</sup>) or fraction thereof of the spa's surface area. If a conflict arises between subsection (a) of this section and this subsection, the subsection requiring the greatest number of skimmers shall apply;
  - (d) When two or more skimmers are used in a spa, they shall be located so as to maintain effective skimming action over the entire surface area of the spa.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0385

### **333-062-0095 Recirculation Systems**

- (1) Public spa pools shall have recirculation systems and filtration systems with piping, pumps, filters, disinfection and other equipment which maintain spa pool water quality in accordance with OAR 333-062-0165(1).

- (2) The system of pumps, filters, disinfection facilities and other equipment shall be of adequate size to recirculate, filter and disinfect the entire volume of spa water within 30 minutes.
- (3) The recirculation system shall be a two pump system. One pump will provide the required turnover rate, filtration and disinfection for the spa water. The second pump shall provide the water for the hydrotherapy turbulence of the water.
- (4) Public spa pool recirculation systems shall be separate from companion swimming pools.
- (5) Recirculation and filtration systems shall be in operation continuously while the facility is in use.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0390; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0100 Inlets**

- (1) Pool inlets must be provided, sized, and arranged to produce a uniform circulation of water so as to maintain a uniform disinfectant residual throughout the pool.
- (2) There must be at least one inlet per 400 square feet of pool area or 10,000 gallons of water, whichever is greater, with a minimum of two inlets.
- (3) Grates must be designed so as to prevent entrapment of fingers.
- (4) All recirculation inlet fittings must be adjustable for rate of flow. Wall inlet fittings must be directional.
- (5) Inlet fittings must have tamper-proof screws that cannot be removed except with tools. Grates, vortex plates and inlet fittings must be in place whenever the spa is in use.
- (6) Direct potable water pool inlets must:
  - (a) Be over-the-rim spouts with an air-gap located beside grab rails;
  - (b) Be through-the-wall fill lines located above the water level and equipped with an appropriate backflow prevention device installed per OAR 333-061-0071; or
  - (c) Be directly connected to the recirculation water supply and equipped with reduced pressure device installed per OAR 333-061-0071 on the potable water supply adjacent to the connection with the spa pool recirculation water.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.005 - 448.100 & 448.990

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0395; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94; PH 6-2009(Temp), f. 6-16-09, cert. ef. 6-17-09 thru 12-13-09; Administrative correction 12-23-09; PH 16-2009, f. & cert. ef. 12-23-09

### **333-062-0103 Submerged Suction Fittings and Drains**

- (1) The requirement in section (3) of this rule applies to:
  - (a) A spa pool constructed after December 25, 2009;
  - (b) A spa pool constructed before December 25, 2009, that on or after July 1, 2015, has its submerged suction fittings renovated or remodeled.
- (2)(a) Every spa pool must have an easy and effective means of draining the pool.
  - (b) Main drain and submerged suction outlets must be designed with sufficient open area that the maximum velocity through the cover does not exceed the cover's listed flowrate. Drains and suction fittings must be installed to minimize tripping, toe stubbing and scrape hazards.
  - (c) All hardware and fittings must be supplied by the manufacturer and installed according to the manufacturer's directions.

(d) Broken or missing grate fittings. If the pool operator finds that a suction fitting is broken or missing, the operator must close the pool immediately, shut down the recirculation system and remain closed until the fitting has been replaced.

(3) New construction. Main drain and submerged suction fitting systems must provide entrapment, hair entanglement and evisceration protection.

(a) Main drains and submerged suction fittings and sumps must be compliant with the requirements of ANSI/APSP-16 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs (2011). The cover must be labeled and include; “VGB 2008,” the logo of the third party listing agency, the standard for which it was tested, the gallons per minute flow for which it was approved and the location it is to be placed.

(b) The spa licensee must maintain any documentation concerning the main drain or submerged suction fitting.

(c) All submerged suction fittings must be installed with a sump designed and approved by the manufacturer for that outlet cover.

(d) All field built sumps must be designed by an Oregon registered engineer and must be built so the opening of the suction pipe is no closer than 1.5 times the pipe’s inside diameter from the bottom of the listed suction cover/plate.

(e) Main drains and submerged suction fittings must be separated by at least three feet (915mm)(measured from the main drain connector pipe centerlines) between the furthest fittings, or be on separate planes, placed so the floor and wall suction fittings cannot be easily blocked at the same time.

(A) The outlets must be sized to handle an equal portion of at least 200 percent of the recirculation flow.

(B) The outlets must be installed so that they cannot be isolated from one another; no intervening valves.

(C) The piping going back to the pump must be located in the hydraulic middle of the connector piping, and must be the same size as the connector piping.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.005 - 448.100 & 448.990

Hist.: PH 16-2009, f. & cert. ef. 12-23-09; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

### **333-062-0105 Piping**

(1) Spa pool recirculation piping shall be sized to carry the following maximum design flows:

(a) Discharge piping (except copper) -- 10 ft./sec. (3.05 m/sec.);

(b) Discharge piping (copper) -- 8 ft./sec. (2.44 m/sec.);

(c) Suction velocity -- 6 ft./sec. (1.83 m/sec.).

(2) Pool recirculation piping, if plastic, shall comply with **National Sanitation Foundation Standard Number 14 for Plastic Piping System Components and Related Materials**.

(3) Spa pool backwash and/or drain lines shall be permanently piped with an air break. For all spa pools built after May 1, 1986, the pool backwash and/or drain line shall be permanently piped with an air break to discharge into an approved sewerage system.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0400; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### 333-062-0110 Pumps

- (1) A pump and motor shall be provided for recirculation of pool water:
  - (a) All pumps shall be provided with a strainer on the suction side of the pump. The strainer shall be at least equal in size to the pump suction line;
  - (b) Strainers installed below water level shall be provided with a valve on each side to facilitate cleaning.
- (2) 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. Pumps shall be capable of providing design flow rates at no less than 60 feet (1.83 kg/cm<sup>2</sup>) of total dynamic head.
- (3) Pumps shall be capable of pumping at a rate sufficient to turn over the total pool volume within 30 minutes.
- (4) Pumps on public spa pools built or remodeled after the effective date of these rules shall comply with National Sanitation Foundation Standard Number 50 on centrifugal pumps.
- (5) Pumps shall be sized so as to pump the flow required in section (3) of this rule under filter soil conditions such as to create pressures or vacuums at which manufacturers recommend filter cleaning.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0405; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### 333-062-0115 Filters

- (1) Filters shall be capable of maintaining pool water clarity as described in OAR333-062-0165(1)(i) under conditions of maximum user load.
- (2) Public spa pool filter rates shall not exceed the following:
  - (a) High rate sand filter -- 18 gpm per square foot (.093 m<sup>2</sup>) of filter media or that rate approved by the manufacturer for that particular filter, whichever is less;
  - (b) Diatomaceous earth filters -- 1.5 gpm (5.7 lpm) per square foot (.09 m<sup>2</sup>) of filter media;
  - (c) Cartridge filters -- 0.375 gpm per square foot of effective filter area. Effective filter area shall be that as determined by a testing laboratory recognized by the Division to make such tests.
- (3) A means shall be provided to permit release of air which enters the filter tank.
- (4) Filter components which require servicing shall be accessible and available for inspection and repair.
- (5) Filters shall meet the safety performance standards of the **National Sanitation Foundation Number 50 for Circulation System Components for Swimming Pools.**
- (6) Separation tanks or settling sumps are required with DE filters. Separation tanks shall:
  - (a) Be provided with a manual means of air release or a lid which provides a slow and safe release of pressures;
  - (b) Have a precautionary statement affixed warning the user that the air release must be opened before starting the circulation pump.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0410; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### 333-062-0120 Heaters

(1) Fired water heaters installed after September 1, 1994, used exclusively for heating water for spa pools are considered pool boilers and are exempt from the requirements of ORS 480.510 to 480.665 (Boiler and Pressure Vessel Law) if:

- (a) Units are equipped with a flow switch or pressure switch set at a minimum of 1-1/2 psig;
- (b) No intervening stop valves are installed on the discharge side of the unit;
- (c) Discharge piping is not reduced from the engineering sizing of the fired heater;
- (d) All units are equipped with an ASME-approved pressure and temperature relieving device set at 50 psig;
- (e) The unit has a maximum of 10 gallons capacity contained within the unit; and
- (f) The burner is wired in series with the recirculation pump.

(2) Where fuel-burning swimming pool heaters are provided for public spa pools, they shall:

- (a) Be situated so that the pilot light, if present, is readily accessible;
- (b) Be provided with an adequate supply of combustion air;
- (c) Be equipped with metal or chlorinated polyvinyl chloride pipe (CPVC) for a minimum of 18 inches upstream and downstream of the heating equipment. However, where manufacturer's recommended installation allows shorter lengths of CPVC, installation according to the manufacturer's recommendation is allowed in lieu of 18 inches of CPVC if documentation of manufacturer's recommendations is provided.

**(3) Where electrical heaters are provided, they shall be installed in accordance with the Oregon Electrical Specialty Code, 2014 Edition.**

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0415; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

### 333-062-0125 Disinfectant and Chemical Feeders

(1) A means of disinfecting the public spa pool water shall be provided which provides a disinfecting residual in the pool waters at all times as described in OAR 333-062-0165(1)(a).

(2) Automatic disinfection equipment for introducing a disinfectant shall be provided.

(3) Disinfection equipment shall be equipped with suitable controls capable of fine feed rate adjustment.

(4) Hypochlorinators, erosion (flow-through) feeders, or other adjustable output rate chemical feeding equipment shall conform to **National Sanitation Foundation Number 50 for Circulation System Components for Swimming Pools.**

(5) Where chlorine gas is used as the disinfectant:

(a) Such chlorine gas, its feeders, and other containers shall be housed in a room or compartment separate from other pool equipment. Such room or compartment shall:

- (A) Be at or above ground level;
- (B) Have adequate ventilation to the outside air;

- (C) Have a door which opens to the outside of the building of which the room or compartment is a part. Doors installed after the effective date of these rules shall have a shatter-proof gas tight inspection window for viewing the enclosed area. Such a door must open away from public access area;
- (D) Be located so that chlorine gas, if accidentally released will not flow into the pool room or into the building ventilation systems;
- (E) Have lighting and ventilation switches located outside the enclosure, adjacent to the door;
- (F) Shall have a fail-safe mechanism which ceases chlorination in case of malfunction;
- (G) Gas chlorinators shall be equipped with an anti-siphon chlorine injection device.
- (b) A platform scale for measuring the weight of the chlorine cylinders shall be provided;
- (c) A full face negative pressure respirator with a chlorine cartridge approved by the National Institute of Occupational Safety and Health (NIOSH) for protection against chlorine gas or a U.S. approved self-contained breathing apparatus approved by the U.S. Bureau of Mines shall be supplied, kept in good working condition and mounted outside the chlorine enclosure.

**NOTE:** Storage of such equipment in rooms adjoining the chlorine room is permissible provided such equipment is readily available.

- (6) Where disinfectants other than chlorine or bromine are used, such disinfectants shall:
  - (a) Achieve water disinfection equal to that which free chlorine or bromine provides at the concentration specified in OAR 333-062-0165(1)(a);
  - (b) Be approved by the Division;
  - (c) Pose no adverse physiological hazards to the users and have a proven record of effectiveness.
- (7) Ozone disinfection may be used only under conditional approval by the Division as a supplemental system. Interim guidelines governing the installation and operation of ozone equipment may be requested from the Division.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]

Stat. Auth.: ORS 448.011  
 Stats. Implemented: ORS 448.011  
 Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0420; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

**333-062-0130 Air Induction Systems**

- (1) Air induction systems, when provided, shall totally prevent water back-up that would cause electrical shock hazards.
- (2) Air intake sources shall be positioned and/or designed to minimize contaminants (such as deck water, dirt, etc.) from being introduced into the spa pool.

Stat. Auth.: ORS 448.011  
 Stats. Implemented: ORS 448.011  
 Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0425

**333-062-0135 Valves, Meters, and Gauges**

- (1) Flow meters shall be installed in all recirculation systems. Such meters shall:
  - (a) Measure flow in gallons per minute;
  - (b) Be mounted as recommended by the manufacturer; and
  - (c) Be located so as to be easily read.

- (2) Pressure gauges shall be installed on the inlet and outlet of the filter.
- (3) When the pump is below the overflow rim of the spa, valves shall be installed on permanently connected suction and discharge lines and located in an accessible place outside the walls of the spa. All valves shall be located where they will be readily and easily accessible for maintenance and removal.

Stat. Auth.: ORS 448.011  
 Stats. Implemented: ORS 448.011  
 Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0430

**333-062-0140 Equipment Room**

- (1) Spa pool equipment rooms shall be large enough to permit ready access to all equipment for both operation and maintenance with a minimum floor area of 50 square feet with a floor drain.
- (2) Spa pool equipment rooms shall be adequately ventilated.
- (3) Spa pool equipment rooms shall protect the equipment from the elements and be locked permitting access only to authorized personnel.
- (4) Equipment rooms shall be lighted to properly operate and maintain equipment.

Stat. Auth.: ORS 448.011  
 Stats. Implemented: ORS 448.011  
 Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0435; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

**333-062-0145 Ground Fault Interrupter**

A certified ground fault interrupter shall be provided in all branch circuits involved in lighting or receptacle outlets according to Article 680 of the Oregon Electrical Specialty Code, 2014 Edition.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 448.011  
 Stats. Implemented: ORS 448.011  
 Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0440; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

**333-062-0150 Bathhouses and Sanitary Facilities**

- (1) Where a spa pool is operated in conjunction with a companion facility, a bathhouse common to both facilities shall be acceptable, provided the minimum facility ratios and locations described in sections (2) through (5) of this rule are followed.
- 2) Bathhouses must be maintained in good repair and kept clean. Bathhouses for all spa pools built after September 1, 2014 must:
  - (a)(A) Meet the requirements of:
    - (i) The Oregon Structural Specialty Code, 2014 Edition;
    - (ii) The Oregon Mechanical Specialty Code, 2014 Edition;
    - (iii) The Oregon Electrical Specialty Code, 2014 Edition;
    - (iv) The Oregon Plumbing Specialty Code, 2014 Edition.
  - (B) Including all permit and inspection requirements of the aforementioned codes.
  - (b) Provide toilets and lavatories within 1,000 feet (305 m) of the spa;
  - (c) Contain dressing room(s) and sanitary facilities, separate for each sex;

- (d) Have floors which are slip resistant, easily cleanable, and coved to a height of four inches (100 mm);
- (e) Have shower compartments with walls which are impervious to water to a height of six feet (1.8 m) above the floor. An effective water-tight joint between the wall and the floor shall be maintained. (Wooden racks or duck boards over shower floors are prohibited);
- (f) Have interior wall and ceiling finishes which are smooth, easily cleanable, and impervious to water;
- (g) Where rubber or impervious mats are used, have such mats clean and dry between usages;
- (h) Have shower stall floors that are finished with non-slip impervious surfaces;
- (i) Where glass bath or glass shower doors are used, have such doors made of safety glass.

(3) Sanitary facilities, based upon the following maximum user load and equal distribution of sexes, shall be provided:

- (a) Toilets:
  - (A) Women, one per 40 spa users or fraction thereof, with a minimum of two;
  - (B) Men, one per 60 spa users or a fraction thereof with a minimum of two. Urinals shall be an acceptable substitute for no more than one-half of the toilets.
- (b) Lavatories adjacent to toilets, one per 60 spa users or fraction thereof.
- (c) Showers — One shower head per 40 pool users of fraction thereof, with a minimum of two.

(4) Hot and cold or tempered water only shall be provided at all shower heads.

(5) Soap shall be provided at all shower heads and lavatories.

(6) Hose bibs shall be provided for washing down the bathhouse interior.

(7) Floors shall slope a minimum of one-quarter inch per foot (2.1 percent slope) and shall drain to floor drains.

(8) The bathhouse shall be located within 1,000 feet (305 m) of the spa pool.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0445; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

### **333-062-0155 Food Service**

No food or drink shall be permitted within a four foot area surrounding the spa pool. Glass containers are not permitted within the pool enclosure. Food and drink shall be permitted in the visitor and spectator areas or in separated snack areas for pool users. Trash containers shall be provided in the food service areas.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0450; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0160 Domestic Water Quality**

(1) All water used in public spa pools and bathhouses shall comply with the rules of the Division for Domestic Water Supplies, OAR 333-061-0005 through 333-061-0099.

(2) There shall be no cross-connection between the public spa water recirculation system or backwash system and the domestic water supply.

(3) Public spa pool water recirculation and backwash systems shall comply with the Cross Connection Control Requirements of OAR 333-061-0070.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0455; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0165 Spa Water Quality**

(1) Water in public spa pools shall be maintained with water quality parameters within limits set out in **Table 1**.

(2) Testing Equipment:

- (a) All public swimming pools shall have functional test kit(s) or equipment for measuring the pH, free and combined chlorine concentration, or bromine, (or concentration of other approved disinfectant), total alkalinity, turbidity (water clarity) and cyanuric acid if stabilized chlorine is used;
- (b) Functional test kits or testing systems shall be provided to test for total copper and silver concentrations when they are used as supplemental disinfectants;
- (c) Test kits for measuring free chlorine or bromine shall use DPD as the reagent.

(3) Pool operators shall test and record the parameters described in section (1) of this rule with the following minimum frequencies during periods when the pool is open for use:

- (a) pH-- Every two hours;
- (b) Chlorine (Non-stabilized) -- Hourly; chlorine (stabilized) -- Every two hours; continuous reading devices shall satisfy requirements of subsections (3)(a) and (b) of this rule if such devices record in pH units and ppm of free chlorine;
- (c) Bromine -- hourly; continuous reading devices shall record in units of ppm bromine;
- (d) Total alkalinity -- Daily;
- (e) Total copper -- Weekly, if used;
- (f) Total silver:
  - (A) If ionizing technology is used, once per quarter for one year after equipment is installed; twice per year thereafter;
  - (B) Weekly if silver is dispensed without using ionizing technology.
- (g) Turbidity -- Daily;
- (h) Cyanuric acid -- Weekly (when using stabilized chlorine);
- (i) Calcium hardness -- Weekly (recommended).

(4) Spa pools shall be drained and refilled with fresh water at least once every 30 days.

(5) Spa pool water shall be oxidized or superchlorinated as needed when combined chlorine exceeds spa water quality parameters, **Table 1**.

(6) Notwithstanding the above, the Division may require any other testing frequency for a spa water parameter or a chemical added to the spa for the purpose of protecting public health.

[ED. NOTE: The Table(s) referenced in this rule is not printed in the OAR Compilation. Copies are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0460; HD 18-1991, f. & cert. ef. 10-15-91; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0170 Operation and Maintenance**

- (1) Operators of public spa pools shall be thoroughly knowledgeable on good practices of the spa operation and with the laws and rules pertaining to public spa pools. If, at any time, the spa meets one of the spa pool closure criteria in OAR 333-062-0255 the spa pool license holder, operator, or responsible supervisor shall immediately close the spa to the public until the requirements are satisfied.
- (2)(a) Operators of public spa pools shall keep records pertaining to the operation and maintenance of the pool which they operate;
  - (b) Such records shall be maintained daily during periods when the pool is open, shall be retained by the operator and made available to the Division on request. All such records shall be retained for a period of two years;
  - (c) Records shall include at least the following:
    - (A) Results of the tests described in OAR 333-062-0165(3);
    - (B) Date and time of filter backwash;
    - (C) Dates that the pool was emptied or cleaned;
    - (D) Periods of recirculation equipment operation or malfunction and repair.
  - (d) A recommended record keeping form is provided in Appendix A.
- (3) All parts and facilities of public spa pools and bathhouses shall be kept clean, in good repair and free of safety hazards.

[ED. NOTE: Appendix referenced is available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0465; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

### **333-062-0175 Safety**

- (1)(a) The operator of any public spa pool shall report in writing to the Division any drowning, other death or injury requiring medical treatment occurring on the spa pool's premises;
  - (b) Such reports shall be made on forms provided by the Division and shall be submitted within seven days of the occurrence.
- (2) Operators or managers shall make visual observation of the spa pool during operating hours. Such visual observation shall be no less than once every two hours.
- (3) Lifeguards, pool operators and managers shall enforce the following rules at all public spa pools:
  - (a) Non-swimmers and children under 14 years of age shall not use the spa pool unless a lifeguard or a responsible adult observer is present;
  - (b) Bathers shall take a cleansing shower;
  - (c) No person suffering from a communicable disease transmissible via water or under the influence of an intoxicating liquor or drug shall use the pool;
  - (d) No person shall take food or drink inside the pool enclosure except in areas specifically designated for such use as described in OAR 333-062-0155;
  - (e) No person shall bring, throw or carry food, drink, smoking material, trash, debris, or any other foreign substances into the pool;
  - (f) No person shall run or engage in horseplay in or around a public spa pool;
  - (g) Persons in street shoes shall not be permitted on the pool deck areas used by the bathers.
- (4) The hydrotherapy pump and air blower shall be connected to a maximum 15 minute timer switch located no closer than ten feet from the spa water's edge.

(5) Recirculation pumps and heater thermostat switches shall be inaccessible to bathers.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0470; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0180 Signs**

(1) All public spa pools shall post a sign at the entrance to the spa pool enclosure reading as follows:

#### **STOP**

**All persons are required to take a cleansing shower before entering the spa pool.**

#### **CAUTION**

**Elderly persons and those suffering from heart disease, diabetes or high blood pressure should consult their physician before using the spa pool.**

**No person suffering from a communicable disease, transmissible via water, shall use the spa pool. Persons using prescription medications should consult their physician before using the spa pool.**

**Individuals under the influence of alcohol *should not* use the spa pool.**

**No person shall use the spa pool alone.**

**Pregnant women should not use the spa pool without consulting their physician.**

**Persons should spend *no more* than 15 minutes in the spa at any one session.**

**All children under 14 years of age shall be accompanied by a responsible adult observer.**

**No person shall run or engage in horseplay in or around the spa pool.**

(2) Signs shall be a minimum of 24" x 18" with letters at least 3/8" in height.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0475; HD 23-1994, f. 8-22-94, cert. ef. 9-1-94

### **333-062-0185 Variance**

(1) The Division may grant a variance from requirements of these rules as follows:

(a) Where it is demonstrated to the satisfaction of the Division that strict compliance with the rule would be highly burdensome or impractical due to special conditions or cause;

(b) Where the public or private interest in the granting of the variance is found by the Division to clearly outweigh the interest of the application of uniform rules; and

(c) Where such alternative measures are provided which in the opinion of the Division will provide adequate public health and safety protection.

(2) Such variance authority is not conferred upon any county notwithstanding delegated or contractual authority in administration and enforcement of the swimming pool statutes and rules.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 14-1980(Temp), f. & ef. 12-19-80; HD 8-1981, f. & ef. 6-23-81; Renumbered from 333-042-0480

### **333-062-0250 Enforcement**

(1) **ACCESS.** The pool license holder, operator, or responsible supervisor must permit an authorized employee or agent of the Division to enter any public spa pool area, whenever the spa pool is open, or at any other reasonable time for the purpose of inspecting the spa pool. The inspection may include, but is not limited to, the bathhouse or toilet/shower facilities, chemical storage, pool enclosure and security provisions, recirculation equipment, piping, ventilation, supervision areas, operations, pool records and files, to determine compliance with these rules.

(2) **NOTICE OF VIOLATIONS.** If upon inspection of a public spa pool, the Division or its agent finds that the spa pool is not designed, constructed, equipped, maintained or operated as required by these rules, the Division or its agent must notify the license holder, operator, or responsible supervisor in writing of the violations. The inspection report must specify the changes required to make the spa pool and its operation conform to the standards established in these rules and the time period within which to comply. If the violations pose an immediate danger to the public's health, the Division or its agent may take action authorized under OAR 333-062-0255 prior to notifying the license holder, operator, or responsible supervisor in writing of the violations.

(3) **SUSPENSION OR REVOCATION.** If the license holder does not correct the violations listed in the notice issued under section (2) of this rule within the specified time period, the Division or its agent may issue a notice proposing to suspend or revoke the license to operate the spa pool in accordance with ORS Chapter 183. A license holder shall have 21 days to request a hearing.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

### **333-062-0255 Spa Pool Closure Criteria**

(1) If one or more of the conditions outlined in subsection (3)(a) through (j) of this rule is present at the public spa pool facility, the spa pool license holder, operator or responsible supervisor must immediately close the pool until the situation is resolved.

(2) If a spa pool license holder, operator or responsible supervisor has not acted in accordance with section (1) of this rule, the Division or its agent may issue an emergency suspension order, and close a spa in accordance with ORS 183.430(2). The emergency suspension may be used if one or more of the conditions in subsection (3)(a) through (j) of this rule exist that present a serious and immediate danger to the public's health or safety.

(3) Conditions requiring immediate closure of the public spa pool, until they are resolved include:

(a) **CHEMICAL PARAMETERS.** Failure to comply with the disinfectant residual levels, high levels for cyanuric acid or out of range pH established in OAR 333-062-0170(1), and items (a) thru (i) of Table 1;

(b) **WATER QUALITY.** Failure to comply with the water quality standards for clarity and bacteria established in OAR 333-062-0165(1) and items (j) and (k) of Table 1;

(c) **TEMPERATURE.** Water temperature over 104 degrees Fahrenheit.

(d) **TREATMENT EQUIPMENT.** A non-operational circulation pump, filter, or disinfectant feeder. With the approval of the local public health authority, when the chemical feeder(s) is inoperative for no more than a few hours while repairs are made, the spa pool may remain open, if the water chemistry can be maintained manually.

(e) **ELECTRICAL SAFETY.**

(A) The presence of bare electrical wires or other obvious electrical deficiency; or

(B) The presence of lightning or severe storms within a minimum 10-mile (16 km) proximity of the pool at outdoor spa pools.

(f) SUPERVISION. The absence of a responsible supervisor or required lifeguard;

(g) ENCLOSURES. Enclosures such as fences, doors, gates or windows that are not in compliance with OAR 333-062-0080;

(h) SUBMERGED SUCTION FITTINGS. A broken, missing or improperly attached submerged suction fitting, as required by OAR 333-062-0103(1)(d);

(i) FECAL ACCIDENT. A fecal accident occurs or feces is found in the pool. Information related to proper fecal incident response can be found at <http://public.health.oregon.gov/HealthyEnvironments/Recreation/Pool/Lodging/Documents/cdcfecal.pdf>; or

(j) OTHER CONDITIONS. The presence of a hazardous substance or object in the spa pool, or the existence of any condition creating an immediate danger to health or safety.

(4) In accordance with ORS 183.430(2), a license holder shall have 90 days after the date of notice of emergency suspension to request a hearing and if a hearing is requested a hearing must be granted to the licensee or permittee as soon as practicable after such demand.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

## Water Quality Parameters

TABLE 1  
(333-62-165)

<u>Parameters</u>	<u>Min.</u>	<u>Ideal</u>	<u>Max.</u>
(a) free chlorine	1.5 ppm	3.0	5.0 ppm
(b) combined chlorine	0	0	0.5 ppm
(c) bromine	3.0 ppm	3.0-5.0 ppm	8.0 ppm
(d) Total copper	0	0	1.0 ppm
(e) Total silver	0	0	0.05 ppm
(f) pH	7.2	7.4 - 7.6	7.6
(g) total alkalinity as CaCo <sub>3</sub>	80 ppm	90-110 ppm	180 ppm
(h) cyanuric acid	0	0	150
(i) calcium hardness	150	200	400+
(j) water temperature		102	104
(k) turbidity (water 0/F.T.U. 0-0.5/F.T.U. 1.0/F.T.U. or such clarity) that a standard 2" (5cm) diameter clarity disc which is divided into alternate black and red quadrants is clearly visible and the separate colors discernible through 15 feet (4.57m) of water. Note: F.T.U. = Formazin Turbidity Unit.			
(l) bacteria (Coliform organisms shall not be present in more than 15 percent of any series of samples and pseudomonas aeruginosa or other human pathogen shall not be present in any samples tested using Standard Methods for Testing Water and Waste Water 16th Edition. (Note: it is not required that this parameter be checked routinely but shall be monitored at the discretion of the Health Division.)			

# SPA

## Public Spa Pool Daily Record Sheet



Month / Year	Name of Pool:	Location – City
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Operator' s Initials	DATE	Daily Pre-Opening Tests					Total Alkalinity (2x / week)	Calcium Hardness (1x / wk)	Cyanuric Acid (1x / week)	TDS (Monthly)	Free Cl / Br Readings / pH (every 1 to 2 hrs.)							Number of Bathers - Total	Backwashed – Clean Filters	Recirculation Rate - GPM	Comments – Chemical Added / Amount Spa Problems Mechanical Breakdowns Bather Emergencies > (File Accident Report)
		Clarity	SPA Temp (<104°F.)	Free Chlorine / Bromine	Combined Cl	pH					Insert the Time the Test is Done (below)										
											Cl / pH	Cl / pH	Cl / pH	Cl / pH	Cl / pH	Cl / pH	Cl / pH				
	1																				
	2																				
	3																				
	4																				
	5																				
	6																				
	7																				
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Comments:	Free Chlorine	Min. 1.5 ppm	0	Ideal 3.0 – 5.0 ppm	Max. 5.0 ppm
		3.0 ppm 7.2	70 ppm	3.0-5.0 ppm	8.0
			175 ppm	7.3-7.5	
			0	80-120 ppm	7.6
				250-350 ppm	180 ppm
				0	-
					150 ppm

pH



# Public Swimming Pool Accident / Drowning Report

This report must be completed for every physician-treated accident or any drowning at a public swimming pool. It is the **responsibility of the pool operator** to submit the completed form promptly to the **Oregon Health Authority, Public Pool Program, 800 NE Oregon, Portland, OR 97232-2162**

State of Oregon  
Oregon Health Authority  
Public Health Division  
Public Pool Program

800 NE Oregon Street, Suite 608  
Portland, Oregon 97232-2162  
Phone (971) 673-0451 FAX (971) 673-0457

Oregon  
**Health**  
Authority

Date of Incident	Time:
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Accident ID #	YY - MM - DD - Accession #
Official Use Only	

**Victim Information - Please do not identify the victim by name. If there are multiple victims create a unique identifier for each victim**

Unique Identifier	Victim's Residence City or Town	State	Zip Code
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<input type="checkbox"/> <b>Fatal</b> <input type="checkbox"/> <b>Non-Fatal</b>	<b>Age of Victim: (yrs)</b>	<b>SEX:</b> <input type="checkbox"/> M <input type="checkbox"/> F	<b>Non-Swimmer:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk
<b>Possible Contributing Medical Condition?</b> (Check all that apply) <input type="checkbox"/> Cardiac <input type="checkbox"/> Seizure <input type="checkbox"/> Stroke <input type="checkbox"/> Other (Specify) _____	<b>Type of Injury: (Check all that Apply)</b> <input type="checkbox"/> Abrasion or Contusion <input type="checkbox"/> Strain or Sprain <input type="checkbox"/> Concussion <input type="checkbox"/> Fracture <input type="checkbox"/> Laceration <input type="checkbox"/> Other (Specify) _____		
<b>Area of the Body Injured:</b>	<b>Treatment Required: (Check all that Apply)</b> <input type="checkbox"/> No Treatment <input type="checkbox"/> First Aid <input type="checkbox"/> CPR ( <input type="checkbox"/> Manual <input type="checkbox"/> AED <input type="checkbox"/> Oxygen )		
<b>Emergency Response? (Check all applicable)</b> <input type="checkbox"/> EMS <input type="checkbox"/> Police <input type="checkbox"/> Released to Parents for Followup <input type="checkbox"/> Not necessary			

<b>Pool Information</b>	<b>Pool License #</b>
Name of Pool:	
Address: Number	Street
City:	State: Zip Code
Contact Person:	Poion: Phone:

Was the pool open at the time? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was a lifeguard on duty at the time? <input type="checkbox"/> Yes <input type="checkbox"/> No
Who initially found the victim? <input type="checkbox"/> Lifeguard <input type="checkbox"/> Family Member <input type="checkbox"/> Pool Staff <input type="checkbox"/> Unrelated adult / child <input type="checkbox"/> Other	If the victim was < 14 years old, was an adult supervising or watching them? <input type="checkbox"/> Yes <input type="checkbox"/> No
Were they swimming alone (or no one was watching)? <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Pool Open or Closed?</b> <input type="checkbox"/> Open <input type="checkbox"/> Closed (Enclosure Secured <input type="checkbox"/> Y <input type="checkbox"/> N)
Did the lifeguard use their rescue tube? <input type="checkbox"/> Yes <input type="checkbox"/> No	How many staff were involved in the rescue? _____

## Side 2 of 2

### Factors contributing to the accident (Mark as many as apply)

**Slippery Surfaces:**       Around Pool     Bottom of Pool     Other (Specify)

**Deck Equipment:**       Ladder / Handrails     Lifeguard Equipment     Other (Specify)

**Recirculation Equipment:**     Mechanical     Electrical     Other (Specify)

**Use of Pool Chemicals:**     Storage     Handling     Other (Specify)

**Pool Enclosure:**       Inadequate     Gate - Unlatched or Unlocked     Other (Specify)

**Diving/Jumping/Sliding:**     From Board     From Poolside     From Slide     Other Specify

**Horseplay/ Miscalculation:**    (Specify)

**Other:** (Explain)

**Were Others Injured:**     Yes       No

If Yes, Please Supply Accident Report Identifiers: \_\_\_\_\_

### Describe what happened: (Please be legible)

Use "victim," "bather," "swimmer," etc. No victim or parent names. Naming of rescuers, witnesses or others may be appropriate. Do not attach EMS, police or insurance reports in lieu of filling this section out. Other reports adding information are appropriate, but may be disposed of after review to protect the injured party's personal information.

**Print or Type Name:**

**Signature:**

**Date:**