

## 2011 Rule Changes

New format 3701-31-01 to 5.1

### ***3701-31-01 New Definitions***

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- (G).... Imminent health hazard
- (O).... Plans
- (P).... Project
- (U).... Recreational Water Illness
- (V).... SVRS – to mirror VGB Act
- (X).... Slides – definition encompasses all types of slides
- (Y)(3). Spray grounds. Spray grounds will now be licensed and inspected with this rule revision.
- (BB)... Water level – for skimmer and gutter systems
- (CC)... Incorporation by reference

### ***3701-31-01 Modified Definitions***

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- (C).... Circulation system
- (T).... Public swimming pool
- (Y).... Special use pool
- (Z).... Wading pool
- (AA).. Water depth

### ***3701-31-02 Responsibilities of the director of health***

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- (B)(1). \$72 per individual license goes to ODH as of April 1, 2011. \$80 as of April 1, 2012.
- (B)(2). \$47 per additional license at the same location as of April 1, 2011. \$55 as of April 1, 2012.
- (G).... Approval of Logos
- (G)(1). List of approved colors
- (G)(2). List of automatic chemical controllers
- (G)(3). List of approved lifeguard, first aid, and CPR training organizations

### ***3701-31-03 Responsibilities of the licensor***

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- (B)(2)..Late fee for applications post marked after April 30<sup>th</sup>.
- (B)(3)..License transfer
- (D)(5). License transfer fee may be adopted
- (F).....Compliance inspections – does not state that inspections must be done prior to operation
- (F)(1)..Equipment inventory once per calendar year, on form prescribed by the director

**3701-31-04 Responsibilities of the licensee**

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- (A)(1)(c).....Licensee may request a license transfer
  
- (B)(1).....Critical violations:
  - (a) Outlet covers
  - (b) SVRS
  - (c) Disinfection residual
  - (d) Circulation/disinfection system
  - (e) Automatic chemical controller
  - (f) Lifeguards
  - (g) Water clarity
  - (h) Lighting
  - (i) Fecal accidents
  - (j) Recreational waterborne illness
  - (k) Chemical use
  - (l) Electrical hazard
  
- (B)(4)(a)(i).... Disinfectant residual tested **at the pool deck** daily prior to bathers entering the pool, and every 4 hours afterward unless an automatic controller is used. At least one special feature tested every 6 hours.
- (B)(4)(a)(ii)... Combined chlorine tested daily prior to bathers entering the pool, and every 4 hours afterward.
- (B)(4)(a)(iii)... pH tested daily prior to bathers entering the pool, and every 4 hours afterward. At least one special feature must be tested every 6 hours.
- (B)(4)(a)(viii). TDS tested at least monthly and when water clarity issues occur.
- (B)(4)(c)..... Service records for SVRS and automatic controllers shall be maintained.
- (B)(5)..... Records retained by operator for at least 2 years.
- (B)(6)(a)(ii)(a)Logos must be approved by the director.
- (B)(6)(b).....Pipe replacement – rigid PVC meeting ASTM D 1785 **or equivalent**.
- (B)(6)(e)..... Equipment labels, maintained in accordance with 3701-31-05.1.
- (B)(6)(g).....Throttle valves shall be properly installed, maintained, and properly adjusted.
- (B)(6)(h).....Meters and gauges shall be maintained and functional 24 hours a day.
- (B)(6)(i).....A means of determining rate-of-flow shall be properly installed, provided and maintained on all water pumps.
- (B)(6)(j).....All SVRS's shall be maintained and functional at all times.
- (B)(6)(l).....As required by VGB, all public pools shall have a secondary means installed to prevent entrapment or evisceration, including; second main drain, gravity drainage with an unblockable outlet cover, an unblockable cover w/compatible sump, or SVRS.
  
- (B)(7).....Domestic animals. Unless otherwise permitted by law, animals are prohibited at a public swimming pool and within the pool barrier defining the pool area during the swim season.
  
- (C)(4)..... TDS shall not be maintained at a level that impairs water clarity or other water quality parameters.

- (D)(5)..... Cyanuric acid upper limit: 70 ppm.
- (D)(6)(a)..... Combined chlorine: 1.0 ppm maximum.
- (D)(7)(d)..... Flow switch installed on all auto controllers. Must be tested monthly and documented on the operation report.
- (D)(8)(b)..... Allows licenser to require an FAS test kit.
- (D)(10)..... *(in part)*....when an RWI is suspected the licenser may require that a water sample is collected from a public swimming pool for analysis of the suspected organism(s).
- (E)(1)..... Infectious/Communicable disease. Any person with an obvious infectious wound **or experiencing diarrhea or vomiting** shall not be permitted by the licensee to use a public swimming pool. No person observed passing feces, urine, or blood into a public swimming pool shall be permitted to use the public swimming pool. Any person who has been refused entry to or removed from a public swimming pool under this paragraph because of an infectious wound may be granted entry upon presentation of a written statement from a physician that the condition is not infectious. **The licensee has the authority to exclude anyone known to have or suspected of having an obvious wound or infectious disease without a written statement of a doctor.**
- (E)(2)(e)..... Allows for landline telephones, call boxes and cell phones that are property of the operator and plugged in at all times.
- (E)(3)(b)..... The licensee of a public swimming pool not required to provide a lifeguard by paragraph (E)(4) of this rule shall provide signs that state the same or similar language, "Swimming alone is not recommended" and "Children must be supervised".
- (E)(4)(a)..... Lifeguard chart – pools with less than 2000 ft<sup>2</sup> are not allowed to have >150 bathers in the water.
- (E)(4)(a)(iii)... The licensee of a public swimming pool shall use a method approved by the licenser to make a portion of the public swimming pool unavailable for use, provided the number of lifeguards does not go below one for any public swimming pool where lifeguards are required. The lifeguard(s) on duty shall maintain adequate supervision to prevent patrons from entering the closed portions of the public swimming pool.
- (E)(4)(b)..... Public swimming pools that have a surface area of six thousand square feet or larger shall have a written plan that shows adequate lifeguard coverage based on the four surveillance criteria in paragraph (E)(4)(c) of this rule. The plan shall be available for viewing by the licenser when inspecting the public swimming pool and shall include:
  - (i) A sketch of the public swimming pool, including dimensions;
  - (ii) The locations of lifeguard stations and special features;
  - (iii) Designation of each lifeguard's scanning area;
  - (iv) Additional sketches for changes due to bather load and different the surface area of a public swimming pool uses (lessons, team practices, meet, etc) where adjustments in lifeguard coverage are warranted; and
  - (v) The plan must be revised if the public swimming pool size changes, a special feature is added or the lifeguard's line of sight is changed.
- (E)(4)(c)..... There shall be a sufficient number of lifeguards so that:

- (i) All areas of the public swimming pool surface and bottom open for use are in the direct line of sight by a lifeguard at all times;
  - (ii) All areas of the public swimming pool surface and bottom open for use are reachable by a lifeguard within twenty seconds;
  - (iii) Each lifeguard is able to scan their primary area of the public swimming pool effectively in twenty seconds; and
  - (iv) The safety of the bathers in their activity can be effectively controlled.
- (E)(4)(d)..... Elevated lifeguard chairs/stands (either stationary or portable) shall be provided, as necessary, for stationary lifeguards and are not necessary for roaming lifeguards. The licensee shall ensure that lifeguards are present at the following locations:
- (i) Any public swimming pool with diving boards/platforms shall have a lifeguard to supervise the diving area whenever the board(s) or platform(s) are in use;
  - (ii) A zero depth or other uniquely designed public swimming pool or section of a public swimming pool, except access ramps less than six feet in width, with water depth that gradually increases from zero inches to greater than twenty-four inches shall be supervised by at least one lifeguard at all times, when this section of the public swimming pool is in use.
  - (iii) A public swimming pool with a slide that is more than ten feet above the deck level shall have a lifeguard stationed with a clear view and rapid access to supervise the landing area when the slide is in use.
- Removed the chart indicating the number of lifeguard chairs required***
- (E)(4)(d)(iii)(a)..... Where ***multiple*** slides exist side-by-side one lifeguard may supervise the landing area of these slides in accordance with the lifeguard table in paragraph (E)(4)(a) of this rule when the slides are in use.
- (E)(4)(e)(viii-x)..... ODH to maintain a list of approved lifeguard training agencies as opposed to naming them on OAC.

**3701-31-05 Submission of plans prior to licensure**

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Fees as of April 1, 2011:

- (B)(1)..... \$1408 for new or substantially altered pools < 2000 ft<sup>2</sup> surface area, fee includes 2 inspections.
- (B)(2)..... \$2232 for new or substantially altered pools >= 2000 ft<sup>2</sup> surface area, fee includes 2 inspections.
- (B)(3)..... In addition to the fee required under paragraphs (B)(1) and (B)(2), \$1408 for each special feature which is included with any new special use pool or is added to any existing public swimming pool. This fee includes 2 inspections.
- (B)(4)..... For any project with a total cost of equipment and installation less than \$5000, the fee shall be \$655. This fee does not include the cost of inspections.
- (B)(5)..... The fee for inspections shall be \$291.
- (B)(6)..... Equipment change fee; \$45.

Beginning April 1, 2012:

- (B)(7).....\$1662 for new or substantially altered pools < 2000 ft<sup>2</sup> surface area, fee includes 2 inspections.
- (B)(8).....\$2578 for new or substantially altered pools >= 2000 ft<sup>2</sup> surface area, fee includes 2 inspections.
- (B)(9).....In addition to the fee required under paragraphs (B)(1) and (B)(2), \$1662 for each special feature which is included with any new special use pool or is added to any existing public swimming pool. This fee includes 2 inspections.
- (B)(10).....For any project with a total cost of equipment and installation less than \$5000, the fee shall be \$832. This fee does not include the cost of inspections.
- (B)(11).....The fee for inspections shall be \$373.
- (B)(12).....Equipment change fee; \$50.
  
- (G)(2)..... The director shall issue a letter of approval to the owner ***and a copy shall be issued to the licensor*** that the plans have been approved.
- (G)(2)(b).....Plan approval extension. An extension of the plan approval period shall be in accordance with paragraph (C)(3)(b) of rule 3701-31-02 of the Administrative Code. ***Extension shall not exceed 2 years from the expiration date of the original approval.***
  
- (H)(1)..... ***Two*** or more inspections shall be conducted to verify that the construction or alterations are consistent with the approved plans.
- (H)(2)..... Project completion letter. Upon completion of the final plan verification construction inspection the director shall issue a letter to the licensor notifying them that the plan approval process is complete and that the project is ready for licensure (new construction) or operation (substantial alterations or equipment replacements).

***3701-31-05.1 Design criteria for new construction or substantial alteration of a public swimming pool on or after April 1, 2011.***

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- (C)(1)(b)(ii)... Logos applied to the bottom of a public swimming pool must be submitted to the director for approval prior to their application on the public swimming pool surface.
- (C)(2)..... All piping shall be rigid PVC meeting ASTM F441/F441M-99 or equivalent and replacement pipe shall be of equal or greater size.
- (F)(3)..... Throttle valves may be installed to control the circulation turnover rate in paragraph (F)(1) of this rule and/or the design flow for special feature pumps. The throttle valve shall be tagged to denote the maximum and minimum allowable flow.
- (F)(4)(b)..... A circulation pump shall be capable of providing 110% of the minimum required flow in paragraph (F)(1) of this rule.
- (F)(5)..... Filters shall be installed to operate according to the intended design of the public swimming pool and at one hundred ten per cent of the required turnover rates in paragraph (F)(1) of this rule.
- (F)(10)..... All main drain/suction outlets shall have boxes/sumps compliant with ANSI/ASME A112.19.8-2007. Outlets shall be one of the following:
  - (a) Gravity flow: or
  - (b) Direct suction. All public swimming pools, spa jets, water slides, and water attractions designed for direct suction shall have:
    - (b)(i) At least two outlets, or
    - (b)(ii) An unblockable outlet.
- (F)(11)..... Outlet covers. All outlet systems shall have outlet covers that meet ANSI/ASME A112.19.8-2007.
  - (F)(11)(a)..... All field fabricated outlet boxes/sumps and covers shall be certified by a professional engineer registered in Ohio that they are in compliance with ANSI/ASME A112.19.8-2007.
  - (F)(11)(b)..... Unblockable outlet cover that is greater than eighteen inches by twentythree inches.
  - (F)(11)(c)..... Each outlet cover shall have the capacity to handle one hundred percent of the circulation flow as listed for compliance with ANSI/ASME A112.19.8-2007.
  - (F)(11)(d)..... Suction piping shall be designed to pull equally from an outlet box/sump.
  - (F)(11)(e)..... The adjacent edges of outlet covers shall be a minimum of three feet apart.
  - (F)(11)(f)..... Outlet covers in any public swimming pool twenty-four inches in depth or less shall be a minimum of twelve inches by twelve inches in size.
  - (F)(11)(g)..... At least one outlet shall be located in the deepest area of a public swimming pool. For spa circulation systems at least one outlet shall be installed on the floor.
  - (F)(11)(h)..... Skimmer equalizer line outlets or other suction outlets, such as pool vacuum lines shall be fitted with compliant covers.
  - (F)(11)(i)..... All outlet covers shall be installed in such a way that they cannot be removed without tools.

- (G)(1)..... From the effective date of this rule, the minimum depth of a public swimming pool shall not be less than thirty-six inches (except for wading pools, zero depth entry areas and ramps less than six feet wide).
- (G)(3)..... Wading Pool. The maximum water depth shall be twenty-four inches.
- (J)(3)..... The edge of hand rails shall extend over the water to within eighteen inches of the vertical plane of the bottom step's riser
- (J)(4)..... Stairs shall be uniform in design, as follows:
  - (J)(4)(a)..... Risers shall be not more than twelve inches;
  - (J)(4)(b)..... Treads shall be greater than or equal to eleven inches; and
  - (J)(4)(c)..... Tread widths shall be greater than or equal to twenty-four inches.
- (N)(3)..... A safety line is not required at public swimming pools with a water depth of five feet or less, spas, wading pools, applicable special use pools and where there is not a break in the floor slope between the shallow and deep portions of the pool.
- (O)(3)(a)..... "Horizontal "stringers" or members used to strengthen the perimeter barrier shall be at least forty-two inches in height from the ground.
- (O)(5)..... Electronic detection or monitoring devices shall not be used in place of the required perimeter barrier.
- (R)..... All enclosed public swimming pools, equipment rooms and chemical storage areas shall be ventilated in accordance with Chapters 3781. and 3791. of the Revised Code and the rules of the board of building standards. ***Removed requirement for 4 complete air changes per hour.***
- (R)(2)..... Condensation shall be minimal and in no case shall it cause damage to building materials. ***Removed 50-60% humidity control.***
- (R)(3)..... All proposed heating, ventilating, and air conditioning (HVAC) work performed at public swimming pools shall be done by licensed HVAC contractors in accordance with Chapters 3781. and 3791. of the Revised Code and the rules of the board of building standards.
- (R)(4)..... Copies of the certificate of occupancy, issued by a local certified building department or by the department of commerce, division of industrial compliance and labor, demonstrating that all required inspections and approvals were obtained, shall be maintained on file at the public swimming pool office for review by the licensor.
- (R)(5)..... When, in the opinion of the licensor, a ventilation problem appears to exist within a structure, the licensor may require written verification from one of the following that a problem does not exist:
  - (R)(5)(a)..... A local certified building department;
  - (R)(5)(b)..... A professional engineer; or
  - (R)(5)(c)..... A licensed HVAC contractor. "Licensed HVAC contractor" means an individual licensed under Section 4740.06 of the Revised Code.
- (S)..... All electrical wiring at a public swimming pool and the surrounding area shall be installed in accordance with Chapters 3781. and 3791. of the Revised Code and the rules of the board of building standards.

- (S)(1)..... All electrical work proposed at public swimming pools shall be done by licensed electrical contractors in accordance with Chapters 3781. and 3791. of the Revised Code and the rules of the board of building standards.
- (S)(2)..... Copies of the certificate of occupancy, issued by a local certified building department or by the department of commerce division of industrial compliance and labor demonstrating that all required inspections and approvals for the electrical work were obtained, shall be maintained on file at the public swimming pool office for review by the licensor.
- (S)(3)..... Documentation that a hazard does not exist. When, in the opinion of the licensor, an electrical hazard may exist, the licensor may contact the local building authority to have a certified electrical safety inspector provide written verification that that a hazard does not exist. "Licensed electrical contractor" means an individual licensed under Section 4740.06 of the Revised Code.
  
- (V)..... Slides. All slides at a public swimming pool shall be installed in the following manner as applicable:
  - (V)(1)..... Required water depths for slides:
    - (V)(1)(a)..... Kiddee slides shall only be installed in wading pools.
    - (V)(1)(b)..... Playground slides shall only be installed in the shallow areas of a public swimming pool.
    - (V)(1)(c)..... Recreational slides may be installed to enter into various depths of water as per manufacturer's specifications.
    - (V)(1)(d)..... The depth of water beneath a water slide that enters the public swimming pool within two inches of the water level shall not exceed forty-eight inches.
    - (V)(1)(e)..... The depth of water beneath a water slide that terminates more than two inches above the water level shall not be less than sixty inches.
    - (V)(1)(f)..... A speed slide shall be designed for high velocity that will terminate in a straight run out for deceleration and exit as per manufacturer's specifications.
  - (V)(2)..... The following requirements apply to all slides:
    - (V)(2)(a)..... All slides, except those attached to play features, shall have visually designated splash down areas.
    - (V)(2)(b)..... All slides shall have a ladder or steps within the area for egress.
    - (V)(2)(c)..... Handrails shall be provided at slides more than one meter above the deck level.
    - (V)(2)(d)..... Platforms more than one meter above the water level shall be protected with side barriers at least forty-eight inches high. Pickets or spindles shall offer a gap less than four inches.
    - (V)(2)(e)..... All water slides shall have a switch easily accessible to immediately shutdown the slide pump.
  
- (X)..... The following construction tolerances are permitted for the dimensional design measurements of a newly constructed or installed public swimming pool or the portion of a public swimming pool that has been substantially altered, as set forth on the approved plans and as required by the applicable provisions of this chapter:
  - (X)(1)..... Overall length, width and depth in the deep end may vary plus or minus three inches;
  - (X)(2)..... Wall slopes of public swimming pools may vary a maximum of one degree;



(X)(3)..... Diving hopper depths may vary zero to plus three inches. All other hopper dimensions may vary minus two inches to plus three inches.

(X)(4)..... All dimensions pertaining to steps shall vary no more than plus or minus one inch.

(X)(5)..... All other dimensions may vary plus or minus two inches.