

CHAPTER 16

STANDARDS FOR PUBLIC SWIMMING POOLS, PUBLIC SPAS AND BEACHES

Article 1. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Sec. 16-101. "Beach" shall mean any natural or artificial waterway or impoundment or any portion thereof, which is used for swimming or wading purposes and is made available to persons other than an individual for the sole use of his household and house guests .

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-102. "Public Bathing Facility" shall include public swimming pools, public spas and beaches as those terms are defined in this Chapter .

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96] [Gen.Ord. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]

Sec. 16-103. "Public Spa" shall have the meaning contained in 675 IAC 20-1.1-18(i),. Notwithstanding the exclusion contained in 675 IAC 20-1.1-18(i), for purposes of enforcement of this Chapter, the term "public spa" shall also include spas which are operated for medical treatment or physical therapy under medical supervision.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96] [Gen.Ord. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]

Sec. 16-104. "Public Swimming Pool" shall , for purposes of enforcement of this Chapter, have the meaning contained in 410 IAC 6-2-1.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96] [Gen.Ord. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]

Article 2. Construction Permits For Public Bathing Facilities.

Sec. 16-201. No public bathing facilities may be constructed or undergo significant renovation in Marion County, Indiana, unless the owner has first obtained a construction permit from the Health Officer.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-202. An application for a construction permit must be filed with the Health Officer prior to beginning construction. The following shall be submitted with the application:

- (a) A permit fee of forty dollars (\$40.00).
- (b) Proof that a State Plan Release has been issued by the Indiana Department of Fire and Building Services.
- (c) All information required under 675 IAC 20-2-1.

(d) Plans and specifications certified and sealed by a professional engineer or architect registered in the State of Indiana.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Article 3. Operating Licenses.

Sec. 16-301. No person may operate a public bathing facility in Marion County, Indiana without first obtaining a valid license from the Health Officer. Such license shall be posted in a conspicuous place at the public bathing facility. Only persons who comply with the applicable provisions of The Code shall be entitled to receive and retain such a license. Operating licenses for public bathing facilities shall be valid for a term of one (1) year, beginning March 1st of each year and expiring the last day of February of the next year.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-302.

- (a) The operating license fee for public bathing facilities operating exclusively in any of the months of May through September is one hundred and twenty dollars (\$120.00) per year.
- (b) The operating license fee for public bathing facilities operating beyond the months of May through September is four hundred dollars (\$400.00) per year.
- (c) All license fees shall be payable on or before March 1st of each operational year. A late penalty charge of 25% of the license fee will be imposed for fees submitted after March 1st of the year. The late penalty charge will not apply to pool facilities which were not in operation the previous year.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Article 4. General Requirements For Public Swimming Pools.

Sec. 16-401. Public swimming pools constructed and/or operated in Marion County shall comply with the requirements of 410 IAC 6-2, 675 IAC 20-1.1 and 675 IAC 20-2, incorporated herein.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-402. Gates in fence enclosures required by 675 IAC 20-2-26(f) shall be equipped with self-closing latches.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Article 5. General Requirements For Public Spas.

Sec. 16-501. Public spas constructed and/or operated in Marion County shall adhere to the requirements applicable to public spas contained in 675 IAC 20-1.1 and 675 IAC 20-3, incorporated herein.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-502. Public spas shall comply with the bacteriological standards and sampling protocol contained in 410 IAC 6-2-7(j) and (k).

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-503.

- (a) The free residual chlorine level in a public spa shall be at least 3.0 mg/l. If other halogens are used, residuals of equivalent disinfecting strength shall be maintained. Required disinfectant levels shall be determined by a method described in the most recent edition of "Standard Methods For The Examination Of Water And Wastewater" (American Public Health Association).
- (b) The requirements of 410 IAC 6-2-7(g) for pH and alkalinity shall be applicable to public spas.
- (c) A test kit for measuring the concentration of the disinfectant, accurate within 0.2 mg/l, shall be used at each public spa:
 - (1) For each public spa which uses chlorine as a disinfectant, the test kit shall cover a minimum range of 0.5 mg/l to 5.0 mg/l measured as free active chlorine and be capable of measuring total chlorine.
 - (2) For each public spa which uses an alternate disinfectant, the test kit shall have the range and accuracy proportionate to 0.5 mg/l to 5.0 mg/l for free active chlorine.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96] [Gen.Ord. 17-1996(A) Passed 11/20/96 Effective Date 11/1/96]

Sec. 16- 504. The operating temperature of public spa water shall not exceed 104 degrees F.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16- 505. Continued use of a public spa constructed of wood and installed before January 1, 1983 is allowed only so long as the operation of the public spa otherwise conforms to the provisions of this Chapter and the public spa is maintained in a sanitary condition.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Article 6. Standards For Public Beaches.

Sec. 16-601.

- (a) The sanitation, operation and safety requirements of 410 IAC 6-2-6, 8, 10 and 11 and 675 IAC 20-2-26(f), incorporated herein, shall be applicable to beaches.
- (b) Gates in fence enclosures required by 675 IAC 20-2-26(f) shall be equipped with self-closing latches.
- (c) The bathhouse construction standards contained in 675 IAC 20-2-27 are incorporated herein and shall be applicable to beaches.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-602.

- (a) Beaches shall not be located in areas subject to pollution by sewage.
- (b) The water of a beach shall conform to the bacteriological water quality standards of 327 IAC 2-1-6(d).

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-603. Whenever the beach consists of an area less than the total area of the body of water utilized, the area used for swimming or bathing shall be partitioned with floating lifelines.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Article 7. Closure Of Public Bathing Facilities.

Sec. 16-701.

- (a) A pool operator must close any public bathing facility whenever any of the hazardous conditions listed in Sec. 16-702 occur. Such public bathing facility shall not be reopened for use until the hazardous condition has been corrected.
- (b) If a pool operator fails to close a public bathing facility as required in Sec. 16-701(a), the Health Officer may take appropriate action to ensure that the public bathing facility is closed until the hazardous condition has been corrected.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]

Sec. 16-702. Public bathing facilities must be closed when any of the following hazardous conditions occur:

- (a) The amount of residual disinfectant is less than the minimum amounts specified in 410 IAC 6-2-7(a),(b) (public swimming pools) and Sec. 16-503(a) of this Chapter (public spas).
- (b) The microbiological quality of the public bathing facility water is below that specified in 410 IAC 6-2-7(j),(k) (public swimming pools) and Sections 16-502 (public spas) and 16-603 (beaches) of this Chapter.
- (c) The pH of the swimming pool or public spa water does not comply with provisions of 410 IAC 6-2-7(g) and Sec. 16-503(b) of this Chapter.
- (d) The clarity of the public swimming pool water does not comply with the provisions of 410 IAC 6-2-7(i).
- (e) Lifeguards are not on duty as required in 410 IAC 6-2-11(a) (public swimming pools) and Sec. 16-601 (beaches).
- (f) The recirculation system of the public swimming pool or public spa is not functioning properly per 410 IAC 6-2-7(h).
- (g) The potential for transmission of communicable disease or an imminent threat to the public health and safety is present.

[Gen.Ord. 8-1996(A) Passed 6/19/96 Effective Date 6/19/96]