



## Ohio Administrative Code

### Rule 3701-31-04 Responsibilities of the licensee.

Effective: July 25, 2024

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(A) Submission of plans and licensure. Any person constructing or altering a public swimming pool on or after the effective date of this rule will comply with rule 3701-31-05 of the Administrative Code. Any person operating a public swimming pool will obtain a license to operate the public swimming pool prior to operation as follows:

(1) License to operate. No person will operate or maintain a public swimming pool without a license issued by the licensor having jurisdiction.

(a) License application. At the time of application for a license, the applicant will provide to the licensor the name, address, and telephone number of a person or persons who can be contacted regarding inspection, maintenance, or emergency aspects of the public swimming pool and to whom the licensor may send notice of orders and other licensure actions. The applicant also will provide the exact street address or location of the pool. After issuance of a license, the licensee will report any changes in this information to the licensor promptly.

(b) New licenses. An applicant for a new public swimming pool license, other than renewal, will provide not less than a five day notice to the licensor that the public swimming pool is ready for operation and inspection in accordance with paragraph (A)(1) of rule 3701-31-03 of the Administrative Code.

(c) License renewal. Every person who intends to operate or maintain an existing public swimming pool will, during the month of April of each year, apply to the licensor having jurisdiction for a license to operate the public swimming pool. Any person proposing to operate or maintain a new or otherwise unlicensed public swimming pool will apply to the licensor having jurisdiction at least thirty days prior to the intended start of operation of the public swimming pool. Within thirty days of receipt of an application for licensure of a public swimming pool the licensor will process the application and either issue a license or otherwise respond to the applicant regarding the application.



(d) License transfer. The licensee may request a transfer of the license in accordance with paragraph (B)(3) of rule 3701-31-03 of the Administrative Code.

(2) Authorization to inspect. The licensee of a public swimming pool will allow the licensor having jurisdiction and the director to have access to the pool and the surrounding area, including the pump room, for purposes of administration and enforcement of Chapter 3749. of the Revised Code and this chapter. The licensee will not interfere with an inspection by the licensor or the director.

(3) Request for a limited variance. A licensee may request of the licensor a limited variance in accordance with paragraph (H) of rule 3701-31-03 of the Administrative Code. Any request for a limited variance will include any documentation as obligated by the licensor.

(4) Compliance to the rules. No person, or licensee will violate sections 3749.01 to 3749.09 of the Revised Code or any rule adopted thereunder.

(B) Operations. The licensee of a public swimming pool will maintain the pool, its components, appurtenant facilities and the surrounding area in a safe, clean and sanitary condition, in good repair and in accordance with this chapter.

(1) Critical operational items. The licensee will not operate a public swimming pool or portion thereof when an imminent health hazard is present, including but not limited to the following:

(a) A covering for any main drain or other suction outlet that is not properly installed, securely fastened or in compliance with the obligations within ANSI/ASME A112.19.8-2007;

(b) A safety vacuum release system that is not functioning;

(c) When the disinfection residual is less than what is obligated in accordance with paragraph (D)(6) of this rule;

(d) When the circulation and/or disinfection system is not operating properly;

(e) An automatic chemical controller that is not functioning in accordance with paragraph (D)(7) of



this rule;

(f) When a lifeguard is not provided as obligated in paragraph (E)(4) of this rule;

(g) Water clarity that is insufficient to clearly see a Secchi disc or a drain outlet cover at the bottom of a public swimming pool;

(h) Natural or artificial light that is not sufficient to see the bottom of a public swimming pool;

(i) When a fecal accident occurs until it has been properly treated in accordance with the procedures in appendix A to this rule;

(j) When a recreational waterborne illness is linked to a public swimming pool either by a current epidemiological investigation or positive water sample results until it has been properly treated in accordance with the procedures in appendix A to this rule;

(k) The improper or unauthorized use or storage of chemicals that may present an imminent health hazard to patrons or staff; or

(l) When an electrical hazard may exist at a public swimming pool in accordance with paragraph (S)(3) of rule 3701-31-05.1 of the Administrative Code.

(2) Authorized representative. An authorized representative of the licensee who is familiar with the public swimming pool equipment, operation and safety will be either on site or within thirty minutes of the site whenever the pool is open for use, to respond to requests for information or assistance by patrons of the pool, the licenser, or the director.

(3) Staff training. Operating personnel will be trained in the operation of all equipment, procedures for handling, storing and using chemical compounds, procedures for performing and interpreting the obligated onsite chemical tests and the appropriate emergency procedures.

(4) Record keeping. The licensee of a public swimming pool or their authorized representative will maintain records, as follows:



(a) Water quality information will be recorded in writing and in the needed frequency as set forth in this rule:

(i) The disinfectant residual will be tested daily at the poolside deck prior to bathers entering the public swimming pool and every four hours when the public swimming pool is open for use. The disinfectant residual for a public swimming pool where an automatic chemical controller is installed will be tested daily at the pool deck prior to bathers entering the water and every twelve hours the public swimming pool is open for use. A manual test for the disinfectant residual will be performed at the spray nozzles on at least one special feature every six hours when the public swimming pool is open for use;

(ii) Combined chlorine will be tested daily prior to bathers entering the public swimming pool and every four hours the public swimming pool is open for use;

(iii) pH will be tested daily prior to bathers entering the public swimming pool and every four hours when the public swimming pool is open for use. A manual test for pH will be performed at the spray nozzles on at least one special feature every six hours when the public swimming pool is open for use;

(iv) Water temperature will be recorded not less than once per day;

(v) Water clarity will be assessed continuously while the public swimming pool is in use and any problem with clarity will be recorded as it occurs;

(vi) Total alkalinity will be tested not less than once per week;

(vii) Cyanuric acid will be tested not less than once per week;

(viii) Total dissolved solids will be tested in accordance with the manufacturer of a chlorine (salt) generator's specifications and whenever a water clarity problem occurs;

(ix) Any chemical that is added to the public swimming pool other than those chemicals that are



routinely used for disinfection;

(x) All injuries will be recorded as they happen. Any incident that occurs within the pool perimeter that results in death, serious injury, assistance from emergency medical personnel or an illness involving more than one person will be reported to the licensor on a form prescribed by the director of health within seventy-two hours following the incident or when the licensee becomes aware of the incident. As used in this paragraph: "serious injury" means an injury that does not need immediate hospital admission but does need medical treatment, more than first aid; and

(xi) All fecal accidents will be recorded as they happen. The response to the fecal accident will also be recorded.

(b) Lifeguard or other safety training will be in accordance with paragraphs (E)(4)(e)(viii) to (E)(4)(e)(x) of this rule.

(c) Test results and service records for automatic chemical controllers and SVRS's will be maintained.

(5) Record retention. Records will be kept on file by the licensee for not less than two years and will be made available, upon request, for review by the licensor or the director.

(6) Maintenance and repair. All equipment will be maintained in a clean, safe and sanitary condition, in good repair and in accordance with the manufacturer's specifications, the approved plans or this chapter of the Administrative Code as follows:

(a) The structure of a public swimming pool will be maintained with an impervious water tight tank with cleanable surfaces.

(i) A vinyl liner may be used to repair the shell of an existing public swimming pool that is leaking.

(ii) Whenever a public swimming pool is repainted, resurfaced or a liner is installed, the interior surfaces of public swimming pools will be painted white unless the color is submitted to and approved by the director.



(A) Lane lines will not exceed twelve inches wide unless painted in accordance with the applicable competitive standard.

(B) Logos applied to the bottom of a public swimming pool will be submitted to the director for approval.

(b) Pipe replaced for new construction or for maintenance and repair will be rigid PVC meeting ASTM F441/F441M-99 or equivalent in accordance with paragraph (C)(2) of rule 3701-31-05.1 of the Administrative Code.

(c) Cross connection hazards will be prevented in accordance with paragraph (E) of rule 3701-31-05.1 of the Administrative Code.

(i) Backflow prevention devices will be maintained.

(ii) Lines discharging into backwash or drainage sumps will have an air gap and remain open to freely drain.

(iii) Floor areas in equipment, storage and filter rooms will be free of standing water.

(iv) Condensate from equipment will not be added to pool water.

(v) The discharge of any water from a public swimming pool will be in accordance with paragraph (E)(1) of rule 3701-31-05.1 of the Administrative Code.

(d) There will be equipment on site for complete removal of the water from a public spa.

(e) Equipment labels will be maintained in accordance with paragraph (F)(12) of rule 3701-31-05.1 of the Administrative Code or information about each piece of equipment will be kept on file. In addition to the equipment listed in paragraph (F)(12) of rule 3701-31-05.1 of the Administrative Code any SVRS installed on a public swimming pool will also have an equipment label.



- (f) The circulation system turnover rate in paragraph (F)(1) of rule 3701-31-05.1 of the Administrative Code will be maintained continuously twenty-four hours a day during all parts of the year that the public swimming pool is in use.
- (i) The licensor may allow a longer turnover rate at an existing public swimming pool if the licensee documents that the public swimming pool consistently meets the water quality parameters in paragraph (C) of this rule.
- (ii) If the licensor finds that the public swimming pool is consistently in violation of paragraph (F)(1) of rule 3701-31-05.1 of the Administrative Code and the water quality parameters in paragraph (C) of this rule, or if all of the components of the circulation system are replaced, the licensee will bring the public swimming pool into compliance with the turnover rate obligations specified in paragraph (F)(1) of rule 3701-31-05.1 of the Administrative Code.
- (g) Any throttle valve that is installed in accordance with paragraph (F)(3) of rule 3701-31-05.1 of the Administrative Code will be maintained and properly adjusted.
- (h) All meters and gauges needed by will be maintained and functional twenty-four hours a day during all parts of the year the public swimming pool is in operation in accordance with paragraph (F)(2)(b)(i) of rule 3701-31-05.1 of the Administrative Code.
- (i) A means of determining rate-of-flow will be properly installed, provided and maintained on all water pumps so that the rate of circulation can be accurately determined.
- (j) All SVRS's will be maintained and functional at all times the public swimming pool is in use. These devices will be tested in accordance with paragraph (B)(4)(c) of this rule.
- (k) Outlet covers will be secured at all times so they cannot be removed without the use of tools. Outlet covers will meet the obligations of ANSI/ASME A112.19.8-2007. Equalizer lines will have compliant covers or be removed or plugged.
- (l) As obligated by the Virginia Graeme Baker Pool and Spa Safety Act, Public Law 110-440, 121 STAT. 1794 (2007), 15 U.S.C. Sec. 8001, all public swimming pools will have a secondary means



installed to prevent entrapment or evisceration of the public swimming pool patrons. The secondary means may be any of the following and will be submitted to the director for plan approval prior to installation in a public swimming pool:

- (i) A second main drain;
- (ii) A gravity flow drainage system with an unblockable outlet cover;
- (iii) An unblockable outlet cover with a compatible sump; or
- (iv) A SVRS that is properly installed.
  
- (m) The mixing-holding tank or the holding tank for a spray ground described in paragraphs (Y)(2)(a)(i) and (Y)(3) of rule 3701-31-05.1 of the Administrative Code will operate without circulation "dead spots", and will be cleaned and drained at least once every one hundred twenty days.
- (n) The water level of a public swimming pool will be maintained in accordance with paragraph (BB) of rule 3701-31-01 of the Administrative Code.
- (o) Ladders, stairs, recessed steps and hand rails will be in good repair and slip resistant at all times.
- (p) Deck surfaces will be maintained in a clean, smooth and slip-resistant condition, free of any standing water and any sharp, exposed edges or other hazards.
- (q) Depth markers, deck warnings and signs will be maintained in accordance with paragraph (H) of rule 3701-31-05.1 of the Administrative Code.
- (r) Safety lines will be maintained in accordance with paragraph (N) of rule 3701-31-05.1 of the Administrative Code.
- (s) Perimeter barriers will be in good repair at all times to prevent unauthorized entry. All perimeter barriers will be with gates or doors that are self-closing and lockable unless otherwise permitted by





law. Sections of the barrier may be repaired but additions, substantial alterations or replacement of the barrier will be in accordance with paragraph (O) of rule 3701-31-05.1 of the Administrative Code. At no time will a gap within the perimeter barrier or between the perimeter barrier and a building or the ground exceed four or six inches, depending on the date of construction.

(t) All equipment, chemical and other storage areas will be maintained in a clean condition, free from any hazards and accessible only to authorized personnel in accordance with paragraph (Q)(1) of rule 3701-31-05.1 of the Administrative Code.

(u) The ventilation system will be maintained in good repair, free of hazards, according to applicable codes and in accordance with paragraph (R) of rule 3701-31-05.1 of the Administrative Code.

(v) All electrical components will be maintained in good repair, free of hazards, according to applicable codes and in accordance with paragraph (S) of rule 3701-31-05.1 of the Administrative Code.

(w) Adequate lighting will be maintained when the public swimming pool is in use in accordance with paragraph (T) of rule 3701-31-05.1 of the Administrative Code.

(x) The spray pad of a spray ground will be maintained to prevent excessive accumulation of vegetation or debris on its surface.

(y) All chemicals used for the operation of a public swimming pool will be stored properly in clearly labeled containers. No chemicals which may present a hazard to the operation of the public swimming pool or to its personnel or patrons, such as insecticides, solvents, strong oxidizers, and flammables, will be stored or used in a way that could present such a hazard.

When winterizing a public swimming pool the licensee will ensure that only antifreeze that is non-toxic and does not contain alcohol or ethylene glycol is used.

(z) Special features including slides, fountains or other water attractions in public swimming pools will be maintained in good repair and according to manufacturer specifications.



(aa) All diving areas and components will be maintained in good repair. Substantial alterations made to a diving area of an existing pool will comply with the design obligations in paragraph (K)(1) of rule 3701-31-05.1 of the Administrative Code. Adding a movable fulcrum, changing the length of a board, installing or moving a stand are substantial alterations requiring plan approval.

(bb) The following obligations apply to all public swimming pools with existing recreational diving areas and equipment.

(i) Diving areas and equipment used for recreational diving purposes at existing public swimming pools will comply with the obligations in this rule and the applicable chart in appendix B to this rule.

(ii) The needed water depths beneath recreational diving boards will be maintained as follows:

(A) Not less than five feet on either side for diving boards one meter or less in height; or

(B) Not less than seven feet on either side for diving boards three meters in height.

(iii) Unobstructed headroom above all recreational diving boards used in recreational diving areas will extend for at least fifteen feet above the board and for not less than ten feet in all directions over the water, measured from the center of the diving end of the board.

(iv) Recreational use of diving boards and platforms in excess of three meters in height is banned.

(v) Horizontal separation between recreational diving boards will be at least ten feet. The horizontal distance between a one meter or less recreational diving board and the public swimming pool side wall will be at least ten feet. The horizontal distance between a three meter recreational diving board and the public swimming pool side wall will be at least eleven feet. All measurements will be taken from the center of the diving end of the board at the public swimming pool surface.

(vi) Recreational diving equipment (diving stands and boards) will have either a fixed fulcrum or an adjustable fulcrum that will be locked in the forward most position at all times other than for competition training and or events.



(vii) Recreational diving equipment may be replaced in the same location provided the diving board is of the same length and is located at the same height above water level, and the operator provides credible documentation to the licenser that the diving hopper dimensions meet or exceed the standards set forth in paragraph (B)(6)(bb)(i) of this rule.

(cc) Starting blocks will be used for their intended purpose.

(i) All starting blocks and diving platforms will be maintained in good repair.

(ii) The licensee will ensure that starting blocks and diving platforms are not accessible or used except when a coach or instructor is physically present and available to observe the use of the starting blocks and diving platforms.

(7) Domestic animals. Unless otherwise permitted by law, animals are banned at a public swimming pool and within the pool barrier defining a pool area during the swim season.

(C) Water quality. The water quality parameters listed below will be tested in accordance with the frequency established in paragraph (B)(4)(a) of this rule.

(1) Approved water supply. The licensee will ensure that the water supply for a public swimming pool meets the obligations in paragraph (D) of rule 3701-31-05.1 of the Administrative code.

(2) pH. The pH will be maintained within the range of not less than 7.2 and not greater than 7.8.

(3) Total alkalinity. The licensee will maintain the total alkalinity of a public swimming pool at sixty parts per million or above. The total alkalinity will not be maintained at such a high level that it impairs the ability to meet the other obligated chemical and water clarity parameters prescribed by this rule.

(4) Total dissolved solids. The licensee will not maintain TDS at any level that impairs the ability of the public swimming pool to meet the water clarity obligations of paragraph (C)(5) of this rule or other water quality parameters prescribed by this rule.



(5) Water clarity. The licensee will ensure that the water in any public swimming pool has sufficient clarity that the deepest point of the public swimming pool is readily visible when viewed from the deck.

(6) Pool water temperature. The licensee will ensure that the water temperature of a public swimming pool normally does not exceed ninety degrees Fahrenheit. However, a public swimming pool may operate at water temperatures above ninety degrees Fahrenheit with the specific approval of the director.

(7) Spa water temperature. The licensee will ensure that the water temperature of a public spa does not exceed one hundred four degrees Fahrenheit. Temperature controls will not be accessible to the general public. The licensee will provide a thermometer for monitoring the temperature of the public spa.

(8) Spa water replacement. The licensee will ensure that public spa water is drained completely to waste at least once every thirty days.

(D) Disinfection. The licensee will ensure that the public swimming pool maintains the disinfection of the water as follows:

(1) Gas chlorine will not be used for disinfection in any public swimming pool.

(2) Continuous disinfection. Public swimming pools will be continuously disinfected using a chemical feeding device connected directly to the circulation system of the public swimming pool. The device will impart an easily measured residual of chlorine or bromine. No licensee will continuously disinfect a public swimming pool by means of hand dosing of disinfectant.

(3) Spray grounds. Any mixing holding tank will have sufficient disinfection to prevent the growth of pathogens in accordance with paragraph (B)(6)(m) of this rule.

(4) Secondary disinfection systems. The director or the licensor, depending upon whether plan approval or licensure is at issue, may allow the use of other disinfecting devices or chemicals as secondary disinfection systems for a public swimming pool as long as the obligated residual of



chlorine or bromine can be measured and maintained.

The secondary disinfection system will not lower the disinfecting strength of the primary disinfectant or otherwise affect the water quality adversely.

(5) Cyanuric acid. The cyanuric acid level in a public swimming pool will not exceed seventy parts per million. Cyanuric acid will be tested in accordance with paragraph (B)(4)(a)(vii) of this rule.

(6) Disinfectant residuals. The licensee will ensure that the following disinfectant residuals are maintained:

(a) The maximum combined chlorine level will not exceed 1.0 ppm.

Public swimming pools	Minimum free residual (ppm)
Chlorine	1.0
Bromine	2.0
Public Spas	
Chlorine	2.0
Bromine	4.0
Spray grounds/special features	As measured at the spray orifice
Chlorine	2.0
Bromine	4.0

The minimum acceptable ORP reading is six hundred fifty millivolts.

(7) Automatic chemical controllers. The licensee of a public spa will provide an automatic chemical controller to continually monitor and adjust the level of free chlorine or bromine and the pH value of the public spa. In addition to public spas, when an automatic chemical controller is installed on a public swimming pool or special feature the device will:

(a) Continuously monitor the pH and the oxidation-reduction potential (ORP) of the chlorine or bromine.



- (b) Display the pH and ORP values.
  - (c) Activate an audible or visual signal in the event of a system malfunction or when the pH or ORP levels are not within acceptable limits as set forth in this rule;
  - (d) Have a flow switch or pressure switch with a shut-off valve, that is compatible with the automatic chemical controller to prevent the injection of chemicals when there is no or low circulation flow. The licensee will test the flow or pressure switch in accordance with the manufacturer's specifications monthly and record the results on the operation report;
  - (e) Be on the list of acceptable units. A list of controllers that meet the obligations of this paragraph will be maintained by the director in accordance with paragraph (G)(3) of rule 3701-31-02 of the Administrative Code.
- (8) Test kits and testing. The licensee and the licensor will maintain a test kit in good repair and capable of measuring parameters consistent with the obligated chemical residuals. Unless otherwise stated, all water quality parameters will be tested in accordance with paragraph (B)(4)(a) of this rule.
- (a) The disinfection tests will measure the free chlorine residual, the total or the combined chlorine residual or the bromine residual of a public swimming pool, with a test that uses diethyl l-p-phenylenediamine (DPD).
  - (b) If water quality results cannot be obtained by a standard DPD test kit, the licensor may obligate the more specific FAS-DPD test.
  - (c) Test kit reagents will be fresh, properly stored to prevent degradation and used in accordance with the manufacturer's specifications.
- (9) Chemical safety. Chemicals will not be manually added in a public swimming pool when bathers are present.
- (10) Bacteriological standards. The licensee will ensure that the water in a public swimming pool meets the bacteriological standard set forth in this paragraph. The licensor may take samples when



the licensor has reason to believe that the water does not meet the bacteriological standard.

The bacteriological standard is a negative result for coliform organisms when the sample is analyzed using one of the approved methods listed in rule 3745-81-27 of the Administrative Code.

When an RWI is suspected the licensor may obligate that a water sample is collected from a public swimming pool for analysis of the suspected organism(s).

(E) Health and safety. The licensee will maintain the public swimming pool in a healthy and safe environment.

(1) Infectious/communicable disease. Any person with an obvious infectious wound or experiencing diarrhea or vomiting will 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 will 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.

(2) Safety equipment. The licensee of a public swimming pool other than a spa, wading pool or spray ground will provide safety equipment that will be readily visible from the public swimming pool and easily accessible.

(a) Public swimming pools that are not obligated to have a lifeguard on duty will have the following safety equipment:

(i) At least one non-telescopic reach pole twelve feet long with a shepherd's crook;

(ii) At least one United States coast guard approved type IV personal flotation device (ring buoy, throw bag, or equivalent throwing device) with one-quarter inch diameter line not less than thirty feet or more than sixty feet in length; and



(iii) At least one back or spine board. Complexes of public swimming pools that are enclosed within a common perimeter barrier may share a back or spine board.

(b) Public swimming pools that are obligated to have a lifeguard on duty will have the following safety equipment:

(i) The items in paragraphs (E)(2)(a)(i) to (E)(2)(a)(ii) of this rule; and

(ii) Back/spine board. Whenever a lifeguard is obligated at a public swimming pool a back/spine board will be provided and equipped with straps and head immobilizers.

(c) Safety lines will be provided in accordance with paragraph (N) of rule 3701-31-05.1 of the Administrative Code, but may be temporarily removed to prevent interference with lap swimming or other aquatic activities.

(d) First aid equipment, including a first aid kit, that includes unused disposable gloves and a sufficient supply of materials to stop bleeding.

(e) A working telephone or an emergency call box will be available for emergency use during all parts of the year a public swimming pool is in use. The emergency device will be at a public swimming pool or within five hundred feet of the public swimming pool. The emergency device will remain continuously connected to a power source, as appropriate, and operational at all times. A sign will be provided in accordance with paragraph (E)(3)(c) of this rule.

(3) Signs. The following signs will be posted at all public swimming pools as applicable:

(a) The licensee of a public swimming pool not obligated to provide a lifeguard by paragraph (E)(4) of this rule will post a warning sign prominently in the public swimming pool area which states: "Warning, No Lifeguard."

(b) The licensee of a public swimming pool not obligated to provide a lifeguard by paragraph (E)(4) of this rule will provide signs that state the same or similar language, "Swimming alone is not recommended" and "Children must be supervised."





(c) When the emergency device, as obligated in paragraph (E)(2)(e) of this rule is not visible in the public swimming pool area, the licensee will post a sign stating the location of the nearest emergency device.

The sign indicating the location of the emergency device will have on it the name and telephone number of the nearest available police station, fire station, and rescue unit and any other names and telephone numbers likely to be needed in the event of an emergency.

(d) When any public swimming pool is closed, the licensee will conspicuously post at least one sign stating "DANGER - POOL CLOSED" or "WARNING - POOL CLOSED."

(e) The licensee of a public spa will prominently mount a caution sign adjacent to the entrance to the public spa. The sign will contain the same or similar language as follows:

"CAUTION

- Pregnant women, elderly persons, and persons suffering from heart disease, diabetes or high or low blood pressure should not enter the spa/hot tub without prior medical consultation and permission from their doctor.
- Do not use the spa/hot tub while under the influence of alcohol, tranquilizers, or other drugs that cause drowsiness or that raise or lower blood pressure.
- Do not use at water temperatures greater than one hundred four degrees Fahrenheit.
- Do not use alone.
- Unsupervised use by children is banned.
- Observe reasonable time limits (that is, ten to fifteen minutes), then leave the water and cool down before returning for another brief stay.



- Long exposure may result in nausea, dizziness, or fainting."

(f) Safety recommendations will be posted conspicuously at the slide. The postings will contain the following information using the same or similar language unless otherwise specified by the manufacturer:

(i) Single user.

(A) Water slides. Only one user at a time is permitted: forming "chains" is banned.

(B) Recreation slides. Only one user will be on the platform at any time;

(ii) Always check to see if the landing area is clear before entering the slide. Users will follow directions from the dispatcher;

(iii) Users will exit the landing area of the slide immediately;

(iv) Users will ride feet first at all times; stopping or changing position is banned;

(v) The minimum user height will be posted. This measurement will be the manufacturer's recommendation or six inches above the static water level of the pool based on the depth of the public swimming pool immediately beneath the flume on the slide;

(vi) For speed slides, users will remain flat; and

(vii) Life jackets or other flotation devices are banned other than those designed for the slide and used as directed by the manufacturer.

(g) Spray ground warning signs. Within one year from the effective date of this chapter all spray grounds will post the warning sign in accordance with paragraph (Y)(9) of rule 3701-31-5.1 of the Administrative Code.

(4) Lifeguards. Lifeguards will be provided by the licensee and on duty during the hours of



operation. Lifeguards will supervise or observe designated areas of the facilities in accordance with one of the following:

(a) The licensee for public swimming pools less than six thousand square feet will comply with the surveillance criteria in paragraph (E)(4)(c) of this rule and the following table:

Number of Bathers	1-1999	2000-3999	4000-5999
1-50	0	1	1
51-150	1*	2	2
151 or more	Exceeds the number of bathers allowed	2	3

\* The operator is responsible for providing safety equipment according to paragraph (E)(2)(b) of this rule.

As used in this rule, "bather" means an individual swimming, diving, or bathing in a public swimming pool.

(i) The licensor may obligate additional lifeguards as deemed necessary to assure bather safety, based upon the number and types of aquatic activities, special features or the bather load within a public swimming pool.

(ii) For the purposes of this paragraph and paragraph (E)(4)(b) of this rule, the surface area of a public swimming pool will be calculated based upon the portion of the public swimming pool that is available for use by patrons.

(iii) The licensee of a public swimming pool will use a method approved by the licensor 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 obligated. The lifeguard(s) on duty will maintain adequate supervision to prevent patrons from entering the closed portions of the public swimming pool.

(b) Public swimming pools that have a surface area of six thousand square feet or larger will 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 will be available for viewing by the licensor when inspecting the public swimming pool and will 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 will be revised if the public swimming pool size changes, a special feature is added or the lifeguard's line of sight is changed.
- (c) There will 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.
- (d) Elevated lifeguard chairs/stands (either stationary or portable) will be provided, as necessary, for stationary lifeguards and are not necessary for roaming lifeguards. The licensee will ensure that lifeguards are present at the following locations:



- (i) Any public swimming pool with diving boards/platforms will 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 will 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 will have a lifeguard stationed with a clear view and rapid access to supervise the landing area when the slide is in use.
  - (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.
  - (B) If the top of the slide is twenty-five feet or more above the deck level, an additional lifeguard will be obligated in the landing area when the slide is in use.
  - (C) A dispatch procedure will be used for slides that are in use and greater than ten feet in height to establish safe spacing between riders. The dispatcher will remain in continual visual or verbal contact with the lifeguard in the landing area. Dispatchers will be similarly attired and readily identifiable by bathers and lifeguards.
  - (D) The licensee may elect to test user swimming proficiency if the user of a water slide is less than the posted minimum user height.
- (e) Lifeguards on duty at a public swimming pool will:
  - (i) Be capable swimmers and able to perform all lifeguarding tasks authorized by their certification;
  - (ii) Be responsible for the safety of bathers within their designated area of responsibility;



- (iii) Have a clear and unobstructed view of the public swimming pool bottom and areas under supervision;
- (iv) Be similarly attired and readily identifiable by bathers and other lifeguards;
- (v) Be prepared to immediately enter the water;
- (vi) Not be engaged in swimmer instruction or coaching while on duty;
- (vii) Have on their person a rescue tube and a CPR pocket mask;
- (viii) Have a current and valid certification of lifeguard training by an entity on a list maintained by the director;
- (ix) Have a current and valid certification of training in infant, child and adult cardiopulmonary resuscitation (CPR) including pocket mask, bag valve and two-person CPR by an entity on a list maintained by the director; and
- (x) Have a current and valid certification of first aid training by an entity on a list maintained by the director.