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PUBLIC HEALTH DIVISION

FILING CAPTION: Aquatic Facility (Public Pools) rule update to align with Model Aquatic Health Code (MAHC)

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RULES:
333-060-0005, 333-060-0010, 333-060-0015, 333-060-0020, 333-060-0025, 333-060-0030, 333-060-0035, 333-060-0040, 333-060-0045, 333-060-0050, 333-060-0055, 333-060-0060, 333-060-0065, 333-060-0070, 333-060-0075, 333-060-0080, 333-060-0085, 333-060-0090, 333-060-0091, 333-060-0095, 333-060-0100, 333-060-0105, 333-060-0110, 333-060-0115, 333-060-0120, 333-060-0125, 333-060-0128, 333-060-0130, 333-060-0135, 333-060-0140, 333-060-0145, 333-060-0150, 333-060-0155, 333-060-0160, 333-060-0165, 333-060-0170, 333-060-0175, 333-060-0180, 333-060-0185, 333-060-0190, 333-060-0200, 333-060-0205, 333-060-0206, 333-060-0207, 333-060-0208, 333-060-0209, 333-060-0210, 333-060-0215, 333-060-0220, 333-060-0225, 333-060-0500, 333-060-0505, 333-060-0510, 333-060-0515, 333-060-0700, 333-060-0705, 333-060-1000, 333-060-1005, 333-060-1010, 333-060-1015, 333-060-1020, 333-060-1025, 333-062-0005, 333-062-0010, 333-062-0015, 333-062-0020, 333-062-0025, 333-062-0030, 333-062-0035, 333-062-0040, 333-062-0045, 333-062-0050, 333-062-0055, 333-062-0060, 333-062-0065, 333-062-0070, 333-062-0075, 333-062-0080, 333-062-0085, 333-062-0090, 333-062-0095, 333-062-0100, 333-062-0103, 333-062-0105, 333-062-0110, 333-062-0115, 333-062-0120, 333-062-0125, 333-062-0130, 333-062-0135, 333-062-0140, 333-062-0145, 333-062-0150, 333-062-0155, 333-062-0160, 333-062-0165, 333-062-0170, 333-062-0175, 333-062-0180, 333-062-0185, 333-062-0250, 333-062-0255, 333-062-1000, 333-062-1005, 333-062-1010, 333-062-1015, 333-062-1020, 333-062-1025

REPEAL: 333-060-0005

RULE TITLE: Purpose

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:
These rules adopted pursuant to the provisions of ORS 448.011, prescribe the requirements for the construction and operation of public swimming pools, public wading pools and bathhouses. They are for the purpose of protecting the health, safety, and welfare of persons using those facilities.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0010

RULE TITLE: Adoption by Reference

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 183.355

REPEAL: 333-060-0015

RULE TITLE: Definitions

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

As used in these rules unless otherwise required by context:

(1) "Administrator" means the State Public Health Director or designee of the Oregon Health Authority, Public Health Division.

(2) "Approved" means approved in writing by the Division.

(3) "Athletic club" means a facility constructed to provide athletic or physical conditioning for its members, guests and/or patrons. It includes but is not limited to racquetball clubs, health spas, fitness facilities, aerobics, etc.

(4) "Bathhouse" means a structure, which contains dressing rooms, showers and toilet facilities for use with an adjacent public swimming pool.

(5) "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 thereto.

(6) “Certified Operator” means a person performing the duties of the responsible supervisor, and responsible for providing direction and training to non-certified responsible supervisors and other pool personnel in regards to pool maintenance and operation. This person shall be certified by an organization providing training in pool safety, maintenance and operation recognized by the Division. Such courses and organizations include the Certified Pool Operator Program, by the National Swimming Pool Foundation, and the Aquatic Facility Operator Program, by the National Recreation and Parks Association, or equivalent, as determined by the Division.

(7) "Cross connection" means an unprotected connection between the piping carrying potable water and the piping or fixtures which carry other water or other substances.

(8) "Division" means the Oregon Health Authority, Public Health Division.

(9) "General-use Public Swimming Pool" means any public swimming pool other than a limited-use public swimming pool. Public swimming pools operated in conjunction with a companion facility but not limited to use of the residents, patrons or members of the companion facility are general-use swimming pools.

(10) "Guest protection zone" means a defined and prescribed area of a swimming pool or aquatic feature. A designated lifeguard is responsible for scanning a guest protection zone. Scanning refers to the actions performed by the lifeguard to visually survey and continuously and comprehensively monitor the guest protection zone.

(11) “10/20 Guest Protection Standard” means using a lifeguard planning standard that will place guards in numbers and locations, with identified areas of responsibility, so that they can theoretically identify a victim within 10 seconds and reach the victim within 20 more seconds. This is only a planning tool and actual response times will vary depending on the abilities of the lifeguard, their alertness, their vigilance and what else is happening in the pool.

(12) "Horseplay" means any unsafe activity, which in the opinion of the Division or the pool operator endangers the pool users and/or bystanders.

(13) "Instructor" means a currently certified American Red Cross Water Safety Instructor, YMCA Swim Instructor, or a person having equivalent certification as determined by the Division.

(14) “Lifeguard” means a person holding current certification in the following three areas:

(a) Lifeguard certification. Certification in one of the following:

(A) American Red Cross Lifeguard Training;

(B) Young Men’s Christian Association (YMCA) Lifeguarding;

(C) International Lifeguard Training Program (ILTP) for deep water;

(D) Starfish Aquatics Institute StarGuard; or
(E) Other lifeguard training approved by the Division.
(b) First aid certification. Certification in one of the following:
(A) American Red Cross First Aid;
(B) American Safety and Health Institute Universal Basic First Aid:
(C) Emergency Medical Planning America Medic First Aid (MFA); or
(D) Other equivalent First Aid Course approved by the Division.
(c) CPR certification. Certification in one of the following:
(A) American Red Cross CPR for the Professional Rescuer;
(B) American Heart Association Healthcare Provider CPR;
(C) American Safety and Health Institute CPR Pro for the Professional Rescuer; or
(D) Other equivalent CPR training approved by the Division.
(15) "Limited-use Public Swimming Pool" means any public swimming pool located at and operated in connection with a companion facility such as a residential housing facility having five or more living units, travelers' accommodations, mobile home park, recreation park, boarding school, organizational camp, dude ranch, club or association where use of the pool is limited to residents, patrons or members of the companion facility.
(16) "Person" includes, in addition to the definition in ORS 174.100, municipalities, recreation districts, counties and state agencies, instrumentalities, or builder.
(17) "Private Swimming Pool" means any swimming pool, wading pool or spray 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 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.
(18) "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.
(19) "Public Swimming Pool" means an artificial structure, and its appurtenances, which contains water more than two feet (600mm) 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.
(20) "Public Wading Pool" means an artificial structure, and its appurtenances, which contains water less than two feet (600mm) 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. Special types of wading pools include but are not limited to:
(a) "Spray Pool" or "Water Playground" meaning a wading pool containing spray features intended for recreational use, but that does not allow water to pond in the basin. Spray pools or water playgrounds that do not pond water and use

potable water once then send it to waste are not regulated by these rules.
(b) "Interactive Fountain" meaning a wading pool designed for esthetic appreciation, which is expressly designated or which is used with the knowledge and consent of the owner or operator for wading or recreational bathing by any segment of the public. Interactive fountains are a type of wading pool. Interactive fountains that do not pond water and use potable water once then send it to waste are not regulated by these rules.
(c) "Non-Regulated Fountain" means a fountain designed and operated solely for visual appreciation and for that function only. The Division does not license or regulate this type of fountain.
(21) “Responsible Supervisor” means a person, or persons, designated by the operator to provide emergency assistance to patrons, maintain order and enforce pool use regulations, governing safety and sanitation, including pool closure, and who is knowledgeable about pool maintenance and operation and the testing of pool water.
(22) “Shallow Water Lifeguard” means a person with training in the skills needed to lifeguard in four feet (1.2 m) of water or less. This person shall have current certification in:
(a) International Lifeguard Training Program (ILTP) for shallow water guards;
(b) Starfish Aquatics Institute StarGuard with a competency assessment designation of three feet of water or less, or;
(c) Equivalent training, as approved by the Division.
(23) "Special-use pool" means a public swimming pool which is designed specifically for sporting or recreational purposes and may include but are not limited to special features such as wave pools, diving pools, splash pools, zero depth pools, portable slides, and water slides.
(24) "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 disinfectant.
(25) “Swimming Pool” means an artificial structure, basin, chamber or tank used for wading, swimming, diving, water recreation, therapy or bathing. It does not include facilities where the water is drained after each use, when such facility has no heater, filter, or sanitizing equipment or spray pools that use potable water once and send to waste and that do not pond water in the basin. Types of pools are as follows:
(a) “Combination pool” means a pool used for swimming and diving, having both shallow and deep portions.
(b) “Diving pool” means a pool used exclusively for diving.
(c) “Exercise pool” means a pool small in area and of shallow depth usually associated with a health spa.
(d) “Mobile pool” means a pool constructed on a mobile structure, which can be transported from place to place.
(e) “Reverse flow pool” means a pool of a design in which the water enters at the bottom and leaves at the water line.
(f) “Spa” means a relatively small pool, which uses high temperature water and which may include a water agitation system or air-enriched water under pressure, with the intent of producing a relaxing or therapeutic effect. A spa is sometimes called a whirlpool.
(g) “Special-use pool” means a pool used for a purpose not otherwise defined, such as for apparatus swimming, diving, and underwater photography training, therapy, or other use by the public.
(h) “Spray Pool” means a type of wading pool that provides water for recreational bathing through the use of sprays, fountains, buckets or other means, that allows the water to run by gravity to a drain and does not pond water in the basin. Spray pools that use potable water once and waste it to the drain without ponding of the water are not regulated by these rules.
(i) “Wading Pool” means a shallow pool used primarily by children, and designed to have a water depth no greater than 24 inches.
(j) “Waterslide plunge pool” means a pool located at the exit end of a waterslide flume and intended and designed to receive sliders emerging from the flume.
(k) “Water recreation attraction” means a special-use pool designed and intended for recreational use with special design or operational features that provide the patron recreational activity which may be different from that associated with a conventional swimming pool, and that purposefully involves immersion of the body partially or totally in the water.
NOTE: Examples of water recreation attractions are waterslide plunge pools, lazy or slow rivers, tubing pools, and wave

pools.
(l) “Wave pool” means a pool designed for generating waves for recreational purposes.
(m) “Zero-depth pool” means a pool having a bottom slope, which continues through decreasing depth until the bottom joins with the deck around either part or all of the pool perimeter. It may have no walls, or may have walls around part of the perimeter.
(26) "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.
(27) "Waterpark slide" means a slide at a public pool, which has a length of at least twenty feet (6.1m), not including the platform.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: 448.005 - 448.100, 448.990

REPEAL: 333-060-0020

RULE TITLE: Compliance

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Swimming pools and wading pools which were in public use before May 13, 1959, shall not be required to comply with Structural Stability, OAR 333-060-0050(2); and Dimensions, 333-060-0060(3) and (4), provided such pools are operated in compliance with all other rules of the Division relating to public swimming pools.

(2) All swimming pools and wading pools which were constructed and in use but were not in public use as defined in Definitions, OAR 333-060-0015(19), and were not licensed by the State Board of Health before June 10, 1959, shall before being operated for any public use, have complete and detailed plans submitted to the Division. A license to operate as a public pool shall not be issued until the pool is made to comply with the requirements of these rules.

(3) Any public wading pool constructed before July 1, 2006, but not licensed by the Division or its agent health department before that date, must obtain a license to operate:

(a) Wading pools, other than spray pools, without water recirculation must comply with the requirements of OAR 333-060-0510(1) or must cease operation;

(b) All existing wading pools must provide protection against entrapment, hair entanglement and evisceration in compliance with OAR 333-060-0510(2), or cease operation by December 31, 2008.

(4) Any limited-use swimming pool operated in conjunction with a companion residential housing facility having five or more living units and which was operated and maintained for the use of the occupants thereof and their personal friends only, but which was not required to be licensed prior to February 25, 1971, shall not be required to comply with Structural Stability, OAR 333-060-0050(2); Dimensions, 333-060-0060(3), (4) and (5)(a); Piping, 333-060-0130(1), (2), and (3); and Overflow Systems, 333-060-0115(2)(b), (3) and (4); provided such pools are operated in compliance with all other requirements of these rules.

(5) Public swimming pools built prior to March 1, 1979, are exempt from the following requirements of these rules provided such pools are operated in continuous compliance with the rules in effect at the time such pools were constructed:

(a) Dimensions, OAR 333-060-0060(2), (5)(a)(B), (5)(b);

(b) Finishes, Markings and Lifelines, OAR 333-060-0065(3);

(c) Ladders, Recessed Steps and Stairways, OAR 333-060-0080(7), (8);

(d) Decks, OAR 333-060-0110(1)(a), (2), (6), (7);

(e) Overflow Systems, OAR 333-060-0115(3);

(f) Recirculation Systems, OAR 333-060-0120(2)(c);

(g) Inlets and Outlets, OAR 333-060-0125(2), (4);

(h) Piping, OAR 333-060-0130(1), (4);

(i) Pumps, OAR 333-060-0135(1)(a), (b), (4);

(j) Filters, OAR 333-060-0140(2)(a)–(d), (6), (7);

(k) Heaters, OAR 333-060-0145(1)(c);

(l) Disinfectant and Chemical Feeders, OAR 333-060-0150(4);

(m) Equipment Room, OAR 333-060-0160(1);

(n) Bathhouse and Sanitary Facilities, OAR 333-060-0170(3)(a), (b);

(o) Signs, OAR 333-060-0215(1), (2) and (3).

(6) The exemptions of sections (1), (2), (3), and (4) of this rule apply provided the exemption does not present a health or safety hazard. Exemptions do not apply to any alteration or replacement of affected component part.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005–448.100, 448.990

REPEAL: 333-060-0025

RULE TITLE: Approval to Construct

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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

(a) Submitting complete plans and specifications to the Division; and

(b) Receiving a written plan approval or conditional approval from the Division.

(2) Plans, specifications, and fees required herein shall be submitted at the time the application is filed.

(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 written approval of the Division.

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

(a) Operate continuously in a clean and sanitary manner;

(b) Not constitute a menace to public health and safety; and

(c) Provide health and safety protection equal to or greater than that required by these rules.

(5) The conditional plan approval 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 establish further the Division's expectancy of such protection. Furthermore, any license issued subject to a conditional plan approval 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 (4)(a), (b), and (c) of this rule are not met. Such conditional plan approval authority is not conferred upon any county notwithstanding any delegated or contractual authority in administration and enforcement of the public swimming pool statutes and rules.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.020

REPEAL: 333-060-0030

RULE TITLE: Plans

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 pool and address all requirements of these rules.

(2) Plans shall be submitted in duplicate, drawn to scale and shall include:

(a) One plan view;

(b) One longitudinal section;

(c) One transverse section through the main drain;

(d) 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.);

(e) One detailed view of the equipment room layout;

(f) One vicinity map;

(g) 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);

(h) One cross section of the step treads and risers.

(3) 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 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 backwash water.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.030

REPEAL: 333-060-0035

RULE TITLE: Licenses

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) No person shall operate a public swimming pool or public wading pool without:

(a) Securing an approved final construction inspection from the Division or its agent; or, if an unlicensed wading pool constructed before July 1, 2006, a compliance inspection. The compliance inspection will show items of non-compliance that need to be corrected before license issuance or the need to comply with the requirements of OAR 333-060-0510;

(b) Making application for a license to operate such pool;

(c) Paying the license fee; and

(d) Securing a license from the Division or delegate county health department.

(2) Such license terminates and is renewable on December 31 of each year.

STATUTORY/OTHER AUTHORITY: ORS 448.035

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0040

RULE TITLE: Conditional Licenses

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Conditional licenses may be issued by the Division in circumstances where:

(a) There is substantial compliance with these rules;

(b) A written schedule for total compliance approved by the Division is instituted and maintained; and

(c) In the judgment of the Division, there is no immediate threat to the health and safety of bathers during the time in which complete compliance is attained. 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 333-060-0025(5).

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.035

REPEAL: 333-060-0045

RULE TITLE: Maintenance and Modification

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) All equipment of public swimming pools and public wading 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 swimming pools and their appurtenances shall be maintained in good repair.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0050

RULE TITLE: Structural Stability

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) All public swimming pools and public wading pools shall be watertight, constructed of waterproof and enduring materials compatible with the swimming pool environment and shall be designed to withstand all anticipated loading for both pool-empty and pool-full conditions.

(2) Where a high water table may be encountered, provisions shall be made for relief of hydrostatic pressure from under the pool floor and/or around the pool walls.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0055

RULE TITLE: Size

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

Public swimming pools shall be sized according to and shall not exceed the design limit of the user load functions shown below. User loads are specific in-pool loads only. Area of deep water, “D” equals the surface area of the pool greater than five feet (1.5m) deep. Area of shallow water, “S” equals the surface area of the pool less than five feet (1.5m) deep. Surface area, “A” equals the area of the entire pool:

(1) Outdoor swimming pools with a surface area of more than 2,000 square feet — Max. load = (D / 27) + (S / 15);

(2) Outdoor swimming pools with a surface area of less than 2,000 square feet — Max. load = A / 24;

(3) Indoor swimming pools — Max. load = A / 24;

(4) Spray pools, wading pools — Max. load = A / 24.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 440.011

REPEAL: 333-060-0060

RULE TITLE: Dimensions

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Public swimming pools and public wading pools shall have no sharp edges or protrusions where walls meet at an acute angle. Public swimming pools and public wading pools shall be shaped so as to provide for complete water recirculation and mixing. Walls in public wading pools must be vertical with a 3 to 6-inch (75–150 mm) radius at the pool wall/ pool floor juncture.

(2) There shall be no wall ledges in public swimming pools.

(3) Public swimming pools shall be not less than 3' (90cm) nor more than 3'6" (105cm) in depth at their shallowest point.

(4) Walls in public swimming pools shall be vertical or within 11 degrees of vertical for a minimum distance of 2'9" (82.5cm) in deep areas or 2'6" (75cm) in shallow areas from which point they may be radius to join the floor.

(5)(a) Break in grade shall occur at dept no shallower than 5' (1.5m), except pools built prior to March 1, 1979, shall be uniform to a depth of 4'6" (1.4m), and shall not exceed the following:

(A) General-use pools: 1' of fall in 12' (30cm in 3.7m) horizontally;

(B) Limited-use pools: 1' of fall in 10' (30cm in 3m) horizontally.

(b) Floor slopes in the transition area between the deep and shallow portions of the pool shall not exceed 1' of fall in 3' (30cm in 90cm) horizontally.

(6) The wall-floor transition radius shall:

(a) Have its center no less than 2'9" (82.5cm) below the surface of the water in deep areas or 2'6" (75cm) in shallow areas;

(b) Be tangent to the wall;

(c) Be less than or equal to the depth of the pool minus the vertical wall depth measured from the water line in deep areas minus 3" (7.5cm), to allow draining to the main drain. (R maximum = Pool Depth — Vertical Wall Depth — 3" (7.5cm).)

(7) Pools intended for diving shall comply with OAR 333-060-0085.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0065

RULE TITLE: Finishes, Markings and Lifelines

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1)(a) Wall and floor finishes shall be of non-toxic materials, shall be impervious and enduring. Such finishes shall be smooth and easily cleanable.

(b) Floors and walls of public swimming pools and public wading pools shall be white, of a light color or a light-colored pattern.

(2) A lifeline shall be provided 2' (60cm) on the shallow side of the break in grade between shallow and deep portions of the pool. Where there is a uniform slope, a lifeline is not required.

(a) This lifeline shall be securely fastened to wall anchors. Wall anchors shall be of corrosion-resistant materials and shall be recessed or have no projections which constitute safety hazards when the lifeline is removed. Pools built prior to March 1, 1979 shall comply with this rule at such time as the interior pool finish is repaired.

(b) The lifeline shall be marked with visible floats at not greater than 7' (2.1m) intervals. The line shall be of sufficient size and strength to offer a good handhold and to support loads normally imposed by bathers.

(c) The lifeline shall lie in place except when pool use is restricted to lap swimming by competent swimmers or to supervised swimming instruction by a certified swim instruc-tor.

(3) The break in grade of the pool shall be marked with a 4" (10cm) minimum width of floor tile or painted stripe of a color contrasting with the bottom. Where there is a uniform slope, a stripe is not required.

(4) Depth of water (in feet) shall be plainly and conspicuously marked above or at the water level on the vertical pool wall except for splash-out (deck level overflow) pools and on the top of the coping or edge of the deck or walk next to the pool. There shall be such markers at the maximum and minimum depth points and at 1' (30cm) depth increments in the shallow portion of the pool. Depth markings shall be spaced at no more than 25' (7.6m) intervals. There shall be depth markings at slope breaks. Pools built prior to March 1, 1979 shall comply with this rule pertaining to vertical pool wall markings when the interior pool finish is repaired or resurfaced.

(5) Depth markings shall be at least 4" (10cm) in height and of a color contrasting with the background.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0070

RULE TITLE: Illumination

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Where underwater lighting is used, not less than 0.5 watts incandescent or the equivalent shall be employed per square foot of pool area.

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

(3) Where underwater lighting is not employed and night swimming is permitted, area and pool lighting combined shall be provided at not less than two watts incandescent or the equivalent per square foot of deck area.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0075

RULE TITLE: Ventilation

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) A public swimming pool or public wading 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 swimming pools and public wading pools.

(2) A public swimming pool or public wading pool built or renovated after September 1, 2014, and enclosed in a building must have a ventilation system that complies with the requirements of the Oregon Structural Specialty Code, 2014 Edition, and the Oregon Mechanical Specialty Code, 2014 Edition, both incorporated by reference.

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0080

RULE TITLE: Ladders, Recessed Steps and Stairways

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) All public swimming pools shall have a ladder, set of recessed steps or stairway located at 75' (22.9m) intervals around the pool perimeter with a minimum of two such means of egress.

(2) There shall be at least one ladder, set of recessed steps or stairway at the shallow end and another at the deep end of the pool.

(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) Stairways shall be provided with at least one handrail.

(5) Recessed steps shall drain into the pool.

(6) Ladders, recessed steps and stairways shall be located so as not to interfere with racing lanes.

(7) Stairway treads shall have a minimum unobstructed horizontal tread depth of 10" (25cm) and a minimum unobstructed surface area of 240 square inches.

(8) 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" (30cm).

(9) Ladders and handrails shall be securely mounted.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0085

RULE TITLE: Diving

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Public swimming pools used for diving shall provide water depths and lateral and vertical clearances as follows:

(a) Pools constructed after May 1, 1986, shall comply with the minimum dimensions of Figure 1, Table 1. [Table not included. See ED. Note.]

(b) Pools constructed prior to May 1, 1986, shall comply with the minimum dimensions of Figure 2, Table 2. [Table not included. See ED. Note.]

(2) There shall be at least 16' (4.9m) of unobstructed vertical clearance above any diving board measured from the center of the front end of the board. This clearance shall extend horizontally 8' (2.4m) behind, 16' (4.9m) in front, and 8' (2.4m) to each side of the end of the board.

(3)(a) Diving boards one meter or more in height above the water shall be equipped with a stairway or ladder and two handrails;

(b) Diving boards one meter or higher shall be protected with guard rails, one on each side of the board. Such guard rails shall extend to the edge of the pool wall.

(4) Diving platforms higher than three meters shall not be installed at public swimming pools without the approval of the Division.

[ED. NOTE: Tables referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0090

RULE TITLE: Slides

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Slides shall comply with the requirements of the U.S. Consumer Product Safety Commission Safety Standards for Swimming Pool Slides as published in the Code of Federal Regulations Vol. 16, Part 1207, Pages 265-281 (16 CFR Part 1207).

(2) Slides shall:

(a) Be sturdily constructed or corrosion-resistant material;

(b) Be securely fastened to the pool deck;

(c) Have a ladder equipped with slip-resistant treads and rigidly attached handrails;

(d) Have runways which are smooth, of one piece, and free of cutting, pinching, puncturing or abrasion hazards;

(e) Have slide runways which are provided with side rails on both sides; such side rails shall be no less than 2" (5cm) in height.

(3) Slide runways shall be water lubricated when in use.

(4) There shall be no slides higher than 12" (30cm) above the water level.

(5) Water depths 4.5' (1.4m) beyond the end of the slide shall be based on the slide height as follows: Height —Minimum Water Depth:

(a) More than 3 feet (90cm) up to 7.5 feet — (2.3m);

(b) 4 feet (1.2m) — More than 7.5 (2.3m) feet;

(c) Up to 8 feet (2.4m) — 5 feet (1.5m);

(d) More than 8.0 feet (2.4m) up to 11 feet (3.4m) — 5.5 feet (1.7m);

(e) More than 11.0 feet (3.4m) up to 12 feet (3.7m) — 6 feet (1.8m).

(6) Slides shall be equipped with the warning signs found in Figure 3. [Figure not included. See ED. Note.]

(7) Portable toddler slides (3 feet or less)(90cm) shall have an entry into water depths which are recommended by the manufacturer and approved by the Division or delegate county. Water depths for slide entry are determined by but not limited to platform height, length of slide, and weight of bather.

[ED. NOTE: Figures referenced are available from the agency.]

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

STATUTORY/OTHER AUTHORITY: ORS 448.031

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0091

RULE TITLE: Waterpark Slides

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Water park slides installed after January 1, 1994 must comply with the requirements of the U.S. Consumer Products Safety Commission safety standards for Swimming Pool Slides as published in the Code of Federal Regulations Vol. 16, Part 1207, Pages 265-281 (16 CFR Part 1207).

(2) Prior to entering the pool, the last ten feet (3m) of the slide must be horizontal.

(3) The slide shall be designed so that it enters the pool at or below the water level.

(4) The pool shall be constructed of concrete or other structurally rigid, impervious materials with a smooth, slip resistant finish:

(a) There shall be a three and a half (3.5) foot (1m) minimum distance between the exterior slide wall and the adjacent vertical pool wall;

(b) There shall be a minimum twenty (20) feet (6.1m) between the slide exit and the opposite side of the pool, excluding steps;

(c) Centerlines for multiple slides shall be parallel, a minimum of eight (8) feet (2.4m) apart, and not intersect for twenty (20) feet (6.1m);

(d) The water depth at the slide exit shall be a minimum of three (3) feet (1m). This depth shall be maintained for a minimum distance of ten (10) feet (3m).

(5) If a public pool is for the exclusive use of a waterpark slide splash area, the pool's recirculation system shall be designed to provide a 60 minute turnover rate.

(6) During operation:

(a) Lifeguards shall be on duty at the slide splash area;

(b) The platform area shall have an attendant in place.

(7) Entry shall be regulated at a minimum of ten (10) second intervals.

(8) A sign shall be posted describing the proper way to use the slide. The sign shall include at least the following:

(a) Slide feet first only!

(b) Slide sitting up or lying on your back!

(c) Slide one at a time only!

(d) Always enter the pool feet first! Do not somersault, twist, or dive from the end of the slide.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0095

RULE TITLE: Elevated Lifeguard Chairs

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Elevated lifeguard chairs or elevated lifeguard platforms shall be provided at all general-use swimming pools.

(2) There shall be one lifeguard chair or elevated lifeguard platform for each 120 (36.6m) feet of pool perimeter and with the exception of section (3) of this rule may be spaced at the discretion of the pool operator.

(3) Where more than one lifeguard chair or elevated lifeguard platform is required, there shall be one chair or platform located on each side of the pool.

(4) Portable lifeguard chairs or elevated lifeguard platforms shall be acceptable providing they are structurally sound and tilt proof.

(5) Lifeguard chairs shall be at least 6’ (1.8m) in height from the deck surface to the chair seat or elevated lifeguard platforms shall be at least 34" (85cm) in height from the deck surface to the platform surface.

(6) Where pool decks are at least 6’ (1.8m) in width, all general-use pools build prior to March 1, 1979, shall comply with section (2) of this rule. All pools shall comply with section (5) of this rule, at such time as new elevated chairs or platforms are installed and/or existing elevated chairs or platforms need replacement, providing existing chairs are a minimum of 4’ (1.2m) in height.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0100

RULE TITLE: Life Saving Equipment

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

The following life saving equipment shall be provided at all public swimming pools:

(1) A non-adjustable reach-pole not less than twelve (12) feet (3.6m) in length with an attached life hook.

(2) One life buoy with an attached thirty (30) foot (9.2m) long line. Such equipment shall be mounted conspicuously within the pool enclosure or the pool room and be readily available to lifeguards and pool users.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0105

RULE TITLE: Swimming Pool Enclosure

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

A pool license holder must ensure that:

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

(2) Swimming and wading pool enclosures, except as provided in OAR 333-060-0505(9), including windows, gates and doors are constructed in such a manner so as to discourage access to the pool by unsupervised children and domestic animals and incorporate the following construction standards:

(a) Enclosures shall be not less than four feet (1.2m) in height measured from the outside ground level 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 (100 mm);

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

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

(f) Gates and doors in swimming pool enclosures shall be self-closing and shall be equipped with a lockable self-latching device. The operating controls for the self-latching device shall be located at least 42 inches (1065 mm) above the exterior ground surface or pool deck. Gates and doors on new pools must swing "out" of the pool enclosure, or away from the pool. Existing pools must make the door or gate swing change 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 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; and

(i) Buildings constructed on or after September 1, 2014 and buildings enclosing swimming 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) The Division may approve alternate enclosure materials and methods where the Division finds such materials and methods equivalent to those described in section (2) of this rule.

(4) Swimming pool enclosures constructed prior to March 1, 1979, which are a minimum of 42 inches (105cm) in height; or with spacing not greater than five inches (13cm) between vertical boards (bars); or with spacing not greater than five inches (13cm) between the bottom of the fence and the pool deck; or with spaces between the horizontal rails not less than 38 inches (95cm), shall be acceptable until such time as the enclosure requires repair or replacement.

(a) Pools without constant supervision in the pool area may provide access through controlled entry points based on one of the following conditions:

(A) When only adults over the age of 18 are allowed access to the pool area through a controlled-access point such as a registration or check-in desk, they may have direct access to the pool without passing through closed doors or gates. The pool entry must be able to be locked and secured when the pool is closed.

(B) If persons under the age of 18 might have access to the pool area, then the operator must provide a lockable, self-closing door or gate with a self-latching device. The operating controls for the latch must be located 42 inches to 54 inches (1.2 m to 1.35 m) above the exterior ground surface; or

(b) 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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.100, 448.990

REPEAL: 333-060-0110

RULE TITLE: Decks

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) The following minimum continuous unobstructed deck widths, which may include the coping, shall be provided at all public pools and public wading pools:

(a) General-use swimming pools — 8' (2.4m).

(b) Limited-use swimming pools, spray pools, wading pools — 4' (1.2m).

(A) Pools built prior to March 1, 1979, shall have 4' (1.2m) of deck on at least two sides of the pool.

(B) Public wading pools and spray pools built prior to July 1, 2006 must have a minimum of 4' (1.2m) of deck around the pool. Wading pools built after July 1, 2006 must comply with the deck requirements of OAR 333-060-0505(8).

(2) A minimum of 4' (1.2m) unobstructed deck shall be provided on all sides of diving equipment and slides.

(3) Decks shall slope no less than 1/4" per foot (6mm per 30cm) and shall be drained to perimeter or area drains.

(4) Deck surfaces:

(a) Shall be constructed of concrete, non-slip tile, or equally impervious material with a slip-resistant, easily cleanable surface impervious to water.

(b) Surfaces meeting the requirements of (4)(a) of this rule must be maintained for a minimum width of 8' (2.4m) around the perimeter of general-use pools and 4' (1.2m) around the perimeter of limited-use pools or within the limits of the deck drainage area, whichever is greater. Wood decking, carpeting or artificial turf deck surfaces are prohibited within 8' (2.4m) of general-use pools or 4' (1.2m) of limited-use pools or within the limits of the deck drainage area, whichever is greater.

(c) Pools previously approved with deck surfaces not complying with (4)(a) of this rule shall comply at such time as the surface requires repair or is replaced.

(5) Joints between concrete deck slabs shall be watertight 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.

(7) Voids between adjoining concrete deck slabs shall be no greater than 3/16" (5mm).

(8) Adjoining deck surface elevations shall vary no more than 1/4" (6mm).

(9) New and replacement expansion joints shall not be constructed of wood.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0115

RULE TITLE: Overflow Systems

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

All public swimming pools shall be operated with a continuous overflow. Overflow systems shall be either of the perimeter type or a series of surface skimmers:

(1) A perimeter type overflow system shall be used at all general-use public swimming pools and at limited-use public swimming pools which are greater than 30 feet (9.1m) in width or have more than 2,500 square feet of surface area. Such perimeter system shall:

(a) Extend completely around the pool;

(b) Have a gutter which is smooth, cleanable and provides positive drainage.

(2) A perimeter-type or skimmer-type overflow system shall be used at all limited-use public swimming pools less than 30 feet (9.1m) in width or with less than 2,500 square feet of surface area:

(a) Where skimmers are used, there shall be one skimmer for each 400 square feet of surface area, with a minimum of two skimmers;

(b) Skimmers shall be located so as to achieve effective skimming action over the entire surface area of the pool.

(3)(a) Perimeter overflow systems shall be connected to the recirculation system with a system surge capacity of at least one gallon per square foot of pool surface. External surge systems shall be capable of transferring water at a rate equal to 100 percent of the design pool flow rate. Gutters shall drain in two minutes or less after sudden flooding;

(b) Pools with perimeter overflow systems shall be provided with surge tanks unless predesigned and prefabricated to use in-gutter of in-pool surge. Surge tanks shall have a capacity of one gallon per square foot of pool surface.

(4) Overflow systems shall be designed so as to return overflow water to the recirculation system ahead of the filters. Provisions shall be made for diverting gutter water to waste when cleaning the gutter.

(5) Pools built prior to 1971 which were constructed without the overflow system being connected to the recirculation system shall satisfy this requirement by overflowing at least daily provided the water quality parameters of Pool Water Quality OAR 333-060-0200 and Table 3 are met.

[ED. NOTE: Tables referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0120

RULE TITLE: Recirculation System

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) All public swimming and wading pools shall have recirculation and filtration systems with piping, pumps, filters, disinfection and other equipment to maintain pool water quality as required by these rules.

(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 pool water in the following maximum time intervals: Maximum Turnover — Time

(a) General-use public pools and limited-use public pools of over 2,000 square feet of surface area — 6 hours.

(b) Limited-use public pools of less than 2,000 square feet of surface area — 8 hours.

(c) Public wading pools — See OAR 333-060-0505.

(d) Limited use pools operated in conjunction with athletic clubs and built after May 1, 1986 — 6 hours.

(3) Overflow water shall not be less than 50 percent of the total recirculated water.

(4) Recirculation and filtration systems shall be in operation con-tinuously while the facility is in use.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0125

RULE TITLE: Inlets

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

(3) Pools more than 50 feet wide and reverse flow pools must use floor inlet fittings uniformly spaced no more than 20 feet apart and within 15 feet of the sidewalls.

(4) Grates must be designed so as to prevent entrapment of fingers.

(5) All recirculation inlet fittings must be adjustable for rate of flow. Wall inlet fittings must be directional.

(6) 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 pool is in use.

(7) Direct potable water pool inlets must:

(a) Be over-the-rim fill spouts with air gaps located under a diving board or 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 pool recirculation water.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0128

RULE TITLE: Submerged Suction Outlets and Drains

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) The requirements in sections (2) and (3) of this rule apply to:

(a) A swimming pool constructed after December 25, 2009;

(b) A swimming pool constructed before December 25, 2009, that on or after July 1, 2015, has its submerged suction fittings renovated or remodeled.

(2) A swimming pool must have at least two outlets located at the lowest point of the pool floor to drain the entire floor area. Exceptions to this include:

(a) Reverse Flow Pools, where the drain is not connected to the recirculation system, but is provided for drainage of the pool through an air-gap connection to the sanitary sewer.

(b) Other suction-fitting arrangement that allows the drainage of the pool through an air-gap connection to the sanitary sewer, or other approved location, while also providing entrapment protection.

(c) Pools with no drain system, with provisions to completely drain the pool to the sanitary sewer or other approved location, by other means that have entrapment protection.

(3) A swimming pool must have submerged suction fittings installed according to the following standards:

(a) Pool main drains must be installed in the deepest part of the pool and designed to minimize tripping and toe stubbing hazards. Suction fittings must be installed to minimize tripping, toe stubbing and scrape hazards.

(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.

(c) All hardware and fittings must be supplied by the manufacturer and installed according to the manufacturer's directions.

(d) 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 of flow for which it was approved and the location it is to be placed.

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

(C) 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.

(D) Main drains and submerged suction fittings must be separated by at least three feet (915mm) (measured from the main drain connector pipe centerline) 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.

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

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

(iii) 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.

(4) 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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0130

RULE TITLE: Piping

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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

(a) Discharge piping (except copper) — 10ft./sec. (3m/sec.);

(b) Discharge piping (copper) — 8 ft./sec. (2.4m/sec.);

(c) Suction velocity — 6 ft./sec. (1.8m/sec.).

(2) Pool recirculation piping, if plastic, shall comply with National Sanitation Foundation Standard #14 for Plastic Materials, Pipe, Fittings and Appurtenances for Portable Water and Waste Water.

(3) All pool recirculation piping shall be rated and capable of withstanding four times the maximum operating pressure at maximum water temperatures.

(4) Provisions shall be made to de-water all recirculation piping and equipment.

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

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0135

RULE TITLE: Pumps

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 (TDH) developed by the complete system. Pumps shall be capable of providing design flow rates at 60 feet of TDH unless the TDH for the system is calculated to be less than 60 feet.

(3) Pumps shall be capable of pumping at a rate sufficient to turn over the total pool volume within the periods of time specified in Recirculation System, OAR 333-060-0120(2).

(4) Pumps on public swimming pools 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.

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0140

RULE TITLE: Filters

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Filters shall be capable of maintaining pool water clarity as described in Pool Water Quality, OAR 333-060-0200 and Table 3 under conditions of maximum user load. [Table not included. See ED. Note.]

(2) Filter rate shall not exceed the following:

(a) High rate sand filters — 18 gpm per square foot of filter media or that rate approved by the manufacturer for that particular filter, whichever is less. Pools constructed prior to May 1, 1986, may continue to use filters sized at 20 gpm per square foot of filter media until replaced;

(b) Rapid sand filters — 3 gpm per square foot of filter media;

(c) Diatomaceous earth filters — 2 gpm per square foot of filter media;

(d) Cartridge filters — 0.375 gpm per square foot of effective filter area.

(3) A means shall be provided to permit release of air which enters the filter tank.

(4) Filter components which requires servicing shall be accessible and available for inspection and repair.

(5) Filters shall be designed so that filtration surfaces can be easily inspected and serviced.

(6) Filters shall meet the safety performance standards of the National Sanitation Foundation Standard Number #50 depending on the filter media.

(7) Separation tanks or settling sump 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.

[ED. NOTE: Tables referenced are available from the agency.]

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0145

RULE TITLE: Pool Heaters

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Fired water heaters installed after September 1, 1994, used exclusively for heating water for swimming 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 with 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 swimming 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; and

(c) Be equipped with metal or chlorinated polyvinyl chloride pipe (CPVC) for a minimum of 18 inches (45cm) upstream and downstream of the heating equipment. However, where manufacturer's recommended installation allows shorter lengths of CPVC, installation according to manufacturer's recommendations 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. When required by Underwriters Laboratory, metallic current collectors shall be installed on the inlet and outlet of the heater. The current collectors shall be grounded and shall be at least five pipe size diameters in length.

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0150

RULE TITLE: Disinfectant and Chemical Feeders

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) A means of disinfecting the public swimming or wading pool water shall be provided which provides a disinfecting residual in the pool waters at all times as described in Pool Water Quality, OAR 333-060-0200(1)(a) and in addition, public wading pools must also comply with 333-060-0515.

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

(3) Disinfection equipment shall:

(a) Be equipped with suitable controls capable of fine feed rate adjustment.

(b) Be capable of feeding one pound of equivalent chlorine per 15,000 gallons of pool capacity per 24 hours.

(c) Be capable of feeding two and one quarter pounds (2-1/4) of bromine per 15,000 gallons of pool capacity per 24 hours where bromine sanitation is applicable.

(4) Hypochlorinators, erosion (flow-through) feeders, or other adjustable output rate disinfectant 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 January 1, 1994 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, or the door shall be equipped with a door switch which automatically activates the mechanical ventilation and lighting systems.

(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 self-contained breathing apparatus approved by NIOSH 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 shall be approved provided such equipment is readily available.

(d) Gas chlorinators shall have a fail-safe mechanism which ceases chlorination in case of malfunction.

(e) Gas chlorinators shall be equipped with an anti-siphon chlorine injection device.

(f) The vent line from the gas chlorinator shall vent away from an occupied area. The exterior opening of the vent line shall be screened.

(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 Pool Water Quality OAR 333-060-0200, Table 3, (1)(a); and [Table not included. See ED. Note.]

(b) Be approved by the Division.

(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: Publications referenced are available from the agency.]

[ED. NOTE: Tables referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0155

RULE TITLE: Meters and Gauges

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 or vacuum gauges shall be installed on all public swimming pools so that pressure or vacuum readings, as appropriate to filter type, may be obtained on both the influent and effluent lines of the filters.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0160

RULE TITLE: Equipment Room

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Swimming pool and wading pool equipment shall be installed in a room or building large enough to permit ready access to all equipment for both operation and maintenance. Ready access shall be determined by:

(a) General-use swimming pools — a minimum of 3 feet (90cm) of unobstructed access to all operational and maintenance portions of the equipment.

(b) Limited-use swimming pools — a minimum of 50 square feet of floor area or a minimum of 3 feet (90cm) of unobstructed access to operational and maintenance portions of the equipment.

(2) Equipment rooms shall be adequately ventilated.

(3) Equipment rooms shall protect the equipment from the elements and be locked, permitting access only to authorized personnel.

(4) Equipment rooms for all pools built after May 1, 1986 shall have a floor drain.

(5) Equipment rooms shall be lighted to properly operate and maintain equipment.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0165

RULE TITLE: Ground Fault Interrupter

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:
A certified ground-fault circuit-interrupter shall be provided on 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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0170

RULE TITLE: Bathhouses and Sanitary Facilities

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) A bathhouse shall be provided at all general-use swimming pools.

(2) Where a general-use swimming 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 (3), (4) and (5) of this rule are followed.

(3) Bathhouses must be maintained in good repair and kept clean. Bathhouses built after September 1, 2014 must:

(a) Meet the requirements of:

(A) The Oregon Structural Specialty Code, 2014 Edition;

(B) The Oregon Mechanical Specialty Code, 2014 Edition;

(C) The Oregon Electrical Specialty Code, 2014 Edition;

(D) The Oregon Plumbing Specialty Code, 2014 Edition;

(b) Be located within 200 feet (61 m) of the general-use swimming pool;

(c) Have floors which are slip resistant, easily cleanable, and coved to a height of four inches (100 mm);

(d) Have shower compartments with walls, which are impervious to water to a height of six feet (1.8m) 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.);

(e) Have interior wall and ceiling finishes which are smooth, easily cleanable, and impervious to water;

(f) Where rubber or impervious mats are used, have such mats clean and dry between usages;

(g) Have shower stall floors that are finished with non-slip, impervious surfaces;

(h) Where glass bath or glass shower doors are used, have such doors made of safety glass;

(i) Have a first-aid room equipped with a minimum of one cot, one blanket and supplies as described in Appendix A;

(j) Hose bibs shall be provided for washing down the bathhouse interior; and

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

(4) General-use swimming pools shall provide sanitary facilities in the following numbers based upon maximum user load, except as provided in subsection (d) of this section:

(a) Toilets — Women, one per 40 pool users or fraction thereof, with a minimum of two; Men, one per 60 pool user or 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 pool users or fraction thereof;

(c) Showers — One head per 40 pool users or fraction thereof, with a minimum of two.

(d) A pool and its bathhouse built prior to June 5, 1956, may have a minimum of one toilet. If the bathhouse was remodeled after June 5, 1956, it shall comply with section (4) of this rule.

(5) Showers shall be located so as to provide users immediate access to the pool deck.

(6) Limited-use swimming pools shall provide sanitary facilities based on the maximum bather load of OAR 333-060-0055 in the following numbers:

(a) Provide toilets and lavatories as described in subsections (4)(a) and (4)(b) of this rule; and

(b) Provide such toilets and lavatories within 1,000 feet (305m) of the swimming pool;

(c) Private accommodations located within 1,000 feet (305m) of the swimming pool shall constitute compliance with the requirements of subsection (6)(a) of this rule. When provided, additional bathhouse facilities adjacent to the pool shall comply with subsections (3)(a), (3)(c), (3)(d), (3)(e), (3)(f), (3)(g) and (3)(h) of this rule, and are exempt from the fixture

requirements of section (4) of this rule.

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

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

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.100, 448.990

REPEAL: 333-060-0175

RULE TITLE: Visitor and Spectator Areas

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

Visitors and spectators shall be allowed within the pool room or pool enclosure only if they are restricted to a separate area not used by bathers. At general-use public pools, separate toilets shall be provided for spectators.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0180

RULE TITLE: Food Service

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

No food or drink shall be permitted within the 4' (1.2m) minimum deck area of limited-use pools or within the 8' (2.4m) minimum deck area of general-use pools. 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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0185

RULE TITLE: Drinking Fountains

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:
Drinking fountains shall be provided at all general-use public pools.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0190

RULE TITLE: Domestic Water Quality

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Water supplied at public swimming pools shall comply with rules of the Division for Public Water Systems, OAR 333-061-0005 through 333-061-0099.

(2) There shall be no cross connection between the pool water recirculation system or backwash system and the domestic water supply. Public swimming pool water recirculation and backwash systems shall comply with the Cross Connection Control Requirements of OAR 333-061-0070.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0200

RULE TITLE: Pool Water Quality

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Water in public swimming pools and wading pools shall be maintained with water quality parameters within the set limits set out in Pool Water Quality OAR 333-060-0200 and Table 3. [Table not included. See ED. Note.]

(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 id if stabilized chlorine is used;

(b) Functional test skits or testing systems to test for total copper and silver concentrations shall be provided 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 subsections (2)(a) and (b) of this rule with the following minimum frequencies during periods when the pool is open for use:

(a) pH — Daily;

(b) Chlorine:

(A) Outdoor Pools:

(i) Chlorine (Non-stabilized — Hourly;

(ii) Chlorine (Stabilized with a minimum of 30 ppm cyanuric acid) — Every four hours.

(B) Indoors Pools: Chlorine — Every four hours.

(c) Bromine:

(A) Outdoor Pools — Bromine — Hourly;

(B) Indoor Pools — Bromine — every 4 hours.

(d) Continuous reading devices shall satisfy requirements in subsections (3)(a), (b) and (c) of this rule if such devices record in pH units and ppm of free chlorine or bromine;

(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) Total alkalinity — Weekly;

(h) Calcium hardness — (recommended) — Weekly;

(i) Turbidity — Daily;

(j) Cyanuric acid (if used) — Monthly.

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

[ED. NOTE: Tables referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0205

RULE TITLE: Operation and Maintenance

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Operators of public swimming pools shall be thoroughly knowledgeable on good practices of pool operation and with the laws and rules pertaining to public pools. If, at any time, the pool meets one of the pool closure criteria in OAR 333-060-0705, the pool license holder, operator, or responsible supervisor shall immediately close the pool to the public until the requirements are satisfied.

(2)(a) Operators of public 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 Pool Water Quality, OAR 333-060-0200(3) and Table 3; [Tables not included. See ED. NOTE]

(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 B. [Appendix not included. See ED. NOTE]

(3)(a) All parts and facilities of public swimming pools and bathhouses shall be kept clean, in good repair and free of safety hazards;

(b) All public swimming pools shall provide a vacuum cleaner capable of effectively removing settled material from the bottom of the pool.

[ED. NOTE: Tables and Appendices referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0206

RULE TITLE: Supervision — Limited-Use Pools

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) RESPONSIBLE SUPERVISOR. A responsible supervisor or certified operator must be accessible any time the pool is open to bathers. This person or persons, are delegated and accountable for the supervision of the pool, but may not need to be in the pool area at all times. The owner, operator, or certified operator delegates the responsibilities.

(2) A responsible individual appointed by the owner or responsible supervisor must maintain surveillance over the pool during all hours of operation. Such

surveillance shall be no less frequent than the frequency of manual pool water testing required in OAR 333-060-0200(3) (Pool Water Quality).

(3) LIFEGUARDS. Lifeguards are not required at most limited-use pools. If they are provided they must meet requirements of OAR 333-060-0208. Lifeguards must be provided at:

(a) Pools with waterslide flumes more than six feet in height.

(b) Pools with drop slides more than six feet in height or that drop into the water from a height of more than six inches above the water.

(c) Pools that have water features, water play equipment, or have a design that is determined by the Division to need supervision during use. Such pools might include, but are not limited to, pools with slides or waterslides, pools with equipment such as rope swings, lily pad walks, zip lines, and other interactive equipment, and pools with features such as current rivers, vortexes, and other uses of rapidly moving water.

(d) Pools that are required to provide lifeguards must meet the staffing requirements of OAR 333-060-0207(2).

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.100, 448.990

REPEAL: 333-060-0207

RULE TITLE: Supervision — General-Use Pools

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Certified Operator. By January 1, 2009, all public swimming pools serving or installed for the state or any political subdivision of the state, including a school district, municipality, or recreation district with 2000 square feet (185 m2) or more pool surface area in one or more pools must have at least one currently Certified Pool Operator, on staff, as defined in OAR 333-060-0015(6). This person must be in a position with management responsibility for the way the pool is operated, including the authority to close the pool.

(2) Lifeguards. Lifeguards must be provided at all general-use pools during all hours of operation. The number of lifeguards is determined by the type of pool.

(a) One lifeguard for every 40 patrons in the pool, or fraction thereof, shall be provided.

(b) Lifeguarding Plan. Any pool operator may submit a lifeguarding plan as an alternative to compliance with section (2)(a) of this rule. The 10/20 guest protection standard, or equivalent, provides a method for evaluating and developing a lifeguard staffing plan providing rapid emergency response.

(A) All general-use specialty pools and water recreation attraction pools and limited-use pools required to have lifeguards are required to submit a lifeguarding plan to the Division or its agent for approval. Unless otherwise determined by the Division or its agent, the number of lifeguards determined by the lifeguard plan shall be provided, with the additional guards required in sections (2)(c) and (2)(d) of this rule.

(B) A shallow water lifeguard as defined by OAR 333-066-0015(31) may substitute for the required lifeguard at pools less than four feet (1.2 m) deep and at wading pools. At no time may they substitute for lifeguards at pools with water depths greater than four feet.

(C) A lifeguard near the exit to slides or waterslide flumes shall be provided. A lifeguard may guard two slides or waterslide flumes, situated near each other so they are both easily supervised.

(D) An attendant, responsible for enforcing slide usage rules at the entrance to slides or waterslide flumes shall be provided. One attendant may supervise two slides located near each other, on the same tower.

(E) Slides less than six feet high, discharging six inches or less above the water, with open slide trays or flumes so the landing area is easily visible, may be exempted by the Division from some or all of the dedicated supervision requirements in sections (2)(C) and (2)(D) of this rule.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.100, 448.990

REPEAL: 333-060-0208

RULE TITLE: Lifeguard Supervision & Training

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) TRAINING. A qualified lifeguard must be currently certificated in lifeguarding, first-aid and CPR as defined in OAR 333-060-0015(13), as well as having regular in-service training and training as required by 333-060-0208(4) and 333-060-0209.

(2) DUTIES. When on duty, a lifeguard shall scan and supervise the pool with no other distracting activities such as cleaning, water testing, or minimal unnecessary conversing with patrons.

(a) Rotation. Lifeguards must change duty stations at least hourly. The intent of this requirement is to maintain vigilance, if one guard is on duty a major shift in position or activity is required and suggested much more frequently than hourly. (e.g. changing sides of the pool, walking instead of sitting, etc.)

(b) Breaks. Lifeguards are to be allowed breaks in accordance with Oregon Bureau of Labor and Industry standards. More frequent breaks are recommended when the weather is very hot, extremely sunny, or the patron loading is very high.

(c) Lifeguards may teach lessons or coach swim teams during times when that is the only activity they are responsible for supervising.

(d) Lifeguard Orientation. New lifeguards must be provided an orientation to the pool which should include guarding expectations, emergency procedures, communication procedures, and other facility specific information needed to perform the job.

(e) In-service. Lifeguards are to be provided with in-service training arranged or conducted by the pool operator at least annually to review and practice skills and procedures.

(f) Performance Evaluation. At the time of hire and at least once yearly, each lifeguard's on deck, on duty performance must be evaluated. The certified pool supervisor, responsible supervisor, or other designated management personnel may conduct the evaluation, and provide documentation of the lifeguard's performance. Performance evaluation deficiencies should be used to organize in-service training.

NOTE: Lifeguards who cannot demonstrate proficiency in their lifeguarding skills may be a danger to the bathers and to themselves. Serious deficiencies that are not immediately corrected may cause the serious injury or death of a bather, the lifeguard, or other staff member.

(3) IDENTIFICATION. Lifeguards are to be readily identifiable when on duty.

(4) SOLAR PROTECTION. Lifeguards and staff at outdoor facilities must be informed of the risks of solar exposure. To avoid excessive employee exposure to solar radiation, the operator must require proper solar protection through the use of appropriate swimsuits, clothing and hats designed to cover the body, sunglasses with ultra-violet radiation protection, lotions with high Sun Protection Factor (SPF) ratings, umbrellas, and other means of protection.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.100, 448.990

REPEAL: 333-060-0209

RULE TITLE: Pool Staff Training & Safety

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Bloodborne Pathogens. The pool operator must provide the training, equipment, medical services, and written procedures and protocols needed to protect the pool staff against bloodborne pathogens. Lifeguards would be expected to have the potential to come into accidental contact with bodily fluids during their regular duties.

NOTE: OSHA requires compliance with 29 CFR 1910.1030, Bloodborne Pathogen Standard.

(2) Automatic External Defibrillators (AEDs). When an operator provides AED equipment at the pool, they must train the staff on the use and operation of the equipment including periodic training drills to assure continued staff competency.

(3) Oxygen Equipment. When an operator provides oxygen equipment at the pool, they must train the staff on the use and operation of the equipment including periodic training drills to assure continued staff competency.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.100, 448.990

REPEAL: 333-060-0210

RULE TITLE: Pool Safety

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) GENERAL. Any object or material not specifically approved under OAR chapter 333, division 060, which might cause hazardous conditions or interfere with the efficient operation of pool is not permitted in the pool area.

(2) TELEPHONE. The operator must provide a telephone that is accessible during all hours the pool is open for operation. The phone must be capable of reaching emergency assistance without the use of cards or coins. The operator must conspicuously post, within the pool area, the address of the pool facility.

(3) LIFESAVING EQUIPMENT. The operator and staff must keep the lifesaving equipment in good repair and in ready condition. Mount the lifesaving equipment in a conspicuous place where it is readily accessible and used only for its intended purpose.

(a) Life Hook. The operator must provide a life hook in the pool area. Spa pools and wading pools do not need life hooks. The life hook has a crook design and is securely attached to a non-telescoping pole between eight and 16 feet long. Size the pole so that the life hook is usable in the intended pool, while being as long as possible.

(b) Life Buoy. If the pool is over 25 feet (7.6 m) wide a US Coast Guard approved ring buoy or rescue bouy must be provided by the operator. Attach a 1/4 in. (15 mm) rope, 30 feet (9 m) long, with a float or knot tied in the end to step on when tossing the device. Pools providing lifeguards during all hours of operation do not need to supply a life buoy.

(c) Rescue Tube. The operator must provide each lifeguard on guard duty a rescue tube. The tube is a closed-cell foam tube with an attached towline and shoulder strap. The lifeguard certifying agency will have more complete specifications for the tubes and their use. The tubes must be worn and used properly by the guards.

(d) First Aid Supplies. All general-use public pools must have a first aid kit, supplied with at least the items in Appendix A. The kit must be stored in an area close to the pool, where it is accessible for use. The operator must keep the kit supplied and not allow it to deteriorate. [Appendix not included. See ED. NOTE.]

(e) Bloodborne Pathogen Cleanup Kit. A bodily fluid cleanup and disinfection kit must be maintained and completely supplied at each general-use public pool facility. The minimum contents of the kit include:

(A) A storage and collection bucket with cover;

(B) Plastic gloves:

(C) A face mask;

(D) Disposable towels, disposable sponges or other absorbent material;

(E) Chlorine disinfectant in a watertight package; and

(F) A properly identified biohazard disposal bag.

NOTE: OSHA may require other facilities to also provide bloodborne cleanup kits.

(f) Water Rescue Spineboards or Backboards. The operator of every pool providing lifeguards must also provide a long spineboard or backboard. The board must be appropriate for water rescue and meet the lifeguard training agency's specifications or equivalent. If a pool has obtained a letter from the local emergency medical services provider stating that the emergency response team would prefer the pool not have a spineboard for stabilization purposes, a spineboard need not be provided.

(g) Automatic External Defibrillators (AED). All general-use pools, and pools at health clubs serving 100 patrons or more a day, must provide an AED on-site and accessible for use.

(A) General-use pools have until January 1, 2009 to comply with section (3)(b) of this rule. Health Clubs serving 100 patrons or more were required by the legislature to provide AEDs by July 1, 2006.

(B) The AED must be maintained, inspected and serviced, including the battery and electrodes according to the

guidelines set forth by the manufacturer.
(C) There must be a sufficient number of employees, including all lifeguards, trained in the use of the AED so that there is one on-site whenever the pool is open.
(D) The AED must be stored in a location from which the AED is accessible and can be quickly retrieved.
(E) Signage must be provided that indicates the location of the AED.
(F) A policy must be developed for the use of the AED, including the need to contact 911 as soon as possible after identifying the incident. This policy should be made available to pool staff and must be posted with the AED.
(4) EMERGENCY PLANS. Every general-use public pool must develop emergency plans including but not limited to:
(a) Injuries, swimmers in trouble, drownings;
(b) Equipment breakdowns;
(c) Chemical release;
(d) Severe Weather;
(e) Fire; and
(f) Threats to personnel, patrons, or the facility.
(5) LIFELINES. The lifeline separating the shallow and deep areas must be kept in good repair.
(a) Keep the lifeline in place at all times, except during an event or activity when the lifeline becomes an obstruction.
(b) Separation Areas. Keep lifelines separating slide and waterslide plunge areas from the rest of the pool in place at all times the slide or waterslide is in use.
(6) STARTING BLOCKS AND COMPETITIVE USE. Starting blocks may be used for diving only during supervised competition swimming, training, or instruction. When not in use remove or make the blocks inaccessible. Starting blocks for new or renovated pools must be installed in areas with at least five feet (1525 mm) of water depth. Existing blocks may be used according to the following conditions:
(a) Water less than three feet six inches (1070 mm): Swimmers start in the water.
(b) Water three feet six inches (1070 mm) but less than four feet (1220 mm) deep: Swimmers start from the deck or in the water, diving blocks are not allowed; For diving entries from the deck, the deck may be no more than six inches (150 mm) above the water surface.
(c) Water four feet (1220 mm) but less than five feet (1525 mm) deep: Diving entries may be from elevations up to 18 inches (450 mm) above the water surface;
(d) Water five feet or greater in depth: Diving entries may be made from up to 30 inches (750 mm) above the water surface.
(7) SECURITY. The operator must check and maintain all gates, doors, and windows into the pool area to assure proper operation in compliance with OAR 333-060-0105. Lock and secure the pool area when it is not open for use. Patrons may not have access to the pool when it is not open for use.
(a) Fire Exiting. Fire exiting from other parts of a facility through the pool is not allowed. Fire exiting may be provided through the pool area only for the pool dressing/toilet/shower facilities, pool program areas and pool equipment and storage areas as necessary.
(A) The pool operator must equip designated fire exit doors and gates with panic hardware in compliance with the Oregon Uniform Fire Code (2007). Design and install panic hardware to protect against access to the hardware from outside the pool area.
(B) Existing non-compliant pools must notify and consult with the Division or agent about non-compliant fire-exit pathways through the pool area. Each situation will be reviewed by the Division or agent, in consultation with the local fire protection agency.
(b) Maintenance Access. Keep doors or gates used for maintenance access to the pool area, or to mechanical, chemical feed and storage areas locked except when access is needed by authorized personnel.
(c) For pools with lifeguards on duty, access directly to the pool through controlled and supervised access points may be allowed, provided that the pool entry can be secured and locked when lifeguards are not on duty.
(8) INCIDENT REPORTING. If there is a fatality or an injury, requiring medical follow-up either by a personal doctor or

an emergency room, it must be reported by the pool operator to the Division within 72 hours of the incident. The operator should use the form provided by the Division.

NOTE: An accident report form is provided in Appendix B.

[ED. NOTE: Appendices referenced are available from the agency.]

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.110, 448.990

REPEAL: 333-060-0215

RULE TITLE: Signs

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

POOL RULES AND SIGNS. The operator is responsible for posting and enforcing the pool rules governing safety and sanitation. Pools with existing pool rule signs may wait to comply with the requirements of this rule until the signs are replaced, repaired or moved.

(1) Location and Size. Post the rules in a conspicuous place near the entrance to the pool area and the dressing room. The minimum size for the sign is 18 inches (450 mm) by 24 inches (600 mm) with lettering that is easily legible and at least 1/2 inch (12.5 mm)(36 point type) high.

(2) Content — Pools. At all pools the operator must post and enforce a sign that includes the language in this rule or equivalent language:

(a) At pools where lifeguards are not provided:

(A) “NO LIFEGUARD ON DUTY” (In letters at least 4 inches high.)

(B) “BRING A FRIEND — Do not swim alone.”

(C) “CHILDREN UNDER 14 — BRING AN ADULT. Non-swimmers and children under 14 years of age need responsible adult supervision.”

(b) At all pools:

(A) “PROTECT OUR WATER — Please do not use the pool if you have had diarrhea in the past two weeks, or a disease communicable by water.”

(B) “SHOWER YOUR CHILD AND YOURSELF. Take a cleansing shower before entering the pool or after using the toilet.”

(C) “Swimmers who are not toilet trained must wear a swim diaper.”

(D) “Immuno-compromised individuals should use caution when using a public pool.”

(E) “WATER AND ALCOHOL DON’T MIX. No person under the influence of alcohol may use the pool.”

(F) “NO RUNNING or ROUGH PLAY.”

(G) “NO GLASS OR PLASTIC THAT WILL SHATTER.”

(H) “NO FOOD or DRINK in the pool.”

(I) “NO DIVING ALLOWED”, or “NO DIVING, except in designated diving areas.”

(J) “NO ANIMALS in the pool area.”

(c) Contents — Slides. The operator must post and enforce, at all slides, except children’s activity slides, a sign with the language below or equivalent language:

(A) “CAUTION — One rider at a time. Wait until the landing area is clear before entering the slide.”

(B) “Slide feet first in the sitting position or on the back only.”

(C) “Do not attempt to stop in the slide.”

(D) “Leave the plunge area immediately.”

(E) “WARNING: Water depth is “_” feet.”

(F) “Non-swimmers not permitted.” (If the water is over five feet (1.5 m) deep.)

(G) “WATER AND ALCOHOL DON’T MIX. No person under the influence of alcohol may use the pool.”

(3) With the approval of the Division, the requirements in section (3) of this rule may be eliminated, modified or added to in connection with water recreation attraction pools, and special-use pools defined in this rule.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005-448.100, 448.990

REPEAL: 333-060-0220

RULE TITLE: Variance

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) The Division may grant a variance from requirements of OAR 333-060-0005 to 333-060-0515 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 or local public health authority notwithstanding delegated or contractual authority in administration and enforcement of the swimming pool statutes and rules.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0225

RULE TITLE: Instructional Use of Limited-Use Pools

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

The Division recognizes the public's need for instruction in pools which are designed to meet minimum public health and safety criteria. Therefore, the Division will allow the use of licensed limited-use public pools for instruction to the general public provided:

(1) Use by the public is limited to instruction only.

(2) The instructor meets the qualifications listed in Definitions OAR 333-060-0015(13).

(3) The licensing authority is notified in advance of the time and place of the lessons.

(4) Pool water chemistry parameters shall be tested and recorded before and after each scheduled swimming session.

(5) Spectators shall not be allowed on the decks.

(6) First-aid supplies as described in OAR 333-060-0170, Appendix 1, shall be provided.

(7) Sanitary facilities as required by OAR 333-060-0170(4)(a), (b) and (c) must be available to bathers and a cleansing shower required prior to entering the pool.

[ED. NOTE: Appendices referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-060-0500

RULE TITLE: Wading Pools

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:
(1) GENERAL. Public wading pools require special consideration in their design, due to the small water volume and shallow water depth, to protect the health, safety and welfare of the users because of their age, needs and abilities.
(2) Although public wading pools may differ very little in design from non-regulated fountains; public wading pools are designed to allow and encourage human interactive water usage, while non-regulated fountains are designed solely for visual appreciation.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0505

RULE TITLE: New Wading Pool Construction

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) RECIRCULATION. All public wading pools that have submerged outlets must have at least two outlets for each pump. Each public wading pool, except those in subsection (1)(c) of this rule, must have a recirculation rate that meets or exceeds subsection (1)(a) or (1)(b) of this rule, whichever is greater:

(a) A 60-minute turnover time; or

(b) When skimmers are used, each skimmer must be designed to skim between 30 to 45 gpm water flow, when 70 percent of the recirculation flow is through the skimmers ((# of skimmers) x (30 to 45 gpm design flow)/0.70 = gpm recirculation rate). The skimmer piping must be designed to handle 100 percent of the recirculation rate.

(c) Spray pools, water playgrounds and interactive fountains that do not pond water and that use potable water once and dispose of it without recirculating it are not regulated or licensed by the Division.

(2) SEPARATE SYSTEM. Each public wading pool must have its own separate recirculation system.

(3) SURFACE SKIMMING. The pool must be designed to skim the water surface continuously. The Division may consider overflow structures such as intermittent fixed weir overflow and trench drains, if shown to be comparably compliant to gutter systems. The Division or its agent may consider alternate overflow designs if the designer shows that adequate skimming and water mixing occur when non-traditional designs are proposed.

(a) SKIMMERS must be listed as meeting ANSI/NSF Standard 50 requirements by a nationally recognized testing organization approved by the Division. A skimmer must be provided for every 400 square feet (37 m2) of water surface area or fraction thereof and provide flow in the amount determined in subsection (1)(b) of this rule.

(b) GUTTERS AND TRENCH DRAINS. Gutters allow skimming along the entire edge of the gutter. Generally the gutter extends completely around the perimeter of the pool. A TRENCH DRAIN is used much like a gutter, and is installed in zero-depth areas where an overflow lip cannot be provided. Trench drains are installed at the same angle as the floor. To skim properly, the bottom edge of the trench drains must be level to a very small tolerance and slightly below the water surface.

(A) To determine the minimum amount of surge capacity needed for the pool, add subparagraphs (3)(b)(A)(i) and (ii) of this rule and provide this capacity by installing a surge tank, or any combination of surge tank, gutter, or trench drain:

(i) Provide a minimum surge capacity equal to an amount determined by calculating eight minutes of recirculation flow (8 x recirculation rate = surge capacity); then

(ii) Add the surge needs of any spray feature or water activity system. Allow an amount equal to at least two minutes of feature recirculation flow, or as recommended by the manufacturer, whichever is greater.

(B) Install an automatic fill device, to maintain the water level, on all wading pools with gutters or trench drains.

(4) INLETS. Locate the inlets to evenly distribute treated water to all parts of the wading pool and to move debris to the overflow and drain systems. The designer is responsible for demonstrating that the inlet system will provide adequate circulation to all portions of the wading pool:

(a) Use floor inlets on all wading pools more than 30 feet wide (9.1m), and on zero-depth pools.

(b) In-floor cleaning systems, or other products that may cause a tripping or stubbing hazard, are not allowed.

(c) All inlet fittings must have tamper-proof screws or attachments that cannot be removed except with tools. Inlet fittings will be in place whenever the pool is in use.

(5) SUBMERGED SUCTION FITTINGS AND MAIN DRAINS. All submerged suction fittings must be installed according to the standards below.

(a) Wading pool main drains must be installed in the deepest part of the pool and be designed to minimize tripping and

toe stubbing hazards.
(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.
(c) All hardware and fittings must be supplied by the manufacturer and installed according to the manufacturer's directions.
(d) 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 for which it was approved and the location it is to be placed.
(B) Maintain any documentation about your main drain or 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) Two or more outlets must be provided. They must be separated by at least three feet (measured from the midpoint of the main drain connector pipe centerlines) between the furthest fittings, or be on separate planes, placed such that they cannot be blocked by one person.
(i) The outlets must be sized to handle an equal portion of at least 200 percent of the recirculation flow.
(ii) The outlets must be installed so that they cannot be isolated from one another; no intervening valves.
(iii) The main drain or submerged suction fitting-piping going back to the pump must be located in the hydraulic middle of the fitting connector piping, and must be the same size as the connector piping.
(6) BROKEN OR MISSING GRATE FITTINGS. If the pool operator finds that a suction fitting is broken or missing, they must close the wading pool immediately, shut down the recirculation system and remain closed until the fitting has been replaced.
(7) BASIN DESIGN. The slope of the pool bottom can be no more than 1 in 12. Eight inches (200 mm) is the maximum water depth allowed at any edge of the pool accessible from the deck. When perimeter water depths exceed eight inches (200mm) at the edge of the pool, stairs and handrails complying with the requirements of OAR 333-060-0080(1), (3), (4)(b), (7), (8) and (9), must be provided at the designated entry points.
(8) DECKING. Unobstructed decking, five feet (1.5 m) or more in width must be provided around the wading pool perimeter. When a wading pool is adjacent to a swimming pool, it must be located near the shallow end of the swimming pool, with a minimum of nine feet (2.7 m) of deck between the pools.
(9) ENCLOSURE. Enclose the wading pool area, as required by OAR 333-060-0105. Spray pools, water playgrounds, and fountains that do not pond water may comply with paragraph (11)(c)(E) of this rule in lieu of providing an enclosure.
(10) DEPTH MARKING:
(a) The operator must indicate the maximum pool depth in feet and inches, with a sign near each entrance to the wading pool.
(b) Depth markings must be placed around the pool perimeter indicating the water depth at the edge, following the requirements in OAR 333-060-0065.
(c) Pools with a zero-depth edge are not required to have perimeter depth markings, but are still required to provide the maximum depth signs.
(d) Pools and fountains that do not pond water are not required to have depth markings or maximum depth signs.
(11) SPRAY FEATURES AND PLAY EQUIPMENT. Fountains, sprays, slides and similar features may be installed, if specifically designed for aquatic installation:
(a) WATER SOURCE. Water-using features must be designed and installed to draw their water supply from the main drain or similar fitting, surge tank, trench drains or gutters, but not from the skimmers. The main drain fittings and the

related piping must be sized for 100 percent of the pool recirculation rate plus 100 percent of the capacity of any feature pump routed through the fittings. The sizing of the feature pump must be based on 20 ft. TDH (59,000 Pa), unless the actual TDH is calculated.

(b) EQUIPMENT DESIGN AND INSTALLATION. Play equipment shall be designed and installed to meet all applicable standards of the CPSC Handbook for Playground Safety (2010 edition), and ASTM F2461, Standard Practice for Manufacture, Construction, Operation, and Maintenance of Aquatic Play Equipment — 2009:

(A) Applicable requirements include equipment design and construction, proper anchoring, entrapment protection, protrusion safety, and safety use-zone sizing. All equipment shall be designed for use in pools.

(B) Play equipment must be designed to be difficult to climb, unless the equipment is specifically designed for climbing and provided with safety zones and impact attenuating surfaces acceptable to the Division.

(C) Swings are not allowed.

(D) Obstructions extending from the walls or the bottom of the wading pool are not permitted, unless a designed part of the play equipment, with provisions made for safety and good water circulation.

(E) "Children's Activity Slides" are small, low exit velocity slides designed for use by small children in shallow water. They must be designated by the manufacturer for use in 24 inches (0.6 m) or less of water, and installed as recommended by the manufacturer. Other types of slides are not allowed.

(F) Spray pools, using potable water, must comply with all requirements concerning basin design, materials, entrapment protection, fall protection, and safety during construction of the pool, and must be maintained and operated in a safe and healthy manner.

(c) SPRAY POOLS or WATER PLAYGROUNDS. Spray pools or water playgrounds are basins containing spray features intended for recreational use, but that do not collect water in the basin. If the water is captured and recirculated, the pool shall meet the requirements of OAR, chapter 333, division 60. If potable water is used once and drained to waste, the spray pool or water playground is not regulated or licensed under these rules:

(A) Design spray pools with a zero-depth design, with no walls in the basin.

(B) Spray pools do not require devices for skimming.

(C) All water recirculated through the spray features shall be filtered and sanitized, or from a potable water source. Equipment capable of continuously supplying at least 0.25 ppm additional chlorine to the line returning water to the spray features must be provided, except when potable water is supplied, used once and drained to waste, or all the water is filtered and treated before being sent back to the water features.

(D) Slip-resistant, easy to clean and water impervious surfaces must be installed in the spray basin. Impact attenuating surfaces, basin surfacing materials with shock absorbing properties, for use with equipment addressed in subsection (11)(b) of this rule, will be considered, but must be water impervious, not conducive to bacteria and algae growth, and resistant to vandalism and damage. All impact cushioning materials must be approved by the Division for use in a wet environment.

(E) Spray pools do not require a security enclosure. At least six feet (1.9 m) of deck around the perimeter of the pool basin and sloped away from the basin must be provided.

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0510

RULE TITLE: Existing Wading Pools

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

The requirements in this rule apply to all wading pools built before July 13, 2006.

(1) RETRO-FIT RECIRCULATION SYSTEMS. All water-retaining wading pools need recirculation, filtration, and disinfection. Those wading pools without water recirculation shall be renovated, or phased out of use and removed, before December 31, 2009.

(a) COMPLIANCE. Operators of all wading pools affected by this rule must provide to the Division or its agent, before July 1, 2007, a proposed plan and timetable for renovation or removal of the pool.

(A) The proposed plan and timetable will be reviewed by the Division or agent health department and an acceptable plan and timetable will be negotiated or approved.

(B) Before renovation begins, construction plans, a plan review application and fees must be submitted to the Division or its agent to obtain plan approval.

(C) If a wading pool operator fails to submit a plan by July 1, 2007, or fails to complete renovations or removal by December 31, 2009, the license for the pool will not be renewed:

(i) After December 31, 2009, wading pools without water recirculation systems and without a license to operate, are declared public nuisances under the authority of ORS 448.060; and

(ii) The Division or its agent, in compliance with ORS 448.060 may proceed with abatement of said nuisance.

(b) INTERIM OPERATION. Operators of wading pools that have no recirculation, filtration or disinfection systems must change the water at least every four hours. This may be accomplished by gradual drainage, or by dumping and filling. This may continue until the wading pool is retro-fit or December 31, 2009 whichever comes first. Additional requirements include:

(A) At opening, and every two hours after that, until closing, the water must be tested and a chlorinating product added to reach a residual of 5 ppm.

(B) The water must be drained at closing each day. Before opening again, the basin must be thoroughly rinsed and any debris removed. The basin must be scrubbed at least weekly, with a solution containing at least 50 ppm of chlorine, mixed according to the directions on the chemical container. Potable water must be used to fill the pool and the chlorine level adjusted.

(2)(a) Protection against ENTRAPMENT, HAIR ENTANGLEMENT and EVISCERATION for all suction fittings will be provided on all wading pools, except those addressed in subsection (1)(b) of this rule by December 31, 2008.

(b) COMPLIANCE. If a wading pool operator fails to provide entrapment protection by December 31, 2008 the operator will close the wading pool until either protection is provided and approved by the Division or its agent, or the pool is removed. If corrections are not completed by December 31, 2009, the license for the pool will not be renewed.

(A) Before renovation begins; construction plans, a plan review application and fees must be submitted to the Division or its agent to obtain plan approval.

(B) After December 31, 2009, wading pools without entrapment protection and without a license to operate are declared public nuisances under the authority of ORS 448.060;

(C) The Division or its agent, in compliance with ORS 448.060 may proceed with abatement of said nuisance, including summary abatement, if necessary.

(D) Renovations must meet the requirements of OAR 333-060-0505(5) after June 16, 2009.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0515

RULE TITLE: Wading Pool Operation

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) WATER QUALITY. All wading pools must maintain good water quality using the water quality parameters shown on OAR 333-060-0200 (Table 3). Chlorine residuals must be maintained at a minimum of 2 ppm, except that, compliance with 333-060-0510(1)(b), is required for all wading pools without a recirculation system, except spray pools using potable water once and draining to waste.

(2) TESTING. All wading pools must be tested for water quality and maintained at least every two hours. A record shall be maintained, as required in OAR 333-060-0205(2).

(a) ELECTRONIC MONITORING AND CONTROL EQUIPMENT. All wading pool facilities have until January 1, 2012 to install electronic sanitizer and pH monitoring equipment to control the chemical sanitizer and acid or base feeders. This equipment must measure and adjust the sanitizer residual and pH. New sanitizer monitoring equipment installations must use oxidation-reduction potential (ORP) for measurement of the disinfectant activity, and provide the readout in millivolts (mv) of potential. Readings in parts-per-million (ppm) are not required.

(b) For the operator to qualify for reduced manual testing frequencies, as established in OAR 333-060-0200(3)(d), electronic monitoring equipment reading in millivolts must be certified at least once every 12 months as operating accurately by a service technician trained by the manufacturer, and a minimum of ORP of 750 mv must be maintained.

(c) CERTIFICATION OF THE MONITORING AND CONTROL EQUIPMENT. The certification check, made by the factory trained service technician, includes the probes and electronic equipment. If the equipment is found to need service or parts, the repairs must be made before the unit is certified:

(A) Certification includes testing and standardization of the meter equipment, and the use of standard solutions to verify the accuracy of each probe.

(B) A brightly colored certification tag will be attached to the readout unit of the monitoring equipment by the trained service technician. After the initial certification, the tag will show service and certification for at least the previous 36 months. The tag must show the following:

(i) The name, address, and phone number of the company employing the technician;

(ii) The technician's name;

(iii) The name and address of the facility;

(iv) The make, model, and installation date of the equipment;

(v) A record of all service, dates of service, and re-certification of the equipment for work completed by a trained service technician; and

(vi) When the next certification testing is due.

(C) The calibration programming for the ORP measuring unit must be made inaccessible to the pool operator and non-certification trained personnel.

(D) Upon request by the Division or its agent, the company employing the trained service technician must make available to the Division or its agent, information about the certifying technician's training, training dates, and any manufacturer certification and continuing education or training taken to remain current with the equipment technology. The company must also make information available to the Division about calibration equipment, standardization solutions and certification procedures.

(3) SAFETY SIGNAGE.

(a) Warning signs. Direct supervision of the wading pool must be provided, or warning signs must be placed, in plain view, at the entrance(s) and inside the wading pool area. Each sign is to read, "WARNING: NO LIFEGUARD" in letters at

least 4 inches (100 mm) high, and “PARENTS — Do not leave your children unsupervised” in letters at least 2 inches (50 mm) high. If the pool is a spray pool or water playground without an enclosure, the warning signs must be placed on four sides or not more than 50 feet apart, whichever is less.

(b) Wading Pool Rules. A sign must be posted in a conspicuous location within the pool area that contains the following information in easily readable letters at least 1 inch in height: “Do not use the pool if you have had diarrhea in the last two weeks.” “All persons, who are not toilet trained, must wear swim diapers.” “Drinking and spitting of the pool water is discouraged.” If the operator does not provide direct supervision, add: “For emergency assistance please contact (insert 911, or other emergency assistance site staffed during all hours the wading pool is open).” “Please contact (insert contact person or agency and phone number) with any concerns about this pool”.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0700

RULE TITLE: Enforcement

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) ACCESS. The pool license holder, operator, or responsible supervisor must permit an authorized employee or agent of the Division to enter any public swimming pool or wading pool area, whenever the pool is open, or at any other reasonable time for the purpose of inspecting the pool operation. 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 swimming pool or wading pool, the Division or its agent finds that the 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 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 333-060-0705 prior to notifying the license holder, operator or responsible supervisor in writing of the violations as required in this subsection.

(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 pool in accordance with ORS chapter 183. A license holder shall have 21 days to request a hearing, if desired.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-060-0705

RULE TITLE: Pool Closure Criteria

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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

(2) If a 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 swimming pool or wading pool 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 (i) 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 swimming 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 as established in OAR 333-060-0200(1), 333-060-0515(1) and items (a) thru (h) of Table 3;

(b) WATER QUALITY. Failure to comply with the water quality standards for clarity and bacteria established in OAR 333-060-0200(1), 333-060-0510(1) and items (j) and (k) of Table 3;

(c) TREATMENT EQUIPMENT. A non-operational circulation pump, filter, or disinfectant feeder. With the approval of the local public health authority, when a chemical feeder(s) is inoperative for a few hours while repairs are made, the pool may remain open, if the water chemistry can be maintained manually.

(d) 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 (16km) proximity of the pool at outdoor pools.

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

(f) ENCLOSURES. Enclosures such as fences, doors, gates or windows that are not in compliance with OAR 333-060-0105 or 333-060-0210(7);

(g) SUBMERGED SUCTION FITTINGS. A broken, missing or improperly attached submerged suction fitting, as required by OAR 333-060-0128(3);

(h) FECAL ACCIDENT. A fecal accident occurs or feces is found in the pool; or

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

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

ADOPT: 333-060-1000

RULE TITLE: Aquatic Facilities, Design Standards and Construction

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-060-1000 Aquatic Facilities, Design Standards and Construction
The Model Aquatic Health Code (MAHC) is adopted and incorporated by reference and this rule provides for the changes to that Code that Oregon is adopting.

Adopts Chapter 2.0, Glossary of Terms and Chapter 4.0, Aquatic Facility Design Standards and Construction of the MAHC, and provides for the changes to these chapters that Oregon is adopting.

Chapter 2.0, Glossary of Terms has many changes to the MAHC that Oregon is adopting, but there are some definitions of note:

- "Aquatic Facility" was added to update terminology used to include pools, spas, wading pools and bathhouses.
- "Aquatic Venue" was added to explain the updated terminology used in the MAHC to include the variety of public pool types that are licensed and may be licensed in the future. The variety of pools being proposed was not contemplated at the time the historical rules were written, so this definition is now more accurate. It also brings in specific pool types listed in statute to tie the rules clearly to statutory definitions.
- "Aquatic Venue does not include" was added to clarify the types of venues that are not licensable under ORS chapter 448.

RULE TEXT:

(1) Authority and Purpose. OAR 333-060-1000 to 333-060-1025 (these rules) establish definitions and set standards for construction plan submission, plan approval, design, construction, size, shape, equipment, piping, sanitation and accident prevention for AQUATIC FACILITIES and AQUATIC VENUES as the Oregon Health Authority (AUTHORITY) deems necessary.

(2) Incorporation by Reference. The requirements in the U.S. Public Health Service, Centers for Disease Control and Prevention (CDC), 2023 Model Aquatic Health Code 4th Edition, Chapters 1 through 4 are adopted and incorporated by reference.

(a) For purposes of these rules, the structural nomenclature of the 2023 Model Aquatic Health Code is as follows:

Chapter 9
Part 9.1
Subpart 9.1.1
Section (§) 9.1.1.1
Paragraph (¶) 9.1.1.1.1
Subparagraph 9.1.1.1.1.1

Note: Section numbers with superscript "A" (e.g., 4.0A) denote a corresponding discussion in the Annex to the 2023 Model Aquatic Health Code.

(b) References in these rules to the 2023 Model Aquatic Health Code use the structural nomenclature identified in subsection (2)(a) of this rule.

(3) Deletions. The following are deleted from the 2023 Model Aquatic Health Code as adopted and incorporated by reference, in their entirety:

(a) The term "MAHC" throughout;

(b) Chapter 1, Glossary of Abbreviations;

(c) Chapter 3, Cited Standards and Laws;

(d) Chapter 7 Special Venues; and
(e) MAHC Annex.
(4) Changes to Federal Regulation, Chapter 2.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 2.0, Glossary of Terms as adopted and incorporated by reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:
(a) Delete “Agitated Water.”
(b) Delete “Air Delivery Rate.”
(c) Delete “Air Handling System.”
(d) Delete “Alpha Bar.”
(e) Add "Approved" means approved in writing by the Oregon Health Authority (Authority).
(f) Delete “Aquatic Facility or Aquatic Venue Enclosure.”
(g) Amend “Aquatic Venue” to read: means an artificially constructed structure or modified natural structure where the public is exposed to water intended for recreational or therapeutic purpose and where the primary intended use is not watering livestock, irrigation, water storage, fishing, or habitat for aquatic life. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. Examples include swimming pools, wave pools, lazy rivers, surf pools, spas (including spa pools and hot tubs), waterslide landing pools, spray pads, and other interactive water venues.
(A) Add “Aquatic Venue” subset: "General-Use" means any aquatic venue other than a limited-use aquatic venue. Public swimming pools operated in conjunction with a companion facility but not limited to use of the residents, patrons or members of the companion facility are general-use aquatic venues.
(B) Add “Aquatic Venue” subset: “Limited-Use” means any aquatic venue located at and operated in connection with a companion facility such as a residential housing facility having five or more living units, travelers' accommodations, mobile home park, recreation park, boarding school, organizational camp, dude ranch, club or association where use of the pool is limited to residents, patrons or members of the companion facility.
(C) Amend “Aquatic Venue” subset: “Special Use Aquatic Venue” means aquatic venues that do not meet the intended use and design features of any other aquatic venue or pool listed/identified in these rules which is designed specifically for sporting or recreational purposes.
(h) Amend “Aquatic Venue does not include” to read:
(A) A basin that is drained and refilled with potable water between each use;
(B) A private aquatic venue onboard a watercraft;
(C) A floatation tank; or
(D) A therapy pool.
(i) Add "Athletic club" means a facility constructed to provide athletic or physical conditioning for its members, guests or patrons. It includes but is not limited to racquetball clubs, health spas, and fitness facilities.
(j) Add “Authority” to read: means the Oregon Health Authority.
(k) Amend “Authority Having Jurisdiction” (AHJ) to read: means the Oregon Health Authority, Local Public Health Authority, or an agency, organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, installations, or procedures.
(l) Delete “Average Sound Absorption Coefficient.”
(m) Delete “Background Noise.”
(n) Add “Bather Load Capacity”, see “Maximum Bather Load.”
(o) Add “Bathhouse”, see “Hygiene Facility.”
(p) Add "Builder" means a person who, in the pursuit of an independent business, undertakes, or offers to undertake, or submits a bid, to construct, alter, repair, or improve any aquatic venue and its appurtenances.
(q) Amend “Chlorine” to read: means an element that at room temperature and pressure is a heavy greenish yellow gas with a characteristic penetrating and irritating smell; it is extremely toxic. It can be compressed in liquid form and stored in heavy steel tanks. When mixed with water, chlorine gas forms hypochlorous acid (HOCl), the primary chlorine-based

disinfecting agent, hypochlorite ion, and hydrochloric acid. HOCl dissociation to hypochlorite ion is highly pH dependent. Chlorine is a general term which refers to HOCl and hypochlorite ion in aqueous solution derived from chlorine gas or a variety of chlorine-based disinfecting agents.

(r) Delete “Climate Control System.”

(s) Amend “Deck” to read: means surface areas serving the aquatic venue, including the dry deck, perimeter deck, and pool deck.

(A) “Dry Deck” means all pedestrian surface areas within the enclosure not subject to frequent splashing or constant wet foot traffic. The dry deck is not perimeter deck or pool deck, which connects the pool to adjacent amenities, entrances, and exits. Landscape areas are not included in this definition.

(B) “Perimeter Deck” means the hardscape surface area immediately adjacent to and within 4 feet (1.2 m) of the water’s edge.

(C) “Pool Deck” means surface areas serving the aquatic venue, beyond perimeter deck, which is expected to be regularly trafficked and made wet by bathers.

(t) Add “Electrical Interlock System” means a control mechanism that automatically disables pool equipment operation components like pumps, heaters and chemical feeders during pump failure, inadequate flow, or electrical faults to ensure safety.

(u) Delete “Flat Water.”

(v) Delete “Hot Water.”

(w) Amend “Hygiene Facility” to read: means an enclosed structure or part of a structure that may contains a toilet, shower, diaper-changing unit, handwashing station, and dressing capabilities serving bathers and patrons at an aquatic facility. Also referred to as a bathhouse.

(x) Amend “Indoor Aquatic Facility” to read: means a physical place that contains one or more aquatic venues and the surrounding bather and spectator/stadium seating areas within a structure that meets the definition of “Building” per the Oregon Structural Specialty Code (OSSC). Indoor Aquatic Facility does not include equipment, chemical storage, or bather hygiene rooms or any other rooms with a direct opening to the aquatic facility. Otherwise known as a natatorium.

(y) Amend “Interactive Water Play Aquatic Venue” to read: means any indoor or outdoor installation that includes sprayed, jetted, or other water sources contacting bathers and not incorporating standing or captured water as part of the bather activity area. These aquatic venues are also known as splash pads and spray pads. For the purposes of these rules, only those designed to recirculate water and intended for public use and recreation shall be regulated.

(z) Add “Maximum Bather Load” means the maximum number of bathers allowed in the pool at any given time, as determined by the available pool space, water circulation, and safety standards. It is calculated based on the size of the pool and applicable code requirements to ensure safe usage, proper water quality, and effective emergency response capabilities.

(aa) Delete “Moisture Removal Capacity.”

(bb) Delete “Moisture Removal Efficiency.”

(cc) Amend “Non-Substantial Alteration” to read: means any minor modification, repair, or maintenance work that does not significantly change the pool’s core structure, operational systems, or capacity.

(dd) Amend “Perimeter Gutter System” to read: means a weir or trough around the perimeter of a pool that is used to skim the surface of the water and return the water to the treatment system.

(ee) Add "Person" includes, in addition to the definition of “person” in ORS 174.100, municipalities, recreation districts, counties and state agencies, instrumentalities, or builder.

(ff) Amend “Pool” to read: means a subset of aquatic venues designed to have recirculated standing water that is chemically treated for total or partial bather immersion. This does not include spas.

(gg) Add "Private Swimming Pool" means any aquatic venue owned by no more than four individuals, either jointly, individually or through association, incorporation or otherwise, and operated and maintained in conjunction with a companion residential housing facility having no more than four living units, for the use of the occupants thereof and

their personal friends only. Private swimming pools shall not be subject to the provisions of these rules.
(hh) Delete “Purge.”
(ii) Amend “Qualified Lifeguard” to read: means an individual who has successfully completed a Council for Model Aquatic Health Code-certified lifeguard training program or equivalent approved by the Authority, holds a current certificate for such training, has met the pre-service requirements, and is participating in continuing in-service training requirements of the aquatic facility.
(jj) Amend “Qualified Operator” to read: means a person performing the duties of the responsible supervisor, and responsible for providing direction and training to non-certified responsible supervisors and other pool personnel in regard to pool maintenance and operation. This person shall be certified by an organization providing training in pool safety, maintenance and operation recognized by the Authority. Such courses and organizations include the Certified Pool Operator Program, by the Pool and Hot Tub Alliance, and the Aquatic Facility Operator Program, by the National Recreation and Parks Association, or equivalent, as determined by the Authority.
(kk) Delete “Raceway.”
(ll) Delete “Re-entrainment.”
(mm) Add “Responsible Supervisor” means an individual onsite that is responsible for water treatment operations when a “qualified operator” is not onsite at an aquatic facility.
(nn) Delete “Reverberation.”
(oo) Delete “Reverberation Time – RT60.”
(pp) Amend “Slide” to read: means an aquatic feature where users slide down from an elevated height into water.
(A) “Drop Slide” means a slide that drops bathers into the water from a height above the water versus delivering the bather to the water entry point.
(B) “Pool Slide” means a slide having a configuration as defined in 16 CFR Part 1207 or is similar in construction to a playground slide used to allow users to slide from an elevated height to a pool. They shall include children’s slides and all other non-flume slides that are mounted on the pool deck or within the basin of a pool.
(C) “Waterslide” means a slide that runs into a landing pool or runout through a fabricated channel with flowing water.
(D) "Waterpark slide" means a slide at an aquatic venue, which has a length of at least 20 feet (6.1m), not including the platform.
(qq) Amend “Slip Resistant” to read: means surfaces shall have a minimum dynamic coefficient of friction at least equal to the requirements of ANSI A137.1 and 236 for that installation as measured by the DCOF AcuTest.
(rr) Delete “Sound Absorption.”
(ss) Delete “Sound Transmission Class.”
(tt) Amend “Stadium Seating” to read: means an area of high-occupancy seating provided above the pool level for observation.
(uu) Amend “Substantial Alteration” to read: means any major renovation, construction, or modification that significantly impacts the pool's structural, mechanical, or operational systems.
(vv) Add “Swimming Pool”, see “Pool.”
(ww) Add “These rules” means 333-060-1000 to 333-060-1025.
(xx) Delete “Theoretical Peak Occupancy.”
(yy) Add “Tripping Hazard” means any condition or object within or around the aquatic venue that poses a risk of causing a person to lose their balance, stumble, or fall. This includes, but is not limited to, uneven surfaces, protruding objects, and improperly secured or misplaced pool equipment.
(zz) Add “Underwater Shelf” means a shallow, flat area within a pool that extends horizontally from the pool wall. It is designed to be submerged in water, typically with a depth of 8 to 24 inches, providing a shallow space for lounging, play, or easy entry into the pool. Also referred to as a tanning ledge, sun shelf, or Baja shelf.
(aaa) Add: “Variance" means written permission from the Authority for an aquatic venue to be operated when it does not comply with all the applicable rules for aquatic venues.
(bbb) Delete “Wet Deck.”

(5) Changes to Federal Regulation, Chapter 4.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 4.0, Aquatic Facility Design Standards and Construction as adopted and incorporated by reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:

(a) Amend 4.1.2.2.1.1, Operating Conditions to read: The design documents shall include a record of operating conditions and intended use for each type of VENUE accepted by both the design engineer and owner/operator.

(b) Amend 4.1.2.2.3, Area Design, 1) to read: Design of ENCLOSURE including walls, fencing, entry and exit doors and gates, self- closing and latching hardware, and locks.

(c) Amend 4.1.2.2.4, Aquatic Venue Recirculation and Treatment Design to read: Detailed scaled and dimensional drawings for each individual AQUATIC VENUE shall contain a flow diagram showing the location, plan, elevation, and schematics of:

(A) Filters;

(B) Pumps;

(C) Chemical feeders and interlocks;

(D) Chemical controllers and interlocks;

(E) SECONDARY TREATMENT, if required;

(F) Supplemental disinfection systems, if installed;

(G) Ventilation devices or AIR HANDLING SYSTEMS;

(H) Heaters;

(I) Surge tanks, including operating levels;

(J) BACKFLOW prevention assemblies and air gaps;

(K) Valves;

(L) Piping;

(M) Flow meters;

(N) Gauges;

(O) Thermometers; and

(P) Drainage system for the disposal of AQUATIC VENUE water and filter wastewater.

(d) Delete 4.1.2.3.2, Technical Details.

(e) Delete 4.1.2.3.2.1, Details Not Shown on Plans.

(f) Delete 4.1.2.3.2.2, Intended Use.

(g) Delete 4.1.2.3.2.2.1, Design Criteria Document.

(h) Amend 4.1.2.3.5 to read: Maximum Bather Load The technical specifications for each AQUATIC FACILITY and each AQUATIC VENUE shall include MAXIMUM BATHER LOAD, respectively.

(i) Delete 4.1.2.3.5.1, Used for Designing Systems.

(j) Amend 4.1.2.3.5.2, Incorporate Non-Water Related Areas to read: The MAXIMUM BATHER LOAD for an AQUATIC FACILITY shall be used for designing systems that serve BATHERS and PATRONS and shall incorporate non-water related areas such as DECKS and other adjacent portions of the AQUATIC FACILITY not associated with the AQUATIC VENUE.

(k) Amend 4.1.2.3.5.3, Calculating Maximum Bather Load The MAXIMUM BATHER LOAD shall be calculated by dividing the surface area in square feet of the AQUATIC VENUE by the density factor (D) that fits the specific AQUATIC VENUE being considered. MAXIMUM BATHER LOAD = AQUATIC VENUE Surface Area / D. The density factors (D) are Water/BATHER-related:

(A) Indoor or outdoor swimming pools with a surface area of less than 2,000 square feet = 24 ft2 per BATHER.

(B) Outdoor swimming pools with a surface area of more than 2,000 square feet, where "F" equals the surface area of the pool greater than five feet (1.5m) and "S" equals the surface area of the pool less than five feet (1.5m) deep. (F / 27 ft2 per BATHER) + (S / 15 ft2 per BATHER).

(C) Diving Area = 300 sq. ft. per diving board or platform.

(D) Spas = 10 sq. ft. per BATHER.
(E) WATERSLIDE LANDING POOL density factor = manufacturer-established capacity at any given time.
(F) INTERACTIVE WATER PLAY water density factor = 10 sq. ft. (0.9 m2) per BATHER on surface.
(G) SURF POOL density factor = manufacturer-established capacity at any given time.
(l) Amend 4.1.2.3.5.3.2, Aquatic Facility Maximum Bather Load to read: MAXIMUM BATHER LOAD for an AQUATIC FACILITY shall be determined by adding the calculations for each AQUATIC VENUE in the AQUATIC FACILITY.
(m) Amend 4.1.2.3.6, Equipment Characteristics and Rating to read: The technical specifications and supplemental engineering data for each AQUATIC FACILITY and each AQUATIC VENUE shall include:
(A) Detailed information on the type, size, operating characteristics, and rating of all mechanical and electrical equipment;
(B) Hydraulic computations for head loss in all piping and recirculation equipment;
(C) Pump curves that demonstrate that the selected recirculation pump(s) are adequate for the calculated required flows; and
(D) Documentation per 4.7.3.2.2.3 to demonstrate that the selected disinfectant feeders/equipment are of sufficient size and capacity, including evaluation of the CHLORINE demand factors in 4.7.3.2.2.2.1.
(n) Delete 4.1.2.3.9, Equipment Specifications.
(o) Delete 4.1.2.3.13, Air Filter Media.
(p) Amend 4.1.3.1.4, Plan Review Report to read: The AHJ shall provide a plan submission compliance review list to the AQUATIC FACILITY owner with the following information:
(A) A comment section, keyed to the compliance review list, shall detail unsatisfactory and insufficient findings;
(B) Indication of the AHJ approval or disapproval of the AQUATIC FACILITY construction plans;
(C) In the case of a disapproval, specific reasons for disapproval, and procedure for resubmittal; and
(D) Reviewer's name, signature, and date of review.
(q) Amend 4.1.3.3.2, Replacement Equipment Equivalency to read: The replacement of filters, feeders, controllers, flow meters, valves, or other similar equipment with identical or substantially similar equipment may be done without submission to the AHJ for approval of new or altered AQUATIC FACILITY plans.
(r) Delete 4.1.4, Compliance Certificate.
(s) Delete 4.1.5, Construction Permits.
(t) Amend 4.2.1.1, Construction Material to read: AQUATIC VENUES shall be constructed of reinforced concrete or impervious and structurally sound material(s), which provide a smooth, easily cleaned, watertight structure capable of withstanding the anticipated stresses/loads for full and empty conditions taking into consideration climatic, hydrostatic, seismic, and the integration of the AQUATIC VENUE with other structural conditions and as required by applicable CODES. Prefabricated basins with a water temperature above 60 degrees Fahrenheit with integral filtration and sanitizing equipment are not allowed.
(u) Delete 4.2.1.7.4, Dark Colors.
(v) Amend 4.2.1.8, Slip Resistant to read: POOL floors in areas less than 5 feet (1.5 m) deep shall have a SLIP-RESISTANT finish.
(w) Delete 4.2.2, Indoor Aquatic Facility.
(x) Amend 4.5.4.4. Stairs to read: Stairs shall have a minimum uniform horizontal tread depth of 10 inches (25 cm), and a minimum unobstructed tread width of 24 inches (61.0 cm).
(y) Add 4.5.4.9, Approach Steps to read: Approach steps on the exterior of a raised wall extending above the DECK are required unless the raised wall is 19 inches (48.3 cm) or less in height above the DECK and serves as a transfer tier or pivot-seated entry. If no other entry points are provided and the water depth exceeds 24 inches, approach steps must be installed to ensure safe and accessible entry into the AQUATIC VENUE.
(A) Exterior Steps:
(i) Steps located on the outside of the wall must meet the standards for the Building Codes Division;
(ii) A handrail shall be provided along both sides of the stairs having one or more risers, including the riser to the deck;

(iii) Handrails shall be located at the outside edge of the stairs or spaced apart a minimum distance of 36 inches;
(iv) Dimensions of handrails shall conform to requirements of Table 4.5.5.7 and Figure 4.5.5.7.1; and
(v) Handrails shall return to the AQUATIC VENUE wall, guard or deck or shall be continuous to the handrail of an adjacent stair.
(B) Interior Steps:
(i) Stairway treads shall have a minimum unobstructed horizontal tread depth of 10" and a minimum unobstructed surface area of 240 square inches;
(ii) Stair risers must conform to the requirements of 4.5.4.6;
(iii) Handrails shall be located at the outside edge of the stairs or spaced apart a minimum distance of 36 inches;
(iv) Dimensions of handrails shall conform to requirements of Table 4.5.5.7 and Figure 4.5.5.7.1;
(v) Handrails shall return to the spa pool wall, guard or deck or shall be continuous to the handrail of an adjacent stair; and
(vi) The leading horizontal edge or vertical edge (if applicable) of the interior spa steps shall be outlined with a continuous slip-resistant color contrasting tile or other permanent marking of not less than three-quarters of an inch and not greater than two inches.
(z) Amend 4.5.5.4, Wider Than Five Feet to read: Stairs wider than five feet (1.5 m) shall have handrails at either side and spaced not more than every 12 feet (3.7 m) apart across the entire stair width, or as approved by the AHJ.
(aa) Delete 4.5.5.5, ADAAG Accessibility.
(bb) Delete 4.5.9.4, Rope and Float Line.
(cc) Delete 4.5.10, Disabled Access.
(dd) Amend 4.5.13.1, Withstand Loads to read: The AQUATIC VENUE shall be watertight, constructed of waterproof and enduring materials compatible with the swimming pool environment and shall be designed to withstand all anticipated loading for both pool-empty and pool-full conditions.
(ee) Delete 4.5.13.3, Freezing.
(ff) Delete 4.5.15.1, Perimeter Restrictions.
(gg) Amend 4.5.16.2, Outlined Edges to read: The leading horizontal edge of UNDERWATER BENCHES shall be outlined with a continuous slip-resistant, color-contrasting tile or other permanent marking of not less than three-quarters of an inch (1.9 cm) and not greater than three inches (7.6 cm). If diamond markers are used in place of continuous markings, each marker must be at least two inches by two inches in size, spaced no more than 10 inches apart center-to-center, positioned on the leading horizontal edge, slip-resistant, and in a contrasting color to the background.
(hh) Amend 4.5.16.4, Maximum Seat Depth to read: The maximum submerged depth of any seat or sitting bench shall be 24 inches (61 cm) measured from the water line.
(ii) Add: 4.5.16.5, Additional Requirements UNDERWATER BENCHES in a POOL must:
(A) Be positioned to avoid interference with lap swimming.
(B) Have the ROPE AND FLOAT LINE positioned at least six inches away from the vertical face of the UNDERWATER BENCH, if applicable.
(C) Have QUALIFIED LIFEGUARDS on duty during all operating hours unless located within a senior living facility.
(D) Have “No Diving” markers installed in accordance with 4.5.19.4.1 on the deck adjacent to the UNDERWATER BENCH.
(jj) Amend 4.5.18.2, Nosing to read: UNDERWATER SHELVES shall have SLIP-RESISTANT, color-contrasting nosing at the leading horizontal edges and should be clearly visible from the DECK or from underwater.
(kk) Amend 4.5.18.3 to read: UNDERWATER SHELVES shall have a maximum depth of 12 inches (30.5 cm).
(ll) Add 4.5.18.5, Other Standards:
(A) Must have steps leading into water depths no greater than three feet, six inches.
(B) Must provide a turnover rate of 60 minutes or less.
(C) Skimmers must be placed in locations to provide effective skimming or have a perimeter overflow system (gutter).
(D) Floor inlets must be provided (1 per 400 sq. ft.).

(E) Include signage "All children must be supervised by an adult" in letters at least two inches high. Signs must be placed within 10 feet of the underwater shelf.
(mm) Delete 4.5.19.7, Non-Traditional Aquatic Venues.
(nn) Amend 4.5.21.2, Justification to read: The DESIGN PROFESSIONAL shall provide justification to support variance requests in accordance with 5.2.3 for design parameters that do not meet the design STANDARDS and construction requirements listed in Chapter 4.0.
(oo) Delete 4.6.1.7, Emergency Lighting.
(pp) Amend 4.6.2.1, Purpose to read: An AQUATIC VENUE 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 AQUATIC VENUES.
(qq) Amend 4.6.2.2, Exemptions to read: Indoor aquatic facility ventilation requirements do not apply to AQUATIC VENUES or AQUATIC FACILITIES built or renovated prior to September 1, 2014.
(rr) Delete 4.6.2.3, Indoor Aquatic Facility.
(ss) Delete 4.6.2.4, Mechanical Code.
(tt) Delete 4.6.2.5, ASHRAE 62.1 Compliance.
(uu) Delete 4.6.2.6, Temperature and Humidity Control.
(vv) Delete 4.6.2.7, Performance Requirements for Air Handling Systems.
(ww) Delete 4.6.2.8, Air Handling System Installation.
(xx) Delete 4.6.2.9, Air Handling System Commissioning.
(yy) Delete 4.6.3, Indoor/Outdoor Aquatic Facility Electrical Systems and Components.
(zz) Amend 4.6.4.2, Pressure Relief Device to read: A listed pressure-relief device shall be installed to limit the pressure on the heating equipment to 50 psig or no more than the maximum value specified by the heating-equipment manufacturer and applicable CODES.
(aaa) Delete 4.6.6, Emergency Exit.
(bbb) Amend 4.6.7.1, Provided to read: A drinking fountain shall be provided inside a GENERAL USE AQUATIC FACILITY and shall be CERTIFIED, LISTED, AND LABELED to NSF/ANSI 61-2020 and, if electric, UL 399.
(ccc) Amend 4.6.7.5, Potable Water Supply to read: The drinking fountain shall be supplied with water from an approved potable water supply that complies with OAR chapter 333, division 61.
(ddd) Amend 4.6.9.1, Meet AHJ Requirements to read: Concessions for food and drink in an AQUATIC FACILITY shall meet all AHJ requirements and be located outside the PERIMETER DECK.
(eee) Amend 4.6.10.1, Within Aquatic Facility Enclosure to read: An area designed for use by spectators may be located within an AQUATIC FACILITY ENCLOSURE. Spectators must be outside the PERIMETER DECK AREA.
(fff) Delete 4.6.10.2, Deck.
(ggg) Delete 4.6.11, Indoor Aquatic Facility Acoustics.
(hhh) Amend 4.7.1.1.1, Equipped and Operated to read: Each AQUATIC VENUE shall be equipped and operated with an individual recirculation and filtration system capable of meeting the provisions outlined in Part 4.7, except for an ACTIVITY POOL as outlined in 4.7.1.2.
(iii) Amend 4.7.1.2.1, Maintain and Measure to read: When treatment systems of multiple AQUATIC VENUES are combined as part of an ACTIVITY POOL, the design shall include all appurtenances to maintain and measure the required water characteristics including but not limited to flow rate, pH, and disinfectant concentration in each AQUATIC VENUE or AQUATIC FEATURE.
(jjj) Amend 4.7.1.4.1.1, Skimming, to read: All POOLS shall be designed to provide SKIMMING for the entire POOL surface area with engineering rationale provided by the DESIGN PROFESSIONAL.
(A) A perimeter- type overflow system shall be used for AQUATIC VENUES which are greater than 30 feet (9.1m) in width or have more than 2,500 square feet of surface area.
(B) A skimmer-type overflow system may be used for AQUATIC VENUES less than 30 feet (9.1m) in width or with less than 2,500 square feet of surface area.

(kkk) Amend 4.7.1.4.6.1, Automatic Makeup to read: Automatic makeup water supply equipment shall be provided to maintain continuous skimming of AQUATIC VENUES with Perimeter Overflow Systems.
(lll) Amend 4.7.1.5.1.2, Provided to read: Where SKIMMERS are used, at least one surface SKIMMER shall be provided for each 400 square feet (37 m2) of surface area or fraction thereof.
(mmm) Delete 4.7.1.5.1.4, Design Capacity.
(nnn) Delete 4.7.1.5.1.5, Pool Width Limitations.
(ooo) Amend 4.7.1.5.2.1, Effective to read: SKIMMERS shall be so located as to provide effective skimming of the entire water surface. Skimmer equalizer lines accessible to the public are prohibited.
(ppp) Delete 4.7.1.5.2.2, Steps and Recessed Areas.
(qqq) Delete 4.7.1.5.2.3, Wind Direction.
(rrr) Delete 4.7.1.5.4.2, Trimmer Valve.
(sss) Amend 4.7.1.6.2, Number and Location to read: POOLS must have at least two outlets. Except for:
(A) Reverse Flow POOLS, where the drain is not connected to the recirculation system but is provided for drainage of the pool through an air-gap connection to the sanitary sewer.
(B) Other suction-fitting arrangement that allows the drainage of the POOL through an air-gap connection to the sanitary sewer, or other approved location, while also providing entrapment protection.
(C) POOLS with no drain system, with provisions to completely drain the pool to the sanitary sewer or other approved location, by other means that have entrapment protection.
(D) WADING POOLS shall not have main drains installed.
(E) Facilities licensed with a single main drain and in continuous operation prior to the adoption of this code, shall be equipped with either a secondary anti-entrapment device or a single unblockable drain, in compliance with the requirements of the Virginia Graeme Baker Pool and Spa Safety Act (VGBA). These upgrades must be completed within three years from the adoption of this code to ensure compliance with federal pool safety standards.
(ttt) Amend 4.7.1.6.2.1, Location to read: SOFAs or outlets may be located on the bottom or side wall. Maintenance drains and SOFAs used to drain the POOL shall be located on the bottom and at the deepest point to achieve the objective of 4.5.2.3. POOLs with SOFAs or outlets on the side wall must have provisions to completely drain the pool to the sanitary sewer or other approved location, by other means that have entrapment protection.
(uuu) Amend 4.7.1.6.2.2, Spaced to read: Outlets shall be separated by at least 3 feet (915mm) between the furthest fittings or be on separate planes and measured from the main drain connector pipe centerline. They shall be placed so the floor and wall suction fittings cannot be easily blocked at the same time. Maximum separation distances shall be specified by SOFA- specific installation instructions.
(vvv) Amend 4.7.1.7.1.1, Materials to read: Piping system components in contact with POOL water shall be of non-toxic material, resistant to corrosion, able to withstand operating pressures, chemicals, and temperatures.
(www) Delete 4.7.1.7.3.1, Temperature Variation.
(xxx) Delete 4.7.1.7.5, Testing.
(yyy) Delete 4.7.1.8.2, Materials.
(zzz) Add 4.7.1.8.2.8, Materials to read: Pumps shall be CERTIFIED, LISTED, AND LABELED to NSF/ANSI 50.
(aaaa) Amend Table 4.7.1.10, Aquatic Venue Maximum Allowable Turnover Times, as provided in the ED. NOTE at the end of this rule.
(bbbb) Amend 4.7.2.2.1.2, Filtration Accessories to read: Filtration accessories shall include the following items:
(A) Influent pressure gauge; and
(B) Manual air relief system.
(cccc) Amend 4.7.2.2.3.1, Operate to read: High-rate granular media filters shall be designed to operate at 18 GPM per square foot of filter media or that rate approved by the manufacturer for that particular filter, whichever is less. Pools constructed prior to May1, 1986, may continue to use filters sized at 20 GPM per square foot of filter media until replaced.
(dddd) Delete 4.7.2.2.4, Minimum Filter Media Depth Requirements.

(eeee) Delete 4.7.2.2.5, Differential Pressure Measurement Gauges.
(ffff) Amend 4.7.2.4.1, Filtration Rates to read: The design filtration rate for surface-type cartridge filter shall not exceed 375 GPM per square foot.
(gggg) Delete 4.7.2.4.3, Spare Cartridge.
(hhhh) Amend 4.7.3.1.1, Disinfection and pH to read: DISINFECTION and pH control chemicals shall be automatically introduced through the RECIRCULATION SYSTEM for new construction or SUBSTANTIAL ALTERATION to an existing AQUATIC FACILITY.
(iiii) Amend 4.7.3.1.1.1, Controller Used to read: A chemical controller, as specified in 4.7.3.2.8 shall be provided and used for MONITORING and control of disinfectant and pH feed equipment for new construction or SUBSTANTIAL ALTERATION to an existing AQUATIC FACILITY.
(jjjj) Amend 4.7.3.2.1.1, Required to read: Chemical feeders shall be required in new or SUBSTANTIALLY ALTERED AQUATIC VENUES upon adoption of this CODE.
(kkkk) Amend 4.7.3.2.1.2, Feeders & Devices to read: The AQUATIC VENUE shall be equipped with chemical feed equipment such as flow-through chemical feeders, electrolytic chemical generators, mechanical chemical feeders, chemical feed pumps, and AUTOMATED CONTROLLERS that are CERTIFIED, LISTED, AND LABELED to NSF-ANSI 50 by an ANSI-accredited certification organization.
(llll) Amend 4.7.3.2.1.3, Interlock Controls and No or Low Flow Deactivation to read: For all new or SUBSTANTIALLY ALTERED AQUATIC VENUES, all chemical control and feed systems shall be provided with an automatic means to disable all chemical feeders for each VENUE or portion of a VENUE in the event of a low flow or no flow condition. This shall be accomplished through an electrical interlock consisting of at least two of the following:
(A) Recirculation pump power monitor;
(B) Flow meter/flow switch in the return line; or
(C) Flow meter/flow switch at the chemical controller.
(mmmm) Amend 4.7.3.2.1.4.1, Protective Cover to read: A protective cover shall be installed between chemical feed pumps supplying acid or liquid hypochlorite solution and other POOL components to shield staff and equipment from chemical sprays from leaking connections.
(nnnn) Amend 4.7.3.2.2.1, Sizing to read: Feeders shall be capable of supplying disinfectant and pH control chemicals to the AQUATIC VENUE to maintain the DISINFECTION levels and pH at all times in accordance with these rules.
(oooo) Delete 4.7.3.2.2.1, Chlorine Demand Factors.
(pppp) Delete 4.7.3.2.2.3, Documentation.
(qqqq) Amend 4.7.3.2.6.7, Interlock to read: The generator(s) shall be interlocked for all new or SUBSTANTIALLY ALTERED AQUATIC VENUES per 4.7.3.2.1.3.
(rrrr) Amend 4.7.3.2.7.1, Provided to read: Feeders for pH adjustment shall be provided on all new and SUBSTANTIALLY ALTERED AQUATIC VENUES as in 4.7.3.2.1.2.
(ssss) Amend 4.7.3.2.8.1, Required to read: AUTOMATED CONTROLLERS shall be installed for MONITORING and turning on or off chemical feeders used for pH and disinfectants at all new AQUATIC VENUES.
(tttt) Amend 4.7.3.2.8.1.1 Existing Aquatic Venues to read: For existing AQUATIC VENUES, AUTOMATED CONTROLLERS shall be required at the time of a SUBSTANTIAL ALTERATION of the disinfection system.
(uuuu) Amend 4.7.3.3.1.2, Required Facilities to read: The new construction or SUBSTANTIAL ALTERATION of the following INCREASED RISK AQUATIC VENUES, such as AQUATIC VENUES designed primarily for children under five years old, shall be required to use a SECONDARY TREATMENT after adoption of this CODE:
(vvvv) Delete 4.7.3.3.2.1, Log Activation.
(wwww) Delete 4.7.3.3.2.4, Minimum Flow Rate Calculation.
(xxxx) Delete 4.7.3.3.2.5, Equation.
(yyyy) Delete 4.7.3.3.2.6, Time for Dilution Reduction.
(zzzz) Delete 4.7.3.3.2.7, Flow Rate Measurements.
(aaaaa) Amend 4.7.3.3.3.1.1, Validation Standard to read: The EPA Ultraviolet Disinfectant Guidance Manual shall be

considered a recognized national STANDARD in these rules.
(bbbbb) Amend 4.7.3.3.3.2, Suitable for Intended Use to read; UV systems and all materials used therein shall be suitable for their intended use and be installed:
(A) In accordance with these rules;
(B) As CERTIFIED, LISTED AND LABELED to a specific STANDARD by an ANSI-accredited certification organization; and
(C) As specified by the manufacturer.
(ccccc) Amend 4.7.3.3.3.4, Electrically Interlocked to read: For new AQUATIC VENUES, SUBSTANTIAL ALTERATIONS or replacements, the equipment shall be electrically interlocked with feature pump(s) or automated feature supply valves, such that when the UV equipment fails to produce the required dosage as measured by automated sensor, the water features do not operate.
(ddddd) Delete 4.7.3.3.3.5.1, Multiple Lamps.
(eeeee) Delete 4.7.3.3.3.5.2, Fewer Sensors.
(fffff) Delete 4.7.3.3.3.8, Manufacturer Log Inactivation Chart.
(ggggg) Delete 4.7.3.3.3.9, Minimum RED.
(hhhhh) Delete 4.7.3.3.3.10, Recommended Validation Protocol.
(iiiii) Delete 4.7.3.3.4.1, Log Inactivation.
(jjjjj) Delete 4.7.3.3.4.2, Onsite Measurement.
(kkkkk) Amend 4.7.3.5.1, Compliance to read: WQTDS and kits shall be CERTIFIED, LISTED, AND LABELED to NSF/ANSI 50 by an ANSI-accredited certification organization or as approved by the AUTHORITY.
(lllll) Delete 4.8.1.4.5, Dry Deck.
(mmmmm) Delete 4.8.1.4.6.1, Stable materials.
(nnnnn) Delete 4.8.1.5.1.1.1, Circulation Path.
(ooooo) Delete 4.8.1.5.2.2, Circulation Path.
(ppppp) Delete 4.8.1.5.2.3, Queuing Space.
(qqqqq) Delete 4.8.1.5.2.4, Free Space.
(rrrrr) Delete 4.8.1.5.3, Circulation Path.
(sssss) Delete 4.8.1.8, Heated Decks.
(ttttt) Add 4.8.5.3.4, Automatic External Defibrillators (AED) All general-use pools, and pools at health clubs serving 100 patrons or more a day, must provide an AED on-site and accessible for use.
(A) The AED must be maintained, inspected and serviced, including the battery and electrodes according to the guidelines set forth by the manufacturer.
(B) There must be a sufficient number of employees, including all lifeguards, trained in the use of the AED so that there is one on-site whenever the pool is open.
(C) The AED must be stored in a location from which the AED is accessible and can be quickly retrieved.
(D) Signage must be provided that indicates the location of the AED.
(E) A policy must be developed for the use of the AED, including the need to contact 911 as soon as possible after identifying the incident. This policy should be made available to facility staff and must be posted with the AED.
(uuuuu) Amend 4.8.6.2.1, Discourage Climbing to read: ENCLOSURES shall be designed to discourage climbing from outside the enclosure and be located at an AQUATIC VENUE or an AQUATIC FACILITY to prevent access to nearby structures to simplify climbing over it, such as light poles, site furnishings, overhanging tree limbs or other obvious footholds or handholds. A foothold and handhold must have a minimum separation distance of 54 inches from top to top.
(vvvvv) Amend 4.8.6.2.1.1, Horizontal Mid-Rails to read: Horizontal mid-rails shall have a minimum separation distance of 42 inches (1.07 m) from either the top or bottom of the fence.
(wwwww) Amend 4.8.6.2.1.2, Mesh Fencing to read: Chain-link fencing constructed of a maximum opening of 1-3/4 inches (44.4 mm) mesh shall be permitted. Mesh openings greater than 1-3/4 inches may have vertical slats installed.

(xxxxx) Add 4.8.6.2.1.3, Footholds and Handholds All exterior projections or recessions must have a minimum separation distance of 42 inches (1.07 m) from either the top or bottom of the fence.
(yyyyy) Add 4.8.6.2.1.4, Objects and Furnishings Items such as electrical/cable boxes, speakers, BBQ grills, tables, chairs, planters, trash bins, parked vehicles, shall not be within 42 inches of the enclosure.
(zzzzz) Delete 4.8.6.2.2, Emergency Exit Paths.
(aaaaaa) Delete 4.8.6.2.2.1, Pathways.
(bbbbbb) Delete 4.8.6.2.2.2, Exit Pathway.
(cccccc) Amend 4.8.6.2.2.3, Seasonal Separation to read: Seasonal separation may be employed at seasonally operated AQUATIC VENUES but shall be subject to the same physical requirements of permanent ENCLOSURES for AQUATIC VENUES in 4.8.6, except the minimum height of the enclosure must be 4 feet.
(dddddd) Delete 4.8.6.2.3.1, Opened.
(eeeeee) Amend 4.8.6.2.4, Height to read: ENCLOSURES shall be no less than 6 feet (1.83 m) in height.
(ffffff) Amend 4.8.6.2.4.3, Other Barriers Not Serving as Part of the Enclosure to read: Except where otherwise noted, all other BARRIERS not serving as part of an ENCLOSURE shall not be less than 42 inches (1.1 m) in height.
(gggggg) Amend 4.8.6.2.5, Clearance Above Grade, to read: The maximum vertical clearance at the bottom of the ENCLOSURE when measured on the side of the ENCLOSURE facing away from the enclosed space, shall not exceed:
(A) Two inches (5.1 cm) above grade when the ENCLOSURE rests on a non-solid surface, including grass or gravel or
(B) Four inches (10.2 cm) above grade when the ENCLOSURE rests on a solid surface.
(hhhhhh) Add 4.8.6.2.6, Spacing Separation between vertical sections and bars shall be a maximum of four inches (100mm),
(iiiiii) Amend 4.8.6.3.1, Self-Closing and Latching to read: All primary public access gates or doors serving as part of an AQUATIC FACILITY ENCLOSURE or required ENCLOSURE shall be self-closing and self- latching from any open position.
(jjjjjj) Amend 4.8.6.3.1.1, Self-latching Device Height to read: Operable parts of the release latch on self-latching devices shall be located 4-1/2 feet (1.4 m) above finished grade. Latches may not be operated from outside the enclosure.
(kkkkkk) Delete 4.8.6.3.1.4, Emergency Egress.
(llllll) Delete 4.8.6.3.1.6.1, Exception 1.
(mmmmmm) Delete 4.8.6.3.1.6.2, Exception 2: Lifeguard(s) Provided.
(nnnnnn) Delete 4.8.6.3.2, Gates.
(oooooo) Amend 4.8.6.3.5, Swing Outward to read: All ENCLOSURE gates, doors and EXIT GATES shall swing away from the AQUATIC VENUE. Fire exiting from other parts of a facility through the pool is not allowed.
(pppppp) Delete 4.8.6.3.6, Absence of Building Codes.
(qqqqqq) Add 4.8.6.3.7, Separate Activity Areas to read: All non-pool activity areas, including but not limited to, BBQ areas, playgrounds, game areas, and similar spaces not directly related to pool activities, must be located outside of the ENCLOSURE.
(rrrrrr) Amend 4.8.6.4.3, Indoor and Outdoor Aquatic Venues to read: Where separate indoor and outdoor AQUATIC VENUES are located on the same site, an ENCLOSURE shall be provided between them.
(ssssss) Delete 4.8.6.4.4, Wall Separating.
(tttttt) Delete 4.9.1.7, Separation from Chemical Storage Spaces.
(uuuuuu) Add 4.9.1.8.5, Chemical Separation to read: All chemicals and chemical equipment must be properly stored and installed to reduce or prevent injury.
(vvvvvv) Add 4.9.1.8.5.1, Elevation of Chemicals to read: All stored chemicals and equipment containing chemicals must be elevated above the floor level in equipment rooms or any areas prone to water accumulation.
(wwwwww) Add 4.9.1.8.5.2, Non-Combustible Support Materials to read: Materials used to elevate stored chemicals must be non-combustible.
(xxxxxx) Add 4.9.1.8.5.3, Separation to read: Stored chemicals and equipment that contain combustible materials must be separated by a method approved by the Oregon Fire Code (OFC) or Building Codes Division (BCD).

(yyyyyy) Add 4.9.1.8.44.9.1.8.5.4, Storage of Incompatible Chemicals to read: Whenever incompatible chemicals are stored in the same area, they must, at a minimum, be stored on separate spill-proof pallets to prevent cross-contamination or reaction.
(zzzzzz) Delete 4.9.2, Chemical Storage Spaces, sections 4.9.2.1 through 4.9.2.9.
(aaaaaaa) Delete 4.9.2.10.2, Emergency Ventilation.
(bbbbbbb) Delete 4.9.2.10.3, Below Grade.
(ccccccc) Amend 4.10.1.1.1, At Time of Adoption, Exception: to read: the following sections shall be required for all new or SUBSTANTIALLY ALTERED AQUATIC FACILITIES at time of adoption:
(A) 4.10.4.5: Diaper-changing stations;
(B) 4.10.4.6.5: Soap Dispensers; and
(C) 4.10.4.6.9: Trash Can.
(ddddddd) Amend 4.10.1.4 to read: Minimum Toilets, Urinals, and Other Fixtures The minimum number of toilets, urinals, and other HYGIENE FIXTURES provided, excluding SHOWERS, shall be the greater of the following two options:
(A) In accordance with all applicable local, state, territorial, federal, and Tribal laws or
(B) Based upon MAXIMUM BATHER LOAD of each aquatic venue.
(eeeeeee) Delete 4.10.1.5, Theoretical Peak Occupancy.
(fffffff) Amend 4.10.2.1, Distance to read: A drinking fountain, toilet, HANDWASHING STATION, and DIAPER-CHANGING STATION shall be located no greater than 200 feet (91 m) walking distance from each AQUATIC VENUE.
(ggggggg) Delete 4.10.2.2, Children Less than Five Years of Age.
(hhhhhhh) Delete 4.10.3.3.2.1, Accessible Routes.
(iiiiiii) Amend 4.10.4.1.3, Toilet Counts to read: One unisex restroom must be provided. Total toilet or urinal counts shall be in accordance with 4.10.1.4.
(jjjjjjj) Amend 4.10.4.2.1, Count to read: The number of required CLEANSING SHOWERS shall be determined based on the maximum bather load, with one shower required for every 40 users, or a fraction thereof. A minimum of two showers must be provided, ensuring one is available per sex. For spa pools, only one CLEANSING SHOWER is required for every 40 users or a fraction thereof if unisex showers are provided. If unisex showers are not available, a minimum of two showers must be provided, with one designated for each sex.
(kkkkkkk) Delete 4.10.4.2.1.1, Additional Cleansing Showers.
(lllllll) Amend 4.10.4.3.1, Minimum and Location to read: A minimum of one RINSE SHOWER shall be provided on the DECK near an entry point to the AQUATIC VENUE. Additional RINSE SHOWERs may be required at the discretion of the AHJ.
(mmmmmmm) Delete 4.10.4.3.4, Large Aquatic Facilities.
(nnnnnnn) Delete 4.10.4.3.5, Beach Entry.
(ooooooo) Delete 4.10.4.3.6, Lazy River.
(ppppppp) Delete 4.10.4.3.7, Waterslide.
(qqqqqqq) Amend 4.10.4.4, All Showers to read: AQUATIC FACILITIES with 7500 square feet (697 m2) of water area or more may be flexible in the number of CLEANSING SHOWERS they provide based on the MAXIMUM BATHER LOAD in 4.1.2.3.5:
(rrrrrrr) Amend 4.10.4.5.1, Each Facility to read: All new or SUBSTANTIALLY ALTERED AQUATIC FACILITIES allowing use by diaper-aged BATHERS shall have at least one DIAPER-CHANGING STATION in each male and female HYGIENE FACILITY or make available a unisex DIAPER-CHANGING STATION.
(sssssss) Amend 4.10.4.5.1.1, Hand Wash Sink to read: All new or SUBSTANTIALLY ALTERED AQUATIC FACILITIES, shall install an adjacent plumbed handwashing sink.
(ttttttt) Delete 4.10.4.5.1.2, Portable.
(uuuuuuu) Amend 4.10.4.6.8, Female Facilities to read: In female HYGIENE FACILITIES, covered receptacles adjacent to each toilet shall be provided for disposal of used feminine hygiene products.

(vvvvvvv) Delete 4.10.7, Sharps.
(wwwwwww) Amend 4.10.1.4, Minimum Toilets, Urinals, and Other Fixtures to read: The minimum number of toilets, urinals, and other HYGIENE FIXTURES provided, excluding SHOWERS, shall be the greater of the following two options:
(A) In accordance with all applicable local, state, territorial, federal, and tribal laws or
(B) Based upon MAXIMUM BATHER LOAD of each aquatic venue. Women, one per 40 pool users or fraction thereof; Men, one per 60 pool user or fraction thereof (urinals shall be an acceptable substitute for no more than one-half of the toilets).
(xxxxxxx) Amend 4.11.1.1, Public Water System to read: Water serving an AQUATIC FACILITY shall be supplied from a potable water source in compliance with OAR chapter 333, division 61.
(yyyyyyy) Delete 4.12.1.2.1, Exercise Spas.
(zzzzzzz) Delete 4.12.1.5.1, Lower Ratio.
(aaaaaaaa) Amend 4.12.2.5.2, Landing Area to read: If the WATERSLIDE FLUME ends in a POOL, the landing area shall be divided from the rest of the AQUATIC VENUE by a ROPE AND FLOAT LINE, WING WALL, PENINSULA, or other similar feature to prevent collisions with other BATHERS.
(bbbbbbbb) Amend 4.12.3.1.1, Additional Provisions to read: In addition to the general POOL requirements stated in this CODE, WAVE POOLS shall comply with the additional provisions or reliefs of this section.
(cccccccc) Amend 4.12.3.2.1.2, Handrails to read: If provided, shall be designed in such a way that they do not present a potential for injury or entrapment with WAVE POOL BATHERS.
(ddddddd) Delete 4.12.4, Therapy Pools.
(eeeeeeee) Amend 4.12.8.7, Deck Area to read: INTERACTIVE WATER PLAY VENUES shall be kept free of landscape debris by either:
(A) Eight feet (2.4 m) of DECK area; or
(B) Raised curbs.
(ffffffff) Amend 4.12.8.8, Barrier, Separation by Distance to read: The INTERACTIVE WATER PLAY VENUE must be separated by a distance of at least 15 feet (4.6 m) from other bodies of water and located at the shallow end of all pools.
(gggggggg) Delete 4.12.8.8.1, Exception: Separated by Distance.
(hhhhhhhh) Amend 4.12.8.12, Signage to read: Depth markings shall not be required for INTERACTIVE WATER PLAY VENUES and warning signs shall have the following information or text complying with the intent of the information below. If the venue is without an enclosure, the warning signs must be placed on four sides or not more than 50 feet apart, whichever is less.
(A) "WARNING: NO LIFEGUARD" in letters at least four inches (100 mm) high
(B) Do not use the pool if you have had diarrhea in the last two weeks.
(C) All persons, who are not toilet trained, must wear swim diapers.
(D) Do not poop or pee in the water.
(E) Do not swallow or spit water.
(F) Do not leave children unsupervised.
(G) If the operator does not provide direct supervision, add: "For emergency assistance please (insert contact 911, or other emergency assistance site staffed during all hours the wading pool is open)" and “Please contact (insert contact person or agency and phone number) with any concerns about this pool".
(iiiiiiii) Amend 4.12.9.2, Barrier to read: 4.12.9.2, Separation For new and SUBSTANTIALLY ALTERED WADING POOLS, a WADING POOL shall be separated by 15 feet (4.6 m) from other BODIES OF WATER and located closest to the shallow end of a POOL.
(jjjjjjj) Amend 4.12.9.2.1, Complete Barrier to read: 4.12.9.2.1 Barrier A BARRIER between a WADING POOL and other BODIES OF WATER is not required.
(kkkkkkk) Amend 4.12.9.2.2, to read: Shallow Water WADING POOLS near other WADING POOLS shall not be required to be separated by 15 feet (4.6m).

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, ORS 448.990

OAR 333-060-1000(5) Changes to Federal Regulation, Chapter 4.0

All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code.

Paragraph 4.5.4.5 references Table 4.5.4.5, Figure 4.5.4.5.1, and Figure 4.5.4.5.2

Table 4.5.4.5: Required Dimensions for Stair Treads and Risers

Dimensions	T-1 Standard	T-2	W-1	H-1
Minimum	10 inches *(25 cm)*	T-1	24 inches *(61.0 cm)*	6 inches *(15.2 cm)*
Maximum	18 inches *(45.7 cm)*	T-1	N/A	12 inches *(30.5 cm)*

Figure 4.5.4.5.1: Stair Treads and Risers: Side View

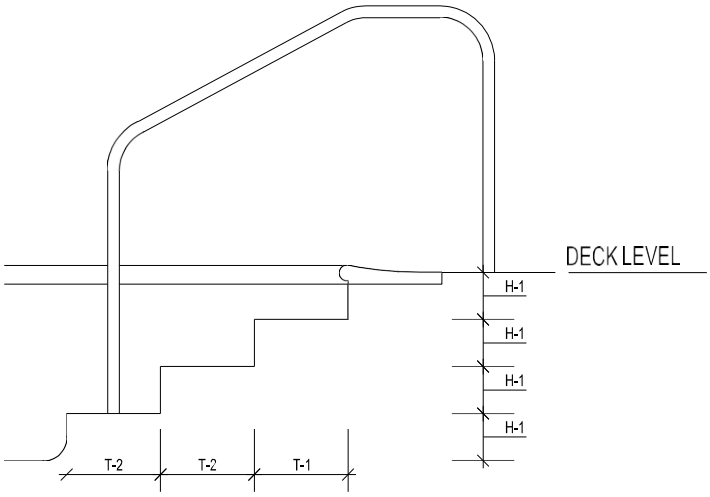
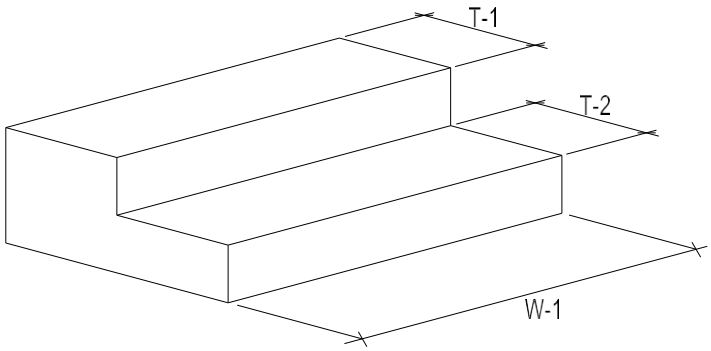


Figure 4.5.4.5.2: Stair Treads: Front View

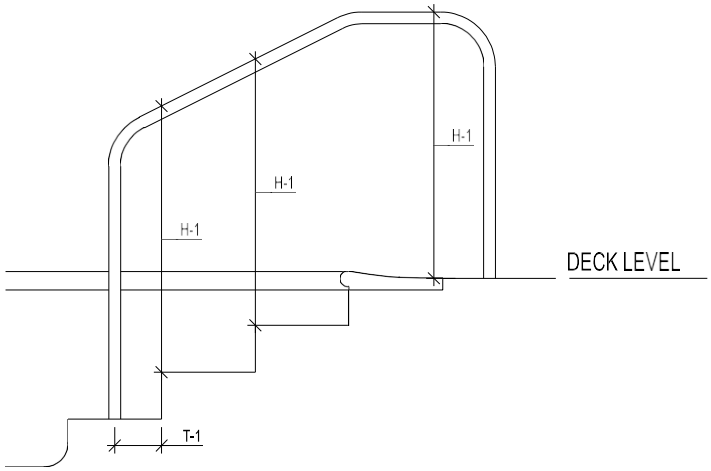


Paragraph 4.5.5.6 references Table 4.5.5.7 and Figure 4.5.5.7.1.

Table 4.5.5.7: Stair Handrail Dimensions

Dimensions	T-1	H-1
Minimum	3 inches *(7.6 cm)*	34 inches *(86.4 cm)*
Maximum	N/A	38 inches *(96.5 cm)*

Figure 4.5.5.7.1: Stair Handrails: Side View



Paragraph 4.5.7.4 references Table 4.5.7.4, Figure 4.5.7.4.1, and Figure 4.5.7.4.2.

Table 4.5.7.4: Recessed Step Dimensions

Dimensions	**H-1**	**H-2**	**W-1**	**D-1**	**D-2**
Minimum	6 inches *(15.2 cm)*	5 inches *(12.7 cm)*	12 inches *(30.5 cm)*	5 inches *(12.7 cm)*	N/A
Maximum	12 inches *(30.5 cm)*	N/A	N/A	N/A	2.5 inches *(6.5 cm)*

Figure 4.5.7.4.1: Recessed Step Dimensions: Side View

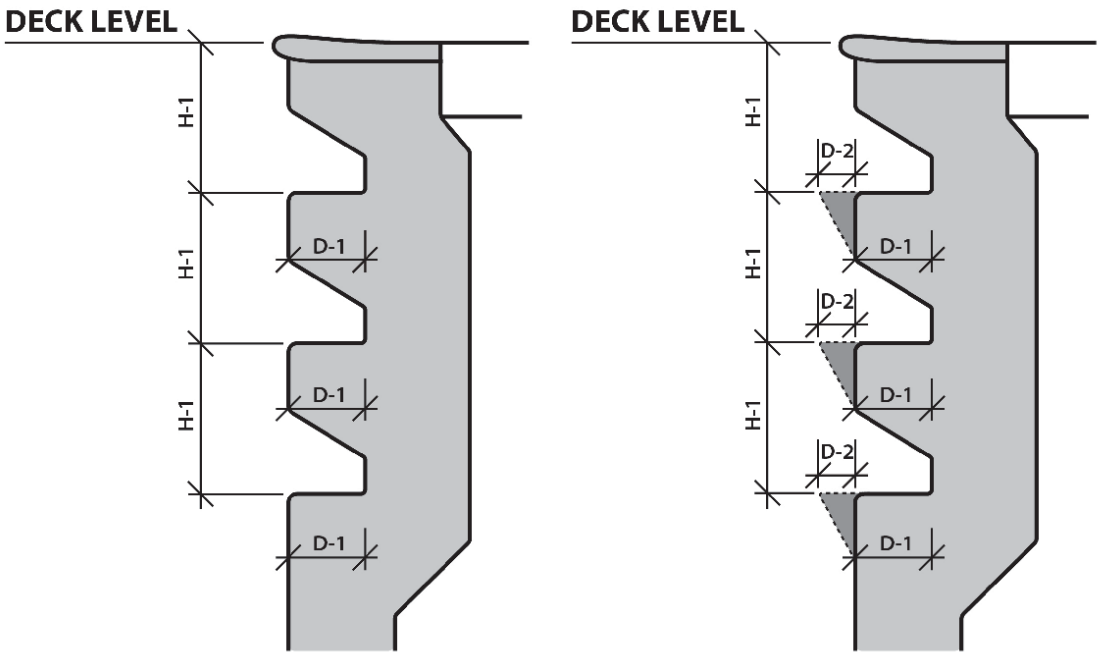
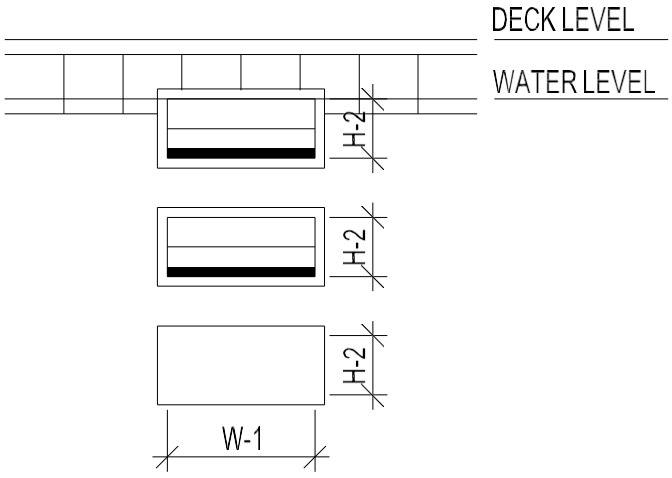
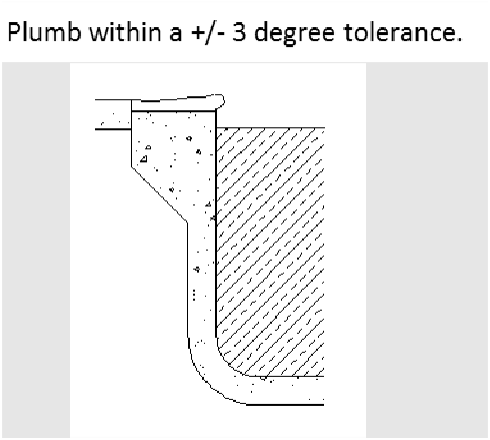


Figure 4.5.7.4.2: Recessed Step Dimensions: Front View



Paragraph 4.5.12.1 references Figure 4.5.12.1.

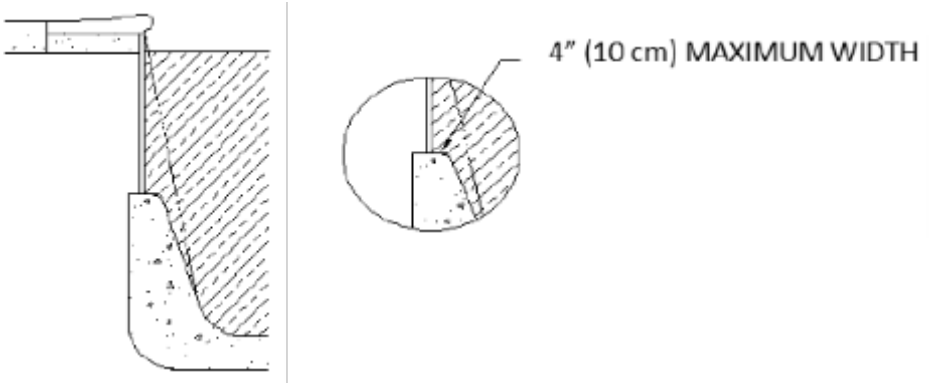
Figure 4.5.12.1: Plumb Pool Walls: Cross-Section



Paragraph 4.5.17.4 references Figure 4.5.17.4.

Figure 4.5.17.4: Structural Support Ledges

(A) Structural support ledge all within 1 in 5 slope. (B) Underwater ledge for support of upper wall.



Paragraph 4.7.1.10 references Table 4.7.1.10.

Table 4.7.1.10: Aquatic Venue Maximum Allowable Turnover Times

Type of Pools	Turnover Maximum
Activity Pools	2-6 hours or less
Diving Pools	8 hours or less
Interactive Water Play*	0.5 hours or less
Lazy River	2 hours or less-
Plunge Pools	1 hour or less
Runout Slide	1 hour or less

Wading Pools*	1 hour or less
Wave Pools	2 hours or less
All Other Pools	6 hours or less
Surf Pools	Submit engineering justification from equipment manufacturer

*Shall have secondary treatment

Aquatic Venue Maximum Allowable Turnover Times for Spa, Therapy*, & Exercise Pools

Temperatures	***Load***	***Turnover Maximum***
≤ 72º–93ºF (22º–34ºC)	> 2,500 gals/person (9.46 m^3)	4 hours or less
≤ 72º–93ºF (22º–34ºC)	> 450 gals/person (1.7 m^3)	2 hours or less
≤ 72º–93ºF (22º–34ºC)	≤ 450 gals/person (1.7 m^3)	1 hour or less
≥ 93°–104ºF (34º–40ºC)	All	0.5 hours or less

*Shall have secondary treatment

Subparagraph 4.8.1.3.1 references Table 4.8.1.3.

Table 4.8.1.3 Minimum Slopes for Drainage

Surface	**Minimum Slope**
Smooth finishes; such as tile, hand-finished concrete & lightly-broomed concrete	1/8 inch per foot *(3.2 mm/30.5 cm)*
Moderately textured finishes; such as exposed aggregate or medium-broomed concrete	1/4 inch per foot *(6.4 mm/30.5 cm)*
Heavily textured finishes; such as brick (where permitted)	3/8 inch per foot *(9.5 mm/30.5 cm)*

Subparagraph 4.8.2.1.2 references Table 4.8.2.2, Table 4.8.2.3, Figure 4.8.2.2.1 and Figure 4.8.2.2.2.

Table 4.8.2.2: Diving Board Height and Dimensions

Diving Board Height	1.64 ft. *(0.5 m)*	2.46 ft. *(0.75 m)*	3.28 ft. *(1.0 m)*	3.84 ft. *(3.0 m)*
Diving Board Length	10.0 ft. *(3.05 m)*	12.0 ft. *(3.66 m)*	16.0 ft. *(4.88 m)*	16.0 ft. *(4.88 m)*
Diving Board Width	20.0 in. *(50.8 cm)*	20.0 in. *(50.8 cm)*	20.0 in. *(50.8 cm)*	20.0 in. *(50.8 cm)*

Table 4.8.2.3: Minimum Dimensions of Components Related to Diving Wells By Diving Board Height

Note: Letters below refer to Figures 4.8.2.2.1 & 4.8.2.2.2

		Minimum Dimensions			
	Diving Board Height	0.5 Meter	0.75 Meter	1.0 Meter	3.0 Meter
A	**Distance from plummet back to pool wall**	3.0 ft. *(0.91 m)*	4.5 ft. *(1.37 m)*	6.0 ft. *(1.83 m)*	6.0 ft. *(1.83 m)*
B	**Distance from plummet to pool wall at side**	10.0 ft. *(3.05 m)*	10.0 ft. *(3.05 m)*	10.0 ft. *(3.05 m)*	11.5 ft. *(3.51 m)*
C	**Distance from plummet to adjacent plummet**	8.83 ft. *(2.69 m)*	8.83 ft. *(2.69 m)*	8.83 ft. *(2.69 m)*	8.54 ft. *(2.60 m)*
D	**Distance from plummet to pool wall ahead**	26.0 ft. *(7.92 m)*	27.83 ft. *(8.48 m)*	29.58 ft. *(9.02 m)*	33.67 ft. *(10.26 m)*
E	**Height, diving board to ceiling at plummet & distances F and G**	16.0 ft. *(4.88 m)*	16.0 ft. *(4.88 m)*	16.0 ft. *(4.88 m)*	16.0 ft. *(4.88 m)*
F	**Clear overhead distance behind and each side of plummet**	8.0 ft. *(2.34 m)*	8.0 ft. *(2.34 m)*	8.0 ft. *(2.34 m)*	8.0 ft. *(2.34 m)*
G	**Clear overhead distance ahead of plummet**	16.0 ft. *(4.88 m)*	16.0 ft. *(4.88 m)*	16.0 ft. *(4.88 m)*	16.0 ft. *(4.88 m)*
H	**Depth of water at plummet**	9.5 ft. *(2.90 m)*	10.75 ft. *(3.28 m)*	12.0 ft. *(3.66 m)*	12.5 ft. *(3.81 m)*
J	**Distance ahead of plummet to depth K**	12.0 ft. *(3.66 m)*	14.25 ft. *(4.34 m)*	16.5 ft. *(5.03 m)*	19.75 ft. *(6.02 m)*
K	**Depth at distance J ahead of plummet**	8.75 ft. *(2.67 m)*	10.0 ft. *(3.05 m)*	11.28 ft. *(3.44 m)*	12.17 ft. *(3.71 m)*
L	**Distance at each side of plummet to depth M**	8.0 ft. *(2.34 m)*	8.13 ft. *(2.48 m)*	8.25 ft. *(2.51 m)*	9.92 ft. *(3.02 m)*
M	**Depth at distance L on each side of plummet**	9.08 ft. *(2.77 m)*	10.33 ft. *(3.15 m)*	11.63 ft. *(3.54 m)*	12.17 ft. *(3.71 m)*
N	**Maximum slope to reduce height E**	30 °	30 °	30 °	30°
P	**Maximum floor slope to reduce depth ahead of K, to the sides of M, or back to pool wall behind H**	3: 1	3: 1	3: 1	3:1

Figure 4.8.2.2.1: Diving Platform Longitudinal Section: Side View

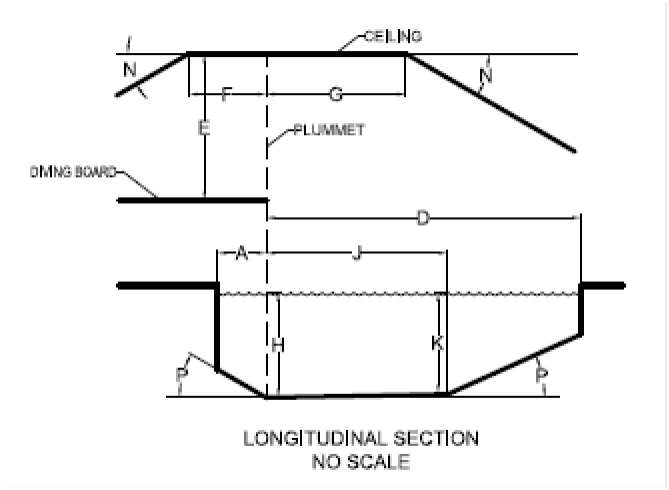
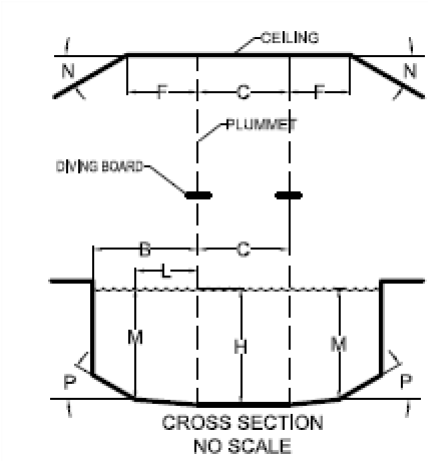


Figure 4.8.2.2.2: Diving Platform Cross Section: Front View



ADOPT: 333-060-1005

RULE TITLE: Plan Review

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-060-1005 Plan Review
Clarifying language brought forward from ORS 448.020 through ORS 448.030 and ORS 448.060 to require a complete plan review application to be submitted and approved by the Oregon Health Authority. The fees listed in this rule are not a change or increase and reflect existing statutory language.

RULE TEXT:
(1) A person may not construct or perform a major alteration or reconstruction of an AQUATIC FACILITY OR AQUATIC VENUE without plan approval to do so from the AUTHORITY.
(2) Any person desiring to construct any AQUATIC FACILITY OR AQUATIC VENUE shall file an application for plan approval with the AUTHORITY.
(3) The application must be accompanied by a description of the sources of water supply, amount and quality of water available and intended to be used, method and manner of water purification, treatment, disinfection, heating, regulating and cleaning, lifesaving apparatus, and measures to ensure safety of bathers, measures to ensure personal cleanliness of bathers, methods and manner of washing, disinfecting, drying and storing bathing apparel and towels, and all other information and statistics that may be required by the AUTHORITY. The AUTHORITY shall either approve or deny the application based upon the plans submitted.
(4) After construction, the AUTHORITY shall cause an inspection to be made of the proposed AQUATIC FACILITY OR AQUATIC VENUE. If the AUTHORITY determines that the AQUATIC FACILITY AND AQUATIC VENUE complies with the rules of the AUTHORITY as constructed, it shall issue a final approval authorizing the issuance of a license under ORS 448.035.
(5) If an AQUATIC VENUE is to be owned, operated or maintained by a person for profit, or in conjunction with a travelers' accommodation or recreation park, the applicant shall pay the AUTHORITY a plan review fee of $600. Payment of the plan review fee entitles the applicant to two inspections toward final approval. The AUTHORITY may not impose any new standards after a second or any subsequent inspection. For any subsequent construction inspection necessary, the applicant shall pay $100 for each inspection.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.020 - 448.030, ORS 448.060

ADOPT: 333-060-1010

RULE TITLE: Permission to Construct

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-060-1010 Permission to Construct
Clarifying language brought forward from ORS 448.020 This requires all aquatic venues to go through a plan review before any construction or major alterations to ensure they are safe and in compliance with the rules.

RULE TEXT:
(1) No person shall construct an AQUATIC FACILITY OR AQUATIC VENUE, or alter any such structures without:
(a) Submitting complete plans and specifications to the AUTHORITY);
(b) Paying the stipulated plan review fee to the AUTHORITY;
(c) Receiving a written plan approval or conditional approval from the AUTHORITY;
(2) 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 AUTHORITY.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.020

ADOPT: 333-060-1015

RULE TITLE: Variance

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-060-1015 Variance
Clarifying language brought forward from ORS 448.037 requiring a variance application and fee to be submitted to the Oregon Health Authority. It also maintains the historical variance language from OAR 333-060-0220 and OAR 333-062-0185 with updated verbiage requiring the applicant to provide specifics about the variance application and how the applicant will provide equivalent public health protection to the rules.

RULE TEXT:
(1) The AUTHORITY may grant a variance from requirements of these rules as follows:
(a) Where it is demonstrated to the satisfaction of the AUTHORITY 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 AUTHORITY 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 AUTHORITY 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 these rules.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.037

ADOPT: 333-060-1020

RULE TITLE: Maintenance and Modification

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-060-1020 Maintenance and Modification
Added to maintain historical language from OAR 333-060-0045 and OAR 333-062-0045 to ensure that all licensed aquatic facilities are maintained as approved and in good repair.

RULE TEXT:
(1) All equipment of AQUATIC FACILITIES AND AQUATIC VENUES 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 AQUATIC FACILITIES AND AQUATIC VENUES shall be maintained in good repair.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

ADOPT: 333-060-1025

RULE TITLE: Exemptions

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-060-1025 Exemptions
Added to ensure that any historical exemptions in OAR chapter 333, division 60 and OAR chapter 333, division 62 for aquatic facilities built prior to specific dates are properly included.

RULE TEXT:
The exemptions of sections (1) through (11) of this rule apply, provided the exemption does not present a health or safety hazard. Exemptions do not apply to any alteration or replacement of affected component part.
(1) Pre-May 13, 1959, Pools and Wading Pools: POOLS and WADING POOLS which were in public use before May 13, 1959, shall not be required to comply with Structural Stability, 4.5.13.2; and Walls, 4.5.12.5, provided they are operated in compliance with all other rules of the AUTHORITY relating to AQUATIC VENUES.
(2) Pre-March 1, 1979, Pool Lifelines: POOLS built prior to March 1, 1979, shall provide a lifeline two feet on the shallow side of the break in grade between the shallow and deep portion of the POOL when the interior finish is repaired, if applicable. Where there is a uniform slope, a lifeline is not required.
(3) Pre-March 1, 1979, Pool Markings: POOLS built prior to March 1, 1979, shall comply with Depth Markers and Markings, 4.5.19, pertaining to vertical wall markings when the interior finish is repaired or resurfaced.
(4) Pre-September 1, 2014, Ventilation Systems: POOL or WADING POOL built or renovated after September 1, 2014, and enclosed in a building must have a ventilation system that complies with the requirements of the Oregon Structural Specialty Code, and the Oregon Mechanical Specialty Code.
(5) Pre-June 10, 1959, Pool and Wading Pool Plans Required: All POOLS and WADING POOLS which were constructed and in use but were not in public use and were not licensed by the AUTHORITY before June 10, 1959, shall submit complete and detailed plans to the AUTHORITY for approval before being operated for any public use. A license to operate as a POOL shall not be issued until the POOL complies with the requirements of these rules.
(6) Pre-July 2006, Wading Pool Recirculation and Entrapment: Any WADING POOL built prior to July 1, 2006, but not licensed by the AUTHORITY before that date, must obtain a license to operate:
(a) All WADING POOLS without water recirculation shall be renovated or phased out of use and removed before December 31, 2009. or must cease operation.
(b) All existing WADING POOLS must provide protection against entrapment, hair entanglement and evisceration or cease operation by December 31, 2008.
(7) Pre-February 25, 1971, Limited Use Pools: Any LIMITED USE POOL operated in conjunction with a companion residential housing facility having five or more living units and which was operated and maintained for the use of the occupants thereof and their personal friends only, but which was not required to be licensed prior to February 25, 1971, shall not be required to comply with Structural Stability, 4.5.13.2; Walls 4.5.12.5; Piping, 4.7.1.7, 4.7.1.7.2, 4.7.1.7.3.1; and Overflow Systems, 4.7.1.4; provided such POOLS are operated in compliance with all other requirements of these rules.
(8) Pre-March 1, 1979, Aquatic Venue Construction: AQUATIC VENUES built prior to March 1, 1979, are exempt from the following requirements of these rules provided such AQUATIC VENUES are operated in continuous compliance with the rules in effect at the time they were constructed:
(a) Dimensions, 4.5.12.5.
(b) Finishes, Markings and Lifelines, 4.5.19.5.
(c) Ladders, Recessed Steps and Stairways, 4.5.4.4 and 4.5.4.6.
(d) Decks, 4.8.1.5.2.1, 4.8.1.2.3, 4.8.1.1.2.
(e) Overflow Systems, 4.7.1.4.
(f) Recirculation Systems, 4.7.1.10 (Turnover rate for WADING POOL only).
(g) Inlets and Outlets, 4.7.1.3.

(h) Piping, 4.7.1.7.2, 4.7.1.7.3.2.
(i) Pumps, 4.7.1.8.1.1, 4.7.1.8.2.
(j) Filters, 4.7.2.2.3.1, 4.7.2.2.3.1.1, 4.7.2.3.1, 4.7.2.4.1, 4.7.2.1.2, 4.11.6.4.
(k) Disinfectant and Chemical Feeders, 4.7.3.2.1.2.
(l) Equipment Room, 4.9.1.
(m) Hygiene Facility, 4.10.2.1.
(9) Pre-June 23, 1981, Spas: SPAS built prior to June 23, 1981, are exempt from the following requirements, provided they are constructed and maintained in accordance with the plans approved by the AHJ for the construction of the SPA, and the exemption does not present a health or safety hazard:
(a) Underwater Lighting, 4.6.1.5.
(b) Deck, 4.12.1.5, 4.8.1.4.2, 4.8.1.4.4.
(c) Overflow System, 4.7.1.5.2.1, 5.7.1.1.3, 4.7.1.5.1.2.
(d) Recirculation, 4.7.5.4.3.
(e) Inlets, 4.7.1.3.
(f) Filters, 4.7.2.2.3.1, 4.7.2.2.3.1.1, 4.7.2.3.1, 4.7.2.4.1.
(g) Equipment Room, 4.9.1.
(10) Pre-September 1, 2014, Spa Enclosure: Buildings enclosing SPAS built after September 1, 2014, and buildings enclosing SPAS 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.
(11) Pre-May 1, 1986, Spa Piping: For all SPAS built after May 1, 1986, the backwash or drain line shall be permanently piped with an air break to discharge into an approved sewerage system.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0005

RULE TITLE: Purpose

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0010

RULE TITLE: Adoption by Reference

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 183.355

REPEAL: 333-062-0015

RULE TITLE: Definitions

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

As used in these rules unless otherwise required by context:

(1) “Administrator” means the Assistant Director of the Oregon Health Authority, Public Health Division.

(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 Oregon Health Authority, Public Health Division.

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0020

RULE TITLE: Compliance

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0025

RULE TITLE: Approval to Construct

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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; and

(c) Receiving a written plan approval or conditional approval from the Division.

(2) Plans, specifications, and fees required herein shall be submitted at the time the application is filed.

(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)(a) The Division may issue a conditional plan approval 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 conditional plan approval 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 plan approval 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 plan approval 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 paragraphs (4)(a)(A), (B) and (C) of this rule are not met. Such conditional plan approval 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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.020

REPEAL: 333-062-0030

RULE TITLE: Plans

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.030

REPEAL: 333-062-0035

RULE TITLE: Licenses

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.035

REPEAL: 333-062-0040

RULE TITLE: Conditional Licenses

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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).

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0045

RULE TITLE: Maintenance and Modification

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0050

RULE TITLE: Size

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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.

Maximum Load = A divided by 10

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

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0055

RULE TITLE: Dimensions

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 water line.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0060

RULE TITLE: Finishes and Markings

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0065

RULE TITLE: Illumination

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 m2) 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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0070

RULE TITLE: Ventilation

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0075

RULE TITLE: Ladders, Recessed Steps and Stairways

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 cm2).

(7) Risers at the centerline of the stairway treads shall have a maximum uniform height of 12" (30 cm). 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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0080

RULE TITLE: Spa Pool Enclosure

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0085

RULE TITLE: Decks

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0090

RULE TITLE: Overflow Systems

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 (9.3 m2) 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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0095

RULE TITLE: Recirculation Systems

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0100

RULE TITLE: Inlets

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-062-0103

RULE TITLE: Submerged Suction Fittings and Drains

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, 448.990

REPEAL: 333-062-0105

RULE TITLE: Piping

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0110

RULE TITLE: Pumps

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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/cm2) 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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0115

RULE TITLE: Filters

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Filters shall be capable of maintaining pool water clarity as described in OAR 333-062-0165(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 m2) 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 1pm) per square foot (.09 m2) 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: Publications referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0120

RULE TITLE: Heaters

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0125

RULE TITLE: Disinfectant and Chemical Feeders

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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 compart-ment 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: Publications referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0130

RULE TITLE: Air Induction Systems

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0135

RULE TITLE: Valves, Meters, and Gauges

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0140

RULE TITLE: Equipment Room

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0145

RULE TITLE: Ground Fault Interrupter

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:
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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0150

RULE TITLE: Bathhouses and Sanitary Facilities

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0155

RULE TITLE: Food Service

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0160

RULE TITLE: Domestic Water Quality

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0165

RULE TITLE: Spa Water Quality

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(1) Water in public spa pools shall be maintained with water quality parameters within limits set out in Table 1. [Table not included. See ED. NOTE.]

(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. [Table not included. See ED. NOTE.]

(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: Tables referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0170

RULE TITLE: Operation and Maintenance

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.]

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0175

RULE TITLE: Safety

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0180

RULE TITLE: Signs

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0185

RULE TITLE: Variance

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.037

REPEAL: 333-062-0250

RULE TITLE: Enforcement

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

REPEAL: 333-062-0255

RULE TITLE: Spa Pool Closure Criteria

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: OAR 333-060-0005 through 333-060-0705 and 333-062-0005 through 333-062-0255 are being repealed. Changes are made in the sequence of subjects covered by these rules, and changes to the language are extensive, so it is necessary to adopt new rules rather than amending existing rules.

RULE TEXT:

(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;

(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
https://www.oregon.gov/oha/PH/HealthyEnvironments/Recreation/PoolsLodging/Pages/index.aspx; 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 as soon as practicable after such demand.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

ADOPT: 333-062-1000

RULE TITLE: Aquatic Facilities, Operations and Policies

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-062-1000 Aquatic Facilities – Operations and Policies. The Model Aquatic Health Code is adopted and incorporated by reference and this rule provides for the changes to that Code that Oregon is adopting.

Adopts Chapter 2.0, Glossary of Terms, Chapter 5.0, Aquatic Facility Operation and Maintenance and Chapter 6.0, Policies and Management of the MAHC, and provides for the changes to these chapters that Oregon is adopting.

Chapter 2.0, Glossary of Terms has many changes to the MAHC that Oregon is adopting, but there are some definitions of note:

- "Aquatic Facility" was added to update terminology used to include pools, spas, wading pools and bathhouses.
- "Aquatic Venue" was added to explain the updated terminology used in the MAHC to include the variety of public pool types that are licensed and may be licensed in the future. The variety of pools being proposed was not contemplated at the time the historical rules were written, so this definition is now more accurate. It also brings in specific pool types listed in statute to tie the rules clearly to statutory definitions.
- "Aquatic Venue does not include" was added to clarify the types of venues that are not licensable under ORS chapter 448.

RULE TEXT:

(1) Authority and Purpose. OAR 333-062-1000 to 333-062-1025 (these rules) establish definitions and set standards for management and personnel, pool safety, and equipment and facilities, water supply, and sewage disposal.

(2) Incorporation by Reference. The requirements in the U.S. Public Health Service, Centers for Disease Control and Prevention (CDC), 2023 Model Aquatic Health Code 4th Edition, Chapters 2, 5 and 6 are adopted and incorporated by reference.

(a) For purposes of these rules, the structural nomenclature of the 2023 Model Aquatic Health Code is as follows:

Chapter 9
Part 9.1
Subpart 9.1.1
Section (§) 9.1.1.1
Paragraph (¶) 9.1.1.1.1
Subparagraph 9.1.1.1.1.1

Note: Section numbers with superscript "A" (e.g., 4.0A) denote a corresponding discussion in the Annex to the 2023 Model Aquatic Health Code.

(b) References in these rules to the 2023 Model Aquatic Health Code use the structural nomenclature identified in subsection (2)(a) of this rule.

(3) Deletions. The following are deleted from the 2023 Model Aquatic Health Code as adopted and incorporated by reference, in their entirety:

(a) The term "MAHC" throughout;

(b) Chapter 1, Glossary of Abbreviations;

(c) Chapter 3, Cited Standards and Laws;

(d) Chapter 7 Special Venues; and

(e) MAHC Annex.

(4) Changes to Federal Regulation, Chapter 2.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 2.0, Glossary of Terms as adopted and incorporated by reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:
(a) Delete “Agitated Water.”
(b) Delete “Air Delivery Rate.”
(c) Delete “Air Handling System.”
(d) Delete “Alpha Bar.”
(e) Add "Approved" means approved in writing by the Oregon Health Authority (Authority).
(f) Delete “Aquatic Facility or Aquatic Venue Enclosure.”
(g) Amend “Aquatic Venue” to read: means an artificially constructed structure or modified natural structure where the public is exposed to water intended for recreational or therapeutic purpose and where the primary intended use is not watering livestock, irrigation, water storage, fishing, or habitat for aquatic life. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. Examples include swimming pools, wave pools, lazy rivers, surf pools, spas (including spa pools and hot tubs), waterslide landing pools, spray pads, and other interactive water venues.
(A) Add “Aquatic Venue” subset: "General-Use" means any aquatic venue other than a limited-use aquatic venue. Public swimming pools operated in conjunction with a companion facility but not limited to use of the residents, patrons or members of the companion facility are general-use aquatic venues.
(B) Add “Aquatic Venue” subset: “Limited-Use” means any aquatic venue located at and operated in connection with a companion facility such as a residential housing facility having five or more living units, travelers' accommodations, mobile home park, recreation park, boarding school, organizational camp, dude ranch, club or association where use of the pool is limited to residents, patrons or members of the companion facility.
(C) Amend “Aquatic Venue” subset: “Special Use Aquatic Venue” means aquatic venues that do not meet the intended use and design features of any other aquatic venue or pool listed/identified in these rules which is designed specifically for sporting or recreational purposes.
(h) Amend “Aquatic Venue does not include” to read:
(A) A basin that is drained and refilled with potable water between each use;
(B) A private aquatic venue onboard a watercraft;
(C) A floatation tank; or
(D) A therapy pool.
(i) Add "Athletic club" means a facility constructed to provide athletic or physical conditioning for its members, guests or patrons. It includes but is not limited to racquetball clubs, health spas, and fitness facilities.
(j) Add “Authority” to read: means the Oregon Health Authority.
(k) Amend “Authority Having Jurisdiction” (AHJ) to read: means the Oregon Health Authority, Local Public Health Authority, or an agency, organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, installations, or procedures.
(l) Delete “Average Sound Absorption Coefficient.”
(m) Delete “Background Noise.”
(n) Add “Bather Load Capacity”, see “Maximum Bather Load.”
(o) Add “Bathhouse”, see “Hygiene Facility.”
(p) Add "Builder" means a person who, in the pursuit of an independent business, undertakes, or offers to undertake, or submits a bid, to construct, alter, repair, or improve any aquatic venue and its appurtenances.
(q) Amend “Chlorine” to read: means an element that at room temperature and pressure is a heavy greenish yellow gas with a characteristic penetrating and irritating smell; it is extremely toxic. It can be compressed in liquid form and stored in heavy steel tanks. When mixed with water, chlorine gas forms hypochlorous acid (HOCl), the primary chlorine-based disinfecting agent, hypochlorite ion, and hydrochloric acid. HOCl dissociation to hypochlorite ion is highly pH dependent. Chlorine is a general term which refers to HOCl and hypochlorite ion in aqueous solution derived from

chlorine gas or a variety of chlorine-based disinfecting agents.
(r) Delete “Climate Control System.”
(s) Amend “Deck” to read: means surface areas serving the aquatic venue, including the dry deck, perimeter deck, and pool deck.
(A) “Dry Deck” means all pedestrian surface areas within the enclosure not subject to frequent splashing or constant wet foot traffic. The dry deck is not perimeter deck or pool deck, which connects the pool to adjacent amenities, entrances, and exits. Landscape areas are not included in this definition.
(B) “Perimeter Deck” means the hardscape surface area immediately adjacent to and within 4 feet (1.2 m) of the water’s edge.
(C) “Pool Deck” means surface areas serving the aquatic venue, beyond perimeter deck, which is expected to be regularly trafficked and made wet by bathers.
(t) Add “Electrical Interlock System” means a control mechanism that automatically disables pool equipment operation components like pumps, heaters and chemical feeders during pump failure, inadequate flow, or electrical faults to ensure safety.
(u) Delete “Flat Water.”
(v) Delete “Hot Water.”
(w) Amend “Hygiene Facility” to read: means an enclosed structure or part of a structure that may contains a toilet, shower, diaper-changing unit, handwashing station, and dressing capabilities serving bathers and patrons at an aquatic facility. Also referred to as a bathhouse.
(x) Amend “Indoor Aquatic Facility” to read: means a physical place that contains one or more aquatic venues and the surrounding bather and spectator/stadium seating areas within a structure that meets the definition of “Building” per the Oregon Structural Specialty Code (OSSC). Indoor Aquatic Facility does not include equipment, chemical storage, or bather hygiene rooms or any other rooms with a direct opening to the aquatic facility. Otherwise known as a natatorium.
(y) Amend “Interactive Water Play Aquatic Venue” to read: means any indoor or outdoor installation that includes sprayed, jetted, or other water sources contacting bathers and not incorporating standing or captured water as part of the bather activity area. These aquatic venues are also known as splash pads and spray pads. For the purposes of these rules, only those designed to recirculate water and intended for public use and recreation shall be regulated.
(z) Add “Maximum Bather Load” means the maximum number of bathers allowed in the pool at any given time, as determined by the available pool space, water circulation, and safety standards. It is calculated based on the size of the pool and applicable code requirements to ensure safe usage, proper water quality, and effective emergency response capabilities.
(aa) Delete “Moisture Removal Capacity.”
(bb) Delete “Moisture Removal Efficiency.”
(cc) Amend “Non-Substantial Alteration” to read: means any minor modification, repair, or maintenance work that does not significantly change the pool’s core structure, operational systems, or capacity.
(dd) Amend “Perimeter Gutter System” to read: means a weir or trough around the perimeter of a pool that is used to skim the surface of the water and return the water to the treatment system.
(ee) Add "Person" includes, in addition to the definition of “person” in ORS 174.100, municipalities, recreation districts, counties and state agencies, instrumentalities, or builder.
(ff) Amend “Pool” to read: means a subset of aquatic venues designed to have recirculated standing water that is chemically treated for total or partial bather immersion. This does not include spas.
(gg) Add "Private Swimming Pool" means any aquatic venue owned by no more than four individuals, either jointly, individually or through association, incorporation or otherwise, and operated and maintained in conjunction with a companion residential housing facility having no more than four living units, for the use of the occupants thereof and their personal friends only. Private swimming pools shall not be subject to the provisions of these rules.
(hh) Delete “Purge.”

(ii) Amend “Qualified Lifeguard” to read: means an individual who has successfully completed a Council for Model Aquatic Health Code-certified lifeguard training program or equivalent approved by the Authority, holds a current certificate for such training, has met the pre-service requirements, and is participating in continuing in-service training requirements of the aquatic facility.
(jj) Amend “Qualified Operator” to read: means a person performing the duties of the responsible supervisor, and responsible for providing direction and training to non-certified responsible supervisors and other pool personnel in regard to pool maintenance and operation. This person shall be certified by an organization providing training in pool safety, maintenance and operation recognized by the Authority. Such courses and organizations include the Certified Pool Operator Program, by the Pool and Hot Tub Alliance, and the Aquatic Facility Operator Program, by the National Recreation and Parks Association, or equivalent, as determined by the Authority.
(kk) Delete “Raceway.”
(ll) Delete “Re-entrainment.”
(mm) Add “Responsible Supervisor” means an individual onsite that is responsible for water treatment operations when a “qualified operator” is not onsite at an aquatic facility.
(nn) Delete “Reverberation.”
(oo) Delete “Reverberation Time – RT60.”
(pp) Amend “Slide” to read: means an aquatic feature where users slide down from an elevated height into water.
(A) “Drop Slide” means a slide that drops bathers into the water from a height above the water versus delivering the bather to the water entry point.
(B) “Pool Slide” means a slide having a configuration as defined in 16 CFR Part 1207 or is similar in construction to a playground slide used to allow users to slide from an elevated height to a pool. They shall include children’s slides and all other non-flume slides that are mounted on the pool deck or within the basin of a pool.
(C) “Waterslide” means a slide that runs into a landing pool or runout through a fabricated channel with flowing water.
(D) "Waterpark slide" means a slide at an aquatic venue, which has a length of at least 20 feet (6.1m), not including the platform.
(qq) Amend “Slip Resistant” to read: means surfaces shall have a minimum dynamic coefficient of friction at least equal to the requirements of ANSI A137.1 and 236 for that installation as measured by the DCOF AcuTest.
(rr) Delete “Sound Absorption.”
(ss) Delete “Sound Transmission Class.”
(tt) Amend “Stadium Seating” to read: means an area of high-occupancy seating provided above the pool level for observation.
(uu) Amend “Substantial Alteration” to read: means any major renovation, construction, or modification that significantly impacts the pool's structural, mechanical, or operational systems.
(vv) Add “Swimming Pool”, see “Pool.”
(ww) Add “These rules” means OAR 333-062-1000 to 333-062-1025.
(xx) Delete “Theoretical Peak Occupancy.”
(yy) Add “Tripping Hazard” means any condition or object within or around the aquatic venue that poses a risk of causing a person to lose their balance, stumble, or fall. This includes, but is not limited to, uneven surfaces, protruding objects, and improperly secured or misplaced pool equipment.
(zz) Add “Underwater Shelf” means a shallow, flat area within a pool that extends horizontally from the pool wall. It is designed to be submerged in water, typically with a depth of 8 to 24 inches, providing a shallow space for lounging, play, or easy entry into the pool. Also referred to as a tanning ledge, sun shelf, or Baja shelf.
(aaa) Add: “Variance" means written permission from the Authority for an aquatic venue to be operated when it does not comply with all the applicable rules for aquatic venues.
(bbb) Delete “Wet Deck.”
(5) Changes to Federal Regulation, Chapter 5.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 5.0, Aquatic Facility Operation and Maintenance as adopted and incorporated by

reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:

(a) Delete 5.2.2, Exemptions.

(b) Delete 5.2.3, Variances.

(c) Amend 5.4.1.1.1 Aquatic Venues With an Enclosure to read: Where the AQUATIC VENUE has an ENCLOSURE enclosing it per 4.8.6:

(A) The water shall be recirculated and treated to meet the criteria of this CODE; or

(B) The water shall be drained; and

(C) Access to the AQUATIC VENUE shall be restricted and routine checks of the integrity of the AQUATIC VENUE ENCLOSURE shall be made.

(d) Amend 5.4.1.1.2, Aquatic Venues Without an Enclosure but Open to the Public to read: Where the AQUATIC VENUE does not have an ENCLOSURE enclosing it per 4.8.6 and other parts of the AQUATIC FACILITY are open to the public:

(A) The water shall be recirculated and treated to meet the criteria of this CODE and the AQUATIC VENUE shall be staffed to keep BATHERS out;

(B) The water shall be drained, and the AQUATIC VENUE shall be staffed to keep BATHERS out;

(C) A temporary ENCLOSURE for the AQUATIC VENUE shall be installed to keep bathers out, and routine checks of the integrity of the temporary AQUATIC VENUE ENCLOSURE shall be made; or

(D) An approved safety cover that is CERTIFIED, LISTED, AND LABELED to ASTM F1346-91 by an ANSI- accredited certification organization shall be installed, and routine checks of the integrity of the safety cover shall be made.

(e) Amend 5.4.1.1.3, Aquatic Venues Without an Enclosure and Closed to the Public to read: Where the aquatic venue does not have an enclosure enclosing it per 4.8.6, and the aquatic facility is closed to the public, one of the following options must be followed:

(A) The water shall be recirculated and treated to meet the criteria of this CODE and all play equipment turned off; or

(B) The water shall be drained.

(f) Amend 5.4.1.2, Reopening to read: An owner or operator of a closed AQUATIC VENUE shall verify that the AQUATIC VENUE meets all applicable criteria of this CODE before reopening the AQUATIC VENUE. If the AHJ was present during the initial closure, the AHJ shall verify that the AQUATIC VENUE meets all applicable criteria of this code before reopening the AQUATIC VENUE.

(g) Amend 5.4.2.2.1, Original Plans and Specifications Available to read: A paper or digital copy of the approved plans and specifications for each AQUATIC VENUE constructed after the adoption of this CODE shall be available at the AQUATIC FACILITY.

(h) Amend 5.4.3.1, Theoretical Peak Occupancy to a new title of Maximum Bather Load to read: The MAXIMUM BATHER LOAD per 4.1.2.3.5 shall not be exceeded.

(i) Amend 5.6.1.1.3.1, Ground-Fault Circuit Interrupter to read; All underwater lighting shall be GFCI protected.

(j) Delete 5.6.2, Indoor Aquatic Facility Ventilation.

(k) Amend 5.6.3.2.1, New Receptacles to read: The installation of new electrical receptacles shall be subject to all applicable local, state, territorial, federal, and Tribal laws.

(l) Amend 5.6.3.2.2, Repairs to read: Repairs or maintenance to existing receptacles shall maintain compliance with all applicable local, state, territorial, federal, and Tribal laws.

(m) Amend 5.6.3.6.1, Extension Cords and Temporary Connectors to read: Extension cords shall only be used temporarily for the duration of a swimming competition or sporting event, remodeling, maintenance, or repair of buildings, structures, or equipment with similar purposes. Extension cords and temporary power connectors shall not be used as a substitute for permanent wiring

(n) Amend 5.6.9.1.2.1, Swim-Up Bars to read: Swim-up bars are not allowed.

(o) Amend 5.6.9.3.1, Diaper Changing to read: Diaper changing shall only be done in the HYGIENE FACILITY or at a designated DIAPER-CHANGING STATION.

(p) Delete 5.6.9.3.8, Circulation Path.
(q) Delete 5.7.1.4.7, Flotation Test.
(r) Amend 5.7.1.5.1, Replaced to read: Loose, broken, or missing suction outlet covers and sumps shall be secured or replaced immediately and installed in accordance with the manufacturer's requirements. For replacements, specifications and certificate of compliance shall be submitted to the AHJ.
(s) Amend 5.7.1.5.1.1, Closed to read: AQUATIC VENUES shall be closed until the required repairs can be completed.
(t) Amend 5.7.2.1.2, Cleaned to read: Filters shall be backwashed, cleaned, and maintained according to the manufacturer's instructions and in accordance with. all applicable local, state, territorial, federal, and Tribal laws. Cleaning of cartridge filters on the deck is prohibited.
(u) Amend 5.7.2.2.1, Filtration Rates to read: High-rate granular media filters shall be operated at no more than 18 GPM per square foot of filter media or that rate approved by the manufacturer for that particular filter, whichever is less. Pools constructed prior to May1, 1986, may continue to use filters sized at 20 GPM per square foot of filter media until replaced.
(v) Amend 5.7.2.4.3.1, Cleaning Procedure to read: The filter housing and filter cartridge shall be cleaned per manufacturer's recommendation and comply with applicable local, state, territorial, federal, and Tribal laws. Cleaning of cartridge filters on the deck is prohibited.
(w) Delete 5.7.2.4.4, Spare Cartridge.
(x) Delete 5.7.3.1.1.3, Stagnant Water Lines.
(y) Amend 5.7.3.1.3.1, Cyanuric Acid to read: CYA or stabilized CHLORINE products shall not be used in indoor AQUATIC VENUES for all new construction, SUBSTANTIAL ALTERATIONS, or DISINFECTION equipment replacements at the following:
(A) SPAS; and
(B) Indoor pools.
(z) Amend 5.7.3.1.3.2.1, Aquatic Venues, to read: The CYA level at all AQUATIC VENUES shall remain at or below 90 ppm (mg/L).
(aa) Amend 5.7.3.1.4.1.1, Separate Enclosure to read: The chlorinators and any cylinders containing CHLORINE gas used therewith shall be housed in an ENCLOSURE separated from other EQUIPMENT ROOMS, including the POOL, corridors, dressing rooms and other space.
(bb) Amend 5.7.3.5.1.2, Installed and Interlocked to read: For all new or SUBSTANTIALLY ALTERED AQUATIC VENUES, chemical feed system components shall be installed and interlocked so the chemical feeder cannot operate when the RECIRCULATION SYSTEM is in low or no flow circumstances as per 4.7.3.2.1.3.
(cc) Amend 5.7.3.5.1.5, Insufficient Size/Capacity to read: If it is determined that the chemical feed system is incapable of maintaining the minimum required disinfectant level at all times in accordance with these rules, additional capacity shall be designed and installed per 4.7.3.2.2.
(dd) Amend 5.7.3.7.1.1, Installed to read: An AUTOMATED CONTROLLER shall be required or all newly constructed AQUATIC VENUES or at the time of a SUBSTANTIAL ALTERATION of the disinfection system.
(ee) Amend 5.7.3.7.1.2, Interlocked to read: AUTOMATED CONTROLLERS shall be interlocked per 4.7.3.2.1.3.
(ff) Amend 5.7.5.1, Chemical Parameters to read: DPD-FC, COMBINED AVAILABLE CHLORINE (CAC), or TOTAL BROMINE (TB), and pH shall be tested and recorded at all AQUATIC VENUES prior to opening each day.
(gg) Amend 5.7.5.2, Manual Disinfectant Feed System to read: For all AQUATIC VENUES using a manual disinfectant feed system that delivers disinfectant via a flow through erosion feeder or metering pump without an AUTOMATED CONTROLLER, DPD-FC or bromine and pH shall be tested prior to opening to the public and every four hours while open to the public or every hour if the pool is outdoors and cyanuric acid is not used.
(hh) Amend 5.7.5.3, Automatic Disinfectant Feed System to read: For all AQUATIC VENUES using an automated disinfectant feed system, DPD-FC (or TB) and pH shall be tested and recorded prior to opening and every four hours while open to the public.
(ii) Amend 5.7.5.5, Total Alkalinity to read: Total Alkalinity (TA) shall be tested weekly and recorded at all AQUATIC

VENUES.
(jj) Amend 5.7.5.6, Calcium Hardness to read: Calcium hardness shall be tested monthly and recorded at all AQUATIC VENUES.
(kk) Amend 5.7.5.7, Cyanuric Acid to read: CYA shall be tested monthly and recorded at all AQUATIC VENUES utilizing CYA.
(ll) Amend 5.7.5.7.2, Tested to read: CYA shall be tested 24 hours after the addition of CYA to the AQUATIC VENUE and recorded.
(mm) Amend 5.8.5.2.1.4, Alternate Communication Systems to read: Alternate functional systems, devices, or communication processes are allowed with AHJ approval in situations when a hardwired telephone is not logistically sound, and an alternate means of communication is available. AQUATIC FACILITIES using mobile devices as alternate communication systems must:
(A) Ensure the mobile device is plugged into a charger at the end of each day or whenever it is not in use to guarantee full battery.
(B) Use alerts or check the battery percentage regularly to ensure the mobile device is always at least 80 percent charged.
(C) Conduct a weekly test to make sure the mobile device works properly, both for calls and signal reception.
(D) Check the mobile device's signal reception regularly to ensure it has adequate coverage in the pool area. In case of poor reception, consider using a signal booster or alternative communication methods.
(E) Have a backup plan in case the mobile device has no signal, such as a secondary landline or a two-way radio.
(F) Assign responsibility to a specific person to verify the mobile device's readiness at the beginning and end of each shift.
(G) Maintain a written checklist for staff to verify the mobile device's readiness at the beginning and end of each shift.
(nn) Amend 5.8.5.2.2.1, Location for First Aid to read: GENERAL USE AQUATIC FACILITIES shall have designated locations for emergency and first aid equipment.
(oo) Amend 5.8.5.2.3.3, Management Contact Info to read: At LIMITED USE AQUATIC FACILITIES, a permanent sign shall be conspicuously posted and maintained displaying contact information for emergency personnel and AQUATIC FACILITY management.
(pp) Amend 5.8.5.3.8, Polarized Sunglasses, to read: When glare impacts the ability to see below the water’s surface, QUALIFIED LIFEGUARDS are recommended to wear polarized sunglasses while conducting BATHER surveillance.
(qq) Amend 5.8.5.4.5, Additional Signage, to read: For any AQUATIC VENUE with standing water, a sign shall be posted signifying a QUALIFIED LIFEGUARD is not on duty and that the following rules apply:
(A) Persons under the age of 14 years cannot be in the AQUATIC VENUE without direct supervision by a person aged 18 years or older; and
(B) Youth and childcare groups, are not allowed without a QUALIFIED LIFEGUARD providing PATRON surveillance.
(rr) Amend 5.8.6.3.1, Self-Closing and Latching to read: All primary public access gates or doors serving as part of an ENCLOSURE shall have functional self-closing and self-latching closures unless the gate or door meets the exceptions in 4.8.6.3.1.6.2 and staff and QUALIFIED LIFEGUARDS are provided per 6.3.4.1 and 6.3.4.3.1.
(ss) Amend 5.8.6.3.1.2, Propping Open to read: Required self-closing and self-latching gates or doors with staff at the entry point may be maintained in the open position when the AQUATIC VENUE is open and staffed as required
(tt) Amend 5.8.6.3.2, Locked to read: Gates or doors must be locked when the AQUATIC VENUE is closed.
(uu) Delete 5.9.1.2, OHA and EPA.
(vv) Amend 5.9.2.4.1, Automatically Introduced to read: DISINFECTION and pH control chemicals shall be automatically introduced through the RECIRCULATION SYSTEM for new and SUBSTANTIALLY ALTERED AQUATIC VENUES.
(ww) Amend 5.10.4.5, Diaper-Changing Stations to read: DIAPER-CHANGING STATIONS are required in all new and SUBSTANTIALLY ALTERED AQUATIC FACILITIES upon adoption of this CODE per 4.10.4.5.1.
(xx) Amend 5.10.4.5.1, Hand Wash Sink Installed and Operational to read: The adjacent handwashing sink shall be

installed and operational.
(yy) Delete 5.10.4.5.4, Portable Handwashing.
(zz) Delete 5.10.4.7, Sharps.
(aaa) Amend 5.12.1.2.1, Calculated to read: Spa pools shall be drained and refilled with fresh water at least once every 30 days.
(bbb) Amend 5.12.1.3, Scrubbed to read: SPA surfaces, including interior of SKIMMERS, shall be scrubbed or wiped down prior to refill.
(6) Changes to Federal Regulation, Chapter 6.0. The following amendments, additions or deletions are made to the 2023 Model Aquatic Health Code, Chapter 6.0, Policies and Management as adopted and incorporated by reference. All references to part, subpart, sections, paragraphs and subparagraphs relate to the 2023 Model Aquatic Health Code:
(a) Amend 6.1.1, Qualified Operator Qualifications to read: Qualified Operator Qualifications for General Use Aquatic Venues.
(b) Amend 6.1.1.1, Qualifications to read: A QUALIFIED OPERATOR of an AQUATIC FACILITY shall have completed an operator training course that is recognized by the AHJ.
(c) Delete 6.1.2, Essential Topics in Qualified Operator Training Courses.
(d) Delete 6.1.3, General Requirements for Operator Training Courses.
(e) Delete 6.2.1.1, Course Content.
(f) Delete 6.2.1.2, Lifeguard Training Delivery.
(g) Delete 6.2.1.3, Competency and Certification.
(h) Delete 6.2.2, Lifeguard Supervisor Training.
(i) Amend 6.3.1.1.1, At Adoption to read: All public swimming pools serving or installed for the state or any political subdivision of the state, including a school district, municipality, or recreation district with 2000 square feet (185 m2) or more pool surface area in one or more pools must have at least one currently Certified Pool Operator, on staff. This person must be in a position with management responsibility for the way the pool is operated, including the authority to close the pool.
(j) Amend 6.3.1.2.5, Onsite Responsible Supervisor Duties to read: The designated onsite RESPONSIBLE SUPERVISOR shall:
(A) Be capable of testing and recording the water quality parameters required by this CODE;
(B) Know how to make adjustments, as needed, to maintain required water quality parameters required by this CODE;
(C) Know general maintenance procedures as required by daily operational verifications or adjustments required by this CODE;
(D) Know when the AQUATIC FACILITY or individual AQUATIC VENUE should be closed; and
(E) Know how and when to contact the contracted off-site QUALIFIED OPERATOR.
(F) For limited-use facilities, a responsible supervisor or individual appointed by the owner must observe all aquatic venues in person at least once every four hours during operating hours.
(k) Amend 6.3.2.1, List of Aquatic Facilities Requiring Qualified Lifeguards to read:
(A) Any AQUATIC VENUE while it is being used for the recreation of youth groups, including but not limited to childcare usage or school groups;
(B) Any AQUATIC VENUE while it is being used for activities, including but not limited to, competitive swimming, or sports;
(C) Any AQUATIC VENUE with a configuration in which any point on the AQUATIC VENUE surface exceeds 30 feet (9.1 m) from the nearest DECK;
(D) Any AQUATIC VENUE with an induced current or wave action including but not limited to WAVE POOLS and LAZY RIVERS;
(E) Waterslide landing pools;
(F) Any AQUATIC VENUE in which BATHERS enter the water from any height above the DECK including but not limited to diving boards, DROP SLIDES, starting platforms, and climbing walls. This includes POOL SLIDES that discharge into

water depths deeper than five feet (1.5 m). Limited-use facilities with pool slide flumes that are 6 feet or less in height or drop slides that discharge from a height of 6 inches or less above the water, are exempted from this requirement Exceptions to this provision apply to limited-use facilities with pool slide flumes that are 6 feet or less in height or drop slides that discharge from a height of 6 inches or less above the water; and

(G) Any AQUATIC FACILITY that sells or serves alcohol within the ENCLOSURE, during the periods when alcohol is sold or served.

(H) All GENERAL-USE AQUATIC VENUES.

(l) Amend 6.3.3, Safety Plan to read: All GENERAL-USE AQUATIC FACILITIES and LIMITED-USE AQUATIC FACILITIES that require QUALIFIED LIFEGUARDS shall create and implement a SAFETY PLAN to include, but not be limited to the following elements:

(A) Staffing plan;

(B) Emergency Action Plan (EAP);

(C) Biohazard action plan;

(D) Pre-service training plan; and

(E) In-service training plan.

(m) Delete 6.3.3.3.5, CPR/AED and First Aid Certificate.

(n) Delete 6.3.3.3.6, Documentation of Pre-Service Training.

(o) Delete 6.3.3.4, In Service Training.

(p) Amend 6.3.4.3.1, Minimum Number of Lifeguards to read: AQUATIC FACILITIES that require lifeguards must provide the minimum number of lifeguards during all hours of operation:

(A) One lifeguard for every 40 patrons in the pool, or fraction thereof, shall be provided.

(B) A pool operator may submit a lifeguard safety plan as an alternative to compliance with section (1) of this rule.

(q) Amend 6.4.1.1.1, Develop to read: Each AQUATIC FACILITY shall develop an operations manual to keep at the AQUATIC FACILITY in both printed and or electronic formats.

(r) Delete 6.4.1.2.2, Additional Documentation.

(s) Amend 6.4.1.3.1, Daily Inspection Items to read: The QUALIFIED OPERATOR or RESPONSIBLE SUPERVISOR shall ensure that a daily AQUATIC FACILITY preventive maintenance inspection is done before opening and that it shall include:

(A) Walkways/DECK and exits are clear, clean, free of debris;

(B) Drain covers, vacuum fitting covers, SKIMMER equalizer covers, and any other suction outlet covers are in place, secure, and unbroken;

(C) SKIMMER baskets, weirs, lids, flow adjusters, and suction outlets are free of any blockage;

(D) INLET and return covers and any other fittings are in place, secure, and unbroken;

(E) Safety warning signs and other signage are in place and in good repair;

(F) Safety equipment as required by this CODE are in place and in good repair, including emergency instructions and phone numbers;

(G) Entrapment prevention systems are operational;

(H) Recirculation, DISINFECTION systems, controller(s), and probes are operating as required;

(I) SECONDARY TREATMENT and SUPPLEMENTAL TREATMENT systems are operating as required;

(J) Underwater lights and other lighting are intact with no exposed wires or water in lights;

(K) Slime and biofilm have been removed from accessible surfaces of AQUATIC VENUES, SLIDES, and other AQUATIC FEATURES;

(L) Doors to nonpublic areas such as CHEMICAL STORAGE SPACES and offices are locked;

(M) First aid supplies, if supplied, are stocked;

(N) Emergency communication equipment and systems are operational;

(O) Fecal/vomit/blood incident CONTAMINATION RESPONSE PLANS, materials, and equipment are available;

(P) Water features and amenities are functioning in accordance with the manufacturer’s recommendations;

(Q) Fencing/ENCLOSURES, gates, and self-latching or other locks are tested and are intact and functioning properly, and ENCLOSURES do not have nearby furniture to encourage climbing;
(R) Drinking fountains, if required, are clean and in functional condition;
(S) Electrical devices are in good working condition and meet the requirements specified in these rules;
(T) Alarms, if required, are tested and functioning properly; and
(U) Assessing water clarity such that the bottom and objects in the POOL are clearly visible.
(t) Delete 6.4.1.3.2, Other Inspection Items.
(u) Amend 6.4.2.2.1, Facility Rules to read: The operator shall post and enforce the AQUATIC FACILITY rules governing health, SAFETY, and sanitation. Pools with existing pool rule signs may wait to comply with the requirements of this rule until the signs are replaced, repaired or moved.
(v) Amend 6.4.2.2.2, Lettering to read: The lettering shall be legible and at least one inch (25.4 mm or three-point type) high, unless otherwise noted, with a contrasting background.
(w) Amend 6.4.2.2.3, Sign Messages to read: Signage shall be placed in a conspicuous place at the entrance of the AQUATIC FACILITY communicating expected and prohibited behaviors and other information using text that complies with the intent of the following information:
(A) In case of an emergency, dial 911 or other emergency instructions, per 6.3.4.5.8;
(B) Hours of operation;
(C) MAXIMUM BATHER LOAD;
(D) Do not swim if you have open wounds;
(E) Do not swim if you are ill with diarrhea or have had diarrhea within the past 2 weeks;
(F) SHOWER before entering the water;
(G) No glass items in the AQUATIC VENUE or on the DECK;
(H) Do not swallow or spit water;
(I) Diaper changing on the DECK is prohibited;
(J) No Diving, as applicable per 5.5.5;
(K) Intentional hyperventilation or extended breath holding activities are dangerous and prohibited;
(L) No animals in the AQUATIC VENUE and no animals on the DECK, except service animals, if applicable;
(M) No rough play or running;
(N) Children under the age of 14 years must have direct supervision by a person aged 18 years or older;
(O) BATHERS who are incontinent or not toilet trained must wear a swim diaper;
(P) Immuno-compromised individuals should use caution when using a public AQUATIC VENUE;
(Q) No food or drink allowed in the pool.; and
(R) No person under the influence of alcohol may use the pool.
(x) Amend 6.4.2.2.3.4, Unstaffed Aquatic Facilities without Lifeguards to read: In addition to signage messages in paragraphs (A through R) of subsection (6)(w) of this rule, unstaffed AQUATIC FACILITIES shall also include signage messages covering:
(A) No Lifeguard on Duty (In letters at least four inches high);
(B) Hours of operation: AQUATIC FACILITY use prohibited at any other time; and
(C) Bring a Friend: Do not Swim Alone
(y) Amend 6.4.2.2.3.7, SPA Signs to read: In addition to the 6.4.2.2.3 requirements, SPAS shall also have the following information or text complying with the intent of the following information:
(A) Maximum water temperature is 104° F (40°C);
(B) Children under age 5 and people using alcohol or drugs that cause drowsiness shall not use spas;
(C) Pregnant people and those with heart disease, high blood pressure or other health problems should not use spas without prior consultation with a healthcare provider;
(D) Children under the age of 14 years must have direct supervision by a person aged 18 years or older; and
(E) Use of the spa when alone is prohibited (if no lifeguards onsite); and

(F) Bathers should spend no more than 15 minutes in the spa at any one session.
(z) Add 6.4.2.2.3.8, Interactive Water Play Venue Signs to read: INTERACTIVE WATER PLAY VENUES shall have the following information or text complying with the intent of the information below. If the venue is without an enclosure, the warning signs must be placed on four sides or not more than 50 feet apart, whichever is less.
(A) "WARNING: NO LIFEGUARD" in letters at least four inches (100 mm) high
(B) Do not use the pool if you have had diarrhea in the last two weeks.
(C) All persons, who are not toilet trained, must wear swim diapers.
(D) Do not poop or pee in the water.
(E) Do not swallow or spit water.
(F) Do not leave children unsupervised.
(G) If the operator does not provide direct supervision, add: "For emergency assistance please (insert contact 911, or other emergency assistance site staffed during all hours the wading pool is open)" and "Please contact (insert contact person or agency and phone number) with any concerns about this pool".
(aa) Delete 6.4.2.2.4, Hygiene Facility Signage.
(bb) Delete 6.4.2.2.5, Diaper Changing Station Signage.
(cc) Delete 6.4.2.3, Swimmer Empowerment Methods.
(dd) Amend 6.5.1.2, Contamination Training to read: For GENERAL USE AQUATIC FACILITIES The CONTAMINATION RESPONSE PLAN shall include procedures for response and cleanup, provisions for training staff in these procedures, and a list of equipment and supplies for cleanup.
(ee) Delete 6.5.1.3, Equipment and Supply Verification.
(ff) Amend 6.5.2.3, Treated to read: AQUATIC VENUE water that has been contaminated by feces or vomit shall be treated as follows:
(A) Check to ensure that the water's pH is 7.5 or lower and adjust if necessary;
(B) Verify and maintain water temperature at 77 degrees Fahrenheit (25 degrees Celsius) or higher, except for AQUATIC VENUES without heaters;
(C) Operate the filtration/RECIRCULATION SYSTEM while the POOL reaches and maintains the proper DPD-FC concentration during the remediation process;
(D) Test the FREE CHLORINE RESIDUAL at multiple sampling points to ensure the proper DPD-FC concentration is achieved throughout the POOL for the entire DISINFECTION time; and
(E) Use only non-stabilized CHLORINE products to raise the DPD-FC concentrations during the remediation.
(gg) Amend 6.5.3.6.1, Remediation and Testing to read: For remediation and testing of AQUATIC VENUES suspected of being contaminated with Legionella the QUALIFIED OPERATOR shall:
(A) Close the SPA to BATHERS immediately, shut down the hydrotherapy jet system and circulation pumps, but do not drain the water.
(B) Contact the AHJ for information about laboratory testing for Legionella. If the AHJ determines that laboratory testing is needed, they will take water and biofilm samples from the SPA tub, hydrotherapy jets, drain, and filters/filter media to test for Legionella before taking the steps below.
(C) Proceed as directed below, or according to AHJ guidance, after samples have been taken. The SPA should not be reopened to BATHERS until all test results are negative for Legionella.
(D) Scrub vigorously all SPA surfaces, skimming devices, circulation components with DPD-FC at a minimum concentration of five ppm (mg/L) to remove any biofilm or slime. After scrubbing, rinse the SPA with clean water and flush to waste.
(E) Drain all water from the SPA. Dispose of the water to waste or as directed by the AUTHORITY.
(F) Replace filters (for cartridge or DE filters) or filter media (for sand filters). Bag these filters and dispose as normal solid waste.
(G) Inspect the SPA thoroughly for any broken or poorly functioning components such as valves, sensors, tubing, or disinfectant feeders. Make any needed repairs.

(H) Refill the SPA with clean water.
(I) Hyperchlorinate using 20 ppm (mg/L) DPD-FC.
(i) Keep the hydrotherapy jet system off and let the hyperchlorinated water circulate for one hour in all of the components of the SPA including the compensation/surge tank, filter housing, and piping.
(ii) Turn on the hydrotherapy jet system to circulate the hyperchlorinated water for nine additional hours. Ensure that 20 ppm (mg/L) of DPD-FC is maintained in the system for the entire 10 hours.
(J) Flush the entire system to remove the hyperchlorinated water from all equipment prior to repeat sampling.
(K) Take repeat samples for culture-based laboratory testing to confirm that Legionella has been eliminated. Water and biofilm samples should be taken from the SPA tub, hydrotherapy jet system, drain, filters/filter media, and any part of the SPA that originally tested positive for Legionella.
(L) Keep the SPA closed to BATHERS until this repeat testing has confirmed the elimination of Legionella. If laboratory testing is positive for Legionella, repeat steps in paragraphs (D) through (K) of subsection (6)(gg) of this rule until all testing is negative for Legionella. When all tests are negative, the SPA can be reopened to BATHERS.
(M) Ensure that halogen (CHLORINE or bromine) concentration and pH meet applicable local, state, territorial, federal, and Tribal laws before reopening the SPA to BATHERS. Maintain water quality according to local, state, territorial, federal, and Tribal laws.
(N) If the SPA is associated with an outbreak, the following continued laboratory testing schedule shall be conducted: conduct culture-based testing every two weeks for three months, then every month for three months to ensure complete elimination of Legionella. If at any time during this laboratory testing schedule Legionella is found, disinfect again and start the testing schedule over. For AQUATIC VENUES that continue to grow Legionella, consider hiring a consultant with expertise in Legionella.
(hh) Delete 6.6.1.3, Based on Risk.
(ii) Amend 6.6.3.1, Violations Requiring Immediate Correction or Closure to read: The AHJ shall have the right to order immediate correction or order immediate POOL closure for any of the following IMMINENT HEALTH HAZARDS violations:
(A) Failure to provide supervision and staffing of the AQUATIC FACILITY as prescribed in 6.3.4.1;
(B) Failure to provide the minimum or exceeding the maximum disinfectant residual concentrations listed in 5.7.3.1;
(C) AQUATIC VENUES using CHLORINE STABILIZERS where the CYA:DPD-FC ratio exceeds 45:1 or when CYA levels exceed 150 ppm;
(D) pH below 7.0;
(E) pH above 7.8;
(F) Failure to continuously operate the AQUATIC VENUE filtration and DISINFECTION equipment when open for use;
(G) Use of an unapproved or contaminated water supply source for potable water use;
(H) Unprotected overhead electrical wires within 20 feet horizontally of the AQUATIC VENUE;
(I) Non GFCI protected electrical receptacles within 20 feet of the inside wall of the AQUATIC VENUE or the presence of bare electrical wires and other electrical deficiencies;
(J) The presence of lightning or severe storms within a minimum 10-mile (16km) proximity of an outdoor aquatic venue.
(K) Absence of all required lifesaving equipment on DECK;
(L) AQUATIC VENUE bottom not visible;
(M) Total absence of or improper depth markings at an AQUATIC VENUE;
(N) Plumbing CROSS-CONNECTIONS between the drinking water supply and AQUATIC VENUE water or between sewage system and the AQUATIC VENUE including filter backwash facilities;
(O) Failure to provide and maintain an ENCLOSURE to prevent unauthorized access to the AQUATIC FACILITY or AQUATIC VENUE when required;
(P) Use of unapproved chemicals or the application of chemicals by unapproved methods to the AQUATIC VENUE water;
(Q) Broken, unsecured, or missing main drain grate or any submerged suction outlet grate in the AQUATIC VENUE;

(R) Number of bathers/patrons exceeds the MAXIMUM BATHER LOAD;
(S) Broken glass or sharp objects in AQUATIC VENUE or on DECK area; or
(T) Any other item determined to be a public health hazard by the AHJ.
(jj) Amend 6.6.3.1.1, Low pH Violations to read: If pH testing equipment does not measure below 7.0, pH must be at or below the lowest value of the test equipment.
(kk) Amend 6.6.3.1.2, High pH Violations to read; If pH testing equipment does not measure above 7.8, pH must be at or above the highest value of the test equipment
(ll) Amend 6.6.3.2, Required Closing to read: An AQUATIC FACILITY owner, QUALIFIED OPERATOR, or RESPONSIBLE SUPERVISOR of an AQUATIC FACILITY or AHJ shall close an AQUATIC VENUE for any of the IMMINENT HEALTH HAZARDS in 6.6.3.1.
(mm) Delete 6.6.4, Enforcement.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, ORS 448.990, ORS 183.355

OAR 333-062-1000(5) Changes to Federal Regulation, Chapter 5.0 includes Table 5.7.3.7.7 and Table 5.7.3.7.8

Table 5.7.3.7.7: Ozone System Monitoring Frequency

Parameter	Monitoring Frequency	Recording Frequency
ORP	Continuous	Every 4 hours
Control System Indicating Ozone Being Created	Continuous	Every 4 Hours
Operational Indicators in Range	Continuous	Every 4 hours
Ozone Within 6 inches of Aquatic Venue Water Surface	Annual	Annual

Table 5.7.3.7.8: UV System Monitoring and Calibration Frequency

Parameter	Monitoring Frequency	Recording Frequency
Flow Rate Monitoring	Continuous	Every 4 Hours
Intensity Monitoring	Continuous	Every 4 Hours
Water Temperature Monitoring *(Medium Pressure)*	Continuous	Daily
Set Point for Intensity Monitoring	Continuous	Daily
UV Lamp On/Off Cycle Monitoring	Continuous	Weekly *(Total Cycles/Week)*
Iron, Calcium Hardness Monitoring	Weekly *(If Fouling is Prevalent)*	Weekly
Calibration of UVT Analyzer *(if used)*	Per Manufacturer's Requirements	At Time of Calibration
Calibration of Intensity	Per Manufacturer's Requirements	At Time of Calibration
Calibration of Flow Meter	Per Manufacturer's Requirements	At Time of Calibration

ADOPT: 333-062-1005

RULE TITLE: Licensing

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-062-1005, Licensing
Clarifying language brought forward from ORS 448.035 specifying that all public aquatic venues must be licensed prior to operation for public use.

RULE TEXT:
(1) No person shall operate an AQUATIC VENUE, without:
(a) The AQUATIC VENUE having received a final construction inspection and approval from the AUTHORITY;
(b) Making application for a license to operate;
(c) Paying the license fee; and
(d) Securing a license from the AUTHORITY.
(2) Such license terminates and is renewable on December 31 of each year.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.030

ADOPT: 333-062-1010

RULE TITLE: Conditional Licenses

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-062-1010, Conditional Licenses
Added to maintain historical language from OAR 333-060-0040 and 333-062-0040 allowing for the issuance of a conditional license under certain circumstances.

RULE TEXT:
The AUTHORITY may issue conditional licenses in circumstances in which:
(1) There is substantial compliance with these rules;
(2) In which a written schedule for total compliance approved by the AUTHORITY is instituted and maintained; and
(3) Where in the judgment of the AUTHORITY, there will be no immediate threat to health and safety during the time in which to meet complete compliance. The AUTHORITY may also require special safeguards to be instituted and maintained as a condition of the conditional license.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.035

ADOPT: 333-062-1015

RULE TITLE: Maintenance and Modification

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-062-1015, Maintenance and Modification
Added to maintain historical language from OAR 333-060-0045 and OAR 333-062-0045 to ensure that all licensed aquatic facilities are maintained as approved and in good repair.

RULE TEXT:
(1) All equipment of AQUATIC FACILITIES AND AQUATIC VENUES 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 AQUATIC FACILITIES AND AQUATIC VENUES shall be maintained in good repair.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.011

ADOPT: 333-062-1020

RULE TITLE: Enforcement

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: Adopt OAR 333-062-1020, Enforcement
Added to maintain historical language from OAR 333-060-0700 and 333-062-0250 regarding access during inspections, and enforcement activities if a facility is found to be not designed, constructed, equipped, maintained or operated as required or is found to be insanitary, unclean or dangerous to public health or safety.

RULE TEXT:
(1) The AQUATIC VENUE license holder, operator, or responsible supervisor must permit the AUTHORITY to enter any AQUATIC VENUE, whenever the AQUATIC VENUE is open, or at any other reasonable time for the purpose of inspecting the AQUATIC VENUE OR FACILITY. The inspection may include, but is not limited to, the BATHHOUSE or HYGIENE FACILITIES, chemical storage, ENCLOSURE and security provisions, recirculation equipment, piping, ventilation, supervision areas, operations, AQUATIC VENUE records and files, to determine compliance with these rules.
(2) If upon inspection of an AQUATIC VENUE, the AUTHORITY finds that the AQUATIC VENUE is not designed, constructed, equipped, maintained or operated as required by these rules, or is found to be insanitary, unclean or dangerous to public health or safety, the AUTHORITY 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 AQUATIC VENUE 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 AUTHORITY may take action to close the AQUATIC VENUE in accordance with 333-062-1025 prior to notifying the license holder, operator, or responsible supervisor in writing of the violations.
(3) If the license holder does not correct the violations listed in the notice issued under section (2) within the specified time period, the AUTHORITY may issue a notice proposing to suspend or revoke the license to operate the AQUATIC VENUE in accordance with ORS chapter 183. A license holder shall have 21 days to request a hearing.

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, ORS 448.990

ADOPT: 333-062-1025

RULE TITLE: Closure Criteria

NOTICE FILED DATE: 12/30/2024

RULE SUMMARY: 333-062-1025, Closure Criteria
Clarifying language brought forward from ORS 448.990 to list which specific rule violations would require closure of the facility to the public.

RULE TEXT:
(1) If one or more of the conditions outlined in subpart 6.6.3 is present at the AQUATIC VENUE or AQUATIC FACILITY, the AQUATIC VENUE license holder, operator or responsible supervisor must immediately close the AQUATIC VENUE until the situation is resolved.
(2) If an AQUATIC VENUE license holder, operator or responsible supervisor has not acted in accordance with section (1) of this rule, the AUTHORITY may issue an emergency suspension order and close an AQUATIC VENUE in accordance with ORS 183.430(2).

STATUTORY/OTHER AUTHORITY: ORS 448.011

STATUTES/OTHER IMPLEMENTED: ORS 448.005 - 448.100, ORS 448.990