

Town of Franklin

Ordinance on Public Swimming Pools

I) DEFINITIONS:

- A) AUTHORIZED AGENT: an official acting on behalf of the Department of Health.
- B) DECK: the area surrounding the public pool.
- C) DEPARTMENT OF HEALTH: the Town of Franklin agency overseeing pool applications and compliance.
- D) DEPTH MARKERS: numerals that denote water depth and are located in the pool, in a contrasting color and at a height of 4 inches.
- E) DISINFECTION: a process of automatically feeding disinfectant into the pool to ensure water quality.
- F) DRESSING ROOM: separate, private areas for males and females set aside for changing in and out of swimsuits.
- G) LIFEGUARDS: any person certified to ensure the safety of swimmers.
- H) LIFESAVING EQUIPMENT: consisting of a ring buoy not more than 15 inches in diameter, attached to a 50-foot length of ¼-inch line, and a pole or crook with blunted ends which is at least 12 feet in length.
- I) OPERATOR: any person knowledgeable in the operation of the pool and in pool water chemistry and testing, who is on duty whenever the pool is open, and whose name is on file with the Department of Health.
- J) PUBLIC POOL: any artificial basin constructed of concrete, steel, fiberglass or other relatively impervious material intended for recreational bathing, swimming, diving or therapeutic purposes, located indoors or outdoors and provided with a controlled water supply, used for commercial or business purposes, including swimming pools, diving pools, lap pools, wading pools, slide pools, spas, whirlpools, and hot tubs.

II) PERMITS:

- A) No person shall operate, maintain or permit the operation of any public pool in the Town of Franklin without having a permit from the Department of Health. Any person

desiring to operate a public pool shall, at least 10 days before the proposed opening date, apply for such permit on forms provided by the Department of Health. The application shall be accompanied by the permit fee. Public pools operated by schools or government agencies must obtain a permit, but shall be exempt from the fee.

- B) Each public pool at a single location which has its own recirculation and water treatment system shall be deemed to be a separate pool and shall be required to have a separate permit.
- C) The authorized agent shall inspect the public pool to determine compliance with this ordinance and with the Connecticut Public Health Code and all state regulations prior to issuing a permit.
- D) Permits shall be renewed annually and be valid from the date issued until April 30th unless revoked by the Department of Health or unless the pool changes ownership.
- E) Permits shall not be transferable from person to person or from location to location.
- F) Permits shall be posted in a location easily visible to patrons.

III) SUPERVISION:

- A) Every public pool shall be under the immediate supervision of a pool operator who is at least 18 years old.
- B) The pool operator shall be held responsible for compliance with all provisions and regulations relating to pool operation, equipment, maintenance, water testing, and swimmer safety. The operator shall be knowledgeable in water chemistry and testing.
- C) Each pool operator must obtain a certificate of competency from a training course approved by the Department of Health. The Department of Health may require that the pool operator obtain additional training if an inspection determines that the pool operator lacks the knowledge to properly and safely operate the pool.
- D) The names of all pool operators must be on file and regularly updated with the Department of Health, and the contact information for such must be posted at the public pool.

IV) OPERATION:

- A) Public pools shall comply with the requirements of the Connecticut Public Health Code 19-13-B33b.

- B) All persons must shower with warm water and soap before entering the pool.
- C) If bromine is used as a disinfectant, the bromine residual shall be maintained at a level of not less than 2.0 ppm in a swimming pool, and at a level between 3.0 and 5.0 ppm in a whirlpool.
- D) The total alkalinity of the water shall be maintained at a level between 80-150 ppm. Equipment for measuring the total alkalinity of the water shall be available at each pool.
- E) Every pool shall have available, and use a diethyl-phenylene-diamine test kit, or other testing method acceptable to the Department of Health, for measuring disinfectant residuals in the pool. The use of orthotolidine test kits is prohibited.
- F) Chemical tests for disinfectant residual and pH shall be performed at least 3 times per day during the operating season. Testing for total alkalinity and cyanuric acid level, if applicable, shall be performed weekly and within 3 hours of the addition of make-up water to the pool. Records of chemical tests shall be kept on forms acceptable to the Department of Health and shall be maintained at the pool site.
- G) The quality of the water shall be such that not more than 15 percent of the samples of pool water covering a period of a month shall either:
 - 1) yield more than 200 bacterial colonies per milliliter, as determined by the standard 35 degrees C agar plate count, or
 - 2) show positive for coliform organisms in any of 5 10-mL portions inoculated into fermentation tubes or contain more than 1.0 coliform colonies per 50 mL when the membrane filter test is used.
- H) The clarity of the water shall be such that at all times the pool is in use the water shall be sufficiently clear to permit a secchi disc or black disc 6 inches in diameter on a white field placed on the bottom of the pool at the deepest point to be clearly visible from the deck.
- I) The pH shall be maintained at a pH value of not less than 7.2 and not over 7.8. Caustic alkalinity shall not be present.
- J) All test samples shall be collected and examined in accordance with the procedures outlined in the latest edition of the Standard Methods for the Examination of Water and Wastewater by the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation.
- K) Pool water shall be disinfected by an automatic disinfectant feeder that imparts a measurable residual at all times when the pool is in use and complies with the National Sanitation Foundation. When chlorine is used, a free chlorine residual of at least 0.8

mg/ as listed in the Standard Methods for the Examination of Water and Wastewater shall be maintained throughout the pool when it is open. When cyanuric acid is used to stabilize the free available residual chlorine, or when chlorinated isocyanurate compounds are used, the concentration of cyanuric acid in the water shall not exceed 100 mg/l and a free available chlorine residual of at least 1.5 mg/l shall be maintained throughout the pool when it is open.

- L) Anyone suffering from diarrhea, vomiting, skin lesions, inflamed eyes, ear discharges, throat infection, or any other condition which has the appearance of being infectious shall be prohibited from using the pool.
- M) Infants and children who are not fully toilet-trained shall wear tight-fitting rubber or plastic pants, or swim diapers, when using the pool.
- N) Pool bottoms shall be vacuumed or mechanically cleaned as frequently as needed to maintain cleanliness.

V) SAFETY:

- A) Lifeguards shall possess a current lifesaving certificate from the American Red Cross, or other certifying agency acceptable to the Department of Health. Lifeguards shall also have certification in cardiopulmonary resuscitation as specified in Connecticut Public Health code 19a-113a-1. When lifeguards are provided, there shall be at least one lifeguard for every 50 swimmers on duty whenever the pool is open.
- B) Where there is a change in the slope of the pool bottom, a safety line at the point of the change shall delineate the non-swimmers' area from the swimmers' area. This line shall be equipped with floats not more than 5 feet apart and kept in place at all times except for competitive swimming events and lap swimming where lane float lines are used.
- C) Handrails shall be provided at all steps and ladders.
- D) All diving stands, slides, lifeguard stands, handrails and ladders shall be properly secured.
- E) All outdoor pools shall be surrounded by a barrier a minimum of 4 feet high and designed to discourage access by unauthorized persons. Entry gates shall be self-closing and self-latching. When the pool is not open, access to the pool shall be prohibited and prevented.
- F) Every pool shall be equipped with an American Red Cross standard 24-unit first aid kit or equivalent, kept filled and ready for use.

- G) There shall be a telephone for emergency communication readily available.
- H) Signs stating the following shall be posted:
 - 1) All persons must shower before entering the pool.
 - 2) Any person with a known or suspected communicable disease is prohibited from using the pool.
 - 3) Spitting or nose-blowing in the pool is prohibited.
 - 4) Running, boisterous or rough play in the pool is prohibited.
 - 5) No diving into the shallow end.
 - 6) Persons using the whirlpool shall be in good health.
 - 7) Children are prohibited from using the whirlpool.
- I) Depth markers shall be provided on the pool rim at points of minimum and maximum depths, at all points where the pool floor changes slope, and at appropriate points between. Markers shall be visible from within the pool and from the deck. Depth markers shall be provided on whirlpools indicating maximum water depth.
- J) Lifeguard stands shall be located adjacent to the deep end and raised 4 feet, so that all areas of the pool are visible to the lifeguard.
- K) Each pool shall be provided with 1 unit of lifesaving equipment per 100 feet of pool perimeter, mounted in conspicuous places like the lifeguard stand, fences of outside pools and walls of indoor pools. Life poles or shepherd's crooks shall be mounted in permanent sockets toward the deep end of the pool.
- L) Pool water temperature shall not exceed 104 degrees F.
- M) No glass containers or glass objects other than pool-testing equipment and eyeglasses shall be permitted in the pool or on the pool decks.
- N) All indoor pools shall be equipped with auxiliary lights that shall function when the main light fixtures fail due to any type of power failure.
- O) When gaseous chlorine is used as a disinfectant source, chlorine cylinders and proportioning equipment shall be housed in a separate, locked, and well-ventilated enclosure. This enclosure shall have the following:
 - 1) A window

- 2) A vent fan located at floor level and terminating outdoors
- 3) An approved floor scale for weighing chlorine cylinders to determine the amount of chlorine fed over any period of time, and to permit the pool operator to know when the supply of chlorine in the cylinder is nearing exhaustion.
- 4) An ammonia fume dispenser bottle to check for chlorine leaks.
- 5) Provisions to secure all full and empty chlorine cylinders to the scale or the walls to prevent accidental tipping.
- 6) An approved chlorine cylinder valve stem wrench, kept on the valve stem of the cylinder(s) in use so the chlorine supply can be shut off quickly in case of emergency.
- 7) Valve protection hoods kept in place on all cylinders except those attached to the chlorinator.

VI) INSPECTIONS:

- A) The authorized agent shall conduct inspections as deemed necessary to ensure compliance with all provisions of this ordinance and all state regulations.
- B) The authorized agent shall have the right of entry at any reasonable hour to inspect the pool and appurtenant facilities.
- C) If more than one inspection is necessary to ensure that violations have been corrected, fees may apply.

VII) PERMIT SUSPENSION AND REVOCATION:

- A) The authorized agent may suspend any permit in the event of an emergency endangering the public health or for the failure of the permit holder to comply with the requirements of this ordinance or state regulations. The permit holder shall be notified in writing that the permit is, upon service of notice, immediately suspended, and that an opportunity for a hearing will be provided if a written request for such is filed within 48 hours.
- B) The authorized agent may revoke any permit for serious or repeated violations of this ordinance or state regulations, or for interference with the authorized agent in the performance of his or her duties. The permit holder shall be notified in writing that the permit is, upon service of notice, immediately revoked, and that an opportunity for a

hearing will be provided if a written request for such is filed within 48 hours. If no request for a hearing is submitted, the revocation becomes final.

- C) Hearings shall be conducted by the Department of Health at a time and place designated by the Department of Health within 5 days of the receipt of a written request for such, and upon review of the suspension or revocation, the decision shall be made to either sustain, modify or rescind it. A written report of the decision shall be furnished to the permit holder. If the permit holder is aggrieved by the decision, appeal may be made to the Connecticut Commissioner of Public Health.
- D) A suspended permit shall be reinstated when an inspection by the authorized agent determines that the conditions causing suspension have been corrected.
- E) The permit holder of a revoked permit may apply for a new permit, after 60 days, accompanied by the annual fee
- F) Any permit holder who continues to operate a public pool after a permit has been suspended or revoked shall be subject to a fine of \$100.00 each day of operation.

VIII) CLOSURE:

- A) The authorized agent may order a pool to cease operation when it is found that any one or several of the following conditions exist:
 - 1) The amount of residual disinfectant is less than the minimum amount specified in the Connecticut Public Health Code 19-B33b(b)(5).
 - 2) The pH of the water does not comply with the provisions of the Connecticut Public Health Code 19-13-B33b(b)(6).
 - 3) The clarity of the water does not comply with the provisions of the Connecticut Public Health Code 19-13-B33b(b)(4).
 - 4) The temperature of the water exceeds 104 degrees F.
 - 5) There is a malfunction of the recirculating system.
 - 6) The safety equipment required by the Connecticut Public Health Code 19-13-B33b(b)(10)(14)(16)(18)(c)(1)(3)(4) is not provided.
 - 7) There is no valid permit issued by the Department of Health.
 - 8) The authorized agent finds any other condition which constitutes a public health or safety hazard or a health nuisance to patrons.

B) The procedure for closure shall be as follows:

- 1) Written notice of closure shall be delivered to the person in charge by the authorized agent.
- 2) The pool shall remain closed until written approval to reopen has been issued by the authorized agent.
- 3) Any person who is aggrieved by an order to close a public pool may, within 48 hours of receipt of such, file a written request for a hearing with the Director of Health. If a hearing is requested, the Department of Health shall review the order and may sustain, modify or rescind such closure. If the person is still aggrieved by the decision, an appeal may be made to the Connecticut Commissioner of Public Health.
- 4) An appeal of an order to close a public pool shall not stay enforcement of the closure unless granted in writing by the Department of Health.

IX) POOL FACILITY:

- A) Decks, dressing rooms, lavatories and showers shall be kept clean, in good repair, and well-ventilated.
- B) The floors shall be treated with a 0.5 chlorine solution, or an equivalent fungicide, daily.
- C) Drain gates shall be vandal-proof, designed to prevent hand-entrapment, and secured to prevent removal.

X) FOOD SERVICE:

- A) If food and beverages are to be served at the public pool, no containers of glass shall be used. The facility shall be arranged so that food is served and consumed in specified areas only. Any food service area shall comply with the Connecticut Public Health Code and with the Department of Health.

XI) CONFLICT OF REGULATIONS:

- A) In any case where a provision of this ordinance conflicts with a state regulation or law, the provision which establishes the higher standard for the promotion and protection of public health and safety shall prevail.

XII) VALIDITY:

- A) If any provision or application of this ordinance is held invalid for any reason, that invalidity shall not affect any other provision or application of this ordinance.

XIII) EFFECTIVE DATE:

- A) This ordinance shall become effective November 21, 2012

TOWN OF FRANKLIN

THE TOWN OF FRANKLIN IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER.

APPLICATION FOR THE OPERATION OF A PUBLIC SWIMMING POOL

ALL OPERATIONS MUST COMPLY WITH CONNECTICUT GENERAL STATUTES.

NAME OF FACILITY: _____

ADDRESS OF FACILITY: _____

TELEPHONE NUMBER: _____

TYPE OF POOL(S) CHECK ALL THAT APPLY: ____ INDOOR ____ OUTDOOR ____ WHIRLPOOL

OWNER OF FACILITY: _____

ADDRESS OF OWNER (IF DIFFERENT): _____

TELEPHONE NUMBER: _____

MANAGER OF ESTABLISHMENT: (IF DIFFERENT): _____

ADDRESS OF MANAGER: _____

TELEPHONE NUMBER: _____

DAYS AND HOURS OF OPERATION: _____

NAMES AND ADDRESSES OF ALL POOL OPERATORS (A POOL OPERATOR MUST BE PRESENT AT ALL TIMES
POOL(S) ARE OPEN. ALL POOL OPERATORS MUST BE CERTIFIED AND COPIES OF CERTIFICATIONS MUST
BE INCLUDED): _____

SIGNATURE: _____ DATE: _____

TO BE COMPLETED BY THE DEPARTMENT OF HEALTH

FEE: _____ DATE: _____ SIGNATURE: _____

TOWN OF FRANKLIN

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PUBLIC POOL SANITARY INSPECTION CHECKLIST

DATE _____ FACILITY _____

INSPECTOR _____ OPERATOR _____

RATING _____

A SANITARY INSPECTION WAS CONDUCTED OF THE FACILITY ON THE DATE NOTED ABOVE.

THE FOLLOWING IS A REPORT OF THIS INSPECTION.

| | SATISFACTORY | UNSATISFACTORY |
|--------------------------|--------------|----------------|
| POOL CONDITION: | _____ | _____ |
| WATER QUALITY: | _____ | _____ |
| WATER CLARITY: | _____ | _____ |
| CHEMICAL BALANCE: | _____ | _____ |
| CHEMICAL STORAGE: | _____ | _____ |
| DECK CONDITION: | _____ | _____ |
| DRESSING ROOM CONDITION: | _____ | _____ |
| BUILDING CONDITION: | _____ | _____ |
| VENTILATION: | _____ | _____ |
| LIGHTING: | _____ | _____ |
| LAVATORIES: | _____ | _____ |
| SAFETY EQUIPMENT: | _____ | _____ |
| SAFETY PRACTICES: | _____ | _____ |
| FOOD SERVICE SEPARATION: | _____ | _____ |
| PROHIBITED ITEMS: | _____ | _____ |
| REMARKS: | | |

