

TO: Board of Health

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DATE: November 20, 2014

SUBJECT: Proposed Updates to Policy #223.35 Swimming Pool Enforcement

The goal of the Water Quality Program is to reduce the risk of waterborne illness. The specific goal of LMC 8.38 Public Swimming Pools is to reduce the risk of recreational waterborne illness, injuries and drowning. Recent updates to LMC 8.38 and State regulations necessitated updating Policy #222.35 Swimming Pool Enforcement. Revisions were made to the language in the policy to be consistent with the updated ordinance and state regulations, and several substantive changes were also made, which are clarified in the following paragraphs.

Language was added in Section II, which will require LLCHD to provide the Lincoln Swimming Pool Operator (if not present during the inspection) and the owner a copy of a Pool Enforcement Notice when it is issued as a Suspension. Staff believes this will increase awareness of those ultimately responsible for the pool when LLCHD has closed a pool for violations which pose an imminent of substantial health or safety risk to the public.

Three items were added to section IV, which specifies when a pool must be ordered closed due to violations that pose an immediate or substantial health or safety risk:

- Not having a Backboard as safety equipment,
- Not having sufficient lifeguards, and
- Not having the Lincoln Swimming Pool Operator available.

These changes assure consistency with State pool regulations on closure items, which were updated in 2012.

Finally, two new sections were added:

- Section V provides staff guidance on what enforcement action to take when violations are found of the new ordinance requirement that all public swimming pool water quality tests must be conducted by a Lincoln Water Quality Tester or a Lincoln Swimming Pool Operator.
- Section VI provides staff guidance on what enforcement action to take when violations are found on the required frequency of pool water testing.

This policy update will assure that enforcement actions are consistent with Lincoln Municipal Code 8.38 - Public Swimming Pools and Lincoln Operational and Management Standards for Public Swimming Pools.

Staff recommends Board of Health approval of the proposed policy updates.
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