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WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

REGULATIONS
OF
THE WASHOE COUNTY DISTRICT BOARD OF HEALTH
GOVERNING

PUBLIC SWIMMING POOL AND SPA OPERATOR CERTIFICATION PROGRAM

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APPROVED BY THE WASHOE COUNTY DISTRICT BOARD OF HEALTH (DBOH) ON AUGUST 25, 2011
Requirements in effect as of December 31, 2011
AMENDED BY THE DBOH ON MARCH 28, 2013
AMENDED BY THE DBOH ON FEBRUARY 23, 2017
APPROVED BY THE NEVADA STATE BOARD OF HEALTH ON MARCH 10, 2017

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BOARD OF HEALTH
COUNTY OF ALABAMA

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PUBLIC SWIMMING POOL AND SPA OPERATOR CERTIFICATION PROGRAM

GENERAL PROVISIONS

PURPOSE AND INTENT

Purpose The purpose of this section is to attain a uniform standard of training and certification for public pool and spa operation and management.

Intent There shall be a Public Swimming Pool and Spa Operator Certification Program administered under the direction of the Health Authority. Such a program will have as its primary goal, the assurance that persons operating public pools and spas understand the principles of water chemistry, disinfection, safety hazards and comply with the provisions set forth in these regulations.

CERTIFIED POOL OPERATOR CERTIFICATE REQUIRED

As of December 31, 2011, all public pools and spas, as defined in Sections 444.058 and 444.385 of these regulations and issued permits by the Health Authority, shall be under the direct supervision of a Certified Pool Operator (CPO). The CPO is not required to be physically present at all hours of operation; however the CPO must be available at any time required for the operation of the pool and/or spa and when requested by the Health Authority and at a minimum via telephone communication.

SECTION 010

DEFINITIONS

As used in this regulation, unless the context otherwise requires, the words and terms defined in Sections 010.005 through 030.030 inclusive have the meanings ascribed to them in those sections.

010.005 CERTIFIED POOL/SPA OPERATOR (CPO) means an individual who has successfully completed the National Swimming Pool Foundation CPO course or renewal process and; any person who voluntarily or for remuneration performs pool services at a public pool and/or spa and other duties associated with the operation of a public pool and/or spa and who is certified pursuant to these regulations.

010.010 HEALTH AUTHORITY means the District Health Officer of the Washoe County Health District or their authorized representatives.

010.015 NATIONAL SWIM POOL FOUNDATION (NSPF) means the national group that coordinates and administers the Certified Pool/Spa Operator (CPO) Course and certification process.

- 010.020 PERSON** means a natural person, any form of business or social organization and any other non-governmental legal entity including, but not limited to, a corporation, partnership, limited liability company, association, trust or unincorporated organization.
- 010.025 PRIVATE SWIMMING POOL** means any swimming pool at a single family private residence controlled by the owner of the residence, and use of which is limited to the owner's family or invited guests of the owner.
- 010.030 PUBLIC SWIMMING POOL AND SPA** means any artificial swimming lagoon, isolation floatation tank, mineral bath, therapeutic pool or similar facility, spa, special purpose pool, spray pool, swimming pool, wading pool, or water recreation attraction that is used by the public for swimming or bathing. "Public swimming pool and spa" or "public pool and spa" does not include "private swimming pool" as defined above.
- 010.035**
- 010.040 WASHOE COUNTY DISTRICT BOARD OF HEALTH** means the governing Board of the Washoe County Health District as comprised under the authority of the Nevada Revised Statutes (NRS) Chapter 439.390 and organized pursuant to NRS 439.370.
- 010.045 WASHOE COUNTY HEALTH DISTRICT** means all of the geographical area in both the incorporated and unincorporated parts of Washoe County, Nevada.

SECTION 020

SWIMMING POOL AND SPA OPERATOR REQUIREMENTS

020.005 REQUIREMENTS FOR CERTIFIED POOL AND SPA OPERATOR CERTIFICATION

Public Swimming Pool and Spa Operator Certification shall be accomplished by:

- A. Successful completion of the National Swim Pool Foundation (NSPF) Certified Pool/Spa Operator (CPO) examination, and obtaining a certificate of completion from the NSPF as a CPO;

020.010 QUALIFICATIONS AS CERTIFIED POOL AND SPA OPERATOR

- A. Fully understand the technical aspects of swimming pool water disinfection, equipment and materials used in connection therewith;
- B. Is fully competent to service, clean and maintain swimming pools and appurtenances;
- C. Has knowledge of the effects and hazards of chemicals used in swimming pool water;

- D. Has an understanding of testing procedures for determination of pH, disinfectant residual, cyanuric acid concentration, total alkalinity, calcium hardness, and acid demand;
- E. Has an understanding of basic water chemistry including, but not limited to, free and combined chlorine, superchlorination, pH, total alkalinity, and hardness;
- F. Has a knowledge of disinfectant feeding devices, filters, pumps, motors and heaters; and
- G. Has knowledge of applicable laws, regulations, local requirements, and standards relating to swimming pool and spa maintenance.

020.035 RESPONSIBILITIES OF A CERTIFIED PUBLIC SWIMMING POOL AND SPA OPERATOR

The CPO in charge of a public pool or spa shall:

- A. Ensure that all employees and any other staff comply with the Regulations of the Washoe County District Board of Health Governing Public Bathing Places and Spas;
- B. Be responsible for identifying and correcting safety hazards in the day-to-day operation of the pool and/or spa and related facilities;
- C. Ensure that employees are effectively cleaning the pool and/or spa and related facilities;
- D. Maintain complete and accurate daily records of the pool and/or spa water chemistry, flow rate, chemical additions, and all other testing and information required by the Health Authority;
- E. Suspend all use of any pool and/or spa if conditions arise that may present a threat to public health, personal safety, or a threat to the environment;
- F. Maintain a current NSPF CPO certification while operating or overseeing all pool and/or spa duties;
- G. Post the current NSPF certificate in a conspicuous location in the pump room or other area of the pool and/or spa and provide their complete name, and valid phone number to contact regarding all pool and/or spa operations.. The form must be posted at either the pool or spa, or in the pump room, and must be provided upon request by the Health Authority. The information posted must remain current at all times while the pool and/or spa are in operation;
- H. Develop and implement specific policies, procedures and standards aimed at ensuring the pools and spas are operated in a manner that protects health and safety and prevents the spread of disease and water borne illness; and
- I. Conduct in-house self-inspections of daily operations on a periodic basis to ensure that procedures, operations, and safety are properly addressed.

020.040 MAINTENANCE STANDARDS

- A. Any Certified Pool Operator who provides pool or spa services at a public swimming pool or spa within the jurisdiction of the Health Authority, shall provide these services in accordance with the standards and requirements set forth in the provisions of Nevada Administrative Code Chapter 444 relating to the clarity of pool or spa water, disinfection, pH, cyanuric acid concentration, total alkalinity, cleanliness of the pool, repair or modification of pool, and repair or replacement of pool equipment and piping.
- B. If the Certified Pool Operator is unable to provide services at a public pool or spa in accordance with the requirements of these regulations because of any defect or deficiency in pool and/or spa equipment or appurtenances which are the responsibility of the pool owner; the pool or spa operator shall promptly deliver to the pool owner a written notice which describes any such defect in sufficient detail to enable the pool owner to determine what repair or replacement of equipment or accessories are necessary in order to provide for adequate servicing of the pool. The pool or spa operator shall retain a dated copy of any such notice in their regular business records which shall be available for inspection by the Health Authority.

SECTION 030

ENFORCEMENT ACTIONS

030.005 CERTIFIED POOL OPERATOR SUSPENSION; HEARING

- A. Whenever the Health Authority finds an unsanitary or other condition in the operation of a public pool and/or spa which, in their professional judgment, constitutes a substantial hazard to the public health or environment, or for serious and/or repeated violations of any of the requirements of these regulation, the permit to operate the pool and/or spa may be suspended without warning, notice or hearing. The Health authority shall immediately issue and serve a written order specifying the deficiencies upon which the suspension is based. Any person to whom such an order is issued shall comply with the terms within the time period set forth by the Health Authority.
- B. Any person with a Certified Pool Operator Certification that has been suspended may, at any time; submit an application for a reinstatement of their Certified Pool Operator Certification. The application for reinstatement shall address how all deficiencies and conditions causing suspension of the Certified Pool Operator Certification have been corrected. Upon review by the Health Authority a written response will be provided within ten (10) calendar days.
- C. Certified Pool Operator Certificate suspension does not allow the operator to function as the Certified Pool Operator for any and all facilities, and will subsequently require the permit to operate for all associated facilities to be suspended until such a time as a new operator with a current Certified Pool Operator Certification has been identified.
- D. Any person with a Certified Pool Operator Certification that has been suspended may request a hearing before the District Board of Health. All requests for hearing to the District Board of Health shall be initiated by the filing of a petition or written notice of

appeal to the Health Authority. This must be done within ten (10) working days after the operator receives the order of suspension from the Health Authority.

030.015 HEARING PROCEDURES

- A. The hearings provided for in this section must be conducted by the District Board of Health at a time and place designated by the District Health Officer. Based upon the record of the hearing, the District Board of Health shall make a finding and may sustain, modify or rescind any official notice or order considered in the hearing. A written report of the hearing decision must be furnished to the Certified Pool Operator certificate holder by the Health Authority within ten (10) days of the decision. The decision of the District Board of Health is final.
- B. Service of notices and orders shall be made by either one of the following:
 - 1. Personal service on the Certified Pool Operator Certificate holder(s); or,
 - 2. Registered or certified mail addressed to the Certified Pool Operator Certificate holder(s) at their address, identified with the required information to be posted. Service shall be completed at the time of deposit into the United States Mail.
- C. At the time and place stated in the suspension of Certified Pool Operator Certificate holder hearing, the District Board of Health shall hear and consider all relevant evidence, objections, or protests and shall receive sworn testimony of owners, witnesses, Health District personnel, and interested persons. The hearing may be continued from time to time.

030.020 PENALTIES

- A. Any person who violates any of the provisions of these regulations is guilty of a misdemeanor and may be subject to prosecution.
- B. Each day or part of a day during which such violation is continued and/or repeated constitutes a separate violation.

030.025 ADDITIONAL REGULATIONS

- A. The Health Authority is hereby authorized to make additional rules and regulations as may be necessary for the proper and orderly administration of these regulations.
- B. These regulations shall be in full force upon approval by the Washoe County District Board of Health.

030.030 SEVERABILITY

- A. If any provision of these regulations is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions which can be given effect without the invalid provision and to this end, the provisions of these regulations are declared to be severable.

