

LEGISLATIVE SUMMARY

Pursuant to authority granted by the Pennsylvania Local Health Administration Law, the Allegheny County Board of Health, on March 7, 2018, voted unanimously to approve changes to its Rules and Regulations, *Article IX, "Lifeguards, Bathing Places, Bathing Beaches, Hot Tubs and Spas"*. The Local Health Administration Law requires that county health department regulations be ratified by the county commissioners, and under the Home Rule Charter system, this ordinance meets that ratification requirement.

These updating changes were made, in part, at the request of the regulated community and include the following:

- The addition of new definitions;
- A new provision allowing for the consumer alert or closure placarding of pools with significant violations;
- A revision to allow for the concurrent issuance of civil penalties and notices of violation;
- A revision requiring a permit for major reconstruction of bathing places;
- A provision requiring the posting of safety signage at certain facilities;
- A provision requiring the posting of the hours of operation of a facility;
- Changes to the lifeguard provisions that make the requirement to have a lifeguard based on the size and nature of the bathing place, as well as the number of bathers;
- A provision that requires facilities without lifeguards to have safety notices and devices;
- A provision requiring automated controllers for maintaining water chemistry in new facilities and those undergoing major reconstruction;
- A provision requiring secondary disinfection in high risk pools;
- Changes to the provision governing diving boards, starting blocks, and water slides;
- Clarifying amendments to the electrical safety provisions;
- A new requirement for a facility safety plan; and
- A new provision allowing for variances.

When drafting these changes, the Health Department held multiple stakeholder meetings and held a public comment period to gather input from the public and the regulated community. Participating stakeholders include the YMCA; the American Red Cross; the Apartment Association of Metropolitan Pittsburgh; private and public pool operators; the Greater Pittsburgh Hotel Association, and the Pennsylvania Restaurant & Lodging Association. Notice of the proposed changes was published in the Pittsburgh Post-Gazette on January 14, 2018, which began the public comment period that lasted until February 20, 2018. The Health Department received 142 comments on the proposed regulation, and 136 of those comments were in support of the changes.
