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# Private Acts of 1971 Chapter 169

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Sincerely,

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## Private Acts of 1971 Chapter 169

**SECTION 1.** That there is hereby adopted a sanitary code for the control and operation of public or semi-public swimming pools and/or swimming areas within Shelby County, Tennessee. The Memphis and Shelby County Health Department is hereby authorized to enforce the provisions of this code and to issue permits and collect the fees as provided for herein.

**SECTION 2.** That the following definitions shall be applicable in the enforcement of the provisions of this Act.

The term "public swimming pool", as used in this Act, shall mean any body of water used for public or semi-public swimming or recreative bathing, which is artificial or semi-artificial construction, including all appurtenances concerning its use, whether operated for the public in general or for a portion of the public, as members of clubs, associations or other organizations. Other terms used in this Act shall have the meanings usually accorded to them by the health department of this and other cities regulating swimming pools.

**SECTION 3.** That no person shall operate or maintain a public swimming pool until a permit therefor has been issued by the Memphis and Shelby County Health Department, which permit shall not be valid for longer than one year. A new permit shall be secured at the first of each year or season of operation. All permits shall be in writing and shall state the conditions under which operation shall be maintained and the term for which the permit is allowed. Any permit granted by the Health Department under the provisions of this section may be revoked by the health department, acting through the health officer, for failure to comply with any of the provisions of this Act, or whenever, in the opinion of the health officer, the further operation under such permit becomes a menace to the health and safety of bathers; provided, that the holder of any permit which has been revoked, feeling aggrieved at the action of the health officer, shall have the right to appeal to the Commissioner of Health and have tried before him the question of the legality or reasonableness of the action of the health officer. No such appeal shall entitle the continued operation of the pool pending the action of the Commissioner of Health.

Before a permit is issued by the health department, an annual permit fee of \$100.00 shall be paid to the Memphis and Shelby County Health Department. Said fee shall be due on January 1 of each calendar year and shall be paid by January 31.

**SECTION 4.** That no person shall begin construction of a public swimming pool or reconstruct any such swimming pool, unless plans and specifications therefor have been submitted to and approved by the health department. Such plans and specifications shall be accompanied by supporting data, such as shop drawings of equipment, fittings, skimmers, filters, disinfectant feeders, pump rating curves, disposal of waste or other information as required by the health department. The plans shall be prepared by an architect or engineer licensed to practice in the State of Tennessee.

**SECTION 5.** That each public swimming pool area shall be designed in such a manner as to permit the installation of all equipment necessary for the proper operation of same and so as to give the proper routing and segregation of bathers and spectators.

**SECTION 6.** That no natural or artificial body of water which does not meet all requirements of the ordinance shall be approved as a public swimming pool. Every public swimming pool shall be provided with a sufficient quality of fresh water which meets the drinking water standards of the health department as to physical, bacteriological and chemical quality. The water shall show an adequate PH and disinfectant residual at all times when the pool is in use. Frequent tests shall be made to determine whether or not a sufficient disinfectant and PH balance is being maintained. At all times when the pool is in use, the water shall be sufficiently clear to permit the entire bottom of the pool to be clearly visible from the walkways. An approved test kit shall be provided by the owner to test for disinfectant residuals and for the PH of the water. The complete recirculating system equipment must be approved by the health department.

**SECTION 7.** That an automatic system of disinfecting the water in a public swimming pool shall be used which provides a residual of a disinfecting agent in the pool water as required by the health department.

**SECTION 8.** That where gaseous chlorine equipment is provided in a filter room at a public swimming pool, or in any part of a building which provides housing, the mechanical proportioning and cylinders of chlorine shall be housed in a corrosion-resistant enclosure and mechanically vented.

**SECTION 9.** That all public swimming pools shall be provided with dressing rooms as required by the health department which shall be so constructed as to be easily cleanable and maintained in a sanitary condition at all times. The buildings and grounds shall be kept free from garbage, trash and other refuse.

**SECTION 10.** That all public swimming pools shall be provided with a sanitary method of excreta

disposal, including one or more separate toilets for each sex, and their number and location will be determined by the health department.

**SECTION 11.** That a complete system of artificial lighting shall be provided for all indoor public swimming pools and for all public swimming pools which are to be used at night.

**SECTION 12.** That drinking water furnished at any public swimming pool shall be of a quality approved by the health department and shall be made available by means of sanitary drinking fountains. The use of common drinking cups is forbidden.

**SECTION 13.** That all reasonable precautions shall be taken at public swimming pools to protect the bathers from injury or accident. Convenient means of ingress and egress shall be provided. The depth of the water and any irregularities of the bottom shall be clearly indicated. Safety appliances such as life buoys, life hooks, bamboo poles or ropes, and equipment, including first aid kits, shall be provided and be readily accessible.

**SECTION 14.** That where required by the health department a sufficient number of attendants shall be on duty when a public swimming pool is in use. Such attendants shall be capable swimmers competent in life saving methods and trained in methods of artificial resuscitation.

**SECTION 15.** That no person having any skin eruptions or abrasions, sore or infected eyes, cold, nasal or ear discharge, or communicable disease shall be permitted to use any public swimming pool. Spitting of water, or blowing the nose in the pool shall be strictly prohibited. Suitable placards embodying such personal regulations and instructions shall be conspicuously posted.

**SECTION 16.** That suits and towels for common use at a public swimming pool shall be thoroughly laundered and dried after each usage in such manner as to meet the requirements of the health department.

**SECTION 17.** That such records and reports concerning the operation of a public swimming pool shall be kept as may be required by the health department.

**SECTION 18.** That the health department shall make such rules and regulations as may be necessary in its judgment not inconsistent with the ordinance to meet the requirements of public swimming pool sanitation and to preserve the safety and health of the bathers. Such rules and regulations, when adopted by the health department may be printed and made available to all operators of public swimming pools and to such other persons as may request the same. Such rules shall constitute a part of this Act. For any violation of such rules and regulations or any failure to comply therewith, any permit to operate may be revoked by the health officer under the provision of section 3.

**SECTION 19.** That if any part or parts of this Act shall be declared unconstitutional, it shall not affect the validity or any other part of this Act.

**SECTION 20.** That all laws and part of laws in conflict with the provisions of this Act, be and they are hereby repealed.

**SECTION 21.** That this Act shall have no effect unless approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Quarterly County Court of any County to which this Act may apply not more than one hundred twenty (120) days subsequent to its approval by the Chief Executive of this State or after its otherwise effective date. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State.

**SECTION 22.** That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 21 herein and as otherwise provided in this Act.

Passed: May 20, 1971.

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