



# NEW JERSEY STATE SANITARY CODE

## CHAPTER IX

### PUBLIC RECREATIONAL BATHING

NEW JERSEY  
DEPARTMENT OF HEALTH  
AND SENIOR SERVICES  
P.O. BOX 369  
TRENTON, NJ 08625-0369

**N.J.A.C. 8:26**

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## CHAPTER 26

### PUBLIC RECREATIONAL BATHING

#### SUBCHAPTER 1. PURPOSE, SCOPE AND DEFINITIONS

##### 8:26-1.1 Purpose

The purpose of this chapter shall be to set reasonable sanitary and safety regulations for public recreational bathing places and to preserve and improve the public health in this state as provided for in N.J.S.A. 26:1A-7.

##### 8:26-1.2 Scope

These rules shall govern all public recreational bathing places in New Jersey. Pursuant to N.J.S.A. 26:1A-9, the provisions of this chapter are enforceable by the New Jersey Department of Health and Senior Services, local departments of health, local police authorities, local sheriff's departments, and other enforcement agencies.

##### 8:26-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Adult" means a person aged 18 years or older.

"Alter" means and includes any modification, or relocation of any structure or equipment, or diversion and change of water flow patterns in an existing public recreational bathing place such that the design, configuration and/or operating characteristics are different from the original design, configuration and/or operating characteristics. The term does not include normal maintenance, repair, or replacement of previously approved equipment.

"American National Standards Institute, Inc. (ANSI)" means that private nonprofit organization which, for the purposes of this chapter, provides technical materials and expertise and is located at 11 West 42nd Street, 13th Floor, New York, New York 10036-8002 at (212) 642-4949.

"American Society of Mechanical Engineers (ASME)" means that nonprofit educational and technical organization which, for the purpose of this chapter, provides technical materials and expertise and is located at 3 Park Avenue, New York, New York 10016-5990 at (212) 591-7722.

"Approved" means acceptable to the State Department of Health and Senior Services or the local health authority based on its determination as to conformance with appropriate standards and good public health practices.

"Authorized agent" means a licensed health officer, sanitary inspector, or any other properly qualified and licensed person who is delegated to function within specified limits as the agent of the local health authority or the department.

"Bathing beach" means the designated area of a natural or artificially constructed pond, lake, stream, river, bay, tidal waters, ocean or other body of fresh or salt water, which is used for bathing and swimming purposes together with buildings, equipment, and appurtenances, if any, and the land areas used in connection therewith.

"Campground" means a plot of ground upon which two or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for children or adults, or both, for a total of 15 days or more in any calendar year, for recreation, education, or vacation purposes.

"Certified laboratory" means a water laboratory certified by the New Jersey Department of Environmental Protection.

"Common interest community" means:

1. Property subject to the Condominium Act, P.L. 1969, c.257 (N.J.S.A. 46:8B-1 et seq.), the Horizontal Property Act, P.L. 1963, c.168 (N.J.S.A. 46:8A-1 et seq.) and The Continuing Care Retirement Community Regulation and Financial Disclosure Act (N.J.S.A. 52:27D-330 et seq.);

2. A housing corporation or association, commonly known as a cooperative, which entitles the holder of a share or membership interest thereof to possess and occupy for dwelling purposes a house, apartment, manufactured or mobile home or other unit of housing owned or leased by the corporation or association, or to lease or purchase a unit of housing constructed or to be constructed by the corporation or association; or

3. Real estate with respect to which a person, by virtue of the ownership of a unit, is obligated to pay for real estate taxes, insurance premiums, maintenance or improvement of other real estate described in the instrument.

"Construct" means and includes building or installing a new public recreational bathing place or altering an existing public recreational bathing place or any of its facilities.

"Deck" means areas surrounding a swimming pool which are specifically constructed or installed for use by bathers.

"Deep" means water depths five feet or greater.

"Department" means the State Department of Health and Senior Services.

"Diving" means entering a body of water head first.

"Diving area" means that portion of a swimming pool which is eight feet forward of the tip of the diving board, eight feet behind the tip of the diving board, and eight feet to each side of the diving board.

"Health authority" means the agent of the Local Board of Health and/or State Department of Health and Senior Services duly licensed to act in the enforcement of its ordinances and the sanitary laws of the state.

"Hot tub or spa" means any pool having a maximum depth of 48 inches used in conjunction with high velocity water recirculation systems. Mineral or non-mineral water is used and is not emptied after each use. Water temperature is hot, cold, or ambient.

"Hotel" or "motel" means a commercial establishment with a building of four or more dwelling units or rooms used for rental and lodging by guests.

"Lifeguard" means a person who holds a lifeguarding certificate from an organization recognized by the New Jersey State Department of Health and Senior Services, as listed in the Appendix of this chapter.

"Locate" means designating the site or place of a public recreational bathing place.

"Mobile home park" means a parcel of land, or two or more contiguous parcels of land, containing at least 10 sites equipped for the installation of mobile or manufactured homes, where these sites are under common ownership and control, other than as a cooperative, for the purpose of leasing each site to the owner of a mobile or manufactured home for the installation thereof, and where the owner provides services, which are provided by the municipality in which the park is located for property owners outside the park, which services may include, but are not limited to:

1. Construction and maintenance of streets;
2. Lighting of streets and other common areas;
3. Garbage removal;
4. Snow removal; and
5. Provision for the drainage of surface water from home sites and common areas.

"National Spa and Pool Institute (NSPI)" means that professional organization which, for the purposes of this chapter, provides technical materials and expertise and is located at 2111 Eisenhower Avenue, Alexandria, Virginia 22314 at (703) 838-0083.

"Nephelometric Turbidity Unit (NTU)" means the turbidity of a specified concentration of formazin suspension used when measuring water clarity.

"Operate" means to conduct, maintain, or otherwise provide facilities for public recreational bathing.

"Person" means any corporations, companies, associations, societies, clubs, firms, partnerships, joint stock companies, governmental agencies as well as individuals.

"Private lake/river/bay or private community lake/river/bay association" means an organization of property owners within a fixed or defined geographical area with deeded or other rights to utilize, with similarly situated owners, various lakefront, riverfront, or bayfront properties, which said properties are not open to the general public, other than bona fide guests of a member of the private lake/river/bay or private community lake/river/bay association.

"Private marina" means a privately-owned water dependent facility for the docking, servicing or storage of private boats, at which services are provided on an annual, seasonal or per diem basis, and which facility is not open to the general public, other than bona fide guests of boat owners eligible to use the marina and which has a private swimming pool that is not open to the general public, other than bona fide guests of boat owners eligible to use the marina.

"Private recreational bathing place" means a body of water, natural or modified by man, used for swimming, diving, and recreational bathing by an individual, family, or living unit member(s) and their guests which shall not serve any type of cooperating house or joint tenancy of three or more living units.

"Public recreational bathing place" means any bathing beach, hot tub or spa, swimming pool, and wading pool that is not private and includes State, county, and municipal facilities.

"Retirement community" means a retirement community which is registered with the Division of Housing and Development in the Department of Community Affairs pursuant to "The Planned Real Estate Development Full Disclosure Act," P.L. 1977, c.419 (N.J.S.A. 45:22A-21 et seq.).

"Sanitary survey" means a comprehensive evaluation of the environmental factors affecting the quality of the waters of a bathing beach. This includes, but is not limited to, sewage and industrial wastewater discharges, storm-water overflows, bird and animal populations, commercial and agricultural drainage, and their relationship to the bathing beach, as well as the location and volume of the pollution, and its chemical, bacterial and physical characteristics.

"Shallow" means water depths less than five feet.

"Specially exempt facility" means a private lake, river or bay or private community lake, river or bay association, or private nonprofit common interest community which restricts the use of its lake, river, bay or pool, as appropriate, to the owners of units thereof and their invited guests. Specially exempt facility also includes a campground, hotel, motel, mobile home park or retirement community which restricts the use of its pool to renters of the lodging units or owners of the

dwelling units, as appropriate, and their invited guests, or day-use visitors, or a private marina which restricts the use of its swimming pool to owners of boats eligible to use the facilities and their invited guests. Specially exempt facility also includes a privately-owned campground which restricts the use of a swimming area other than its swimming pool to renters of the loading units or owners of the dwelling units, as appropriate, and their invited guests, or day-use visitors.

"Standard methods for the examination of water and wastewater" means that standard which, for the purposes of this chapter, is the recognized standard that provides the protocol for the microbiological water quality standards for all public recreational bathing places and may be obtained from the American Public Health Association, 1015-18th Street, N.W., Washington, DC 20036.

"Swimming pool" means a watertight structure of concrete, masonry, or other approved materials, located either indoors or outdoors, used for bathing or swimming and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith. A swimming pool shall mean a conventional pool, spa-type pool, wading pool, special purpose pool, or water recreation attraction, to which admission may be gained with or without payment of a fee, and includes, but is not limited to, pools operated by or serving campgrounds, clubs, churches, cities, common interest communities, counties, day care centers, group home facilities for six or more clients, health spas, institutions, parks, private lake, river, or bay or private community lake, river or bay associations, State, county and municipal agencies, retirement communities, schools, specially exempt facilities, subdivisions, or the cooperative living type projects of three or more living units, such as apartments, boarding homes, condominiums, hotels, mobile home parks, motels, recreational vehicle parks, townhouses, trailer parks, and youth camps.

"Turnover" means the period of time (usually in hours) required to circulate a volume of water equal to the pool capacity.

"User load" means the number of persons in the swimming pool, hot tub, or spa area at any given moment, or during any stated period of time.

"Wading pool" means a swimming pool that ranges in water depth from zero to two feet and is used for wading.

"Water slide" means a slide exceeding 15 feet in height which carries or conveys passengers along, around, or over a fixed or restricted route or course for the purpose of giving the passengers amusement, pleasure, thrills, or excitement.

#### **8:26-1.4 Waiver**

(a) The Commissioner or his or her designee may, in accordance with the general purposes and intent of N.J.S.A. 26:4A-1 et seq., and amendments thereto, waive sections of this chapter if, in his or her opinion, such waiver would not endanger the safety or health of the public.

(b) Any agency, organization, or entity seeking a waiver of the standards in this chapter shall apply in writing to:

Consumer and Environmental Health Services  
New Jersey State Department of Health and Senior Services  
PO Box 369  
Trenton, NJ 08625-0369

(c) The written application for waiver shall include the following:

1. The nature of the waiver requested;
2. The specific standards for which a waiver is requested;
3. The reasons for requesting a waiver, including a statement of the type and degree of hardship that would result upon full compliance;
4. An alternative proposal which would ensure public safety; and
5. Documentation to support the waiver application.

(d) The Department of Health and Senior Services reserves the right to request additional information before processing an application for waiver.

### **SUBCHAPTER 2. ADMINISTRATION**

#### **8:26-2.1 Review of plans for a public recreational bathing place**

The health authority shall review and approve all specifications, plans, and reports prior to the location, construction or alteration of a public swimming pool, wading pool, hot tub, or spa and prior to the conversion of a pond, lake, stream, river, ocean, or other body of fresh or salt water to use as a public recreational bathing place.

#### **8:26-2.2 Procedure for obtaining written approval to locate and/or construct a public recreational bathing place**

(a) The health authority's approval shall be contingent upon receipt and approval of a letter or application previously approved by the planning and zoning agencies. Final plans, specifications, and reports shall be prepared in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

(b) Plans, specifications, and reports shall include, but are not limited to:

1. The proposed site of the public recreational bathing place;

2. The nature and extent of the area to be served by the public recreational bathing place and estimated daily patronage;

3. Basic design factors, including water capacities, source(s) of water, and volume of water;

4. The layout of the public recreational bathing place, including, but not limited to: dimensions, bathhouses, water closet facilities, food service facilities pursuant to the requirements of N.J.A.C. 8:24, first aid facilities, and other recreational facilities associated with the public recreational bathing place;

5. Details of on-site filter wastewater, shower wastes, and sanitary sewage disposal, where a municipal sewer is not available or where a municipal sewer is available, details of the connection thereto;

6. The proposed operation and maintenance procedures, including manufacturer's specifications for equipment;

7. Details on water well construction;

8. Safety by design as specified in this code; and

9. A comprehensive sanitary survey of the bathing beach and surrounding area. The survey shall include a plot map, drawn to scale, indicating the location(s) and type(s) of all known sources of potential contamination.

(c) Upon compliance with all provisions set forth in (a) and (b) above the health authority shall review and either approve or disapprove the application in writing within 30 days of the date of submission. Approval by the health authority does not relieve the applicant of his or her responsibility for compliance with all other applicable Federal, State, and local requirements.

#### **8:26-2.3 Procedure for obtaining approval to alter a public recreational bathing place**

(a) Approvals to alter public recreational bathing places shall not be issued until the health authority has received a letter of application together with such plans, specifications, or reports as may be requested by the health authority to fully describe the proposed alteration. The health authority shall issue its decision of either approval or disapproval within 30 days or receipt of the application and supporting material.

(b) Approval by the health authority does not relieve the applicant of the responsibility for compliance with all other applicable Federal, State, county, and local requirements.

#### **8:26-2.4 Denial of approval for location, construction, or alteration of a public recreational bathing place**

(a) Any applicant denied approval for the location and construction or for the alteration of a public recreational bathing place shall be notified by the

health authority.

(b) The notice shall be in writing and shall specify the reason(s) for the denial and shall afford the applicant the opportunity to appeal the decision.

(c) The applicant shall appeal the decision in writing within 30 calendar days after receipt of the denial notice.

(d) Where an applicant fails to request a hearing within the 30 calendar day period, his or her right to a hearing pursuant to this section shall be deemed waived and the health authority's denial shall become final.

#### **8:26-2.5 Pre-operational inspection of a public recreational bathing place**

The health authority shall inspect a public recreational bathing place prior to its opening for public use, to determine compliance with the requirements of this chapter.

#### **8:26-2.6 Approval to operate a public recreational bathing place**

A public recreational bathing place shall not be opened for public use until the health authority has given formal approval by issuance of a license or permit. This license or permit shall be displayed in a conspicuous place on the premises where it may be readily observed by all patrons. A person shall not operate a public recreational bathing place whose license or permit has been suspended.

### **SUBCHAPTER 3. SWIMMING POOLS**

#### **8:26-3.1 General layout and design**

(a) A potable water supply and sanitary disposal facilities shall be available at all proposed swimming pool locations.

(b) Entry to and exit from the swimming pool enclosure shall be at the shallow end of the swimming pool. Entrances and exits at the deep end of the swimming pool shall be separated from the swimming pool by at least six feet of decking. Toilets and shower facilities shall be located in or next to dressing rooms.

#### **8:26-3.2 Construction materials**

(a) Swimming pools and all appurtenances thereto shall be constructed of nontoxic, impervious, and enduring materials. All materials shall be capable of withstanding design stresses and shall provide a watertight structure. All surfaces shall be smooth and easily cleaned and free of cracks or non-structural joints.

(b) Sand or earth shall not be permitted as an interior finish in a swimming pool.

(c) All surfaces within a swimming pool which are intended to provide a footing for bathers shall have a

slip-resistant surface, but shall not be rough so as to cause injury or discomfort to bathers.

(d) The color, pattern, or finish of the pool interior shall not obscure the presence of objects or surfaces within the pool.

(e) All construction materials shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:26-3.3 Dimensional design**

(a) The swimming pool's shape shall not obstruct water circulation. There shall be no protrusions, extensions, means of entanglement, or other obstruction in the swimming area of the swimming pool which can cause entrapment or injury of bathers.

(b) The maximum user load shall be based on the following criteria:

1. Swimming pools with deck areas less than the water area shall provide:

- i. Fifteen square feet of shallow instructional, and/or wading areas for each bather.
- ii. Twenty square feet of deep area, exclusive of the diving area, for each bather.
- iii. Three hundred square feet of diving area per diving board.

2. Swimming pools with deck areas at least equal to the water area shall provide:

- i. Twelve square feet of shallow instructional, and/or wading areas for each bather.
- ii. Fifteen square feet of deep area, exclusive of the diving area, for each bather.
- iii. Three hundred square feet of diving area per diving board.

3. Swimming pools with deck areas at least equal to twice the water area shall provide:

- i. Eight square feet of shallow instructional, and/or wading areas for each bather.
- ii. Ten square feet of deep area, exclusive of the diving area, for each bather.
- iii. Three hundred square feet of diving area per diving board.

the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:26-3.5 Bottom slope**

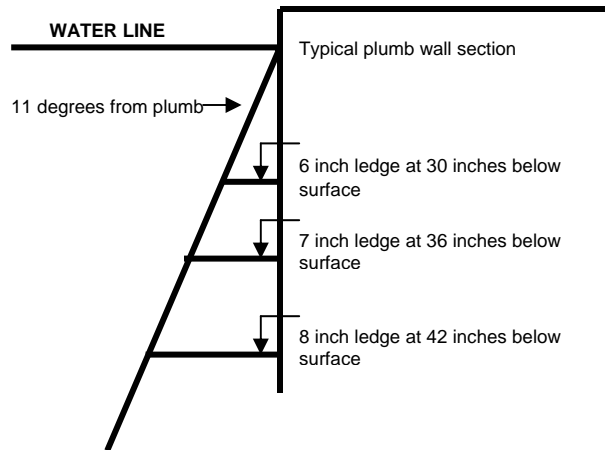
The bottom slope of the swimming pool shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:26-3.6 Walls**

The walls of the swimming pool shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:26-3.7 Offset ledges**

Offset ledges shall fall within 11 degrees from plumb as measured from the junction of the vertical swimming pool wall and waterline. The maximum width of an offset ledge shall be eight inches. All offset ledges shall have a slip-resistant surface. The typical allowable dimensions are based on the depths shown below:



**8:26-3.8 Underwater seat benches**

(a) Underwater seat benches shall have a maximum horizontal seat bench depth of 20 inches below the waterline, be visually set apart, have a slip-resistant surface, and shall be located fully outside of the required minimum diving water envelope if the swimming pool is intended for use with diving equipment.

(b) Underwater seat benches shall be permitted in the deep end of the swimming pool only if they are completely recessed, compatible with the shape of the swimming pool wall, or located in a corner of the swimming pool.

	Shallow Instructional or Wading Areas		Deep Area (not including the diving area)		Diving Area (per each diving board)	
Pools With Deck Area Less Than Water Area	15	square feet per bather	20	square feet per bather	300	square feet per bather
Pools With Deck Area At Least Equal To Water Surface Area	12	square feet per bather	15	square feet per bather	300	square feet per bather
Pools With Deck Area At Least Twice The Water Surface Area	8	square feet per bather	10	square feet per bather	300	square feet per bather

**8:26-3.4 Diving area design**

The water depths and dimensions of swimming pool diving areas shall conform to the requirements of

### **8:26-3.9 Surface skimming system**

(a) A surface skimming system shall be provided in all swimming pools. The surface skimming system may be comprised of an overflow gutter, an automatic skimmer(s), or any other cleaning device which is approved by the health authority.

(b) The surface skimming system shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(c) The surface skimming system shall conform to the requirements set forth at Article X of the 1991 American National Standard for Public Swimming Pools (ANSI/NSPI-1), incorporated herein by reference, as amended and supplemented.

### **8:26-3.10 Decks and walkways**

(a) Decks and walkways shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) The maximum slope of decks shall be 1/2 inch per foot. Decks shall be sloped to drain either to perimeter areas or to deck drains. Drainage shall remove swimming pool splash water, deck water, and rain water.

(c) Site drainage shall be provided and located away from all decks. The site drainage system shall direct all perimeter deck drainage as well as general site drainage away from the decks.

(d) Yard drains shall be installed so as to prevent the accumulation or puddling of water in the general area of the deck and related improvements.

(e) Gutters and downspouts shall be provided or relocated, as necessary, to adequately carry roof water away from swimming pool, deck, and walkway areas.

### **8:26-3.11 Ladders and stairs**

(a) Ladders and stairs shall be provided and shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Where water depths are 24 inches or less as measured at the vertical pool wall, ladders and stairs are not required for entry and exit.

(c) Below the water level, the distance between the rear side of a ladder tread edge and the vertical swimming pool wall shall be a maximum of six inches and a minimum of three inches.

(d) Recessed treads shall have a minimum tread depth of five inches and a minimum tread width of 12 inches. Recessed treads shall be slip-resistant and shall drain into the swimming pool to prevent the accumulation of dirt.

### **8:26-3.12 Fencing and enclosures**

Fencing and enclosures shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

### **8:26-3.13 Electrical, illumination, and ventilation requirements**

(a) All electrical wiring, illumination and ventilation shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Underwater illumination shall permit the deepest portion of the swimming pool floor to be clearly visible from the swimming pool's edge.

### **8:26-3.14 Diving stands, boards, slides and floats**

(a) Diving stands, boards, slides and floats shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) There shall be at least 16 feet of headroom above the highest diving board at indoor swimming pools.

(c) Minimum water depth and distances for diving boards for all swimming pools based on board height shall equal or exceed the minimum requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(d) Diving equipment for use by the general public shall not be more than 10 feet above the water level.

(e) Diving equipment shall have slip-resistant surfaces.

### **8:26-3.15 Circulation systems**

(a) A circulation system consisting of pumps, piping, return inlets and suction outlets, filters, and other necessary equipment shall be provided for the complete circulation of water throughout all parts of the swimming pool.

(b) The circulation system shall be sized so as to turn over the entire pool water capacity at least once every eight hours.

(c) Water clarity, a function of proper filtration and maintenance of proper chemical operational parameters, shall be maintained. The deepest portion of the swimming pool floor shall be clearly visible from the swimming pool's edge.

(d) A pump and motor shall be provided for circulation of the swimming pool water. All pumps shall flow so as to clean and filter against the total dynamic head.

1. Pumps shall perform the functions intended by the manufacturer. Pumps and motors shall be accessible for inspection and service.

2. Where the pump is located below the water level of the swimming pool, valves shall be installed on permanently connected suction and discharge lines. These lines shall be located outside the walls of the swimming pool and shall be readily and easily accessible for maintenance and removal.

3. The design and construction of the pump and component parts shall provide safe operation that is not hazardous to the operator or maintenance personnel.



4. Mechanical seals shall be corrosion-resistant and shall be capable of operating under conditions normally encountered in swimming pool operation.

5. Pump rotation direction shall be clearly indicated on the pump.

6. Motors shall have an open drip-proof enclosure configured electrically and mechanically so they perform satisfactorily and safely under the conditions of load and in the environment normally encountered in the swimming pool installation.

7. Motors shall be capable of operating the pump under full load with a voltage variation of at least 10 percent of name plate rating. If the maximum service factor of the motor is exceeded at full voltage, the manufacturer shall indicate this on the pump curve.

8. Motors shall have thermal or current overload protection, or the equivalent, either built in or in the line starter, in order to provide locked rotor and running protection.

9. Grounding of the motor frame shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(e) Strainers shall be provided on all pressure filter systems. Strainers shall be removable and shall be located upstream of the circulation pump(s) to remove solids, debris, hair, and lint. Water entering the pump shall pass through the removable strainer.

(f) Filters shall meet the following requirements:

1. Filters shall be designed so that after they are cleaned pursuant to the manufacturer's instructions, the system can provide the required water clarity.

2. Filters shall be designed so that filtration surfaces can be inspected and serviced.

3. Gauges which measure loss of head shall be installed on all filters. Gauges tapped into the influent and effluent lines of the filter shall be located together at the same elevation.

4. All filters shall have rate of flow meters which shall measure flow in gallons per minute;

i. Flow meters shall have a range between plus or minus 10 percent of the established flow rate.

ii. Flow meters shall be installed on a straight length of pipe at a distance equal to at least six times the diameter of the pipe from any valve, elbow, or other source of turbulence. This requirement may be waived by the health authority for meters which are not affected by pipeline turbulence.

5. Pressure filters shall have sight glasses installed on the wastewater discharge line in order that filter washing progress may be determined. The sight glasses shall be readily removable for cleaning purposes.

6. On pressure filters, a means shall be provided to permit the release of air which enters the

filter tank. Any filter incorporating an automatic internal air release as its principal means of air release shall have access lids which provide a slow and safe release of pressure as a part of its design. Any separation tank used in conjunction with any filter tank must have a manual means of air release or an access lid which provides a slow and safe release of pressure as it is opened.

(g) Sumps shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

### **8:26-3.16 Inlets and outlets**

(a) Suction outlets and return inlets shall be provided and arranged so as to produce a uniform water circulation and maintain the distribution of disinfectant residual throughout the swimming pool.

1. The circulation system shall be designed to accommodate 100 percent of the turnover flow rate.

2. Flow rates throughout the circulation system shall not exceed 10 feet per second for discharge piping, six feet per second for suction piping, and one and one-half feet per second through openings in suction grates unless the circulation system conforms to the requirements set forth in the 1991 ASME/ANSI A 112.19.8 M Suction Fittings for Use in Swimming Pools, Wading Pools, Hot Tubs and Whirlpool Bathtub Appliances, incorporated herein by reference, as amended and supplemented.

3. Suction system flow through the main drain and skimming systems shall be designed to accommodate a minimum of two-thirds of the circulation turnover rate through each system independently.

4. Suction systems optionally designed to flow in excess of the two-thirds required minimums shall not exceed six feet per second for suction piping and one and one-half feet per second as set forth in the 1991 ASME/ANSI A 112.19.9 M Suction Fittings for Use in Swimming Pools, Spas, Hot Tubs, Wading Pools and Whirlpool Bathtub Appliances, incorporated herein by reference, as amended and supplemented.

5. Suction systems shall be designed such that the maximum flow rates cannot be exceeded during normal operation.

(b) A public swimming pool shall have a minimum of two return inlets regardless of the size of the swimming pool. The exact number of inlets shall be such that there is at least one additional return inlet for each 300 square feet of swimming pool surface area or fraction thereof.

1. Return inlets from the circulation system shall be designed so that they do not constitute a hazard to the user.

2. Bottom returns shall be flush with the swimming pool bottom or designed to prevent injury to the users. Bottom returns shall be considered to have

an area of influence described by a radius of 15 feet.

(c) The swimming pool shall not be operated if the outlet grates are missing, broken, or secured in such a way that they can be removed without the use of tools.

1. All swimming pools shall be equipped with main drain suction outlets in the lowest point of the swimming pool floor. The spacing of the main drain suction outlets shall not be greater than 20 feet on center, nor more than 15 feet from each side wall.

2. Grates or protective devices shall be designed to withstand the anticipated loading to flow velocity.

3. Grates or protective devices shall be installed in a manner that does not defeat the safety benefit designed into the device, in accordance with the manufacturer's instructions.

(d) The suction outlets shall be designed to protect against a suction entrapment, evisceration, and/or hair entanglement/entrapment hazard.

1. Suction outlets, other than skimmers, that measure less than 12 inches x 12 inches shall be equipped with covers that have been tested by a nationally recognized testing laboratory and which conform with the requirements set forth at ASME/ANSI A 12.M-1987 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances, incorporated herein by reference, as amended and supplemented.

2. A minimum of two hydraulically balanced suction outlets equipped with covers shall be provided per swimming pool pump suction line. Multiple sets of pump suction lines shall be permitted into two or more suction outlets as long as they are hydraulically balanced and conform to the requirements set forth at Article IX, section 4.5 of the 1991 American National Standard for Public Swimming Pools (ANSI-NSPI-1), incorporated herein by reference, as amended and supplemented. The distance between the suction fittings shall be three feet to five feet on suction outlets less than 12 inches by 12 inches.

i. All suction outlets larger than 12 inches by 12 inches in any swimming pool shall be dual main drains with a separation distance of at least three feet.

ii. No means of isolating the two suction outlets shall be permitted that will cause one suction fitting to become the sole source of fluid to the pump. The single pipe to a pump suction inlet may be valved off to shut off the flow to the pump.

#### **8:26-3.17 Protection of potable water**

(a) Physical connections between potable water systems and swimming pool circulation systems shall be prohibited.

(b) Potable make-up water shall be added to a

swimming pool through a shielded over-the-rim spout. The open end of the over-the-rim spout shall have no sharp edges and shall not protrude more than two inches beyond the edge of the swimming pool.

(c) An alternate method of adding potable make-up water may be employed with the approval of the health authority.

(d) Protection of the potable water supply shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

#### **8:26-3.18 Wading pools**

(a) Wading pools shall be physically set apart from swimming pools by a minimum of six feet of deck. A minimum four feet high barrier shall be installed surrounding the wading pool from the swimming pool. The barrier shall have a self-closing and self-latching gate.

(b) Wading pool walls shall be vertical or within 11 degrees of vertical except for the lower six inches which shall be radiused to the floor. The walls shall not extend more than six inches above the water line at any point.

(c) Wading pool floors shall be uniformly sloped to drain with a maximum slope of one foot in 12 feet.

(d) Wading pools shall have a maximum depth of 24 inches. The water depth at the perimeter shall not exceed 18 inches. The water depth may be reduced and brought to zero inches at the most shallow point of the wading pool.

(e) Wading pools shall have a separate circulation system of adequate size to turn over the entire pool water capacity at least once every two hours.

(f) Dual suction outlets which are less than 12 inches by 12 inches shall be equipped with anti-vortex covers.

(g) The maximum velocity through any suction outlet shall not exceed 1.5 feet per second unless the outlet conforms to the requirements set forth at ASME/ANSI A 12M-1987 Suction Fittings for Use in Swimming Pools, Spas, Hot Tubs, Wading Pools, and Whirlpool Bathtub Appliances. The maximum velocity in the pump suction hydraulic system shall not exceed six feet per second when 100 percent of the pump flow comes from the main drain system and any suction fitting in the system is completely blocked. The flow through the open area of the remaining suction outlet shall not exceed 1.5 feet per second or shall conform to the requirements set forth at ASME/ANSI A 12M-1987 Suction Fittings for Use in Swimming Pools, Spas, Hot Tubs, Wading Pools, and Whirlpool Bathtub Appliances.

(h) Other methods that produce equivalent protection against suction entrapment, evisceration, and hair entanglement/entrapment shall be permitted.

(i) If the main drain grate or anti-vortex cover is

missing, broken, or loose, the wading pool shall be immediately closed and shall remain closed until a proper repair or replacement has been effected.

(j) When provided, vacuum fittings shall be located in an accessible position and shall be between six and 18 inches below the minimum operating water level or as an attachment to the skimmers. When not in use, all vacuum fittings shall be covered with an automatic closure device. When a skimmer is used for vacuuming, automatic closure is not required.

#### **8:26-3.19 Water slides**

(a) Water slides may be permitted with special approval by the health authority, provided the construction and supervision at the water slide conform to the requirements of the United States Consumer Product Safety Commission standard for swimming pool slides as published in the Federal Register, December 18, 1978, Vol. 43, No. 243, incorporated herein by reference, as amended and supplemented.

(b) Water slides shall conform to the requirements of the New Jersey Department of Community Affairs Standard, N.J.S.A. 5:3-31 through 55.

#### **8:26-3.20 Rope drops**

Rope drops shall be permitted which are licensed and inspected by the New Jersey Department of Community Affairs pursuant to N.J.S.A. 5:3-31 through 55.

#### **8:26-3.21 Floats and fixed platforms**

Floats and fixed platforms shall not be permitted in a swimming pool or wading pool.

#### **8:26-3.22 Disinfection**

(a) Swimming pool and wading pool water shall be continuously disinfected by a disinfecting agent which gives off an easily measured residual.

1. The disinfecting agent shall be subject to simple and accurate field testing procedures. Chlorine or chlorine compounds are the most frequently used disinfecting agents. Other bacteriological agents or apparatus shall be acceptable if registered for said use by the United States Environmental Protection Agency and the New Jersey Department of Environmental Protection.

(b) Disinfecting equipment shall:

1. Provide adequate and appropriate introduction, feeding, and regulating of a disinfectant into the circulation system of the swimming pool or wading pool;

2. Consistently maintain the disinfectant residual in the swimming pool or wading pool; and

3. Withstand wear in the course of normal use.

(c) Gas chlorination shall conform to the following:

1. The chlorinator, cylinders of chlorine, and associated equipment shall be housed in a gas-tight and corrosion-resistant enclosure. Cylinders shall be stored in an upright position and shall be properly secured.

2. The enclosures may be located at ground level, aboveground level, or below ground level. The enclosure shall be provided with air-tight ducts running from the bottom of the enclosure to the atmosphere. The ducts shall exhaust into an unrestricted area and shall have a motor-driven exhaust fan capable of producing at least one air change per minute. The enclosure shall have automatic louvers near the top of the enclosure for the introduction of fresh air. These standards shall apply only to new construction and to retrofits.

3. Electrical switches for lighting and ventilation in the enclosure shall be located adjacent to the door on the outside of the enclosure.

4. An automatic chlorine leak detector and alarm shall be installed in the chlorinator room.

5. Respirators approved by the National Institute for Occupational Safety and Health shall be readily available for protection against chlorine. At least one approved pressure-demand, self-contained breathing apparatus shall be provided. Respiratory protective equipment shall be mounted outside the chlorine enclosure.

6. Compliance with this subsection does not relieve the operator of his or her responsibility for compliance with specific respiratory program requirements as promulgated by the Federal Occupational Safety and Health Administration or the Public Employees Occupational Safety and Health Program, as the case may be.

7. A warning sign stating: "CAUTION chlorine hazard area. Unauthorized persons keep out. Chlorine causes burns, severe eye hazard, and other injuries which may be fatal if inhaled" or words of similar meaning shall be affixed in a readily visible location at entrances to areas where chlorine is present in containers or piping. A statement giving the specific location(s) where personal protective equipment may be found shall be included.

8. Facilities shall have a scale for weighing chlorine cylinders. Changing cylinders shall occur only after weighing indicates that the contents of the cylinder are exhausted.

9. Care shall be taken when closing the cylinder valve in order to prevent water suck-back into the empty cylinder.

10. Valve protection caps and valve outlet caps shall be in place at all times except when the cylinder is connected for use. Cylinders shall not be dropped and shall be protected from falling objects. Cylinders shall be used in a first-in, first-out basis. New, approved washers shall be used each time a

cylinder is connected.

(d) Chemical feeders installation and use shall conform to the following:

1. Chemical feeders shall be installed downstream from the filter and heater.

2. Where the chemical feeder is equipped with its own pump, the pump shall be installed so that it introduces the gas or solution downstream from the heater and at a position lower than the heater outlet fitting.

3. Chemical feeders shall be wired so they cannot operate unless the filter pump is running. Where the chemical feeder has an independent timer, the chemical feed pump timers shall be interlocked.

4. Erosion-type feeders shall be allowed to feed their solution to the suction side of the pump.

(e) Electrolytic chlorine generators, when used for producing chlorine for disinfection, shall conform to the following:

1. Electrolytic chlorine generators shall ensure an adequate feed to meet the chlorine residual specified at N.J.A.C. 8:26-7.8.

2. A sodiumchloride test kit shall be provided to monitor the salt concentration of the swimming pool or wading pool water.

(f) Bromination, when used for disinfection, shall conform to the following:

1. A bromine test kit shall be available to monitor the bromine concentration of the swimming pool or wading pool water.

2. Brominator equipment rooms shall be constructed and ventilated as required at N.J.A.C. 8:26-3.22(c).

(g) Slurry feeders for the addition of pre-coat material, pH adjustment, coagulants, and corrosion control chemicals may be used, provided they are approved by the National Sanitation Foundation or its equivalent.

(h) Other disinfecting materials or methods may be accepted by the health authority when they have demonstrated to provide a satisfactory residual effect. This residual effect shall be easily measured and be equally as effective in conditions of use as the chlorine concentrations specified at N.J.A.C. 8:26-7.8. These disinfecting materials shall not be dangerous to public health, shall not create objectionable physiological effects, and shall not emit toxicities into the water.

(i) Combustible chemicals shall be stored away from water, cleaning solutions, and organic materials which may cause fire or explosion. "No smoking" signs shall be posted in areas where these chemicals are stored.

### **8:26-3.23 Depth markings**

(a) The depth of water shall be plainly and conspicuously marked in feet. The depth markings shall be on the vertical swimming pool wall at or above the water

surface and on the top of the coping or edge of the deck or on the walkway next to the swimming pool.

(b) The depth markings shall be placed at maximum and minimum points of water depth and at all points of slope change and at no more than two feet of intermediate increments of water depth.

(c) The depth markings shall be horizontally spaced at no more than 25 feet intervals and shall be arranged uniformly on both sides of the pool and at both ends.

(d) Where the swimming pool is irregularly shaped, the depth markings shall designate depths at all major deviations in shape.

(e) The depth markings shall be at least four inches in height, contrasting in color to the background, and permanent. The depth markings shall be specified in feet and inches.

(f) The depth markings on the vertical swimming pool wall shall be on the uppermost portion of the wall and shall be legible to a person in the pool.

(g) The depth markings on the deck shall be within 18 inches of the water's edge and shall be legible to a person standing on the deck facing the water.

(h) Depth markings on the deck shall be slip-resistant.

### **8:26-3.24 Existing swimming pools and wading pools**

(a) The location and construction requirements at N.J.A.C. 8:26-3.1 to 3.18 shall not apply to those swimming pools and wading pools that were constructed prior to June 5, 2000, until alterations are made. Alterations shall be made in accordance with the applicable provisions of this chapter.

(b) For each existing swimming pool or wading pool having a single drain, with or without a skimmer, in addition to complying with (c) through (f) below, at least one of the following actions shall be taken:

1. Rework the drain system to include a minimum of two drains per pump;

2. Lock the valves of the drain and skimmer in the open position to prevent the drain from becoming a sole source of suction; or

3. Install a secondary back-up system (intervening switch) which shuts down the pump when a blockage is detected.

(c) Facility staff shall inspect the swimming pool or wading pool daily to ensure that the drain covers are firmly attached and in sound condition.

(d) Noncorroding fasteners shall be used to secure all drain covers to the swimming pool or wading pool.

(e) An emergency pump shut off switch shall be installed if antivortex drain covers are not installed. The emergency pump shut off switches shall be

accessible, located within sight of the swimming pool or wading pool and prominently marked.

(f) Antivortex drain covers, if commercially available for the size of the drains, shall be installed.

## **SUBCHAPTER 4. HOT TUBS AND SPAS**

### **8:26-4.1 General construction and design**

(a) The maximum water depth of a hot tub or spa shall be four feet as measured from the water line. Exceptions may be made by the health authority for hot tubs or spas which are designed for special purposes, such as for instruction, treatment, and therapy.

(b) The maximum depth of any seat or sitting bench, including multi-level seating, in the hot tub or spa shall be 28 inches as measured from the water line.

(c) Handholds shall be provided around the hot tub or spa perimeter where the water depth exceeds three feet six inches. Handholds shall be installed no more than four feet apart from each other. Handholds may be:

1. Coping, ledges, radiused flanges, or decks along the immediate top edge of the hot tub or spa which provides a slip-resistant handhold. This handhold shall be no more than 12 inches above the water line;

2. Ladders, steps, or seat ledges; or

3. A secured rope or railing fastened to the wall and placed no more than 12 inches above the water line.

(d) The slope of the hot tub or spa shall not exceed one foot of fall in 12 feet.

(e) There shall be no protrusions, extensions, means of entanglement, or other obstructions which can cause entrapment, entanglement, or injury to the bather.

(f) Steps, seats, ladders, or recessed treads shall be provided where hot tub or spa depths are greater than 24 inches.

(g) Hot tubs or spas shall be equipped with at least one handrail or ladder-equivalent for every 50 feet of perimeter. The handrail(s) shall designate the points of entry and exit.

(h) The design and construction of hot tub or spa steps, including recessed steps, shall conform to the following:

1. Step treads shall have a minimum unobstructed tread depth of 10 inches and a minimum width of 12 inches.

2. Riser heights shall be a minimum of seven inches and a maximum of 12 inches. When the bottom tread serves as a bench or seat, the bottom riser may be maximum of 14 inches above the hot tub or spa floor.

3. The first and the last risers need not be

uniform, but shall comply with the riser height requirements specified in (h)2 above. The first (top) riser shall be measured from the finished deck.

4. Intermediate risers, those between the first and last risers, shall be uniform in height.

5. Step treads shall have slip-resistant tread surfaces.

6. Each set of steps shall be provided with at least one handrail to fully serve all treads and risers.

7. Seats or benches may be provided as part of the steps.

- (i) Handrails shall be anchored so they can only be removed with tools.

1. The leading edge of the handrails which facilitate hot tub or spa exit shall be located within 18 inches from the bottom riser.

- (j) The design and construction of hot tub or spa ladders shall conform to the following:

1. Ladders shall be made from corrosion-resistant materials.

2. Ladder treads shall have slip-resistant tread surfaces.

3. Ladders shall provide two handholds or handrails to fully serve all treads.

4. The maximum outside diameter of handrails shall be 1.9 inches and the minimum outside diameter shall be one inch.

5. There shall be a three to six inch clearance between any ladder and the hot tub or spa wall.

6. The clear distance between ladder handrails shall be a minimum of 17 inches and a maximum of 24 inches.

- (k) The design and construction of recessed treads shall conform to the following:

1. Stepholes at the centerline shall have a maximum uniform vertical spacing of 12 inches and a minimum uniform vertical spacing of seven inches.

2. Stepholes shall have a minimum tread depth of five inches and a minimum tread width of 12 inches.

3. Stephole treads shall be slip-resistant and shall drain into the hot tub or spa to prevent the accumulation of dirt.

4. Maximum vertical distance between the coping edge and the uppermost recessed stephole tread shall be 12 inches.

5. Each set of recessed stephole treads shall be provided with two handrails to fully serve all treads and risers.

### **8:26-4.2 Decks**

(a) Decks for hot tubs or spas shall conform to the design and construction requirements for swimming pool decks as set forth at N.J.A.C. 8:26-3.10.

(b) Decks and ramps, including step treads and

coping, shall be slip-resistant. Their roughness or irregularity shall not cause injury or discomfort during use.

(c) Decks shall be edged or radiused to prevent exposed sharp corners.

#### **8:26-4.3 Heater and temperature requirements**

(a) The maximum temperature of hot tub or spa water shall be 104 degrees Fahrenheit.

(b) A thermostatic control for maintaining the water temperature shall be installed and maintained in good operating condition.

(c) An approved audible alarm or an equivalent device shall be installed to warn users and management if the temperature of the water exceeds 104 degrees Fahrenheit.

(d) An automatic safety device shall be installed to shut off the heater if the water temperature exceeds 104 degrees Fahrenheit.

(e) A thermometer shall be installed in the hot tub or spa. This thermometer shall be accurate to plus or minus two degrees Fahrenheit and shall be visible to the public.

#### **8:26-4.4 Electrical, illumination, and ventilation requirements**

All electrical wiring, illumination, and ventilation shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

#### **8:26-4.5 Protection of potable water**

(a) Physical connections between potable water systems and hot tub or spa circulation systems shall be prohibited.

(b) Potable water for hot tub or spa make-up purposes shall be added through a shielded over-the-rim spout. The open end of the over-the-rim spout shall have no sharp edges and shall not protrude more than two inches beyond the edge of the hot tub or spa.

(c) An alternate method of adding make-up water may be employed, with the approval of the health authority.

(d) Protection of potable water supply shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

#### **8:26-4.6 Inlets and outlets**

(a) Inlets and outlets shall produce water circulation throughout the entire hot tub or spa.

(b) A minimum of two suction outlets shall be provided for each pump in the suction outlet system. The suction outlets shall be at least three feet apart or located on two different planes, that is, one on the bottom and one on a vertical wall or one each on two separate vertical walls. These suction outlets shall be plumbed so that water is drawn through them simultaneously through a common line to the pump.

(c) Hot tub or spa suction outlets shall be equipped with a cover that has been tested and accepted by a nationally recognized testing laboratory and conform to the standards set forth at ASME/ANSI A 12M-1987 Suction Fittings for Use in Swimming Pools, Spas, Hot Tubs, Wading Pools, and Whirlpool Bathtub Appliances.

(d) If the suction outlet system, such as an automatic cleaning system, is a vacuum cleaner system which has a single suction outlet or multiple suction outlets which can be isolated by valves, then each suction outlet shall protect the user against entrapment by either an antivortex cover or other means.

(e) When provided, a vacuum or pressure cleaner fitting shall be located in an accessible position between six and 18 inches below the minimum operating water level or as an attachment to the skimmer.

(f) There shall not be any obstructions in any hot tub or spa which can cause the user to become entrapped or injured. Types of entrapment can include, but not be limited to, such things as wedge or pinch-type openings or rigid, non-giving cantilevered protrusions.

(g) Facility staff shall inspect the hot tub or spa daily to ensure that the drain covers are firmly attached and in sound condition.

(h) Noncorrosive fasteners shall be used to secure all drain covers to the hot tub or spa.

(i) Pump shut off switches shall be accessible, located within sight of the hot tub or spa, and prominently marked.

(j) Antivortex drain covers, if commercially available for the size of the drains, shall be installed.

#### **8:26-4.7 Circulation systems**

(a) A circulation system consisting of pumps, piping, return inlets and suction outlets, filters, and other necessary equipment shall provide for the complete circulation of water throughout all parts of the hot tub or spa.

(b) The circulation system shall be sized so as to turn over the entire hot tub or spa water capacity at least once every 30 minutes.

(c) The circulation system shall be capable of returning the hot tub or spa water to a turbidity of 0.050 Nephelometric Turbidity Unit (NTU's), or its equivalent, within four hours following maximum user load.

(d) Water velocity from discharge piping in the hot tub or spa shall not exceed 10 feet per second. Where copper pipe is used for discharge piping, the velocity shall not exceed eight feet per second.

1. The suction velocity for all piping shall not exceed six feet per second.

2. The water velocity in asbestos-cement pipes shall not exceed six feet per second.

(e) A pump and motor shall provide for circulation

of the hot tub or spa water and shall be sized to meet the requirements of (b) and (c) above. Performance of all pumps shall meet or exceed the conditions of flow required for filtering and/or cleaning.

1. Pumps shall perform the functions for which they were designed by the manufacturer. Pumps and motors shall be accessible for inspection and service. Replacement parts shall fit with existing parts in the pump without the need for redrilling mounting holes or otherwise altering the replacement part of the pump.

2. When the pump is located below the overflow rim of the hot tub or spa, valves shall be installed on permanently connected suction and discharge lines. These lines shall be located outside the walls of the hot tub or spa and shall be readily and easily accessible for maintenance and removal.

3. The design and construction of the pump and its component parts shall provide safe operation and shall not be hazardous to the operator or maintenance personnel.

4. Components of a mechanical seal shall be corrosion-resistant and shall be capable of operating under conditions normally encountered in hot tub or spa operation.

5. Direction of rotation of the pump shall be clearly indicated on the pump.

6. Motors shall have, at a minimum, an open drip-proof enclosure configured electrically and mechanically, so that it shall perform satisfactorily and safely under the conditions of load and environment normally encountered in the hot tub or spa installation.

7. Motors shall be capable of operating the pump under full load with a voltage variation of at least 10 percent of name plate rating. If the maximum service factor of the motor is exceeded at full voltage, the manufacturer shall indicate this on the pump curve.

8. Motors shall have thermal or current overload protection, or the equivalent, either built in or in the line starter, to provide locked rotor and running protection.

9. Grounding of the motor frame shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(f) Strainers shall be provided on all filter systems. Strainers shall be removable and shall be located upstream of the circulation pump(s) to remove solids, debris, hair, and lint. Water entering the pump shall pass through the removable strainer.

(g) Filters shall meet the following requirements:

1. Filters shall maintain hot tub or spa water in accordance with (a) above.

2. All separation tanks shall have a precautionary statement warning the user not to start the filter pump without first opening the air release. The statement shall be readily visible and posted near the air release.

3. The piping which is furnished with the filter shall be capable of withstanding three times the working pressure of the filter. The suction piping shall not collapse when there is a complete shut-off of flow on the suction side of the pump.

4. Filter components shall be installed according to the manufacturer's instructions. Filter components shall be accessible and available for inspection and repair.

5. An influent pressure gauge having an appropriate pressure range shall be provided on all filters.

6. A flow meter shall be provided which meets the requirements at N.J.A.C. 8:26-3.15(f)4.

7. Filters shall provide safe operation which is not hazardous to the operator or maintenance personnel.

8. A means shall be provided to permit release of air which enters the filter tank. This means may be automatic or manual. Any filters and/or separation tanks incorporating an automatic internal air release as its principal means of air release shall have access lids which provide a slow and safe release of pressure. A separation tank used in conjunction with a filter tank shall have a manual means of air release or an access lid which provides a slow and safe release of pressure as it is opened.

9. Filter backwash shall be disposed of pursuant to the provisions of N.J.A.C. 8:26-6.5.

(h) Valves shall meet the following requirements:

1. Valves shall be readily and easily accessible for removal and maintenance.

2. Multiport valves shall comply with 1999 American National Standard for Public Spas (ANSI/NSPI-2), incorporated herein by reference, as amended and supplemented, regarding such valves.

3. Where a pump is installed below the overflow rim of the hot tub or spa, the valves shall be installed on permanently connected suction and discharge lines and located in an accessible place outside of the walls of the hot tub or spa.

#### **8:26-4.8 Disinfection**

(a) A means of disinfecting the hot tub or spa water shall be employed which provides a disinfecting residual in the hot tub or spa water. Chlorine or chlorine compounds are the most frequently used disinfecting agents. Other bactericidal agents shall be acceptable if registered for said use by the U.S. Environmental Protection Agency and the New Jersey Department of Environmental Protection.

(b) The disinfectant shall be continuously introduced into the circulation system of the hot tub or spa. The means of introducing approved disinfecting agents shall maintain the disinfectant residual as required at N.J.A.C. 8:26-7.12.

#### **8:26-4.9 Air induction systems**

(a) An air induction system shall prevent water back-up to eliminate electrical shock hazards.

(b) Air intake sources shall not introduce contaminants, such as deck water, dirt, etc., into the hot tub or spa.

#### **8:26-4.10 Surface skimming systems**

Surface skimming systems shall conform to requirements set forth at Article X of the 1999 American National Standard for Public Spas (ANSI/NSPI-2).

#### **8:26-4.11 Fencing and enclosures**

Fencing and enclosures shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

#### **8:26-4.12 Depth markings**

(a) Water depth shall be plainly and conspicuously marked in feet.

(b) The depth markings shall be spaced at maximum 25 feet intervals and shall be uniformly located around the perimeter of the hot tub or spa.

(c) The depth markings shall be placed within 18 inches of the water's edge.

(d) The depth markings shall be placed so they are legible to a person standing on the deck facing the water.

(e) There shall be a minimum of two depth markings per hot tub or spa, regardless of the hot tub or spa size and shape.

(f) Depth markings shall be slip-resistant.

#### **8:26-4.13 Existing hot tubs and spas**

(a) Alterations to existing hot tubs and spas shall be made in accordance with the applicable provisions of this chapter. As used in this section, "existing" means installed and in use prior to June 5, 2000.

(b) The provision for heater and temperature requirements at N.J.A.C. 8:26-4.3 and the disinfection requirements at N.J.A.C. 8:26-4.8 shall apply to existing hot tubs and spas.

(c) For each existing hot tub and spa having a single drain, with or without a skimmer, in addition to complying with (d) through (g) below, at least one of the following actions shall be taken:

1. Rework the drain system to include a minimum of two drains per pump;

2. Lock the valves of the drain and skimmer in the open position to prevent the drain from becoming a sole source of suction; or

3. Install a secondary back-up system (intervening switch) which shuts down the pump when a blockage is detected.

(d) Facility staff shall inspect the hot tub or spa daily to ensure that the drain covers are firmly attached

and in sound condition.

(e) Non-corroding fasteners shall be used to secure all drain covers to the hot tub or spa.

(f) Pump shut off switches shall be accessible, located within sight of the hot tub or spa and prominently marked.

(g) Antivortex drain covers, if commercially available for the size of the drains, shall be installed.

### **SUBCHAPTER 5. WATERFRONT SAFETY**

#### **8:26-5.1 Specially exempt facilities**

(a) Specially exempt facilities shall be exempt from mandatory compliance with the first aid personnel and lifeguard provisions of this subchapter at N.J.A.C. 8:26-5.2(b), (b)1, (d), and (e); 5.6(b); 5.7(a); 5.8(b) and (b)1; and 5.10(b), (b)1, (c) and (e). This exception shall not apply to specially exempt facilities which use ocean waters for bathing. For purposes of this subchapter, invited guests may include occupants or tenants who by affirmative designation by the specially exempt facility through bathing place rules, association rules and bylaws, and lease agreements, are granted such status and corresponding responsibilities normally associated with that of an invited guest.

(b) Specially exempt facilities which do not voluntarily comply with the provisions in (a) above shall post a sign at least three feet by four feet in size. This sign shall be prominently displayed at every entrance to each swimming area and shall state:

"No lifeguard on duty."

"Persons under the age of 16 must be accompanied by an adult."

"No swimming alone."

(c) At campgrounds, hotels, motels, mobile home parks or retirement communities, the sign shall also state:

"This swimming area shall be closed when the owner or manager is not on the premises."

The notice shall also be posted on a sign at least eight inches by 10 inches in size at the registration desk and in each guest room or suite of the campground, hotel or motel used for occupancy by guests.

#### **8:26-5.2 Swimming pool supervision**

(a) A swimming pool shall be under the management of a designated adult supervisor who is knowledgeable of these rules and who shall be responsible for all phases of the operation. The name and telephone number of the designated adult supervisor shall be conspicuously posted.

(b) At least one person currently certified in standard first aid and professional level infant, child, and adult cardiopulmonary resuscitation (CPR) by a Department of Health and Senior Services approved



organization as listed in the Appendix shall be on the premises, available, and readily accessible when the swimming pool is in use. If the trained and qualified personnel are not stationed at the swimming pool side, then the facility shall conspicuously post a sign indicating the location and method of access of such personnel. The facility shall demonstrate to the health authority that said personnel are available, in reasonable proximity to the swimming pool, and can be easily contacted to enable them to render the necessary and appropriate assistance in a timely manner.

1. CPR retraining shall only be required when an individual's current certification expires.

(c) The maintenance and mechanical operation of a swimming pool shall be under the supervision of a trained pool operator. The trained pool operator shall be available for mechanical and maintenance repairs and detection. The trained pool operator shall have completed a pool operator course and shall have certification from a Department of Health and Senior Services approved organization as listed in the Appendix.

(d) At least one lifeguard certified by an organization recognized by the Department of Health and Senior Services as listed in the Appendix shall be on duty for 60 or less swimmers at all times when the swimming pool is in use. Additional lifeguards shall be required depending on bather load, bather activities, size and configuration of the swimming pool, and amount of surface area for shallow and deep water areas, emergencies, and lifeguard's ability to see bathers. All on-duty lifeguards shall be identified by distinguishing apparel or emblems. Lifeguards who are assigned to swimming pool supervision shall not have duties that would distract or intrude upon their attention from proper observation of persons in the swimming pool area, or that prevent immediate assistance to persons in distress in the water. Each lifeguard shall be equipped with a whistle or other signaling device.

(e) Lifeguard platforms or stands shall be provided for swimming pools where water surface area is greater than 2,000 square feet. Lifeguard platforms or stands shall be elevated and located at the water's edge so as to provide a clear unobstructed view of the swimming pool surface and bottom.

(f) Each facility shall establish a written aquatics supervision plan. This plan shall be maintained on-site. It shall be implemented by each facility and shall contain information including, but not limited to:

1. A diagram of the facility;
2. Swimming pool evacuation plans;
3. A schedule for and the number of lifeguards to be on duty depending on conditions and activities;
4. Responsibilities of all employees;
5. A list of emergency telephone numbers;

6. The location of first aid and rescue equipment; and
7. Staff emergency procedures.

### **8:26-5.3 Emergency equipment for swimming pools**

(a) Swimming pools shall be provided with the following readily accessible emergency equipment:

1. Two or more assist poles or life hooks;
2. One or more rescue tubes for each lifeguard on duty;
  - i. For specially exempt facilities, at least two ring or rescue buoys approved by the United States Coast Guard or Underwriter Laboratories.
3. A first aid kit (see Appendix) approved by the Department of Health and Senior Services. The kit shall be available at all times during bathing periods and shall be fully restocked within 24 hours of use;
4. A full spine board complete with ties, head restraints and/or straps that meet the design requirements as specified at N.J.A.C. 8:40;
5. An emergency care area for swimming pools capable of accommodating 500 or more patrons; and
6. A telephone, radio, signaling device, or other health authority approved means of communication shall be located near the lifeguard station for emergency use. Commercial pay telephones shall be permitted for this purpose provided that coin deposit is not needed to access emergency assistance. Emergency numbers of the nearest rescue squad, physician, ambulance, police department, hospital, clinic, or other appropriate entity shall be posted in a weather-resistant display, adjacent to the telephone.

### **8:26-5.4 Bather rules for swimming pools, wading pools, hot tubs and spas**

(a) Rules governing admission, bathing, and conduct of patrons shall be conspicuously posted and shall include at a minimum the following provisions verbatim:

1. Any person showing evidence of any communicable skin disease, sore or inflamed eyes, cold, nasal or ear discharges, or any other communicable disease shall be denied admission.
2. Any person with excessive sunburn, open blisters, cuts, or bandages shall be denied admission.
3. Do not enter the water if you are experiencing or recovering from diarrhea or have had any signs or symptoms of a gastrointestinal (stomach) disease in the past seven days.
4. All children in diapers must wear plastic pants with snug fitting elastic waist and leg bands. Do not wash out soiled diapers in the bathing water.
5. Children should be encouraged to use the restroom before entering the water. Immediately

report any "accidents" you observe in the bathing waters to a lifeguard.

6. No animals, except for service animals, shall be allowed in the swimming pool, wading pool, hot tub, or spa area, dressing rooms, or other parts of the enclosure.

7. Glass containers shall be prohibited in food and drink areas.

8. All persons shall shower before entering the water.

9. Conduct which endangers the safety and comfort of others shall be prohibited.

10. Outdoor bathing shall be prohibited during an electrical storm.

11. Persons suspected of being under the influence of drugs or alcohol shall be prohibited from entering the water."

(b) Policies and procedures regarding water toys and floating devices shall be established to ensure a safe bathing environment.

#### **8:26-5.5 Diving in swimming pools**

(a) Diving rules shall be conspicuously posted in both words and symbols in the swimming pool area. Diving shall be prohibited in water depths five feet or less. Diving and non-diving areas shall be designated and posted with signs and symbols.

(b) Head-first diving entries during competitive swim meets and swim practices shall be permitted in less than five feet of water, provided the following standards are met:

1. The water depth of the swimming pool at the bulkhead at pool side where starting blocks are located shall be at least four feet;

2. Only the "flat dive," also known as a "forward start," shall be used;

3. Signs shall be conspicuously posted to remind swimmers of the dangers of using any dive other than the flat dive, when diving into waters less than five feet deep;

4. Swimmers shall be under the direct supervision of the team swim coach; and

5. Procedures shall be established to ensure that the diving blocks are not used by an untrained swimmer or by the general public.

#### **8:26-5.6 Wading pool supervision**

(a) A responsible individual, knowledgeable and trained in a program developed by the designated adult supervisor, shall supervise the activities of the wading pool.

(b) At least one individual currently certified in standard first aid and professional level adult, child, and infant CPR by a Department of Health and Senior Services approved organization as listed in the Appendix shall be readily accessible during wading

pool use. If the individual is not stationed at the wading pool, the facility shall post a sign conspicuously placed at the wading pool stating how to reach this individual. The trained individual shall be able to render assistance in a safe and timely manner.

#### **8:26-5.7 Water slides**

(a) Supervision of the waterfront area of water slides shall be provided by a lifeguard as set forth at N.J.A.C. 8:26-5.2. At least one person shall supervise the activities of the water slide. Additional supervision of the water slide shall be required based on the size and configuration of the water slide and swimming pool entry area.

(b) A water slide shall not enter into less than three feet of water.

(c) If the water slide enters into less than five feet of water, the end of the slide shall be no more than six inches above the surface of the water.

(d) Only feet first entries shall be permitted.

(e) The landing area in front of the water slide shall be used solely for water slide users entering the water.

#### **8:26-5.8 Hot tub and spa supervision**

(a) Supervision of a hot tub or spa shall be provided by a designated adult supervisor who is knowledgeable of these rules and who shall be responsible for all phases of its operation.

(b) At least one person currently certified in standard first aid and professional level adult, child, and infant CPR by a Department of Health and Senior Services approved organization as listed in the Appendix shall be on the premises, available, and readily accessible when the hot tub or spa is in use. If the trained and qualified personnel are not stationed at the hot tub or spa, then the facility shall conspicuously post a sign indicating the location and method of access of such personnel. The qualified personnel shall be able to render assistance in a safe and timely manner.

1. CPR retraining shall only be required when an individual's current certification expires.

(c) The maintenance and mechanical operation of a hot tub or spa shall be under the supervision of a trained pool operator. The trained pool operator shall be available for mechanical and maintenance repairs and detection. The trained pool operator shall have completed a pool operator course from a Department of Health and Senior Services approved organization as listed in the Appendix.

(d) A precautionary sign shall be posted adjacent to the entrance to the hot tub or spa and shall state the following:

"CAUTION"

"Pregnant women, elderly persons, those

suffering from heart disease, diabetes, high or low blood pressure, or those using prescription medications should not enter this hot tub or spa without prior medical consultation and permission from their doctor."

"Unsupervised use by children under 16 years of age is prohibited."

"Do not use this hot tub or spa while under the influence of alcohol, anticoagulants, antihistamines, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics, or tranquilizers."

"Do not use this hot tub or spa while alone."

"Shower before entering this hot tub or spa."

"There shall be a 15 minute time limit on time spent in the hot tub or spa. Long continuous exposures may result in nausea, dizziness, or fainting."

(c) A clock shall be located next to the hot tub or spa.

#### **8:26-5.9 Emergency equipment for hot tubs or spas**

A first aid kit approved by the Department of Health and Senior Services shall be available at all times during bathing periods and shall be fully restocked within 24 hours of use.

#### **8:26-5.10 Bathing beach supervision**

(a) A bathing beach shall be under the supervision of a designated adult supervisor. The name and telephone number of the designated adult supervisor shall be conspicuously posted. The hours of operation shall also be conspicuously posted.

(b) At least one person currently certified in standard first aid and professional level infant, child, and adult CPR by a Department of Health and Senior Services approved organization as listed in the Appendix shall be on the premises, available, and readily accessible when the bathing beach is in operation. If the trained and qualified personnel are not beach-side, then the facility shall conspicuously post a sign indicating the location and method of access of such personnel. The facility shall demonstrate to the health authority that said personnel are available, in reasonable proximity to the bathing beach. The qualified personnel shall be able to render assistance in a safe and timely manner.

1. CPR retraining shall only be required when an individual's current certification expires.

(c) At least one lifeguard for every 300 feet of visible shoreline shall be on duty at all times when the bathing beach is in operation. Additional lifeguards shall be required depending upon bather load, currents, tides, contour or slope of the beach, and any other condition(s) which may cause changes in water conditions. All on-duty lifeguards shall be identified by distinguishing apparel or emblems. Lifeguards who are assigned to supervision of the bathing beach shall not have duties that would distract or intrude upon their

attention from proper observation of persons in the water and beach area, or that prevent immediate assistance to persons in distress in the water. Each lifeguard shall be equipped with a whistle or other signaling device.

1. A lifeguard training program certified by the United States Lifesaving Association shall be established by the owner or operator for ocean and tidal waters.

(d) Each bathing beach shall establish a written aquatics supervision plan. It shall be implemented and maintained by each facility on-site and shall contain information including, but not limited to:

1. A map of the bathing beach;
2. Bathing beach evacuation plans;
3. A schedule for the number of lifeguards to be on duty depending on conditions and activities;
4. Responsibilities of all lifeguards;
5. A list of emergency telephone numbers;
6. The location of first aid and rescue equipment; and

7. Staff emergency procedures.

(e) Lifeguard stations shall be located within 30 feet of the shoreline. Lifeguards shall be isolated from the beach crowds on elevated slats or stands. These slats or stands shall be high so as to give the lifeguards a complete and unobstructed view of the bathing area.

(f) Swimming areas shall be maintained in a clean and safe condition, free from rocks, holes, and hidden dangers. Any known hazard in the vicinity shall be properly safeguarded and marked as such.

(g) Each bathing beach shall be designated by buoys, flags, or other methods approved by the health authority.

#### **8:26-5.11 Bather rules for bathing beaches**

Bather rules and policies shall be provided as specified in the regulations governing swimming pools at N.J.A.C. 8:26-5.4(a)3, 4, 5, 6, 7, 9, 10 and 11 and 5.4(b).

#### **8:26-5.12 Lifesaving equipment for bathing beaches**

(a) Lifesaving equipment shall be provided in case of an emergency. The equipment shall include, at a minimum:

1. One reach pole measuring at least 12 feet with blunt ends. The reach pole shall be provided at bathing beaches where docks or similar protruding structures are located in the bathing area.

2. One ring buoy 18 inches in diameter attached to a 60 foot length 1/4 inch rope shall be provided at each lifeguard station. A rescue tube, torpedo buoy, or similar device with sufficient line attached may also be used;

3. A 600 foot 1/4 inch poly rope with brass swivel snap hooks shall be provided at each lifeguard

station at ocean bathing beaches;

4. A paddle rescue device capable of supporting two adults;

5. A first aid kit (see Appendix) approved by the Department of Health and Senior Services shall be available at all times during bathing periods and shall be fully restocked within 24 hours of use;

6. A full spine board complete with ties, head restraints and/or straps that meets the design requirements of N.J.A.C. 8:40;

7. Every bathing beach capable of accommodating 500 swimmers and bathers shall have an emergency care room; and

8. A telephone or other means of communication approved by the health authority shall be located near the lifeguard station for emergency use. Emergency numbers for the nearest rescue squad, physician, ambulance, police department hospital, clinic, or other appropriate entity shall be posted in a weather-resistant display adjacent to the telephone or communication device.

#### **8:26-5.13 Diving stands and boards for bathing beaches**

(a) Diving stands and boards for bathing beaches shall conform to the diving rules at N.J.A.C. 8:26-5.5 governing swimming pools.

(b) Fixed platforms for bathing beaches are permitted if they are constructed with a visible one foot air space below the platform. There shall be little underwater construction consistent with the strength requirements of the platform. All braces and struts shall be designed to prevent entanglement or trapping of the bathers.

1. Fixed platforms shall be permitted for bay or tidal waters provided there is a visible one foot air space below the platform at the flood high tide mark.

2. The minimum water depth surrounding a fixed platform or float without a diving board or similar device shall be eight feet for an outward distance of 12 feet from the platform.

3. Where a fixed platform or float has a diving board or other device three or more feet above the water, the water depth at the end of the board shall be at least 12 feet for a distance of 12 feet beyond the end of the board and in all cases the minimum depths shall extend nine feet to each side of the board or platform.

#### **8:26-5.14 Waterfront restrictions for bathing beaches**

Waterfront restrictions for bathing beaches shall be posted and shall include the following verbatim:

"No motorized vehicles, except emergency and maintenance vehicles, shall be permitted in the bathing area during its use."

"No boating, water skiing, sailboating, windsurfing, scuba diving, or surfboarding shall be permitted in the

swimming and bathing area while in use."

"Rope drops shall not be permitted except those licensed and inspected by the Department of Community Affairs pursuant to N.J.S.A. 5:3-31 through 55."

## **SUBCHAPTER 6. GENERAL SANITATION AND MAINTENANCE**

### **8:26-6.1 General provisions**

(a) A swimming pool, hot tub, spa, or bathing beach shall be maintained in a clean, sanitary, and safe condition. The health authority may require a public recreational bathing place to correct or eliminate any specific condition not described in these rules, but which it deems necessary for proper sanitation, safety, or fire protection.

(b) Dressing rooms and sanitary facilities shall be provided at all public recreational bathing places unless dressing rooms and sanitary facilities are provided in close proximity to the swimming pool, wading pool, hot tub, or spa and are of adequate capacity and number. Bathing beaches constructed prior to November 4, 1986 shall be exempt from this requirement.

### **8:26-6.2 Dressing rooms and bathhouses**

(a) Dressing rooms and bathhouses shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Separate dressing rooms and sanitary facilities shall be provided for each sex. Line of sight shall be broken at the entrances and exits of the dressing rooms. The room shall be well lit, drained, ventilated, and constructed from impervious materials.

(c) Floors shall have a slip-resistant surface that shall be relatively smooth and readily cleanable. The floors shall be sloped at least one-quarter inch per foot toward the floor drains to ensure drainage.

(d) Walls and partitions of the dressing room area, screen partitions, shower partitions, toilet partitions, and dressing room booths shall be constructed of durable material which is not subject to water damage. A waterway shall be provided between the bottom of the partitions and the floor to permit thorough cleaning of the walls and floor area with hoses and brooms.

### **8:26-6.3 Showers**

(a) Showers shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Shower stall floors which are located adjacent to walkways shall be lower than the level of the walkways.

(c) The cross-sectional area of the floor drains in shower rooms and stalls shall be at least twice the cross-sectional area of the outlet pipe to which it is

connected.

(d) Wood slats or wood flooring material and slopes which are conducive to slipping, tripping, or falling shall not be used.

#### **8:26-6.4 Water closets and lavatories**

(a) Water closets and lavatories shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Water closets shall be enclosed with noncorrosive partitions. There shall be sufficient space between the floor and the bottom of the partition to permit washing of the floor.

(c) Fixtures shall conform to the following requirements:

1. Toilet tissue holders, supplied with an adequate supply of toilet tissues, shall be provided at each toilet.

2. Suitable receptacles shall be provided for paper towels and waste materials. Such receptacles in toilet rooms for women shall be covered.

3. Common towels shall not be permitted.

4. Soap dispensers for providing either liquid or powdered soap shall be provided at each lavatory. The soap dispenser shall be made of all metal or all plastic materials. Glass shall not be permitted in these units.

5. Unbreakable mirrors shall be provided.

#### **8:26-6.5 Wastewater disposal**

(a) The wastewater disposal system shall be of adequate size to serve the facility including the bathhouse, locker room, and related accommodations.

(b) Sanitary sewage and filter backwash waters shall be disposed of without creating nuisances or sources of foulness.

(c) Overflow water shall be returned to the filter system or discharged to a waste system.

(d) Backwash water shall be discharged in a manner approved by the health authority.

(e) All wastewater shall be disposed of by one of the following approved methods:

1. Sanitary sewer: The discharge of any wastewater into a sanitary sewer shall have the approval of the appropriate sewer authority or the municipality that owns and/or operates the treatment system.

2. Natural waters: The discharge of any wastewater into the natural waters of the State shall not be allowed without a NJPDES permit issued by the State Department of Environmental Protection, Division of Water Quality, Bureau of Standard Permitting, PO Box 029, Trenton, New Jersey 08625-0029.

3. Subsurface sewage disposal facilities: The location and construction of a subsurface sewage disposal system shall conform to the requirements of

Standards for the Construction of Individual Subsurface Sewage Disposal Systems, N.J.A.C. 7:9A, the New Jersey Water Pollution Control Act Regulations, N.J.A.C. 7:14 and local laws, ordinances, and regulations.

#### **8:26-6.6 Solid waste disposal**

(a) Solid waste shall be disposed of pursuant to the solid waste management rules at N.J.A.C. 7:26 promulgated by the Department of Environmental Protection, and any other applicable rules and regulations.

(b) All garbage and rubbish shall be stored in durable, fly-tight, water-tight containers equipped with a tight fitting lid.

(c) There shall be a sufficient number of containers to hold all of the garbage and rubbish which accumulates between periods of removal from the premises.

(d) Bulk storage facilities shall be sized adequately for the storage of all garbage and rubbish.

(e) Storage areas for garbage and rubbish shall be clean and shall not constitute a nuisance.

(f) All garbage and rubbish shall be disposed of at least twice a week and in such a manner as to prevent a public health nuisance.

#### **8:26-6.7 Potable water supply**

The potable water supply shall be of adequate quantity, of a safe, sanitary quality, and from a water system which is constructed, protected, operated, and maintained pursuant to the New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq., its attendant rules at N.J.A.C. 7:10, and local laws, ordinances, and regulations. Copies of these documents can be obtained by writing to the Department of Environmental Protection, Bureau of Potable Water, PO Box 029, Trenton, New Jersey 08625-0029.

#### **8:26-6.8 Drinking water fountains**

Drinking water fountains shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

#### **8:26-6.9 Food service**

All food service and milk supplies shall conform to the requirements of N.J.A.C. 8:24.

#### **8:26-6.10 Plumbing**

The installation, maintenance, repair, and control of plumbing shall conform to the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

#### **8:26-6.11 Insect, rodent, and weed control**

(a) The application of pesticides shall conform to the provisions of the New Jersey Pesticide Control

Regulations, N.J.A.C. 7:30.

(b) Effective control measures shall be used to minimize and/or eliminate the presence of rodents, flies, roaches, and other vermin on the premises. The public recreational bathing place shall be kept in such condition as to prevent the harborage or breeding of vermin.

(c) All buildings shall be rodent-and insect-proofed. Storage areas shall be maintained in such a manner as to minimize the possibility of rodent harborage.

(d) Poison ivy, poison oak, poison sumac, and ragweed shall be controlled at all times.

#### **8:26-6. 12 Recreational equipment**

Recreational equipment, including playground devices, shall be inspected for defects at least once per week during the season. A written record of these inspections shall be maintained for a minimum of one year. Recreational equipment shall be maintained in safe operating condition at all times.

### **SUBCHAPTER 7. SAMPLING AND WATER QUALITY CRITERIA**

#### **8:26-7.1 Water source**

(a) Fresh water for swimming pool, wading pool, hot tub, or spa use shall be obtained from a potable water source, approved by the New Jersey Department of Environmental Protection the New Jersey Department of Health and Senior Services, or the local health authority.

(b) Salt water for use in salt water pools shall be obtained from a source which meets the water quality criteria for a salt water bathing beach as set forth at N.J.A.C. 8:26-7.18 and 7.19.

#### **8:26-7.2 Microbiological sampling for public recreational bathing places**

All microbial analyses for public recreational bathing places shall be performed by a laboratory certified by the New Jersey Department of Environmental Protection, pursuant to the Regulations Governing the Certification of Laboratories and Environmental Measurements, N.J.A.C. 7:18. Information concerning laboratory certification may be obtained from the New Jersey Department of Environmental Protection, Office of Quality Assurance, PO Box 424, Trenton, New Jersey 08625-0424.

#### **8:26-7.3 Sample collection for swimming pools, wading pools, hot tubs, and spas**

(a) Water samples shall be collected only when the swimming pool, wading pool, hot tub, or spa is in use and during periods of maximum user load. The

hour of the day and the day of the week of sample collection shall be varied to obtain, over a period of time, a representative sampling of the sanitary quality of the swimming pool, wading pool, hot tub, or spa.

(b) Sampling shall be done at least once every week during periods of maximum use load.

1. For swimming pools using disinfection and filtration, sampling may be done biweekly, based upon three months of consecutive satisfactory sample results.

(c) All sample containers shall be sterilized and treated with sodium thiosulfate to reduce chlorine or other halogens present in the water at the time the sample is collected.

(d) The following sampling technique shall be used:

1. The sample shall be taken at least 18 inches below the water surface in the vicinity of groups of bathers;

2. The sterile container shall be opened carefully without touching the inner surfaces;

3. The sterile container shall be held near its base at a 45 degree angle;

4. The sterile container shall be plunged vertically into the water while making sure that the dechlorinating agent is not washed out;

5. The container shall be filled with one slow sweep down through the water with the mouth of the container always ahead of the hand.

6. Care shall be taken to avoid contamination of the sample by floating debris;

7. The container shall be closed without touching the inner surfaces; and

8. The container shall not be rinsed.

#### **8:26-7.4 Disposition of water samples from public recreational bathing places**

The sample(s) taken from swimming pools, wading pools, hot tubs and spas shall be taken to a certified laboratory within 30 hours of collection for processing. Samples taken from bathing beaches shall be taken to a certified laboratory within six hours of collection for processing. The sample(s) shall be refrigerated immediately upon collection or kept in an ice chest and held between 34 degrees and 39 degrees Fahrenheit while being transported. Information documenting the sampling time, sampling date, location of sample collection, sampler's identification and desired analysis(es) shall accompany the sample.

#### **8:26-7.5 Microbiological water quality standards for swimming pools and wading pools**

(a) Heterotrophic plate count shall be performed in accordance with the procedures set forth in Method 9215B pour plate method, found in the 19th edition of

"Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented. The number of colony forming units (CFU) shall not exceed 200 colonies per one milliliter sample.

(b) Total coliform densities:

1. The multiple-tube fermentation technique for total coliform densities shall be conducted in accordance with the procedures set forth in Method 9221A, B, C found in the 19th edition of "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented. None of the 10 standard 10 milliliter portions shall show the presence of the coliform group.

2. The membrane filtration technique for total coliform densities shall be conducted in accordance with the procedures set forth in Method 9222A, B, C found in the 19th edition of "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented. The number of coliform organisms shall be less than one colony per 100 milliliter sample.

**8:26-7.6 Samples not meeting standards**

(a) A certified laboratory, having determined that a sample(s) does not meet the microbiological standards set forth at N.J.A.C. 8:26-7.5, 7.11 and 7.18, shall notify the health authority and the swimming pool, wading pool, hot tub, spa, or bathing beach operator by telephone on the same day that an unsatisfactory sample result was obtained. The swimming pool, wading pool, hot tub, spa, or bathing beach shall be resampled. The certified laboratory must provide a written report within five business days after obtaining an unsatisfactory sample result.

(b) Upon notification of an unsatisfactory sample result, the health authority or its authorized agent shall require the swimming pool, wading pool, hot tub, spa, or bathing beach operator to have additional sample(s) taken and analyzed.

1. Health authorities participating in the Cooperative Coastal Monitoring Program (CCMP) for bathing beaches shall immediately notify the Department of Health and Senior Services and the Department of Environmental Protection when an unsatisfactory sample has been obtained.

i. When resampling the Cooperative Coastal Monitoring Program (CCMP) ocean stations, the health authority shall resample the station that first exceeded the standard and bracket locations to either side of that location.

ii. When resampling the Cooperative Coastal Monitoring Program (CCMP) bay stations, the

health authority shall resample the station that first exceeded the standard and bracket locations at the outer limits of the bathing area.

iii. A sanitary survey shall be conducted by the health authority and the bathing beach operator to identify the sources of pollution.

**8:26-7.7 Chemical and physical water quality analyses for swimming pools and wading pools**

(a) A swimming pool or wading pool shall be monitored for disinfectant level and pH every two hours during operating hours. This monitoring shall be performed in conjunction with each microbial sample. These results shall be recorded on the sample slip and incorporated into the permanent microbial test record.

(b) When testing for free chlorine and combined chlorine, Method 4500 C1 F, DPD ferrous titrimetric method or Method 4500 C1 G, DPD colorimetric (using a color comparator), as set forth in the 19th edition of "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented shall be used.

(c) When testing for pH, Method 4500 H+B, electrometric, as set forth in the 19th edition of "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented, or phenol red indicator shall be used.

(d) If color comparators are used for measuring either disinfectant residuals or pH using the methods specified in (b) and (c) above, the color comparators shall be available for inspection by the health authority at the pool during periods of pool use.

(e) A bound log shall be maintained on the premises by the swimming pool operator. This log shall contain the time and date of the chemical tests performed, results of those tests, and the initials of the person who performed the testing. The log shall also contain bather load, water clarity, water temperature, and weather conditions. This log shall be available at all times for review by the health authority.

**8:26-7.8 Chemical water quality standards for swimming pools and wading pools**

(a) Free chlorine, combined chlorine, bromine, and pH values shall be continuously maintained within the following ranges:

	Minimum	Ideal	Maximum	
			Indoor Pools	Outdoor Pools
Free chlorine residual parts per million (ppm)	1.0	1.0-1.5	3.0	4.0
Combined chlorine (ppm)	None	None	0.2*	0.2*
Bromine (ppm)	2.0	2.0-4.0	4.0	4.0
pH	7.2	7.4-7.6	7.8	7.8

\*Remedial action shall be taken if combined chlorine exceeds 0.2 as it will result in reduced chlorine efficacy.

(b) If pool water disinfectants other than those specified in (a) above are used, residuals of equivalent disinfecting strength shall be maintained.

(c) If stabilized chlorines are used as pool water disinfectants, the cyanuric acid levels shall be maintained within the following ranges:

	Minimum	Ideal	Maximum
Cyanuric Acid (ppm)	10	30-50	100

1. Stabilized chlorines shall be prohibited in indoor pools.

**8:26-7.9 Physical water quality standards for swimming pools and wading pools**

(a) The pool operator shall monitor water clarity daily.

(b) When in use, the deepest portion of the pool floor shall be clearly visible from the swimming pool's edge.

**8:26-7.10 Salt water swimming and wading pools utilizing ocean and/or bay water**

(a) Salt water pools utilizing ocean and/or bay water typically having a total dissolved solids level between 18,000 and 35,000 parts per million shall be regulated as follows:

1. Fill and draw salt water pools shall be treated as a swimming pool and shall meet all of the microbiological, chemical, and physical standards for pools.

2. Flow through pools shall be treated as recreational bathing water and shall meet the microbiological and physical standards for recreational waters when sampled at the time and point where the water is discharged.

3. Sodium chloride added to pool waters when used in conjunction with electrolytic chlorine generators shall not constitute a salt water swimming pool.

(b) Salt water pools shall be posted as such.

**8:26-7.11 Microbiological water quality standards for hot tubs and spas**

(a) Heterotrophic plate count shall be performed in accordance with the procedures set forth in Method 9215B pour plate method, found in the 19th edition of "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented. The number of colony forming units (CFU) shall not exceed 200 colonies per one milliliter sample.

(b) *Pseudomonas aeruginosa*:

1. The membrane filtration technique for *Pseudomonas aeruginosa* shall be conducted in accordance with the procedures set forth in Method 9213E found in the 19th edition of "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented. The number of *Pseudomonas aeruginosa* organisms shall be less than one colony per 100 milliliter sample.

2. The multiple-tube fermentation technique for *Pseudomonas aeruginosa* shall be conducted in accordance with the procedures set forth in Method 9213F found in the 19th edition of "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, incorporated herein by reference, as amended and supplemented. *Pseudomonas aeruginosa* organisms shall not be present in more than one of all ten standard 10 milliliter portions. *Pseudomonas aeruginosa* shall not be present in any of the confirmed five portions.

**8:26-7.12 Chemical water quality standards for hot tubs and spas**

(a) Hot tubs and spas shall be monitored at every two hours for disinfectant levels and pH pursuant to the methodologies set forth at N.J.A.C. 8:26-7.7.

(b) A bound log shall be maintained as specified in N.J.A.C. 8:26-7.8(e).

(c) The following disinfectant levels and chemical values shall be continuously maintained within the following ranges.

	Minimum	Ideal	Maximum
Free chlorine residual parts per million (ppm)	2.0	3.0-5.0	10.0
Combined chlorine (ppm)	None	None	0.2*
Bromine (ppm)	2.0	3.0-5.0	10.0
pH	7.2	7.4-7.6	7.8

\*Remedial action shall be taken if combined chlorine residuals exceed 0.2 ppm as it will result in reduced disinfectant efficacy.

(d) If disinfectants other than those specified in (c) above are used, residuals of equivalent disinfecting strength shall be maintained.

(e) If stabilized chlorines are used as disinfectants in hot tubs and spas, the cyanuric acid level shall be maintained within the following range:

	Minimum	Ideal	Maximum
Cyanuric Acid (ppm)	10	30-50	100

1. Stabilized chlorines shall be prohibited in indoor hot tubs and spas.

**8:26-7.13 Algae**



All hot tubs and spas shall be maintained to eliminate the presence of algae.

#### **8:26-7.14 Physical water quality standards for hot tubs and spas**

The operator of each hot tub or spa shall monitor the water clarity as set forth at N.J.A.C. 8:26-7.9.

#### **8:26-7.15 Pre-operational assessment for bathing beaches**

(a) Before a bathing beach opens each year, a pre-operational assessment shall be conducted of the bathing beach and the surrounding areas. This assessment shall be conducted by the owner or operator and shall include:

1. A review of historical sampling and epidemiological data;
2. A field investigation of the bathing and surrounding areas to identify physical hazards and sources of potential contamination. During this investigation all changes to the bathing and surrounding areas shall be documented and evaluated; and
3. A sampling of waters in the bathing area and in areas of suspected sources of contamination.

(b) Records of the pre-operational assessment shall be maintained as part of the permanent file.

(c) The health authority shall annually review monitoring stations at Cooperative Coastal Monitoring Program (CCMP) -participating bathing beaches to determine:

1. The extent to which the water is representative of the quality of near shore ocean and bay waters;
2. The proximity of the monitoring stations to the ocean and bay public recreational bathing areas; and
3. The extent to which the monitoring stations enable the health authority to assess the effects of point and non-point sources of pollution.

(d) The health authority shall prepare a list of monitoring stations to be included in the Cooperative Coastal Monitoring Program (CCMP). This list shall be submitted to the Department of Environmental Protection (DEP) prior to May 1 of each year. The DEP shall approve or disapprove the stations within 14 days after receiving the proposed list, based upon the extent to which the DEP expects them to meet the criteria listed above.

#### **8:26-7.16 Sample collection at bathing beaches**

(a) Bathing beach water, with the exception of ocean and bay waters, shall be sampled one week prior to the opening of the bathing beach and at one week intervals during the bathing season. Sample(s) shall be obtained during periods of maximum user load from depths used for bathing. Subject to the approval

of the health authority, sampling frequency may be biweekly based on three months of consecutive satisfactory samples from the previous year.

1. Ocean and bay waters shall be sampled in accordance with the Cooperative Coastal Monitoring Program (CCMP) administered by the DEP. The health authority shall perform this sampling from May through September. The DEP shall set the exact beginning and end of the minimum sampling season after consulting with the health authority. The health authority shall:

- i. Sample all ocean stations on Mondays unless Monday is a holiday, in which case the sampling shall be performed the next day;
- ii. Sample all bay stations on Monday or Tuesday; and
- iii. Sample all stations one day after the above listed days if severe oceanographic and/or meteorological conditions unreasonably threaten the safety of sampling personnel or the integrity of the sample.

2. The samples from all other waters not participating in the Cooperative Coastal Monitoring Program (CCMP) shall be obtained during various hours of the day and week over a period of time to obtain representative samples of the sanitary quality of the natural waters.

3. All pertinent field data including water temperatures, air temperature, wind direction, bathing load, and recent precipitation shall be documented and incorporated into the sampling record.

(b) One sample shall be taken for the first 300 linear feet of bathing beach front. Oceans participating in the Cooperative Coastal Monitoring Program (CCMP) are exempt from this requirement.

1. Additional samples shall be required as follows:
- i. 300 linear feet to 500 linear feet-two samples.
  - ii. In excess of 500 linear feet-three samples.

#### **8:26-7.17 Sampling techniques for bathing beaches**

(a) Water sampling techniques for bathing beaches are those set forth at N.J.A.C. 8:26-7.3(d) and, for natural bathing waters, techniques shall also include the following:

1. Water samples shall be taken in an area with a stabilized water depth between the sampler's lower thighs and chest with the optimum depth being at the sampler's waist.

2. The sample container shall be placed approximately eight to 12 inches below the water surface with the lid and stopper still attached.

3. With the collector's arms extended to the front, the container shall be held near its base and

downward at a 45 degree angle. The cap shall be removed and the container filled in one slow sweeping motion (downward or horizontally, not upward). The mouth of the container shall be kept ahead of the collector's hand and the container recapped while it is still submerged. The cap shall remain submerged during the sample collection and care shall be taken not to touch the inner surfaces of the cap.

i. In the event that samples need to be taken during cold water conditions, reach assist poles shall be used to obtain the samples. In this situation, the cap may be removed prior to submersion as long as the container is pointed downward upon entry into the water.

4. If a head space in the container is needed, the collector can carefully pour out a small amount of the sample and recap the sampling container.

(b) Sampling shall not be performed when oceanographic and/or meteorological conditions unreasonably threaten the safety of the sampling personnel or the integrity of the sample.

#### **8:26-7.18 Microbiological water quality standards for bathing beaches**

(a) Microbiological water quality standards for pond, lake, stream, river and tidal fresh water bathing beaches shall be determined on the basis of fecal coliform densities, sanitary survey results, and/or epidemiological evidence.

(b) Fecal coliform count standards shall be as follows:

The multiple-tube fermentation technique for fecal coliforms shall be conducted in accordance with the procedures set forth in Method 9222D Fecal Coliform Membrane Filter Procedure or Method 9221E.2. Fecal Coliform MPN Procedure (A-1 medium) found in the 19<sup>th</sup> edition of "Standard Methods for the Examination of Water and Wastewater." American Public Health Association, incorporated herein by reference, as amended and supplemented. The estimated fecal coliform concentrations shall not exceed 200 fecal coliform per 100 milliliters.

(c) Microbiological water quality standards for ocean and bay bathing beaches shall be determined on the basis of enterococcus densities, sanitary survey results, and/or epidemiological evidence.

(d) Enterococcus count standards shall be as follows:

1. The test method for enterococci in water shall be conducted in accordance with procedures set forth by the USEPA. The estimated enterococcus concentration shall not exceed 104 enterococci per 100 milliliters of sample.

(e) All analyses shall be conducted in accordance with the standards set forth at N.J.A.C. 7:18 and in

accordance with the methodologies set forth at N.J.A.C. 7:18-2.22.

#### **8:26-7.19 Chemical water quality standards for bathing beaches**

(a) Chemical water quality standards for natural waters shall be monitored by the bathing beach operator.

(b) Chemicals used to control aquatic vegetation shall not cause bathers to suffer from toxic reactions or skin or membrane irritations. These chemicals shall be applied in accordance with N.J.A.C. 8:26-6.11(a).

#### **8:26-7.20 Physical water quality standards for bathing beaches**

(a) Physical water quality standards for natural waters shall be monitored by the bathing beach operator.

(b) Visual observations and/or physical determinations shall indicate that the natural water is free from deposits, aquatic vegetation, growths, oils, greases, or other substances which may cause health or safety hazards.

### **SUBCHAPTER 8. ENFORCEMENT PROCEDURES**

#### **8:26-8.1 Legal authority**

All public swimming pools, wading pools, hot tubs, spas, or bathing beaches shall be operated in compliance with the provisions of this chapter and Title 26, Revised Statutes of New Jersey.

#### **8:26-8.2 Inspection of public swimming pools, wading pools, hot tubs, spas, or bathing beaches**

(a) The health authority shall inspect every swimming pool, wading pool, hot tub, spa, or bathing beach as often as the health authority deems necessary.

(b) The facility operator shall permit access to the health authority and Department of Health and Senior Services representatives to all parts of the establishment.

#### **8:26-8.3 Report of inspections**

(a) Inspection findings shall be recorded on an inspection report form approved by the Department of Health and Senior Services.

(b) The inspection report form shall identify in a narrative form any violations of this chapter and shall reference the section of the chapter being violated.

(c) The health authority shall immediately notify via telephone or fax the Department of Environmental Protection, Department of Health and Senior Services, and adjacent local health authorities when it anticipates closing a bathing beach.

#### **8:26-8.4 Public availability of inspection reports**

Any reports made and maintained pursuant to this chapter shall be available to members of the public and the Department of Environmental Protection upon request.

#### **8:26-8.5 Criteria for closure of public recreational bathing places**

(a) The approval, license, or permit to operate a swimming pool, wading pool, hot tub, spa, or bathing beach may be suspended at any time, when in the opinion of the health authority or its authorized agent, such action is necessary to abate a present or threatened menace to public health.

(b) The health authority shall order the owner or operator of a swimming pool, hot tub, spa, or bathing beach to physically sequester the bathing area and to prohibit any bathing until the violation is abated.

(c) The following shall be grounds for closure:

1. Poorly maintained equipment, structures, areas, or enclosures or lack of equipment, structures, areas, or enclosures which jeopardize the health or safety of the users and/or operators;

2. Lack of required supervisory personnel and/or required lifeguards;

3. Failure to meet specific water quality standard(s); or

4. Any other condition(s) which pose(s) an immediate health or safety hazard.

(d) In the event that remedial action is not taken immediately, the health authority may issue an order requiring the facility to be closed in order to protect the public health or safety. A closure order may be issued verbally but shall be followed up by a written confirmation within 24 hours. Such order shall be sent by certified mail, return receipt requested or shall be hand delivered. The order shall give the alleged violator an opportunity to be heard by the health authority within 15 days of notification of the order, while the order remains in effect.

#### **8:26-8.6 Closure of swimming pools and wading pools**

(a) Whenever a swimming pool or wading pool water sample exceeds the microbiological water standards as set forth at N.J.A.C. 8:26-7.5 and 7.11, the certified laboratory and the swimming pool or wading pool operator, or the facility management shall notify the health authority by telephone or fax on the same day that the unsatisfactory microbiological sample result was obtained. The water shall be resampled immediately.

(b) If the resample exceeds the microbiological water standards as set forth at N.J.A.C. 8:26-7.5 and 7.11, the pool shall be immediately closed and shall not be reopened until a satisfactory microbiological water sample is obtained.

(c) A written copy of all laboratory analyses shall be transmitted to the health authority within five business days of completion of the analyses.

(d) The swimming pool or wading pool shall not be in operation for bathing if the disinfectant residual is below or above that set forth at N.J.A.C. 8:26-7.8 or if the physical water quality is not in conformance with N.J.A.C. 8:26-7.7.

#### **8:26-8.7 Closure of hot tubs or spas**

(a) Whenever a hot tub or spa water sample exceeds the microbiological water standards set forth at N.J.A.C. 8:26-7.11, the certified laboratory and the hot tub or spa operator shall notify the health authority by telephone or fax on the same day that the unsatisfactory microbiological sample result was obtained. The hot tub or spa shall be closed, drained, disinfected, refilled, and resampled.

(b) The hot tub or spa may be reopened at the discretion of the health authority after the actions in (a) above have been taken and while laboratory results of the resampling are pending.

(c) If the results of the resampling are unsatisfactory, the certified laboratory and the hot tub or spa operator shall immediately notify the health authority. The hot tub or spa shall then again be closed, drained, disinfected, refilled, and resampled. The hot tub or spa shall not be reopened until a satisfactory sample result is obtained and the health authority gives its approval.

(d) A written copy of all laboratory analyses shall be transmitted to the health authority within five business days of completion of the analyses.

(e) The hot tub or spa shall not be operated for bathing if the disinfectant residual is not within the range as set forth at N.J.A.C. 8:26-7.12.

#### **8:26-8.8 Closure of bathing beaches**

(a) When a bathing beach water sample exceeds the microbiological water standards set forth at N.J.A.C. 8:26-7.18, the following actions shall be taken:

1. The certified laboratory and bathing beach operator shall notify the health authority by telephone or fax on the same day that the unsatisfactory microbiological sample result was obtained. Health authorities participating in the CCMP shall immediately notify the Department of Health and Senior Services and the Department of Environmental Protection.

i. Sampling points for resamples shall be clustered around the areas from which the unsatisfactory sample was obtained and shall be approved by the health authority.

ii. When resampling CCMP ocean stations, the health authority shall resample the station that first exceeded the standard and bracket locations

to either side of that station.

iii. When resampling CCMP bay stations, the health authority shall resample the station that first exceeded the standard and locations at the outer limits of the bathing area.

2. A sanitary survey of the area shall be conducted by the health authority and the operator of the bathing beach. This sanitary survey shall be designed to identify the source(s) of pollution. This survey shall include a survey of nearby point sources of pollution.

3. If the result of the microbiological water quality resample is unsatisfactory, or if the sanitary survey discloses any condition which may present an imminent hazard to public health or safety, the bathing beach shall be closed for bathing. The local health authority shall immediately notify the Department of Health and Senior Services and the DEP of closings of recreational bathing areas which are monitored in the CCMP.

4. If the overall microbiological water quality data indicates that an area exceeds the bathing water microbiological quality standards as a consequence of certain environmental conditions, that bathing area shall be kept closed for a period of time following those environmental conditions as indicated by past sampling data. Further, if environmental conditions, such as heavy rainfall, cause sewage and/or stormwater infrastructure failures such as surcharging manholes, then bathing areas having the potential to be affected shall be closed or sampled at the discretion of the health authority.

5. A bathing beach shall not be opened until the sanitary survey and, if necessary, appropriate sampling, shows the microbiological water quality to be acceptable.

The local health authority shall immediately notify the Department of Health and Senior Services and the DEP when a bathing beach which is monitored by the Cooperative Coastal Monitoring Program (CCMP) has been reopened.

#### **8:26-8.9 Recordkeeping**

(a) Accurate and complete records shall be maintained and kept on the premises and shall be available upon request of the authorized agent or the health authority. Such records shall be kept for a minimum of one year, except those records related to deaths, all injuries to the head, neck and spinal cord and any injury rendering a person unconscious shall be kept for 10 years, and shall include:

1. Water analyses results;
2. Sanitary survey records;
3. Daily number of bathers;
4. Copies of all necessary credentials of

personnel associated with the public recreational

bathing operation(s);

5. Accidents requiring external emergency services, including the patient's name, time, date, description of occurrence, treatment, action taken, and name of person on duty supervising the facility;

6. Deaths and/or drownings. The record shall include the name of the person, the date, and a description of the occurrence; and

7. Inspection logs of recreational equipment.

#### **8:26-8.10 Deaths and/or serious injuries**

All deaths, all injuries to the head, neck and spinal cord, and any injury rendering a person unconscious shall be reported to the health authority within 24 hours of its occurrence. The local health authority shall report such deaths and/or injuries to the Department of Health and Senior Services within 30 days of the incident.

#### **8:26-8.11 Penalties**

Any person who violates any provision of this chapter or who refuses to comply with a lawful order or directive of the health authority, shall be liable for penalties set forth at N.J.S.A. 26:1A-10 and penalties under all other applicable laws, and/or an injunctive action as provided by law.

## APPENDIX

The following organizations are currently recognized by the Department of Health and Senior Services to certify the personnel and/or programs required pursuant to N.J.A.C. 8:25-5.

First Aid Certification  
American Red Cross  
National Safety Council

CPR Certification  
American Heart Association  
American Red Cross  
National Safety Council

Lifeguarding Certification-Swimming Pools and Lake Bathing  
American Red Cross  
Boy Scouts of America  
National Pool and Waterpark  
Lifeguard Training  
YMCA

Lifeguarding Certification-Ocean and Tidal Waters  
United States Lifesaving Association

Pool Operators Certification  
National Recreation and Park Association  
National Swimming Pool Foundation  
YMCA

### First Aid Kit Contents

<b><u>Product Description items required</u></b>	<b><u>Quantity</u></b>
Adhesive compress strips (band-aid type) .....	50
Sterile gauze dressings (sponge) (3 inches x 3 inches) .....	5
Sterile gauze dressings (sponge) (4 inches x 4 inches) .....	5
Sterile gauze roller bandage (3 inches wide) .....	5
Sterile eye dressing pads.....	5
Triangle bandages .....	4
Waterproof tape (1 inch x 5 yards) .....	1
Bandage scissors.....	1
Tweezers (4 1/2 inches).....	1
Instant cold pack.....	1
Disposable latex, vinyl or nitrile gloves (pair) .....	5
Liquid hand soap.....	1
Antiseptic wipes (box) .....	1
Disposable protective face shield.....	5
Disposable protective gown .....	5
Pocket resuscitation mask .....	1
First aid guidebook.....	1