

## CHAPTER 231. PUBLIC SWIMMING POOL CODE\*

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**\*Editor's note:** Ord. No. 2003-Or-067, § 1, adopted June 20, 2003, repealed former Ch. 231, §§ 231.10--231.500, which pertained to public swimming pools. Ord. No. 2003-Or-068, § 1, adopted June 20, 2003, adopted provisions designated as a new Ch. 231 to read as herein set out in §§ 231.10--231.160. See the Code Comparative Table.

**Cross references:** Swimming pool construction, Ch. 111; water, Ch. 509.

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**231.10. Title.** This title shall be known and cited as the public swimming pool code. (2003-Or-068, § 1, 6-20-03)

**231.20. Authority.** This chapter is adopted pursuant to Minneapolis City Charter, Chapter 4, Section 5. (2003-Or-068, § 1, 6-20-03)

**231.30. State rules incorporated.** Minnesota Rules, Chapter 4717, parts 4717.0100 through 4717.0400, parts 4717.0500 through 4717.1700, parts 4717.1800 through 4717.3600, parts 4717.3675 through 4717.3965, and amendments thereto, are hereby adopted by reference and are incorporated in this title as fully as if set forth herein. (2003-Or-068, § 1, 6-20-03)

**231.40. More restrictive standards to apply.** Where the conditions imposed by any provision of the public swimming pool code are either more restrictive or less restrictive than comparable conditions imposed by the Minnesota Rules, Chapter 4717, or any other law, statute, rule, resolution, ordinance, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern. (2003-Or-068, § 1, 6-20-03)

**231.50. "Commissioner" defined.** Wherever the term "commissioner" is used in the Minnesota Rules, it shall be held to mean the environmental health division of the city department of regulatory services. (2003-Or-068, § 1, 6-20-03)

**231.60. Enforcement.** The department of operations and regulatory services shall enforce the provisions of this chapter. The director of operations and regulatory services, or designee thereof, after proper identification, shall at all reasonable times have the right to enter into and upon premises to inspect and sample the water in public pools for compliance with this chapter. (2003-Or-068, § 1, 6-20-03)

**231.70. Pool water condition.** (a) The water temperature in a pool must not be more than one hundred four (104) degrees Fahrenheit.

(b) Each pool must have the following testing equipment:

- (1) A DPD (Diethyl-P-Phenylene Diamine) test kit to measure the concentration of disinfectant in water, accurate within 0.1 parts per million.
  - (2) A phenol red pH testing kit accurate to the nearest 0.2 pH unit.
  - (3) A test kit to measure alkalinity using the methyl orange or equivalent method.
  - (4) Where cyanuric acid is used, a test kit to test cyanuric acid concentration.
- (c) When in use, a pool must be continuously disinfected with a chemical that imparts an easily measured, free available residual.
- (1) When chlorine is used, a free chlorine residual of at least 2.0 parts per million must be maintained throughout the pool.
  - (2) When bromine is used, a bromine residual of at least 4.0 parts per million must be maintained throughout the pool.
  - (3) The minimum free residual for chlorine must be 2.0 parts per million and 4.0 parts per million for bromine when any of the following conditions exist:
    - a. Cyanuric acid exceeds thirty (30) parts per million;
    - b. The pH exceeds 7.7;
    - c. The water temperature exceeds eighty-four (84) degrees Fahrenheit; or
  - (4) The disinfectant concentration in an operating pool must not exceed ten (10) parts per million for chlorine and fifteen (15) parts per million for bromine.
  - (5) If other halogens are used, residuals of equivalent disinfectant strength must be maintained.
  - (6) If the concentration of combined chlorine residual exceeds 0.5 parts per million, the pool must be superchlorinated or treated to reduce the concentration of the combined chlorine residual to not exceed 0.5 parts per million.
  - (7) Where a cyanuric acid compound is used to stabilize chlorine, the concentration of cyanuric acid in the pool must not exceed sixty (60) parts per million.
- (d) The disinfectant residual in a wading pool and a spa pool must be at least 3.0 parts per million for free chlorine and 6.0 parts per million for bromine throughout the pool when in use.
- (e) Water in the pool must be maintained with a pH of not less than 7.2 and not more than 7.8.
- (f) The alkalinity of the water in the pool must be at least fifty (50) parts per million.
- (g) Whenever the pool is open for use, the pool water must be clear enough so the bottom drain is easily visible.

- (h) Chemicals used to control water quality must not impart toxic properties to the water. All containers used for chemicals must be kept in a secure location, inaccessible to pool users, and properly labeled and stored according to the manufacturer's instructions.
- (i) When bacteriological sampling is done, no sample collected may:
  - (1) Exceed two hundred (200) bacteria per milliliter as determined by the heterotrophic plate count; or
  - (2) Indicate the presence of total coliform organisms in a one hundred (100) milliliter sample by any of the following methods:
    - a. Multiple tube;
    - b. Membrane filter; or
    - c. The Minimal Medium ONPG-MUG test described in Code of Federal Regulations, title 40, part 141.
  - (3) All samples must be collected, dechlorinated, and examined according to the American Public Health Association's "Standard Methods for the Examination of Water and Wastewater."
  - (4) Where sampling indicates that the standards in 231.50(i)(1) or (2) are exceeded, the pool must be treated to effectively reduce biological concentration to a complying level. (2003-Or-068, § 1, 6-20-03)

**231.80. Toilets, lavatories, showers, and dressing rooms.** (a) Toilets, showers, and dressing rooms may be in a nearby toiletroom, locker room, or, if conveniently available, within the living units of an apartment building, hotel, or similar occupancy.

- (b) Toilet, shower, lavatory, and locker and other ancillary facilities must be maintained in a sanitary condition to preclude the possibility of spreading pathogens to the pool.
- (c) When toilet facilities are accessible to pool patrons in the pool area, each toilet facility must include showers that permit nude showering within each toilet facility.
- (d) At least one (1) shower must be provided which is conveniently located to permit a shower before entering any pool when sauna or exercise facilities are provided.
- (e) Toilet, handwashing, and shower facilities must be provided according to the following schedule.

**TABLE INSET:**

	First 300 Males	First 300 Females	Additional males over 300	Additional females over 300
Water closets	1/100	1/50	1/200	1/100
Urinals	1/100	--	1/200	--
Lavatories	1/100	1/100	1/200	1/200
Showers	1/50	1/50	1/50	1/50

- (f) Additional sanitation fixtures must be provided for pool facilities with extensive deck areas or facilities that provide other functions in accordance with the sanitation fixture requirements in the state building code.
- (g) Showers must be supplied with water at a temperature of at least ninety (90) degrees Fahrenheit at a rate of at least 2.0 gallons per minute. Thermostatic, tempering, or mixing valves must be installed if necessary to prevent water temperatures in excess of one hundred thirty (130) degrees.
- (h) Pool users leaving the dressing room must pass the showers last in route to the pool.
- (i) The floor finish between the toilet and shower areas and the pool must be nonslip and nonabsorbent.
- (j) Lighting for toilet, shower, and locker facilities must provide at least ten (10) footcandles illumination measured at floor level.
- (k) On-site showers are not required for freestanding wading pools. (2003-Or-068, § 1, 6-20-03)

**231.90. Spa pools.** (a) Spa pools must comply with Chapter 231 except as modified in this section.

- (b) The recirculation system must recirculate a water volume equal to the pool volume in thirty (30) minutes or less, except that a minimum rate of thirty-five (35) gallons per minute is required.
- (c) The recirculation system must have at least two (2) remote inlets to the pool.
- (d) The main drain must consist of:
  - (1) A grate-covered bottom opening at least one hundred (100) square inches in size; or
  - (2) A bottom opening with an antivortex cover.
- (e) The agitation system must have a separate pump. If sidewall suction fittings are used, at least two (2) inlets, remotely located, must be provided.
- (f) The agitation system must be controlled by a timer with the control switch accessible to pool users but at least five (5) feet from the pool. The maximum time setting must be fifteen (15) minutes.
- (g) Access to a spa pool must be provided according to this subpart.
  - (1) Access to the pool must be provided by an unobstructed deck, at the pool elevation, which extends at least five (5) feet from the pool around the entire perimeter.
  - (2) Where a deck cannot be provided as specified in 231.90 (g)(1), a five (5) foot wide deck at the pool elevation must extend along at least twenty-five (25) percent of the pool perimeter. The remaining perimeter must be one (1) foot or less to a wall, partition, or other effective barrier to restrict access. The deck must provide complete and unobstructed access to the

- steps in the pool.
- (3) Where access is provided by sitting on the edge of a raised pool and swinging the legs into the pool:
    - a. The deck requirement in 231.90(g)(1) and 231.90(g)(2) must be met.
    - b. The pool must be no less than eighteen (18) inches nor more than twenty (20) inches above the deck.
    - c. Steps with equal risers and twelve (12) inch minimum treads must be provided outside the pool which line up with the steps inside the pool.
    - d. The pool edge must not exceed twelve (12) inches in width.
  - (h) The requirements for steps in this subpart apply to spa pools.
    - (1) Steps for access to an elevated spa pool must have a handrail and a finished surface that meets the requirements for decks in Minnesota Rules, Chapter 4717.
    - (2) Steps within manufactured spa pools may vary from the dimensions Minnesota Rules, Chapter 4717 if the Minnesota Commissioner of Health determines that the design is safe.
  - (i) In addition to the signs required by Minnesota Rules, Chapter 4717, the following warning signs must be posted and plainly visible in the spa pool area:
    - (1) Pregnant women, small children, or persons with heart disease, diabetes, high blood pressure, or low blood pressure should not enter the spa except under advice of a physician.
    - (2) Avoid use while under the influence of alcohol or drugs.
    - (3) Exposure may result in nausea, dizziness, or fainting. Observe a reasonable time limit. (2003-Or-068, § 1, 6-20-03)

**231.100. Pool closure.** When any of the following conditions are found, a public pool must be immediately closed to use when so ordered by the director of operations and regulatory services, or designee thereof. The owner of the pool or the owner's agent must place a sign at the entrance to the pool indicating that the pool is closed. The pool must remain closed until the condition is corrected and approval to reopen is granted by the director of operations and regulatory services, or designee thereof. A pool must be closed when one (1) of the following conditions exist:

- (1) The units of lifesaving equipment specified in Minnesota Rules, Chapter 4717 are not provided.
- (2) The water clarity standard specified in 231.70(g) is not met.
- (3) The disinfection residual specified in 231.70(d) is not met.
- (4) The pool has been constructed or physically altered without approval of

plans as required by Minnesota Rules, Chapter 4717.

- (5) There is any condition that endangers the health or safety of the public. (2003-Or-068, § 1, 6-20-03)

**231.110. License required.** No person shall operate or permit swimming in a public swimming pool, regardless whether a fee is charged for such use, without a valid public swimming pool license issued pursuant to this chapter. Issuance of public swimming pool licenses shall be governed by Chapter 259, 261 and 263 of this Code. Where a property has more than one (1) pool located upon it, separate authorization shall be obtained for each pool, and the license fee shall be according to the fee schedule provided in this chapter. Minneapolis Park and Recreation Board and Special School District No. 1 shall be required to obtain licenses for public swimming pools that they own or operate; however, no license fee shall be charged. (2003-Or-068, § 1, 6-20-03; 2005-Or-115, § 1, 11-18-05)

**231.120. License fees.** The annual fee for a public swimming pool license shall be as established in Appendix J, License Fee Schedule. (2003-Or-068, § 1, 6-20-03)

**231.130. When licenses expire.** Licenses issued under this chapter shall expire on April first of each year. (2009-Or-128, § 1, 11-13-09)

**231.140. Revocation, suspension, nonrenewal of license.** The city council may revoke, suspend or refuse to renew a public swimming pool license for failure to comply with any of the provisions of this chapter, including the state health department rules incorporated herein, or for failure to comply with any other applicable provisions of this Code. (2003-Or-068, § 1, 6-20-03)

**231.150. Effective date.** This chapter shall become effective July 1, 2003. (2003-Or-068, § 1, 6-20-03)

**231.160. Severability.** If any part or provision of this title or the application thereof to any person, entity, or circumstances shall be adjudged unconstitutional or invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application which is directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or the application thereof to other persons, entities, or circumstances. (2003-Or-068, § 1, 6-20-03)