



NEW JERSEY STATE  
 DEPARTMENT OF HEALTH  
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**NEW JERSEY STATE SANITARY CODE**  
**CHAPTER IX**  
**PUBLIC RECREATIONAL BATHING**  
**N.J.A.C. 8:26-1 et seq**  
**JANUARY 1987**

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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

(a) These regulations shall govern all recreational bathing places in the State of New Jersey with the exception of a private bathing place as defined in 8:26-1.3. The provisions of the State Sanitary Code have the force and effect of law. The provisions are enforceable by the State Department of Health, local departments of health, local police authorities, local sheriff's departments and other enforcement agencies.

(b) The operative dates for this chapter are August 4, 1986 for subchapters 7 and 8 only as they apply to tidal waters and November 4, 1986 for the remainder of the chapter.

Note: The difference in operative dates is necessary, to be consistent with what is presently being accomplished under the cooperative Coastal Monitoring Program, and thus presents no additional hardship while providing a rule to adequately protect the public's health.

##### 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 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 equipment previously approved.

"Approved" means acceptable to the State Department of Health 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.

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

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

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

"Department" means the State Department of Health.

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

"Health authority" means the agent of the Local Board of Health and/or State Department of Health 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 (1.2 meters) used in conjunction with high velocity water recirculation systems, utilizing hot, cold, or ambient temperature water either mineral or nonmineral in nature, which is not emptied after each individual use. (Industry terminology for a hot tub or spa includes, but is not limited to, therapeutic pool, whirlpool, and hydrotherapy pool.)

"Lifeguard" means a person who holds a lifesaving/lifeguarding certificate issued from an organization recognized by the New Jersey State Department of Health, as listed in the Appendix at the end of this chapter.

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

"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 recreational bathing.

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

"Private 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 cooperative housing or joint tenancy of three or more living units.

"Public bathing place" means any recreational bathing place that is not defined as private to include state, county, and municipal facilities.

"Recreational bathing place" means any bathing beach, hot tub or spa, swimming pool, and wading pool as defined in this subchapter.

"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.

"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, a-type pool, wading pool, special purpose pool, or water recreation attraction, to which admission may be required with or without payment of a fee, and includes, but is not limited to, pools operated by or serving camps, clubs, churches, cities, counties, day care centers, group home facilities for 6 or more clients, health spas, institutions, parks, state, county and municipal agencies, schools, subdivisions, or the cooperative living projects of three or more living units, such as apartments, boarding houses, condominiums, hotels, mobile home parks, motels, recreational vehicle parks, warehouses, and trailer parks.

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

"Wading pool" means a pool that may range in water depth from 2 feet down to zero for wading.

## **CHAPTER 2. ADMINISTRATION**

### **26-2.1 Review of plans**

Whenever a public swimming pool, hot tub or spa is constructed or altered, or when a pond, lake, stream, river, ocean or other body of fresh or salt water is converted to use as a public recreational bathing place, specifications, plans and reports shall be submitted to the health authority for review and approval before construction, alteration or conversion is begun.

### **26-2.2 Procedure for obtaining written approval to locate and construct**

(a) Approvals shall be issued when the health authority has received and approved a letter of application which has been approved by the planning and zoning agencies. Final plans, specifications and reports shall be prepared by the appropriate licensed or certified professional fully describing and setting forth the data as required in (b), or as may otherwise be required by the health authority.

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

1. Proposed site of the recreational bathing place;
2. Nature and extent of the area to be served by the recreational bathing place, including type (for example, general public, club) and estimated daily patronage;
3. Basic design factors, including water capacities, source(s) of water, and volume of water;
4. Recreational bathing place layout, including dimensions, bathhouses, water closet facilities, food service facilities, first aid facilities, and other recreational facilities associated with the recreational bathing place;
5. Details of on-site filter wastewater, shower wastes, and sanitary sewage disposal, if a municipal sewer is not available or if a municipal sewer is available, details of the connection thereto;
6. Proposed operation and maintenance procedures including manufacturer's specifications for equipment;
7. Details on water well construction, if applicable;

8. Compliance with other federal, state and/or local agency requirements;

9. Compliance with the barrier free design requirements promulgated by the New Jersey Department of Community Affairs, Bureau of Construction Code Enforcement, pursuant to N.J.S.A. 52:32 and N.J.S.A. 52:27D-123 (Uniform Construction Code) and N.J.A.C. 5:23-3.2 and 5:23-3.14: the rules shall apply to the construction, remodeling, substantial repairs, alterations and additions of buildings, structures, and facilities used by the public. Included in the regulations are requirements for site development, buildings, residential occupancy and recreation sites and facilities.

i. Additionally, existing facilities which receive or will receive Federal funds must comply with the 1973 Rehabilitation Act (Section 504).

10. Safety by design as specified in this code;

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

(c) Upon compliance with all provisions of (a) and (b) above and acceptance of the final plans, specifications, and reports, together with the data contained therein, the health authority shall review and either approve or disapprove in writing within 30 days of the date of submission.

### **8:26-2.3 Denial of approval**

Persons denied approval shall be notified accordingly in writing by the health authority. Such notice shall specify the reason(s) for the action, and shall give the person(s) denied approval the opportunity to be heard within a reasonable time, not to exceed 15 days.

### **8:26-2.4 Procedure for obtaining approval to alter recreational bathing facilities**

(a) Approvals to alter 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 within 30 days.

(b) Upon compliance with (a) above, an approval of the requested alteration or proposal may be issued.

### **8:26-2.5 Existing swimming pools**

N.J.A.C. 8:26-3.1 to 8:26-3.16 inclusive, relating to location and construction, shall not apply to those swimming pools that were constructed prior to the effective date of this Chapter. Any alterations of any unit or units of such swimming pools shall be made in accordance with the applicable provisions of these rules.

### **8:26-2.6 Existing hot tubs and spas**

N.J.A.C. 8:26-4.1 through 8:26-4.13 relating to location and construction shall not apply to hot tubs and spas that were constructed prior to the effective date of this Chapter, except that any alterations of any unit or units of such hot tubs and spas shall be made in accordance with the applicable provisions of these rules. The provisions for heater and temperature requirements at N.J.A.C. 8:26-4.4 and disinfectant and chemical feeders at N.J.A.C. 8:26-4.10 shall apply to all hot tubs and spas.

**8:26-2.7 Pre-operational inspection**

Whenever plans, specifications and reports, as required by N.J.A.C. 8:26-2.1, are submitted to the health authority for review and approval, the health authority shall inspect the recreational bathing place prior to opening for public use, to determine compliance with the requirements of this chapter.

**8:26-2.8 Approval to operate**

A recreational bathing place shall not be opened for public use until the health authority has given formal approval by issuance of an appropriate approval, license or permit. This approval, license or permit shall be displayed in a conspicuous place on the premises where it may be readily observed by all patrons. No person shall operate a recreational bathing place whose approval, license or permit has been suspended.

**8:26-2.9 Modification and waiver of standard**

(a) Any person or authorized agent, confronted with practical difficulties in carrying out the strict compliance with any rule in this chapter, may apply to the health authority in writing for a modification thereof. Only a modification that will not constitute a definite hazard to life or property will be considered. The decision of the health authority, including the particulars of the application, shall be entered upon the records of the health authority and a copy thereof sent to the applicant.

(b) The health authority may waive temporarily any rule to allow for experimentation and a demonstration of new and innovative approaches relating to the operation, construction, and maintenance of a recreational bathing place. Only waivers that will not constitute a definite hazard to life or property will be considered.

**SUBCHAPTER 3. SWIMMING POOLS**

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

(a) The location of all proposed pools shall be such that a safe and adequate water supply and sanitary disposal facilities will be available.

(b) The layout of the pool facility shall be such that bathers leaving the dressing rooms will have access to toilets and then shower facilities. Exits and entrances to the pool enclosure shall be located at the shallow end of the pool.

**8:26-3.2 Construction materials**

(a) Swimming pools and all appurtenances thereto shall be constructed of materials which are: nontoxic, which are impervious and enduring, can withstand the design stresses, and which will provide a watertight structure with a smooth and easily cleaned surface without cracks or joints, excluding structural joints, or to which a smooth, easily cleaned surface finish can be applied or attached.

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

(c) The surfaces within a swimming pool intended to provide footing for bathers shall be designed to provide a slip-resisting surface. The roughness or irregularity of such surfaces shall not cause injury or discomfort to the bather during normal use.

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

(e) All construction materials shall be in conformance with the regulations set forth in the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:26-3.3 Dimensional design**

(a) No specific limits are required for the shape of swimming pools except that consideration shall be given to shape from the standpoint of safety and circulation of the swimming pool water. There shall be no protrusions, extensions, means of entanglement, or other obstructions in the swimming area of the pool which can cause the entrapment or injury of the bather.

(b) The pool capacity shall be based on the following criteria:

1. Pools with deck areas less than the water area:
  - i. Fifteen square feet (1.4 square meters) of shallow, instructional and/or wading areas for each bather.
  - ii. Twenty square feet (1.9 square meters) of deep area (not counting that area figured as diving area) for each bather.
  - iii. Three hundred square feet (27.9 square meters) of diving area per diving board for each bather.
2. Pools with deck areas at least equal to the water area:
  - i. Twelve square feet (1.1 square meters) of shallow, instructional and/or wading areas for each bather.
  - ii. Fifteen square feet (1.4 square meters) of deep area (not counting that area figured as diving area) for each bather.
  - iii. Three hundred square feet (27.9 square meters) of diving area per diving board for each bather.
3. Pools with deck areas at least equal to twice the water area:
  - i. Eight square feet (.7 square meters) of shallow, instructional and/or wading areas for each bather.
  - ii. Ten square feet (.9 square meters) of deep area (not counting that area figured as diving area) for each bather.
  - iii. Three hundred square feet (27.9 square meters) of diving area per diving board for each bather.

|  | 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 of the pool**

The water depths and dimensions of swimming pool diving areas shall be in accordance with the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:26-3.5 Bottom slope of the pool**

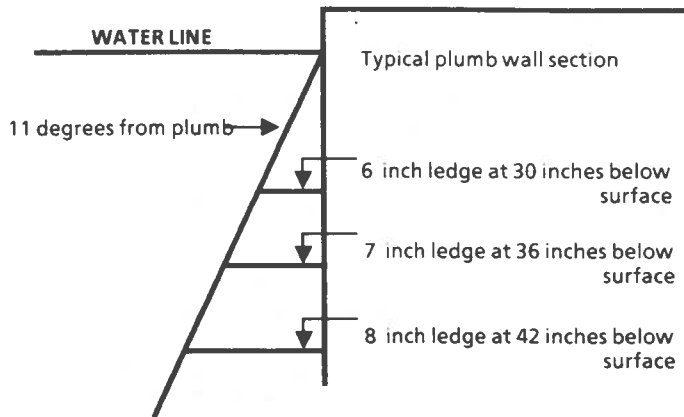
The bottom slope of the pool shall be in accordance with the requirements of New Jersey Uniform Construction Code, N.J.A.C. 5:23.

**8:26-3.6 Walls of the pool**

The walls of the pool shall be in accordance with the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

### 8:26-3.7 Offset ledges

When provided, offset ledges shall fall within 11 degrees from plumb starting at the junction of the pool wall and waterline, and shall have a slip-resisting surface. Maximum width shall be 8 inches. The typical allowable dimensions are based on the depths shown below:



### 8:26-3.8 Markings

(a) Depth of water in feet shall be plainly and conspicuously marked at or above the water surface on the vertical pool wall and on the top of coping or edge of the deck or walk next to the pool.

(b) Depth markers shall be placed at maximum and minimum points and at all points of slope change and at no more than 2 feet of intermediate increments of water depth.

(c) Depth markings shall be horizontally spaced at no more than 25 foot intervals and shall be arranged to be uniformly located on both sides of the pool as well as both ends.

(d) In the case of irregularly shaped pools, such markings shall designate depths at all major deviations in shape as well as conforming to the foregoing where possible.

(e) The depth marking numbers shall be at least 4 inches (10 centimeters) minimum height, of a contrasting color to the background and of a permanent nature.

(f) Markings on the vertical pool wall shall be in the uppermost portion of the wall and be positioned to be read from the water side.

(g) Markings on the deck shall be within 18 inches (46 centimeters) of the water's edge and positioned to be read while standing on the deck facing the water.

(h) Deck markings shall be slip-resistant.

### 8:26-3.9 Overflow collection system

(a) An overflow gutter, automatic skimmer(s) or other satisfactory cleaning device approved by the health authority shall be provided for all swimming pools.

(b) Overflow gutters shall be provided in accordance with the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(c) The overflow system shall be designed and constructed so that the water level of the pool is maintained at the operating level of the rim or weir device. Perimeter type overflow systems, when used as the only overflow system on a pool, shall extend around a minimum of 50 percent of the perimeter of the pool.

Perimeter overflow systems shall be connected to the circulation system with a system surge capacity of not less than 1 gallon for each square foot (41 liters per square meter) of pool surface. The perimeter overflow system in combination with the upper rim of the pool shall constitute a handhold. The hydraulic capacity of the perimeter overflow system shall be capable of handling 100 percent of the circulation flow. Nothing in this subsection shall preclude the use of roll out or deck level type swimming pools but in the case of competitive pools, the ends of the pool must provide a visual barrier that can be seen by swimmers.

(d) Skimmers shall be provided in accordance with the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(e) A surface skimming system shall be provided on all public swimming pools, and shall be designed and constructed to skim the pool surface when the water level is maintained within the operational parameters of the system's rim or weir device. Skimming devices shall be designed and installed so as not to constitute a hazard to the bather.

(f) When a perimeter-type surface skimming system is used as the sole surface skimming system, the system shall extend around a minimum of 50 percent of the perimeter of the pool. Perimeter surface skimming systems shall be connected to the circulation system with a system surge capacity of not less than 1 gallon for each square foot of pool surface.

### 8:26-3.10 Decks and walkways

(a) Decks and walkways shall be provided and constructed in accordance with 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 (1/2":1'). Decks shall be sloped to effectively drain either to perimeter areas or to deck drains. Drainage shall remove pool splash water, deck water and rain water. Site drainage shall be provided away from all deck work so as to direct all perimeter deck drainage as well as general site drainage away from such work. When required, yard drains shall be installed to prevent the accumulation of puddling of site water in the general area of the decking work and related improvements. Gutters and downspouts shall be provided or relocated as necessary to adequately carry roof water away from pool and decking areas.

### 8:26-3.11 Ladders and stairs

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

(b) Where water depths are 24 inches (60 centimeters) or less at the pool wall, such areas shall be considered as providing their own natural mode for entry/exit.

(c) Below the water level, there shall be a clearance of not more than 6 inches nor less than 3 inches between any ladder tread edge, measured from the pool wall side of the tread, and the pool wall.

(d) Recessed treads shall have a minimum tread of 5 inches and a minimum width of 12 inches. Recessed treads shall drain into the pool to prevent the accumulation of dirt thereon and shall be slip-resistant.

### 8:26-3.12 Enclosure

(a) Pools shall meet the fencing and enclosure requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

NOTE: A 10 foot high fence for public swimming pools is recommended.

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

(a) All electrical wiring, illumination and ventilation shall be in conformance with the regulations set forth in the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Illumination shall be such that a black disk 6 inches (15.2 centimeters) in diameter, superimposed upon a white field placed at the bottom of the deepest end of the pool shall be clearly visible from the pool sidewalk, at all distances up to 10 yards, measured in a horizontal distance from the project of the disk onto the pool surface.

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

(a) Diving stands, boards, slides and floats shall be constructed in accordance with the the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) For indoor pools, at least 16 feet of headroom above the highest board must be provided.

(c) Water depth and distance based on board height shall be as follows:

1. Minimum water depth and distances for diving boards for all public 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.

2. Diving equipment for use by the general public shall not be more than 10 feet (3 meters) above the water level.

(d) Foot contact surfaces of diving equipment shall be slip-resistant.

### 8:26-3.15 Recirculation system

(a) The recirculation system equipment shall be of adequate size to turn over the entire pool water capacity at least once every 8 hours. Water clarity shall be maintained. (Clarity is a function of proper filtration and maintenance of proper chemical operational parameters.) When standing at the pool's edge at the deep end, the deepest portion of the pool floor shall be clearly visible.

(b) A pump and motor shall be provided for circulation of the pool water. Performance of all pumps shall meet or exceed the conditions of flow required for filtering and cleaning (if applicable) the filters against the "total dynamic head" developed by the complete system.

1. Pumps shall be selected to perform the functions for which they were designed by the manufacturer. Pumps and motors must be accessible for inspection and service.

2. When the pump is below the water level of the pool, valves shall be installed on permanently connected suction and discharge lines, located in an accessible place outside the walls of the pool, where they will 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. All motors shall have thermal or current overload protection, either built in, or in the line starter, to provide locked motor and running protection.

5. The motor frame shall contain adequate provisions for proper grounding as specified in New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(c) Protection of potable water supply shall comply with the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

1. Physical connections between potable water systems and pool circulation systems shall not be permitted.

2. Potable water for make-up purposes shall be added by way of an over-the-rim spout properly shielded which does not create a safety hazard. The open end of the spout shall have no sharp edges and protrude no more than 2 inches (5.1 centimeters) beyond the edge of the pool.

NOTE: It is recommended that the spout be located adjacent to the ladder.

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

(d) Hair and lint catchers shall be provided with all pressure filter systems, and shall contain a removable strainer upstream of the circulation pump(s) to remove solids, debris, hair, lint, etc. Water entering the pump shall pass through the removable strainer.

(e) Inlets and outlets shall be constructed in the following manner:

1. Pool inlet(s) and outlet(s) for circulated water shall be located to produce uniform circulation of water and to facilitate the maintenance of a uniform disinfectant residual throughout the entire pool. Inlet(s) from the circulation system shall be designed so as not to constitute a hazard to the bather.

i. Where skimmers are used, the inlet(s) shall be located so as to help bring floating particles within range of the skimmers.

2. All pools shall be provided with a main drain in the lowest point of the pool floor. The spacing of the main drains for pool pump suction shall not be greater than 20 feet on centers nor more than 15 feet from each side wall.

3. The main drain pumps shall be covered with suitable protective covers or grates. Outlet drain covers and grates shall be installed in such a way that they cannot be removed without the use of tools. The total velocity through grate openings shall not exceed 2 feet per second.

4. The grate opening shall not exceed 1/2 inch and be designed to prevent physical entrapment of fingers, toes, etc.

5. The system shall provide at least 1 antivortex outlet drain.

6. In depths 4 feet 6 inches (1.37 meters) or less, the antivortex drain shall not provide a tripping or stubbing hazard to the feet.

7. Where only one main drain is provided, it shall be of the antivortex design, and velocity shall not exceed 6 feet per second.

(f) Filters shall be designed so that after cleaning per manufacturer's instructions, the system can provide the water clarity noted in N.J.A.C. 8:26-7.10.

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

2. Loss of head gauges 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.

3. Rate of flow meters shall be installed and located so that both the rate of circulation and backwashing will be registered in gallons per minute.

i. Flow meters shall have a range between 10 percent below the established filtration rate and 10 percent above the established backwash rate.

ii. Flow meters shall be installed on a straight length of pipe at a distance equal to at least 6 times the diameter of the pipe from any valve, elbow or other source of turbulence. This requirement may be waived for meters not affected by pipeline turbulence.

4. Pressure filters shall be provided with sight glasses installed on the waste discharge line in order that filter washing progress may be determined. Such sight glass shall be readily removable for cleaning purposes.

5. On pressure-type 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 must have 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 a lid which provides a slow and safe release of pressure as it is opened.

(g) Sumps shall be provided and constructed in accordance with the requirements of the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

#### 8:26-3.16 Wading pools

(a) Wading pools shall be separate and physically set apart from beginning or shallow areas of swimming pools by at least 6 feet of deck. Where a wading pool is adjacent to any deep water area, a minimum 4 foot high barrier shall be installed separating the two pools with a self closing and self latching gate.

(b) Walls shall be vertical or within 11 degrees of vertical except for the lower 6 inches which shall be radiused to the floor. Walls shall not extend more than 6 inches above the water line at any point.

(c) Floors shall be uniformly sloped to drain with a maximum slope of 1 foot in 12 feet (1':12').

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

(e) Wading pools shall have a separate circulation system of adequate size to turn over the entire pool water capacity at least once every 2 hours.

#### 8:26-3.17 Water slides

(a) Water slides may be permitted with special approval of the local health authority, provided the construction and supervision at the slide conforms to the requirements of the United States Consumer Products Safety Commission standard for swimming pool slides as published in the Federal Register, December 18, 1978, Vol. 43, No. 243.

(b) Water slides exceeding 15 feet (4.57 meters) in height and which carry or convey passengers along, around or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills or excitement shall be in conformance with Department of Labor and Industry Standard, N.J.S.A. 5:3-31 through 54.

#### 8:26-3.18 Rope drops

Rope drops shall not be permitted except those licensed and inspected by the Department of Labor and Industry under N.J.S.A. 5:3-31 through 54.

#### 8:26-3.19 Floats

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

#### 8:26-3.20 Disinfection

(a) The swimming and wading pool water shall be continuously disinfected by a disinfecting agent that imparts an easily measured residual.

1. The disinfecting agent used shall be subject to field testing procedures that are simple and accurate. (Chlorine or chlorine compounds are most frequently used for this purpose but other bacteriological agents or apparatus shall be acceptable if registered for said use by the United States Environmental Protection Agency.)

(b) Disinfecting equipment shall conform to the following:

1. Adequate and appropriate feeding and regulating equipment for introducing a disinfectant into the recirculating system of the pools shall be provided.

2. The disinfecting equipment shall be of sufficient capacity to maintain consistently in the pool, the disinfectant residual cited at N.J.A.C. 8:26-7.9.

3. The disinfecting equipment shall be capable of withstanding wear in the course of normal use.

(c) Gas chlorination shall conform to the following:

The chlorinator, cylinders of chlorine and associated equipment shall be housed in a reasonably gas-tight and corrosion-resisting housing having a floor area adequate for the purpose. Cylinders shall always be stored in an upright position and properly secured.

1. Enclosures may be located at ground or above-ground level. If installation below-ground is necessary, the enclosure shall be provided with air-tight ducts from the bottom of the enclosure to atmosphere in an unrestricted area, a motor driven exhaust fan capable of producing at least one air change per minute and automatic louvers of good design near the top of the enclosure for admitting fresh air.

2. Electrical switches for the control of artificial lighting and ventilation shall be on the outside of the enclosure adjacent to the door.

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

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

NOTE: OSHA regulations require training and maintenance programs for respirators. (See OSHA Standards 1910.134.)

5. A warning sign stating "CAUTION chlorine hazard area, unauthorized persons keep out, causes burns, severe eye hazard, may be fatal if inhaled," or words of similar meaning shall be affixed in a readily visible location at or on entrances to areas in which chlorine is present in containers or systems. It is recommended that a statement giving specific location(s) of protective mask(s) for chlorine be included.

NOTE: Facilities shall include a scale suitable for weighing chlorine cylinders. Changing cylinder(s) shall be accomplished only after weighing proves contents of cylinder to be exhausted. NOTE: Care must be taken to prevent water suck-back into cylinder when empty by closing the cylinder valve.

6. Valve protection caps and valve outlet caps shall be in place at all times except when the cylinder is connected for use. Cylinders must not be dropped and shall be protected from falling objects. Cylinders should

be used on 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. When using chemical feeders, they shall be installed downstream from the filter and heater. The only exception to this would be erosion-type chlorinators which feed their solution to the suction side of the pump.

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

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

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

1. Electrolytic chlorine generators shall be able to insure adequate feed to meet the chlorine residual specified in N.J.A.C. 8:26-7.9

2. A sodium-chloride test kit shall be provided to monitor the salt concentration of the pool water.

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

1. A bromine test kit shall be provided to monitor the bromine concentration of the pool water.

2. Brominator equipment rooms shall be constructed and ventilated as required in N.J.A.C. 8:26-3.20(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 been adequately demonstrated to provide a satisfactory residual effect which is easily measured and equally as effective in conditions of use as the chlorine concentration specified in N.J.A.C. 8:26-7.9 and not dangerous to public health, not creating objectionable physiological effects, and not imparting toxic properties to the water. (See N.J.A.C. 8:26-7.)

(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.

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

##### **8:26-4.1 General provisions**

(a) Hot tubs, spas, whirlpools and hydrotherapy pools shall be constructed, maintained, and operated in accordance with the applicable provisions found within this Subchapter and as indicated in N.J.A.C. 8:26-3.

##### **8:26-4.2 General construction and design**

(a) The maximum water depth of the hot tub or spa shall be 4 feet (1.22 meters) measured from the water line. Exceptions may be made for pools designed for special purpose, such as, instruction, treatment and therapy.

(b) The maximum depth of any seat or sitting bench in the spa shall be 2 feet (61 centimeters) measured from the water line.

(c) Hot tubs and spas shall be provided with a suitable handhold around their perimeter in areas where the water depth exceeds 3 feet 6 inches (1.07 meters). Handholds shall be provided no further apart than 4 feet (1.22 meters) and may consist of any one or a combination of the following:

1. Coping, ledges, radiused flanges, or decks along the immediate top edge of the pool providing a suitable slip-resistant handhold located not over 12 inches (30 centimeters) above the water line.

2. Ladders, steps or seat ledges.

3. A railing placed at or not over 12 inches (30 centimeters) above the water line fastened to the wall.

(d) The slope of the hot tub or spa floor shall not exceed 1 foot (30 centimeters) of fall in 12 feet (3.6 meters).

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

(f) Steps, ladders or recessed treads shall be provided where pool depths are greater than 24 inches (61 centimeters).

(g) Hot tubs and spas shall be equipped with at least one handrail (or ladder equivalent) for each 50 feet (15.2 meters) of perimeter, or portion thereof, to designate the point of entry and exit.

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

1. Step treads shall have a minimum unobstructed tread depth of 10 inches (25 centimeters) for a minimum width of 12 inches (30 centimeters).

2. Riser heights shall not be less than 7 inches (18 centimeters), nor greater than 12 inches (30 centimeters). When the bottom tread serves as a bench or seat, the bottom riser may be a maximum of 14 inches (35 centimeters).

3. The first and the last risers need not be uniform but must comply with riser height requirements as noted in 2. above. The first (top) riser is 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 in such a way that they can only be removed with tools.

1. The leading edge of handrails facilitating spa exit shall be located within 18 inches (45.7 centimeters) plus or minus 3 inches (7.6 centimeters), horizontally measured from the vertical plane of the bottom riser.

(j) The design and construction of spa ladders, when required, shall conform to the following:

1. Ladders shall be made entirely of corrosion-resistant materials.

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

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

4. The maximum outside diameter of handrails shall be 1.9 inches (4.8 centimeters) and a minimum of 1 inch (2.5 centimeters).

5. There shall be a clearance of not more than 6 inches (15 centimeters) nor less than 3 inches (7.6 centimeters) between any ladder and the tub or spa wall.

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

1. Stepholes at the centerline shall have a uniform vertical spacing of 12 inches (30 centimeters) maximum and 7 inches (17.5 centimeters) minimum.

2. Maximum vertical distance between the coping edge and the uppermost recessed tread shall be 12 inches (30 centimeters).

3. Stepholes shall have a minimum tread depth of 5 inches (13 centimeters) and a minimum tread width of 12 inches (30 centimeters).

4. Step hole treads shall drain into the tub or spa to prevent the accumulation of dirt thereon.

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

#### **8:26-4.3 Decks: construction and design**

(a) Decks shall be in conformance with the requirements for swimming pool decks and found at N.J.A.C. 8:26-3.10, and as follows:

1. Decks, ramps, and similar surfaces, including step treads and coping, shall be slip-resistant. The roughness or irregularity of such surfaces shall not cause injury or discomfort under intended use.

2. A 4 foot wide minimum continuous unobstructed deck, which may include the coping, shall be provided around 50 percent or more of the hot tub or spa.

3. Decks shall be edged, radiused or otherwise relieved so as not to present exposed sharp corners.

#### **8:26-4.4 Heater and temperature requirements**

(a) The maximum temperature of the hot tub or spa water shall be 104 degrees Fahrenheit (40 degrees centigrade).

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

(c) An audible alarm to warn users and management and an automatic safety to shut off heater when the temperature exceeds 104 degrees Fahrenheit (40 degrees centigrade) shall be provided.

(d) A thermometer accurate to plus or minus 2 degrees Fahrenheit and visible to the public shall be provided.

#### **8:26-4.5 Electrical, illumination and ventilation requirements**

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

#### **8:26-4.6 Protection of potable water**

(a) Physical connections between potable water systems and pool circulation systems shall not be permitted.

(b) Potable water for hot tub or spa make-up purposes shall be added by way of an over-the-rim spout properly shielded which does not create a safety hazard. The open end of the spout shall have no sharp edges and protrude no more than 2 inches (5.1 centimeters) 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.

#### **8:26-4.7 Inlets and outlets**

(a) Inlets and outlets shall be provided and arranged to produce a uniform circulation of water so

as to maintain a uniform disinfectant residual throughout the spa.

(b) A means shall be provided to drain the hot tub or spa which may include: bottom drains, circulatory drains, or any other approved drain.

(c) Grates shall conform to the following rules:

1. The total velocity through grate openings shall not exceed 2 feet per second (61 centimeters/second).

2. The open area in the grates shall be of such design as to prevent physical entrapment of fingers, toes, etc.

3. Outlets, except skimmers, shall be covered with suitable protective grates that cannot be removed except with tools.

(d) Water velocity in the pool piping shall not exceed 10 feet per second (3.05 meters/second) for discharge piping, except for copper pipe where the velocity for piping shall not exceed 8 feet per second (2.44 meters/second).

1. Suction velocity for all piping shall not exceed 6 feet per second (1.83 meters/second).

2. Water velocity in asbestos cement pipe shall not exceed 6 feet per second (1.83 meters/second).

(e) Spa outlets shall be designed so that each pumping system (filter system(s) or booster system(s)), if so equipped, provides one of the following:

1. Two outlets whose pipe diameter sizes are equal, (This may be two outlet drains or an outlet drain and a skimmer. The system shall be designed so that neither one of the two outlets can be cut out of the suction line by a valve or other means) or;

2. One antivortex drain, (in depths 4 feet 6 inches (1.37 meters) and less, the antivortex drain shall not provide a tripping or stubbing hazard to the feet) or;

3. A 12 inch x 12 inch (30 centimeters x 30 centimeters) or larger square grate, or;

4. Other approved means that guard against outlet entrapment.

#### **8:26-4.8 Circulation systems**

(a) The circulation equipment shall be sized to turn over the entire pool water capacity at least once every 30 minutes and shall be capable of returning the pool water to a turbidity of 0.50 NTU's or equivalent within 4 hours following the peak bather load.

(b) An influent pressure gauge with an appropriate range shall be provided on all filters.

(c) A flow meter shall be provided which meets the requirements outlined in N.J.A.C. 8:26-3.15(f).

(d) Filters shall be designed to maintain hot tub or spa water under anticipated operating conditions in accordance with (a) above.

1. All separation tanks must have a cautionary statement warning the user not to start up the filter pump without first opening the air release. The statement must be visible and noticeable within the area of the air release.

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

3. Filter components which require servicing shall be accessible and available for inspection and repair when installed according to the manufacturer's instructions.

4. Filters shall meet such safety and performance standards as will provide safe operation

which is not hazardous to the operator or maintenance personnel. The National Sanitation Foundation (NSF) standards covering filters are recommended. (Information concerning these standards can be obtained from NSF, National Sanitation Foundation, 3475 Plymouth Road, P.O. Box 1468, Ann Arbor, Michigan 48106.)

5. A means shall be provided to permit release of air which enters the filter tank. This may be automatic or manual, as air must be expelled from the filter tank. Any filters and/or separation tanks incorporating an automatic internal air release as its principal means of air release shall have a means to provide a slow and safe release of pressure as a part of its design.

6. Filter backwash shall be disposed of in accordance with N.J.A.C. 8:26- 6.5.

#### **8:26-4.9 Pumps and strainers**

(a) A pump and motor shall be provided for circulation of the hot tub or spa water and sized to meet the requirements of N.J.A.C. 8:26-4.8(a).

(b) Pumps shall be designed to perform the functions for which they are intended. Units must be accessible for inspection and service. Replacement parts must fit with existing parts in the pump without the need for redrilling mounting holes or otherwise altering the replacement part of the pump.

(c) The design and construction of the pump and component parts shall provide safe operation.

(d) Where a mechanical seal is provided, components of the seal must be corrosion-resistant and capable of operating under conditions normally encountered in hot tub or spa operation.

(e) Proper direction of rotation for the pump shall be clearly indicated on the pump.

(f) Motors shall have as a minimum, an open drip-proof enclosure (as defined by National Electrical Manufacturers Association Standards), constructed electrically and mechanically so it will perform satisfactorily and safely under the conditions of load and environment normally encountered in the hot tub or spa installation.

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

2. All motors shall have thermal overload protection, or equivalent, either built in or in the line starter, to provide locked rotor and running protection.

3. The motor frame shall contain adequate provisions for proper grounding.

(g) Strainers shall be provided on all filter systems. Strainers shall be removable and shall be up stream from all circulation pumps to remove solids, debris, hair, lint, etc.

1. Water entering the pump shall pass through the strainer.

(h) Valves shall be located where they will be readily and easily accessible for maintenance and removal.

1. Multiport valves shall comply with the National Sanitation Foundation Standard covering multiport valves.

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

#### **8:26-4.10 Disinfectant and chemical feeders**

(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 most frequently used for this purpose but other bactericidal agents shall be acceptable if registered by the U.S. Environmental Protection Agency.)

(b) Adequate and appropriate procedures for continuously introducing a disinfectant into the recirculation system for hot tubs or spas shall be used. The means of introducing approved disinfecting agents shall be sufficient to maintain the appropriate disinfectant residual as required in 8:26-7.13.

#### **8:26-4.11 Air induction systems**

(a) An air induction system, when provided, shall totally prevent water back-up.

NOTE: Water back-up can cause electrical shock hazards.

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

#### **8:26-4.12 Overflow systems**

(a) An overflow system shall be provided. The overflow system shall be designed and constructed so that the water level of the hot tub or spa is maintained at the operating level of the overflow device.

(b) When surface skimmers are used as the sole overflow system one surface skimmer shall be provided for each 100 square feet (9.3 square meters) or fraction thereof of the hot tub or spa surface area. When two or more skimmers are used in a hot tub or spa they shall be located to maintain effective skimming action over the entire surface area of the hot tub or spa.

#### **8:26-4.13 Enclosure of hot tubs and spas**

Hot tubs and spas shall meet the fencing and enclosure requirements for swimming pools found in the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

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

#### **8:26-5.1 Swimming pool supervision**

(a) A swimming pool, when open for public use, shall be under the management of a designated adult supervisor who is knowledgeable of these regulations and who shall be responsible for all phases of the operation.

(b) At least one person currently certified in standard first aid and cardiopulmonary resuscitation (CPR) shall be present at all times when the swimming pool is open for use. These certifications shall be from an organization recognized by the New Jersey State Department of Health. (See Appendix.)

(c) Within three years of the promulgation of this Chapter, the maintenance and mechanical operation of a swimming pool, when open for use, shall be under the supervision of a certified pool operator. The certification of a pool operator shall be from an organization recognized by the New Jersey State Department of Health. (See Appendix.)

(d) At least one lifeguard shall be on duty for 60 or less swimmers or 2,000 square feet of surface area in use at all times when the pool is in use. Additional lifeguards shall be required depending on bather load, size and configuration of the swimming pool, amount

of surface area for shallow and deep water areas, emergencies, and lifeguard's ability to see bathers.

1. Each facility shall establish a written aquatics supervision plan to be implemented at the facility. This plan shall be maintained on site and will serve as the minimum standards for location and number of aquatic guards.

(e) All lifeguards, when on duty, shall be identified by distinguishing apparel, or emblems.

(f) Lifeguards assigned to supervision of the pool shall not be subject to duties that would distract or intrude their attention from proper observation of person(s) in the pool area, or that prevent immediate assistance to person(s) in distress in the water.

(g) Each lifeguard shall be equipped with a whistle or other signaling device.

(h) Management shall establish, rehearse, and become proficient in carrying out their written emergency plan to cover such items as pool evacuation in the event of an emergency.

(i) Lifeguard platforms or stands shall be provided for swimming pools having an area of more than 2,000 square feet of water surface. These lifeguard platform(s) or stand(s) shall be elevated and located at the water's edge so as to provide a clear unobstructed view of the pool surface and bottom.

#### **8:26-5.2 Emergency equipment for swimming pools**

(a) Swimming pools shall be provided with the following equipment, which shall be properly stored and readily accessible:

1. At least two assist poles or life hooks.

2. At least two life rings or rescue buoys or rescue tubes which are United States Coastguard and/or Underwriter Laboratories approved. Each life ring shall be firmly attached with sufficient line (at least 1/4 inch in circumference) to reach 2/3 of the swimming area, and positioned so that in aggregate 100 percent of the swimming pool area is covered.

3. A 24 unit first aid kit (see Appendix) 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 and/or straps that meets the design requirements of the American Red Cross or Emergency Medical Services.

5. Every swimming pool capable of accommodating 500 patrons or more shall have readily accessible a room or area designated and equipped for emergency care. A telephone or other approved means of communication shall be provided as close as possible to 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.

#### **8:26-5.3 Bather rules for swimming pools, wading pools, hot tubs and spas.**

(a) Bather rules covering admission, bathing and conduct of patrons shall be conspicuously posted and shall include the following:

1. Any person showing evidence of skin disease, sore or inflamed eyes, cold, nasal or ear discharges or any communicable disease shall be refused admission.

2. Persons with excessive sunburn, open blisters, cuts or bandages shall be refused admission.

3. No dogs, except seeing eye dogs, or other animals shall be allowed in the pool, hot tub or spa area, dressing rooms, or other parts of the enclosure.

4. Where food and drinks are permitted, no containers made of glass shall be used.

5. All persons shall shower before entering the water.

6. Expectoration, roughness, rowdiness or other conduct affecting the safety and comfort of others shall not be permitted.

7. Bathing shall be prohibited during an electrical storm.

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

(b) The following policies shall be established and enforced by the designated adult supervisor of a pool, hot tub or spa in addition to (a) above.

1. Policies and procedures concerning toys and floating devices shall be established to assure a safe environment for the participating public.

2. Diving rules shall be established and conspicuously posted in words and symbols in the pool area.

3. Diving shall be prohibited in 5 feet of water or less. Diving and non-diving areas shall be conspicuously posted with signs and symbols.

#### **8:26-5.4 Wading pool supervision**

(a) A responsible individual, knowledgeable and trained in a program developed by the designated adult supervisor, shall be present when the wading pool is in operation.

(b) A wading pool operating independently and not in conjunction with a swimming pool shall have a person currently certified in standard first aid and basic life support in cardiopulmonary resuscitation (CPR) present when the wading pool is in operation.

#### **8:26-5.5 Water slides**

(a) Supervision of the waterfront area of water slides shall be protected by a lifeguard as specified in N.J.A.C. 8:26-5.1 and as follows:

1. At least one person shall supervise the activities of the water slide. Additional supervision of the slide will be required based on the size and configuration of the slide and pool entry area.

(b) Water slides shall be used in accordance with the following:

1. Only feet first entries will be permitted on all water slides.

2. The landing area in front of the slide shall be prohibited for use by other individuals.

(c) Water slides shall not exit into the landing area more than 6 inches above the water surface, if the slide enters into less than 5 feet of water.

1. A slide shall not enter into less than 3 feet of water.

#### **8:26-5.6 Hot tubs and spas**

(a) Supervision of a hot tub or spa, when open for use, shall be provided by a designated adult supervisor, who is knowledgeable of these rules and shall be responsible for all phases of the operation, and as follows:

1. At least one person currently certified in standard first aid and cardiopulmonary resuscitation (CPR) shall be present at all times when the spa is in use. These certifications shall be from an organization recognized by the New Jersey State Department of Health. (See Appendix.)

2. Within three years of the promulgation of this Chapter the maintenance and mechanical

operation of a hot tub or spa when open for use shall be under the supervision of a certified pool operator. The certification of a pool operator shall be from an organization acceptable to the New Jersey State Department of Health. (See Appendix.)

(b) A precaution sign is to be mounted 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 is prohibited.
- Do not use while under the influence of alcohol, anticoagulants, antihistamines, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics, or tranquilizers.
- Do not use alone.
- Shower before entering the pool.
- Observe a 15 minute time limit, then shower, cool down and, if you wish, return for another brief stay. Long exposures may result in nausea, dizziness, or fainting.

(c) Depth markings in spas shall be plainly and conspicuously posted and located as follows:

1. Spas shall have the maximum water depth clearly marked.
2. Depth markings shall be positioned within 18 inches (46 centimeters) of the water edge.
3. Depth markings shall be positioned to be read while standing on the deck facing the water.
4. There shall be a minimum of two depth markings per spa, regardless of spa size or shape.
5. Depth markings, shall be spaced at no more than 25 foot (7.6 meters) intervals and shall be uniformly located around the perimeter of the spa.
6. Depth markings in deck surfaces shall be slip-resistant.

(d) Emergency equipment shall be provided by means of a 24 unit first aid kit (see Appendix), available at all times the hot tub or spa is open for use and shall be fully restocked within 24 hours of use.

(e) A clock readable from the hot tub or spa shall be provided.

NOTE: A timer with an audible signal is recommended, in addition to (e) above.

#### 8:26-5.7 Bathing beaches

NOTE: Bathing beaches operated at other than public expense along the seashore must comply with this subchapter N.J.A.C. 26:8.1 et seq. as well as N.J.R.S. 5.1-1 et seq. entitled "Seashore Bathing Establishments".

(a) 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 posted.

(b) Each bathing beach shall be designated by means of water buoys. A neutral zone of 200 feet between the bathing area and watercraft activities, such as motorboats and sailboats, shall be maintained. Each bathing beach shall establish its own policy to allow for a buffer zone based upon the size constraints of its bathing beach for human-powered, slow moving watercraft, such as rowboats and pedal-boats.

(c) A bathing beach open for use shall establish and post hours of operation and shall be under the management of a designated adult supervisor who is familiar with these regulations and who shall be responsible for all phases of the operation, during said hours which shall include a reasonable time period, such as 9:00 a.m. to 5:00 p.m., or similar time period, reflecting hours of maximum use.

1. A lifeguard training program certified by the United States Lifesaving Association, Office of Certification, Mid-Atlantic Region, P.O. Box 1, Avon, New Jersey 07717, shall be established by the owner or operator for ocean and tidal waters.

2. At least one lifeguard for every 300 feet of visible shoreline of the designated bathing area shall be on duty at all times when the bathing beach is in operation. Additional lifeguards will be required depending on bather load, currents, tides, lifeguard's ability to see patrons, contour or slope of the beach or any other conditions that can cause changes in depth or condition of water.

3. Each bathing beach shall establish a written aquatics supervision plan. This plan shall be maintained on site and will serve as the minimum standards for number of aquatics guards necessary to supervise a designated bathing beach.

4. At least one person currently certified in standard first aid and cardiopulmonary resuscitation (CPR) shall be present at all times when the bathing beach is open for use. These certifications, shall be from an organization recognized by the New Jersey State Department of Health. (See Appendix.)

5. All lifeguards, when on duty, shall be identified by distinguishing apparel or emblems.

6. Lifeguards assigned to supervise the bathing beach shall not be subject to duties that would distract or intrude their attention from proper observation of persons in the waterfront area, or that prevent immediate assistance to persons in distress in the water.

7. Each lifeguard shall be equipped with a whistle or other signaling device.

8. Management shall establish, and become proficient in carrying out, their emergency plan to cover such items as evacuation in the event of an emergency.

(d) Lifeguard stations shall be located as close as practical to the bathing shoreline and at least within 30 feet (9 meters) of the shoreline. Lifeguards shall be isolated from the beach crowds by occupying elevated slats or stands, high enough to give them a complete and unobstructed view of the bathing area for which they are responsible.

#### 8:26-5.8 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. 8:26-5.3 (a) 3, 4, 6, 7, 8.

#### 8:26-5.9 Lifesaving equipment for bathing beaches

(a) Lifesaving equipment shall be provided in case of an emergency. The equipment shall include, but not be limited to:

1. One ring buoy 18 inches (45 centimeters) in diameter to which shall be attached a 75 foot (23 meters) length of 1/4 inch (6 millimeter) rope, which shall be provided at each lifeguard station (a rescue tube, torpedo buoy or similar device with sufficient line attached may also be used);

2. A 600 foot 1/4 inch poly rope with brass swivel snap hooks, which shall be provided at each lifeguard station for ocean bathing beaches;

3. A reach pole with blunted ends with a minimum length of 12 feet (3.7 meters) which shall be provided when it will serve as a useful tool at those bathing beaches that have docks or similar structures that protrude or are placed into the bathing area;

4. A paddle rescue board that is a minimum of 12 feet in length and capable of supporting sufficient people for rescue work;

5. A full spine board complete with ties and/or straps that meets the design requirements of the American Red Cross or Emergency Medical Services;

6. A 24 unit first aid kit (see Appendix) which shall be available at all times during bathing periods and which shall be fully restocked within 24 hours of use;

7. A telephone or other approved means of communication shall be provided as close as possible to 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.

8. Every bathing beach capable of accommodating 500 swimmers and bathers shall have readily accessible a room or area designated and equipped for emergency care.

#### **8:26-5.10 Diving stands and boards**

(a) Diving stands and boards shall conform to the bather rules as specified in N.J.A.C. 8:26-5.3 governing swimming pools.

(b) Fixed platforms and floats may be permitted if constructed with a visible 1 foot (30.5 centimeters) air space below the platform or float. There shall be as little underwater construction as is consistent with strength and all braces and struts shall be designed to prevent entanglement or trapping of the bathers.

1. Fixed platforms and floats are not permitted for ocean, bay, or tidal waters.

2. The minimum water depth surrounding a fixed platform or float without a diving board or similar device shall be at 8 feet (2.4 meters) for a distance of 12 feet (3.7 meters) from the platform. For a diving board or other device 3 or more feet (0.9 meters) above the water, the depth at the end of the board shall be at least 12 feet (3.7 meters) for a distance of 12 feet (3.7 meters) beyond the end of the board and in all cases the minimum depths shall extend 9 feet (2.7 meters) to each side of the board or platform.

#### **8:26-5.11 Waterfront restrictions**

(a) Waterfront restrictions pertaining to swimming, boating, and safe limits for bathing shall be posted and include the following:

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

2. No boating, water skiing, sailboating, windsurfing, scuba diving or surfboarding shall be permitted in the swimming and bathing area while in use.

3. Rope drops shall not be permitted except those licensed and inspected by the Department of Labor and Industry under N.J.S.A. 5:3-31 through 54.

## **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 recreational bathing place to correct or eliminate any specific condition not described in these regulations but which it deems necessary for proper sanitation, safety, or fire protection at a recreational bathing place.

(b) Adequate dressing and sanitary facilities shall be provided for all bathing facilities unless the facilities are provided in connection with the general development for other purposes and are of adequate capacity and number and in close proximity to the swimming pool, hot tub, or spa. Beaches in existence at the time of the promulgation of these rules are exempt from this requirement; however, newly constructed bathing beaches shall be in compliance with this requirement.

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

(a) Dressing rooms and bathhouses shall be in conformance with the regulations set forth in the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Separate dressing and sanitary facilities shall be provided for each sex with no interconnection. Line of sight shall be broken at entrances and exits of dressing rooms. The rooms shall be well-lighted, drained, ventilated, and of good construction with impervious materials. These facilities shall be developed and planned so that good sanitation can be maintained throughout the building at all times.

(c) Floors shall have a slip-resisting surface that shall be relatively smooth to insure complete cleaning and ease in cleaning. Floor drains shall be provided, and floors shall be sloped not less than 1/4 inch per foot toward the drains to insure positive drainage.

(d) Walls and partitions of the dressing room area, screen partitions, shower, toilet, and dressing room booths shall be of durable material not subject to damage by water and shall be designed so that a waterway is provided between partitions and floor to permit thorough cleaning of the walls and floor areas with hoses and brooms.

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

(a) Showers shall be in conformance with the regulations set forth in the New Jersey Uniform Construction Code, N.J.A.C. 5:23.

(b) Shower stall floors located adjacent to walkways shall be depressed below the level of the walkways.

(c) Floor drains shall be provided in the shower rooms or stalls and shall be at least twice the cross sectional area of the outlet pipe.

(d) Wood slats or floor material and slopes conducive to slipping shall not be permitted.

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

(a) Water closets and lavatories shall be in conformance with the regulations set forth in 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 partitions to permit washing.

(c) Fixtures shall conform to the following requirements:

1. Toilet tissue holders, supplied with 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. Sanitary napkin dispensers shall be installed in toilet areas for use by females.
5. Soap dispensers for providing either liquid or powdered soap shall be provided at each lavatory. The dispenser must be of all metal or plastic type with no glass permitted in these units.
6. Only unbreakable mirrors shall be provided.

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

(a) The system for wastewater disposal shall be adequate to serve the facility including 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) Over-flow water shall be returned to the filter system or discharged to a waste system.

(d) Backwash water shall be discharged into a waste water disposal system.

(e) All wastewaters 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 Resources, Bureau of Industrial Waste Management, CN 029, Trenton, New Jersey 08625.

3. Subsurface sewage disposal facilities: The location and construction of a subsurface sewage disposal system shall be in accordance with N.J.A.C. 7:9-2 (Standards for the Construction of Individual Subsurface Sewage Disposal Systems), 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 in accordance with the rules of the Solid Waste Administration (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, watertight containers, with a tight fitting lid unless the refuse is collected daily, whereby other suitable containers may be utilized.

(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 shall be clean, and shall not constitute a nuisance.

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

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

The water supply used for drinking or culinary purposes shall be adequate as to quantity; of a safe, sanitary quality; and from a water system which is constructed, protected, operated, and maintained in conformance with the New Jersey Safe Drinking Water Act (N.J.S.A. 58:12A-1 through 12A-11 and N.J.A.C. 7:10) and local laws, ordinances and regulations. Copies of the Safe Drinking Water Act can be obtained by writing to the Department of Environmental Protection, Bureau of Potable Water, CN 029, Trenton, New Jersey 08625.

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

Drinking water fountains shall be constructed according to 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 comply with Chapter XII of the New Jersey State Sanitary Code, N.J.A.C. 8:24.

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

The installation, maintenance, repair and control of plumbing shall be in conformance with the regulations set forth in 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 be in accordance with the provisions of the New Jersey Pesticide Control Regulations (N.J.A.C. 7:30) promulgated by the Department of Environmental Protection.

(b) Effective control measures shall be utilized to minimize and/or eliminate the presence of rodents, flies, roaches, and other vermin on the premises. The 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 not less than once per week during the use season for defects and a permanent record of the inspections shall be maintained for a minimum period of 1 year. 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 taken from a potable water source, approved by the New Jersey Department of Environmental Protection, Division of Water Resources, the New Jersey State Department of Health, Division of Local and Community Health Services, Environmental Health Services or the Local Health Department.

(b) Salt water for use in salt water pools shall be from a source which meets the water quality criteria for a salt water bathing beach found in N.J.A.C. 8:26- 7.19 and 7.21.

### 8:26-7.2 Microbiological sampling for recreational bathing facilities

(a) All microbial analyses for recreational bathing facilities shall be performed by a laboratory certified by the New Jersey Department of Environmental Protection, pursuant to the Regulations Governing Laboratory Certification and Standards of Performance, N.J.A.C. 7:18. (Information concerning laboratory certification may be obtained from New Jersey Department of Environmental Protection, Division of Fiscal and Support Services, Bureau of Collections and Licensing, CN 402, Trenton, New Jersey 08625.)

### 8:26-7.3 Sample containers

(a) A 125 milliliter sample shall be used for microbiological sampling. The container shall be filled with a minimum of 100 milliliters of water to allow adequate space for mixing of the water sample. All sample containers must be sterilized and treated with sodium thiosulfate to reduce the chlorine (or other halogen) present in the water at the time the sample is collected.

### 8:26-7.4 Collection of samples for swimming pools, wading pools, hot tubs, and spas

(a) Samples shall be collected only when the swimming pool, wading pool, hot tub, or spa is in use and preferably during periods of heaviest use. The hour of the day and the day of the week 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 frequency shall be at least once every week during periods of heavy bathing load.

1. For swimming pools using disinfection and filtration, sampling frequency may be changed to biweekly (every other week), based on three months of consecutive satisfactory samples.

(c) The place of collection shall be in the vicinity of groups of bathers and between return water inlets.

(d) The following technique shall be followed when taking a water sample: Carefully open the container without touching the inner surfaces. Hold the sterile container near its base and downward at a 45 degree angle. Fill in one slow sweep down through the water with the mouth of the container always ahead of the hand. Care shall be taken to avoid contamination of the sample by floating debris. Close the container without touching the inner surfaces. The container must not be rinsed in the swimming pool or the sodium thiosulfate will be removed.

### 8:26-7.5 Disposition of water samples from recreational bathing facilities

The sample shall be taken to a certified laboratory within 30 hours for processing, for swimming pools, hot tubs and spas and 6 hours for processing for bathing beaches. The sample shall be refrigerated immediately upon collection or kept in an ice chest and held at 45 degrees Fahrenheit (7.2 degrees centigrade) or less while being transported. Information documenting the sampling time, date and location of sample, sampler's identification, and desired analysis shall accompany the sample.

### 8:26-7.6 Microbiological water quality standards for swimming pools and wading pools

(a) Heterotrophic plate (standard plate count):

1. Standard: The number of colony forming units (CFU) shall not exceed 200 colonies per one milliliter.

i. Method: The heterotrophic plate count test shall be conducted in accordance with procedures set forth in Method 907, heterotrophic plate count, as set forth in "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition. Said text may be obtained from the American Public Health Association, 1015-18th Street N.W. Washington, D.C. 20036.

(b) Total coliform densities:

1. Standard: If the multiple-tube fermentation method is used, none of the 5 standard 10 milliliter portions shall show the presence of organisms of the coliform group at any time. None of the confirmed 5 portions shall show the presence of the coliform group.

i. Method: Total coliform tests shall be conducted in accordance with procedures set forth in Method 908, a multiple-tube fermentation technique for members of the coliform group, as set forth in "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition.

2. Standard: If the membrane filtration technique is used, the number of coliform organisms shall be less than 1 colony per 100 milliliter sample.

i. Method: Total coliform test shall be conducted in accordance with the procedures set forth in Method 909A, a membrane filter technique for members of the coliform group as set forth in "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition.

### 8:26-7.7 Samples not meeting standards

(a) The certified laboratory having determined that a sample(s) does not meet the microbiological standard established in N.J.A.C. 8:26-7.6, 7.12, 7.19, shall notify the swimming pool, hot tub, spa, or bathing beach operator by telephone on the same day and have the swimming pool, wading pool, hot tub, spa, or bathing beach, resampled. The verbal communication must be subsequently confirmed by a written report within days.

(b) The swimming pool, wading pool, hot tub, spa or bathing beach operator upon verbal notification of an unsatisfactory sample result shall notify the health authority immediately.

(c) The health authority or its authorized agent shall then require the swimming pool, wading pool, hot tub, spa, or bathing beach operator to have additional sample(s) taken and analyzed.

### 8:26-7.8 Chemical and physical water quality analyses for swimming pools and wading pools

(a) The pool shall be monitored for disinfectant level and pH at a 2 hour frequency throughout operating hours and in conjunction with each microbial sample. These results shall be recorded on the sample slip and become part of the permanent microbial test record.

(b) When testing for free chlorine, combined chlorine, and pH, the following test methodology shall be used:

1. Free and combined chlorine residual: Method 408D, DPD ferrous titrimetric method or Method 408E, DPD colorimetric (using a color comparator), as set forth in "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition.

(c) When testing for pH, Method 423, electrometric as set forth in "Standard Methods for the Examination

of Water and Wastewater," or phenol red indicator shall be used.

(d) If color comparators are used for measuring disinfectant residuals or pH using the methods specified above, they shall be available at the pool during periods of pool use for inspections.

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

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

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

|  | <u>Minimum</u> | <u>Ideal</u> | <u>Maximum</u> |
|--|----------------|--------------|----------------|
| Free chlorine residual parts per million (ppm) | 1.0            | 1.0-1.5      | 2.5            |
| Combined chlorine (ppm)                        | None           | None         | 0.2*           |
| Bromine (ppm)                                  | 2.0            | 2.0-4.0      | 4.0            |
| pH   | 7.2            | 7.4-7.6      | 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 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:

|                     | <u>Minimum</u> | <u>Ideal</u> | <u>Maximum</u> |
|---------------------|----------------|--------------|----------------|
| Cyanuric Acid (ppm) | 10             | 30-50        | 100            |

1. Stabilized chlorines shall be prohibited in indoor pools.

**8:26-7.10 Physical water quality standards for swimming pools and wading pools**

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

(b) When in use, the pool water shall be sufficiently clear to permit a black disk 6 inches (15.2 centimeters) in diameter, superimposed upon a white field placed at the bottom of the deepest end of the pool to be clearly visible from the pool sidewalk, at all distances up to 10 yards, measured in a horizontal distance from the projection of the disk onto the pool surface.

**8:26-7.11 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.

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

(a) Heterotrophic plate count:

1. Standard: The number of colony forming units (CFU) shall not exceed 200 colonies per 1 milliliter sample.

i. Method: Heterotrophic plate count shall be conducted in accordance with the procedures set forth in Method 907 heterotrophic plate count, found in, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition.

(b) Pseudomonas aeruginosa:

1. Standard: If the membrane filtration technique is used, the number of pseudomonas aeruginosa organisms shall be less than 1 colony per 100 milliliter sample.

i. Method: The membrane filtration technique for pseudomonas aeruginosa shall be conducted in accordance with procedures set forth in Method 914C found in, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition.

2. Standard: If the multiple-tube fermentation technique is used no more than 1 portion of all 5 standard 10 milliliter portions shall show the presence of pseudomonas aeruginosa organisms at any time. None of the confirmed 5 portions shall show the presence of pseudomonas aeruginosa.

i. Method: The multiple-tube fermentation technique for pseudomonas aeruginosa shall be conducted in accordance with procedures set forth in Method 914D found in, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition.

**8:26-7.13 Chemical water quality standards for hot tubs and spas**

(a) Hot tubs and spas shall be monitored at a two hour frequency for disinfectant levels and pH according to the methodologies specified in N.J.A.C. 8:26-7.8.

(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:

|  | <u>Minimum</u> | <u>Ideal</u> | <u>Maximum</u> |
|--|----------------|--------------|----------------|
| 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 other pool water disinfectants are used, residuals of equivalent disinfecting strength will 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:

|                     | <u>Minimum</u> | <u>Ideal</u> | <u>Maximum</u> |
|---------------------|----------------|--------------|----------------|
| Cyanuric Acid (ppm) | 10             | 30-50        | 100            |

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

#### **8:26-7.14 Other biological factors (algae)**

All hot tubs and spas shall be maintained free of objectionable algae whereby the water quality becomes effected.

#### **8:26-7.15 Physical water quality standards for hot tubs and spas**

The operator of each hot tub or spa shall monitor the water clarity as specified in N.J.A.C. 8:26-7.10.

#### **8:26-7.16 Sanitary survey criteria for bathing beaches**

Before a bathing beach opens each year, a sanitary survey as defined in N.J.A.C. 8:26-1.3 shall be conducted of that bathing beach and surrounding areas by the owner or operator.

NOTE: It is recommended that the health authority be consulted for guidance in conducting the sanitary survey. Records of the survey shall be maintained as part of the permanent file.

#### **8:26-7.17 Collection of samples at bathing beaches**

(a) Bathing beach water, with the exception of ocean waters, sample(s) shall be obtained 1 week prior to the opening of the beach and at intervals of no longer than 1 week during the bathing season. Sample(s) shall be obtained whenever possible during peak bathing loads at a depth representative of the water being used for bathing.

1. Ocean waters shall be sampled in accordance with the cooperative coastal monitoring program administered by the New Jersey Department of Environmental Protection.

2. The samples shall be obtained during different hours of the day, and days of the week over a period of time to obtain a representative sampling of the sanitary quality of the natural waters.

3. All pertinent field data including, but not limited to water temperatures, air temperature, wind direction, bathing load, and recent precipitation shall be documented and made part of the sampling record.

(b) One sample shall be taken for the first 300 linear feet of beach front. Oceans under the cooperative coastal monitoring program are not included.

1. Additional samples shall be required as follows:

i. 300 linear feet to 500 linear feet - - - 2 samples.

ii. In excess of 500 linear feet - - - 3 samples.

#### **8:26-7.18 Technique of sampling**

Technique of sampling shall be as specified in N.J.A.C. 8:26-7.4(d).

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

(a) Microbiological water quality standards for 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:

1. If the multiple-tube fermentation method is used, the arithmetic average of a set of samples at any particular time shall not exceed 200 fecal coliform per 100 milliliters.

2. If the membrane filtration method is used, the number of colony forming units shall not exceed 200 fecal coliform organisms per 100 milliliters.

(c) The following methods shall be used in accordance with procedures set forth in, "Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 16th Edition.

1. 909C Fecal Coliform Membrane Filtration Procedure.

2. 908C-1 Fecal Coliform MPN Procedure (E.C. medium)

3. 908C-2 Fecal Coliform MPN Procedure (A-medium).

(d) All analyses shall be conducted in accordance with the standards set forth in N.J.A.C. 7:18 and in accordance with the methodologies set forth in N.J.A.C. 7:18-3.5 (b).

#### **8:26-7.20 Chemical water quality standards for natural waters**

(a) Chemical water quality standards for natural waters shall be monitored by the bathing beach operator and judged on the following basis:

1. Chemicals used to control aquatic vegetation shall not be capable of creating toxic reactions, or skin or membrane irritations to bathers when the bathing place is in operation and shall be applied in accordance with N.J.A.C. 8:26-6.11(a).

#### **8:26-7.21 Physical water quality standards for natural waters**

(a) Physical water quality standards for natural waters shall be monitored by the bathing beach operator and judged on the following basis:

1. Visual observations and/or physical determinations shall be made to demonstrate the water to be free of deposits, aquatic vegetation, growths, oils, greases, or other substances having the potential to cause a health or safety hazard.

### **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, 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 person operating a swimming pool, wading pool, hot tub, spa, or bathing beach shall permit access to all parts of the establishment.

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

(a) Whenever an inspection of a swimming pool, hot tub, spa, or bathing beach is made, the finding(s) shall be recorded on an inspection report form approved by the State Department of Health.

(b) The inspection report form shall identify in a narrative form any violations of this Chapter and shall be cross referenced to the section of the Chapter being violated.

(c) The health authority, upon anticipating a closure of a bathing beach shall immediately notify via telephonic communication the State Department of Environmental Protection, State Department of Health, and adjacent local health authorities of the intended action.

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

Records of inspections of swimming pools, hot tubs, spas, or bathing beaches shall be made available to the public upon request.

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

(a) The approval, license or permit of any person to operate a swimming 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 reason(s) for closure:

1. Failure or lack of properly functioning equipment, structure, area or enclosure such as to jeopardize the health or safety of the persons using or operating it.

2. Lack of required supervisory personnel or required lifeguards.

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

4. Any other condition which poses an immediate health hazard.

(d) Such orders may be verbal but shall be followed-up by a written confirmation within 24 hours.

1. In the event remedial action is not taken immediately, the health authority may cause an order to be issued requiring the facility to be closed in order to protect the public health. Such order shall be sent by certified mail, return receipt requested or hand delivered.

i. The order shall give the alleged violator an opportunity to be heard by the health authority within a reasonable time, not to exceed 15 days, while the order remains in effect.

#### **8:26-8.6 Swimming pools and wading pools**

(a) Whenever a sample of pool water exceeds the bacteriological standards set forth in N.J.A.C. 8:26-7.6 and 7.11, the water shall be resampled immediately and the health authority shall be verbally notified immediately upon gaining knowledge of all unsatisfactory laboratory analyses.

(b) If the resample exceeds the bacteriological standards, the pool shall be immediately closed and shall not be opened until a satisfactory bacteriological sample is received.

(c) A written copy of all laboratory analyses shall be transmitted to the health authority within 5 days of analyses.

(d) The swimming pool shall not be operated for bathing if the disinfectant residual is below or above that set forth in N.J.A.C. 8:26-7.9 or if the physical water quality is not in conformance with 8:26-7.8.

#### **8:26-8.7 Hot tubs or spas**

(a) Whenever a hot tub or spa water sample exceeds the bacteriological standards set forth in N.J.A.C. 8:26-7.12, the hot tub or spa operator shall immediately notify the health authority; the hot tub or spa shall then be closed, drained, disinfected, refilled, and resampled.

(b) The hot tub or spa may be reopened after taking the required actions in (a) above and while awaiting laboratory results of the resampling.

(c) If the resample is unsatisfactory, the hot tub or spa operator shall immediately notify the health authority; the hot tub or spa must then again be closed, drained, disinfected, refilled, and resampled. The hot tub or spa shall not be reopened until a satisfactory sample result is received and the health authority gives its approval.

(d) The hot tub or spa shall not be operated for bathing if the disinfectant residual is not within the range set forth in N.J.A.C. 8:26-7.13.

(e) A written copy of all laboratory analyses shall be transmitted to the health authority within 5 days of analyses.

#### **8:26-8.8 Natural bathing waters (oceans, bays, lakes, rivers, etc.)**

(a) If a sample of bathing beach water exceeds the bacteriological standards set forth in N.J.A.C. 8:26-7.19 the following action shall be taken:

1. Immediately resample and immediately notify the health authority.

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

2. A sanitary survey of the area shall be conducted by the health authority and the operator of the bathing beach to attempt to identify the source(s) of pollution which shall include, but not be limited to, nearby point sources of pollution.

3. If the resample is unsatisfactory, or if the sanitary survey uncovers any condition which may present an imminent hazard to public health, the bathing beach shall be closed to bathing.

4. If the overall water quality data indicates that an area exceeds the bathing water bacteriological 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.

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

### 8:26-8.9 Record keeping

(a) Accurate and complete records on the following items shall be kept on the premises and be available upon request of the authorized agent or the health authority. Such records shall be kept for a minimum period of one year.

1. Water analyses results in conformance with N.J.A.C 8:26-7.

2. Sanitary survey records in conformance with N.J.A.C 8:26-7.

3. Daily number of bathers.

4. Copies of all necessary credentials of personnel associated with the recreational bathing operation(s).

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

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

7. Inspection logs of playground equipment.

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

All deaths, head, neck, spinal cord injuries and any injury which renders a person unconscious shall be reported to the health authority within 24 hours of occurrence. The health authority shall report such injuries to the State Health Department in January of each year for the injuries of the previous year.

### 8:26-8.11 Penalties

Any person who shall violate any provision of this Chapter or who shall refuse to comply with a lawful order or directive of the health authority, shall be liable for penalties as provided by law, or an injunctive action as provided by law, or both.

### 8:26-8.12 Separability

If any provision or application of any provision of this Chapter is held invalid, that invalidity shall not affect other provisions or applications of this regulation.

## APPENDIX

The following organizations are currently recognized by the New Jersey State Department of Health to certify the personnel and/or program required in Subchapter 5 of these regulations.

### First Aid Certification

American Red Cross

### CPR Certification

American Red Cross

American Heart Association

### Lifesaving/Lifeguarding Certification

#### Swimming Pools and Lake Bathing

- American Red Cross - Advanced lifesaving certificate  
Lifeguarding certificate
- Boy Scouts of America - BSA lifeguard certificate
- YMCA - Advanced lifesaving certificate  
Lifeguarding certificate

#### Ocean and Tidal Waters

United States Lifesaving Association  
Office of Certification  
Mid-Atlantic Region  
P.O. Box 1  
Avon, NJ 07717

### Certified Pool Operators Certification

YMCA

National Swimming Pool Foundation  
10803 Gulfdale  
Suite 300  
San Antonio, Texas 78216

#### 24 UNIT FIRST AID KIT CONTENTS

- 2 Units - 1 inch Adhesive Compress
- 2 Units - 2 inch Bandage Compress
- 2 Units - 3 inch Bandage Compress
- 2 Units - 4 inch Bandage Compress
- 1 Unit - 3 inches by 3 inches Plain Gauze Pads
- 2 Units - Gauze Roller Bandage
- 1 Unit - Eye Dressing Packet
- 4 Units - Plain Absorbent Gauze - 1/2 square yard
- 3 Units - Plain Absorbent Gauze - 24 inches by 72 inches
- 4 Units - Triangular Bandages
- 1 Unit - Tourniquet - Scissors - Tweezers