



State of New Jersey
DEPARTMENT OF HEALTH

TRENTON 7

IN REPLY REFER TO _____

There are transmitted herewith copies of the "Minimum Rules and Regulations for Adequate Trained Personnel and Proper Appliances for Lifesaving and Resuscitation at Swimming Places Operated for Profit" and a resolution regarding the same, adopted by the Department of Health of the State of New Jersey at a meeting held on May 13, 1947, pursuant to Chapter 172, P.L. 1946, which follows:

CHAPTER 172

An Act to require the provision of adequate trained personnel and proper appliances for life-saving and resuscitation at swimming pools or public swimming places operated directly or indirectly for profit and providing penalties for the violation thereof.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. Every person operating a swimming pool or public swimming place, directly or indirectly, for profit shall provide adequate trained personnel and proper appliances for life-saving and resuscitation at all times when the pool is open to the public. C.26:4A-1.
To provide life-saving appliances, etc.
2. The State Department of Health may establish reasonable rules and regulations to carry out the provisions of this act. C.26:4A-2
Rules and Regulations.
3. Any person who violates any of the provisions of this act shall be liable to a penalty of fifty dollars (\$50.00) for the first offense and one hundred dollars (\$100.00) for each subsequent offense, to be recovered in any action at law brought by and in the name of the State Department of Health or the local board of health of the municipality within which the violation occurred. C.26:4A-3
Penalty
4. This act shall take effect immediately.

Approved April 25, 1946.

WHEREAS, Chapter 172, P. L. 1946 (R. S. C. S. 26:4A-1 et seq.) adopted on April 25, 1946 provides, in part, as follows:

"Every person operating a swimming pool or public swimming place, directly or indirectly, for profit shall provide adequate trained personnel and proper appliances for life-saving and resuscitation at all times when the pool is open to the public.

"The State Department of Health may establish reasonable rules and regulations to carry out the provisions of this act.";

and

WHEREAS, Since the phase of swimming place control covered by this law is a new activity of the Department of Health of the State of New Jersey, technical data relating thereto was solicited from various state and municipal agencies and from other organizations which might have had experience in formulating or enforcing standards for lifesaving and resuscitation at swimming places; and

WHEREAS, Officials of the various agencies to whom inquiries had been directed, particularly the American Red Cross, Young Men's Christian Association and the Boy Scouts of America, offered excellent cooperation which resulted in the formulation of proposed rules and regulations according to the several philosophies underlying water safety practice, which proposed rules and regulations were used as a basis for discussion at a public hearing given by the Director of Health of the Department of Health of the State of New Jersey on December 20, 1946; and

WHEREAS, In the aforesaid public hearing on December 20, 1946, various bathing place owners and operators outlined their criticisms, suggestions and needs, and petitioned the aforesaid Director of Health to hold in abeyance adoption of rules and regulations pending the receipt from them of jointly prepared criticisms and suggestions; and

WHEREAS, The suggestions of the aforesaid petitioners have been received; and

WHEREAS, At the request of the aforesaid Director of Health, the Attorney General of the State of New Jersey, through Theodore Backes, Esquire, Deputy Attorney General, under date of August 7, 1946, advised, in part, as follows:

"The first question propounded by you is, whether this act applies to the bathing beaches along natural bodies of water; particularly the north Atlantic coast, where a charge is made.

"In my opinion, it does not.

"Your next inquiry is, whether camp swimming pools or bathing places where a blanket charge is made for all of the camp facilities, even though they are operated by Y.M.C.A.'s, Boy Scouts of America, and other such agencies, are covered by the act.

"Generally speaking, I should say that the Y.M.C.A.'s, the Boy Scouts, and other similar charitable organizations, are not conducted for profit, and therefore are not subject to the provisions of the act.

"You also ask whether hotels are in the same category as charitable institutions.

"They are not. They are conducted for profit, and if they have a swimming pool or swimming place for their guests, they are subject to the act, and will be subject

to such rules and regulations as your Department may prescribe.

"You have also asked about the Knights of Columbus and country clubs.

"The Knights of Columbus, I am sure, is not an association or organization conducted for profit. Whether it is a purely charitable organization such as the Y.M.C.A. I have no definite knowledge. Country clubs usually are conducted for profit, and where this is so the act of 1946 applies.";

and

WHEREAS, The Department of Health of the State of New Jersey is obligated to exercise the duties imposed upon it by the provisions of the aforesaid Chapter 172, P. L. 1946; has solicited technical data and information relative thereto from parties affected by the law or having a knowledge of the phase of swimming pool control covered by this law; has received considerable data and cooperation toward arriving at reasonable standards; has caused to be prepared proposed rules and regulations; has held a public hearing to discuss and receive criticism of the proposals; and has given due consideration to all data available in view of the criticisms, suggestions and desires of all persons who have concerned themselves therewith; and

WHEREAS, The Department of Health of the State of New Jersey, at a meeting held on the thirteenth day of May, A. D., one thousand nine hundred and forty-seven, is of the opinion that minimum standards based on the data available at this time, are both necessary and desirable but should be sufficiently flexible to provide a maximum protection to the public at a minimum restraint on business; therefore

BE IT RESOLVED, By the Department of Health of the State of New Jersey, at a meeting held on the thirteenth day of May, A. D., one thousand nine hundred and forty-seven, subject to amendment or supplement, from time to time as required, the following minimum rules and regulations be and are herewith adopted in accordance with the provisions of Chapter 172, P. L. 1946:

MINIMUM
RULES AND REGULATIONS FOR ADEQUATE
TRAINED PERSONNEL AND PROPER APPLI-
ANCES FOR LIFESAVING AND RESUSCITATION
AT SWIMMING PLACES OPERATED FOR PROFIT

As to Proper Appliances:

1. Suitable poles, shepherd's crooks, flutter boards, surfboards, throwing ring buoys, swimming rescue buoys, and/or other equipment or appurtenances shall be conveniently located around the periphery of the pool, along shore line of the swimming place or on boats or rafts, preferably at lifeguard stations, so that access by the lifeguards to every part of the pool or bathing place can be obtained with a minimum of confusion and effort. This equipment shall be so mounted for immediate use by the lifeguards and so marked and protected that it will not be used promiscuously.

(It is not the purpose of the Department to require unnecessary or superfluous appurtenances or equipment. As a guide to pool owners or operators, however, the providing of the following, in the absence of specific requirements for the place, will be considered as prima facie evidence of satisfying the requirements in so far as the above-mentioned equipment is concerned:

- a. For swimming pools having a minimum dimension of less than thirty feet, at least one pole (or shepherd's crook), having a length of greater than one-half such dimension, constructed of strong light weight material, preferably bamboo properly wound or painted spruce, and at least one throwing ring buoy (15 to 18 inches in diameter) with fifty (50) feet of 1/4 inch manila or equal line shall be provided; and an additional pole and buoy shall be provided for each 100 feet of shore line exceeding 150 feet.
- b. For swimming pools having a minimum dimension of thirty feet or more, at least two poles (or shepherd's crooks) described above and two throwing ring buoys shall be provided and an additional pole and buoy shall be provided for each 100 feet of shore line exceeding 250 feet. For every swimming pool having a minimum dimension of more than 100 feet, in addition to the throwing ring

buoys and poles, at least two swimming rescue buoys (diamond or torpedo type is acceptable) equipped with 100 to 300 feet (sufficient to reach any point in the pool) of trail line (1/8 inch specially prepared stout cotton, or equal) shall be provided and one additional swimming rescue buoy shall be provided for each 200 feet of shore line exceeding 400 feet.

- c. For bathing beaches (at inland ponds, lakes or streams), at least one pole (or shepherd's crook) described above and one throwing ring buoy shall be provided for each 300 feet of shore line.* If bathing or swimming is permitted more than 100 feet from shore at least one swimming rescue buoy described above shall be provided on shore for 300 feet of shore line* and at least one boat** not less than 12 feet in length equipped with two sets of oars and oar locks, one pole, one throwing ring buoy and one swimming rescue buoy, shall be provided for each 600 feet of shore line.*

*Shore line shall be construed to mean only that part of the boundary line of the lake, pond or stream which is to be used by the bathers paying the fees for bathing or swimming.

**If because of the shape or nature of a bathing area adequate coverage can be effected by tower(s) or raft(s), or similar devices for the lifeguards, these may be considered satisfactory in lieu of boats(s).)

2. For outdoor bathing places in addition to the above, one set of grappling irons (or equivalent), suitable for the particular place, shall be provided and ready for use.
3. Lifeguard stations shall be located around the periphery of the pool, along the beach or water front or in the water and convenient to areas reserved for special purposes. Towers, stools or other suitable structures or appurtenances (including rafts and boats) shall be provided at the lifeguard stations and so marked and protected that they shall be used only by lifeguards. The

structures shall be so installed that observation by the lifeguard shall not be obstructed.

(As a guide, the location of lifeguard stations shall be such that the distance from the station to the most remote part of the bathing area to be covered by the station, shall satisfy the following formula:

$$\frac{x}{20} + \frac{3y}{5} < 67.6 \text{ in which}$$

x = the distance in feet to be traversed on land.

y = the distance in feet to be traversed on water.)

At bathing places of such shapes or dimensions that effective lifeguard stations cannot be established along the shore line, towers in the water, rafts, or boats shall be used to insure proper coverage of the bathing areas.

4. First aid kit containing aromatic ammonia, tincture of iodine or equivalent antiseptic, individually compressed sterile gauze, absorbent cotton, surgeons' plaster and bandages of various widths shall be provided.
5. Two or more woolen blankets and a stretcher or equivalent shall be provided.
6. Bathing areas over 3 feet deep and other dangerous or special purpose areas shall be so marked and adequately delineated.
7. These rules and regulations together with other rules applicable to the particular bathing place shall be posted in at least one prominent place on the premises.
8. For indoor pools and for night bathing, adequate lighting shall be provided so that the lifeguards can observe all parts of the

bathing area and appurtenances without being blinded by glare.

As to Adequate Trained Personnel:

1. There shall be at least one Qualified Lifeguard on duty during the whole time covered by the admission charge or while the bathing place is open to the public. When more than four lifeguards are required, at least one of every four shall be a Qualified Lifeguard.

(It is the opinion of the Department that when the pool is not open to the public or during the periods not covered by the admission fee, solo bathing should not be permitted and bathing without lifeguard protection should be discouraged.)

2. There shall be a lifeguard for every 150 persons using the bathing area; or for every 7500 square feet of bathing area; or for every 300 front feet of shore line of the bathing area; or for each area reserved for special purposes, such as diving, non-swimming and swimming during the time covered by the admission charge or the time when the bathing place is open to the public. The total number of lifeguards required will normally be governed by whichever of the above factors indicates the largest number. In specific instances when adequate coverage of the bathing area(s) can be effected, the number of persons using the bathing area will be used as a guide as to the total number of guards required.
3. A lifeguard on duty shall be identified by distinguishing apparel, emblems or signs and shall be at, or convenient to, his station.
4. The names and classifications of lifeguards on duty shall be posted in a prominent place on the premises.
5. A Qualified Lifeguard shall:

- a. Be at least 18 years of age;
 - b. Have available at the bathing place a fully executed* medical examiner's form indicating that he is in sound physical condition and capable of withstanding the physical effort required of him; (*Executed within six months)
 - c. Hold a current "Instructors" rating of the American Red Cross, "Leader Examiners" rating of the Y.M.C.A. or equivalent rating of the Boy Scouts of America or of any agency recognized by the Department of Health of the State of New Jersey.
6. A "lifeguard" shall be either a "Qualified Lifeguard" or shall:
- a. Be at least 16 years of age;
 - b. Have available a fully executed* medical examiner's form indicating that he is in sound physical condition and capable of withstanding the physical effort required of him; (*Executed within 6 months)
 - c. Hold a "Senior Lifeguard" rating of the American Red Cross or equal.

(The Department reserves the right to require additional precautions, equipment, and lifeguards at any particular place if the nature of the place is such that adequate protection is not obtainable by adhering to these rules and regulations.)