

Darke County General Health District Bathing Beach Regulations



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DEFINITIONS

Operator- Means the person in charge or having responsibility of the bathing beach.

Solid Waste- Means such unwanted residual solid or semi-solid material as results from industrial, commercial, agricultural, recreational and community operations, and includes garbage, combustible and noncombustible material, street dirt, and debris.

Waste Water- Means any liquid waste resulting from either cooking or washing activities or any substance that contains excrementitious waste products.

Licensor- Means the Board of Health of a city, General Health District or an authorized representative of either entity.

Licensee- Means the person specified on the application for a license to operate a public bathing beach.

Public Bathing Beach- Means any impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving, or bathing and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not a fee is charged for use, but does not include any public or private residential swimming pool as those terms are defined in Section 3749.01 of the Ohio Revised Code.

1. Design

- A. Location- The suitability of the site shall be established by a sanitary survey.
- B. Area- A bathing beach shall not be established or operated on a body of water with a surface area of less than one acre. When the area is less than two acres and natural flowthrough is lacking, a source of dilution water acceptable to the regulatory agency of at least 100 gallons per bather per day should be provided.
- C. Bather Load- A minimum of 25 square feet of water surface per bather shall be provided. At least 75 square feet per bather shall be provided in the area over four feet deep.
- D. Land Area- At least 35 square feet of land area per bather should be provided.
- E. Bottom Slopes- For depths up to four feet, the slope shall be uniform and not exceed 1:10 and should not exceed 1:15. For greater depths, the slope should not exceed 1:3.
- F. Bottom Materials- The bottom up to a water depth of six feet shall consist of sand, pea gravel or other material acceptable to the regulatory agency. The bottom material shall be consistent with efforts to meet the turbidity standards of section V(3).
- G. Area Designations-
 - 1) Location of Lines- Marker lines with floats shall be provided to designate the perimeter, the separation of shallow and deep areas at a depth of three to four feet, the diving area, drop-offs, and underwater obstructions. A separate wading area up to two feet deep, designated by lines, should be provided.
 - 2) Installation- Lines shall be securely anchored and have buoys no more than 25 feet apart and at points where lines are joined.
 - 3) Depth Markers- Clearly visible depth markers shall be provided at the points of maximum depth of all designated areas and at all diving boards, platforms, and similar facilities.
- H. Diving Facilities- Floating diving piers and fixed platforms shall be constructed with a visible 12-inch air space under maximum feasible load. There shall be as little underwater construction as is consistent with adequate support. All braces and struts shall be designed to prevent entrapment of bathers.

I. Water Depths

- 1) Minimum Depths- The minimum water depth for a distance of at least twelve feet from the edge of a diving platform shall be at least eight feet. If a diving board is provided that is three or less feet above the water, the water depth at the end of the diving board, and for at least twelve feet beyond the end and sides of the board, shall be at least ten feet. If a diving board is provided that is more than three feet above the water, the water depth at the end of the diving board, and for at least twelve feet beyond the end and sides of the diving board, shall be at least twelve feet. No diving board or platform which is more than ten feet above the water shall be installed.
- 2) Maximum Depths- The maximum water depth for any bathing area shall be twelve feet except for designated diving areas with three meter boards.

J. Playground Equipment- If playground equipment is to be provided, it shall be acceptable to the regulatory agency.

K. Water Supply

- 1) Potable Water- A potable water supply should be provided. If provided, it shall be in accord with the appropriate regulatory agency standards. A pressure potable water supply system shall be provided at a beach capable of accommodating 500 persons. The water shall be obtained from a municipal water supply when available.
- 2) Drinking Fountains- At least one drinking fountain for every 1000 users or fraction thereof should be provided.
- 3) Hose bibs- Hose bibs shall be protected against backflow.

L. Wastewater Disposal- Wastewater from a bathhouse or related facilities shall be discharged to a municipal sewerage system when available. If a municipal sewerage system is not available, the wastewater shall be discharged to a sewage or treatment system acceptable to the regulatory agency.

M. Toilet Facilities- Toilet facilities shall be provided within 500 feet of public bathing beach as follows:

	Water Closets		Urinals
# of Fixtures	Males	Females	Males
1	1-199	1-99	1-199
2	200-399	100-199	200-399
3	400-600	200-399	400-600

4		400-600	
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- 1) Over 600, one fixture for each additional 300 females and males.

N. Lavatories- where flush toilets area available, lavatories shall be provided as follows.

# of Fixtures per sex	Bathers
1	1-199
2	200-399
3	400-750

- 1) Over 750, one for each additional 500 persons.

O. Showers- One shower for each 100 users or fraction thereof for each sex should be provided.

P. Dressing Facilities- Adequate dressing facilities should be provided for each sex.

Q. Bathhouse Construction- Floors shall be easily cleaned, slip resistant, impervious material, sloped to drains. Wall and floor junctions shall be coved. Walls and partitions shall be smooth, easily cleaned, durable material, free from cracks or open joints.

R. Treatment of Bathing Beach Water- If the water quality standards cannot be met, the regulatory agency shall be consulted about the feasibility of treatment to overcome the deficiencies.

2. Licensee Responsibilities

A. No person shall operate or maintain a bathing beach without a permit by the licensor.

B. Every person who intends to operate or maintain an existing bathing beach shall during the month of April of each year, apply to the licensor for a permit to operate the bathing beach. Any person proposing to operate a new bathing beach shall apply to the licensor for a permit at least thirty (30) days prior to the intended start of operation of the bathing beach. Within thirty days of receipt of an application for a permit to operate a bathing beach, the licensor shall process the application and either issue a permit or otherwise respond to the applicant regarding the application.

C. At the time of application for a permit, the applicant shall provide to the licensor the name, address, and telephone number of a person or persons who can be contacted

- regarding inspection, maintenance or emergency aspects of the bathing beach and to whom the licensor may send notice of orders. The applicant also shall provide the exact street address or location of the bathing beach. After issuance of a permit, the licensee shall report any changes in any of this information to the licensor promptly.
- D. Each permit shall be effective from the date of issuance until the last day of May of the following year. Permits shall not be transferred. In the case of a transfer of the right to operate or maintain a bathing beach, the proposed new licensee shall apply to the licensor for a permit. The licensor shall not issue a permit to the proposed new licensee unless the licensor has received satisfactory evidence that the proposed new licensee has or will have the legal right to operate or maintain the bathing beach. Upon receiving this evidence, the licensor may issue a permit to the proposed new licensee even though the previous permit for the bathing beach has not expired or been revoked.
 - E. Prior to the issuance of an initial permit and annually thereafter, the licensor shall inspect each bathing beach to determine whether or not the bathing beach is in compliance with all rules. The licensor may, as they determine appropriate, inspect a bathing beach at any other time.
 - F. The licensee of a bathing beach shall allow the licensor to have access to the bathing beach and surrounding area, including the concession stand and bathhouse/rest rooms, for purposes of administration and enforcement. The licensee shall not interfere with an inspection by the licensor. If at any time the licensor determines that a bathing beach is not in compliance with all rules, the licensor may revoke the licensee's permit until such time when all violations have been corrected and a re-inspection by the licensor determines compliance with all rules.
 - G. All fees will be established by the licensor.

3. Operations

- A. The licensor shall conduct a minimum of one operational inspection annually or more frequently if necessary.
- B. The operator shall maintain the beach area including the concession stand, bathhouse and rest room facilities in a clean, safe, and sanitary condition and in good repair at all times when the beach is in use.
- C. Records- The beach operator shall keep records including but not limited to the following: name of beach, date, name of responsible person or persons on duty, general weather conditions, number of swimmers and bathers, water analyses reports, number of lifeguards on duty, rescues performed, injuries treated, and unusual occurrences. The operator shall keep these records on file for at least three

years and make them available to the regulatory agency upon request.

D. Reasons for Closing Beaches

- 1) Accidents or Spills- Obvious contamination of the beach
- 2) Water Quality- Bathing beach water quality not meeting bacteriological, chemical, physical or biological standards.
- 3) Safety- inadequate lifeguards or safety equipment, inclement weather conditions, or other hazardous conditions.

4. Safety

A. Lifesaving & First aid Equipment

- 1) The licensee shall provide at least one unit of lifesaving equipment in an accessible location within the confines of the beach. For beaches with lifeguard chairs, the licensee shall provide at least one unit of lifesaving equipment and one rescue tube for each lifeguard chair. One unit of lifesaving equipment shall include:
 - a) A United States Coast Guard approved type IV personal flotation device (ring buoy or equivalent throwing device) with one-quarter inch diameter line not less than thirty feet or more than sixty feet in length; and
 - b) A reach pole or shepherd's crook with blunted ends and a minimum length of twelve feet.
- 2) The licensee shall provide first aid equipment, including a first aid kit, in an accessible location. The first aid kit shall include rubber disposable gloves, a sufficient supply of materials to stop bleeding and to clean or cover minor cuts and abrasions, and some type of ointment (either spray or lotion) for minor burns.
- 3) All bathing beaches shall have at least one back or spine board in an accessible location within the confines of the beach.
- 4) A telephone shall be available within five hundred feet of the bathing beach (with a posted list of emergency numbers) at all times the bathing beach is open for use.

B. Bathing & Diving Areas

- 1) A safety line with intermittent floats, not more than 25 feet apart, shall be

used to separate the bathing area from the diving and non-bathing area.

- 2) All diving boards, slides, and other recreational equipment shall be of sturdy construction and shall be designed in such a manner as to minimize safety hazards.
- 3) The operator shall maintain the quality of the bathing beach water so as to discourage the growth of algae, aquatic weeds, bacteria, and any other hindrance to the bathers.
- 4) The part of the bathing area, which is 3 feet or less in depth, must have a bottom of sand, gravel, stone or other acceptable material to eliminate an unusual turbid (muddy) condition of the bathing water under normal use conditions.
- 5) Bottoms shall be free from holes, steep slopes, and sharp objects.
- 6) Water depth in diving area shall be not less than 8 feet.
- 7) Bathing shall not be permitted during time of undue high turbidity caused by natural occurrences.
- 8) All equipment and appurtenances shall be maintained in good repair at all times.

C. Bathing regulations

- 1) Establish rules for safety of bathers
- 2) Post regulations conspicuously along bathing area shoreline.
- 3) No motorized vehicles except emergency and maintenance vehicles shall be permitted on the beach.
- 4) No boating, water skiing or surfboarding shall be permitted in the swimming and bathing area.
- 5) No floating toys shall be permitted where water depth exceeds three feet.
- 6) No chemicals shall be added to the bathing beach water without the consent of the licensor.
- 7) No glass or metal containers for beverages shall be permitted on the beach.

- 8) Pets and other domestic animals shall not be permitted in the water or on the land at the bathing beach, or in buildings serving the beach. Efforts shall be made to discourage the presence of wildlife which may cause a nuisance or unsanitary conditions. This includes prohibition of feeding or other enticement of wildlife to a beach.
- 9) Food and beverages should be allowed only in designated areas designed and located to minimize unsanitary conditions on the beach and in the water.

D. Night bathing

- 1) Area lighting shall be provided around bathing beach when nighttime use is permitted. The lighting shall be sufficient to illuminate adequately the area in use.

5. Signs

- A. The operator shall post a warning sign conspicuously on the beach when no lifeguard is on duty which states: "Warning, No Lifeguard on Duty; Swim at Your Own Risk"
- B. The operator shall post a warning sign conspicuously on the beach when the beach is closed which states: "Danger- Beach Closed, DO NOT ENTER"
- C. The operator shall post a sign conspicuously on the beach stating the location of the emergency telephone.

6. Lifeguards

- A. Lifeguards at bathing beach shall:
 - 1) Be capable swimmers and be able to perform all lifeguarding tasks authorized by their certification;
 - 2) Be responsible for the safety of bathers within the designated area of responsibility;
 - 3) Be similarly attired and readily identifiable by bathers and other lifeguards;
 - 4) Be prepared to immediately enter the water;
 - 5) Be certified validly and currently by one of the following entities as having completed the specified training successfully:

- a) "American Red Cross" - "Lifeguard Training";
- b) "YMCA" - "YMCA lifeguard";
- c) Boy Scouts of America" - "BSA, Lifeguard" (within the previous three years) or "Aquatic Instructor, BSA" (within the previous three years);
- d) "Ellis and Associates" - "National Pool and Waterpark Lifeguard Training"; or
- e) Any other person, agency, or organization whose training the director determines is comparable to the training specified in paragraphs (5)(a) to (5)(d) of this rule;

6) Possess current valid certification in infant, child and adult cardiopulmonary resuscitation (CPR) including pocket mask, bag valve and two-person CPR from one of the following entities:

- a) "American Red Cross" - CPR for the Professional Rescuer" or successor courses offered by the "American Red Cross";
- b) "American Heart Association" - Health care provider (infant, child and adult);
- c) National safety council course; or
- d) Any other person, agency, or organization whose training the director determines is comparable to the training specified in paragraphs (6)(a) to (6)(b) of this rule;

7) Possess current valid certification from one of the following entities as having completed one of the specified courses successfully:

- a) "American Red Cross" - "community First Aid", or successor courses offered by the "American Red Cross";
- b) Ohio department of public safety, division of emergency medical services - "Emergency Medical Technician - Basic"; or
- c) Any other person, agency or organization whose training the director

determines is comparable to the training specified in paragraphs (7)(a) to (7)(b) of this rule;

- B. Provide one or more qualified lifeguards for bathing area shoreline greater than 300 feet.

7. Water Quality Standards

- A. The water supply and water distribution system shall be maintained in a safe and sanitary manner so as not to create a health hazard and shall meet the standards of the Ohio EPA. A water sample may be collected by the licensor at any time for bacteria analysis.
 - 1) The Ohio Department of Health has recommended evaluating water sample results based on a single maximum standard adopted by the United States Environmental Protection Agency in 2004 for fresh water beaches. A single maximum standard allows operators to react quicker to short-term changes in water to provide a greater level of protection for the bathing beach public. **The single sample maximum for E.Coli bacteria content is 235 colony forming units (cfu) per 100mL of water tested.**
- B. The water shall be free of chemical substances capable of creating toxic reactions, including skin or membrane irritations.
- C. A black disc at least six inches (15 cm) in diameter on a white field placed at a depth of at least four feet of water should be readily visible from the surface of the water whenever the beach is open for use.
- D. Algae and aquatic vegetation shall be controlled so that no hazard to bathers results.
- E. Where schistosome dermatitis (swimmers itch) is known to exist, appropriate measures shall be taken to protect bathers. Such measures may include posting of warning signs, chemical treatment, or closing of the beach.
- F. Chemicals used for water treatment shall be acceptable to the regulatory agency and shall be applied by properly trained applicators. Any chemical used, when properly applied, shall not be capable of creating toxic reactions, including skin or membrane irritations when the beach is in operation.

8. Sewage Disposal

- A. All waste water from toilets, showers, sinks, floor drains, and similar plumbing fixtures shall be discharged into a sanitary sewage system approved by the licensor.

9. Solid Waste

- A. Solid waste containers shall be rust-resistant, watertight, non-absorbent, and easily washable with tight-fitting lids. The containers shall be provided in convenient locations around the bathing beach and they shall be emptied, washed, and treated with a disinfectant as often as necessary to prevent a nuisance.