

ORDINANCE NO. 1952

AN ORDINANCE to amend and reordain the definition of PUBLIC POOL in Section 35-1 and to add to said section new definitions entitled CONDOMINIUM, DIRECTOR OF PUBLIC HEALTH, AND MULTI-FAMILY DWELLING, and to amend and reordain subsection (b) of Section 35-3.1, all of Article I, to amend and reordain Sections 35-6, 35-7, 35-8, 35-9, 35-10, 35-11, 35-12, subsections (a) and (i) of Section 35-16, the introductory paragraph, subsection (a), subsection (e) and the letter of subsection (f) of Section 35-17, all of Article II, and to amend said Article II by adding thereto new Sections 35-6.1, 35-6.2, 35-6.3, and new subsection (f) of Section 35-17, all of Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 35 relates to SWIMMING POOLS, which Article I relates to IN GENERAL, which Section 35-1 relates to DEFINITIONS, which Section 35-3.1 relates to FENCES and which subsection (b) thereof relates to CONSTRUCTION AND POSITION OF FENCES; which Article II relates to PUBLIC SWIMMING POOLS, which Section 35-6 formerly related to OPERATOR'S PERMIT REQUIRED; LIMITATION AS TO ISSUANCE and now relates to PERMIT FOR OPERATION OF PUBLIC POOLS REQUIRED, which Section 35-7 formerly related to SAME--QUALIFICATIONS OF APPLICANTS and now relates to ISSUANCE OF ATTENDANTS' PERMITS FOR PUBLIC POOLS; QUALIFICATIONS OF APPLICANT, which Section 35-8 relates to SAME--TERM; NONTRANSFERABLE, which Section 35-9 relates to SAME--IN ADDITION TO OTHER PERMITS AND LICENSES, which Section 35-10 relates to SAME--SUSPENSION, which Section 35-11 relates to SAME--SAME--REINSTATEMENT, which Section 35-12 formerly related to HOLDER OF OPERATOR'S PERMIT TO BE ON DUTY and now relates to HOLDER OF ATTENDANT'S PERMIT TO BE ON DUTY, which Section 35-16 relates to RECIRCULATION SYSTEMS AND APPURTENANCES, which subsection (a) of such section relates to RECIRCULATION SYSTEM, which subsection (i) of such section relates to DISINFECTION EQUIPMENT, which Section 35-17 relates to FACILITIES GENERALLY, which introductory paragraph thereof relates to SEWAGE AND DRAINAGE REQUIREMENTS, which subsection (a) thereof relates to DRESSING ROOMS, which subsection (e) of such section formerly related to MOTEL DRESSING ROOM FACILITIES and now relates to MOTEL FACILITIES, which subsection (f) of such section now relettered to subsection (g) relates to DRINKING FOUNTAINS, which new subsection (f) of such section relates to MULTI-FAMILY DWELLING AND CONDOMINIUM FACILITIES, which new Section 35-6.1 relates to SAME--TERM; NONTRANSFERABLE, which new Section 35-6.2 relates to SAME--SUSPENSION, and which new Section 35-6.3 relates to SAME--SAME--REINSTATEMENT.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the definition of Public pool in Section 35-1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Public pool and semi-public pool. Any swimming pool other than a swimming pool which is used, or intended to be used, as a swimming pool in connection with a single-family residence and available only to the family of the householder and his guests. Whenever the term public pool is used in this chapter, it shall include public and semi-public pools.

Section 2. That Section 35-1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto the following new definitions:

Condominium. Dwelling units consisting of a condominium registered pursuant to state law governing condominiums.

Director of public health. The term shall mean the director of public health of the City of Alexandria, Virginia, or his authorized representative.

Multi-family dwelling. A building, or portion thereof, containing two or more dwelling units, located on a single lot or parcel of ground.

Section 2a. That subsection (b) of Section 35-3.1, Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

(b) It shall be unlawful for any person to construct, maintain, use, possess or control any swimming pool on any property in the city without having completely around such swimming pool a fence as defined in this section. Such fence shall be constructed so as to come within two inches of the ground at the bottom and shall be at least five feet from the edge of the pool at any point. Every gate in such fence shall be capable of being securely fastened at a height of not less than four feet about ground level and it shall be unlawful for any such gate to be allowed to remain unfastened while the pool is not in use.

Emergency and maintenance vehicles shall be capable of being admitted to within fifty feet of the swimming pool proper, or in the case of elevated or roof top pools, within fifty feet of the elevator or stairway entrance which is accessible to the pool.

Section 3. That Section 35-6, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-6. Public Pool Permit Required.

A person or firm acting for management of any pool shall be considered as operator of such pool and come under all of the requirements herein stated for the operation of said pool. It shall be unlawful for any person to establish, construct, operate or maintain, use or offer for use, any public pool located within the limits of the City of Alexandria, Virginia, unless he holds a valid public pool permit issued by the director of public health. The requirement that such permit shall be obtained is in addition to any other permits or licenses required by the Commonwealth of Virginia, the Code of the City of Alexandria, Virginia, the city council or any department, board, agency or commission of the City of Alexandria, Virginia.

Section 4. That Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 35-6.1 to read as follows:

Sec. 35-6.1. Same--Term; nontransferable.

A public pool permit shall be valid for a period of one year from date of issuance, unless sooner revoked or suspended. No permit shall be transferable, and any person holding a permit shall give notice in writing to the director of public health within twenty-four hours after having sold, transferred, given away, or otherwise disposed of interest in or control of any bathing place. Such notice shall include the name and address of the person succeeding to the ownership or control of such bathing place.

Section 5. That Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 35-6.2 to read as follows:

Sec. 35-6.2. Same--Suspension.

If the director of public health finds that probable cause exists for the suspension of a person's public pool permit and that the health and safety of those who utilize the pool is menaced, he may suspend the person's public

pool permit and may enter an order for the immediate suspension of the pool's operation until such time as he finds that such probable cause for suspension no longer exists. No person shall operate any public swimming pool when subject to an order of suspension.

Section 6. That Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 35-6.3 to read as follows:

Sec. 35-6.3. Same--Same--Reinstatement.

The director of public health may reinstate public pool permit if no fact or condition then exists which would warrant his refusal to grant a permit under the terms of this chapter and other applicable laws.

Section 7. That Section 35-7, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-7. Issuance of attendants' permits for public pools;  
qualifications of applicant.

Attendants' permits shall be issued only to individuals. No person shall operate a public pool unless it is under the immediate control of an attendant holding an attendant's permit issued by the director of public health.

An applicant for a public swimming pool attendant's permit shall have a basic knowledge of the water treatment processes in bathing places, shall know proper techniques for collection of water samples for bacteriological analysis and shall be capable of performing the chemical tests necessary in control of bathing places. A certificate from the Metropolitan Area Swimming Pool Operators' and Managers' Short Course School or its equivalent shall be a prerequisite for a permit.

Section 8. That Section 35-8, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-8. Same--Term; nontransferable.

A public swimming pool attendant's permit shall be valid for a period of one year from date of issuance, unless sooner revoked or suspended. No permit shall be transferable.

Section 9. That Section 35-9, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-9. Same--In addition to other permits and licenses.

The public swimming pool attendant's permit shall be in addition to any other permits or licenses required by the state, this Code or other city ordinances, the city council or any department, board, agency or commission of the city.

Section 10. That Section 35-10, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-10. Same--Suspension.

The director of public health may suspend any attendant's permit if he finds that the health and safety of those who utilize public pools would be menaced.

Section 11. That Section 35-11, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-11. Same--Same--Reinstatement.

The director of public health may reinstate any attendant's permit if he finds that the health and safety of those who utilize public pools would no longer be menaced.

Section 12. That Section 35-12, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-12. Holder of attendant's permit to be on duty.

A holder of a valid public swimming pool attendant's permit shall be on duty at all times when a public swimming pool is open.

Section 13. That subsection (a) of Section 35-16, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-16. Recirculation systems and appurtenances.

(a) Recirculation system. All public swimming pools shall be equipped with a recirculation system, which shall include pumps, a hair and lint catcher, filters, disinfection equipment and proper pipe connections to the inlets and outlets. Provision shall be made for backwashing filters. The recirculation system shall be designed for at least a six-hour turnover of the swimming pool water. All underground piping in the recirculation system shall be of galvanized wrought iron, type K copper or cement lined iron or other material as shall be approved by the plumbing inspector.

Section 14. That subsection (i) of Section 35-16, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

(i) Disinfection equipment. All swimming pools shall be provided with approved chlorine feeding equipment or other approved disinfectant. The disinfection equipment shall be capable of applying a dose up to ten ppm of chlorine at the rate of recirculation. Chlorine gas feeding equipment and chlorine gas cylinders shall be installed in an enclosed space or room separate from the filter room equipment, with an outside door capable of being locked. This chlorinator room shall be equipped with a forced draft fan exhausting to the outside from the floor level and have a wall vent located near the floor. The exhaust fan shall be capable of providing sixty air changes per hour against the resistance offered by duct work or any other local factors. A fresh air inlet shall be provided near the ceiling. The chlorine gas tanks shall be protected from direct sunlight and fastened in place during storage and use. A cannister type gas mask for chlorine or a gas mask with a supply of oxygen under positive pressure or compressed air, either of which have been approved by the United States Bureau of Mines, shall be provided where chlorine gas is being utilized. The cannister for the chlorine gas mask shall be replaced after each use or removal of the seal; and if not used or unsealed, before the manufacturer's expiration date. It shall be located immediately outside the chlorinator room or in an area approved by the director of public health.

Section 14a. That the introductory paragraph of Section 35-17, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

All sewage generated from the operation of a public swimming pool must be discharged into an approved sewerage system. However, if none is available, such sewage may be discharged into an individual sewage disposal system meeting the requirements of the Uniform Statewide Building Code.

Floors for all dressing rooms, showers, toilets and lavatories shall have a minimum pitch of three inches in ten feet to the drains with no low spots which will allow water to stand. Such floors shall be smooth but non-slip finish and the rooms shall be ventilated so that the floors do not remain damp or wet.

Section 14b. That subsection (a) of Section 35-17 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by repealing the fourth and fifth sentence thereof.

Section 15. That subsection (e) of Section 35-17, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 35-17. Facilities generally.

(e) Motel facilities. Motels and other like establishments which restrict the use of the bathing place to occupant guests shall be deemed to comply with subsection (a) of this section. The director of public health may waive any of the provisions of subsections (b), (c), and (d) of this section if he determines that existing facilities are sufficient to protect the public health.

Section 16. That subsection (f) of Section 35-17, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is relettered to read as follows:

(g)

Section 17. That Section 35-17 of Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new subsection (f) to read as follows:

(f) Multi-family dwelling and condominium facilities. Subsection (a) of this section shall not apply to any public swimming pool located on the premises of any multi-family dwelling or condominium and used only by the residents and their guests of any such multi-family dwelling or condominium. The director of public health may waive any of the provisions of subsections (b), (c) and (d) of this section if he determines that existing facilities are sufficient to protect the public health.

Section 18. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.  
Mayor

Final Passage: June 27, 1974