

Licking County Health Department

# Bathing Beach Regulations

July 2013

Licking County



Health Department

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## Bathing Beach Regulations

### Section 1: Definitions

1.1: "Bathing" shall mean to become partially or totally immersed in a body of water related to swimming, wading, or diving, but excluding fishing, scuba diving, boating, waterskiing and wakeboarding.

1.2: "Bathing Beach" shall mean an impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water which is intended to be used by the general public for bathing.

1.3: "Beach Closure" shall mean the closure of a bathing beach due to an imminent public health hazard, such as a sewage overflow, pollution spill, or similar pollution problem occurring at or proximate to a bathing beach.

1.4: "Board of Health" shall mean the Board of Health of the Licking County combined general health district.

1.5: "*Escherichia coli* (*E. coli*)" shall mean a specific bacterial species included in the fecal coliform bacteria group, the presence of which in surface waters has been correlated with gastrointestinal illness in swimmers, as specified in Rule 3745-1-02 of the Ohio Administrative Code.

1.6 "Inspection" shall mean an environmental evaluation of a beach that will identify potential health and safety hazards associated with a bathing beach conducted by the Board of Health.

1.7: "Lifeguard" shall mean the information described in Section 6 of these regulations.

1.8: "Operator" shall mean any person, firm, company, corporation, or association that owns, controls, operates, conducts, or manages a bathing beach.



1.9: "Permit", for the intent of these rules, shall mean a certificate issued by the Board of Health giving permission to operate a bathing beach.

1.10: "Person" shall mean that state, any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity.

1.11: "Surface Waters (of the state)" shall mean all streams, lakes, reservoirs, ponds, marshes, wetlands, or other waterways which are situated wholly or partially within the boundaries of the state, except those private waters which do not combine or effect a junction with natural surface or underground waters, as specified in Rule 3745-1-02 of the Ohio Administrative Code.

1.12: "Water Quality Advisory" shall mean a notification to the public of an exceedance of applicable water quality standards based upon water quality monitoring tests.

1.13: "Watershed" shall mean an area of land that drains to a stream, river, lake, or other body of water.

## **Section 2: Permits**

2.1: Any person operating a community or public bathing beach in the Licking County Combined General Health District shall obtain an annual permit to operate from the Board of Health. The permit shall serve as written authorization to operate the beach, as required under these rules.

2.2: The permit shall be valid from May 1<sup>st</sup>, through April 30<sup>th</sup> of the following year.

2.3: Existing bathing beach permits shall be renewed annually by May 1<sup>st</sup>.

2.4: The permit shall be posted in a conspicuous location at the bathing beach facility.



### Section 3: Fees

3.1: The Board of Health may establish fees for permitting, inspecting, and water quality monitoring of bathing beaches in accordance with the parameters set forth in Section 3709.09 of the Revised Code.

3.2: In the event that a permit is not renewed by May 1<sup>st</sup> for existing bathing beaches, the Board of Health may require payment of a late fee of twenty five percent of the permit fee.

### Section 4: Plan Approval

4.1: No person shall construct a new bathing beach, or substantially modify an existing bathing beach, until plans and specifications have been submitted to and approved by the Board of Health.

4.2: Plans shall include the following information:

- 4.2.1: A topographical map of the proposed or existing bathing beach.
- 4.2.2: A map showing the total acres, slopes and depths of the proposed or existing bathing area.
- 4.2.3: A detailed description of the watershed and any possible sources of contamination.
- 4.2.4: The locations of roads, sanitary sewers, storm sewers, household and commercial sewage treatment systems, drinking water supplies, bath houses, toilet facilities, and any other pertinent information to the area.
- 4.2.5: The location of life guard chairs, swim and dive platforms, and any special features (slides, etc.)
- 4.2.6: Any other pertinent information which may impact the health and safety of bathers.

4.3: Within thirty days of receiving plans the Board of Health shall conduct a sanitary survey of the proposed or existing bathing beach. A written report shall be provided to the operator regarding the suitability of the bathing beach, which will include requirements or recommendations regarding factors which may impact bather health and safety.

4.4: A fee shall be charged for the review of plans, which will be thirty percent of the permit fee.



## Section 5: Health and Safety Requirements

5.1: Bathing beaches with diluting water shall provide a minimum of 500 gallons of diluting water per bather per day.

5.2: Bathing beaches without diluting water shall be not be less than three acres in size.

5.3: Bathing beaches without diluting water shall maintain a bather load of not more than fifty persons per acre.

5.4: All bathing areas shall be clearly marked with ropes, buoys, poles or another type of conspicuous marking that is easily identified.

5.5: The bottom of the bathing area shall be free from holes, steep slopes, and sharp objects.

5.6: Bathing areas less than five feet in depth shall have a bottom that consists of sand, gravel, stone, or another acceptable material to eliminate any unusually turbid (muddy) condition of the bathing water under normal use conditions.

5.7: Bathing shall not be permitted during time of undue high turbidity due to natural occurrences.

5.8: Bathing in waters of extreme depth should be prohibited.

5.9: Water depths in diving areas shall conform to the standards set forth in Chapter 3701-31 of the Ohio Administrative Code.

5.10: All equipment and appurtenances shall be maintained in good repair at all times.

5.11: Night swimming shall only be permitted where adequate artificial lighting is available.

5.12: Health and safety rules shall be developed by the operator and the rules shall be posted conspicuously near the bathing area.

5.13: All bathing areas shall maintain a first-aid kit containing the contents of a twenty-four unit kit as recommended by the American Red Cross, or equivalent as approved by the Board of Health.



5.14: A telephone shall be readily available at all bathing areas. A list of emergency numbers shall be posted near the telephone.

5.15: A minimum of one square-sterned boat equipped with oars and a life ring shall be provided.

5.16: Any person suspected of having an infectious and/or communicable disease shall not be permitted to use the bathing area. Any person who has been refused entry to the bathing area under this section may be granted such entry upon presentation of a written statement from a physician that the condition is not infectious and/or communicable.

5.17: A minimum of one life ring shall be provided for each 300 lineal feet of bathing area shoreline. Life rings shall be fifteen inches in diameter with seventy five feet of rope attached.

5.18: All bathing areas shall have a fully equipped backboard with a proper fitting extrication collar, sand bags (or equivalent), blanket and ties or straps readily available during all times of operation.

5.19: All beach areas shall be kept free of litter, dead fish, broken glass, and all other types of solid waste.

5.20: Refuse containers shall be provided in sufficient numbers to assure that litter and other types of solid waste do not accumulate on the beach area.

## **Section 6: Lifeguards**

6.1: A minimum of one qualified lifeguard shall be on duty for each 300 linear feet of occupied bathing area shoreline at all times of operation.

6.2: A minimum of one elevated lifeguard station shall be provided for each 300 lineal feet of bathing area shoreline.

6.3: All water surface areas being used by bathers shall be within the field of vision of a qualified, on duty, lifeguard.

6.4: A lifeguard shall be considered on duty when he/she is occupying an elevated lifeguard chair situated so as to provide the lifeguard with a clear, unobstructed view of his/her respective territory of observation.



6.5: A qualified lifeguard shall mean an individual possessing the following minimum qualifications:

- 6.5.1: A minimum of sixteen years of age.
- 6.5.2: Physically and mentally capable of performing the duties of a lifeguard.
- 6.5.3: Trained in first aid and artificial respiration.
- 6.5.4: Successfully completed a water safety and rescue course offered by the American Red Cross or other equivalent agency.

## Section 7: Bathhouse Areas

7.1: If provided, all bathhouses shall be constructed in accordance with all applicable state and local building and plumbing codes and shall contain the required number of fixtures (urinals, toilets, sinks, etc.).

7.2: Toilet facilities for each sex shall be provided. Toilet tissue shall be provided for all toilet facilities.

7.3: Hand washing facilities shall be provided in a location adjacent to the toilet facilities.

7.4: All hand washing facilities shall be supplied with soap and a mechanism to allow individuals to properly dry their hands. The use of an alcohol-based hand sanitizer shall be considered an acceptable method of hand washing.

7.5: If provided, all bathhouses and their appurtenances shall be maintained in good repair and shall be kept clean and free from any accumulations of filth, garbage, rubbish, or other waste.

7.6: All sewage shall be disposed of in a public sanitary sewerage system or by another method approved by the Board of Health or Ohio Environmental Protection Agency, whichever is applicable.

7.7: All water used for human consumption and/or as part of the preparation of food in a food service operation as defined in Chapter 3701-21 of the Ohio Administrative Code shall be of adequate quantity and potable quality.



## Section 8: Water Quality

8.1: The Board of Health may collect water quality samples from all permitted bathing beaches in the Licking County General Health District.

8.2: Samples taken from bathing areas shall not contain more than 235 colony forming units of *E. coli* per 100 ml of water sampled.

8.3: If the results of water sample analysis indicate the water quality standard contained in rule 8.2 of this section has been exceeded, the Board of Health shall issue a water quality advisory to the operator of the bathing beach.

8.4: Upon receipt of the water quality advisory, the operator shall post a water quality advisory sign to inform the public that the current water quality standard has been exceeded. The sign shall contain the following language:

**“WATER QUALITY ADVISORY**

Bacterial levels currently exceed State standards. Children, the elderly, and those in ill health are advised not to swim. Full body water contact may cause illness.”

The sign shall be weatherproof and posted in a conspicuous location and sized so that it can be easily seen by all bathing beach patrons.

8.5: A water quality advisory shall be withdrawn when water samples taken from bathing areas do not exceed the water quality standard contained in rule 8.2 of this section.

8.6: The Board of Health may increase water sampling frequency at bathing beaches that have been issued a water quality advisory in order to withdraw the advisory in an expedited manner. The bathing beach operator may be assessed the cost of additional samples resulting from a water quality advisory.

8.7: Water samples shall be obtained through the following methods:

8.7.1: All samples shall be collected within one foot of the water surface in water having a depth range of three to six feet.

8.7.2: A sweeping motion downward and upward shall be used while holding the open sample bottle in a manner that will prevent it from being contaminated by the sampler’s hands.

8.7.3: The motion of collection shall be against any current that may exist at the time of





sampling.

8.7.4: Samples may be collected among bathers, however care shall be taken to avoid contaminating the sample bottle by a bather.

8.7.5: No sample shall be taken in stagnant water.

8.8: The Board of Health shall issue a beach closure due to an imminent public health hazard such as a sewage overflow, pollution spill, or similar pollution concern occurring at or proximate to a bathing beach.

## **Section 9: Inspections**

9.1: The Board of Health shall conduct an inspection at each permitted bathing beach located in the Licking County Combined General Health District a minimum of two times during the operating season.

9.2: Information gathered during each inspection shall be documented on a form provided by the Board of Health, and the results of each sanitary survey shall be provided to the operator.

## **Section 10: Responsibility of Operator**

10.1: Each bathing beach shall be under the supervision of a competent operator or designee who shall be responsible for maintaining the bathing beach and all its appurtenances in a safe and sanitary manner.

10.2: The operator shall be responsible for maintaining documentation indicating all on duty lifeguards meet the requirements set forth in section 6 of this rule.

10.3: The operator shall maintain a record of all accidents, rescues, and cases where first-aid treatment was provided by a qualified lifeguard. These records shall be made available to the Board of Health upon request.

## **Section 11: Variances**

11.1: The Board of Health may grant a variance from the requirements of these rules if such variance will not be contrary to the public interest, where a person shows that, because of practical differences or other special conditions, their strict application will cause unusual and unnecessary hardship. However, no variance shall be granted that will defeat the spirit and general intent of these rules or be otherwise contrary to the public interest.



## **Section 12: Rule Review**

12.1: The Licking County Board of Health shall review, and revise as necessary, these regulations a minimum of every five years.

**These regulations have been reviewed and adopted by the Licking County Board of Health on July 16, 2013.**

