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Public Swimming Pool Program Enhanced Enforcement Program Policy

With a proactive approach toward promoting public health and protecting the patrons of licensed public swimming pools, the Licking County Health Department (LCHD) has developed the Enhanced Enforcement Program (EEP) for its Public Swimming Pool Program. As mandated by the Ohio Administrative Code Chapter 3701-31, this program is designed to identify and bring public swimming pool facilities with critical violations that may increase an individual's risk of acquiring a recreational water illness and those with chronic non-critical violations into compliance in the interest of safe swimming environments and public health.

Implementation

The EEP will be implemented on May 1, 2014, and this policy will be reviewed annually. Changes may be made to this policy after each annual review conducted by program staff. This EEP policy was last revised on May 21, 2024.

Criteria for Inclusion in the EEP Process for Critical Violations

- I. Any public swimming pool with one or more critical violations during an inspection will receive a re-inspection within 5 business days. If the same critical violation(s) are found during the re-inspection, the facility will be entered into the EEP process outlined below.
- II. Any public swimming pool with a repeat critical violation(s) during 2 consecutive standard inspections will be entered into the EEP process outlined below.

Criteria for Inclusion in the EEP Process for Non-Critical Violations

- I. Any public swimming pool with a repeat non-critical violation(s) during 3 consecutive standard inspections will be entered into the EEP process outlined below.

EEP Process

Initially, an Administrative Review (AR) will be scheduled with the Assistant Health Commissioner – Environmental Health to discuss the ongoing violation(s) cited. The AR will be scheduled at the Licking County Health Department, and the facility will be given notice at least one week before the AR is scheduled. An action plan for compliance and increased inspection frequency will be discussed during the AR. Provided that the facility implements the agreed-upon action plan to correct the ongoing violation(s), as evidenced by compliant inspection reports during subsequent EEP inspections, the facility will be removed from the EEP and resume receiving inspections at a regular inspection frequency.

If the facility does not comply with the agreed-upon action plan and demonstrates non-compliance with the EEP-scoped violation(s) during the EEP inspections, an AR will be scheduled with the Health Commissioner. The AR will be scheduled at the Licking County Health Department, and the facility will be given notice at least one week before the AR is scheduled. An action plan for compliance and increased inspection frequency will be discussed during the AR. Provided that the facility implements the agreed-upon action plan to correct the ongoing violation(s), as evidenced by compliant inspection reports during subsequent EEP inspections, the facility will be removed from the EEP and resume receiving inspections at a regular inspection frequency.

If the facility does not comply with the agreed-upon action plan and demonstrates non-compliance with the EEP-scoped violation(s) during the EEP inspections, this matter will be referred to the Licking County Board of Health (Board). A public hearing will be scheduled during the next regularly scheduled Board meeting, and the pool operator will be notified a minimum of 24 hours before the hearing. The Board will have the option of allowing the operator to correct the violation(s) within a specified timeframe or suspending or revoking the facility's license based on their authority contained in Ohio Revised Code Section 3749.05.

