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## PREFACE

WHEREAS the Southern Nevada District Board of Health has been created pursuant to Nevada Revised Statutes 439.370, et sequentia, to exercise jurisdiction over all public health matters in the District; and

WHEREAS the participating entities in said District are the cities of Las Vegas, North Las Vegas, Henderson, and Boulder City, and the County of Clark; and

WHEREAS the Southern Nevada District Board of Health has in the past adopted Regulations Governing Certification of Swimming Pool Service Technicians and Apprentices, which have been approved by the State Board of Health; and

WHEREAS a properly operated and maintained swimming pool is an inviting facility and its therapeutic and recreational use is healthful to all. Conversely, an unsafe, improperly operated swimming pool facility, one that does not have bacteriologically free water, or which is chemically out of balance, can be a nuisance and health hazard; and

WHEREAS a properly operated swimming pool will promote the health of the population in the District by preventing the disease transmission potential and nuisance;

NOW, therefore, the Southern Nevada District Board of Health, in accordance with and pursuant to its statutory authority to make and enforce such rules and regulations as it may deem necessary for the prevention, suppression and control of contagious or infectious diseases, and to oversee the sanitary conditions of the county in which the Board is created, deeming the following regulations to be necessary in the prevention, suppression and control of contagious and infectious diseases, and necessary for the supervision of sanitary conditions in Clark County, does hereby adopt the following regulations, repealing any previous regulations and/or compliance orders dealing with the specific' subject matter to which these regulations are addressed.

CHAPTER 1. **DEFINITIONS.**

For the purpose of these regulations, the following terms have the following meanings:

**1.1 Enforcing Agency defined:**

"Enforcing agency" means the Southern Nevada Health District.

**1.2 Pool Services defined:**

"Pool services" means treating pool water, cleaning pool filters, and maintaining and/or repairing pools, pool equipment, and pool appurtenances or anyone or any combination of such services.

**1.3 Private Swimming Pool defined:**

"Private swimming pool" or "private pool" means any swimming pool at a single-family private residence controlled by the owner of the residence, the use of which is limited to the owner's family or invited guests of the owner.

**1.4 Public Swimming Pool defined:**

"Public swimming pool" or "public pool" means any artificial swimming lagoon; isolation and floatation tank; mineral bath, therapeutic pool or similar facility; spa; special purpose pool; spray pool; swimming pool; wading pool; or water recreation attraction that is used by the public for swimming or bathing. "Public swimming pool" or "public pool" does not include "private swimming pool" as defined in 1.3 above.

**1.5 Swimming Pool defined:**

"Swimming pool" or "pool" means any structure containing an artificial body of water that is intended to be used collectively by persons for swimming or bathing.

**1.6 Swimming Pool Service Company defined:**

"Swimming pool service company" or "company" means any self-employed individual or firm engaged in providing pool services at a public pool for a fee.

**1.7 Swimming Pool Service Technician defined:**

"Swimming pool service technician" or "technician" means any self-employed individual or employee of a company who provides pool services at a public pool and who is certified pursuant to these regulations.

**1.8 Swimming Pool Service Technician Apprentice defined:**

"Swimming pool service technician apprentice" or "technician apprentice" means a person employed by a company to provide pool services at a public pool under the supervision of a swimming pool service technician, and who is certified pursuant to these regulations.

**1.9 Swimming Pool Operator defined:**

"Swimming pool operator" or "pool operator" means any person who voluntarily or for remuneration performs pool services at a public pool and other duties associated with the operation of a public pool and who is certified pursuant to these regulations.

**CHAPTER 2. CERTIFICATION OF COMPANIES, TECHNICIANS, AND TECHNICIAN APPRENTICES.**

**2.1** No swimming pool service company, technician, or technician apprentice shall engage in providing pool services at a public pool without first having obtained a certificate issued by the enforcing agency.

**2.1.1** The certificate of each swimming pool service company, technician, and technician apprentice shall expire twenty-four (24) months from the date of issuance.

**2.1.2** An applicant for a certification and an applicant for renewal of a certificate shall pay the fee indicated on the appropriate fee schedule established by the enforcing agency.

**2.1.3** To allow an initial grace period for the filing of applications and issuance of certificates, the foregoing prohibition shall not be operative until the 30th day following the effective date of these regulations. If the application for certification or renewal is not made within 30 days after the effective date of these regulations or expiration of the certificate, an applicant for certification and an

applicant for renewal shall also pay an additional fee, equal to 100% of the prescribed application fee.

2.2 Subject to the exception listed in 2.2.1, no employee or owner of a swimming pool service company shall provide pool services at a public pool without certification from the enforcing agency as a swimming pool service technician, or swimming pool service technician apprentice. An examination administered by the enforcing agency must be taken and passed within thirty (30) days from the date of application.

2.2.1 A licensed contractor or qualified member of a trade union or trade organization may perform pool services at a public pool within the scope of the licensed contractor's or trade union member's qualifications.

### CHAPTER 3. **REQUIREMENTS FOR SWIMMING POOL SERVICE COMPANY CERTIFICATION.**

3.1 The enforcing agency shall issue a certificate if the company meets the following requirements:

3.1.1 The company does not permit any person acting on behalf of the company to perform pool services at a public pool who does not possess valid certification as a swimming pool service technician or swimming pool service technician apprentice or who has not filed an application with the enforcing agency for certification as a swimming pool service, technician or swimming pool service technician apprentice.

3.1.2 The company's application is accompanied by proof that the owner or at least one person employed by the company has been certified as a swimming pool service technician by the enforcing agency pursuant to these regulations.

3.1.3 The company has available for the use of each person who will perform pool services at a public pool the following items:

3.1.3.1 test kits which can reliably measure disinfectant residual, pH, total alkalinity, calcium hardness, acid demand, and cyanuric acid concentration;

3.1.3.2 a brush suitable for cleaning the bottom of the pool;

3.1.3.3 a thermometer;

3.1.3.4 a vacuum cleaner, complete with attachments;

- 3.1.3.5 a leaf skimmer;
- 3.1.3.6 hand tools and lubricants necessary for servicing mechanical equipment incident to swimming pools and their appurtenances;
- 3.1.3.7 materials and chemicals necessary for disinfecting pool water and adjusting total alkalinity and pH; and
- 3.1.3.8 any other equipment deemed necessary by the enforcing agency.
- 3.1.4 The company's application is accompanied by a list of names, addresses, and phone numbers of all persons who will perform pool services at a public pool for the company with their respective pool service experience listed.
- 3.1.5 The company provides legible identification, including company name, phone number, and company registration certificate number on both right and left sides of each vehicle used by persons acting on behalf of the company to perform pool services at a public pool. All characters (numbers and letters) shall be a minimum of one (1) inch vertical height. The enforcing agency reserves the right to periodically inspect each vehicle to determine compliance with the requirements of this section.
- 3.1.6 The company promptly posts in a conspicuous location at each public pool it services a legible sign which identifies the company and which must include the company name, phone number, and the company certificate number issued by the enforcing agency.
  - 3.1.6.1 The company promptly removes their sign when they are no longer providing pool services at a public pool.
- 3.2 If the company does not meet the requirements of this section, the enforcing agency shall deny the application and give the company written notice which specifies the reasons for the denial.

#### CHAPTER 4. **PERSONNEL CHANGE.**

Each company subject to the requirements of these regulations shall notify the enforcing agency in writing of any changes in the list of persons who perform pool services at a public pool on behalf of

the company, including their certification status, within five days of any such change.

CHAPTER 5. **ADVERTISEMENT.**

No company shall advertise itself to be available to perform pool services at a public pool without being registered pursuant to these regulations. All company advertisements shall carry the company's certificate number issued by the enforcing agency.

CHAPTER 6. **QUALIFICATIONS AND EXAMINATION FOR CERTIFICATION AS SWIMMING POOL SERVICE TECHNICIAN AND SWIMMING POOL SERVICE TECHNICIAN APPRENTICE.**

6.1 An applicant for certification as a swimming pool service technician must have at least one year of certified experience in providing pool services. Experience limited to the cleaning operation around the pool area without the responsibilities for the operation and servicing of motors, pumps, filters, chemical feeders, and other equipment shall not be accepted as qualifying experience. Satisfactory completion of acceptable scientific or technical courses or possession of acceptable specific technical experience in the pool industry may be accepted as qualifying experience not to exceed 25 percent of the required experience.

6.2 **Examination for swimming pool service technician:**

An applicant for certification as a swimming pool service technician meeting the experience requirement shall be required to take a written examination given by the enforcing agency. The written examination given by the enforcing agency must be taken within thirty (30) days from the date of application.

6.2.1 The examination given by the enforcing agency for certification as a swimming pool service technician shall be for the purpose of determining that the applicant:

6.2.1.1 fully understands the technical aspects of swimming pool water disinfection and equipment and materials used in connection therewith;

6.2.1.2 is fully competent to service, clean and maintain swimming pools and appurtenances;

- 6.2.1.3 has a knowledge of the effects and hazards of chemicals used in swimming pool water;
- 6.2.1.4 has an understanding of testing procedures for determination of pH, disinfectant residual, cyanuric acid concentration, total alkalinity, calcium hardness, and acid demand;
- 6.2.1.5 Has an understanding of basic water chemistry including, but not limited to, free and combined chlorine, superchlorination, pH, total alkalinity, and hardness;
- 6.2.1.6 has a knowledge of disinfectant feeding devices, filters, pumps, motors, and heaters; and
- 6.2.1.7 has a knowledge of applicable laws, regulations, and standards relating to swimming pool maintenance.
- 6.3 **Examination for swimming pool service technician apprentice:**
  - 6.3.1 An applicant for certification as a swimming pool service technician apprentice shall be required to pass a written examination given by the enforcing agency. The examination must be taken within thirty (30) days from the date of application.
  - 6.3.2 An applicant for certification as a swimming pool service technician apprentice shall demonstrate his capabilities to the satisfaction of the enforcing agency to perform at least the following services:
    - 6.3.2.1 use of test kits to determine pH, disinfectant residual, cyanuric acid concentration, total alkalinity, calcium hardness, and acid demand of the pool water;
    - 6.3.2.2 maintenance of disinfectant feeding devices;
    - 6.3.2.3 vacuuming the pool, cleaning tile, metal parts and deck; and
    - 6.3.2.4 cleaning filters and strainer baskets.
  - 6.3.3 The applicant for swimming pool service technician apprentice shall also be tested by the enforcing agency on the effects and hazards of chemicals used in

swimming pool water, basic water chemistry, and on applicable laws, regulations, and standards relating to swimming pool maintenance.

- 6.3.4 Upon certification by the enforcing agency as a technician apprentice, the applicant shall be authorized to perform only those services at a public pool for which he has been tested as provided in 6.3.2.
- 6.4 Any pool services provided at a public pool by an applicant for swimming pool service technician apprentice certification prior to certification shall not perform any pool services except with a certified swimming pool service technician or swimming pool service technician apprentice in attendance and under his direct supervision.
- 6.5 A swimming pool service technician apprentice may only work on a public pool under the supervision of a swimming pool service technician.
- 6.6 Any pool services provided at a public pool by a swimming pool service technician apprentice beyond those authorized in 6.3.4 shall be with a certified swimming pool service technician in attendance and under his direct supervision.

CHAPTER 7. **REQUIREMENTS AND EXAMINATION FOR CERTIFICATION AS SWIMMING POOL OPERATOR.**

- 7.1 Subject to the exception listed in 7.1.1, no public pool permit holder shall allow any person who is not certified as a technician, technician apprentice, or pool operator to perform pool services at a public pool or other duties associated with the operation of a public pool.
  - 7.1.1 A public pool permit holder may allow a licensed contractor or qualified member of a trade union or trade organization to perform pool services at a public pool within the scope of the licensed contractor's or trade union member's qualifications.
  - 7.1.2 To allow an initial grace period for the filing of applications and issuance of certificates, the foregoing prohibition shall not be operative until the 30th day following the effective date of these

regulations.

- 7.1.3 The certification of each swimming pool operator shall be valid for one location only and shall expire twenty-four months from the date of issuance.
- 7.2 A swimming pool operator applicant for certification and an applicant for renewal shall pay the fee indicated on the fee schedule established by the enforcing agency. If the application for certification or renewal is not made within 30 days after the effective date of the regulations or expiration of the certificate, an applicant for certification and an applicant for renewal shall also pay an additional fee equal to 100% of the application fee indicated on the fee schedule established by the enforcing agency.
- 7.3 Unless the public pool permit holder can demonstrate a current contractual relationship for pool maintenance service with a swimming pool service company registered pursuant to these regulations, the public pool permit holder must designate a certified swimming pool operator who will be on duty or on call while the pool is in operation and must notify the enforcing agency of any change of designated swimming pool operator within five days of any such change.
- 7.4 A person may be the certified swimming pool operator for pools located at more than one location, but must obtain a valid certificate for each location.
- 7.5 The pool permit holder shall promptly post in a conspicuous place at each pool location serviced by a pool operator a legible sign which identifies the pool operator, including name, phone number, and the operator's certificate number issued by the enforcing agency.
  - 7.5.1 The pool permit holder shall promptly revise this sign when there is any change of designated pool operator.
- 7.6 An applicant for certification as a swimming pool operator shall be required to take a written examination given by the enforcing agency or submit proof of certification as a pool/spa operator by the National Swimming Pool Foundation within thirty (30) days from the date of application.
  - 7.6.1 The examination given by the enforcing agency shall be for the purpose of determining that the applicant:

- 7.6.1.1 has an basic understanding of pool water chemistry and of testing procedures for determination of pH, disinfectant residual, cyanuric acid concentration, total alkalinity, calcium hardness, and acid demand;
- 7.6.1.2 has a basic knowledge of the effects and hazards of chemicals used in swimming pool water;
- 7.6.1.3 is competent to service, clean, and maintain swimming pools and appurtenances;
- 7.6.1.4 has a basic knowledge of the operation and maintenance of recirculation, filtration, and disinfection equipment; and
- 7.6.1.5 has a general knowledge of applicable laws, regulations, and standards relating to swimming pool operation and maintenance.
- 7.7 The operator must have available for use the following items:
  - 7.7.1 a test kit which can reliably measure disinfectant residual, pH, total alkalinity, calcium hardness, acid demand and cyanuric acid concentration;
  - 7.7.2 a brush suitable for cleaning the bottom of the pool;
  - 7.7.3 a thermometer;
  - 7.7.4 hand tools and lubricants necessary for servicing mechanical equipment incident to swimming pools and their accessories;
  - 7.7.5 materials and chemicals necessary for disinfecting pool water and adjusting total alkalinity and pH;
  - 7.7.6 and any other equipment deemed necessary by the enforcing agency.

CHAPTER 8. **PERSONS ENTITLED TO CERTIFICATION WITHOUT EXAMINATION.**

- 8.1 Any person currently certified as a swimming pool service technician or swimming pool service technician apprentice, or as the equivalent of any thereof by another governmental agency, may become certified as provided by these regulations without taking the

examination otherwise required by these regulations, if each of the following conditions is met:

- 8.1.1 The standards pursuant to which the registration or certification was made by such other governmental agency are, in the judgment of the enforcing agency, equal to or more stringent than the standards prescribed by these regulations;
- 8.1.2 The applicant provides the enforcing agency with written and documented proof of such certification;
- 8.1.3 The applicant for certification pursuant hereto pays the application fee(s) indicated on the fee schedule established by the enforcing agency.

CHAPTER 9. **MAINTENANCE STANDARDS.**

- 9.1 Any person who provides pool services at a public swimming pool within the jurisdiction of the enforcing agency shall provide these services in accordance with the standards and requirements set forth in the provisions of Nevada Administrative Code Chapter 444 relating to the clarity of pool or spa water, disinfection, pH, cyanuric acid concentration, total alkalinity, cleanliness of the pool, repair or modification of pool, and repair or replacement of pool equipment and piping.
- 9.2 If a technician, technician apprentice, or pool operator is unable to provide pool services at a public pool in accordance with the requirements of 9.1 of these regulations because of any defect or deficiency in pool equipment or appurtenances which are the responsibility of the pool owner, the technician, technician apprentice, or pool operator shall promptly deliver to the pool owner a written notice which describes any such defect in sufficient detail to enable the pool owner to understand the nature of the defect and determine what repair or replacement of equipment or accessories is necessary in order to provide for adequate servicing of the pool. The swimming pool service company or pool operator shall retain a dated copy of any such notice in his regular business records which shall be available for inspection by the enforcing agency.

CHAPTER 10. **CURRENT PROOF OF CERTIFICATION.**

- 10.1 All persons providing pool services at a public pool

shall carry current proof of certification while providing pool services and shall show such proof of certification to any interested person.

- 10.2 Current proof of certification shall consist of an unaltered and unexpired photo identification card issued by the enforcing agency which has the person's name, signature, type of certification, certificate number, and expiration date.

CHAPTER 11. **SUSPENSION OR REVOCATION.**

- 11.1 The enforcing agency may suspend or revoke the certificate of a swimming pool service company, swimming pool service technician, swimming pool service technician apprentice, or swimming pool operator if work of the company or technician or technician apprentice or swimming pool operator is performed in violation of the requirements of these regulations or in such a manner as to create unsanitary, unsafe, or unhealthful conditions.
- 11.2 A company certificate, technician certificate, technician apprentice certificate, or pool operator certificate shall not be suspended or revoked until a hearing has been held by the enforcing agency. At least five days, but not more than ten days, prior to the hearing, written notice shall be given to the certificate holder specifying the time and place of such hearing, the subject matter thereof, and the bases, grounds and reasons therefore.
- 11.3 The hearing shall afford a reasonable opportunity for the certificate holder to be informed of the factual basis for the charges and be afforded the opportunity to present statements and information in opposition thereto.
- 11.4 After conducting the hearing, if the enforcing agency finds cause for revocation or suspension of the company certificate or technician certificate or technician apprentice certificate or pool operator certificate as provided herein, the enforcing agency may suspend, revoke, or continue the company certificate, technician certificate, technician apprentice certificate, or pool operator certificate upon such terms and conditions as, in the exercise of a reasonable and sound discretion, it shall determine, or it may dismiss the proceedings.

- 11.5 Any person feeling himself aggrieved by any action taken by the enforcing agency with respect to any certificate issued pursuant to these regulations may appeal the action taken to the Southern Nevada District Board of Health in writing. The affected party shall have the right to appear at such appeals in person or through counsel.
- 11.6 Nothing herein contained shall be construed as denying the right of appeal to the courts after administrative remedies as herein above have been exhausted.

CHAPTER 12. **NOTICE.**

Any notice to a certificate holder pursuant to these regulations shall be given in writing to the certificate holder or to his agent by deposit in the United States Mail in a sealed envelope, postage prepaid and addressed to the certificate holder at his last known address as shown in the records of the enforcing agency.

CHAPTER 13. **REINSTATEMENT.**

When a company certificate, technician certificate, technician apprentice certificate or pool operator certificate has been suspended or revoked, an application may be made for reinstatement. Such application shall include a verified statement declaring that the reason for the suspension or revocation of the certificate has been eliminated. If upon investigation, which the enforcing agency shall make upon receipt of said application, it is determined that all reasons for suspension or revocation have been eliminated and that all provisions of these regulations have been complied with, then the enforcing agency shall reinstate said certificate.

CHAPTER 14. **PENALTIES.**

- 14.1 Each person who violates any of the provisions of these regulations is guilty of a misdemeanor, and may be subject to prosecution.
- 14.2 Each day that a violation of these regulations continues is a separate offense.

CHAPTER 15. **ADDITIONAL REGULATIONS.**

The enforcing agency is hereby authorized to make such

additional rules and regulations as may be necessary for the properly and orderly administration of these regulations. These regulations shall be in full force upon approval by the State Board of Health.

CHAPTER 16.

**SEVERABILITY.**

Should any section, paragraph, phrase, sentence, or clause of these regulations be declared invalid or unconstitutional for any reason, the remainder of these regulations shall not be affected thereby.

Adopted on the 27th day of October, 1988.

VOTE:

AYES: W. Wayne Bunker  
Robert Ferraro  
William Pearson, D.D.S.  
Mary Kincaid  
William Robinson  
Kirk Cammack, M.D.  
Sherry Colquitt, R.N.  
Donalene Ravitch, R.N.  
Charles Horne  
Andy Hafen

NAYS: None

ABSTAINING: None

ABSENT: Laura Jean Miller, R.N.

ATTEST:

Otto Ravenholt, M.D.  
Executive Secretary

Approved by the Nevada State Board of Health in session at Reno, Nevada on the 22nd day of November, 1988.

Joseph Q. Jarvis, M.D.  
Secretary, Nevada State Board of Health

Amended on the 28th day of July, 1989