



Retiring a Pool or Spa

This information is intended to provide guidance for staff, facility managers, and owners who have problem pools or pools that they no longer wish to maintain. Check with your local jurisdiction building department for further guidance.

The Southern Nevada Health District (SNHD), as the agents of the Chief Health Officer, is granted the authority to abate any nuisance at a public pool under Nevada Revised Statute (NRS) Chapter 444 and NRS 439.490. NRS 444.110 states, in part, that

“...any swimming pool constructed, operated or maintained contrary to the provisions of NRS 444.065 to 444.120 inclusive is hereby declared a public nuisance and may be abated or enjoined in an action brought by the board of health or the health authority.”

NRS 444.120 considers any violation to be a misdemeanor offense and each day the violation exists it is a separate violation and distinct misdemeanor.

NAC Chapter 444 (Nevada Administration Code) for Public Bathing Places and Public Spas states that no pool may be put into operation or continue to operate unless it has a health permit (NAC 444.258 paragraph 1 and 444.520, paragraph 1). No Health permit may be granted unless the facility has been determined to meet all the requirements of the NAC (444.010 through 444.546 see NAC 444.104, paragraph 3 and 444.422, paragraph 3).

The Health Authority may, at its discretion, administratively approve a Change-of-Owner permit on a pool not in a condition to operate, for the purposes of immediately closing such pool and placing such pool on “inactive” status.

If a facility is in such a condition or the owner or their agent wishes to retire the pool from service, the following options apply:

1. The facility may drain the pool or spa or maintain the pool or spa completely inaccessible for use and keep the gates padlocked. The pool must have a fully compliant barrier as described in NAC 444.136. The pool must be kept free of debris and standing water and algae. So long as the above criteria is met, the permit may be placed on “inactive” status at a reduced fee, a site inspection will be made once annually to verify the condition of the pool, but the pool will not be permanently deleted from our system until the criteria in section 2 are met. If at any time the owners wish to reactive the pool, the facility must have the SNHD Plan Review staff conduct an assessment of the facility to determine any pool or spa current code requirements that must be met before the permit is re-activated.

2. If the facility owners or their agents wish to remove a pool from regulatory oversight, due to defects too costly to repair or if the pool is under abatement procedures, or for other reasons of the owner, the pool may be abandoned by, at a minimum, *removing all equipment such as pumps, filters, and electrical service, and capping all lines, AND one* of the following:
 - a. The pool/spa shell left in place, with maintained compliant barrier, maintained clean, drained, and free of nuisance conditions;
 - b. The pool filled in with gravel or other fill; the shell perforated to prevent water saturation and subsequent nuisance issues; the barrier may be removed.
 - c. The shell demolished and removed; The barrier may be removed.

Pools that are properly abandoned as noted above will be permanently deleted from the Southern Nevada Health District's system.