

Sec. 11-11-10 Pool Operator Requirements.

a) It shall be unlawful to operate a swimming pool or waterpark facility unless it is under the immediate control of a person trained in the basics of swimming pool operation. Such pool operator shall possess a valid pool operator's certificate accepted by the Director, have immediately available for inspection a valid photo identification and be on the premises during operation of the swimming pool or waterpark facility.

(b) A spa pool or interactive water feature facility shall not be in violation of this subsection if it is under the control of a person who possesses a valid pool operator's certificate accepted by the Director, and have immediately available for inspection a valid photo identification. That person need not be on the premises during the operation of the spa/ interactive water feature provided that he is available on-call, the on-call telephone number is posted in view of the patrons, and the operator can return to the facility within thirty (30) minutes.

(c) The pool operator shall have the original pool operator's certificate, and valid photo identification available for inspection during the operation of the aquatic facility.

Sec. 11-11-8 Facility Closure and Suspension of the Owner's Permit.

(a) The Director shall order the immediate closure and permit suspension of any aquatic facility upon finding that a substantial hazard exists to the health or safety of those who utilize the facility. No person shall operate any aquatic facility subject to an order of facility closure and permit suspension.

(b) An order of facility closure and permit suspension shall be effective upon delivery of a written notice to the permit holder or his/her designee or to the person in charge of the aquatic facility at the time the substantial hazard is discovered. The order shall remain in effect until such time as the Director, or his designee, by written determination, finds that the facility meets the requirements of this Ordinance, including a determination that the hazard no longer exists.

(c) The holder of a permit for a facility subject to an order of facility closure and permit suspension may appeal such determination by requesting a hearing as described in Sec. 11-11-15.

Sec. 11-11-15 Hearings.

Any owner or pool management company who has been denied an owner's permit or pool management company license, or any holder of an owner's permit or pool management company license who has received an order of suspension or revocation, may request a hearing by filing a written request in the office of the Director, within ten business days of the delivery of the order of permit/license denial, suspension or revocation. The Director shall conduct a hearing within ten business days of receipt of a hearing request and render a decision in writing to the appellant with five business days after the hearing is held. If a written request for a hearing is not filed within the time permitted, the permit denial or order is sustained.