

An Order Establishing Permitting and Enforcement of State Law and Rules for Public and Semi-Public Swimming Pools and Spas

- The mission and purpose of this policy/order is to protect and promote the health, safety and welfare of the people within the Galveston County Health District by regulating the operation, maintenance and safety of swimming pools.
- This Board policy/order is written in accordance with and pursuant to Texas Administrative Code as entitled, Standards for Public Pools and Spas (Texas Administrative Code, Title 25, Chapter 265, Subchapter L) and includes all future amendments and revisions.
- This Board policy/order authorizes our employees to enforce the state law and rules by adopting by reference the state law on Standards for Public Pools and Spas.
- The reason to re-write our current policy/order is to eliminate specific outdated language that conflicts with current state regulations. By adopting by reference the state regulations, we will avoid being in conflict with these regulations in the future. For example, our current regulation defines a child as a person under the age of 14. In the state regulations, a child is not defined.

Example of Conflict:

- In our current policy: Whenever the pool area of a semi-public pool is opened for use and no lifeguard service is provided, warning signs shall be placed in plain view at the entrances and inside the pool area which state "Warning - No Lifeguard on Duty" with legible letters at least four (4) inches high. In addition, the sign shall also state in legible letters at least two (2) inches high, "No Swimming Alone. Children Under Fourteen (14) Years of Age and Non-swimmers Shall Not Use the Pool Unless Accompanied by a Responsible Adult".
- In the state rules: For pools where no lifeguard service is required, a warning sign shall be placed in plain view and shall state "WARNING-NO LIFEGUARD ON DUTY" with clearly legible letters at least 4 inches high. In addition, the sign shall also state in letters at least 2 inches high "CHILDREN SHOULD NOT USE POOL WITHOUT ADULT SUPERVISION." The additional signage required in this subsection may be included on the sign described in paragraph (2) of this subsection.
- Revisions proposed in new policy/order
 - Regulatory authority is being revised to Health Authority with the words meaning the Chief Executive Officer of the Galveston County Health District.
 - The fees listed in the current policy/order are being replaced with "Fees shall be set by the Galveston County United Board of Health."

- Penalties listed in the current policy set the monetary fees at a minimum of \$27.50 and a maximum of \$1000.00, while in the proposed policy/order the penalties are a Class C Misdemeanor unless otherwise noted or enhanced.
 - The current policy/order does not include information on public information, while the proposed policy/order includes information on the current Texas Public Information Act.
 - The proposed policy includes a section on the Stakeholder Feedback. The Health District plans and participates in an Environmental Summit where the public including pool owners and operators can feel free to provide the District feedback and discuss current environmental issues and environmental policies and orders.
- The requirement for private residential pools to construct adequate fencing with lockable self closing, and a self latching gate currently in our swimming pool policy/order is included in the proposed policy/order. This requirement is more stringent than the state regulations.

[Link to Proposed Order for Public and Semi-Public Swimming Pools and Spas](#)