

## Chapter 448

### Swimming Pools, Bathhouses and Bathing Resorts

<b>STATE PERMIT FOR OPERATION OF SWIMMING AND BATHING FACILITIES</b>		<b>COUNTY LICENSE FOR PUBLIC BATHING RESORTS</b>	
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#### CROSS REFERENCES

448.010  
Rules and regulations of state agencies, Ch. 183



**STATE PERMIT FOR OPERATION OF SWIMMING AND BATHING FACILITIES**

**448.010 Authority of State Board of Health.** The State Board of Health shall supervise the sanitation, healthfulness, cleanliness and safety of public swimming pools and bathhouses and may make and enforce any rules and regulations pertaining thereto which it deems necessary to carry out ORS 448.010 to 448.060.

**448.020 Permit required to operate swimming facilities.** No person, firm, corporation, institution or municipality shall construct or operate any public swimming pool, bathhouse or any structure intended to be used for public swimming or bathing purposes within this state without a permit so to do from the State Board of Health.

**448.030 Application for permit; contents; issuance or denial.** (1) Any person, firm, corporation, institution or municipality desiring to construct or to operate and maintain any public swimming pool, bathhouse or structures intended to be used for swimming or bathing purposes within this state shall file application for permission so to do with the State Board of Health.

(2) The application shall be accompanied by a description of the sources of water supply, amount and quality of water available and intended to be used, method and manner of water purification, treatment, disinfection, heating, regulating and cleaning, lifesaving apparatus, and measures to insure safety of bathers, measures to insure personal cleanliness of bathers, methods and manner of washing, disinfecting, drying and storing bathing apparel and towels, and all other information and statistics that may be required by the board.

(3) The board shall then cause an investigation to be made of the proposed or existing pool. If the board determines that the pool is or may reasonably be expected to become unclean or unsanitary or may constitute a menace to public health, it shall deny the application for permit. If the board determines that the pool is or may reasonably be expected to be conducted continuously in a clean and sanitary manner and will not constitute a menace to public health, it shall grant the application for permit under such restriction as it shall deem proper.

**448.040 Inspection and reports.** (1) For the purposes of ORS 448.010 to 448.060, the State Board of Health may at all reasonable

times enter upon any part of the premises of bathing and swimming places to make examination and investigation to determine the sanitary condition of such places and whether ORS 448.010 to 448.060 or the rules and regulations of the board pertaining thereto are being violated.

(2) The board may from time to time at its discretion publish the reports of such inspection in its monthly bulletin.

**448.050 Suspension or revocation of permit.** Any permit granted by the State Board of Health under ORS 448.030 shall be revocable or subject to suspension at any time by formal action of the board if it determines that the swimming or bathing places are being conducted in a manner unsanitary, unclean or dangerous to public health.

**448.060 Abatement of or injunction against unlawful pool.** (1) Any swimming pool, constructed, operated or maintained contrary to ORS 448.010 to 448.060, is a public nuisance, dangerous to health.

(2) Such nuisance may be abated or enjoined in an action brought by the local board of health or State Board of Health or may be summarily abated in the manner provided by law for the summary abatement of public nuisances dangerous to health.

**448.070 to 448.100** [Reserved for expansion]

**COUNTY LICENSE FOR PUBLIC BATHING RESORTS**

**448.110 County license; fee.** (1) No person, firm or corporation shall maintain any public bathing resort in this state outside the limits of an incorporated city, where admission is charged or a fee exacted for bathing or swimming, unless such resort first secures a license therefor from the county court or board of county commissioners in the county in which the resort is operated.

(2) The fee for such license shall be \$3 per year.

**448.120 Safety and first-aid equipment and lifeguards.** (1) Before granting a license under ORS 448.110, the county court or board of county commissioners shall require satisfactory evidence that:

(a) The resort maintains a reasonably safe place for swimming and is equipped with safety and first-aid equipment con-

veniently located to the bathing area, which safety and first-aid equipment shall be substantially equivalent to that contained in a Red Cross 24 unit standard first-aid kit.

(b) Ring buoys with rope attached are mounted in conspicuous places in the bathing area, with a sign thereon "For Emergency Use Only."

(c) Grappling irons or hooks, with sufficient rope, are available at the resort.

(2) The county court or board of county commissioners may, before the granting of such license, require that:

(a) During bathing hours or hours in which bathing is permitted, a duly qualified lifeguard or swimming instructor is in attendance.

(b) A rowboat not less than 12 feet in length, capable of holding not less than three persons, be near at hand; provided, that indoor or outdoor artificial swimming pools and tanks are not required to be equipped with such rowboat.

**448.130 Inspection.** The county sheriff shall make inspections of such bathing resort and the equipment thereof at least once a year.

**448.140 to 448.980** [Reserved for expansion]

### PENALTIES

**448.990 Penalties.** (1) Violation of ORS 448.010 to 448.060 by any person, firm or corporation, whether acting as principal or agent, employer or employe, is punishable, upon conviction, by a fine of not less than \$25 nor more than \$500 or by imprisonment in the county jail not exceeding six months, or by both. Each day that the violation continues is a separate offense.

(2) Violation of ORS 448.110 to 448.130 is punishable, upon conviction, by a fine of not to exceed \$100.