

# Florida Administrative Code 64E-9

Code and Operator Responsibility



In this presentation we will talk about Florida Administrative Code, 64E-9 and how it regulates swimming pools and pool operator's responsibilities.

# THE CODE



- Chapter 64E-9 of the Florida Administrative Code regulates the operation of public swimming pools.
- Pools are regulated in order to protect the health, safety, and welfare of pool patrons.



Chapter 64E-9 is the section of the Florida Administrative Code that regulates the operation of public swimming pools. The intent of the code is to allot the Department of Health to regulate public pools in order to protect the health, safety, and welfare of pool patrons.

# Operating Standards



- Water quality
  - Fill water must be an approved potable water system
  - Main drain must be visible from the pool deck
  - Cross connection prevention must be in place
    - Air gap on fill devices
    - Vacuum breaker on hose bibbs



Water quality is an important part of our inspections. The water being used in the pool must be an approved potable system; when well water is being used for a commercial pool it must be properly permitted through the Health Dept. The water clarity must allow for the main drain to be visible from the pool deck. If the water is too cloudy for the main drain to be visible, the pool will be posted closed. Cross connections must be maintained in the pool area and equipment room. There should be an air gap for fill devices and waste lines, and all hose bibbs must have vacuum breakers. Cross connections will be discussed in further detail in another presentation.

## Operating Standards (cont'd)



- Chemical Standards

- Free Active Chlorine

- 1 – 10 ppm in pools
- 2 – 10 ppm in spas



- Free Active Bromine

- 1.5 – 10 ppm in pools
- 3 – 10 ppm in spas



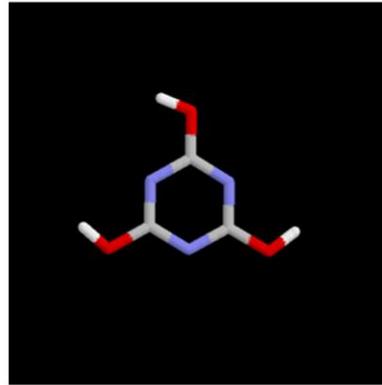
The code has specific requirements for the chemicals in the pool. In a pool, you must maintain a chlorine level of 1-10 or a bromine level of 1.5 – 10. In a spa, chlorine must be 2-10 ppm; bromine must be 3-10 ppm.

## Operating Standards (cont'd)



- Chemical Standards
  - 7.2 – 7.8 pH
  - Cyanuric Acid
    - 100 ppm **max** in pools
    - 40 ppm max\* in spas

\*The Code prohibits the use of chlorinated isocyanurates (trichlor tabs) in spas and wade pools.



The pH in both pools and spas must be kept at 7.2 to 7.8. A pool or spa that does not have the proper levels of chlorine or pH will be posted closed.

Cyanuric acid, also known as stabilizer, cannot exceed 100 ppm in a pool or 40 ppm in a spa. Chlorinated isocyanurates such as trichlor are no longer allowed on spas or wade pools in order to manage the level of stabilizer. The only erosion feeder that is allowed on a spa or a wade pool would be a bromine feeder, because any other tablets have stabilizer in them.

# Inspections




- In order to ensure proper maintenance, pools and spas are inspected by the Florida Department of Health in Sarasota County
- Pools are inspected at least once every 6 months
- Water samples are collected for bacterial culture once every 3 months



In order to be sure that these requirements are being met in public pools and spas, the Department of Health conducts inspections. Inspections are done twice a year. In our county, we also take quarterly water samples. This means that every pool will be visited by an inspector at least once every 3 months.



# Inspections (cont'd)



**PUBLIC POOL AND BATHING PLACE**

STATE OF FLORIDA  
DEPARTMENT OF HEALTH  
COUNTY HEALTH DEPARTMENT  
PUBLIC POOL AND BATHING PLACE  
INSPECTION REPORT

**PURPOSE:**  ROUTINE  REINSPECTION  
 CONSTRUCT  OWNER OF OWNER  
 COMPLAINT  CONSULTATION  
 LABORATORY  EPIDEMIOLOGY  
 OTHER

**NAME OF POOL:** Any Public Pool

**ADDRESS:** 123 Neighborhood Lane **CITY:** Sarasota

**OWNER:** Your Homeowner Association **ZIP:** 34230

**PERSON IN CHARGE:** L.M. Bossman **PHONE:** 941-123-4567

**POOL OPERATOR:** Pool Guy (You!) **PHONE:** 941-765-4321

BEGN	END	DATE	POSITION #	PERMIT NUMBER	POOL TYPE
		DATE OF INSPECTION		55-60-7777777	

**ITEMS IN VIOLATION**

Items marked below are not in compliance with the requirements of Chapter 60E-1 of the Florida Administrative Code and must be corrected. To identify violations of public health or animal control laws, contact a supervisor at the Florida Department of Health and Chapter 380 and 381 of the Florida Statutes. It is illegal to not be corrected as indicated in the results section below or to reinspect the pool or other application within 60 days.

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## Inspections (cont'd)



- An inspector may immediately post a pool closed under any of the following conditions
- Cl or Br residual is below the minimum or above the maximum required level
- pH of the pool water is not between 7.2 – 7.8
- The water is cloudy
- Any part of the recirculation/disinfection system is missing or not functioning
- Broken main drain grate
- Any condition which may endanger the health, safety, or welfare of the people using the pool

It is very important to know what issues will cause an inspector to post your pool closed. First is the chemicals; if you do not have the proper amount of chlorine and the correct pH level, the pool will be closed. Cloudy water which prevents the main drain from being visible will also result in a pool closure. We will also close the pool if any part of your recirculation or disinfection system is broken or missing. This would especially include the recirculation pump and the chlorine feeder. If either of those are inoperable the pool will definitely be posted closed. A broken main drain grate will also always result in a pool closure.

Furthermore, any condition which an inspector finds to be a danger to the health, safety, or welfare of the pool can also result in a pool closure. For example, if you have a duck problem, and an inspector finds that they have left feces all over the pool gutters, he or she would close the pool and ask for it be cleaned and shocked before it could be reopened.



# Got Chemistry?

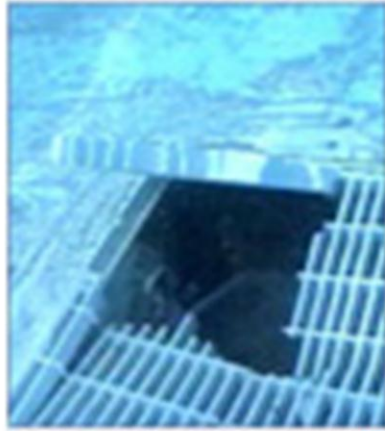


**HERE'S YOUR SIGN!**



A green pool that is half-full? (Or half empty if you're a pessimist, I suppose.) Pool closed.

# Busted Main Drain Grate?



**HERE'S YOUR SIGN!**

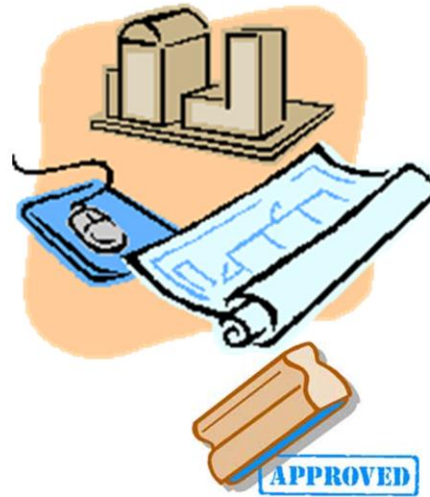


Busted main drain grate? Pool closed.

# Modifications



- Modification
  - Any act which changes or alters the original characteristics of the pool as permitted
- **It is unlawful to modify any commercial pool, or its equipment without first having obtained approval from the proper Building Department**



Modifications... A modification is any act which changes or alters the pool from its original plans. You must have a permit approved by the building department to modify a commercial pool. The building department approves the permit and does an inspection. The Health Department will also do an inspection before the pool may be reopened. The work must be completed by a licensed commercial pool contractor.

## Modifications (cont'd)



- Examples of modifications include
  - Filter or plumbing design change and installation
  - Disinfecting system change
    - *i.e.*, liquid to tablet chlorine, chlorine to bromine, etc.
- Modifications require engineered plans
  - Contact the Building Department to determine the exact requirements
- Modifications are not the replacement of worn equipment with the equivalent (like-for-like)

Examples of a modification includes a change in the type of filtration, the plumbing, or the disinfection equipment (especially if planning to add ozone or a salt system). You must contact the proper building department to find out their exact requirements, but all modifications will require engineered plans.

Modifications are not the replacement of worn equipment when it is “like-for-like”. If you’re replacing old filters, or replacing an old pump for a new one with the same horsepower, this is not a modification and does not require a permit.


## Renovations



- Renovations are not considered modifications, but may require
  - Renovation survey (before starting work)
  - Renovation inspection (after work is completed)
  - Additional permitting may be required when working within city limits of other municipalities
- The Code requires renovations to be approved by the Health Department
- The Code requires that renovation work be done by a Licensed Pool Contractor


Renovations, which include resurfacing of the pool surface and/or replacing the deck do not require a modification permit. However, BEFORE work begins, they do require a renovation survey. After the work is completed we also require a renovation inspection before the pool is reopened. You must also check with the city or county building departments to see if they have any requirements as well.

In the code it is stated that renovations must not be done without notifying and obtaining approval from the Health Department and that all work must be completed by a licensed commercial pool contractor.



**Sarasota County Health Department**  
Office of Environmental Health Services

Sarasota (941) 861-6675  
Venice (941) 861-3311



### PUBLIC SWIMMING POOL RENOVATION SURVEY

Facility Name \_\_\_\_\_ Permit # 58-60- \_\_\_\_\_  
 Address \_\_\_\_\_ Date \_\_\_\_\_

This survey constitutes written approval for the proposed renovation of the above referenced pool. All requirements checked below must be addressed, as per Chapter 64E-9 F.A.C. and Sarasota County Ordinance 98-023. Upon completion of this project, please call our office to schedule a compliance inspection.

✓= Item must be addressed      x = Item requires special attention      NA = Not Applicable

<p>1. <b>Gutters</b></p> <p>a. <input type="checkbox"/> Within ¼ inch of level</p> <p>b. <input type="checkbox"/> Waterline tile</p> <p>c. <input type="checkbox"/> Downward slope maintained</p> <p>2. <b>Step/Bench Stripes</b></p> <p>a. <input type="checkbox"/> Dark in color</p> <p>b. <input type="checkbox"/> Tile</p> <p>c. <input type="checkbox"/> 2 inch tread / riser, and slip resistant (unless 2 by ¾ inch bullnose tile used)</p> <p>3. <b>Slope break</b></p> <p>a. <input type="checkbox"/> 2 inch dark, continuous tile marking</p> <p>b. <input type="checkbox"/> Safety line mounted 2 feet towards shallow end from slope break using recessed anchors</p> <p>4. <b>Ladders and Handrails</b></p> <p>a. <input type="checkbox"/> Securely anchored into deck (both) and bottom step (handrail)</p> <p>b. <input type="checkbox"/> "Figure 4" handrail extends vertically above bottom step</p> <p>c. <input type="checkbox"/> 28 inches above deck</p> <p>d. <input type="checkbox"/> 28 inches above bottom step (handrail)</p> <p>e. <input type="checkbox"/> 3-6 inches from wall and feet snug to wall (ladder)</p> <p>f. <input type="checkbox"/> Ladder replaced: cross-braced</p> <p>5. <b>Returns</b></p> <p>a. <input type="checkbox"/> Flow adjustable</p>	<p>6. <b>Pool Surface</b></p> <p>a. <input type="checkbox"/> White or light pastel in color</p> <p>b. <input type="checkbox"/> Smooth and slip resistant</p> <p>7. <b>Depth Markings</b></p> <p>a. <input type="checkbox"/> Accurate within 3 inches</p> <p>b. <input type="checkbox"/> Tile</p> <p>c. <input type="checkbox"/> 4 inch height</p> <p>d. <input type="checkbox"/> Followed by full or abbreviated words FEET and INCHES</p> <p>e. <input type="checkbox"/> <i>Curb provided</i> markings placed on inside and outside (or top) of curb</p> <p>f. <input type="checkbox"/> <i>No curb</i> markings placed inside pool at waterline and on deck within 2 feet of water</p> <p>g. <input type="checkbox"/> All tile on horizontal surfaces slip resistant</p> <p>h. <input type="checkbox"/> Location</p> <p style="margin-left: 20px;">1. Shallow end</p> <p style="margin-left: 20px;">2. Deep end</p> <p style="margin-left: 20px;">3. Mid point or Slope break</p> <p style="margin-left: 20px;">4. Deep point</p> <p style="margin-left: 20px;">5. Maximum distance = 25 feet</p> <p>8. <b>No Diving Markings</b></p> <p>a. <input type="checkbox"/> Installed in areas not part of diving bowl</p> <p>b. <input type="checkbox"/> Spelled out in 4 inch high letters or 4 inch international "No Diving" symbol</p> <p>c. <input type="checkbox"/> Slip resistant</p> <p>d. <input type="checkbox"/> Maximum distance = 25 feet</p>
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Comments and Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Public Health Official \_\_\_\_\_ Received by \_\_\_\_\_

ICHHD 031689

This shows what a renovation survey will look like. At the time of this inspection we will take note of anything that needs to be addressed and brought up to current code requirements. Anything on this list that is marked with an "x" will be an item that needs to be corrected at the time of the resurfacing. The comments section on the bottom will give further instructions. Any items that are not marked with an "x" will need to remain in compliance.



# Enforcement



- All violations listed on an inspection must be corrected by the given recheck date
  - First recheck is free
  - Additional recheck(s) are \$40 per body of water per visit



As I mentioned during the inspection form slides, it is very important the violations be corrected by the date instructed. We will do the first reinspection without any charge. If the violations are not corrected at that time we will have to charge a \$40 fine for each additional reinspection for every body of water. This means that if the facility has a pool and spa, and both require a second reinspection, the total fine will be \$80.

## Enforcement (cont'd)



- Chronic violations will result in legal action
  - Agent or Owner will be served a Notice of Violation (NOV) with a deadline to correct problem(s)
  - If conditions remain unresolved, the Agent or Owner will be served with an Affidavit of Violation (AOV), with possible fines of up to \$500/day per violation (from the first date the violation exists)
  - Permit revocation may result

A chronic violation is one that is not corrected after repeated reinspections and will require legal action. A notice of violation will be sent to the pool agent or owner with a deadline to correct the problems. If the deadline is not met, the agent or owner will be served an affidavit of violation which can include fines of up to \$500 per day per violation dating back to the first date the violation was noted. This could result in fines of thousands of dollars. If this still fails to resolve the problem, the Dept of Health could revoke the operating permit for the pool.

# Certificate of Competency



**FLORIDA DEPARTMENT OF HEALTH IN SARASOTA COUNTY**  
**OFFICE OF ENVIRONMENTAL HEALTH SERVICES**

*Has Awarded*

Certificate Number  
**1001-000**

**I.M. Poolguy**

this

**PUBLIC SWIMMING POOL TECHNICIAN  
CERTIFICATE OF COMPETENCY**

**For satisfactory completion of the Public Swimming Pool Operator Training Course in  
accordance with Section 62-216, Sarasota County Code of Ordinances**

*This document neither expresses nor implies any technical ability of the holder.*

*This is not a Swimming Pool Contractor's License.*

**Date of Issue:**  
**1/2/3000**

*This certificate expires 3 years  
from Date of Issue*



*WTA*  
William T. (Tom) Higginbotham  
Environmental Administrator

DISPLAY IN FULL PUBLIC VIEW

Not Transferable

After completing this course and passing the exam, you will receive a certificate of competency. This certificate will belong to you, the pool operator, and will have your name on it. This certificate must be posted at all of the pools you service.

## The Certificate is NOT a License



- With the Certificate of Competency, you may service commercial pools
  - under the supervision of a licensed pool contractor
  - serve as In-House maintenance for a single facility or
  - work for a Nationally Certified Operator (NSPF CPO®, AFO, etc.)
- You may not use the Certificate of Competency to start your own commercial pool service or perform repair work on pool plumbing or electric

This certificate allows you to service commercial pools. This means you may work under the supervision of a licensed pool contractor or someone with a national certification to do multiple pools. Or you may use your certificate to be an in-house maintenance person for a single facility.

This certificate does not allow you to open your own pool service company or to perform repair work. The certificate also does not allow you to perform repair work.

## Certificate (cont'd)



- If you want to start your own commercial pool service route, and you do not have a Pool Contractor's License, you must have a National Certification from a State-approved 16-hour course provider
  - See attached document for information about 16-hour courses
- **ONLY** Licensed Commercial Pool Contractors may perform renovations and major repairs

To start your own pool service business you must acquire either a pool contractor's license or a national certificate from a state approved 16 hour course. Please look under resources for a document which lists the approved courses in Florida. You must also contact the county you wish to work in to find out their business license requirements.

Please remember that only a licensed commercial pool contractor may perform renovations and repairs on commercial pools.



**If you have any  
questions, contact  
your Inspector  
861-6675**

If you have any questions please call our office at 861-6675 and your inspector will help you.