

333-060-0705 Pool Closure Criteria

- (1) If one or more of the conditions outlined in subsection (3)(a) through (i) of this rule is present at the public swimming pool or wading pool, the pool license holder, operator, or responsible supervisor must immediately close the pool until the situation is resolved.
- (2) If a pool license holder, operator or responsible supervisor has not acted in accordance with section (1) of this rule the Division or its agent may issue an emergency suspension order, and close a swimming pool or wading pool in accordance with ORS 183.430(2). The emergency suspension may be used if one or more of the conditions in subsection (3)(a) through (i) of this rule exist that present a serious and immediate danger to the public's health or safety.
- (3) Conditions requiring immediate closure of the public swimming pool, until they are resolved, include:
 - (a) **CHEMICAL PARAMETERS.** Failure to comply with the disinfectant residual levels, high levels for cyanuric acid or out of range pH as established in OAR 333-060-0200(1), 333-060-0515(1) and items (a) thru (h) of Table 3;
 - (b) **WATER QUALITY.** Failure to comply with the water quality standards for clarity and bacteria established in OAR 333-060-0200(1), 333-060-0510(1) and items (j) and (k) of Table 3;
 - (c) **TREATMENT EQUIPMENT.** A non-operational circulation pump, filter, or disinfectant feeder. With the approval of the local public health authority, when a chemical feeder(s) is inoperative for a few hours while repairs are made, the pool may remain open, if the water chemistry can be maintained manually.
 - (d) **ELECTRICAL SAFETY.**
 - (A) The presence of bare electrical wires or other obvious electrical deficiency; or
 - (B) The presence of lightning or severe storms within a minimum 10-mile (16km) proximity of the pool at outdoor pools.
 - (e) **SUPERVISION.** The absence of a responsible supervisor or required lifeguard;
 - (f) **ENCLOSURES.** Enclosures such as fences, doors, gates or windows that are not in compliance with OAR 333-060-0105 or 333-060-0210(7);
 - (g) **SUBMERGED SUCTION FITTINGS.** A broken, missing or improperly attached submerged suction fitting, as required by OAR 333-060-0128(3);
 - (h) **FECAL ACCIDENT.** A fecal accident occurs or feces is found in the pool; or
 - (i) **OTHER CONDITIONS.** The presence of a hazardous substance or object in the swimming pool, or the existence of any condition creating an immediate danger to health or safety.
- (4) In accordance with ORS 183.430(2) the license holder shall have 90 days after the date of notice of emergency suspension to request a hearing. If a hearing is requested, a hearing must be granted to the license holder as soon as practicable after such demand.

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.005 - 448.100 & 448.990

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