

Swimming Pool Code Committee Minutes
West Wisconsin Technical College
1000 College Avenue
Mauston, WI 53948
February 10, 2011

Committee Members in Attendance:

Bob Wiess, WACO Member, Wilderness Campground in Montello
David Sawvell, Agent Health Inspector, La Crosse County Health Department
Doug Henry, WHLA Member, Best Western Quiet House & Suites in Dodgeville
Doug Severson, State Health Inspector, DHS Southern Regional Office
Glen Jones, Public Swimming Pool Consultant/Plan Reviewer, DOC
Jason Krapfl, Account Manager, Carrico Aquatic Resources
Jerry Chilinski, Agent Health Inspector, Milwaukee Department of Neighborhood Services
Laurie Diaby-Gassama, Agent Health Inspector, St. Croix County Department of Health and Human Services
Mike Nelson, Construction Manager, Neuman Pools Inc.
Sara Brown, Agent Health Inspector, Marathon County Health Department
Shane Sanderson, Recreational Waters Program Manager, DHS Central Office
Steve Matzl, WHLA Member, Kalahari Resorts in Wisconsin Dells
Susan Metko, YMCA Member, Fond du Lac Family YMCA
Terri Olivo, WPRA Member, Signicast Aquatic Center in Hartford
Tom Carrico, Swimming Pool Consultant, Carrico Aquatic Resources

Committee Members unable to attend:

Jim Kaplanek, Section Chief, DHS Central Office
Mary Ellen Bruesch, State Health Inspector, DHS Southeast Regional Office
Peter Simon, Sales and Project Development, Neuman Pools Inc.
Shane Schwingle, Lifeguard Training and Staffing Consultant, Madison Area Technical College
Wisconsin Hotel and Lodging Association, Open Seat

Welcome and Introductions and Agenda Review:

The meeting at the Western Technical College began at approximately 9:30 AM and was attended by members from government (Health and Comm) and industry (Pool design and/or operations and lodging, recreational organizations). Members of the committee introduced themselves and then reviewed the agenda for the day.

Meeting Discussion:

The group began work on the issues list

Grandfathering was discussed in relation to lifeguarding rules. Shane explained there are two divisions of requirements. Requirements either fall under operational or design and construction.

Generally, design and construction requirements are based on the design code the pool was built under. For example, the current Comm 90 would not apply to a pool built in 1969, but the inlet or recirculation requirements of the 1965 code would. The current DHS 172 governs all operational requirements, including water testing, guarding, and other operational parameters. grandfathering is not applicable in operational requirements. He explained that we can still look closely at the categories, which we set out to do as a group. We started with the Table-B in the code.

The group started the discussion on lifeguarding by acknowledging the importance of supervising transition zones. Most of the drownings and near-drownings (submersion injuries) the group was familiar with and Shane has investigated in the last two years have been in various forms of transition zones. This is a more important factor than the square footage of a pool, but the origin of guarding requirements in relation to square footage was also discussed and largely appears to be a political compromise. Shane said each year there are a number of drownings in buckets and bathtubs that obviously have a very small surface area.

Activity pools was the first subject. After discussing exactly what would fall under the definition of a tethered floatable, which would include pad-walk features, the group agreed on the term, “tethered in-water floatable play feature” to further describe the object and agreed to add “or 18 inches in diameter” to the section as well. The original intent is simply so we don’t have an in-water play feature that is so large that a child could be hidden under it in a non-guarded pool. The new language will further focus the intent by being less vague. The next discussion revolved around non-tethered floatables. There was a lot of discussion on the practice of log rolling throughout the state. Dave mentioned that this was happening in the La Crosse area, and Susan and Terri mentioned they heard of it in their parts of the state as well. We discussed possible dangers associated with log rolling, but ultimately no one was familiar with any reported injuries associated with it. We decided to add it in the language of non-tethered floatables so we at least acknowledge it as prompting a guard requirement. There were no real concerns about it damaging any pool equipment beyond simply having them replaced when they are worn and cracking. The new sentence will read, “A non-tethered floatables, such as inflatable obstacle courses, kayaks, and logs used for rolling.” So examples are given governing items that would require addressing in a staffing plan.

During the discussion, Tom pointed out the need to modify the definition of the word attendant. The group ultimately agreed to change the attendant definition to use “monitor” instead of “operate”, because the attendant isn’t really a pool operator.

We then moved on to the topic of leisure rivers. All of the facility managers in the group that have leisure rivers or current pools guard them with lifeguards and would not even consider using an untrained attendant in those circumstances. After much discussion about the risks associated with water in motion, the group agreed to change attendants to lifeguards. Shane mentioned that in his travels and trainings around the state, he did not know of any leisure rivers that are not guarded with trained lifeguards, so he did not believe this will alter the business practices in the industry.

Susan pointed out a sentence in 172.23(1) that referenced “2,000 square feet.” That phrase will be taken out because at that point the code points to the two charts on when and how to assess guarding requirements under the code.

The group assessed, but ultimately agreed to leave the language as it is for vanishing edge pools, vortex and current pools, and wave pools. Shane acknowledged that wave pools are often supervised at a level exceeding the code because they are the most dangerous pool type in the United States. This is largely because the entire pool is a transition zone where the depth of the water can change even if someone is standing in one place.

The next topic was Pools with a Visual Obstruction. There was some discussion as to whether or not this rule should be maintained because Shane had no injury data from wading type pools with play features that create a visual obstruction. Susan gave a number of examples of interventions and even saves that occurred in these pool types. Steve also said even if the rule disappeared from the code, he thinks it’s important enough to have coverage there that they would maintain that supervision position. The group ultimately agreed that this requirement should stay. A secondary conversation revolved around the language itself. It currently doesn’t align with the Comm 90 language that describes the 50 square feet or 20% of basin covered rule. Comm 90.31(3). The language will be changed to read, “At least one attendant is required if the pool has a visual obstruction from a side view, as viewed from any point, of 50 square feet or more up to a height of 6 feet or if more than 20% of the basin is obstructed.”

The next topic was a growing problem surrounding pools with a common wall divider. The center of the conversation revolved around one such example that had a drowning death and a near-drowning with a year of each other. In both cases, a child “flip-flopped” over a very short wall dividing 1’6” deep water from 4’ deep water. This transition zone creates a hazard that can and has occurred very quickly because of the relatively low swim skill of very young children and their height relative to the 4’ water depth. The group agreed that this transition zone was a danger and proposed the following language and definition below with no objections:

“Pools with a Common Wall

At least one lifeguard. If the pool is existing before the effective date of this code an approved alternative such as a 42-inch high barrier as measured from the shallow side of the wall may be considered.”

“Common wall: A wall or divider not to exceed 18 inches in width in a basin, with water on both sides with a depth change exceeding 6 inches.”

The next topic discussed by the group was climbing walls. We learned a lot about the design and installation from Glen, including the fact that they are bent toward the climber so the climber will fall into the water if they lose their grip. A policy already exists on climbing walls as a feature with the focal point being that the feature should be guarded because it has the same risks as a drop slide. The following language was proposed:

“Pools with Climbing Walls

At least one lifeguard is required whenever the feature is open to the public.”

It was pointed out that there is a typo in 172.23(1). It refers to “DHS 172.32 Table-B” when it really should read “172.23.”

The meeting wrapped up at 2:30 PM after confirming the date and location for the next meeting.

Next Meeting:

The next meeting is scheduled for Thursday, March 10, 2011 at West Wisconsin Technical College in Mauston from 9:30a.m. to 2:30p.m. The address is as follows:

West Wisconsin Technical College
1000 College Avenue
Mauston, WI 53948
(608)847-7364