

Swimming Pool Code Committee Minutes
West Wisconsin Technical College
1000 College Avenue
Mauston, WI 53948
May 12, 2011

Committee Members in Attendance:

Amy Pach, State Health Inspector, DHS Northeast Regional Office
David Sawvell, Agent Health Inspector, La Crosse County Health Department
Doug Henry, WHLA Member, Best Western Quiet House & Suites in Dodgeville
Glen Jones, Public Swimming Pool Consultant/Plan Reviewer, DOC
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
Mary Ellen Bruesch, State Health Inspector, DHS Southeast Regional Office
Peter Simon, Sales and Project Development, Neuman Pools Inc.
Shane Sanderson, Recreational Waters Program Manager, DHS Central Office
Tim Blanchard, WLHA Member, Marcus Corp. Grand Geneva
Tom Carrico, Swimming Pool Consultant, Carrico Aquatic Resources

Committee Members unable to attend:

Bob Wiess, WACO Member, Wilderness Campground in Montello
Jim Kaplanek, Section Chief, DHS Central Office
Mike Nelson, Construction Manager, Neuman Pools Inc.
Sara Brown, Agent Health Inspector, Marathon County Health Department
Shane Schwingle, Lifeguard Training and Staffing Consultant, Madison Area Technical College
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

Meeting Discussion:

The minutes were reviewed and approved at 9:45 AM under a motion by Jerry and a second by Laurie.

The first topic that the group tackled was supervision of pool areas at night to prevent spinal injuries. Peter Simon explained experiences in the area of supervision at hotels with unattended pools and multiple incidents of injuries. He referenced his nephew's experience and pointed out that this was the third incident like this at that hotel. The group asked about other places where the hours of operation are restricted and came up with bars and taverns. They also talked about exempting supervised events and guarded pools as a possible option. Doug did not feel this should be a law, and should be up to the management of the facility. Shane stated he has been collecting data and of 223 accidents, only two occurred during those early morning hours. Both,

however, were head/neck injuries and alcohol was involved. The group decided it may be a good idea to poll the Hotel and Lodging Association on how late they operate to see if they would like the help of a regulation in this area. We will watch these numbers and continue to collect data.

In 172.26(2), there is a typo referencing 173. This typo will be fixed upon revision.

The next issue arises under 172.26 to clarify the pool area emergency phone requirements. The group discussed if there anything else that should be added to code about phones such as phones that ring to the front desk and the phone location. Shane proposed to just leave the requirement alone because it arose in 1989 and has not been a large source of problems. Doug asked about 911 phones and cell phones use. Shane explained the department is now considering those as options under the “alternative system” language. There was discussion about having front desk staff reliably answer calls. Shane explained that if the phone is not answered, then the system doesn’t work and they must put in a direct line to 9-11 without going through the front desk. Ultimately, the group decided to simply address phone issues as they arise and leave the language alone.

There was a proposed height requirement where lifejackets would be required for a wave pool. Shane reviewed data, and found CA has not had any incidents since they adopted this rule. The last wave pool drowning Shane knew about was in 2007. Shane proposed to watch the data closely and possibly look into it as a solution in the future if the problem becomes more pronounced.

The next topic that was discussed revolved around safety equipment and shepherd's crooks. Generally, they are not intended for a lifeguard but more for a layperson. The way the language reads, each pool basin must have dedicated shepherd's crook. Shane proposed language to address the differences between guard and unguarded pools. The group discussed possible requirements and thought it was a good idea to keep the crook provided in enclosure conspicuously.

The discussion then revolved around the shepherd's crook for therapy pools because the of size range for therapy pools. Most in group seemed to oppose exemptions for therapy pools. It was pointed out by Glen that the definitions are different from Comm 90 to DHS 172, so that will be corrected upon revision.

Tom asked if we got off-track and suggested perhaps we should require one piece of rescue equipment and let the facility choose. Shane found in the Minnesota code the availability of options. The group like the language in the Minnesota code so Shane agreed to author something based on it with similar options and bring it back to the group.

The next topic was that the required first aid kit contents do not seem to mirror what is on the market. Shane will do some research to see what’s out there. The group discussed emergency blankets for a while to clarify that the aluminum ones are allowed. Glen Jones suggested maybe scissors may have been required pre-VGBA for cutting hair and are no longer needed. The

group also discussed biohazard kits. Shane will research what is available. This discussion will resume when the lifeguard and safety representatives are present.

A brief discussion about swim-up bars but the group ultimately decided to wait for Steve to be present for a complete discussion. There is some question as to whether or not this should be a Commerce issue.

The group broke for lunch 12:04 PM and returned and resumed at 1:01 PM.

We discussed language related to where food is allowed near the pool and the topic of bathing attire for swimming. No changes were proposed.

We then discussed 172.29 signage rules related to font and letter size. The group decided to change the term from “letters” to “font” so that the first letter was the only one that had to be an inch high. Grandfathering for letter size and content was discussed and ultimately the group decided against it for liability reasons. Even if DHS “allowed” old signs to stay, they likely would not protect the facility in a “failure to warn” case.

172.29(1)(e) on swim diapers does not appear to be an item for signage but rather operations. It will be given it’s own section and moved to that area of the code.

For a while we discussed a sign requirement for appearance of signs including contrast and visibility, but did not create any new language as a result. Glen explained contrasting colors from the Munsell color system used by Comm. For basin colors. The group also agreed to change the term “sign” to “signage” every where in the code so it is obvious that it does not all have to be on the same sign.

Because of discrimination concerns, the group agreed to remove the reference to “elderly persons” being prohibited from using whirlpools.

The next topic was on double-riding. Shane asked if this is happening frequently. Peter pointed out that the manufacturer determines appropriate use. Since attendants are required to enforce the rules of the ride already, Shane believes this is already prohibited. There is no real value in posting all the use requirements but the attendant must be knowledgeable about them.

The group took some time to consider adding a minimum age (w/o adults) for entry to pool rooms. Many hotels already post this and some have asked us to include this as a requirement because it could help the hotel/motel with limit liability. Tom Carrico stated this would be good at guarded pools as well as non-guarded pools. Susan commented through email some possible ages as 6 and under in guarded pools and 12 and under in non-guarded pools. We want to move away from the expectation that guards are babysitters. Shane and Tom had many examples of young kids being asked to watch even younger kids. Using a term like 'Adult Supervision' may help clarify this point. Many questions were asked, but not all were answered. How old should the supervision be? How young can a child be before left in public without parent or guardian?

The Group agreed to propose 6 for guarded pools and 12 for unguarded pools but will re-discuss this with the guarding representatives present. Essentially this would create an additional signage requirement.

There was so confusion about the smoking ban and its impact on pool enclosures. It seems to hinge on whether or not there were competition events going on in the pool. Currently, if no competition events occur, then it is permitted. Shane wanted to assess whether or not smoking was common in outdoor enclosures and wanted to find out if the group wanted to simply ban it to avoid the confusion. Ultimately, the group felt the pool code should stay silent and we would continue to fall back on the anti-smoking groups' interpretation of the law.

In the slide rules, the question was asked if the facility should post the standard minimum patron height from the manufacturer. The group agreed that if there is a requirement from the manufacturer, then it must be posted. Almost all facilities already do this.

The Group discussed when next meeting should be as it will be summer soon and many of us will be too busy. Shane will send an email regarding a June meeting and find out exactly how many people can make it. Peter suggested Shane draft some summaries, as Shane had described, and we can discuss them later. Some of the items may be able to address via email and some may have to be tabled until the fall if we can't meet in June.

The group adjourned at 2:50 PM.

Next Meeting:

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

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(608)847-7364