

THE AQUATIC WATCH

Updates on Key Issues Facing the Aquatic Industry

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New Regulations Affecting Public Swimming and Bathing Places in Pennsylvania (January 2005)

On January 1, 2005, the Pennsylvania Department of Health (the "Department") adopted new regulations for public swimming and bathing places. The new regulations require that all lifeguards in the Commonwealth obtain certification from a certifying authority recognized by the Department and establish the minimum criteria that a certifying authority must include in its training program in order for its program to be recognized by the Department. Furthermore, the new regulations establish criteria which recreational swimming establishments must follow in order to have an adequate number of lifeguards present to ensure the safety of patrons. Specifically, in accordance with the new regulations:

- All lifeguards must be certified by either: (1) the American Red Cross; (2) the YMCA; or (3) Jeff Ellis and Associates.
- A recreational swimming establishment must have on duty an adequate number of certified lifeguards to protect the safety of users. At least two certified lifeguards must be on duty at all times when the recreational swimming establishment is open to the public. In addition, there must be at least one certified lifeguard for every 4,000 square feet of water surface area, plus one certified lifeguard for any fraction thereof, equal to or greater than 1,000 square feet, must be on duty at the waterside at all times the recreational swimming establishment is open to the public.
- During periods of swim meets, swim team practices, learn-to-swim programs, lifeguard training, or other special events in which the use of the recreational swimming establishment is restricted to only those persons participating in the special events, at least one certified lifeguard, whose sole duty is to protect the swimmers, shall be present at waterside.
- If the recreational swimming establishment has a diving board or water slide, a certified lifeguard shall be on duty to monitor the diving well or catch area when the diving board or water slide is open to the public.
- When a wading pool (commonly referred to as a "children's pool") is open to the public, at least one certified lifeguard shall have an unobstructed view of the entire wading pool from a certified lifeguard's assigned station.
- While on duty watching swimmers, a certified lifeguard may not be assigned other tasks which divert attention away from the safety of the swimmers, or which are outside the lifeguard's training and certification.

If you have any questions regarding these new regulations and how they may impact your aquatic facility, please contact the staff of [Aquatic Watch, Inc.](http://www.aquaticwatch.com) at 724-772-9950 or management@aquaticwatch.com.