

Excerpt of 25 TAC § 265.199

25 TAC § 265.199 Specific Safety Features for Post-10/01/99 and Pre-10/01/99 Pools and Spas.

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(b) Float lines and floor markings for post-10/01/99 and pre-10/01/99 pools. Float lines with floats and floor markings for a post-10/01/99 and pre-10/01/99 pools shall comply with the following:

(1) in post-10/01/99 and pre-10/01/99 Class A and B pools over 5 feet deep:

(A) the transition point of the pool from the shallow area to the deep area of the pool shall be visually set apart with a 4-inch minimum width row of floor tile, a painted line, or similar means using a color contrasting with the bottom; and

(B) a rope and float line shall be provided between 1 foot and 2 feet on the shallow side of the 5-foot depth along and parallel to this depth from one side of the pool to the other side. The floats shall be spaced at not greater than 7-foot intervals; and the floats shall be secured so they will not slide or bunch up. The stretched float line shall be of sufficient size and strength to offer a good handhold and support loads normally imposed by users. If the owner or operator of the pool knows or should have known in the exercise of ordinary care that a rope or float is missing, broken, or defective, the problem shall be promptly remedied.

(2) in post-10/01/99 and pre-10/01/99 Class C pools over 5 feet deep, the transition point of the pool from the shallow area to the deep area of the pool shall be visually separated by a 4-inch minimum width row of floor tile, a painted line, or similar means using a color contrasting with the bottom; and

(3) if rope and float lines are provided in post-10/01/99 or pre-10/01/99 pools, they shall be securely fastened to wall or deck anchors of corrosion-resisting materials and of the type that is recessed or removable and shall have no projection that will constitute a hazard when the line is removed.

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(g) Lifeguard personnel standards at post-10/01/99 and pre-10/01/99 pools. Post-10/01/99 and pre-10/01/99 pools shall comply with the following lifeguard requirements:

(1) lifeguards shall hold a current ARC "Lifeguard Training" certificate or the equivalent certification from an aquatic safety organization, which also includes training in ARC "Adult, Infant, and Child CPR" and "Community First Aid" or their equivalent;

(2) each lifeguard shall be given an assigned surveillance area commensurate with ability;

(3) lifeguards conducting surveillance of pool users shall not be assigned duties that would distract their attention from proper observation of the users, or that would prevent immediate assistance to persons in the water;

(4) when a lifeguard is provided at a pool, the following shall apply:

(A) the number of lifeguards shall be adequate to provide supervision, continuous surveillance, and close observation of pool users in all areas of the pool and at all times when the pool is in use. No user shall be permitted in a pool area unless the lifeguard(s) are present; and

(B) an additional lifeguard, or second responder who is monitoring and readily available at the pool, and who has a minimum training in (ARC) "Adult, Infant, and Child CPR" and "Community First Aid" or equivalent training, shall also be in the pool area when the pool is in use;

(5) all lifeguards and second responders shall receive training in the application of effective pool emergency procedures for events such as submersions, suspected spinal injury, medical emergencies, missing persons, bad weather, etc. Such training will be reviewed as necessary and kept current;

(6) pool facilities shall provide alertness/response drills and other training including documentation of the following:

(A) a pre-season training program;

(B) a continual "in-service" training program for all lifeguards, and other aquatic personnel totaling a minimum 60 minutes per week;

(C) performance "audits" as recommended by the ARC or YMCA or equivalent aquatic safety organization; and

(D) an emergency action plan similar to the one outlined by the ARC or YMCA or equivalent aquatic safety organization;

(7) management at each facility shall maintain a current file with each staff person's current certification including expiration dates;

(8) owners shall allow lifeguards to have sufficient break time from guarding activities as recommended by the ARC or YMCA or equivalent aquatic safety organization;

(9) lifeguards and second responders shall be provided at:

(A) post-10/01/99 and pre-10/01/99 Class A pools during competitive events;

(B) post-10/01/99 and pre-10/01/99 Class B pools; and

(C) post-10/01/99 and pre-10/01/99 Class C pools with a diving board or a slide that is not locked or chained to prevent use of the diving board or slide; and

(10) where lifeguards are not provided, refer to subsection (f)(1) of this section relating to signs.

(h) Lifeguard chairs and lifeguard equipment for post-10/01/99 and pre-10/01/99 pools. Post-10/01/99 and pre-10/01/99 pools shall comply with the following requirements, as applicable:

(1) A post-10/01/99 pool that has a diving board(s) shall have at least one elevated lifeguard chair, located to provide a clear unobstructed view of the pool bottom in the diving area and shall comply with the following.

(A) The seat of the lifeguard chair in the diving water area shall be located at an elevation at least 4 feet above the pool deck. The lifeguard chair may be portable so that its location can be optimized to prevent glare and provide proper supervision.

(B) If the width of the pool is 45 feet or more, an additional elevated chair or station shall be provided and shall be located in the diving area on the opposite side of the pool.

(C) Such lifeguard platforms or chairs shall be placed in locations to reduce sun glare on the water, and in positions which allow complete visual coverage of the pool and the pool bottom within a field of view no greater than 90 degrees on either side of a line of sight extending straight out from the platform or chair.

(2) At post-10/01/99 and pre-10/01/99 pools, lifeguard(s) shall have a sufficient number of standard rescue tube(s) or buoy(s) with attached rope/strap and other equipment as necessary for use by the lifeguard(s). Such equipment shall be immediately accessible at all times. Lifeguard(s) and second responders shall be dressed in swimming attire so that they are readily identifiable as members of the staff.

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(j) Telephones at post-10/01/99 and pre-10/01/99 pools and spas. Post-10/01/99 and pre-10/01/99 pools and spas shall have a telephone that is capable of immediately summoning emergency service and that is readily accessible within 200 feet from the pool or spa water. Any other electronic means of summoning emergency service will qualify as a telephone if clear instructions for its use are provided by signage. A telephone that is answered by an on-site office does not meet the requirements of this subsection. The following shall apply to telephones for post-10/01/99 and pre-10/01/99 pools and spas.

(1) The telephone may be located inside or outside of the pool yard or spa yard if the enclosure entry gates and doors of the pool yard or spa yard are never locked in any manner, or the gate or fence is not more than 4 feet 4 inches tall.

(2) The telephone shall be located inside or outside of the pool yard if the pool is a Class A or B pool.

(3) The telephone must be located outside of all other pool yards or spa yards if all of the following occur:

(A) the entry gate(s) or door(s) are locked on either side of the gate or door;

(B) the enclosure entry gates and doors and the enclosure fences and walls are all higher than 4 feet 4 inches; and

(C) the pool or spa is operated in conjunction with:

(i) lodging such as hotels, motels, apartments, condominiums, or mobile homes parks;

(ii) a property owners association, private organization, or club;

(iii) a school, college, or university while being operated for academic or continuing education classes, or

(iv) practice event (excluding competition events in accordance with subparagraph (A) of this paragraph).

(4) Each entry gate and door of a pool yard or spa yard that is locked must have a sign on the exterior of the gate or door or on the exterior of the enclosure fence or wall immediately adjacent to the gate or door, stating the location of the telephone outside of the enclosure and complying with the content and letter size of paragraph (5) of this subsection if:

(A) the telephone is located outside the pool yard of a Class A or B pool; or

(B) the telephone is required to be located outside the pool yard or spa yard under paragraph (3) of this subsection.

(5) Regardless of where the telephone is located or whether the gate(s) or door(s) are locked, a sign must be installed inside the pool yard or spa yard in plain view of the pool or spa and state in letters at least 1 inch high: "In case of emergency, call 911". If the telephone is not readily visible from the pool or spa, the sign inside the pool yard or spa yard shall include a concise description of the location of the telephone.