

3701-31-05

Submission of plans prior to licensure.

- (A) No person shall construct, install, ~~or otherwise~~ substantially alter, or operate an existing unlicensed a public swimming pool until the plans have been submitted to and approved by the director of health.
- (B) ~~Plan review fees.~~ As used in this rule, "combination thereof" means two or more public swimming pools that share the same circulation system as defined in paragraph (C) of rule 3701-31-01 of the Administrative Code. The fees for plan review are:

~~Beginning April 1, 2011 the fees for approval of plans are:~~

- ~~(1) One thousand four hundred eight dollars for a new or substantially altered public swimming pool or a combination thereof, that has less than two thousand square feet of surface area. This fee includes the cost of up to two inspections as may be required in paragraph (H) of this rule;~~
- ~~(2) Two thousand two hundred thirty two dollars for a new or substantially altered public swimming pool or a combination thereof that has two thousand or more square feet of surface area. This fee includes the cost of up to two inspections as may be required in paragraph (H) of this rule;~~
- ~~(3) In addition to the fee required under paragraphs (B)(1) and (B)(2) of this rule, one thousand four hundred eight dollars for each special feature which is included with any new special use pool or is added to any existing public swimming pool. This fee includes the cost of up to two inspections as may be required in paragraph (H) of this rule;~~
- ~~(4) Notwithstanding paragraphs (B)(1) to (B)(3) of this rule, and except as otherwise provided in paragraph (B)(6) of this rule, for any project with a total cost of equipment and installation less than five thousand dollars, the fee shall be six hundred fifty five dollars. This fee does not include the cost of inspections as may be required under paragraph (H) of this rule to determine compliance with the requirements of this chapter. Inspections to determine compliance with this paragraph shall be charged in accordance with the amount established in paragraph (B)(5) of this rule;~~
- ~~(5) For each plan review inspection in excess of those indicated in paragraphs (B)(1) to (B)(3) of this rule, as applicable, that may be required under paragraph (H) of this rule, the fee shall be two hundred ninety one dollars.~~
- ~~(6) Notwithstanding paragraphs (B)(1) to (B)(3) of this rule, in the case of replacement of each type of equipment as specified in paragraph (C)(6) of this rule that is a substantial alteration, the fee shall be forty five dollars. A plan verification construction inspection is not required.~~

~~Beginning on April 1, 2012 the fees for approval of plans are:~~

- ~~(7)~~(1) One thousand six hundred sixty-two dollars for a new or substantially altered public swimming pool ~~or a combination thereof~~, which has less than two thousand square feet of surface area. This fee includes the cost of up to two inspections as may be required in paragraph ~~(H)~~(G) of this rule;
- ~~(8)~~(2) Two thousand five hundred seventy-eight dollars for a new or substantially altered public swimming pool ~~or a combination thereof~~ which has two thousand or more square feet of surface area. This fee includes the cost of up to two inspections as may be required in paragraph ~~(H)~~(G) of this rule;
- ~~(9)~~(3) In addition to the fee required under paragraphs (B)~~(7)~~(1) and (B)~~(8)~~(2) of this rule, one thousand six hundred sixty-two dollars for each special feature which is included with any new special use pool or is added to any existing public swimming pool. This fee includes the cost of up to two inspections as may be required in paragraph (H) of this rule;
- ~~(10)~~(4) Notwithstanding paragraphs (B)~~(7)~~(1) to (B)~~(9)~~(3) of this rule, and except as otherwise provided in paragraph (B)~~(11)~~(5) of this rule, for any project with a total cost of equipment and installation less than five thousand dollars, the fee shall be eight hundred thirty-two dollars. This fee does not include the cost of inspections as may be required under paragraph ~~(H)~~(G) of this rule to determine compliance with the requirements of this chapter. Inspections to determine compliance with this paragraph shall be charged in accordance with the amount established in paragraph (B)~~(11)~~(5) of this rule;
- ~~(11)~~(5) For each plan review inspection in excess of those indicated in paragraphs (B)~~(7)~~(1) to (B)~~(9)~~(3) of this rule, as applicable, that may be required under paragraph ~~(H)~~(G) of this rule, the fee shall be three hundred seventy-three dollars;
- ~~(12)~~(6) Notwithstanding paragraphs (B)~~(7)~~(1) to (B)~~(9)~~(3) of this rule, in the case of replacement of each type equipment as specified in paragraph ~~(E)~~(Z)~~(6)~~(9) of ~~this~~ rule 3701-31-01 of the Administrative Code that is a substantial alteration, the fee shall be fifty dollars. A plan verification construction inspection is not required; and
- (7) Notwithstanding paragraphs (B)(1) to (B)(3) of this rule, in the case of a substantial alteration as specified in paragraph (Z)(3) or (Z)(4) of rule 3701-31-01 of the Administrative Code, the fee shall be fifty dollars. A plan verification construction inspection is required.

~~(C)~~ **Substantial alteration.** As used in this chapter "substantial alteration" means:

- ~~(1) Change in the basic design. Construction that changes the depth, shape or other basic design features of a public swimming pool, in a manner that affects patron safety or the circulation systems design; adds a special feature or changes a deck, the basic design of a diving board, or the perimeter barrier;~~
- ~~(2) Replacement of the circulation system. Complete replacement of the circulation system, as defined in paragraph (C) of rule 3701-31-01 of the Administrative Code.~~
- ~~(3) New/relocated dive stand. Installation of a diving board or diving stand, except for a replacement as provided in paragraph (B)(6)(bb)(vii) of rule 3701-31-04 of the Administrative Code;~~
- ~~(4) Pipe replacement. Replacement of all return piping, or all skimmer piping, from the filter room to the public swimming pool, or the main drain fitting and pipe;~~
- ~~(5) Overflow system replacement. Replacement of more than fifty per cent of a gutter overflow system or more than fifty per cent of the total number of inlets and outlets;~~
- ~~(6) Replacement of the following types of equipment:
 - ~~(a) Any circulation, jet or special feature pump. Replacement of a pump motor with one that is similar and does not change the pump output beyond ten per cent is not a substantial alteration;~~
 - ~~(b) Replacement of a disinfectant feeding device with a different method, capacity or disinfectant. Replacement of a disinfectant feeding device with one that uses the same method, capacity or disinfectant is not a substantial alteration; or~~
 - ~~(c) Replacement of an individual filter with a filter using different media, or a different filtration rate or backwash capacity. Replacement of a filter with one that uses the same media, and has the same filtration rate or backwash capacity is not a substantial alteration. All filter replacements shall be in accordance with paragraph (F)(5) of rule 3701-31-05.1 of the Administrative Code.~~~~

~~(D)~~(C) Plans. Plans submitted to the director for review shall be submitted as a hard copy or in an electronic format accessible to Ohio Department of Health. If plans are submitted as a hard copy, paragraphs (C)(1) and (C)(2) shall be submitted in quadruplicate. Plans for a project that are submitted to the director for review shall

include the following items:

- (1) ~~Four~~ A complete sets of drawings and specifications; as required by paragraph (F) of this rule;
- (2) ~~Four copies of a~~ A data sheet form prescribed by the director that is signed by the designer of the public swimming pool. The form also shall contain identifying information about the owner, the designer, and the contractor for the project and information about the location and dimensional design of the public swimming pool and its circulation system, gauges, disinfection and chemical feeding equipment, inlets, outlets, piping, plumbing, heating, lighting, and safety features;
- (3) ~~One copy of a~~ A completed plan review application form prescribed by the director that is signed by the designer. The form also shall be signed by the owner of the public swimming pool or shall be accompanied by a letter signed by the owner authorizing the designer to submit plans to the director on the owner's behalf. The form shall identify the project type and location and the owner, designer, and contractor and shall provide for calculation of the plan approval fee;
- (4) In the case of any equipment replacement specified in paragraph ~~(E)~~(B)(6) of this rule at an existing public swimming pool, a plan review equipment replacement form, as prescribed by the director, shall be submitted to the director providing information identifying the public swimming pool, the owner and the person making the change, and clearly describes the equipment removed and the equipment installed. The appropriate fee shall be paid for all substantial alteration projects. The information provided on the plan review equipment replacement form shall be accepted in lieu of the information required by paragraphs ~~(D)~~(C)(1) to ~~(D)~~(C)(3) of this rule unless the substantial alteration project contains additional plan review elements; and
- (5) ~~Payment.~~ A check, ~~or~~ money order, or electronic funds transfer acceptable by the director for all appropriate plan approval fees specified by paragraph (B) of this rule. The check or money order shall be made payable to "Treasurer, State of Ohio."

~~(E)~~(D) ~~Waiver for plan information.~~ For an application for the approval of plans for substantial alteration of an existing public swimming pool the director, upon request of the applicant for plan approval, may waive submission of any of the items required in paragraph ~~(F)~~ (E) of this rule if the director determines that they are not necessary to review the plans effectively.

~~(F)~~(E) The drawings and specifications required to be submitted by paragraph ~~(D)~~(C)(1) of this rule for each project shall include:

- (1) A plot plan showing the location of the project, including a street address or other specific location, and the surrounding area, including elevations and a north arrow;
- (2) A vicinity map showing local roads and the location of the project with respect to major roads;
- (3) Plan views and section views, drawn to scale and showing dimensions of the public swimming pool and including decks, walkways, piping (with sizes indicated), and the location of inlets and outlets;
- (4) Design plans for the circulation system and the disinfection and filtration equipment, including their location and description;
- (5) Plumbing schematic of the circulation system, disinfection system, and other required equipment;

(6) The required outlet cover information including the certification of compliance:

- ~~(6)~~(7) Descriptions of the materials used in construction of the public swimming pool, its finish and details of construction;
- ~~(7)~~(8) The depths of the public swimming pool and the location of depth markings;
- ~~(8)~~(9) The locations of diving areas and descriptions or drawings of diving equipment;
- ~~(9)~~(10) The location of starting blocks (platforms);
- ~~(10)~~(11) The locations of ladders, stairs, and ramps;
- ~~(11)~~(12) Descriptions and drawings of the perimeter barrier and methods of traffic control;
- ~~(12)~~(13) Design plans for removing and disposing of backwash water from the filters;

- ~~(13)~~(14) A description of the method of filling and emptying the public swimming pool, the source of the water for the public swimming pool and, if an on-site water treatment system will be used to meet the requirements of paragraph (D) of rule 3701-31-05.1 of the Administrative Code the drawings and specifications of the treatment system;
- ~~(14)~~(15) The location and content of signs;
- ~~(15)~~(16) The number and location of lifeguard chairs; and
- ~~(16)~~(17) Design plans for the location of special features and all data and information relating to installation, safe use, and safe operation of the special features, including but not limited to manufacturer's instructions.:-
- ~~(G)~~(F) ~~Plan review approval/disapproval.~~ Within thirty days of receiving plans for approval, the director shall act upon them in accordance with paragraph (C) of rule 3701-31-02 of the Administrative Code.
- (1) ~~Design variance.~~ An applicant for plan approval may request a variance from any of the requirements of rules 3701-31-01 to 3701-31-05.1 of the Administrative Code that are considered during plan approval by filing a written request for a variance with the director at least seven days before the date on which the director must approve or disapprove the plans under paragraphs ~~(G)~~(F)(2) and ~~(G)~~(F)(3) of this rule. The director may grant such a variance if it is not contrary to Chapter 3749. of the Revised Code and if the applicant for the variance has shown to the satisfaction of the director that there is good cause for the variance and that the variance will not result in any adverse effect on the public health or safety.
- (2) ~~Plan approval.~~ The director shall issue a letter of approval to the owner and a copy shall be issued to the licenser that the plans have been approved.
- (a) A plan approval issued by the director shall be valid for two years in accordance with paragraph (C)(3)(a) of rule 3701-31-02 of the Administrative Code.
- (b) Plan approval extension. An extension of the plan approval period shall be in accordance with paragraph (C)(3)(b) of rule 3701-31-02 of the Administrative Code.
- (c) The person to whom a plan approval is transferred shall comply with the

requirements of paragraph (C)(3)(e) of rule 3701-31-02 of the Administrative Code.

(d) Except as provided in paragraphs (C)(1) of rule 3701-31-02 or paragraph (E) of rule 3701-31-05 of the Administrative Code, construction, installation or other substantial alteration of a public swimming pool shall be performed in accordance with the plans as approved by the director under section 3749.03 of the Revised Code, under rules 3701-31-05 and 3701-31-05.1 of the Administrative Code and any variances granted by the director under paragraph (C)(1) of rule 3701-31-02 of the Administrative Code.

(e) Plan approvals issued under this rule shall not constitute an exemption from the land use and building requirements of the political subdivision in which the public swimming pool is or is to be located.

(3) ~~Plan disapproval.~~ The director may disapprove plans in accordance with paragraph (C)(4) of rule 3701-31-02 of the Administrative Code. Any person may appeal plans that have been disapproved by requesting a hearing in accordance with paragraph (C)(4)(a) of rule 3701-31-02 of the Administrative Code.

~~(a) Any person may appeal plans that have been disapproved by requesting a hearing in accordance with paragraph (C)(4)(a) of rule 3701-31-02 of the Administrative Code.~~

(4) ~~Amended plans.~~ Amended plans shall be in accordance with paragraph (C)(3)(d) of rule 3701-31-02 of the Administrative Code.

~~(H)(G) Plan verification construction inspections.~~ A person requesting a construction inspection shall contact the director. The director ~~or a licensor authorized by the director~~ shall have two working days from the time notification is received that a public swimming pool is ready for an inspection to verify the construction or alterations.

(1) ~~Number of inspections. Two or more inspections~~ Inspections shall be conducted to verify that the construction or alterations are consistent with the approved plans. The inspections shall be conducted as follows:

(a) ~~If necessary, one~~ One or more rough inspections shall be conducted and construction approved before concrete or fill is placed to verify that all of the piping, inlets, skimmers or gutters, and drains in and to the public

swimming pool and surrounding area were installed in accordance with the approved plans. More than one inspection shall be conducted if the piping, inlets, skimmers or gutters, or drains are installed in phases.

- (b) A final inspection shall be conducted when the public swimming pool is complete and ready to be placed in operation.
- (2) ~~Project completion letter.~~ Upon completion of the final plan verification construction inspection the director shall issue a letter to the licensor notifying them that the plan approval process is complete and that the project is ready for licensure (new construction) or operation (substantial alterations or equipment replacements).