

64E-9.004 Operational Requirements.

(1) Water Quality – The water supply for all pools shall be an approved potable water system or shall meet the requirements for potable water systems by the submission from the operator of annual bacteriological and chemical laboratory reports to the county health department. Salt water sources are exempt from the potable water chemical standards except for iron and color requirements.

(a) Cross-connection prevention – To safeguard water quality, devices or systems shall be operational and maintained in their original functional condition.

(b) Bacteriological quality – The pool water shall be free of coliform bacteria contamination.

(c) Clarity – The pool water shall be 0.5 or less NTU and the main drain grate must be readily visible from the pool deck.

(d) Chemical quality – Chemicals used in controlling the quality of the pool water shall be tested and approved using the NSF/ANSI/CAN Standard 60-2021, Drinking Water Treatment Chemicals-Health Effects, April 16, 2021, or Chapter 27 of NSF/ANSI/CAN Standard 50-2020, Equipment and Chemicals for Swimming Pools, Spas, Hot Tubs, and Other Recreational Water Facilities, October 21, 2020, and shall be compatible with other accepted chemicals used in pools. NSF/ANSI/CAN Standard 60-2021 and Chapter 27 of NSF/ANSI/CAN Standard 50-2020 are incorporated by reference, have been deemed copyright protected, and are available for inspection at the Department of Health, Bureau of Environmental Health, 4025 Esplanade Way, Tallahassee, Florida 32311 or at the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250. The following parameters shall be adhered to for pool water treatment:

1. pH – 7.0 to 7.8.

2. Disinfection – Free chlorine residual shall be as follows: 1 milligram per liter (mg/L) to a maximum of 10.0 mg/L, inclusive, in conventional swimming pools; 2 mg/L to 10.0 mg/L, inclusive, in all other type pools such as swim-up bars, wading pools, special purpose pools, water recreation attraction pools, and interactive water fountains; and 2 mg/L to 5 mg/L, inclusive, in spa-type pools; or available bromine residual shall be 1.5 mg/L to 6 mg/L, inclusive, in conventional swimming pools and 3 mg/L to 6 mg/L, inclusive, in all other type pools. Except that, for indoor conventional swimming pools, the maximum disinfectant residuals shall be 5 mg/L free chlorine and 6 mg/L free bromine.

3. When oxidation-reduction potential (ORP) controllers are required, the water potential shall be kept between 700 and 850 millivolts. Use of these units does not negate the manual daily testing requirement of subsection 64E-9.004(10), F.A.C.

4. Cyanuric acid – 100 mg/L maximum in pools, with 40 mg/L as the recommended maximum, and 40 mg/L maximum in spa pools.

5. Quaternary ammonium – 5 mg/L maximum.

6. Copper – 1 mg/L maximum.

7. Silver – 0.1 mg/L maximum.

(e) Landscape irrigation water that wets the wet deck area of the pool, the pool itself, enters the collector tank, or wets an interactive water feature must be potable water from a public water system or shall meet the bacteriological quality of potable water as evidenced by annual laboratory analysis submitted to the department. Reclaimed water may not be used in these areas. If reclaimed water is used in the vicinity of the pool (inside of the pool fence or within 100 feet of the pool water's edge) it must employ drip irrigation or soaker hoses. Signs shall be posted notifying pool patrons that reclaimed water is in use, and is not to be consumed.

(2) Manual addition of chemicals will be allowed under special conditions and requires that the pool be closed prior to addition and for at least 1 hour period after addition or a longer period as necessary for sufficient and safe distribution of the chemical. After treatment for breakpoint chlorination and algae prevention, use of the pool or spa can be resumed when the free chlorine levels drop to 10.0 mg/L, or less.

(3) Cleanliness – The pool and pool deck shall be kept free from sediment, floating debris, visible dirt and algae. Pools shall be refinished when the pool surfaces cannot be maintained in a safe and sanitary condition.

(4) Food, beverages, glass containers, and animals are regulated as follows:

(a) Food and beverages are prohibited in the pool and on the wet deck area, except:

1. Commercially bottled water in plastic bottles is allowed on the pool wet deck for pool patron hydration.

2. Food and beverages served in accordance with subsection (5) below.

(b) All glass containers and products are prohibited in the fenced pool area or within 50 feet of an unfenced pool, except: Glass bottles of liquor used only by bartenders in a permitted swim-up bar.

(c) Animals, other than service animals, are prohibited in the fenced pool area or within 50 feet of an unfenced pool. However,

individuals with a disability and service animal trainers may be accompanied by a service animal, as defined in Section 413.08, F.S., but the service animal is not allowed to enter the pool water or onto the drained area of an interactive water feature (IWF) in order to prevent a direct threat to the health of pool patrons.

(5) Swim-up bars are permitted as provided in this subsection. A “swim-up bar” means a public swimming pool used for the consumption of food or beverage by people and may include a permanent bar or counter within the pool area from which food and beverage are served to people in the pool. Swim-up bars must meet with the following criteria:

(a) Swim-up bars are only permitted at transient public lodging establishments licensed under Section 509.013(4)(a)1., F.S., or at a theme park or entertainment complex as defined in Section 509.013(9), F.S.

(b) Food and beverages are allowed on the wet deck area and in the pool, as follows:

1. All food and beverages must be provided to patrons in containers that are not made of glass or other vitreous materials, that if broken could result in patron injury.

2. Food products must be provided to patrons in spill-resistant clam-shell type containers.

3. Bartenders or attendants must remove and dispose of all metal tabs, lids, and caps that are used to seal manufactured beverage containers before providing the beverage to the patron.

(c) A smooth, easily cleanable poolside surface must be provided for patrons to place their food and beverage containers upon.

(d) Signage must be posted to inform patrons that the public swimming pool has a swim-up bar that provides food and beverages, that spillages should be reported to staff for rapid cleanup, and that consumption of alcoholic beverages may cause drowsiness.

(e) Swim-up bar water quality shall be enhanced by providing a recirculation system with a maximum time of two (2) hours for turnover of the entire pool water volume.

(f) Swim-up bar water quality shall be continuously sustained in accordance with subparagraphs (1)(d)1.-3. above through the use of an automated controller with chemical sensing probes for disinfection and pH control.

(g) The maximum depth of the swim-up bar must be no more than 54 inches.

(6) The pool recirculation system must be operated at all times when the pool is open for use. The recirculation system may be shut off three hours after the pool closes but must resume operation three hours before opening the pool. Shut down time must be controlled by a time clock. When a variable speed pump is used, the recirculation system shall be operated such that it achieves the equivalent of 6 hours of treatment at 100% design flowrate during the daily closed period, or at least one complete water volume turnover, whichever is greater. Exception: vacuum DE systems are excluded from this allowance.

(7) The pool water level must be maintained at an elevation suitable for continuous skimming without flooding during periods of non-use.

(8) When use of a public swimming pool requires an admission or a membership fee, the most recent pool inspection report shall be posted in plain view of existing and potential members and patrons.

(9) Footbaths are prohibited.

(10) Test kits are required to be on the premises of all pools to determine free active chlorine and total chlorine using N, N-Diethyl-p-Phenylenediamine (DPD), or available bromine level, total alkalinity, calcium hardness, and pH. NSF/ANSI/CAN Standard 50-2020 level 1 accuracy-certified water quality test devices/kits or specific laboratory analysis methods identified by the chemical product manufacturer must be available to determine the concentration in pool water of all NSF/ANSI/CAN Standard 60-2021 approved chemicals that are fed or added to a public pool, or the chemical cannot be used. NSF/ANSI/CAN Standard 50-2020, Equipment and Chemicals for Swimming Pools, Spas, Hot Tubs and Other Recreational Water Facilities, October 21, 2020, is hereby incorporated by reference, has been deemed copyright protected, and is available for review at the Department of Health, Bureau of Environmental Health, 4025 Esplanade Way, Tallahassee, Florida 32311 or at the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

(a) If the following chemicals are fed or added to the pool water, then test kits for the specific chemical must be used: cyanuric acid, sodium chloride, quaternary ammonium, ozone and copper.

(b) When silver is added as a supplemental disinfectant, a water analysis must be done every six months and be submitted to the department upon request.

(c) A test kit may be used for multiple pools, provided the pools have common ownership and they are located on contiguous property.

(d) The test kit shall be capable of measuring the level of disinfectant in the normal operating range.

(11) The keeping of a daily record of information regarding pool operation, using form DH 921, Monthly Swimming Pool Report, 3/98, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06896>, shall be the responsibility of the pool owner or operator. Customized report forms may be substituted provided they contain the appropriate information and are made available to the department. The completed report shall reflect manually conducted pool water tests for pH and disinfectant levels at least once every 24 hours, and weekly testing for cyanuric acid when chlorinated isocyanurates are used at spas and pools, and shall be retained at the pool and made available to the department upon request. Any able person can test the pool water and record it in the report.

(12) Should a human fecal incident occur, the pool operator or owner shall comply with all recommendations found in the Centers for Disease Control and Prevention's (CDC) "Fecal Incident Response Recommendations for Aquatic Staff" dated June 22, 2018, hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-15364>. Alternative emergency disinfection methods developed by industry, or by the application of new disinfection technology, or by the use of chemical disinfectants that are effective, safe, and appropriate for public bathing facilities, and are approved by the CDC, may also be used.

Rulemaking Authority 381.006, 514.021 FS. Law Implemented 381.006, 514.021, 514.031 FS. History—New 10-5-93, Formerly 10D-5.133, Amended 12-27-98, 5-27-04, 5-24-09, 7-20-16, 6-11-23.