

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2002 Legislative Session

Bill No. CB-4-2002

Chapter No. 3

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Hendershot and Dernoga

Co-Sponsors _____

Date of Introduction March 5, 2002

BILL

1 AN ACT concerning

2 Businesses and Licenses - Public Spas

3 For the purpose of amending the County public swimming pool ordinance to comport with State
4 law and repealing obsolete provisions of the Prince George's County public spa ordinance.

5 BY repealing and reenacting, with amendments:

6 SUBTITLE 5. BUSINESSES AND LICENSES.

7 Section 5-210,

8 The Prince George's County Code

9 (1999 Edition, 2001 Supplement).

10 BY repealing:

11 SUBTITLE 5. BUSINESSES AND LICENSES.

12 Sections 5-275, 5-276, 5-277, 5-278, 5-279, 5-280, 5-281,

13 5-282, 5-283, 5-284, 5-285, 5-286, 5-287, 5-288, 5-289,

14 5-290, 5-291, 5-292, 5-293, 5-294, 5-295, 5-296, 5-297,

15 5-298, 5-299, 5-300, 5-301, 5-302, 5-303, 5-304, 5-305,

16 5-306, 5-307, 5-308, 5-309, 5-310, 5-311, and 5-312,

17 The Prince George's County Code

18 (1999 Edition, 2001 Supplement).

19

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 5-210 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 5. BUSINESSES AND LICENSES.

DIVISION 17. SWIMMING POOLS AND PUBLIC SPAS.

Subdivision 1. State Regulations Adopted.

Sec. 5-210. State regulations governing public swimming pools and public spas adopted by reference.

The Maryland State Department of Health and Mental Hygiene Regulations Governing public swimming pools and public spas as set out in the Code of Maryland Regulations [(COMAR 10.17.04)] (COMAR 10.17.01), and as they may be amended from time to time, are hereby adopted by reference as the County regulations governing public swimming pools and public spas and made a part of this Subtitle, with the additions, insertions and changes prescribed in this Division. The Clerk of the Council shall at all times maintain and keep a current set of such State regulations for public inspection.

SECTION 2. BE IT FURTHER ENACTED that Sections 5-275, 5-276, 5-277, 5-278, 5-279, 5-280, 5-281, 5-282, 5-283, 5-284, 5-285, 5-286, 5-287, 5-288, 5-289, 5-290, 5-291, 5-292, 5-293, 5-294, 5-295, 5-296, 5-297, 5-298, 5-299, 5-300, 5-301, 5-302, 5-303, 5-304, 5-305, 5-306, 5-307, 5-308, 5-309, 5-310, 5-311, and 5-312 of the Prince George's County Code be and the same are hereby repealed:

SUBTITLE 5. BUSINESSES AND LICENSES.

DIVISION 22. [PUBLIC SPAS.] RESERVED.

Subdivision 1. [Definitions.] Reserved.

Sec. 5-275. [Definitions.] Reserved.

[(a) For the purposes of this Division, the following words and phrases shall have meanings assigned below, except in those instances in which the context clearly indicates a different meaning:]

[(1) **Air Induction System** means a system whereby air is introduced into ducting built into or affixed on a spa floor, bench or other location. The Air Induction System is activated by a separate Air Power Unit.]

1 [(2) **Antivortex Drain** means a drain with a raised cover designed to prevent a
2 vacuuming effect on an object which may come in contact with the drain.]

3 [(3) **Booster Pump System** means a system whereby one or more hydrojets are
4 activated by the use of a pump which is completely independent of the filtration and heating
5 system.]

6 [(4) **Chemical Feeding Equipment** means an automatic system for feeding chlorine,
7 compounded chlorine, compounded bromine or other chemicals to the recirculated water of a
8 spa.]

9 [(5) **County** means Prince George's County, Maryland.]

10 [(6) **Deck** means the area surrounding a spa which is specifically constructed or
11 installed for use by bathers.]

12 [(7) **Edge Guards** means shields designed to cover sharp edges in above-ground
13 spas.]

14 [(8) **Health Department** means the Prince George's County Health Department.]

15 [(9) **Health Officer** means the duly appointed Health Officer of Prince George's
16 County, Maryland, or his/her authorized representative.]

17 [(10) **Hoop** means a circumferential constraint that prohibits water pressure from
18 separating the staves of a hot tub.]

19 [(11) **Hot Tub** means a type of spa constructed of wood with sides and bottom formed
20 separately, the whole shaped to join together by pressure from surrounding hoops, and
21 structurally adequate to support the hydrostatic pressure.]

22 [(12) **Hydrojets** means a fitting which blends air and water creating a high velocity,
23 turbulent stream of air enriched water.]

24 [(13) **Person** means a municipality, county, individual(s), partnership, corporation,
25 association, institution, the State, or a cooperative enterprise.]

26 [(14) **Plumbing Facilities** means fillspouts, hose bibbs, hand sinks, urinals, water
27 closets, drinking fountains, and like facilities.]

28 [(15) **Public Spa** means any spa or group of spas, together with all necessary buildings
29 and appurtenances, but does not include:]

30 [(A) A spa serving solely a single dwelling unit; or]

1 [(B) A spa used within a hospital, nursing or care home, or medical practitioner's
2 office when intended solely for therapeutic purposes on the advice of a medical practitioner; or]

3 [(C) A spa located in a public institution and intended for use by athletes on an
4 individual basis.]

5 [(16)**Public Spa Operator** means any individual duly licensed by the Health Officer,
6 who is responsible for the overall operation of a public spa.]

7 [(17)**Spa** means an in-ground or above-ground structure, other than a baptismal font,
8 bathtub, swimming pool or wading pool which:]

9 [(A) Is designed to contain water for the immersion of the human body, and
10 generally for the use of soaking the body, or relaxation or recreation while so immersed;]

11 [(B) Is structurally stable when empty or full of water; and]

12 [(C) Is constructed of wood or formed of fiber glass, concrete, acrylic, or other
13 smooth impervious material.]

14 [(18)**Turbidity** means the cloudy condition of spa water caused by suspended
15 particulate matter which obscures visibility. Turbidity is measured in Jackson Turbidity Units
16 (J.T.U.'s).]

17 [(19)**Turnover** means the period of time required to circulate through the filter system
18 a volume of water equal to the spa capacity.]

19 **Subdivision 2. [Licenses.] Reserved.**

20 **Sec. 5-276. [Public spa license required.] Reserved.**

21 [(a) It shall be unlawful for any person to operate or permit to be operated within the
22 County a public spa unless an application therefor has been approved and a license issued by the
23 Health Department in compliance with this Division.]

24 [(b) Application for a public spa license shall be made upon a form prescribed by the
25 Health Officer, who shall ensure that requisite approvals of other State and County departments
26 have been obtained before issuing such license. Either the owner, lessor, or property
27 management company of the public spa shall be the responsible party and shall sign as the
28 licensee.]

29 [(c) Each application for a public spa license shall be accompanied by a fee to be proposed
30 and recommended by the County Executive and adopted by resolution of the County Council.
31 No part of the adopted fee shall be refundable. Except, however, that no fee shall be required for

1 public spas which are located on the same premises with swimming pools currently licensed by
2 the Health Department in accordance with Division 17 of this Subtitle.]

3 [(d) Public spa licenses issued pursuant to this Subsection shall be issued for a period not to
4 exceed one year, and shall terminate on December 31 of each year.]

5 **Sec. 5-277. [Operator's license required.] Reserved.**

6 [No person shall act as a public spa operator without a valid public swimming pool
7 operator's license issued by the Health Department pursuant to Division 17.]

8 **Sec. 5-278. [Display of licenses.] Reserved.**

9 [Every public spa license required by this Subdivision shall be on public display at all times
10 in every public spa office. All licenses required by this Subdivision shall be available for
11 presentation by the licensee at all times.]

12 **Subdivision 3. [Safety.] Reserved.**

13 **Sec. 5-279. [Licensed operator and first aid certified persons required.] Reserved.**

14 [(a) It shall be unlawful for any person to operate or permit to be operated a public spa
15 unless such spa is under the direct and actual supervision of a spa operator who is licensed
16 pursuant to Section 5-277 of this Division.]

17 [(b) It shall be unlawful for any person to operate or permit to be operated a public spa
18 unless at least one person with a current Advanced First Aid Certificate issued by the American
19 Red Cross or its equivalent and a current Cardio-Pulmonary Resuscitation (C.P.R.) certificate is
20 on the premises at all times during operation.]

21 **Sec. 5-280. [Cleanliness and repairs.] Reserved.**

22 [Public spas shall be maintained in a clean, sanitary and safe manner at all times.
23 Bathhouse supplies such as paper towels and toilet paper shall be available at all times. All
24 structures and equipment at spas shall be maintained in good repair at all times.]

25 **Sec. 5-281. [Operating records.] Reserved.**

26 [(a) A daily operating record shall be maintained for each public spa. Said daily operating
27 record shall include, but is not limited to, the following information: pH; free chlorine or total
28 bromine residual; total dissolved solids; number of bathers; time of recording; pressure
29 differential (if applicable); temperature of spa; and flow rate. All daily operating records shall be
30 made available to the Health Department during each inspection.]

1 [(b) Each public spa shall, for each separate system included in its operation, maintain and
 2 post a data sheet of all operational data. Said data sheet shall include, but is not limited to, the
 3 following information: pool volume; rate of flow; turnover rate; backwashing procedure; and
 4 precoat procedure for diatomaceous earth filters. All valves shall be tagged or otherwise marked
 5 to correspond to the data sheets.]

6 **Sec. 5-282. [Number and health of users.] Reserved.**

7 [(a) At every public spa, a minimum of five (5) square feet of water surface area per person
 8 allowed in the spa enclosure shall be provided. At no time shall there be more users in the public
 9 spa than that maximum capacity for which adequate water surface area has been provided. A
 10 sign shall be posted at each individual spa within the licensed public spa which reads: "maximum
 11 number of persons allowed in this spa/hot tub is with the maximum capacity as determined
 12 above inserted.]

13 [(b) No person shall be permitted in the spa who has an obvious or known infection, cut,
 14 open blister, or abrasion. The following cautionary sign shall be posted at the entrance of each
 15 individual spa within the public spa and shall be enforced by the spa staff:

[CAUTION]

[Pregnant women and persons suffering from heart disease, diabetes, high or low blood pressure should not enter the spa/hot tub without prior medical consultation and permission from their doctor.

Do not use the spa/hot tub while under the influence of alcohol, anticoagulants, antihistamines, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics, or tranquilizers.

Maximum safe water temperature is 104° F.

Do not use unattended.

Unsupervised use by children is prohibited.

Enter and exit slowly.

Observe reasonable time limits to avoid nausea, dizziness and fainting.]

1 **Sec. 5-283. [Required safety equipment and rules.] Reserved.**

2 [(a) Each public spa shall be equipped with an approved first-aid kit which fulfills the
3 minimum requirements of the American Red Cross. In addition, each public spa shall be
4 equipped with the following safety equipment:]

5 [(1) Cot with blankets;]

6 [(2) One whistle per operator; and]

7 [(3) A dust pan and brush for glass removal.]

8 [(b) Each spa shall be equipped with a telephone within the spa enclosure with all
9 emergency numbers listed therein.]

10 [(c) All public spas using gas chlorine for disinfecting pool water shall have available a gas
11 mask currently approved by the United States Bureau of Mines. This mask must not be stored in
12 the gas chlorine room.]

13 [(d) All chemicals kept on public spa premises shall be stored and handled in a safe
14 manner.]

15 [(e) No glass containers shall be allowed within the public spa enclosure.]

16 [(f) No smoking or lighted tobacco products shall be permitted within the spa enclosure.]

17 [(g) No situation considered by the Health Officer to be a safety hazard shall be permitted
18 to exist at any public spa.]

19 **Subdivision 4. [Water Quality.] Reserved.**

20 **Sec. 5-284. [Water supplies.] Reserved.**

21 [All water supplies to a public spa shall meet all applicable regulations of the Health
22 Department, the Washington Suburban Sanitary Commission, and the Secretary of Health and
23 Mental Hygiene of the State of Maryland. Only water treated by those chemicals approved by
24 the Health Department shall be contained in any spa.]

25 **Sec. 5-285. [Chemical standards.] Reserved.**

26 [(a) Where chlorine is used in spa water, a minimum concentration of free residual chlorine
27 based on the pH of the water shall be maintained in all parts of the water according to the
28 following schedule, except where greater concentrations are required elsewhere herein:
29
30
31

pH	MINIMUM FREE CHLORINE RESIDUAL
7.2	2.5 ppm
7.3—7.5	2.6 ppm
7.6—7.8	2.9 ppm
7.9—8.2	3.4 ppm

The pH shall not be less than 7.2 nor shall exceed 8.2.]

[(b) Where chlorinated isocyanurates or cyanuric acid is used in spa water, a minimum concentration of free residual chlorine shall be maintained in all parts of the water based on the pH of the spa in accordance with the following schedule:

CYANURIC ACID	pH	MINIMUM FREE CHLORINE RESIDUAL
25--150 ppm	7.2	3.5 ppm
25--150 ppm	7.3--7.5	3.6 ppm
25--150 ppm	7.6--7.8	3.9 ppm
25--150 ppm	7.9--8.2	4.4 ppm

The cyanuric acid concentration shall not exceed 150 ppm. The pH shall not be less than 7.2 nor shall exceed 8.2. The use of cyanuric acid shall not be allowed in spas utilizing compounded bromine.]

[(c) Where compounded bromine is used in spa water, a minimum concentration of total residual bromine based on the pH of the spa water shall be maintained in all parts of the spa water according to the following schedule:

pH	MINIMUM TOTAL RESIDUAL BROMINE
7.2--7.6	2.0 ppm
7.7--8.2	3.0 ppm

1 The pH shall not be less than 7.2 nor shall exceed 8.2.]

2 [(d) All spas shall be maintained in a manner so as to prevent the total dissolved solids
3 concentration from exceeding a maximum of 1500 ppm.]

4 [(e) All spas shall be maintained in such a manner so as to obtain a balanced Langelier
5 Saturation Index in the water.]

6 [(f) All chemicals added to spa water must be approved by the Health Officer. Each public
7 spa and its operators shall adhere to all guidelines issued by the Health Department regarding the
8 use of a particular chemical.]

9 **Sec. 5-286. [Physical standards.] Reserved.**

10 [(a) When any public spa is in use, the water shall be of sufficient clarity that the main
11 drain can be clearly seen from all sides of the spa when the blower or air induction system is not
12 in operation. Water turbidity shall not exceed 1.0 Jackson Turbidity Units.]

13 [(b) All chemicals added to spa water shall be fed by a mechanical feeder, or in a manner
14 approved by the Health Department. All broken chemical feeders must be repaired within
15 twenty-four (24) hours. Chemicals added during this period shall be added in a manner approved
16 by the Health Department, and required disinfectant residuals must be maintained in accordance
17 with Section 5-258(a)-(c) of this Division.]

18 [(c) Disinfection of the spa water shall be accomplished by the continued addition of
19 recirculated water treated by the addition of a disinfectant and other chemicals. The water
20 treatment equipment shall be capable of controlling and maintaining bacteriological quality,
21 turbidity or clarity, disinfectant content, and pH in accordance with this Code.]

22 [(d) The turnover rate at any public spa shall not exceed 30 minutes.]

23 **Sec. 5-287. [Water testing.] Reserved.**

24 [(a) Every public spa shall be equipped with an approved water-testing kit capable of
25 determining the following factors:]

26 [(1) pH;]

27 [(2) Free chlorine residual using D.P.D. method of determination if chlorine is used in
28 the spa water;]

29 [(3) Cyanuric acid if used in the spa water;]

30 [(4) Total bromine residual using D.P.D. method of determination if bromine is used
31 in the spa water;]

1 [(5) Total dissolved solids;]

2 [(6) Total alkalinity; and]

3 [(7) Calcium hardness.]

4 [(b) The pH readings and either free chlorine or total bromine readings must be taken and
5 recorded a minimum of once every hour when the spa is in operation. A total dissolved solids
6 reading shall be taken and recorded a minimum of once each day. Calcium hardness and total
7 alkalinity shall be taken and recorded once each week.]

8 [(c) The ranges of water test kit readings must be approved by the Health Department,
9 which shall determine whether the kit adequately monitors the water chemistry.]

10 [(d) Disinfectant testing kits shall contain at least four (4) increments between the
11 maximum and minimum disinfectant residuals including the upper and lower limits of the sliding
12 scale as specified in Sections 5-285(a), (b), and (c) of this Division.]

13 [(e) pH testing kits shall contain at least four (4) increments between the range of 7.2 and
14 8.2, including the upper and lower limits of that range.]

15 **Sec. 5-288. [Water temperature.] Reserved.**

16 [The water temperature of any public spa shall not exceed 104 degrees Fahrenheit.]

17 **Subdivision 5. [Construction Design.] Reserved.**

18 **Sec. 5-289. [Construction approval.] Reserved.**

19 [(a) No person shall construct or substantially alter any public spa or appurtenance thereto
20 without prior approval of the Health Department and obtaining the appropriate building permits.]

21 [(b) Copies of plans and specifications for new or substantially altered public spas shall be
22 submitted directly to and approved by the following agencies and Departments: two (2) copies
23 to the Health Department; the appropriate number of copies to the Department of Environmental
24 Resources for the County; one (1) copy to the Washington Suburban Sanitary Commission.
25 Such plans and specifications shall provide sufficient information for the Health Department and
26 Department of Environmental Resources to make a detailed review, in order to issue the
27 appropriate building permit, including, but not limited to:]

28 [(1) Location diagram;]

29 [(2) Site plan;]

30 [(3) Spa layout plan;]

31 [(4) Piping layout plan;]

1 [(5) Filter room layout plan;]

2 [(6) Bathhouse plan;]

3 [(7) Equipment specifications; and]

4 [(8) Structural details of the spa and its supporting system.]

5 [All equipment shall meet design standards of this Division, and the construction shall meet the
6 County Building Code requirements. At the time of submitting plans to the Health Department
7 for new or remodeled public spas, a fee of Two Hundred Dollars (\$200.00) for new spas or a fee
8 of One Hundred Fifty Dollars (\$150.00) for remodeled spas shall be paid. A fee of Twenty-five
9 Dollars (\$25.00) shall be paid for each resubmittal of plans after the first resubmittal. An
10 additional fee of Twenty-five Dollars (\$25.00) shall be paid for each reinspection after the first
11 reinspection required prior to approval to operate. A fee of Twenty-five Dollars (\$25.00) shall
12 be paid for prospective inspections, consultations, and equipment evaluations.]

13 [(c) The Health Department shall review the plans and specifications with regard to public
14 health and safety and may require such modification in the design of the facilities within the
15 scope of these regulations as the protection of the public health and safety may indicate.]

16 [(d) There shall be no deviation from the approved plans and specifications without prior
17 written approval from the Health Department and or the Department of Environmental Resources
18 as the statute requires. If the deviation is substantial, the Health Department may require that
19 revised plans and specifications containing the deviation be submitted. If the deviation is minor,
20 the Health Department may approve the deviation at the written request of the licensee. Any
21 deviation to plans approved by the Department of Environmental Resources must have the
22 written approval of that Department.]

23 [(e) The Health Department and Department of Environmental Resources shall be notified
24 in writing when any construction, alteration, or addition to any public spa or appurtenance has
25 been completed in accordance with approved plans and specifications. The Health Department
26 and Department of Environmental Resources shall then schedule a final construction inspection
27 to determine if the requirements for operating licensure and issuance of a use and occupancy
28 certificate have been met.]

29 **Sec. 5-290. [Site layout.] Reserved.**

30 [(a) Every public spa site shall be laid out so as to minimize the possibility of dust, dirt,
31 leaves, and other debris entering the spa. The site shall be provided with adequate water and

1 waste-water facilities, shall be designed so that drainage from surrounding areas will not
 2 normally enter the spa enclosure, shall be equipped with adequate power facilities which do not
 3 present a hazard to the bathers, and shall be laid out so that emergency vehicles and equipment
 4 have convenient access to the spa enclosure and filter area.]

5 [(b) All outdoor public spa areas shall be enclosed by a wire, wood stave, or other type
 6 barrier designed to minimize the possibility of unauthorized or unwary persons entering the area.
 7 The barrier shall be not less than 72 inches in height above the adjacent ground surface. All
 8 entrances through the barrier shall be provided with lock-equipped gates.]

9 [(c) Sand beaches and other unsodded areas designed for use by bathers shall be separated
 10 from the public spa area by a fence, planting, or other permanent barrier. Provision shall be
 11 made so that bathers returning to the spa from such areas shall be routed through an area
 12 designed to rinse loose foreign matter from the body such as showers, foot sprays, or flow
 13 through foot baths.]

14 [(d) Every public spa shall be equipped with a walk or deck around its entire perimeter.
 15 The area of such walk or deck shall be no less than the area of the water surface of the spa and no
 16 less than four (4) feet in width. All walks and decks shall have a uniform slope of not less than
 17 1/4" per foot and not greater than 1/2" per foot to drains or points at which the water will have a
 18 free, unobstructed flow to points of disposal. No pipes carrying roof, surface or ground water
 19 shall be connected to pipes conveying sewage. Decks shall be constructed of concrete or other
 20 material having a nonslip finish on a firm base which complies with the requirements of the
 21 County Building Code. Synthetic deck surfaces shall comply with the National Sanitation
 22 Foundation Standard #39 "Resilient Artificial Recreational Surfaces." Decks in excess of the
 23 area requirement of this Section, and other areas used for sunbathing and lounging purposes,
 24 shall be protected from overflow or drainage of water from the spa. No condition which allows
 25 standing water to accumulate in or around the spa enclosure will be permitted. Water-resistant or
 26 water-treated wooden decks are permissible provided that there is no space greater than one-
 27 fourth inch (1/4") between planks or in the surface of the deck and no tripping or splintering
 28 hazard or other danger to bathers is created. Wooden decks shall be slip-resistant and maintained
 29 in accordance with all other requirements for synthetic deck surfaces, where applicable. Wooden
 30 decks, where permitted, must be installed above a concrete sun deck or permanent floor which
 31 slopes at a minimum of one-quarter inch (1/4") to the foot to approved points of disposal.]

1 [(e) Joints where spa coping meets concrete deck work shall be watertight and shall not
2 allow water to the ground beneath. Joints between concrete slabs shall be watertight and shall
3 not allow water to the ground beneath.]

4 [(f) Piping from deck drains and waste lines around the public spa shall be sized and sloped
5 to freely carry the maximum expected flows with no surcharge or back-pressure in the pipe lines.
6 These pipes shall not be connected to the backwash drain.]

7 [(g) Hose bibbs shall be provided around the perimeter of the deck so that all parts of the
8 spa deck area may be reached with one hundred (100) feet of hose, and shall be placed so that no
9 tripping hazard or other danger to bathers is created.]

10 [(h) A minimum of one drinking fountain shall be provided at every spa for each 2,500
11 square feet of water surface or fraction thereof. At least one drinking fountain shall meet the
12 handicapped requirement of Subtitle 4 of this Code.]

13 [(i) All accessory equipment such as mats, covers, furniture, and the like must be
14 constructed of waterproof, cleanable, impervious, and nonabsorbent materials which are in
15 accordance with all National Sanitation Foundation (NSF) standards where applicable, and are
16 subject to the approval of the Health Department. Wooden furniture is acceptable provided the
17 wood is treated to be water-resistant and no splintering hazard is created. No accessory
18 equipment which has not been approved by the Health Department will be allowed within the
19 public spa.]

20 **Sec. 5-291. [Water supply.] Reserved.**

21 [(a) The water supply serving every public spa shall meet the requirements established by
22 the Washington Suburban Sanitary Commission, and the Maryland State Department of Health
23 and Mental Hygiene.]

24 [(b) Water to every public spa shall be introduced through an air gap of at least 2 pipe
25 diameters or if the potable water supply is directly connected to the spa filter system then the
26 connection must be equipped with a backflow preventer with an intermediate atmospheric vent.
27 The water supply entering the facility shall be equipped with a double check valve assembly
28 directly downstream from the water meter or pump head. The water distribution system serving
29 all other facilities shall be protected against backflow by means of a suitable air gap, atmospheric
30 type vacuum breaker or other approved backflow preventer. All double check valve assemblies
31 shall be tested annually by a licensed plumber to maintain the backflow preventer in proper

1 operating condition. Water from public or private supply shall be adequate to maintain pressure
2 under all normal usages. If a public water supply system is available on the grounds on which
3 the spa is located, water from the public water supply system shall be used to serve all plumbing
4 facilities.]

5 [(c) Fillspouts, where used, shall be installed with sufficient overhang of the spa rim to
6 ensure that dripping water will fall into the spa, and shall be installed within ten (10) inches of
7 ladders or grab rails. Fillspouts shall be braced.]

8 [(d) Water with concentration of iron in excess of 0.3 ppm or manganese in excess of 0.05
9 ppm shall be treated before entering the spa supply to remove the excessive concentration of
10 these elements.]

11 **Sec. 5-292. [Sewerage.] Reserved.**

12 [(a) The sewerage system for every public spa shall be adequate to serve all facilities
13 including the bathhouse, locker room, and related accommodations in accordance with the
14 requirements of the Washington Suburban Sanitary Commission and all County and State
15 regulations. A public sewerage system shall be used if one is available to the public spa
16 grounds.]

17 [(b) There shall be no direct physical connection between any public spa drains or
18 recirculation system and the sanitary sewerage system. The discharge of water from the public
19 spa drain and the recirculation system shall be arranged to preclude the possibility of the back-up
20 of nonpotable water into the spa or its piping system.]

21 [(c) Water discharged to a sanitary sewerage system from any public spa shall be through a
22 suitable air gap.]

23 [(d) When backwash from diatomaceous earth filters is to be discharged into a watercourse
24 from any public spa, either a retention basin equal to or greater than 2-filter volumes and
25 equipped with standpipe, or approved separation tanks shall be provided to settle out the foreign
26 material.]

27 **Sec. 5-293. [Public spa shell.] Reserved.**

28 [(a) The structural design and materials used in every public spa shall conform with the
29 County Building Code and the WSSC Plumbing and Gas Fitting Regulations.]

1 [(b) Every public spa shall be watertight. All surfaces shall be inert, nontoxic, smooth,
2 durable and easily cleaned. Except for wooden tubs, all public spas shall have light-colored
3 interiors. Wooden hot tubs shall be treated to prevent lining loss.]

4 [(c) Every public spa shall comply with the following dimensional requirements:]

5 [(1) The maximum water depth shall be 4'0" measured from the water line.]

6 [(2) The maximum depth of any seat shall be 2'0" measured from the water line.]

7 [(3) The slope of the floor shall not exceed 1'0" vertical fall in 12'0" of horizontal
8 distance.]

9 [(d) Any roof or canopy over any public spa shall be constructed to prevent moisture or
10 condensation from the roof or canopy from draining into the public spa or into any sanitary
11 drains. Any roof or canopy shall be designed to meet the requirements of the County Building
12 Code.]

13 [(e) Every public spa shall be equipped with a handhold around its entire perimeter. Every
14 wooden hot tub shall be equipped with edge guards.]

15 [(f) The Department of Environmental Resources shall review plans and specifications and
16 inspect all public spas for structural adequacy.]

17 **Sec. 5-294. [Appurtenant equipment.] Reserved.**

18 [(a) Every public spa shall be equipped with a minimum of one ladder for each 75'0" or
19 fraction thereof of spa perimeter. Ladder treads shall be self-draining, at least 3-inches in width
20 over the stepping surface, and constructed to reduce the probability of slipping. Each ladder
21 shall be equipped with handrails on each side which extend above and return to the horizontal
22 surface of the public spa deck, curb, or coping.]

23 [(b) Stairs may be provided in place of ladders. A handrail shall be provided on each
24 stairway. Stair treads shall be constructed of nonslip material and shall be self-draining.]

25 [(c) Escutcheon plates shall cover all anchor bolts, and shall be sealed in place with an
26 approved waterproof sealant.]

27 [(d) Every indoor public spa, and all outdoor public spas which are to be used at night or
28 when daylight is insufficient, shall be equipped with artificial lighting.]

29 [(1) Lighting fixtures shall be of a sufficient number and adequate design as to
30 illuminate the entire spa area, allow the floor of the spa to be seen at all times while in use, and
31 to permit operators to clearly see every part of the spa area without being blinded by glare.]

1 [(2) Fixtures shall be installed so as to create no hazard of burning, electric shock, or
2 mechanical injury.]

3 [(3) If underwater lighting is used, the illumination will be deemed sufficient if the
4 underwater lights provide at least 3/4 watt (or equivalent low voltage installation) per square foot
5 of water surface.]

6 [(4) Skylights must be protected from falling objects, and a false skylight shall be
7 placed below the one exposed to the weather to minimize condensation in the spa room.]

8 [(5) Lighting fixtures shall not be installed directly above any public spa.]

9 [(6) Exit lights shall be provided according to the National Fire Protection Association
10 Code.]

11 [(e) Every public spa shall contain markings to indicate water depth. Depth markers shall
12 be located on the edge of the deck or walk adjacent to the spa and spaced at intervals of not more
13 than 25-feet. Depth markers shall be in numerals of 4-inches minimum height and of a color
14 contrasting with the background. There shall be no less than two (2) depth markings on opposite
15 sides of every spa regardless of size or shape.]

16 **Sec. 5-295. [Fittings.] Reserved.**

17 [(a) Inlets, adjustable for flow regulations shall be located at least 12 inches below the
18 normal water level in every public spa and shall be placed so as to produce a uniform quality of
19 water throughout the entire spa.]

20 [(b) Antivortex main-drain outlets shall be provided in the deepest part of every public spa
21 to drain the spa and to return at least 30% of the design rate of flow to the filtration system.
22 Outlet-drain gratings shall have a total area of at least four times the area of the discharge pipe
23 and shall be designed so as not to be readily removed by or create any hazard to bathers.]

24 [(c) Overflow facilities shall be provided in every public spa to remove floating material
25 from the surface of the water and return water to the filtration system. The return to filter-piping
26 shall be designed to accommodate at least 80% of the design rate-of-flow when side-wall inlets
27 are utilized and at least 100% of the design rate-of-flow when bottom inlets are utilized.
28 Satisfactory compliance may be obtained by but is not limited to either of the following
29 methods:]

30 [(1) Over-flow gutters shall be located near the top of the spa and shall be designed so
31 that the over-flow channel is accessible for cleaning and presents no hazard of entrapment or

injury to bathers. The lip of the over-flow gutter shall be level throughout the periphery of the public spa and may be designed to serve as a handhold for bathers. The gutter bottom shall slope toward outlets spaced no more than 15'0" on centers at a slope not less than 1/8 inch per foot. The outlet-drains shall be not less than 2 inches in diameter and the total office area of the grating shall be at least 1 1/2 times the cross-section area of the outlet pipe. Connection to the suction side of the recirculation pump shall be through a surge tank.]

[(2) Floating weir-type surface skimmers shall conform to the most recent edition of "Minimum Standards for Public Spas" published by the National Spa and Pool Institute and National Sanitation Foundation (NSF) Standard 50.]

Sec. 5-296. [Piping system.] Reserved.

[(a) The piping system of every public spa shall be designed to perform the following functions:]

[(1) Circulate spa water through the treatment equipment and return it to the spa;]

[(2) Wash the filters where necessary;]

[(3) Discharge filtered water to waste where necessary;]

[(4) Drain the entire system;]

[(5) Disinfect the recirculated water;]

[(6) Add other necessary chemicals; and]

[(7) Heat the spa water where heating units are provided.]

[(b) The determination of size of pipe, fittings, and valves shall be based on the quantity of water to be carried and the available total dynamic head. In no case shall the rate of friction losses in the piping on the suction side of the pump exceed 6 feet per 100 feet of pipe based on the Hazen-Williams formula. The velocity of water in the pipe shall not exceed 6 feet per second on the suction side of the pump nor 10 feet per second on the discharge side of the pump except for copper pipe where the discharge velocity for piping shall not exceed 8 feet per second.]

[(c) All piping shall be supported by piers, hangers, or other means designed to prevent settlement which could result in ruptures, dirt traps, air traps, or other problems which may prevent drainage of the pipe. Flexible pipe shall be supported or encased along its entire length.]

[(d) All pipes shall be capable of being drained or otherwise protected from damage by freezing.]

1 [(e) The piping system in the filter room shall be labeled by color coding, permanently
2 tagged valves, or other approved means.]

3 [(f) Plastic pipes shall conform to the requirements of NSF Standard 14.]

4 **Sec. 5-297. [Hair and lint catchers.] Reserved.**

5 [(a) At all installations where it is possible for public spa water to pass through pumps
6 before it passes through filters, a hair and lint catcher fabricated of or coated with corrosion
7 resistant material shall be provided to prevent hair, lint, and other debris from reaching the
8 pumps. The hair and lint catcher shall consist of a pot-type strainer basket placed in the pump
9 suction line.]

10 [(b) Hair and lint catchers shall be designed to be easily removed for cleaning. Valves shall
11 be provided to prevent water from the pipes overflowing through the basket access opening
12 while the hair and lint catcher is being cleaned.]

13 **Sec. 5-298. [Recirculation pumps.] Reserved.**

14 [(a) The pumping equipment of every public spa shall be capable of recirculating water at
15 the required recirculation rate, at or near maximum efficiency against the maximum total
16 dynamic head developed immediately prior to washing the filters. When the recirculation pump
17 is used to supply backwash water to the filters, it shall be able to supply water to backwash the
18 filters at the design backwash flow rate.]

19 [(b) Pump performance s-curves, prepared and certified by the pump manufacturer, shall
20 accompany every set of plans submitted to the Health Department.]

21 [(c) Self-priming pumps shall be provided when the elevation of the pumps is higher than
22 the normal water level in the public spa.]

23 [(d) Pumps shall conform to the requirements of NSF Standard 50.]

24 **Sec. 5-299. [Filtration.] Reserved.**

25 [(a) The recirculation system of every public spa shall be equipped with a filter or filters
26 through which water passes but in which suspended matter is retained. All filters shall be
27 equipped with manual air bleeding devices.]

28 [(b) Cartridge filters shall be supplied with a spare set of cartridges and a soaking vat able
29 to hold all cartridges.]

30 [(c) Filters and multiport valves shall conform to the requirements of NSF Standard 50.]

31 **Sec. 5-300. [Automatic chemical feed.] Reserved.**

1 [(a) Every public spa shall be equipped with suitable equipment able to feed disinfectants,
2 coagulants, chemicals for pH adjustment, and other required chemicals into the recirculated
3 water.]

4 [(b) Equipment for supplying disinfectants shall be of sufficient capacity to feed at the rate
5 of 10 parts per million of available chlorine or bromine to the design flow rate. The feed rate
6 shall be adjustable through its entire range and the lower increment on the scale shall not be
7 greater than 10% of the highest increment.]

8 [(c) Mechanical and erosion chemical feeders shall conform to the requirements of NSF
9 Standard 50.]

10 [(d) Where chlorine gas feeding equipment is used, the following conditions shall apply:]

11 [(1) The gas and gas-feeding equipment shall be located at or above ground level in an
12 enclosure with a lock-equipped outside door and shall be separated from the all other building
13 uses by a gas-tight, corrosion resistant partition.]

14 [(2) At least one side of the enclosure shall be a wall adjacent to the atmosphere in
15 which an exhaust fan capable of producing one air-change per minute and located so as to create
16 the least amount of hazard during an emergency, has been installed at floor level. Switches for
17 exhaust fans shall be located outside the enclosure.]

18 [(3) Means for introducing fresh air supply to the enclosure through appropriate
19 openings located near the ceiling shall be provided.]

20 [(4) The enclosure shall be equipped with platform scales or other approved means for
21 measuring the quantity of chlorine remaining in the cylinders and with facilities for fastening the
22 chlorine cylinders in place during storage or use.]

23 [(5) The gas-feeding equipment shall be a solution feed-type capable of delivering
24 chlorine at its maximum rate without releasing chlorine gas to the atmosphere.]

25 [(6) The water supply for the gas-feeding equipment shall produce the flow rate and
26 pressure required by the manufacturer's specifications for proper operation of the equipment.
27 Where other than spa recirculated water is used, the supply line shall be equipped with an
28 electric shut-off valve wired to the recirculation pump and shall be equipped with a suitable
29 backflow preventer. Failure of the recirculation pump shall automatically shut off the release of
30 chlorine from the cylinder.]

31 [(7) A bottle of ammonia water shall be kept outside the enclosure.]

1 [(e) Adequate facilities for chemical storage shall be provided at all installations. Chemical
2 storage facilities shall be kept locked when not in actual use by the operator.]

3 [(f) Body feed equipment for feeding diatomaceous earth to the filter influent shall have the
4 capacity to operate at a reasonable constant rate within a calibrated range of from 2 to 10 ppm
5 and at a maximum feed rate of 10 ppm based on the design filter rate for a period of twenty-four
6 (24) hours without refilling.]

7 [(g) At sand or anthracite filter installations, means for adding coagulant shall be provided.
8 At every public spa where any chemical solutions or make-up water routinely added to the spa
9 has a pH below 7.0, positive displacement type chemical feeders meeting the requirements of
10 Section 5-300(c) shall be installed to add chemicals for pH adjustment.]

11 [(h) When positive displacement type chemical feeders are used at any public spa, they
12 shall meet the following requirements:]

13 [(1) Be of sufficient capacity to feed the required amount of chemical solution per day
14 against the maximum back-pressure developed at the point of injection;]

15 [(2) Contain positive features to prevent siphoning of the chemical solution into the
16 recirculation system from the solution container; and]

17 [(3) Be equipped with means for presetting and varying the rate of flow through the
18 machine.]

19 [All positive displacement type chemical feeder installations shall include a solution
20 container and lid for each feeder head of at least 20 gallons capacity and constructed of plastic,
21 earthenware, or other corrosion resistant material.]

22 [(i) Where a single chemical feeder has more than one point of injection, each solution feed
23 line shall be equipped with a control valve of noncorrodible construction.]

24 [(j) Chemical solution discharge lines shall be encased in PVC pipe.]

25 **Sec. 5-301. [Control equipment.] Reserved.**

26 [(a) Every public spa shall be equipped with rate-of-flow meters or indicating automatic
27 flow controllers on all recirculation systems installed in such locations that there are no
28 impediments to flow upstream or downstream from the indicators for distances according to the
29 manufacturers' directions and which perform the following functions:]

30 [(1) Determine the quantity of water passing to each spa on the system; and]

1 [(2) Determine the quantity of water passing through sand and anthracite filters during
2 backwash cycles.]

3 [Rate-of-flow meters shall be accurate within 10% of true flow, shall read directly in
4 gallons per minute and shall be capable of measuring flow of at least 1.25 times the design flow
5 rate. All flow meters shall contain graduations permanently stamped on the face of the flow
6 meter.]

7 [(b) Pressure, vacuum, or compound gauges shall be installed on each filter plant to indicate
8 the condition of the filters. Backwash indicators will not fulfill this requirement. Influent and
9 effluent pressure gauges shall be required on all pressure filter systems.]

10 [(c) Vacuum gauges shall be installed on the influent side of hair strainers serving pumps of
11 pressure filter systems.]

12 [(d) Sight glasses shall be provided on all backwash and precoat recirculation lines where
13 these lines do not discharge to an easily visible open receptacle in the filter room. Sight glasses
14 shall be designed on the flow-through principle or have an air bleeder and shall be easily
15 cleanable.]

16 [(e) Rate-of-flow meters, gauges, and sight glasses shall be located where they can be
17 easily read or observed.]

18 [(f) Pumps located on the discharge side of open filters shall be equipped with automatic
19 shutoffs to prevent any equipment damage due to excessive vacuum.]

20 [(g) Control valves to prevent tank flooding shall be installed at all installations where
21 public spa water is returned to an open tank located below normal water level of the spa.]

22 **Sec. 5-302. [Equipment areas.] Reserved.**

23 [(a) At every public spa, all equipment shall be sheltered from precipitation.]

24 [(b) Equipment areas or rooms shall meet the following requirements: (1) be finished in a
25 light color; (2) have sufficient light to supply a minimum of ten (10) foot candles measured at a
26 level thirty (30) inches above the floor surface; (3) be provided with mechanical exhaust
27 ventilation sized at a minimum of two (2) cubic feet per minute (cfm) per square foot of floor
28 area and exhausting directly to the outdoors; (4) be provided with drainage facilities; and (5)
29 contain enough area for cleaning, maintaining, and operating the equipment. A hose bibb must
30 be included. Floors of equipment areas shall be finished in concrete or other impervious material

1 and sloped to drain to approved points of disposal to prevent accumulation of water. The area
2 over the filters must be sufficient to allow easy access to the filter media.]

3 [(c) Equipment areas shall be easily accessible to the public spa operator but shall not be
4 accessible to spa users. Satisfactory compliance with this requirement may be obtained by
5 providing an equipment room with a lock-equipped door.]

6 [(d) Permanent means of access shall be provided to all equipment areas. Satisfactory
7 compliance with this requirement may be obtained by providing an access stairway or ramp to
8 the equipment area.]

9 **Sec. 5-303. [Water heaters.] Reserved.**

10 [(a) The water heaters of every public spa shall meet the requirements of the W.S.S.C.
11 Standard 21.56 of the American National Standards Institute, or of any other applicable
12 standards accepted by the Health Department. Gas heaters shall be design-certified by the
13 American Gas Association (AGA) and shall display a rating data plate and AGA seal. Electric
14 heaters shall display the seal of the Underwriters Laboratories (UL).]

15 [(b) Water heaters shall be designed to heat all or part of the recirculated water, and shall be
16 equipped with thermometers mounted so as to allow temperatures of water introduced to and
17 returning from the public spa to be easily read. Gas and oil fired water heaters shall be equipped
18 with a bypass valve.]

19 [(c) An automatic temperature limiting device which will prevent the introduction of water
20 in excess of 104 degrees Fahrenheit to the public spa shall be provided at all installations where
21 spa water is heated.]

22 **Sec. 5-304. [Electrical system.] Reserved.**

23 [All electrical installations for every public spa shall conform to the National Electrical
24 Code of the National Fire Protection Association, and to all other applicable electrical
25 regulations.]

26 **Sec. 5-305. [Air induction system.] Reserved.**

27 [(a) Any air induction system, when provided at any public spa, shall totally prevent water
28 back-up which may create electrical shock hazards.]

29 [(b) All air intake sources shall be designed and/or positioned to eliminate contamination of
30 the public spa from deck water, dirt, or other sources.]

1 [(c) Integral air passages shall be designed and tested at time of manufacture to provide
2 structural integrity for a value of 1.5 times the indicated working pressure.]

3 [(d) Air power units for integral air passages shall be equipped with a pressure gauge and
4 an automatic shut-off switch which shall be activated when the pressure in the system exceeds
5 1.25 times the indicated working pressure of the integral air passages.]

6 **Sec. 5-306. [Bathhouses.] Reserved.**

7 [(a) Every public spa, except those on the premises of motels, hotels, or other transient
8 residences used exclusively by owners, employees or guests of such establishments, shall include
9 an adjacent bathhouse with separate facilities for each sex, equipped with showers, toilets, hand
10 sinks, dressing rooms, first-aid room, and office.]

11 [(b) Showers, toilets, and lavatory facilities shall comply with the following requirements:]

12 [(1) The proportions of facilities to users shall be as follows:]

13 [(A) One shower for each 80 persons at times of maximum load;]

14 [(B) One water closet for each 80 persons or one water closet and one urinal for
15 each 120 persons at times of maximum load;]

16 [(C) One lavatory for each 120 persons at times of maximum load.]

17 [A minimum of one lavatory facility, two water closets or one urinal and one water
18 closet, and two shower heads shall be provided for each sex. These shall comply with the
19 handicapped requirements of Subtitle 4 of this Code.]

20 [(2) Hot and cold running water shall be provided at all hand sinks. A mixing valve or
21 combination faucet is required. Only temperate water shall be provided at shower heads. The
22 water heater and thermostatic mixing valve (Watts N170L or equivalent) shall be inaccessible to
23 bathers and capable of providing water of a temperature of at least 90 degrees Fahrenheit at a
24 rate of at least two (2) gallons per minute to each shower head. Each shower head shall be
25 equipped with a nonglass soap dispensing device.]

26 [(3) Toilet paper holders shall be provided at each water closet.]

27 [(c) Bathhouse floors in every public spa shall be continuous throughout the area, shall be
28 relatively smooth but with a slight texture to minimize slipping, and shall ensure complete
29 drainage. The floors shall be sloped not less than 1/4 inch per foot toward the place of drainage.]

30 [(d) Bathhouse walls in every public spa shall be washable, and of an impervious durable
31 material not subject to water damage. All partitions between dressing room booths shall be of

1 durable materials not subject to water damage, and shall be designed to provide a water way
2 between partitions and floor to permit thorough cleaning of floors and to increase air circulation.]

3 [(e) Every bathhouse shall provide lockers, wire baskets, hangers, hooks or other sanitary
4 means of storing clothing and personal accessories of users.]

5 [(f) The bathhouse of every public spa which is to be used at night and every bathhouse
6 which provides insufficient natural light shall be artificially illuminated to an intensity of not less
7 than ten (10) foot candles measured at a level thirty (30) inches above the floor surface.]

8 [(g) Every bathhouse shall be provided with mechanical ventilation to reduce condensation,
9 capable of moving two (2) cubic feet of air per minute (cfm) per square foot of floor area and
10 exhausting directly to the outdoors. All vents must be screened. All screens must be insect-
11 proof, that is, a minimum of sixteen (16) mesh to the square inch.]

12 [(h) In every bathhouse where bathing suits, towels, or other linens are to be dispensed
13 within the premises, separate facilities shall be provided so that clean materials are not stored on
14 shelves, handled in baskets, or passed over counters which are used for storing, handling, or
15 receiving dirty or used materials.]

16 [(i) Every bathhouse shall be equipped with hose bibbs so that dressing rooms, showers
17 and toilet areas can be cleaned.]

18 [(j) Every bathhouse shall be designed so that bathers pass by showers before entering the
19 public spa.]

20 [(k) Every bathhouse shall contain a separate interior area, accessible to the public spa, for
21 first-aid treatment and operator's use.]

22 **Sec. 5-307. [Builder's instructions to operators.] Reserved.**

23 [When the construction or substantial alteration of any public spa is completed, the builder
24 shall provide the owner and operators of the spa with complete oral and written instructions on
25 the spa's operation, equipment, means of testing and ensuring quality control of the water. The
26 written operating instructions shall be prepared in a waterproof manner.]

27 **Subdivision 6. [Enforcement.] Reserved.**

28 **Sec. 5-308. [Inspections.] Reserved.**

29 [(a) The Health Officer or authorized representative shall periodically, but no less than four
30 times per year, conduct inspections of all licensed public spas for compliance with this Division.]

31 [(b) The Health Officer or authorized representative shall conduct a preopening inspection

1 of every seasonal public spa to determine compliance with this Division prior to issuing an
 2 annual operating license pursuant to Section 5-276 of this Division. A fee of Seventy-five
 3 Dollars (\$75.00) shall be paid for each preopening reinspection.]

4 [(c) The Health Officer or authorized representative shall periodically collect water samples
 5 from all licensed public spas and conduct tests to determine the concentration of Escherichia coli
 6 and Pseudomonas aeruginosa. Any evidence of E. Coli and/or P. aeruginosa in any water
 7 samples shall be deemed a violation of this Division.]

8 **Sec. 5-309. [Temporary suspension of license.] Reserved.**

9 [(a) Any public spa license issued pursuant to this Division shall, at the time of any
 10 inspection by the Health Department, be subject to temporary suspension for any of the
 11 following reasons:]

12 [(1) Excess turbidity;]

13 [(2) Improper chlorination;]

14 [(3) Improper bromination;]

15 [(4) Insufficient supervision;]

16 [(5) Improper water pH;]

17 [(6) Excess cyanuric acid;]

18 [(7) Excess total dissolved solids;]

19 [(8) Excessive temperature;]

20 [(9) Structural instability; or]

21 [(10) If there are reasonable grounds to believe that a health or safety hazard exists.]

22 [(b) Upon correction of the violation, the public spa may reopen without prior approval of
 23 the Health Department, provided that the spa licensee notifies the Health Department of the
 24 correction within one working day. Upon notification, the Health Department shall schedule a
 25 reinspection of the facility.]

26 [(c) If, upon reinspection, the Health Officer determines that the initial violation has not
 27 been corrected, the public spa shall be closed pursuant to the temporary suspension. The public
 28 spa shall not reopen until written authorization is obtained from, and a fee of Seventy-five
 29 Dollars (\$75.00) is paid to, the Health Department.]

30 [(d) Where more than one spa exists under a single public spa license, individual spas can
 31 be closed by the Health Department in accordance with Section 5-309(a)-(c) of this Division.]

1 **Sec. 5-310. [Revocation of license.] Reserved.**

2 [(a) If the Health Officer finds that there has been serious or repeated violations of this
3 Division, or that the Health Officer's enforcement of this Division has been impeded, the Health
4 Officer may enter an order for immediate revocation of any license required by this Division.]

5 [(b) If the Health Officer has reason to believe that a public spa operator's license was
6 obtained by fraudulent means, or that the license is used by any person other than the person in
7 whose name the license was issued, the Health Officer may enter an order for revocation of the
8 operator's license.]

9 [(c) If any order for license revocation is issued by the Health Officer pursuant to
10 Subsections (a) or (b), above, a copy of the order shall be presented to the licensee and shall set
11 forth the reasons for said revocation. The licensee shall be afforded an opportunity to be heard
12 by the Health Officer or his designee within fourteen (14) days after said revocation. No person
13 shall operate a public spa when subject to an order of revocation.]

14 **Sec. 5-311. [Regulations.] Reserved.**

15 [The Health Officer may recommend to the County Council any regulations deemed
16 necessary to ensure orderly administration of this Division. Any regulations so propounded shall
17 be of no effect until adopted and approved by the County Council.]

18 **Sec. 5-312. [Variances.] Reserved.**

19 [The purpose and intent of this Division is to protect and promote the public health and
20 safety of users of public spas in Prince George's County. Variances from provisions of this
21 Division may therefore be approved when the Health Officer determines that such variances
22 meet the intent of this Division. If any such variance is permitted, the licensee shall strictly
23 comply with any alternative or additional restrictions, limitations, or conditions imposed by the
24 Health Officer.]

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 26th day of March, 2002.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Acting Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.