

The Swimming Pool Regulations, 1999

being

Chapter P-37.1 Reg 7 (effective April 1, 1999) as amended by
Saskatchewan Regulations [83/2006](#) and [47/2012](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER P-37.1 REG 7
The Public Health Act, 1994

PART I
Title, Interpretation and Application

Title

1 These regulations may be cited as *The Swimming Pool Regulations, 1999*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Public Health Act, 1994*;
- (a.1) **“aquatic exercise instructor”** means a person who:
 - (i) possesses the qualifications of an aquatic exercise instructor that are set out in the swimming pool safety plan for the swimming pool; and
 - (ii) is familiar with the swimming pool safety plan for the swimming pool;
- (b) **“designated mineral spa”** means a swimming pool:
 - (i) in which the water contains a total dissolved solid level of 80,000 parts per million or greater; and
 - (ii) that has been designated by the minister as being a designated mineral spa;
- (b.1) **“itinerant use accommodation”** means an itinerant use accommodation as defined in *The Public Accommodation Regulations*;
- (c) **“licence”** means a licence to operate a swimming pool issued pursuant to section 6 that has not been suspended or cancelled;
- (c.1) **“licensee”** means a person that holds a licence;
- (d) **“lifeguard”** means a person who:
 - (i) possesses the qualifications of a lifeguard that are set out in the swimming pool safety plan for the swimming pool;
 - (ii) is familiar with the swimming pool safety plan for the swimming pool;
 - (iii) is responsible for ensuring that the swimming pool is operated in a manner that does not endanger the safety of swimmers; and
 - (iv) is responsible for supervising swimmer safety and is performing no duty other than swimming pool surveillance;

- (e) **“paddling pool”** means a swimming pool of which no portion is more than 610 millimetres in depth;
 - (f) **“supervisor”** means a person who:
 - (i) is at least 16 years of age;
 - (ii) possesses the qualifications of a supervisor that are set out in the swimming pool safety plan for the swimming pool;
 - (iii) is familiar with the swimming pool safety plan for the swimming pool; and
 - (iv) is responsible for supervising swimmer safety;
 - (g) **“swimmer”** means a person who enters a swimming area for the purpose of swimming, diving, bathing or otherwise using the water for recreation;
 - (h) **“swimming pool”** means an artificially created basin, lined with concrete, fibreglass, vinyl or similar material, intended to contain water for the use of persons for swimming, diving, wading or other similar activity, and includes a wave pool;
 - (i) **“water slide facility”** means a swimming pool consisting of recreational water slide flumes and associated receiving pools;
 - (j) **“whirlpool”** means a swimming pool that is designed primarily for therapeutic or recreational use and that:
 - (i) is not drained, cleaned or refilled before being used; and
 - (ii) utilizes hydrojet circulation, hot water or air induction bubbles.
- (2) In these regulations, a reference to a local authority is a reference to the local authority that has jurisdiction in the area in which the swimming pool is located or is to be located.
- (3) The local authority is responsible for the enforcement of these regulations in its jurisdictional area.

16 Apr 99 cP-37.1 Reg 7 s2; 6 Jly 2012 SR 47/
2012 s3.

Application

- 3** These regulations do not apply to a swimming pool that is:
- (a) intended for the use of the occupants of not more than two dwelling units or their guests;
 - (a.1) intended for the use of the occupants of condominium, regardless of the number of dwelling units, or their guests;

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(b) located in a facility that provides health services and is operated or funded by a district health board, an affiliate as defined in *The Regional Health Services Act* or any person exempted from the application of these regulations by the minister; or

(c) lined with impervious material, does not have installed recirculation piping and is located in one of the following quarter sections on the day these regulations come into force:

- (i) NW 24-24-28 W2nd (Craik and District Regional Park);
- (ii) SE 10-18-21 W2nd (Sherwood Forest Country Club);
- (iii) NW 12-6-20 W2nd (Ceylon Regional Park);
- (iv) NW 8-35-20 W2nd (Leroy Leisure Land Regional Park);
- (v) NW 9-14-31 W1st (Fieldstone Regional Park);
- (vi) SW 5-41-12 W3rd (Glenburn Regional Park).

16 Apr 99 cP-37.1 Reg 7 s3; 15 Sep 2006 SR 83/
2006 s3; 6 Jly 2012 SR 47/2012 s4.

PART II Licences

Licence required

4 No person shall operate a swimming pool without a licence.

16 Apr 99 cP-37.1 Reg 7 s4.

Application for licence

5 Every person who wishes to obtain or renew a licence shall:

- (a) submit an application to the local authority together with any application fee;
- (b) submit a copy of the swimming pool safety plan prepared in accordance with section 25.1 to the local authority; and
- (c) provide any information or material relevant to the application that the local authority may request.

16 Apr 99 cP-37.1 Reg 7 s5; 6 Jly 2012 SR 47/
2012 s5.

Issuance of licence

6(1) A local authority, after receiving and reviewing an application and any other information or material requested by it or considered relevant, shall:

- (a) issue or renew a licence; or
 - (b) refuse to issue or renew a licence if, in the opinion of the local authority:
 - (i) the applicant has submitted an incomplete application or an application that contains false or misleading information;
 - (ii) the swimming pool is being operated in a manner contrary to the regulations;
 - (iii) the applicant has demonstrated an inability to operate the swimming pool in a manner that is in compliance with the regulations;
 - (iv) the swimming pool is being operated in a manner that may create a health hazard or may endanger the safety of swimmers; or
 - (v) it is considered in the public interest to do so.
- (2)** A local authority may attach any terms and conditions to a licence that it considers appropriate, including any terms and conditions relating to:
- (a) the walkways;
 - (b) the dressing rooms; and
 - (c) all facilities, furnishings and equipment.

16 Apr 99 cP-37.1 Reg 7 s6; 6 Jly 2012 SR 47/
2012 s6.

Term of licence

7 Subject to section 9, a licence is valid for a period of two years from the date of issue or any lesser period set out on the licence.

6 Jly 2012 SR 47/2012 s7.

Licence to be displayed

8 Every licensee shall cause the licence to be displayed in a prominent place near the swimming pool for which it is issued.

16 Apr 99 cP-37.1 Reg 7 s8.

Amendment, suspension or cancellation of licence

9(1) A local authority may amend, suspend or cancel a licence where, in its opinion:

- (a) a licensee has contravened these regulations or a term or condition attached to the licence; or
 - (b) a swimming pool is being operated in a manner that may create a health hazard or may endanger the safety of swimmers.
- (2)** A licence that is suspended pursuant to this section is, for the period of the suspension, deemed not to have been issued.

16 Apr 99 cP-37.1 Reg 7 s9.

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Licence holder's compliance

10 No licensee shall fail to comply with these regulations or with any term or condition attached to the licence.

16 Apr 99 cP-37.1 Reg 7 s10.

Licence non-transferable

11 A licence is not transferable.

16 Apr 99 cP-37.1 Reg 7 s11.

**PART III
Obligations****Approval required**

12 No person shall establish, construct, extend, renovate or alter a swimming pool, walkways or dressing rooms without the prior written approval of the local authority.

16 Apr 99 cP-37.1 Reg 7 s12.

Notice required to reopen

13 Where a swimming pool has not been open for 30 or more consecutive days, the licensee shall notify the local authority, at least 14 days before the day on which the swimming pool will reopen, of his or her intention to operate the swimming pool.

16 Apr 99 cP-37.1 Reg 7 s13.

Employee requirements

14 Unless exempted by the local authority, every licensee shall ensure that a person who has successfully completed a Pool Operator's Training Course approved by the local authority is employed at the swimming pool.

16 Apr 99 cP-37.1 Reg 7 s14.

Water clarity

15(1) Every licensee shall ensure that the water in a swimming pool, other than a designated mineral spa, that is in use has a level of clarity that enables:

(a) the pattern of the pool drain to be clearly seen by a person standing on the edge of the swimming pool at the deepest part of the pool; or

(b) a black disc that is 150 millimetres in diameter and on a white background to be clearly seen, when placed in the deepest part of the swimming pool, from a distance of nine metres or by a person standing on the edge of the pool, whichever is the lesser.

(2) Testing for water clarity at a water slide facility, whirlpool or wave pool must take place when water turbulence does not interfere with the test.

16 Apr 99 cP-37.1 Reg 7 s15.

Water quality

16(1) Every licensee shall ensure that the water in a swimming pool, other than a designated mineral spa, has:

- (a) a disinfection residual, at all times in which it is in use, of a minimum of 2.0 milligrams per litre of free chlorine or a minimum of 3.0 milligrams per litre of free chlorine in the case of a whirlpool;
 - (b) a disinfection residual, at all times in which it is in use, of a minimum of 3.0 milligrams per litre of total bromine or a minimum of 4.0 milligrams per litre total bromine in the case of a whirlpool; or
 - (c) an oxidation reduction potential of at least 650 millivolts and a minimum residual at all times of 0.6 milligrams per litre of free chlorine or 1.0 milligrams per litre of total bromine.
- (2) Every licensee shall ensure that the water in a swimming pool, other than a designated mineral spa:
- (a) has a pH level of 7.2 to 7.8 at all times;
 - (b) has zero total coliform organisms in 100 millilitres of swimming pool water as determined by a laboratory approved by the minister; and
 - (c) meets any other tests that the local authority considers necessary.
- (3) In the case of a designated mineral spa, every licensee shall ensure that the designated mineral spa:
- (a) has a pH level that is acceptable to the local authority; and
 - (b) meets any other tests that the local authority considers necessary.
- (4) Every licensee shall submit, at least once every month, samples of swimming pool water for bacteriological analysis to a laboratory approved by the minister.
- (5) A local authority may require the licensee to submit samples of swimming pool water for bacteriological analysis at more frequent intervals than subsection (4) requires if:
- (a) the results of an analysis indicate that the swimming pool water is, or has the potential to become, a health hazard; or
 - (b) for any other reason, the local authority determines that more frequent analysis is appropriate to monitor the safety of the swimming pool water.
- (6) A local authority may require a licensee to submit samples for analysis other than bacteriological analysis if the local authority suspects that the swimming pool water may be contaminated in a manner that would not be identified in a bacteriological analysis required by subsection (4) or (5).

Records to be kept

17(1) Every licensee shall, on each day that the swimming pool is operated, complete records:

- (a) required to be kept according to the licence; and
- (b) respecting the pH and:
 - (i) the disinfectant residual if the licensee has chosen to comply with clause 16(1)(a) or (b); or
 - (ii) the disinfectant residual and the oxidation reduction potential if the licensee has chosen to comply with clause 16(1)(c).

(2) Every licensee shall maintain the required records for one year and shall allow the local authority to inspect those records.

16 Apr 99 cP-37.1 Reg 7 s17; 6 Jly 2012 SR 47/2012 s9.

Swimming pool etc. to be in good repair

18 Every licensee shall maintain the following in good repair and in a sanitary condition:

- (a) the swimming pool;
- (b) the walkways;
- (c) the dressing rooms;
- (d) all facilities, furnishings and equipment.

16 Apr 99 cP-37.1 Reg 7 s18.

Recirculation system and chemical feeders

19 Every licensee shall ensure that any recirculation system and chemical feeders are operated continuously, regardless of the duration of actual use of the swimming pool each day except:

- (a) for stoppage for maintenance, repairs or backwashing of filters; or
- (b) during swimming competitions, if a local authority has given approval to shut down the recirculation system or chemical feeders.

6 Jly 2012 SR 47/2012 s10.

Signs

20 Every licensee shall post a sign, in the office and at the deck area of the swimming pool at locations where the sign may be easily read by any user of the swimming pool, indicating appropriate emergency and facility procedures, swimmer load and emergency telephone numbers.

16 Apr 99 cP-37.1 Reg 7 s20.

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21 Every licensee shall provide:

- (a) a readily available first-aid kit; and
- (b) space for the administration of first aid.

6 Jly 2012 SR 47/2012 s11.

Telephone

22 Every licensee shall provide a telephone for use in the event of an emergency at the swimming pool.

16 Apr 99 cP-37.1 Reg 7 s22.

Testing equipment

23 Every licensee shall provide and use properly maintained testing equipment that the local authority considers appropriate to determine disinfectant residuals, pH, levels of alkalinity, hardness and cyanuric acid if used by the licensee and oxidation reduction potential if tested for by the licensee.

16 Apr 99 cP-37.1 Reg 7 s23.

Depths must be marked

24 Except in the case of a paddling pool or whirlpool, every licensee shall ensure that the depth of the water in a swimming pool is marked:

- (a) on the deck of the pool; and
- (b) when design permits, on the walls of the pools.

16 Apr 99 cP-37.1 Reg 7 s24.

Emergency shut-off switch

25(1) Subject to subsection (2), every licensee of a whirlpool shall ensure that:

- (a) it is equipped with an emergency shut-off switch capable of immediately shutting off the hydrojet pumps; and
- (b) the emergency shut-off switch is clearly marked and visible from the whirlpool.

(2) Licensees of a whirlpool installed and operational at the time these regulations come into force are exempt from the requirements of clause (1)(a) for one year from the day these regulations come into force.

16 Apr 99 cP-37.1 Reg 7 s25.

Swimming pool safety plans

25.1(1) Every licensee shall, on or before December 31, 2012, submit to the local authority a swimming pool safety plan prepared in accordance with this section to ensure the health and safety of swimmers.

- (2) The swimming pool safety plan mentioned in subsection (1) must include:
- (a) procedures to be followed in the event of an emergency or a serious injury or incident;
 - (b) the qualifications of a lifeguard;
 - (c) the qualifications of a supervisor;
 - (d) the qualifications of an aquatic exercise instructor;
 - (e) the type of lifesaving, lifeguarding and first-aid equipment to be kept within the immediate vicinity of the swimming pool;
 - (f) a description of the space provided for the administration of first aid;
 - (g) the number of lifeguards and other employees who are to be on duty while the swimming pool is in use in order to ensure adequate supervision of swimmers;
 - (h) operating procedures for the swimming pool; and
 - (i) the program of cleaning and maintenance of the swimming pool, including the nature and frequency of the cleaning and maintenance.
- (3) Every licensee shall:
- (a) review and update the swimming pool safety plan at least once every year; and
 - (b) within 30 days after any change is made to the swimming pool safety plan, submit a copy of the updated swimming pool safety plan to the local authority.
- (4) Every licensee shall:
- (a) make the swimming pool safety plan readily available to swimming pool employees; and
 - (b) train each swimming pool employee in the procedures and in the use of the equipment described in the swimming pool safety plan.

6 Jly 2012 SR 47/2012 s12.

Swimming pool safety

25.2 Every licensee shall operate a swimming pool in accordance with the swimming pool safety plan prepared in accordance with section 25.1.

6 Jly 2012 SR 47/2012 s12.

PART IV
Swimming Pool Supervision

Lifeguards on duty

26(1) Subject to subsection (2), every licensee shall ensure that a minimum of one lifeguard and any additional lifeguards that are required by the swimming pool safety plan are on duty at all times the swimming pool is in use.

(2) Subsection (1) does not apply:

- (a) to a whirlpool or a paddling pool;
- (b) to a swimming pool that is located in a health club, fitness club or other similar facility, and that has a water surface area of 93 square metres or less and is not being used by persons other than employees, patrons or their guests;
- (c) to a swimming pool that is part of an itinerant use accommodation, apartment building, mobile home court or trailer court and is not being used by persons other than employees, patrons, residents or their guests;
- (d) during any period that a swimming pool is being used for swimming instruction only, if there is one swimming instructor per class who possesses the qualifications of a lifeguard; or
- (e) during any period that a swimming pool is being used for aquatic exercise instruction only, if there is one aquatic exercise instructor per class who possesses the qualifications of a lifeguard.

6 Jly 2012 SR 47/2012 s13.

27 Repealed. 6 Jly 2012 SR 47/2012 s14.

Supervision at motels and hotels

28(1) Every licensee respecting a water slide facility at a motel or hotel shall ensure that a minimum of one supervisor is on duty when the water slide facility is in use if a receiving pool for a water slide flume is used for swimming, diving, wading or other similar activity in addition to receiving persons sliding down the flume.

(2) A local authority may require a licensee respecting a motel or hotel to ensure that a supervisor is on duty at all times the motel or hotel swimming pool is in use where:

- (a) the swimming pool has a wave action generator or play equipment in or around the swimming pool; and
- (b) in the opinion of the local authority, there is an inordinate risk of harm to users of the swimming pool.

16 Apr 99 cP-37.1 Reg 7 s28.

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Supervision of children at motels and hotels

29(1) In the case of a swimming pool at a hotel or motel, no licensee shall allow a child who is under the age of 12 years to enter the area of the swimming pool unless:

- (a) a lifeguard or supervisor is on duty; or
 - (b) the child is accompanied by and is under the care of a person who:
 - (i) is at least 12 years old and understands the responsibilities associated with the required level of supervision and is capable of providing that level of supervision; and
 - (ii) continuously supervises the child while the child is in the swimming pool or the swimming pool area.
- (2) If there is no lifeguard or supervisor on duty at a swimming pool in a hotel or motel, the licensee shall post at or near the entrance of the swimming pool area and in every rental unit a sign that advises pool users of the supervision requirements mentioned in clause (1)(b).

6 Jly 2012 SR 47/2012 s15.

30 Repealed. 6 Jly 2012 SR 47/2012 s16.

PART V

Repeal, Transition and Coming into Force**R.R.S. c.P-37 Reg 1 repealed**

31 *The Swimming Pool Regulations* are repealed.

16 Apr 99 cP-37.1 Reg 7 s31.

Transitional - licences

32(1) In this section:

- (a) **“amended regulations”** means *The Swimming Pool Regulations, 1999* as amended by the amending regulations;
 - (b) **“amending regulations”** means *The Swimming Pool Amendment Regulations, 2012*;
 - (c) **“existing licence”** means a licence that is in force and not under suspension on the day on which the amending regulations come into force.
- (2) On the coming into force of the amending regulations, an existing licence:
- (a) continues to be valid until the expiry date specified in the licence unless it is sooner amended or cancelled pursuant to the amended regulations; and
 - (b) is deemed to be issued pursuant to the amended regulations, and may be dealt with as if issued pursuant to the amended regulations.

6 Jly 2012 SR 47/2012 s17.

Transitional - swimming pool safety plans**32.1(1)** In this section:

- (a) **“previous provisions”** means *The Swimming Pool Regulations, 1999* as those regulations existed before the coming into force of *The Swimming Pool Amendment Regulations, 2012*;
 - (b) **“transitional period”** means the period commencing on the day on which *The Swimming Pool Amendment Regulations, 2012* come into force and ending on December 31, 2012.
- (2) Notwithstanding any other provision of these regulations, the previous provisions apply to a swimming pool during the transitional period until the date on which the licensee who holds the licence for the swimming pool submits a swimming pool safety plan in accordance with section 25.1.

6 Jly 2012 SR 47/2012 s17.

Appendix

TABLE 1

First-Aid Kits: Required Contents**Repealed.** 6 Jly 2012 SR 47/2012 s18.