

Section 610 - Swimming Pools

610.01. Definitions. Subdivision 1. For purposes of this section the terms defined in this subsection have the meanings given them.

Subd. 2. "Health department, health officer or state department of health" used at any place in this section and in the requirements adopted by reference means the health authority.

Subd. 3. "Person" includes any federal, state or local government agency or instrumentality or other entity recognized by laws as the subject of rights and duties: the term includes employees, licensees, tenants, caretakers, lessees, managers and operators of swimming pools.

Subd. 4. "Swimming pool" means any structure, basin, chamber or tank containing an artificial body of heated water for swimming, diving, relaxation or recreational bathing.

Subd. 5. "Special purpose pool" means any structure, basin, chamber or tank containing an artificial body of heated water for immersion, relaxation, water therapy, whirlpool, spa, cold plunge, therapy or treatment.

Subd. 6. "Private residential swimming pool or special purpose pool" means any swimming pool or special purpose pool located on private property under the control of the homeowner, the use of which is limited to members of the landowner's family or their invited guests.

Subd. 7. "Public pool" means any pool other than a private residential pool, that is: (1) open to the public generally, whether for a fee or free of charge; (2) open exclusively to members of an organization and their guests; (3) open to residents of a multiunit apartment building, apartment complex, residential real estate development, or other multifamily residential area; (4) open to patrons of a hotel or lodging or other public accommodation facility; or (5) operated by a person in a park, school, licensed child care facility, group home, motel, camp, resort, club, condominium, manufactured home park, or political subdivision with the exception of swimming pools at family day care homes licensed under section 245A.14, subdivision 11, paragraph (a).

Subd. 8. "Public special purpose pool" means any special purpose pool other than a private residential special purpose pool intended to be used by numbers of persons and operated by an owner, lessee, operator, licensee or concessionaire regardless of whether a fee is charged for such use.

Subd. 9. "Private special purpose pool" means any swimming pool located on private property under the control of the homeowner, the use of which is limited to members of the landowner's family or their invited guests.

610.03. License required. No person shall own, operate, maintain, lease, or be responsible for any public swimming pool or special purpose pool unless a license therefor issued pursuant to this section is obtained from the city. Wherever more than one such pool is located upon any property, a separate license shall be obtained for each.

610.05. License fee. The license fee for each public swimming pool or special purpose pool is fixed by city council resolution.

610.07. License expiration and renewal. Licenses issued pursuant to this section shall expire on the 30th day of June of each year. License renewal applications shall be filed with the clerk 60 days prior to July 1 of each year. (Amended Ord. 2003-899)

610.09. License application, issuance, maintenance and administration. All applications for licenses shall be made on forms furnished by the manager and shall set forth such information as the manager shall from time to time require.

610.11. Rules and regulations pertaining to construction, care and operation of public swimming pools and public special purpose pools. Public swimming pools and public and private special purpose pools shall be operated, governed and regulated by regulations established and issued by the Minnesota department of health as contained in Minnesota Rules Parts 4717.0150 to 4717.3975 as well as Minnesota Statute Section 144.1222. Regulation MHD 4717 and Minnesota Statute Section 144.1222 are adopted by reference. Any future revisions of MHD Rules Chapter 4717 are adopted by reference and are made part of this ordinance. Two copies of the Minnesota department of health regulations MHD 4717 shall be on file for public inspection at the office of the manager and of the clerk. In addition to all other sections as hereinabove set forth, such pools shall also be regulated, governed and controlled by all applicable provisions of this code.

610.13. Inspections of public swimming pools and public special purpose pools. The health authority shall inspect every such pool at least every 12 months and as frequently as may be necessary or desirable to insure compliance with the provisions of this section.

610.15. Revocation of license. Any license issued under this section may be revoked by the council for a violation of any provision of this section or of any rule or rules issues and adopted thereunder.

(Section 610 was revised by Ord. 2010-1018)