

**PARKS AND RECREATION COMMISSION
STAFF REPORT**

MEETING DATE: September 3, 2013

AGENDA ITEM NUMBER: 3C

APPLICANT: Roger Moellendorf / Kurt Meyer Aquatics Facility Operations Manager

REQUEST: For Possible Action: To review and make recommendations to the Parks and Recreation staff regarding an existing Aquatics Facility rule on the supervision of children six years and younger.

GENERAL DISCUSSION:

We received a complaint from Ron Piersanti on our policy regarding proper attire for adults who are required to supervise small children in our pool facilities. Current policy (Exhibit A) states, "Children six years of age and younger must be accompanied in the water at all times by a swimming adult who has paid, is wearing a swimsuit, and is at least 15 years or older (6/1 ratio) and within arm's reach of the child." Mr. Piersanti is asking to have this policy reviewed by the Carson City Park and Recreation Commission. Mr. Piersanti brings his four year old granddaughter to the pool and does not believe that he should have to dress in pool attire nor should he have to be in the pool with her.

Staff has researched this issue and believes that the complaint by Mr. Piersanti is invalid and may compromise the safety of children six and under who use the pool. Staff also feels that the Aquatic Facility rule is consistent with Nevada Administrative Code 444.280 (Exhibit B) which states, "Persons not dressed for bathing must not be allowed in the pool." The Nevada Administrative Code 444.053 (Exhibit C) defines "pool" as "any swimming pool or any structure within a public bathing or swimming facility or swimming facility containing an artificial body of water." Staff has surveyed other area pool facilities and has found that these facilities have similar rules. Staff believes that this rule is reasonable and that it is important to have adults involved and engaged in providing for the safety of the youth (under six) that they are caring for that are using the pool. Adults who are in the pool with the children they are supervising are less likely to have their attention diverted away from them. Removing or changing this rule which has been in place for many years would compromise the safety of the children in the Aquatics Facility.

Survey results of other area pools:

City of Reno- Joe Wilson, Aquatic Supervisor: Children five and younger must be with a participating adult at all times. Participating adult is defined as an adult in a bathing suit within arms reach at all times.

Carson Valley Swim Center- Lynda Rygdon, Facility Director: Children five and under must be within arms reach of a parent or guardian at all times in a swimsuit.

Churchill County- Rachel, Head Lifeguard: Children five and under must have parent in the pool with them at all times.

RECOMMENDED ACTION: I move to recommend to the Parks and Recreation staff to maintain the existing rule at the Aquatics Facility that requires children six years of age or under must be accompanied in the water at all times by a swimming adult who has paid, is wearing a swim suit and is at least 15 years or older within arm's reach of the child.

Exhibit A

Pool Rules

We know that our goals are safety, education, and fun. How can we keep the rules and meet these goals?

A. Rules are guidelines for behavior. Our rules enable us to provide a safe experience for the largest number of people. How we present them can make a substantial difference in whether they make sense and are followed. Try to educate. Call for a supervisor when needed.

1) Facility Rules

A. Conduct in pool area must not jeopardize the safety of self or others.

B. Children 6 years of age and under must be accompanied in the water at all times by a swimming adult who has paid, is wearing a swim suit, and is at least 15 years or older (6 to 1 ratio) within arms reach of the child. The ONLY exception to this rule is when a school program such as Latch Key is visiting as there are counselors on deck monitoring the kids as well.

C. All persons must shower before entering the pool.

D. No street clothes or shoes allowed in pool area. Cutoffs are allowed if hemmed.

E. Swim suits ONLY are allowed to be worn in the pool. Street clothes such as t-shirts, underwear, shorts, etc. are not permitted in water as it is against health department regulations, clogs our filters, and may hinder swimming. Our swim attire policy must meet the following . . .

- * Be clean and free of visible dirt.
- * Be made of a material that is not see through when wet.
- * No loose fitting attire. (Must not inhibit ability to swim safely.)
- * No t-shirts.
- * No underwear.
- * No cut off shorts.
- * No belts.

F. No food, drinks, or gum are allowed on deck or in the water.

G. No glass bottles or other glass objects allowed in facility.

H. No flotation devices allowed in any of the pools

I. No running, pushing, wrestling, dunking, riding on shoulders, launching each other into the air, or any other rough play.

J. No swimming in the diving area except for specified programs such as Wet Sweat.

NAC 444.280 Bathers: Requirements; prohibitions. (NRS 439.200, 444.070)

1. All bathers at a public bathing or swimming facility shall take a cleansing shower using warm water and soap and shall thoroughly rinse off all soap suds before entering or reentering the pool enclosure.

2. Persons not dressed for bathing must not be allowed in the pool.

3. Persons suffering from colds, fever, coughs, sore or inflamed eyes, any skin disease or any communicable disease or open sores or bandages must be excluded from the facility.

4. Spitting, soiling, or in any way contaminating the water, walkways, or dressing room floors in the facility must be prohibited.

5. Except as otherwise provided in [NAC 444.288](#), eating, drinking and smoking within the pool enclosure are prohibited.

6. Bringing or throwing into the water or onto walkways any objects that may in any way carry contamination, endanger safety of bathers or produce unsightliness must be prohibited.

7. No boisterous or rough play may be permitted in the water, on the walkways, diving boards, floors or platforms, or in the dressing rooms or showers.

8. Persons under the influence of liquor must not be permitted in or about the facility.

9. Public bathing or swimming facilities are for use of people only; animals must be excluded from the pool and enclosure.

[Bd. of Health, Public Bathing Places Reg. Art. 39 §§ 39.1-39.6, 39.8 & 39.9, eff. 5-21-74]—(NAC A 11-1-88)

NAC 444.282 Bathers: Failure to comply with rules and regulations. (NRS 439.200, 444.070)

Any person who refuses to comply with any regulation governing a public bathing or swimming facility or any rule of that facility must be excluded from the premises, and the management shall promptly bring any action which may be necessary to prosecute or eject from the premises any such person.

[Bd. of Health, Public Bathing Places Reg. Art. 39 § 39.7, eff. 5-21-74]—(NAC A 11-1-88)

NAC 444.284 Swimming suits and towels. (NRS 439.200, 444.060)

1. Swimming suits and towels furnished by the management, unless sent to a public laundry, must be washed with hot water and soap or detergent, rinsed and thoroughly dried and sterilized by heat each time they are used, or an equivalent, approved process must be used.

2. Clean swimming suits and towels must not be permitted to come in contact with unwashed suits and towels or be stored on shelves or in baskets which have been used for storing dirty swimming suits and towels.

3. Clean suits and towels must not be issued at the same counters where dirty towels and suits are returned.

[Bd. of Health, Public Bathing Places Reg. Art. 41 §§ 41.1-41.2.1, eff. 5-21-74]

NAC 444.053 “Pool” defined. ([NRS 439.200](#), [444.070](#)) “Pool” means any swimming pool or any structure within a public bathing or swimming facility containing an artificial body of water.

(Added to NAC by Bd. of Health, eff. 11-1-88)

NAC 444.055 “Pool enclosure” defined. ([NRS 439.200](#), [444.070](#)) “Pool enclosure” means the area inside of the fence or barrier surrounding a public bathing or swimming facility.

[Bd. of Health, Public Bathing Places Reg. Art. 1 § 1.6, eff. 5-21-74]—(NAC A 11-1-88)

NAC 444.058 “Public bathing or swimming facility” defined. ([NRS 439.200](#), [444.070](#))

1. “Public bathing or swimming facility” means any:

- (a) Artificial swimming lagoon;
- (b) Isolation and flotation tank;
- (c) Mineral bath, therapeutic pool or similar facility;
- (d) Special purpose pool;
- (e) Spray pool;
- (f) Swimming pool;
- (g) Wading pool; or
- (h) Water recreation attraction,

↳ that is used by the public for swimming or bathing.

2. The term does not include any facility at a private residence controlled by the owner of the residence, the use of which is limited to members of the family or invited guests of the owner.

(Added to NAC by Bd. of Health, eff. 11-1-88)