



## Ohio Revised Code

### Section 3749.01 Swimming pool definitions.

Effective: April 12, 2021

Legislation: House Bill 65, House Bill 665 - 133rd General Assembly

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As used in sections 3749.01 to 3749.10 of the Revised Code:

(A) "Board of health" means a city board of health or a general health district, or an authority having the duties of a city board of health as authorized by section 3709.05 of the Revised Code.

(B) "Health district" means any city or general health district created pursuant to section 3709.01 of the Revised Code.

(C) "Person" means the state, any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity.

(D) "Licensor" means a city board of health or a general health district, an authority having the duties of a city board of health as authorized pursuant to section 3709.05 of the Revised Code, or the director of health when acting under section 3749.07 of the Revised Code.

(E) "Director" means the director of health or an authorized representative of the director of health.

(F) "Private residential swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing located at a dwelling housing no more than three families and used exclusively by any of the following:

(1) The dwelling's residents;

(2) The resident's nonpaying guests;

(3) A paying guest of a resident if the guest is participating in a certified swimming class conducted by the resident, provided that both of the following apply:



(a) The resident is a certified swimming instructor and is conducting the certified swimming class on a one-on-one basis.

(b) Not more than four individuals are in the pool at the same time during the class.

(G) "Public swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving, or bathing and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not a fee is charged for use, but does not mean any public bathing area or private residential swimming pool.

(H) "Public spa" means any public swimming pool that is typically operated as a smaller, higher temperature pool for recreational or nonmedical uses.

(I) "Special use pool" means a public swimming pool containing flume slides, wave generating equipment, or other special features that necessitate different design and safety requirements. "Special use pool" does not include any water slide or wave generating pool at a public amusement area which is licensed and inspected by the department of agriculture pursuant to Chapter 993. of the Revised Code.

(J) "Public bathing area" means an impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water.

(K) "Certified swimming class" means an infant swimming resource (ISR) class; an American red cross swimming class, swimming lesson, or learn-to-swim class; and any other swimming class certified by a nationally accredited organization that operates in all fifty states.

(L) "Certified swimming instructor" means a certified ISR instructor; a certified American red cross swimming instructor or swim coach; and any other swim instructor certified by a nationally accredited organization that operates in all fifty states.

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*The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B)*



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*that amendments are to be harmonized if reasonably capable of simultaneous operation.*