

CA Swimming Pool Codes & Regulations

An Introduction

January 28, 2011





Goals for Today

- Introduce the CA state handbook, “**The Design, Construction, Operation, and Maintenance of Public Swimming Pools**”
- **Clarify** confusing regulations and language
- **Reduce frustration** in looking for and finding the information you need
- **Assess** your operations for vulnerabilities and make corrections

Outline

- Statute vs. Regulation
- Recent State Legislation
- Other Health & Safety Codes
- CA Code of Regulations, Title 22
- CA Code of Regulations, Title 24
- Cal-OSHA Regulations
- Federal Legislation & Regulation
- Recent CA court decisions
- Q & A
- Wrap Up



STATUTE

- Created or changed through the legislative process
- A bill must be authored and carried by a senator or assembly member
- Subject to politics
- 116025 through 116068, pages 2-7

REGULATION

- Created or changed through the regulatory process
- Regulators write and then submit for public comment, rewrite, then submit to Office of Administrative Law
- 65501 through 65551, pages 8-14
- AND
- 3101B through 3137B.2 & 680-12, pages 15-36

Recent State Legislation

- **SB 793 (2007)**
 - Lifeguard Service and Aquatic Instruction
 - Health & Safety Code Sections 116028 and 116033
- **SB 107 (2008)**
 - Wave Pool Safety Act
 - Health & Safety Code Sections 115950-115952
- **AB 1020 (2009)**
 - Public swimming pools: anti-entrapment devices and systems
 - Upgrades code to VGB Act
 - Health & Safety Code Section 116064.1 & 116064.2.
- **AB 663 (2002)**
 - Workers' compensation for lifeguards
 - Labor Code Section 3212.11

www.leginfo.ca.gov → California Law → type of code → section #

SB 793- Lifeguard Service & Aquatic Instruction



- Minimum qualifications for **lifeguards** (Section 116028)
 - current certificates from an **American Red Cross or YMCA of the U.S.A. lifeguard training program**, or have equivalent qualifications, **as determined by the department**
 - trained to administer first aid, including, but not limited to, cardiopulmonary resuscitation in conformance with Section 123725
 - no duties to perform other than to supervise the safety of participants in water-contact activities
- Allows “**dual supervision**” when no other persons are using the facilities unless those persons are supervised by separate lifeguard services

SB 793- Lifeguard Service & Aquatic Instruction



- Minimum qualifications for **instructors** (Section 116033)
 - current certificates from an **American Red Cross or YMCA of the U.S.A. lifeguard training program**, or have equivalent qualifications, as determined by the department
 - certified in standard first aid and cardiopulmonary resuscitation (CPR)
- Requirements **waived** when:
 - one or more instructors possessing the current certificates from an American Red Cross or YMCA of the U.S.A. lifeguard training program, or the equivalent, are in attendance continuously during periods of aquatic instruction
 - when one or more lifeguards meeting the requirements of Section **116028** are in attendance continuously during periods of aquatic instruction

SB107- Wave Pool Safety Act



- **"Wave pool"** means a swimming pool designed for the purpose of producing breaking wave action in the water and that is not primarily designed for standup surfing or bodyboarding.

SB107- Wave Pool Safety Act



- Provide at no cost, a **USCG Type II or Type III lifevest** for use by a nonswimmer, child under 48 inches, or to any other patron upon their request.
- Children under 48 inches whether or not are accompanied by an adult, shall wear a properly fitting USCG Type II or Type III **lifevest to gain access to a wave pool.**
- Deny entrance into the park of a child under 42 inches if not accompanied by an adult.
- Signs regarding requirements shall appear at the entrance.

SB107- Wave Pool Safety Act

- Ensure that continuous breaking wave cycles in a wave pool shall not exceed **15 minutes**.
- An **audible signal** of any duration not to exceed 90 decibels, shall sound within 15 seconds prior to resuming breaking wave action.
- An **emergency stop** for the wave equipment shall be easily accessible



SB107- Wave Pool Safety Act



- Sufficient **number of lifeguards** on duty to recognize, respond, and provide care to swimmers in distress or passive or active drowning persons within, but no longer than, **30 seconds** of the onset of their peril.
- A lifeguard shall have an **unobstructed view** of, and be able to completely observe, in its entirety, his or her defined zone of protection.
- Ensure that conditions in a wave pool are continually reevaluated for safety and **adjust lifeguard staffing** accordingly

AB663– Workers’ Compensation, lifeguards



- **Applies to:** active lifeguards employed by a city, county, city and county, district, or other public or municipal corporation or political subdivision, and (b) active state lifeguards employed by the Department of Parks and Recreation
 - Employed for more than **3 consecutive months** in a calendar year
 - “Injury” includes **skin cancer** that develops or manifests itself during the period of the lifeguard's employment.
 - Creates a **rebuttable presumption** that the injury arises out of employment if develops or manifests during employment.
 - This presumption extended following termination of service for a period of 3 months for each full year of service, but not to exceed 60 months



VGB Pool & Spa Safety Act

- **Section 1404**
- **CONSUMER PRODUCT SAFETY RULE.**—The requirements shall be treated as a consumer product safety rule issued by the Consumer Product Safety Commission under the Consumer Product Safety Act (15 U.S.C. 2051 et seq.).
- **CPSC Pool SAFELY:**
 - <http://www.poolsafely.gov/state-local-officials/pool-spa-safety-act-requirements/>
- **CPSC FAQ's**
 - <http://www.poolsafely.gov/faqs/>

AB 1020 – CA Suction Entrapment



- Tied to **ASME/ANSI or ASTM** performance standard
 - Any updates will become CA law within 90 days if approved by the department
- **All public pools/spas** must be equipped with new ASME/ANSI A112.19.8 compliant drain covers.

AB 1020 – CA Suction Entrapment

- Pools/spas operating off of a single main drain (other than an **unblockable drain**) must also add one or more of the following options:
 - a Safety Vacuum Release System (SVRS)
 - a suction-limiting vent system
 - a gravity drainage system
 - an automatic pump shut-off system
 - any other system that is deemed to be in accordance with federal law to be equally effective as or better than the others listed above



AB 1020 – CA Suction Entrapment

- If constructed before 1/1/10, must be **completed by 7/1/10** unless, **previously retrofitted** between 12/19/07 & 1/1/10
- Requires the filing of a **form with verification** of licensed professional
- Pools/spas constructed on or after January 1, 2010, shall have at least **two main drains per pump** that are hydraulically balanced and symmetrically plumbed through one or more “T” fittings, and that are **separated a minimum of three feet**

AB 1020 – CA Suction Entrapment

- **Los Angeles County Requirements :**
 - http://publichealth.lacounty.gov/eh/docs/ep_rw_vg_b.pdf
- A **plan check and fee** is required to replace covers
- A “**Certification of Compliance**” form must be completed by your licensed contractor or PE and submitted to the department

AB 1020 – CA Suction Entrapment

- Safety Vacuum Release Systems or Automatic Pump Shut Off Systems must comply with the ASME/ANSI standards. However,
- **Los Angeles County Will NOT** be responsible for determining:
 - proper installation according to manufacturer's recommendations
 - proper functioning
 - if it has been calibrated
 - if it is being maintained
 - if it will be periodically tested
- This is the responsibility of the public pool **owner/operator**

VGB Pool & Spa Safety Act

- **Unblockable Drain** – *a drain of any size and shape that a human body cannot sufficiently block to create a suction entrapment hazard.*
- **Staff Interpretation** – An unblockable drain , to be consistent with the test procedures found in ASME/ANSI A112.19.8, would require its ***perforated (open) area cannot be shadowed by the area of the 18” x 23” Body Blocking Element*** of that standard and that the rated flow through the remaining open area (beyond the shadowed portion) cannot create a suction force in excess of the removal force values in Table 1 of the Standard.
- **18” x 23” Body Blocking Element** - represents the shoulder to waist measurement of the 99th percentile adult male.



VGB Pool & Spa Safety Act

- On March 1, 2010:
- The CPSC voted to accept that a compliant drain cover of sufficient dimensions over a single main drain renders it an unblockable drain.

VGB Pool & Spa Safety Act



- **Sumps**
 - CPSC supports ASME/ANSI depth of $1.5 \times$ pipe diameter
 - VGB does NOT require sump replacement
 - If a VGB compliant cover can be safely secured onto the sump and a proper flow rate, it meets intent of VGB
- If a PE determines that engineering work needs to be done to ensure a secure connection, that work should be done
- If a PE determines that cover cannot be safely connected to sump, sump should be removed and replaced with a new compliant sump compatible with compliant covers

VGB Pool & Spa Safety Act

- Considering limited resources and enormous mission of the CPSC, enforcement is **prioritized** to facilities that pose the **greatest risk** of drain entrapment to children, specifically:
 - wading pools
 - pools designed specifically for young children
 - in ground spas,
- where they use **flat** drain grates and **single** main drain systems

Section 116045

Suction Hazards at Wading Pools

- Still in effect
- Where AB 1020 exceeds, must meet AB 1020
- (b) exceeds AB 1020
- (c) AB 1020 exceeds





Other Health & Safety Code Sections

First Aid and CPR training

- **Lifeguards and firefighters**
 - Health & Safety Code
 - Section 1797.182
- Identifies Lifeguards as **Public Safety Personnel**
- **Defines** lifeguards
- Training shall meet standards prescribed by the **EMSA**
- Training to be completed **no more than one year** after the date of employment
- Refresher course required **every three years** minimum
- The training shall be provided **at no cost to the trainee**





Lifeguards and firefighters; first aid and CPR training

Lifeguard **defined** as:

- Any regularly employed and paid officer, employee, or member of a **public aquatic safety department** or marine safety agency of the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of this state.

First Aid Standards for Public Safety Personnel



- California Code of Regulations
 - **Title 22**-Social Security
 - **Division 9**-Pre-hospital Emergency Medical Services
 - **Chapter 1.5**-First Aid Standards for Public Safety Personnel
 - <http://www.emsa.ca.gov/laws/default.asp>
 - Click on Chapter 1.5

First Aid Standards for Public Safety Personnel



- Scope of course
- Required topics
- **Optional skill (AED training requirements)**
- **Public Safety AED Services provider**
- Testing
- Instructor requirements
- Validation of course completion
- Retraining requirements
- Approved courses
- Program review

Section 116045

Necessity of Lifeguard Service

Direct fee

- Must be provided when a **direct fee** is charged



No Direct fee

- When no direct fee is charged, lifeguard service must be provided or must have signs indicating such service is NOT provided



Direct Fee – a separately stated fee or charge for the use of the pool to the exclusion of any other service, facility, or amenity

CA Code of Regulations

Title 22

<http://ccr.oal.ca.gov/linkedslice/default.asp?SP=CCR-1000&Action=Welcome>

Section 65521

Pool Supervision Responsibility

- Every pool shall be under the supervision of a **person** who is fully capable of, and shall assume responsibility for, **compliance with all requirements** relating to pool



- operation,
- maintenance and
- safety of bathers.

Section 65527

Clarity of Water

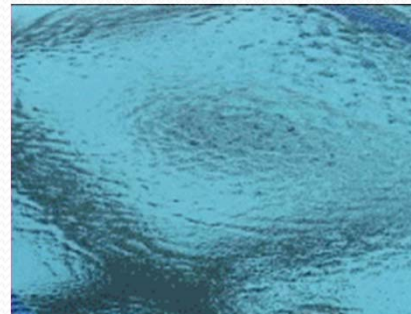
- Pool must be closed if the main drain is not clearly visible from the deck
- Keep in mind that maintenance may not be the sole cause for poor water clarity and inability to see the main drain
 - Surface agitation
 - Flotation devices
 - Overcrowding
 - Rain
 - Wind



visible



going



going

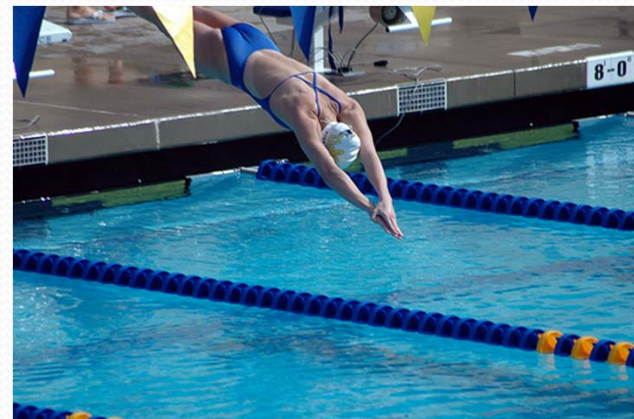


GONE!

Section 65533

Cleanliness of Pool

- Water levels must be maintained so there is skimming action
- Animals are not permitted in the pool or pool area



Section 65539

Lifesaving, First Aid & Control of Bathers

- Number of lifeguards shall be adequate to maintain continuous surveillance over bathers
- Specifies language for no lifeguard on duty signs (4 inch letters)



Organized Camps

- Title 17
 - Section 30741

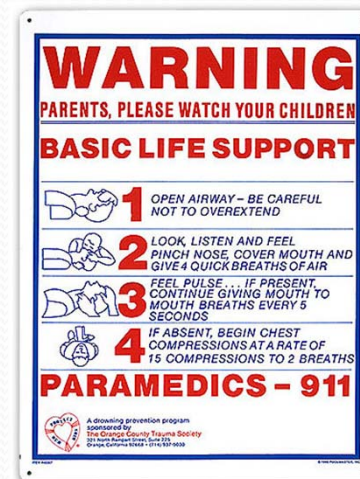


- Lifeguard service shall be provided at a ratio of 1 lifeguard for each 25 campers in the water
- Must have an aquatics supervisor who is at least 18 and has an American Red Cross Lifeguard Certificate, YMCA Swim Lifesaving Certificate or its equivalent certificate.

Section 65539

Lifesaving, First Aid & Control of Bathers cont.

- Diagrammatic illustrations of artificial respiration procedures posted
- One or more rescue poles not < 12ft. with body hook



Section 65539

Lifesaving, First Aid & Control of Bathers cont.

- One or more life rings (ext. at least 17ft.) with 3/16 inch line at least maximum width of pool in length



- First Aid kit when required by the enforcing agent



Section 65551

Shower, Toilet & Dressing Facilities

- Showers shall be provided with soap in dispensers or containers
- Toilet facilities must have soap, sanitary towels or hot air blowers and toilet paper in permanently installed dispensing devices



CA Code of Regulations

Title 24

Title 24 of the California Code of Regulations, known as California Building Standards, contains copyrighted materials under the ownership of several model code publishers and cannot be provided on the CA State websites.

The eleven parts of Title 24 that comprise California's Building Standards are available for review at depository libraries, or for purchase in paper format from the copyright holders and selected vendors.

Please contact the California Building Standards Commission's home page, <http://www.bsc.ca.gov>, for information on the availability of Title 24.

Section 3103B.2

Special Purpose Pool

- Intended to be used exclusively for a single purpose
- Many university competition pools are designated as a special purpose pool and have no shallow end (all depths greater than 4ft.)
- Such pools should not be used for purposes outside their single purpose



Section 3104B

Accessibility to Physically Handicapped

- Requires pools & appurtenances to be in compliance with the requirements of the State Architect for access to public accommodations
- U.S. DOJ has just approved new standards with deadlines for compliance
- 1991 regulation should continue to be used until March 14, 2011. The **2010 title III ADA regulation** published September 15, 2010, should be used beginning March 15, 2011 with **compliance by March 15, 2012.**

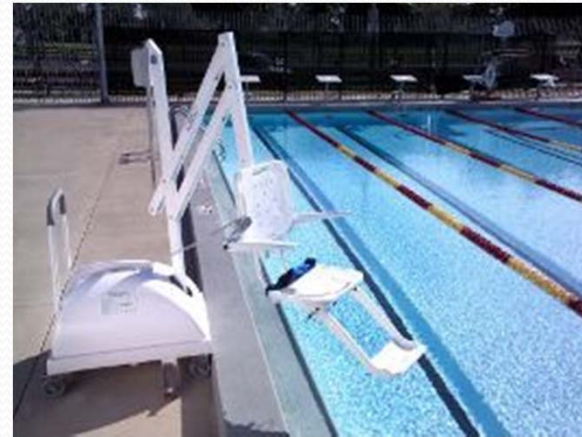


U.S. Dept. of Justice

- Adoption of the 2010 ADA Standards for Accessible Design. The Department has adopted revised ADA design standards that include the relevant chapters of the ***Access Board's 2004 ADA/ABA Accessibility Guidelines***
- <http://www.access-board.gov/gs.htm>
- Accessible Pools & Spas
- <http://www.access-board.gov/recreation/guides/pdfs/pools.pdf>

U.S. Dept. of Justice

- [http://www.ada.gov/regs2010/factsheets/2010 Standards factsheet.html](http://www.ada.gov/regs2010/factsheets/2010_Standards_factsheet.html)
- For pools with **300 or more linear feet:**
 - a pool lift or sloped entry
 - **AND** either a transfer wall, transfer system, pool stairs, pool lift or sloped entry.
- **< 300 linear feet:**
 - at least a pool lift or sloped entry



AND



U.S. Dept. of Justice

- Wading pools must provide a sloped entry
- Spas must provide a pool lift, transfer wall, or transfer system
- Wave action pools, leisure rivers, and sand bottom pools where user access is limited to one area ***shall not be required*** to provide ***more than one*** accessible means of entry, either a pool lift, sloped entry, or a transfer system.



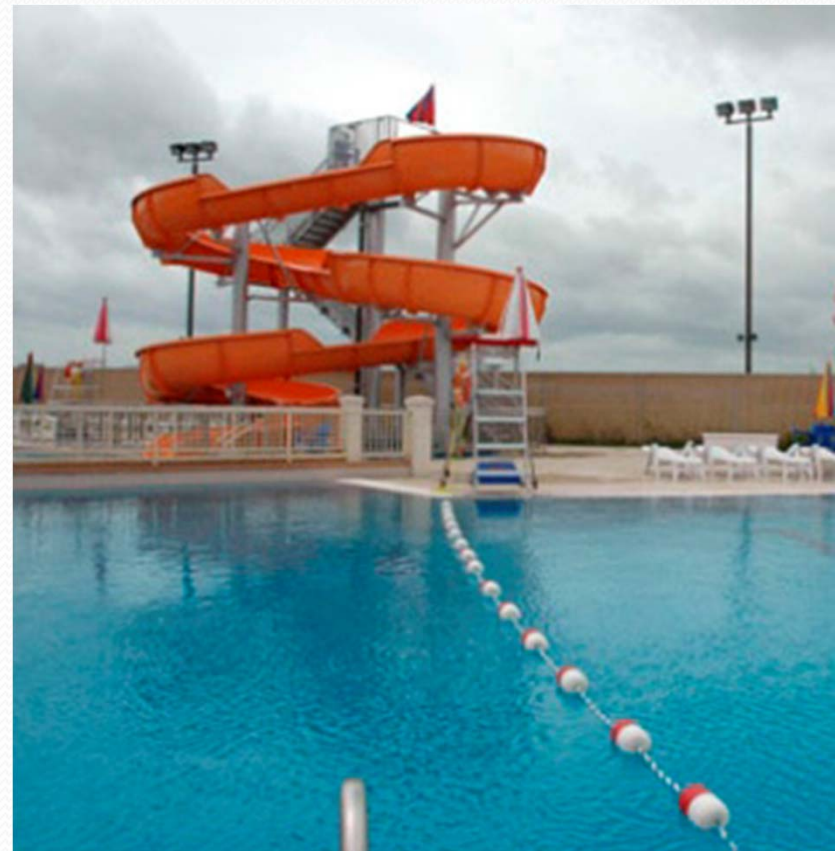
Section 3108B

Slope Break from Shallow to Deep

A change in bottom slope from shallow to deep water requires:



- flush mounted **devices** for fastening a safety rope and buoys
- shall be installed where the water depth is **4½ ft.**



Section 3109B.2

Depth Marking Line

- For pools with a maximum depth greater than 5 ft.:
- A straight line of slip resistant tile, 4 inches wide of contrasting color across the bottom at 4 ½ ft. depth



Section 3109B.4

Water Depth Markers

- maximum depth
- minimum depth
- at each end
- at the break in slope
- on the perimeter at not >25 ft.

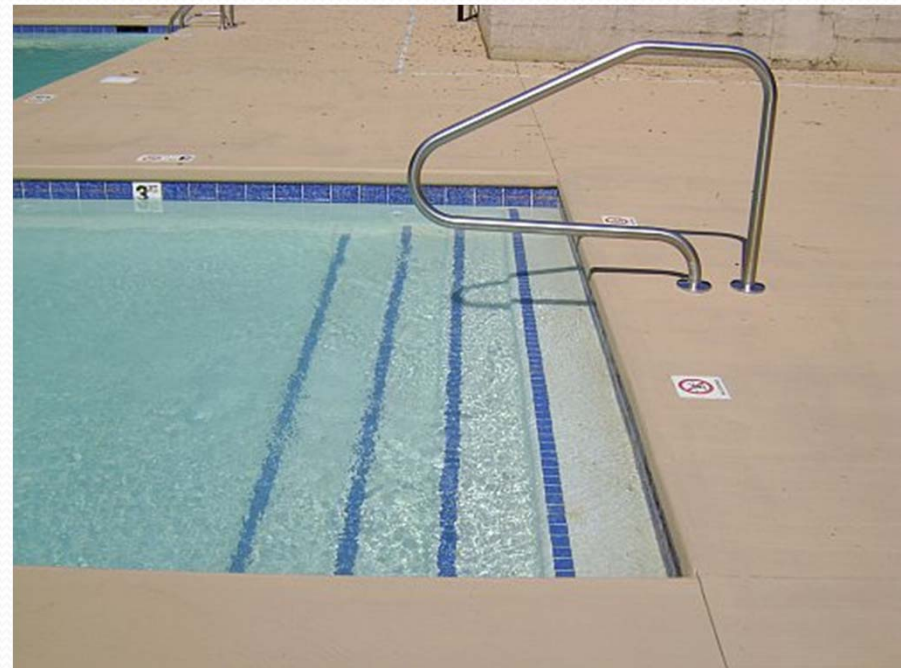
- spa or wading pool-at least 2 maximum depth markers



Section 3109B.4

Water Depth Markers cont.

- On vertical walls at or above water level or if design precludes must be clearly visible to bathers in the pool
- Pools >20 ft. wide shall have additional markers on edge of deck next to pool



Section 3109B.4

Water Depth Markers cont.

- must be accurate to the nearest 6 inches
- minimum 3 in. height
- contrasting color
- weather resistant
- slip resistant if on deck



Section 3113B

Pool Decks

- 4 ft. wide, continuous, unobstructed
- further extend another 4 ft. around diving board or slides
- spas shall have a deck 4 ft. in width for 50% or more of its perimeter
- deck width between spa & adjacent pool must be 6 ft. minimum



Section 3113B - Pool Decks

- Keep at least 4ft. of deck space clear of obstructions, such as equipment
- Ensure that lifeguard stands are no further than 1 ft. from the edge of the pool to prevent blindspots in the zone



Section 3114B

Pool Lighting

- where lighting is provided, must not interfere with lifeguard surveillance from glare.
- pools used at night shall have underwater lights, complete illumination with no blind spots.
- pools used at night shall provide deck lighting sufficient to identify hazards; aimed away from the pool



Section 3118B

Enclosure of Pool Area

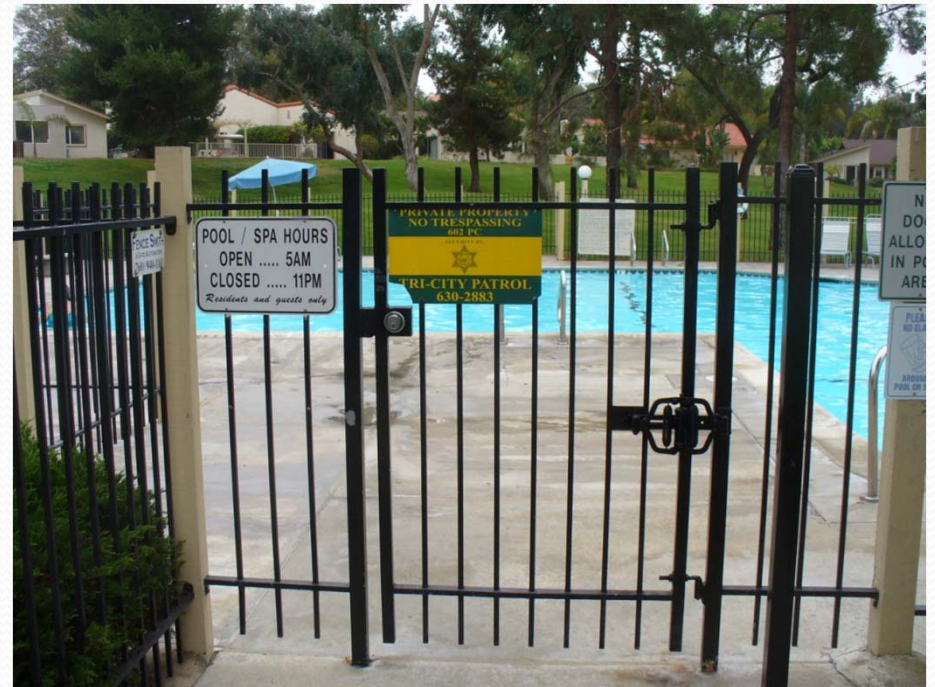
- Must be enclosed by fence, portion of building, wall or other durable enclosure
- Must be at least 5 ft high as measured from the outside
- Openings shall not allow the passage of a 4 in. sphere
- Bottom shall be within 2 in. of finished grade
- horizontal members must be at least 48 in. apart
- Clear span area of at least 5 ft.
- Chain link must be no $> 1 \frac{3}{4}$ in. horizontally



Section 3118B

Enclosure of Pool Area cont.

- Gates and doors must have self-closing, self-latching devices
- Must open outward, away from pool
- Capable of being locked when pool is closed
- Must have a clearly labeled emergency exit (4 in. letters) that does not need a key



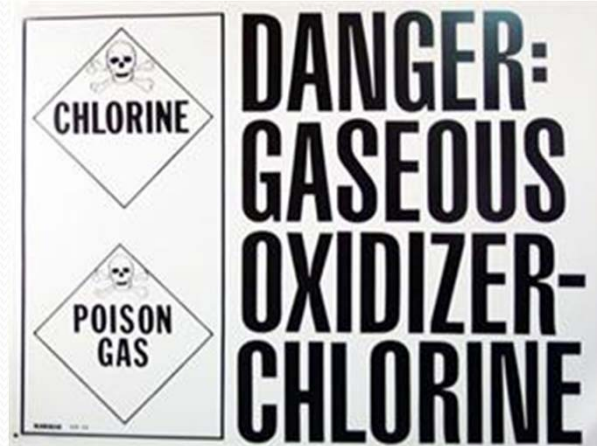
Section 3119B - Signs

- Occupant load sign, 4 in. letters
 - spas – one bather/10 ft²
 - other pools – one bather/20 ft²
- Shallow pool (max. depth <6 ft. NO DIVING ALLOWED



Section 3119B - Signs

- WARNING SIGNS
 - for pools using gas Cl
 - for pools without lighting



Section 3119B - Signs

- Warning sign for a spa
- Specific language
- Must match the code exactly!



Section 3124B - Turnover Time

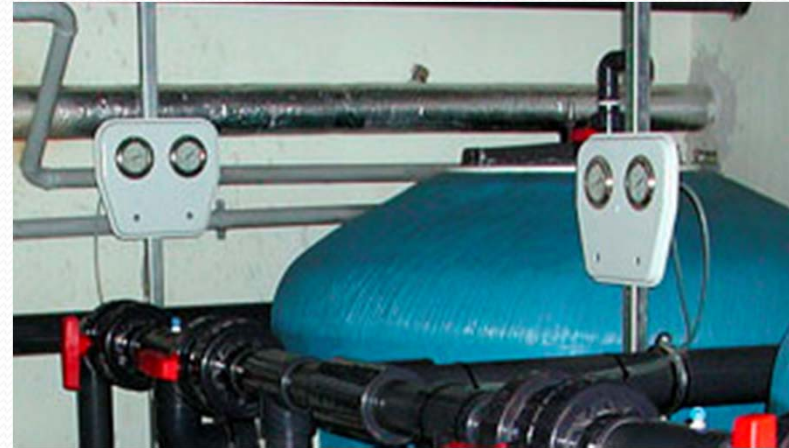
- ½ hr. or less for a spa
- 1 hr. or less for a wading pool
- 6 hrs. or less for other pools



Section 3125B

Recirculation Piping System & Components

- Filter gauges required on each influent & effluent line



- Flow meter required



Section 3135B

Spa Special Requirements

- Aeration system separate from filtration system
- Maximum temperature 104°



Title 24, Article 680-13 Emergency Switch for Spas



Additional State Regulation

Bloodborne Pathogen Standard

Heat Illness Prevention Standard

Aerosol Transmissible Disease Standard



State Regulation

- Bloodborne Pathogens 1992- Cal OSHA & OSHA
(*Cal OSHA amended in 2001*)
 - CA Code of Regulations
 - Title 8, Section 5193
 - <http://ccr.oal.ca.gov/linkedslice/default.asp?SP=CCR-1000&Action=Welcome>
 - search for a specific regulatory section
 - Incorporate as part of your IIPP (Injury Illness Protection Plan)

Bloodborne Pathogens Standard

- Exposure determination
 - determine which employees may be occupationally exposed to blood or OPIM
- Methods of compliance
 - universal precautions, engineering & work practice controls, personal protective equipment, housekeeping, laundry procedures, regulated waste disposal



Bloodborne Pathogens Standard

- Hep B vaccination, post-exposure evaluation & follow-up
- Hazard communication
 - labels & signs, information & training
- Record keeping
 - Medical & training records



State Regulation

Heat Illness Prevention 2005- Cal OSHA &
OSHA (*Cal OSHA amended in 2006*)



- CA Code of Regulations
 - Title 8, Section 3395
- Can incorporate as part of your IIPP, along with BBP

Heat Illness Prevention Standard



Cal/OSHA's 4 main requirements:

- Provide heat illness **prevention training** to employees and supervisors
- Provide enough **fresh water** so that each employee can drink at least **1 quart/hour** and encourage them to do so
- Provide **access to shade** for at least **5 minutes of rest** when an employee believes he or she needs a **preventive recovery period**
- Develop and implement **written procedures** for complying with the standard

Heat Illness Prevention Standard



OTHER REQUIREMENTS:

- Provide for **acclimatization**
 - Allow employees (especially new ones) to **adjust to hot weather** by gradually increasing to a full work shift and pace
 - Time the shift so that more work can be done during the cooler parts of the day
 - Increase the number of water and rest breaks
 - Use a buddy system so workers and supervisors can monitor each other

Heat Illness Prevention Standard



SHADE REQUIREMENTS:

- Shade for **5 minute preventive recovery periods** must be accessible to employees at all times
- Shade is sufficient if objects in the shaded area do not cast a shadow and the space is enough to be comfortable
- Buildings and trees can qualify for shade (must block sunlight and be ventilated)
- Consider also **umbrellas** and canopies





State Regulation

- Aerosol Transmissible Disease Standard 2008- Cal OSHA & OSHA
 - TB, measles, SARS, monkey pox, small pox, chicken pox, etc.
- CA Code of Regulations
 - Title 8, Section 5199
- Can incorporate as part of your IIPP, along with BBP

Aerosol Transmissible Disease Standard



- Does This Apply to **Lifeguards**?
 - Does not specifically mention lifeguards
 - Includes: paramedic and **emergency medical services** including these services when provided by firefighters and other **emergency responders**
- **Defines** emergency medical services
 - Medical care provided pursuant to Title 22, Division 9, by employees who are **certified EMT-1, certified EMT-II, or licensed paramedic personnel** to the sick and injured at the scene of an emergency, during transport, or during interfacility transfer.

Aerosol Transmissible Disease Standard

- Written similarly to the BBP standard
 - The **employer** is responsible to identify those employees who have **occupational exposure**
- Identify **tasks, duties & environment** that create occupational exposure
 - A trigger is whether or not employees perform any “**aerosol-generating procedures**”

Aerosol-Generating Procedures

CDC defines AGP as:

- procedures that **stimulate coughing** and promote the generation of aerosols



WHO classifies the following as AGPs (12/09):

- Intubation and related procedures, e.g. **manual ventilation**
- Respiratory and airway **suctioning** (including tracheostomy care and open suctioning with invasive ventilation)
- **Cardiopulmonary resuscitation**



Aerosol Transmissible *Disease* Standard

- Requirements:
 - Exposure control plan
 - Engineering & Work practice controls
 - PPE
 - Annual TB testing
 - Post-exposure vaccination & medical follow-up
 - Training, initial and annual
 - Record keeping

Federal Legislation & Regulation

The background of the slide is a faded, light-colored image of the United States Capitol building in Washington, D.C. The building's iconic dome is the central focus, with its columns and architectural details visible. The sky is a pale, overcast blue, and the foreground shows a green lawn with some small figures of people.

- **Dept. of Labor (DOL), Wage and Hour Division (WHD)(Revised July 2008)**
 - Youth Employment Provisions of the FLSA
 - Fact Sheet #60
 - <http://www.dol.gov/whd/regs/compliance/whdfs60.htm>

Youth Employment Provisions of the FLSA

- Must be at least **Fifteen**, to be employed as lifeguards at traditional swimming pools and most facilities of water amusement parks
 - must be trained and certified by the **American Red Cross**, or a similar certifying organization, in aquatics and water safety
 - must be in compliance with all the other applicable provisions of the federal* youth employment rules including **restrictions on the hours and times of day** worked

- *Must also comply with **CA child labor laws**





Youth Employment Provisions of the FLSA

- The **occupation** of lifeguard includes:
 - **rescuing** swimmers
 - the **monitoring** of activities at a swimming pool to prevent accidents
 - the **teaching** of water safety
 - providing **assistance** to patrons
 - **maintain** order and cleanliness in the pool and pool areas
 - give **swimming instructions**
 - conduct or **officiate** at swimming meets
 - administer **first aid**
 - **checking in and out** such items as towels, rings, watches and apparel

Youth Employment Provisions of the FLSA

Junior Lifeguard Programs

- Participants, NOT employees
- active supervision at all times
- do not add “practical” experience at conclusion of or after program



**GUARD
START™**



Youth Employment Provisions of the FLSA

- Properly certified 15-year-old lifeguards are also permitted to:
 - use a **ladder** to access and descend from the **lifeguard chair**
 - use **hand tools** to clean the pool and pool area
 - **test and record water** quality for temperature and/or pH levels, using all of the tools of the testing process including adding chemicals to the test water sample
- 15-year-old lifeguards shall **NOT**:
 - Enter or work in any chemical storage areas, including any areas where the filtration and chlorinating systems are housed

Youth Employment Provisions of the FLSA

- Properly certified 15-year-olds **MAY** be employed as lifeguards at:
 - water amusement parks
 - wave pools
 - lazy rivers
 - activities areas
 - splashdown pools located at the bottom of elevated water slides
- Properly certified 15-year-olds may **NOT** be employed as lifeguards at:
 - at the top of elevated water slides



Youth Employment Provisions of the FLSA



- Youth under **16** years of age may **NOT** be employed as lifeguards at **natural** environment facilities such as:
 - rivers
 - streams
 - lakes
 - ponds
 - quarries
 - reservoirs
 - wharfs
 - piers
 - ocean-side beaches

Recent CA Court Decisions

- Janeway vs. City of Santa Barbara (July 2007)
- **Supreme Court** decision
- permits the parents of a developmentally disabled girl who drowned at a summer camp to sue, even though her mother had signed a **waiver** assuming, “full responsibility for risk of bodily injury, death or property”.
- waiver protected from ordinary negligence, not **gross negligence**
- plaintiffs presented enough evidence that a jury could possibly find **evidence** of gross negligence



Recent CA Court Decisions

- Van Horn vs. Watson (December 2008)
- **Supreme Court** decision
- Watson allegedly worsened the injuries suffered by Van Horn by yanking her “like a rag doll” from a wrecked car on Topanga Canyon Blvd.
- Court ruled Watson isn’t immune from liability (even though she thought the car was about to explode), because the care she rendered wasn’t **medical**.
- appears to signal that rescue efforts are the responsibility of **trained professionals**
- The CA legislature addressed questions raised by this decision by passing **AB 83**, signed by the governor on 8/6/09.



AB 83

http://ct2k2.capitoltrack.com/Bills/asm/ab_0051-0100/ab_83_bill_20090806_chaptered.pdf

Bolsters good Samaritan laws by including non-medical as well as medical care for

- Medical personnel
- law enforcement personnel
- emergency personnel
- good Samaritans



The background is a solid blue gradient. At the top, there are several wavy, overlapping lines in shades of light blue and cyan, creating a sense of movement or a horizon line. The main body of the slide is a uniform, medium-dark blue.

QUESTIONS ?



Wrap-Up

- Sleuth around
- Ask questions
- Don't assume everyone knows
- Share information
- Don't get overwhelmed
- Pick your priorities
- Do your best
- Be happy!

CA Swimming Pool Codes & Regulations

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