

AQUATIC FACILITY OREGON ADMINISTRATIVE RULES

333-060-0035

Licenses

(1) No person shall operate a public swimming pool or public wading pool without:

(a) Securing an approved final construction inspection from the Division or its agent; or, if an unlicensed wading pool constructed before July 1, 2006, a compliance inspection. The compliance inspection will show items of non-compliance that need to be corrected before license issuance or the need to comply with the requirements of OAR 333-060-0510;

(b) Making application for a license to operate such pool;

(c) Paying the license fee; and

(d) Securing a license from the Division or delegate county health department.

(2) Such license terminates and is renewable on December 31 of each year.

Stat. Auth.: ORS 448.035

Stats. Implemented: ORS 448.005 - 448.100, 448.990

Hist.: HD 2-1979, f. 1-25-79, ef. 3-1-79, Renumbered from 333-042-0098; HD 24-1983(Temp), f. & ef. 12-16-83; HD 7-1986, f. & ef. 5-1-86; PH 17-2006, f. 6-30-06, cert. ef. 7-1-06

333-060-0170

Bathhouses and Sanitary Facilities

(1) A bathhouse shall be provided at all general-use swimming pools.

(2) Where a general-use swimming pool is operated in conjunction with a companion facility, a bathhouse common to both facilities shall be acceptable, provided the minimum facility ratios and locations described in sections (3), (4) and (5) of this rule are followed.

(3) Bathhouses must be maintained in good repair and kept clean. Bathhouses built after September 1, 2014 must:

(a) Meet the requirements of:

(A) The Oregon Structural Specialty Code, 2014 Edition;

(B) The Oregon Mechanical Specialty Code, 2014 Edition;

(C) The Oregon Electrical Specialty Code, 2014 Edition;

(D) The Oregon Plumbing Specialty Code, 2014 Edition;

- (b) Be located within 200 feet (61 m) of the general-use swimming pool;
- (c) Have floors which are slip resistant, easily cleanable, and covered to a height of four inches (100 mm);
- (d) Have shower compartments with walls, which are impervious to water to a height of six feet (1.8m) above the floor. An effective water-tight joint between the wall and the floor shall be maintained. (Wooden racks or duck boards over shower floors are prohibited.);
- (e) Have interior wall and ceiling finishes which are smooth, easily cleanable, and impervious to water;
- (f) Where rubber or impervious mats are used, have such mats clean and dry between usages;
- (g) Have shower stall floors that are finished with non-slip, impervious surfaces;
- (h) Where glass bath or glass shower doors are used, have such doors made of safety glass;
- (i) Have a first-aid room equipped with a minimum of one cot, one blanket and supplies as described in Appendix A;
- (j) Hose bibs shall be provided for washing down the bathhouse interior; and
- (k) Floors shall slope a minimum of one-quarter inch per foot (2.1 percent slope) and shall drain to floor drains.

(4) General-use swimming pools shall provide sanitary facilities in the following numbers based upon maximum user load, except as provided in subsection (d) of this section:

- (a) Toilets — Women, one per 40 pool users or fraction thereof, with a minimum of two; Men, one per 60 pool user or fraction thereof, with a minimum of two (urinals shall be an acceptable substitute for no more than one-half of the toilets);
- (b) Lavatories adjacent to toilets — One per 60 pool users or fraction thereof;
- (c) Showers — One head per 40 pool users or fraction thereof, with a minimum of two.
- (d) A pool and its bathhouse built prior to June 5, 1956, may have a minimum of one toilet. If the bathhouse was remodeled after June 5, 1956, it shall comply with section (4) of this rule.

(5) Showers shall be located so as to provide users immediate access to the pool deck.

(6) Limited-use swimming pools shall provide sanitary facilities based on the maximum bather load of OAR 333-060-0055 in the following numbers:

- (a) Provide toilets and lavatories as described in subsections (4)(a) and (4)(b) of this rule; and
- (b) Provide such toilets and lavatories within 1,000 feet (305m) of the swimming pool;
- (c) Private accommodations located within 1,000 feet (305m) of the swimming pool shall constitute compliance with the requirements of subsection (6)(a) of this rule. When provided, additional bathhouse facilities adjacent to the pool shall comply with subsections (3)(a), (3)(c), (3)(d), (3)(e), (3)(f), (3)(g) and (3)(h) of this rule, and are exempt from the fixture requirements of section (4) of this rule.

(7) Hot and cold or tempered water only shall be provided at all shower heads.

(8) Soap shall be provided at all shower heads and lavatories.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.005-448.100, 448.990

Hist.: HD 2-1979, f. 1-25-79, ef. 3-1-79; Renumbered from 333-042-0165; HD 7-1986, f. & ef. 5-1-86; HD 22-1994, f. 8-22-94, cert. ef. 9-1-94; PH 10-2007, f. & cert. ef. 7-13-07; PH 23-2014, f. 8-15-14, cert. ef. 9-1-14

333-060-0200

Pool Water Quality

(1) Water in public swimming pools and wading pools shall be maintained with water quality parameters within the set limits set out in Pool Water Quality OAR 333-060-0200 and Table 3. [Tables not included. See ED. NOTE]

(2) Testing Equipment:

(a) All public swimming pools shall have functional test kit(s) or equipment for measuring the pH, free and combined chlorine concentration, or bromine, (or concentration of other approved disinfectant), total alkalinity, turbidity (water clarity) and cyanuric acid if stabilized chlorine is used;

(b) Functional test kits or testing systems to test for total copper and silver concentrations shall be provided when they are used as supplemental disinfectants;

(c) Test kits for measuring free chlorine or bromine shall use DPD as the reagent.

(3) Pool operators shall test and record the parameters described in subsections (2)(a) and (b) of this rule with the following minimum frequencies during periods when the pool is open for use:

(a) pH -- Daily;

(b) Chlorine:

(A) Outdoor Pools:

(i) Chlorine (Non-stabilized) -- Hourly;

(ii) Chlorine (Stabilized with a minimum of 30 ppm cyanuric acid) -- Every four hours.

(B) Indoors Pools: Chlorine -- Every four hours.

(c) Bromine:

(A) Outdoor Pools -- Bromine -- Hourly;

(B) Indoor Pools -- Bromine -- every 4 hours.

(d) Continuous reading devices shall satisfy requirements in subsections (3)(a), (b) and (c) of this rule if such devices record in pH units and ppm of free chlorine or bromine;

(e) Total copper -- Weekly, if used;

(f) Total silver:

(A) If ionizing technology is used, once per quarter for one year after equipment is installed; twice per year thereafter;

(B) Weekly if silver is dispensed without using ionizing technology.

(g) Total alkalinity -- Weekly;

(h) Calcium hardness -- (recommended) -- Weekly;

(i) Turbidity -- Daily;

(j) Cyanuric acid (if used) -- Monthly.

(4) Notwithstanding the above, the Division may require any other testing frequency for a pool water parameter or a chemical added to the pool for the purpose of protecting public health.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 448.011

Stats. Implemented: ORS 448.011

Hist.: HD 2-1979, f. 1-25-79, ef. 3-1-79; Renumbered from 333-042-0178; HD 7-1986, f. & ef. 5-1-86; HD 17-1991, f. & cert. ef. 10-15-91; HD 22-1994, f. 8-22-94, cert. ef. 9-1-94

ELEVATOR INSPECTIONS OREGON ADMINISTRATIVE RULES

918-400-0665

Periodic Inspections

(1) The elevator owner must make provisions to allow access for inspections as required by ORS 460.135, within 30 days of request by the division.

(2) If access is denied or obstructed in whole or in part at the time of the inspection and a return inspection is necessary, a reinspection fee shall be charged under ORS 460.165 and OAR 918-400-0800.

Stat. Auth.: ORS 455.117

Stats. Implemented: ORS 455.117

Hist. BCD 8-2006, f. 6-30-06, cert. ef. 7-1-06

CEMETERY OREGON ADMINISTRATIVE RULES

830-040-0010

Inspection of Licensed Facilities or Location Where Records Are Kept: Investigations

- (1) Facilities must keep their premises sanitary at all times.
- (2) Every licensee must accommodate the inspector or investigator of the Board in making his or her inspections unless the licensee can clearly demonstrate that such accommodations will negatively impact the ability to provide scheduled services to consumers or that exigent circumstances exist. In such cases and upon the request of the Board, the licensee must make the reasons known to the Board in writing within ten days following the attempted inspection. When entry is refused under this section, the Board may obtain and execute warrant for inspection.
- (3) No licensee or employee of a licensed facility may give false or misleading information to an inspector, investigator or any other member of the Board while investigating a possible violation of law or administrative rules.
- (4) Every licensee must provide the Board inspector or investigator a copy of all documents as requested relevant to the inspection or investigation.
- (5) No person, licensee, or any agent of a licensee, may interfere with any inspection or investigation conducted by an agent of the Board.
- (6) The Board may inform a licensee of the nature of any complaint against the licensee that is being investigated except when the Board finds that disclosure of the potential violation would impede the effectiveness of the investigation, or that a serious danger to the public health or safety exists.

Stat. Auth.: ORS 692.160 & 692.320

Stats. Implemented: ORS 692.180

Hist.: MCB 1-1986, f. & ef. 10-21-86; MCB 1-1993, f. 4-14-93, cert. ef. 4-16-93; MCB 1-2011, f. 7-29-11, cert. ef. 8-1-11; MCB 1-2012, f. 3-27-12, cert. ef. 4-1-12

830-020-0040

License, Certificate and Registration Fees

- (1) Initial application fees:
 - (a) Funeral establishment, immediate disposition company, crematory, alternative disposition facility or a cemetery that performs more than ten interments annually — \$150 (includes first principal) plus \$50 for each additional principal;
 - (b) Cemetery that performs ten or fewer interments annually — an initial fee of \$100 and a fee not to exceed \$50 for registration of all principals regardless of the total number of principals
 - (c) Change of principal — \$50 per licensed facility;

(d) Trainee (Apprentice) funeral service practitioner or trainee (apprentice) embalmer — \$50;

(e) Reciprocal funeral service practitioner or reciprocal embalmer — \$160;

(f) Intern Trainee (Apprentice) — \$25;

(g) Preneed Salesperson — \$150;

(h) Certificate of Removal Registration — \$30;

(i) Funeral Service Practitioner — \$80 per year;

(j) Embalmer — \$80 per year;

(k) Death Care Consultant — \$80 per year.

(2) Renewal application fees:

(a) Funeral establishment or immediate disposition company — \$350 per year, payable biennially;

(b) Crematory or Alternative Disposition Facility — \$100 per year plus \$2 per disposition performed during the two calendar years preceding the year in which the current license expires, payable biennially;

(c) Cemetery — \$4 per interment performed during the two calendar years preceding the year in which the current license expires up to a maximum of 150 interments or \$600 per year, payable biennially; (Cemeteries with ten or fewer interments annually are not required to pay a renewal fee in accordance with ORS 692.275.)

(d) Funeral service practitioner — \$80 per year, payable biennially;

(e) Embalmer — \$80 per year, payable biennially;

(f) Combination funeral service practitioner/embalmer — \$160 per year, payable biennially;

(g) Trainee (Apprentice) funeral service practitioner — \$25 per year, payable annually;

(h) Trainee (Apprentice) embalmer — \$25 per year, payable annually;

(i) Preneed salesperson — \$25 per year, payable biennially;

(j) Death care consultant — \$80 per year, payable biennially.

(3) Exam fees:

(a) Funeral service practitioner exam — \$100;

(b) Embalmer exam (written or practical) — \$130 to \$400 (depending on the cost to the Board).

(c) Death care consultant exam — \$100.

(4) License, certificate and registration reissue fees:

- (a) Transfer of apprenticeship, replacement license, name change or manager change — \$25;
- (b) Licensed facility location change — \$250.
- (5) Reinstatement of lapsed license, certificate or registration — \$50 each.
- (6) Funeral service practitioners, embalmers, and preneed salespersons must renew their licenses on even numbered years. Facilities must renew on odd numbered years.
- (7) Fees paid under this section are not refundable or transferable.
- (8) Notwithstanding the above, a registrant for the funeral service practitioner examination may notify the Board in writing that he or she is withdrawing the application for the examination and request a refund of the examination fee at any time before the date of the examination. Examination fee refunds will be refunded to the person that paid the examination fee to the board; fees paid by cred-it card will be refunded to the credit card holder, fees paid by money order or cashier's check will be refunded to the applicant.

Stat. Auth.: ORS 692.160, 692.320, 97.931 & 2015 HB 2471

Stats. Implemented: ORS 692.160, 97.931 & 2015 HB 2471

Hist.: SMB 1-1984, f. & ef. 10-22-84; MCB 1-1985(Temp), f. & ef. 7-3-85; MCB 2-1985(Temp), f. & ef. 11-5-85; MCB 1-1986, f. & ef. 10-21-86; Renumbered from 830-010-0110; MCB 2-1989(Temp), f. 10-2-89, cert. ef. 11-1-89; MCB 3-1989, f. 12-4-89, cert. ef. 12-1-89; MCB 1-1992, f. & cert. ef. 2-11-92; MCB 1-1993, f. 4-14-93, cert. ef. 4-16-93; MCB 3-1993, f. 10-28-93, cert. ef. 11-1-93; MCB 1-1994, f. 6-28-94, cert. ef. 8-1-94; MCB 1-1997, f. 6-18-97, cert. ef. 7-1-97; MCB 1-1998, f. & cert. ef. 6-22-98; MCB 1-2001(Temp), f. 12-12-01, cert. ef. 1-1-02 thru 6-29-02; MCB 1-2002, f. 5-30-02, cert. ef. 6-30-02; MCB 1-2004, f. 9-30-04, cert. ef. 11-1-04; MCB 1-2010(Temp), f. & cert. ef. 4-1-10 thru 9-27-10; MCB 2-2010, f. 9-23-10, cert. ef. 9-24-10; MCB 1-2011, f. 7-29-11, cert. ef. 8-1-11; MCB 1-2012, f. 3-27-12, cert. ef. 4-1-12; MCB 1-2013, f. 3-25-13, cert. ef. 3-29-13; MCB 1-2015, f. 12-31-15, cert. ef. 1-1-16