

Environmental Health Code, Chapter 14 Water Recreation Facility Regulations

Board of Health Resolution #2025–4874
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Section 1: Title

Environmental Health Code Chapter 14 shall be known as, cited and referred to as Water Recreation Facility Regulations.

Section 2: Authority and Purpose

- A. Tacoma-Pierce County Board of Health enacts the regulations in this chapter under the authority granted in Article 11, §11 of the Washington Constitution, RCW 70.05.060, Chapter 246-260 WAC, and Chapter 246-262 WAC.
- B. The purpose of these regulations is to protect the health, safety, and welfare of users of water recreation facilities and recreational water contact facilities.

Section 3: Administration

- A. The Health Officer shall administer and enforce these regulations under the authority of Chapter 70.05 RCW, Chapter 246-260 WAC, and Chapter 246-262 WAC, as now set forth or hereafter amended.
- B. Tacoma-Pierce County Board of Health may adopt fees for the administration of these regulations under the authority of RCW 70.05.060(7).

Section 4: State Regulation Adoption

Tacoma-Pierce County Board of Health adopts Chapter 246-260 WAC, and Chapter 246-262 WAC by reference in their entirety. When or if state and local regulations conflict, the more stringent shall apply.

Section 5: Enforcement

- A. A notice of violation and order to correct shall be issued, as provided in Environmental Health Code Chapter 1, to any person who violates or does not comply with requirements of this chapter.
- B. After an inspection report or notice of violation and order to correct is duly issued, if the person to whom such report or notice is directed fails to take the required corrective action within the designated time frame, the Health Officer may pursue any of the Chapter 1 remedies and penalties.

- C. The remedies and penalties in this chapter and Chapter 1 shall be in addition to applicable fees and charges in the current fee schedule adopted by the Tacoma-Pierce County Board of Health.
- D. All administrative civil penalties recovered shall be paid into the pool program general account.

Section 6: Appeals

- A. Any person aggrieved by a decision or final order of the Health Officer shall have the right to appeal such decision or order per Chapter 1 appeal procedures. When the Health Officer suspends or revokes a water recreation facility permit, the underlying violation(s) shall be considered an imminent threat to public health and safety pursuant to Environmental Health Code Chapter 1, Section 9.E and the water recreation facility shall remain closed during the appeal process.

Section 7: Waiver and Variance

Request for waiver or variance shall meet the requirements of Chapter 246-260 WAC or Chapter 246-262 WAC as applicable and follow the process outlined in Chapter 1, unless otherwise provided by state law.

Section 8: Severability

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter.