

"The Board of Health, City of Haverhill, on March 22, 1988, in accordance with, and under the authority granted by Section 31, of Chapter III of Massachusetts General Laws, promulgated and adopted the following regulation:

DEFINITIONS:

"Operator" means any person who (a) alone or jointly or severally with others owns a public or semi-public swimming pool, wading or special purpose pool regulated by 310CMR 12.00 or (b) has care, charge or control of such pool as agent or lessee of the owner or an independent contractor.

"Public Pool" means every swimming, wading or special purpose pool, admission to which may be gained by the general public with or without the payment of a fee.

"Semi-Public Pool" means a swimming, wading or special purpose pool on the premises of, or used in connection with a hotel, motel, trailer court, apartment complex, condominium, country club, youth club, school, camp, or similar establishments where the primary purpose of the establishment is not the operation of the swimming facilities, and where admission to the use of the pool is included in the fee or consideration paid or given for the primary use of the premises. Semi-public pool shall also mean a pool constructed and maintained by groups for the purposes of providing bathing facilities for members and guests only.

The Board of Health requires that the operator of a public or semi-public pool provide lifeguards **sixteen (16)** years of age or older. **Proof of age must be submitted along with the individual's current** Red Cross advanced Lifesaver's certificate or National Y.M.C.A. Lifesaver's Certificate, or equivalent, and a current American Heart Association or American Red Cross CPR Certificate and a Standard First Aid Certificate or equivalent. One lifeguard must be provided for each twenty (20) bathers.

Variations or modifications of this regulation may be authorized by the Board of Health in a particular case when in its opinion (1) the enforcement thereof would do manifest injustice; and (2) the applicant has proved that the same degree of protection required by this regulation can be achieved without strict application of this requirement.

HAVERTHILL BOARD OF HEALTH