

---

HOUSE BILL 1709

---

State of Washington

56th Legislature

1999 Regular Session

By Representatives Dunn, Morris, Carrell and Quall

Read first time 02/03/1999. Referred to Committee on Health Care.

1 AN ACT Relating to water recreation facilities; and amending RCW  
2 70.90.120 and 70.90.125.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.90.120 and 1987 c 222 s 5 are each amended to read  
5 as follows:

6 (1) The board shall adopt rules under the administrative procedure  
7 act, chapter 34.05 RCW, governing safety, sanitation, and water quality  
8 for water recreation facilities. The rules shall include but not be  
9 limited to requirements for design; operation; injury and illness  
10 reporting; biological and chemical contamination standards; water  
11 quality monitoring; inspection; permit application and issuance; and  
12 enforcement procedures. However, a water recreation facility intended  
13 for the exclusive use of residents of any apartment house complex or of  
14 a group of rental housing units of less than fifteen living units, or  
15 of a mobile home park, or of a condominium complex or any group or  
16 association of less than fifteen home owners shall not be subject to  
17 preconstruction design review, routine inspection, or permit or fee  
18 requirements; and water treatment of hydroelectric reservoirs or

1 natural streams, creeks, lakes, or irrigation canals shall not be  
2 required.

3 (2) In adopting rules under subsection (1) of this section  
4 regarding the operation or design of a recreational water contact  
5 facility, the board shall review and consider any recommendations made  
6 by the recreational water contact facility advisory committee.

7 (3) A health studio, as that term is defined in RCW 19.142.010,  
8 that operates a water recreation facility is not required to have a  
9 lifeguard on duty unless there are children using the water recreation  
10 facility.

11 **Sec. 2.** RCW 70.90.125 and 1987 c 222 s 6 are each amended to read  
12 as follows:

13 Nothing in this chapter shall prohibit any local board of health  
14 from establishing and enforcing any provisions governing safety,  
15 sanitation, and water quality for any water recreation facility,  
16 regardless of ownership or use, in addition to those rules established  
17 by the state board of health under this chapter. However, no local  
18 board of health may establish a provision that requires a health  
19 studio, as that term is defined in RCW 19.142.010, to have a lifeguard  
20 on duty more often than is required under RCW 70.90.120.

--- END ---