

**Public Swimming Pools, Public Spas and Special Use Pools  
Executive Summary**

**Background/Purpose:**

To amend Sections 213.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. Ord. No. 1234-12, passed December 3, 2012, relating to Public Swimming Pools, Public Spas and Special Use Pools; Licenses and fees.

Each fiscal year, the Cleveland Department of Public Health is required to conduct a Pool program cost analysis under OAC 3701-31-03 to establish local licensing fees. Amending Section 213.01 will ensure that the Cleveland Health Department is in compliance with the Ohio Administrative Code OAC 3701-31-03.

Section 213.01      Public Swimming Pools and Fees

**(a)** Every person who intends to operate or maintain a new or existing public swimming pool, public spa, or special-use pool, as defined in OAC 3701-31-01, shall, during the month of April of each year, apply for, and receive, a license, in accordance with requirements of the OAC Chapter 3701-31 and RC Chapter 3749. The application shall be made to the Commissioner of Assessments and Licenses.

**(b)** No person shall operate or maintain a public swimming pool, public spa, or special-use pool without a license issued by the Director of Public Health.

**(c)** In addition to the license fee required under RC 3749.04 for public swimming pools, public spas, and special-use pools, each application for a license shall be accompanied by a local combined license and inspection fee as follows:

Individual public swimming pool, individual public spa, or individual special use pool

1. For an individual public swimming pool the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Public Swimming Pools	\$195.00

**Proposed (2024)**

Pool Program Category	Fee
Public Swimming Pools	\$368.00

2. For an individual public spas the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Public Spas	\$195.00

**Proposed (2024)**

Pool Program Category	Fee
Public Spas	\$318.00

3. For an individual special use pools the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Special Use Pools	\$195.00

**Proposed (2024)**

Pool Program Category	Fee
Special Use Pools	\$322.00

(d) Each individual public swimming pool shall be issued an individual license based on the categories listed above. Facilities where multiple public swimming pools are located at the same address, the licensor may establish a reduced fee for each additional license.

Multiple public swimming pool, individual public spa, or individual special use pool

1. For multiple public swimming pools local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Public Swimming Pools	\$195.00

**Proposed (2024)**

Pool Program Category	Fee
Public Swimming Pools	\$368.00

2. For multiple public spas the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Public Spas	\$195.00

**Proposed (2024)**

Pool Program Category	Fee
Public Spas	\$318.00

3. For multiple special use pools the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Special Use Pools	\$195.00

**Proposed (2024)**

Pool Program Category	Fee
Special Use Pools	\$322.00

(e) For public swimming pools which are operated by the federal government, the state government, or a county, city, township, village, or tax-supported primary or secondary public school, the board of health of a city or general health district may adopt fees that are less than the fees established under paragraphs (D)(1) to (D)(3) of this rule.

For a public swimming pool, public spa, or special use pool, that is owned or operated by a governmental agency or tax-supported primary or secondary public school

1. For government agency/tax supported school public swimming pool the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Public Swimming Pools	\$40.00

**Proposed (2024)**

Pool Program Category	Fee
Public Swimming Pools	\$184.00

2. For government agency/tax supported school public spas the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Public Spas	\$40.00

**Proposed (2024)**

Pool Program Category	Fee
Public Spas	\$158.00

3. For government agency/tax supported school special use pools the local fee shall be:

**Current (2023)**

Pool Program Category	Fee
Special Use Pools	\$40.00

**Proposed (2024)**

Pool Program Category	Fee
Special Use Pools	\$160.00

**(f)** The Commissioner shall submit all applications for a license required under RC Chapter 3749 and under this chapter to the Director of Public Health for approval or disapproval of the application.

**(g)** The Commissioner is authorized to collect license fees under this chapter and under RC 3749.04 and deposit such fees collected under RC 3749.04 into the Swimming Pool Fund created under division (E) of RC 3749.04.

**(h)** The Commissioner shall transmit the appropriate amount of each license fee collected under RC 3749.04 to the Treasurer of the State of Ohio under the requirements of the Ohio Revised Code for deposit in the General Operations Fund created by RC 3701.83, under the requirements of RC 3749.04.