



Requirements for Public Swimming Pools

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Requirements for Public Swimming Pools

Reference Number: MTAS-1150

New federal requirements have been issued affecting cities that operate public swimming pools. In September 2010, the U.S. Department of Justice revised its regulations implementing the Americans with Disabilities Act (ADA). These regulations contain new requirements that include accessibility standards for swimming pools. The effective date for implementation of these regulations was March 15, 2012, but the Justice Department extended the date for compliance with requirements relating to existing pools to January 31, 2013.

Title II of the ADA is a federal law that prohibits discrimination against disabled persons in all programs, activities, and services of public entities. It applies to all municipalities and their departments, regardless of their population. This means that cities must make recreational programs, services, and activities, including swimming pools, accessible and useable. Cities with more than one pool may not necessarily be required to make every pool accessible, but cities with only one pool must make it accessible. To help cities with multiple pools determine which pools must be made accessible, the Department of Justice has compiled a list of factors for cities to consider:

FACTORS TO CONSIDER^[1]

- How to provide swimming programs in the most integrated setting appropriate;
- The ways in which people participate in the programs (e.g., individually, in families, in youth groups);
- Locations where the programs are offered;
- What programs are offered at each pool and to which constituencies (e.g., family swims, children's swimming lessons, older adult exercise classes, high school swim meets);
- Which pools are accessible and to what extent; and
- Level of dispersion of the accessible locations and convenience to reach them (e.g., one pool in each quadrant of the town, all on accessible mass transit).

Compliance with the new regulations is mandatory by cities that have pools that are open to the public. Existing swimming pools must be modified to comply with the 2010 guidelines no later than January 31, 2013. For all newly constructed or altered pools, the 2010 standards should be followed on or after March 15, 2012.

Among other requirements, the new regulations require that pools with less than 300 linear feet of pool wall provide at least one accessible means of entry/exit, which must be either a fixed pool lift or a sloped entry. Pools with 300 linear feet of pool wall or more must have two accessible means of entry and exit; one means of entry/exit must be a fixed pool lift or sloped entry; the other entry can be a transfer wall, transfer system, or pool stairs. (*Section 242, 2010 ADA Standards for Accessible Design.*)

When structural changes are made to provide a means of access, all modifications must comply with the revised ADA guidelines. Additional requirements can be found in sections 242 and 1009 of the 2010 *ADA Standards for Accessible Design*.

For more information, you may contact either: PARTAS at <http://www.tn.gov/environment/recreation> [1], telephone: (615) 532-0748 or U.S. Department of Justice ADA at www.ADA.gov [2], telephone: (800) 514-0301.

[1] *Revised ADA Requirements: Accessible Pools - Means of Entry and Exit* U.S. Department of Justice, (May 24, 2012), available at http://www.ada.gov/pools_2010.htm [3]

Links:

[1] <http://www.tn.gov/environment/recreation>

[2] <http://www.ADA.gov>

[3] http://www.ada.gov/pools_2010.htm

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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