

WASHINGTON STATE BOARD OF HEALTH

Date: January 10, 2024

To: Washington State Board of Health Members

From: Patty Hayes, Board Chair

Subject: Rulemaking Petition Update – 246-260-031 WAC, General design, construction, and equipment for all water recreation pool facilities.

Background and Summary:

The State Board of Health's (Board) authority under RCW 70.90.120 requires the Board to adopt rules governing safety, sanitation, and water quality for water recreation facilities. The rules include requirements for facility design. Beginning in 2016, the Board initiated rulemaking for revision of Chapters 246-260 and 246-262 WAC ([CR-101](#)) and has established a Technical Advisory Committee (TAC) in conjunction with the Department of Health (Department).

On June 12, 2023, the Board received a petition for rulemaking from Elizabeth M. Stumpf requesting the amendment of WAC 246-260-031, General design, construction, and equipment for all water recreation pool facilities. The petition specifically requested that the Board amend the rule to address barrier latch height at water recreation facilities to comply with the Americans with Disabilities Act (ADA), which specifies that a latch handle should not exceed 48 inches in height. The petition states that the change is needed to ensure equal access for individuals who use wheelchairs.

At the August 2023 Board meeting, the Board accepted the petition for rulemaking to amend WAC 246-260-031 to be considered as part of the ongoing rulemaking for water recreation facilities and directed staff to notify the requestor of its decision. The Board further requested that the Department direct the TAC to prioritize this section of the rules and brief the Board of the TAC's findings by January 2024.

I have invited Andrew Kamali (Board Staff) and Dave DeLong (Department Staff) to provide an update to the Board on the work that has been completed to date.

Recommended Board Actions

This is an informational update, where no action is needed by the Board.

Staff

Andrew Kamali

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