

COVID-19 Preparedness Plan Guidance: Requirements for Public Pools

5/18/2021

This guidance applies to all business and places of public accommodation (“businesses”)—as defined by Executive Order 21-11, as amended by Executive Orders 21-21 and 21-23 (“EO”)—that operate public pools from Friday, May 7, 2021 at 12:00 p.m. (noon) through May 27, 2021. Businesses must continue to follow all other applicable [Stay Safe Industry Guidance \(staysafe.mn.gov/industry-guidance/index.jsp\)](https://staysafe.mn.gov/industry-guidance/index.jsp). The EO requires all businesses to have and implement a written COVID-19 Preparedness Plan that addresses EO requirements and applicable Stay Safe Industry Guidance. For more information about plan requirements, refer to applicable [Stay Safe Guidance for All Business Entities \(staysafe.mn.gov/industry-guidance/all-businesses.jsp\)](https://staysafe.mn.gov/industry-guidance/all-businesses.jsp).

This guidance has been updated to align with EO 21-11, 21-21, and 21-23, a CDC transmission of COVID-19 update (5/13/2021), and removal of face covering EO requirements (5/14/2021).

Recommendations to prevent the spread of COVID-19

COVID-19 spreads when an infected person breathes out droplets and very small particles that contain the virus. These droplets and particles can be breathed in by other people; land in their eyes, nose, or mouth; or land on surfaces that people touch. The risk of COVID-19 transmission increases when people gather with other households. Several key strategies can reduce the risk of getting sick or transmitting COVID-19:

- ✓ Get vaccinated. Vaccination is one of the best things you can do to prevent getting or spreading COVID-19. Visit [COVID-19 Vaccine \(www.health.state.mn.us/diseases/coronavirus/vaccine/index.html\)](https://www.health.state.mn.us/diseases/coronavirus/vaccine/index.html)
- ✓ Wear a face covering when recommended by MDH or CDC.
 - There is no longer a statewide requirement to wear face coverings in most settings. However, other federal, state, and/or local laws may require face coverings in some settings, and businesses may set their own requirements. Additionally, Minnesota’s Safe Learning Plan, along with the existing face covering guidance for schools and childcare settings, remains in effect.
 - For more information about face covering recommendations, refer to [Face Covering Requirements and Recommendations \(www.health.state.mn.us/diseases/coronavirus/facecover.html\)](https://www.health.state.mn.us/diseases/coronavirus/facecover.html).
- ✓ If you are not vaccinated:
 - Keep at least 6 feet of physical distance from other households and follow the face covering recommendations in the above MDH resources.

- ✓ Vaccinated or not vaccinated, MDH strongly recommends that everyone:
 - Wash their hands often.
 - Follow guidance on staying home (quarantine) if you were exposed to someone who has COVID-19. People who are fully vaccinated may not need to quarantine in many situations. Refer to [Quarantine Guidance for COVID-19 \(www.health.state.mn.us/diseases/coronavirus/quarguide.pdf\)](https://www.health.state.mn.us/diseases/coronavirus/quarguide.pdf) for more details.
 - Stay home if they are sick. Visit [If You Are Sick: COVID-19 \(www.health.state.mn.us/diseases/coronavirus/sick.html\)](https://www.health.state.mn.us/diseases/coronavirus/sick.html).
 - Follow testing recommendations for when they travel, have COVID-19 symptoms, or are exposed to COVID-19. Visit [COVID-19 Testing \(www.health.state.mn.us/diseases/coronavirus/testsites/index.html\)](https://www.health.state.mn.us/diseases/coronavirus/testsites/index.html) for information about who should get tested and how to get a test.
 - Work from home if possible. Employers must provide reasonable accommodations as required under existing federal and state law. Employers are strongly encouraged to provide reasonable accommodations to employees with one or more members of their household who have underlying medical conditions and who are unable to be vaccinated.

Public pools defined

- ✓ Public pools are defined in [Minnesota Statutes 2020, Section 1444.1222 Public Pools; Enclosed Sports Arenas \(www.revisor.mn.gov/statutes/cite/144.1222\)](https://www.revisor.mn.gov/statutes/cite/144.1222).
- ✓ "Public pool" means any pool other than a private residential pool, that is:
 - Open to the public generally, whether for a fee or free of charge;
 - Open exclusively to members of an organization and their guests;
 - Open to residents of a multiunit apartment building, apartment complex, residential real estate development, or other multifamily residential area;
 - Open to patrons of a hotel or lodging or other public accommodation facility; or
 - Operated by a person in a park, school, licensed child care facility, group home, motel, camp, resort, club, condominium, manufactured home park, or political subdivision.
- ✓ Swimming pools at family day care homes licensed under section [Minnesota Statutes 2020, 245A.14, subdivision 11 \(www.revisor.mn.gov/statutes/cite/245A.14#stat.245A.14.11\)](https://www.revisor.mn.gov/statutes/cite/245A.14#stat.245A.14.11), paragraph (a) are not "public pools."

Key public pool requirements

- ✓ Occupancy of indoor public pool enclosures must not exceed the maximum occupancy as determined by the percentage calculations in the section on managing occupant capacity, below. If an indoor pool is located within a place of public accommodation with limited occupancy, such as a fitness center, the occupants of a pool must be counted toward the overall occupancy of the place of public accommodation.
- ✓ Occupancy of outdoor pools is not limited by the EO.
- ✓ Public pools must also follow all applicable guidance below and the applicable [Stay Safe Guidance for All Business Entities \(staysafe.mn.gov/industry-guidance/all-businesses.jsp\)](https://staysafe.mn.gov/industry-guidance/all-businesses.jsp).

- ✓ At indoor pools, a minimum of 6 feet of social distancing for patrons from different households is required while in the pool and while on the deck (for example, while preparing to enter the pool or waiting in line for a slide).
- ✓ Indoor spa pools may be open, but indoor steam rooms and saunas must remain closed until May 28.

Reopening pools and hot tubs

Legionella concerns

Extended closures of hot tubs, spas, and play features such as fountains and spray decks can increase the risk of waterborne diseases such as Legionnaires' disease. *Legionella* is the organism that causes Legionnaire's Disease and Pontiac Fever. It is important to ensure these features are safe to use after extended closure to minimize the transmission of *Legionella* and other bacteria.

Refer to the following CDC guidance:

- [Extended Hot Tub/Spa Closures \(www.cdc.gov/healthywater/swimming/aquatics-professionals/extended-hot-tub-closures.html\)](http://www.cdc.gov/healthywater/swimming/aquatics-professionals/extended-hot-tub-closures.html)
- [Operating Public Hot Tubs/Spas \(www.cdc.gov/healthywater/swimming/aquatics-professionals/operating-public-hot-tubs.html\)](http://www.cdc.gov/healthywater/swimming/aquatics-professionals/operating-public-hot-tubs.html)
- [Guidance for Reopening Buildings After Prolonged Shutdown or Reduced Operation \(www.cdc.gov/coronavirus/2019-ncov/php/building-water-system.html\)](http://www.cdc.gov/coronavirus/2019-ncov/php/building-water-system.html)

Required plan sections

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1. Health screening

Requirements

- ✓ Follow the applicable requirements in the [Stay Safe Guidance for All Business Entities \(staysafe.mn.gov/industry-guidance/all-businesses.jsp\)](https://staysafe.mn.gov/industry-guidance/all-businesses.jsp).

2. Manage occupant capacity

Requirements

- ✓ **Determining indoor occupant capacity:** Unless otherwise expressly permitted under these requirements, pools must reduce the indoor occupant capacity for the pool facility to that which is necessary to always meet the social distancing requirements in this guidance.
 - To calculate the permitted maximum occupant capacity for the indoor pool facility, the facility must begin with the normal occupant capacity whenever required or established by applicable state or local authorities in accordance with established codes and requirements. If a pool facility is unsure of its occupant capacity, the facility must consult with the applicable state or local authorities with jurisdiction.
 - Workers do not need to be considered when determining the occupancy of the venue.
 - Parents/guardians of minors: If a patron is a minor that requires supervision, the minor and the parent or guardian are each counted as individual occupants.
- ✓ **Indoor pools:** Occupancy for indoor pools cannot exceed the maximum number of persons, as determined by the following:
 - Less than 500 persons: If the rated occupant capacity of the entire pool facility is 500 persons or less, then the occupancy for the entire pool facility cannot exceed **50%** of the rated occupant capacity.
 - Greater than 500 persons: If the rated occupant capacity of the entire indoor pool facility is greater than 500 persons, then business must use the following calculation to determine the maximum occupancy for the entire venue:
 - Step 1: Start with the rated occupant capacity for the entire venue and **subtract 500**.
 - Step 2: Take the difference and **multiply it by 15% (0.15)**.
 - Step 3: Take the number and **add 250**.
 - EXAMPLE: An indoor pool facility maintains a rated occupant capacity of 3,000 patrons.
 - $3,000 - 500 = 2,500$;
 - $2,500 \times 0.15 = 375$;
 - $250 + 375 = 625$.
 - **Social distancing requirements:** The pool may need to further reduce the number of occupants/patrons it allows allow to ensure proper social distancing in the pool or on the pool deck in the event of a fecal incident or other life-safety situation where bathers may need to exit the pool and remain on the pool deck or evacuate to another location. Additional distancing requirements apply as described in this document.

- **Indoor pools located within a place of public accommodation:** If an indoor pool is located within a place of public accommodation with limited occupancy, such as a fitness center, the occupants of a pool must be counted toward the overall occupancy of the place of public accommodation.
- ✓ **Outdoor pools:** Outdoor pools are not required to limit their occupancy. Normal bather load and occupancy limits according to state and local building codes, fire codes, and zoning requirements apply. Pool owners are responsible for knowing and complying with any applicable state or local restrictions.

3. Maintain social distance of at least 6 feet in indoor settings

Requirements

- ✓ For indoor pools, follow the applicable social distancing requirements in the [Stay Safe Guidance for All Business Entities \(staysafe.mn.gov/industry-guidance/all-businesses.jsp\)](https://staysafe.mn.gov/industry-guidance/all-businesses.jsp).

Lobby and locker rooms

- ✓ Ensure 6 feet of social distancing is maintained at all times in locker rooms, lobbies, and other indoor areas outside of the pool or pool deck.
 - These social distancing requirements do not prevent a facility from allowing an adult to provide support to a person who, by reason of age, medical condition, or disability, needs assistance with activities (e.g., exercise, swimming, changing, using the restroom, etc.).
- ✓ Enforce the requirements for user sanitation and safety, including showering, as stated in [Minnesota Rule 4717.1650: User Sanitation and Safety \(www.revisor.mn.gov/rules/4717.1650/\)](https://www.revisor.mn.gov/rules/4717.1650/).

Indoor spa pools

- ✓ Social distancing of 6 feet must be maintained between users of an indoor spa pool from different households. Limiting the use of the spa pool to one user or one household at a time may be necessary, depending on the size of the spa pool.

Indoor wading pools

- ✓ Social distancing of 6 feet must be maintained between household groups (example, a parent and child) using an indoor wading pool.

Indoor pool deck and accessory features

- ✓ Locate indoor deck furniture in accordance with distancing requirements.
- ✓ If diving boards, slides, or other aquatic play features are used indoors, queuing areas must be marked to provide for physical distancing of 6 feet. For example, by using floor markings, lane lines, and/or marking of adjacent areas where patrons are waiting for their turn.

Recommendations

- ✓ Encourage re-arranging locker rooms or putting in place other physical barriers or markings to encourage social distancing.
- ✓ Discourage guests from congregating indoors while waiting in line for entry or for using aquatic play features. Consider using floor markings, or other techniques to maintain adequate separation.

4. Swimming Lessons

Requirements

- ✓ Students in indoor swimming lessons must remain a minimum of 6 feet apart from one another. The social distancing requirement does not need to be met for students from the same household.
 - Instructors may be closer to students than 6 feet as necessary to aid swimmers.
- ✓ The maximum number of students allowed in an indoor swimming lesson class is 50.
- ✓ If more than one swimming lesson class is held concurrently indoors, each class must be spaced at least 6 feet away from any other class.

Recommendations

- ✓ The use of floating swimming devices/aids (floating barbells, kickboards, etc.) is encouraged to minimize hands-on assistance, and to increase the distance between the swimmers and the instructors.
- ✓ Stagger start and end times between swimming lesson classes to minimize crowding on deck and in locker rooms.

5. Group fitness classes

Requirements

- ✓ A maximum of 50 people are allowed per indoor group fitness class.
- ✓ Indoors, social distancing of at least 6 feet between people must be maintained while class is in session, and whenever activities involving physical exercise or exertion are being performed.
- ✓ Indoor group fitness classes may not be held in the pool concurrently with other activities such as swimming lessons or lap swimming.
- ✓ A reservation system must be established for each class held indoors.

6. Recreational lap swimming

Requirements

- ✓ In indoor pools, two patrons per lane at a time are allowed for recreational lap swimming, provided that 6 feet of social distancing is always maintained between swimmers through lane configurations (see USA swimming guidance below for additional guidance)
- ✓ A reservation system must be established for using the lap swimming pool held indoors.

7. Competitive swimming

Requirements

- ✓ Organized youth and adult competitive swim teams using an indoor pool must ensure that 6 feet of social distance is always maintained between swimmers.

- ✓ More than one swimmer per lane may be allowed for indoor competitive swim practice if a facility's COVID-19 Preparedness Plan includes a diagram of proposed lane configurations and a description of how social distancing requirements will be met.
 - Refer to USA Swimming for guidance related to competitive swimming practice lane configurations: [USA Swimming Facility Re-opening Messaging and Planning \(www.usaswimming.org/docs/default-source/coronavirus-resources---updated/facilityreopeningv3.pdf\)](http://www.usaswimming.org/docs/default-source/coronavirus-resources---updated/facilityreopeningv3.pdf).
- ✓ Teams must follow the COVID-19 Guidance for Youth and Adult Sports on [Stay Safe Guidance for Organized Sports \(staysafe.mn.gov/industry-guidance/organized-sports.jsp\)](http://staysafe.mn.gov/industry-guidance/organized-sports.jsp).

8. Lifeguard and pool operator certification trainings

Requirements

- ✓ Follow the applicable requirements included in the Universal Plan Guidance for COVID-19 Preparedness Plans found at [Stay Safe Guidance for All Business Entities \(staysafe.mn.gov/industry-guidance/all-businesses.jsp\)](http://staysafe.mn.gov/industry-guidance/all-businesses.jsp).

9. Emergency protocols and other safety considerations

Requirements

Evaluate COVID-19 impact on rescue protocol:

- ✓ Ensure adequate supply and reliable source of personal protective equipment (PPE).
- ✓ Evaluate and revise CPR protocol as needed.
- ✓ Have staff treat any emergency victim as COVID-19 positive until otherwise determined.

10. Water chemistry and maintenance

Requirements

- ✓ Maintain the disinfection residuals required in the Minnesota pool code: [Minnesota Rule 4717.1750: Pool Water Condition \(www.revisor.mn.gov/rules/4717.1750/\)](http://www.revisor.mn.gov/rules/4717.1750/). Proper operation, maintenance, and disinfection (with chlorine or bromine) of swimming pools should kill the virus that causes COVID-19.

11. Staffing

Requirements

- ✓ Ensure adequate staffing to accommodate modifications to the operation, including altered hours of operation and enhanced cleaning and disinfecting protocols. Train all staff on new procedures and expectations.
- ✓ Each facility must have a designated person on site to ensure that guidelines and regulations are followed. A facility may appoint an attendant or other staff member to perform these duties, as long as the facility is otherwise properly staffed. **A lifeguard while on lifeguard duty may not perform duties of the attendant** or be given additional duties that distract from the responsibilities of lifeguarding.

- ✓ For indoor pools without onsite staff, determine how mandated capacity limits and access will be monitored. Options may include using a screener at the pool entrance or using a video monitoring system.

Recommendations

- ✓ Plan employee schedules so that cohort groups work together, when practical. For example, Aaden, Javier, and Ann always work together; Hodan, Dawb, and Peter always work together. However, members of one team never work with another team. Scheduling in teams can help to reduce exposures within the staff.

12. Training and communication

Requirements

- ✓ Follow the applicable requirements in the [Stay Safe Guidance for All Business Entities \(staysafe.mn.gov/industry-guidance/all-businesses.jsp\)](https://staysafe.mn.gov/industry-guidance/all-businesses.jsp).

13. Cleaning and disinfecting

Requirements

- ✓ Follow the applicable requirements included in the Stay Safe Guidance for All Business Entities (staysafe.mn.gov/industry-guidance/all-businesses.jsp).
- ✓ Discourage people from sharing items that are difficult to clean, sanitize, or disinfect, or those that are meant to come in contact with the face (for example, goggles, nose clips, and snorkels).

Additional resources

Visit the CDC website for additional guidance about prevention of COVID-19 and public aquatics facilities: [Guidance for Public Pools, Hot Tubs, and Water Playgrounds During COVID-19 \(www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/aquatic-venues.html\)](https://www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/aquatic-venues.html).



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