

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Ahern offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 772-784 and insert:

5 Section 18. Subsections (2) through (5) of section
6 514.031, Florida Statutes, are renumbered as subsections (3)
7 through (6), respectively, present subsection (5) is amended,
8 and a new subsection (2) is added to that section, to read:

9 514.031 Permit necessary to operate public swimming pool.—

10 (2) The department shall ensure through inspections that a
11 public swimming pool with an operating permit continues to be
12 operated and maintained in compliance with rules adopted under
13 this section, the original approved plans and specifications or
14 variances, and the Florida Building Code adopted under chapter

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15 553 applicable to public pools or public bathing places. The
16 department may adopt and enforce rules to implement this
17 subsection, including provisions for closing pools and bathing
18 places not in compliance. For purposes of this subsection, the
19 department's jurisdiction includes the pool, the pool deck, the
20 barrier as defined in s. 515.25, and the bathroom facilities for
21 pool patrons. The local enforcement agency shall permit and
22 inspect repairs or modifications required as a result of the
23 department's inspections and may take enforcement action to
24 ensure compliance. The department shall ensure that the rules
25 enforced by the local enforcement agency under this subsection
26 are consistent with the Florida Building Code adopted under
27 chapter 553.

28 ~~(6)~~(5) An owner or operator of a public swimming pool,
29 including, but not limited to, a spa, wading, or special purpose
30 pool, to which admittance is obtained by membership for a fee
31 shall post in a prominent location within the facility the most
32 recent pool inspection report issued by the department
33 pertaining to the health and safety conditions of such facility.
34 The report shall be legible and readily accessible to members or
35 potential members. The department shall adopt rules to enforce
36 this subsection. A portable pool may not be used as a public
37 pool unless it is exempt under s. 514.115.

38 Section 19. Subsections (1), (2), and (5) of section
39 514.05, Florida Statutes, are amended to read:

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40 514.05 Denial, suspension, or revocation of permit;
41 administrative fines.-

42 (1) The department may deny an operating application for a
43 permit, suspend or revoke a permit issued to any person or
44 public body, or impose an administrative fine upon the failure
45 of such person or public body to comply with the provisions of
46 this chapter, the original approved plans and specifications or
47 variances, the Florida Building Code adopted under chapter 553
48 applicable to public pools or public bathing places, or the
49 rules adopted hereunder.

50 (2) The department may impose an administrative fine,
51 which shall not exceed \$500 for each violation, for the
52 violation of this chapter, the original approved plans and
53 specifications or variances, the Florida Building Code adopted
54 under chapter 553 applicable to public pools or public bathing
55 places, or the rules adopted hereunder and for the violation of
56 any of the provisions of chapter 386. Notice of intent to impose
57 such fine shall be given by the department to the alleged
58 violator. Each day that a violation continues may constitute a
59 separate violation.

60 (5) Under conditions specified by rule, the department may
61 close a public pool that is not in compliance with this chapter,
62 the original approved plans and specifications or variances, the
63 Florida Building Code adopted under chapter 553 applicable to
64 public pools or public bathing places, or the rules adopted
65 under this chapter.

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T I T L E A M E N D M E N T

Remove lines 47-49 and insert:
circumstances; amending s. 514.031, F.S.; requiring
the department to inspect public swimming pools to
ensure they are operated and maintained in compliance
with specified rules, codes, and laws; authorizing the
department to adopt rules; providing duties of local
enforcement agencies relative to swimming pools;
requiring the department to ensure that rules enforced
by local enforcement agencies comply with the Florida
Building Code; amending s. 514.05, F.S.; authorizing
the department to impose administrative fines, close,
or deny the operating permits of certain pools if
certain plans, codes, or rules are not complied with;
amending

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