

# STATEMENT OF SCOPE

## Department of Commerce

Rule No. : Chapter Comm 90

Relating to Public Swimming Pools and Water Attractions  
:

### 1. Description of the objective of the rule.

The objective of the rule is to update the department's administrative rules relating to public swimming pools and water attractions. This code update may result in one or more rule packages to be presented for public hearings, and may include minor changes to other department rules relating to public swimming pools and water attractions.

### 2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Chapter Comm 90 applies to the design and construction of public swimming pools and water attractions. The current rules of Chapter Comm 90, which became effective on February 1, 2005, relating to water attractions are based on the draft version of the American National Standards Institute/National Spa and Pool Institute standards for aquatic recreation facilities (ANSI/NSPI – 9). The public swimming pool portion of the code has not yet been revised to reflect the ANSI/NSPI – 1 Public Swimming Pools standard.

The swimming pool portion of Chapter Comm 90 has remained essentially unchanged since at least 1994 when the public swimming pool program was transferred from the Department of Health and Family Services. This code project will evaluate updating the public swimming pool requirements to reflect changing technology and options for design and installation. The target effective date for these revisions is the Spring of 2008.

The alternative of not updating this chapter will result in administrative rules that are not consistent with currently recognized national standards and practices related to public swimming pools.

### 3. Statutory authority for the rule.

Section 145.26, Stats.

### 4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates that it will take approximately 600 hours to develop this rule. This time includes reviewing the current codes and related national standards, then drafting the rule and processing the rule through public hearings, legislative review and adoption. The department will assign existing staff to perform the review and develop the rule changes. There are no other resources necessary to develop the rule.

**5. Description of all of the entities that will be affected by the rule.**

This rule will affect any entity that is involved with the public swimming pool industry.

**6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.**

There are no existing or proposed federal regulations that address or impact the activities to be regulated by this rule.

Approved for publication in the Wisconsin  
Administrative Register at Madison, Wisconsin,  
this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Mary P. Burke, Secretary

Approved for implementation at Madison,  
Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Mary P. Burke, Secretary