



## **Aquatic and Recreational Facilities Code**

### **Fitness Centers**

**Department of Community Health and The Environment**  
**Division of Environmental Health and Protection**

The following is an abbreviated version of the *St. Charles County Aquatic and Recreational Facilities Code* (SCC ARC). A complete version of the SCC ARC can be viewed on the web at [www.scchealth.org](http://www.scchealth.org) under the environmental public health section.

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# TITLE II: PUBLIC HEALTH, SAFETY & WELFARE

## CHAPTER 233: AQUATIC AND RECREATIONAL FACILITIES CODE

### ARTICLE I. GENERAL PROVISIONS

#### Section 233.005 Title, Intent, Scope

- A. These provisions shall be known as the St. Charles County Government Aquatic and Recreational Facilities Code, hereinafter referred to as 'this Code'.
- B. The purposes of this Code is to safeguard public health and provide to consumers of aquatic and recreational facilities a safe environment from disease and physical dangers.
- C. This Code establishes definitions, and contains the minimum requirements for the design and operation of aquatic centers and recreational facilities. Procedures for the approval of plans, design criteria and acceptable practices are featured. The criteria are based on current information, engineering principles and public health practices. Where adequate standards do not exist and this code does not provide sufficient guidance for consideration of innovations in design, construction, and operation of proposed aquatic centers, the department will establish requirements necessary to protect the health and safety of the aquatic center patrons.
- D. Where such terms as "shall" and "must" are used, they are to mean a mandatory requirement. Other terms such as "should," "recommended," "preferred," and the like indicate discretionary requirements and deviations which are subject to individual consideration

#### Section 233.010 Applicability and Terms Defined

- A. The following definitions apply in the interpretation and application of Chapter 233, Article 1 – Article XIII.
- B. Terms Defined.
  - (1) **"ANSI"** is an abbreviation for American National Standards Institute.
  - (2) **"Approval"** means compliance with the Ordinance and this Chapter.
  - (3) **"Department"** shall mean the St. Charles County Department of Community Health and the Environment.
  - (4) **"Director"** means the Director of the Department of Community Health and Environment or his/her duly authorized agents.



- (5) **"Fitness Center"** means an operation that serves as an exercise establishment:
  - (a) Such as a gym, weight gym, aerobic center, wrestling room, martial arts, or those facilities deemed by the Director falling into §233.010(B)(26).
- (6) **"Operate"** means to conduct, maintain or otherwise provide facilities and appurtenances at aquatic or recreational facilities.
- (7) **"Operator"** means the person or entity responsible for the actual daily operation, or for the supervision of the operation of an aquatic or recreational facility.
- (8) **"Permit"** means a certificate issued by the Department allowing the operation, construction, development, or alteration of an aquatic or recreational facility.
- (9) **"Permit holder"** means the entity that:
  - (a) Is legally responsible for the operation of the aquatic center such as the owner, the owner's agent, or other person; and
  - (b) Possesses a valid permit to operate an aquatic or recreational facility.
- (10) **"Person"** means an individual, corporation partnership, unincorporated association or other organization authorized by law.
- (11) **"Service animal"** means an animal such as a guide dog, signal dog or other animal individually trained to provide assistance to an individual with a disability.

## ARTICLE XIII. FITNESS CENTERS

### Section 233.875 Definitions

- A. For the purposes of this Article, the following terms, phrases, and words shall have the meanings herein expressed:
  - (1). "Clean" shall mean the condition of being free from readily noticeable dirt, soil, stain, left over food particles, or other materials not intended to be a part of the object in question.
  - (2). "Department" shall mean the St. Charles County Department of Community Health and the Environment.
  - (3). "Director" shall mean the Director the St. Charles County Department of Community Health and the Environment or his or her designated representative.
  - (4). "Operator" shall mean any person who leases or manages a fitness center; or any employee of a fitness center assigned as the person in charge.
  - (5). "Sanitary" shall mean the condition of being free from infective, physically hurtful diseased, poisonous, unwholesome, or otherwise



unhealthful substances and being completely free from vermin, from the traces of either, and from an environment conducive to the growth of either.

### **Section 233.876 Housekeeping**

- A. Fitness Center facilities shall meet the following criteria:
- (1). All areas shall be kept neat, clean and in good repair.
    - (a). All bathrooms and shower facilities shall be cleaned daily and a written log shall be kept on the premises and made available to the Department, any other regulatory authorities, or a member of the public upon request. This log shall include:
      - (i). Time and Date of cleaning
      - (ii). Name of individual who completed cleaning.
  - (2). An Environmental Protection Agency (EPA) registered disinfectant or germicide (iodophor, phenolic, or alcohol containing germicide, or a 1:100 dilution of household bleach and water (two (2) tablespoons of bleach in one (1) quart of water)) shall be used after cleaning to disinfect any surface to ensure spread of disease.
  - (3). All surfaces and equipment shall be made of smooth, nonabsorbent, non-porous material that can withstand repeated use of EPA registered disinfectants.
  - (4). The cleaning room or area shall be set up in a manner to provide distinct, separate areas for cleaning equipment, and for the handling and storage of sterilized equipment. The cleaning area sink shall be reserved for cleaning only.
  - (5). Adequate waste receptacles shall consist of a lid and be available in each workstation for the disposal of trash and debris.
  - (6). All germicides and disinfectants must be used according to manufacturer's recommendations.
  - (7). All chemicals shall be properly labeled and stored.
  - (8). Pets or other animals shall not be permitted in the Facility. Trained guide or assistance animals for the disabled and fish in aquariums in the waiting area are exempted.

### **Section 233.877 Permits and Sign Requirements**

- A. Facility Permits.
- (1). No person shall operate a fitness center without written approval and a corresponding valid Recreational Facilities permit from the Department.
- B. Every fitness center shall display, without obstruction in a conspicuous place designated, designed and supplied by the Department:



- (1). Notice stickers/placards that inform the public that the establishment is subject to inspection by the Department.
- (2). Sign giving information on filing a complaint about the sanitation of the center with the Department.
- (3). Notification to the public that the most recent inspection report and current cleaning schedule records are available for public viewing.

### **Section 233.878 Exposure Control Plan and Inspections**

- A. The Facility Owner of every Fitness Center shall establish a written Exposure Control Plan applying to all employees and customers of the Facility and shall be kept on the premises and made available to the Department, any other regulatory authorities, or a member of the public upon request.
- B. The Exposure Control Plan shall include procedures within a Facility, describing how the cleaning and sanitizing of fitness equipment, fitness workout rooms and bathrooms will be implemented. The Exposure Control Plan shall contain procedures on disease outbreak reporting.
- C. The Department will conduct at least one yearly inspection of Fitness Centers to ensure compliance to Article XIII of this Code.
- D. Any inspection requiring a follow-up inspection maybe subject to a fee as described in Article XV, of this Code.



## ARTICLE XV. PERMITS REQUIREMENTS

The Council hereby adopts Article XV. of this code relating to permit, reinspection, late renewal fees and exemptions with the following provisions:

### Section 233.980 Permit Year, Fees And Exemptions.

- A. The permit year is January first (1st) through December thirty-first (31st) and may be issued for any portion thereof to a new aquatic center or recreational facility or one that is reapplying after final suspension or revocation. All existing aquatic centers or recreational facilities holding permits must complete annual renewal, including payment of the yearly permit fee and any outstanding penalty fees for prior late payments of permit fees imposed pursuant to this provision, no later than December thirty-first (31st) of each current permit year. Fees and renewal requests must be postmarked no later than December thirty-first (31st) or a penalty fee of fifty dollars (\$50.00) per month will be assessed, in addition to the yearly permit fee. Fees are not pro-rated.
- B. The fee structure for a permit is as follows:
  - (1). Aquatic center (with only one aquatic unit): one hundred fifty dollars (\$150.00)
  - (2). Aquatic center (with multiple aquatic units): fee structure in §233.980 (B)(1) and additional seventy five dollars (\$75.00)
  - (3). Reserved.
  - (4). **Fitness Center** [Recreation facility]: seventy five dollars (\$75.00)
  - (5). Temporary **Fitness Center** [Recreational Facility]: forty five dollars (\$45.00)
  - (6). Religious, educational, non-profit, fraternal or civic organizations (excluding social or country clubs): seventy five dollars (\$75.00)
- C. The fee structure for plan review is as follows:
  - (1). Aquatic center: one hundred dollars (\$100.00)
  - (2). Reserved.
- D. All fees under this Section shall be paid to the Department for deposit with the Department of Finance of St. Charles County.
- E. The fee structure for a follow-up inspection is as follows:
  - (1). Aquatic center: thirty five dollars (\$35.00)
  - (2). Reserved.
  - (3). **Fitness Center** [Recreational facility]: thirty five dollars (\$35.00)
- F. A person reapplying for a permit after a final suspension or revocation shall pay the appropriate renewal fee including penalty fees for late



payment that may be imposed pursuant to this Section upon reapplication.

- G. This section's requirements for fees for permits shall not apply to any incorporated city, town or village owning or operating any aquatic or recreational facility in St. Charles County.

