



GENERAL REQUIREMENTS FOR ESTABLISHING A PUBLIC SWIMMING POOL

Issued under authority of Part 125 of 1978 PA 368, as amended.

Michigan's Public Health Code, 1978 PA 368, as amended (Act 368), and the administrative rules adopted pursuant to Act 368, establish the requirements for building and operating a public swimming pool. The provisions of Act 368 and the administrative rules for public swimming pools may be obtained from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) [Public Swimming Pools Website](https://www.michigan.gov/EGLEPublicSwimmingPools) (Michigan.gov/EGLEPublicSwimmingPools) or from your local county or district health department. A swimming pool is defined in Part 125 of Act 368, as "an artificial body of water used collectively by a number of individuals primarily for the purpose of swimming, wading, recreation or instruction and includes related equipment, structures, areas, and enclosures intended for the use of individuals using or operating the swimming pool such as equipment, dressing, locker, shower, and toilet rooms. Public swimming pools include those which are for parks, schools, motels, camps, resorts, apartments, clubs, hotels, mobile home parks, subdivisions, waterparks, and the like."

Prior to beginning construction of a public swimming pool or making alterations to an existing public swimming pool, the developer or owner must obtain a construction permit, issued by EGLE. This permit ensures that any investments made in pool construction can be recovered. This is most significant for spas or hot tubs considering very few of the spas available at stores or businesses meet the construction requirements. It is also recommended that the developer first contact a pool contractor with experience in building public swimming pools to obtain a cost estimate and general information on the options available for pool construction.

To obtain a construction permit, the developer or pool contractor must submit a proposal to EGLE, Environmental Health Section, Swimming Pool Program. This proposal should contain a completed Public Swimming Pool Construction Permit Application (form EQP1733), plans drawn to scale, and the appropriate permit fee. The plans need to be prepared by an engineer or architect licensed in Michigan if the total project cost exceeds \$15,000. Three sets of the plans should be submitted to EGLE and one set to the local health department having jurisdiction where the pool will be located.

The local health department and EGLE will review the proposal. The developer will then be issued a construction permit or advised in writing of the aspects of the proposal that do not comply, as appropriate.

The issuance of a swimming pool construction permit by EGLE does not relieve the owner from obtaining local building permits or complying with other local requirements or the provisions of other State of Michigan laws. Inquiries concerning local permits can be made to the clerk or building inspector in the city, village, or township in which the swimming pool is to be located.

Prior to opening the public swimming pool for use, the owner must obtain a license to operate from EGLE. Details regarding licensure are sent to the owner with the construction permit approval. The owner or pool contractor will need to contact EGLE to request an invoice and pay for an initial license, and to schedule an initial inspection. The purpose of the initial inspection is to ensure that the swimming pool is built or modified in accordance with the approved plans and that the pool water quality meets standards. The owner will be informed of any items of noncompliance or given approval to open the swimming pool for public use, as appropriate, at the conclusion of the initial inspection.

Inquiries concerning the construction and licensing of a public swimming pool should be made to the Environmental Health Division of the local health department; to EGLE by phone at 906-235-5113 (construction); or to EGLE by e-mail at EGLE-DWEHD-PublicPoolProgram@Michigan.gov (licensing).

NOTE: To download a copy of the Public Swimming Pool Act and Rules or Construction Permit Application Form, please visit the following website link at [Michigan.gov/EGLEPublicSwimmingPools](https://www.michigan.gov/EGLEPublicSwimmingPools).