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JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

EXECUTIVE DIRECTIVE NO. 20-031

HEALTH AND SAFETY STANDARDS FOR POOLS AND AQUATIC RECREATION FACILITIES PURSUANT TO EXECUTIVE ORDERS NOS. 153 and 181

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), Coronavirus disease 2019 (COVID-19) is a respiratory illness caused by a virus called SARS-CoV-2; and

WHEREAS, on March 9, 2020, Governor Philip D. Murphy issued Executive Order 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App A:9-33 et seq., in the State of New Jersey for COVID-19; and

WHEREAS, the Public Health Emergency was extended by Governor Murphy under Executive Orders 119, 138, 151, 162, 171 and 180; and

WHEREAS, COVID-19 is thought to spread mainly through close contact from person to person through respiratory droplets produced when an infected person coughs, sneezes or talks; and

WHEREAS, on June 18, 2020, Governor Murphy issued Executive Order No. 153, allowing pool facilities, except aquatic recreation facilities, to open to the public; and

WHEREAS, on July 1, 2020, the Department of Health issued Executive Directive No. 20-022, "Health and Safety Standards for Pools and Aquatic Recreation Facilities Pursuant to Executive Order No. 153"; and

WHEREAS, on August 27, 2020, Governor Murphy issued Executive Order No. 181, allowing, *inter alia*, water parks to open their indoor premises to the public subject to certain requirements and if they are in compliance with the health and safety guidelines and standards issued by the Commissioner of the Department of Health; and

WHEREAS, under the declared public health emergency, the Commissioner of the Department of Health is empowered, pursuant to N.J.S.A. 26:13-12, to take all

reasonable and necessary measures to prevent the transmission of infectious disease and apply proper controls and treatment for infectious disease; and

NOW, THEREFORE, I, JUDITH PERSICHILLI, Commissioner of the DOH, pursuant to the powers afforded to me under the Emergency Health Powers Act, hereby ORDER and DIRECT the following:

1. This Executive Directive pertains to facilities with pools as defined in Public Recreational Bathing Rules, N.J.A.C. 8:26-1.3.¹
2. This Executive Directive hereby supersedes Executive Directive No. 20-022, "Health and Safety Standards for Pools and Aquatic Recreation Facilities Pursuant to Executive Order No. 153."
3. Facilities covered by this Executive Directive shall comply with the attached Department of Health protocols, entitled "New Jersey COVID-19 Pools and Aquatic Recreation Facility Standards," as amended and supplemented.

This Directive shall take effect immediately. The provisions of this Directive shall remain in force and effect for the duration of the public health emergency originally declared in Executive Order No. 103 (2020), and as extended by Executive Order, unless otherwise modified, supplemented and/or rescinded.



September 1, 2020

Judith Persichilli, R.N., B.S.N., M.A.
Commissioner

¹ A pool shall mean conventional pools, hot tubs, spas, wading pools, special purpose pools, and aquatic recreation attractions that include, but are not limited to, "pools operated by or serving campgrounds, clubs, churches, cities, common interest communities, counties, day care centers, group home facilities for six or more clients, health spas, institutions, parks, private lake, river, or bay associations, or private community lake, river, or bay associations, State, county, and municipal agencies, retirement communities, schools, specially exempt facilities, subdivisions, or cooperative living type projects of three or more living units, such as apartments, boarding homes, condominiums, hotels, mobile home parks, motels, recreational vehicle parks, townhouses, trailer parks, and youth camps." N.J.A.C. 8:26-1.3.



New Jersey COVID-19 Pools and Aquatic Recreation Facility Standards

Executive Order No. 153 (2020) permitted the reopening of New Jersey public recreational bathing (PRB) pool facilities as defined in N.J.A.C. 8:26-1.3, as of June 22, 2020, and Executive Order No. 157 (2020) reopened other indoor recreational businesses. Executive Order No. 181 (2020), issued on August 27, 2020, permitted indoor water parks to reopen as of September 1, 2020.

Pool facilities are defined in the Order as those facilities subject to the Public Recreational Bathing rule at N.J.A.C. 8:26-1.3, which includes conventional pools, hot tubs, spas, wading pools, special purpose pools, and aquatic recreation attractions that include, but are not limited to, “pools operated by or serving campgrounds, clubs, churches, cities, common interest communities, counties, day care centers, group home facilities for six or more clients, health spas, institutions, parks, private lake, river, or bay associations, or private community lake, river, or bay associations, State, county, and municipal agencies, retirement communities, schools, specially exempt facilities, subdivisions, or cooperative living type projects of three or more living units, such as apartments, boarding homes, condominiums, hotels, mobile home parks, motels, recreational vehicle parks, townhouses, trailer parks, and youth camps.”

The Centers for Disease Control and Prevention (CDC) has issued [guidance on operating and managing public pools and hot tubs during the COVID-19 pandemic](#). The Department of Health recommends that all pool facilities review the CDC guidance to assist with making decisions prior to opening.

Pursuant to Executive Order No. 153 (2020), the Department of Health has developed these standards governing the operations of pool facilities, including the securing of staff, staff training, and other overall measures implementing the NJ COVID-19 health and safety standards. Pool facility operators must comply with these standards.

Aquatic Recreation Facilities (ARF), as defined at N.J.A.C. 8:26-1.3, which includes water parks, must follow the requirements set forth in the Health and Safety Standards for High-Touch Amusement and Recreation Activities issued pursuant to Executive Order No. 181 in addition to these standards.

COVID-19 Pool Facilities Standards

Approval to operate according to the Public Recreational Bathing (PRB) rule, N.J.A.C. 8:26-1 et seq.

- Approval to operate by the local health authority (LHA) is required prior to opening.
- The preoperational assessment checklist (N.J.A.C. 8:26-Appendix E) must be submitted to the LHA. The LHA may utilize the [Appendix E-Checklist for Public Recreational Bathing Facilities](#) in lieu of an on-site inspection.
- Incorporated into the Aquatics Facility Plan (AFP) required by the PRB rule, the pool facility must develop and implement a **COVID-19 Pool Operation Prevention Plan (CPOPP) that complies** with these Standards issued pursuant to Executive Order No. 153 (2020).



- The pool operator must submit the AFP and CPOPP together to the LHA.

Implementation of the CPOPP

All pool facilities must comply with existing sanitation and safety regulatory requirements for recreational bathing facilities to preserve public health set forth in the New Jersey State Sanitary Code regulations, and shall develop a written CPOPP that complies with Executive Order No. 153 (2020), and all applicable Standards contained herein. The CPOPP must be written and implemented based the following:

I. Staffing and Pool Facility Operations

Pool facilities shall hire/dedicate adequate staff and development and implement protocols for staff training and pool operations, including but not limited to, at a minimum:

- A.** Train and equip the following personnel on COVID-19 awareness, cleaning and sanitizing to perform their assigned duties in a manner that promotes the safety of public and staff.

Pool Directors and Lifeguards shall be trained and certified in accordance with applicable rules and certification requirements.

1. Pool Director
 - Due to the COVID crisis, some certification agencies have developed and offered **100% online** coursework. Pool operators are encouraged to use these online resources. Links to these resources are available on the [Public Recreational Bathing website](#)
2. Lifeguard (Where required by N.J.A.C. 8:26)
 - Some training certification agencies have provided certificate extension of up to 120 days. Guards should provide the expired certification **AND** the extension certificate as acceptable documentation.
3. Implementation of an ambassador role to monitor and encourage social distancing of bathers on the pool deck
 - In addition to the responsibilities above, the ambassador will ensure that lounge chairs, umbrellas, towels, and other equipment provided by the facility for shared use will be available to one individual or assigned group at a time, and that the equipment is cleaned and disinfected after use pursuant to the procedures required herein.
4. COVID contact person who will interface with the local health department and general public regarding these standards

- B.** Establish a protocol for Personal Protective Equipment (PPE) acquisition and distribution



- C. Document COVID awareness training and risk reduction strategies for all personnel
- D. **Special Exempt Facilities under N.J.A.C. 8:26-1 are required** to staff all above noted personnel **EXCEPT** the lifeguard
- E. Develop a police notification policy
 - 1. Develop reporting procedures in the event of non-compliance with any activities required by Executive Order No. 153 (2020).
- F. Implement a policy for screening staff entering the facility that includes, but is not limited to:
 - 1. Temperature readings of staff entering the facility. Staff who have a fever of 100.4° or above or other signs of COVID-19 illness should not be admitted to the facilities.
 - 2. A facility shall also conduct a questionnaire of staff upon entrance to the facility. Any individual who is found to have a temperature of 100.4 or above, or who answers yes to any of the following or similar questions, shall be denied entrance to the facility:
 - Within the last 10 days have you been diagnosed with COVID-19, had a test confirming you have the virus, or been advised to self-isolate or quarantine by your doctor or a public health official?
 - Have you had any one or more of the following symptoms today or within the past 24 hours, which is not new or not explained by another reason?
 - Fever, chills, cough, shortness of breath, sore throat, fatigue, headache, muscle/body aches, runny nose/congestion, new loss of taste or smell, or nausea, vomiting or diarrhea?
 - In the past 14 days, have you had close contact as defined at https://www.state.nj.us/health/cd/documents/topics/NCOV/NCOV_chapter.pdf with an individual diagnosed with COVID-19?

II. Admittance and Access to the Facility

- A. Designate entry and exit points to bathing area, and limit or stagger access to avoid congregation.
- B. Post signage at designated entry points that patrons should be on the alert for signs of illness and to stay home when they have symptoms of COVID-19 or are otherwise sick.
- C. Offer cash-less options at the facility where possible to limit physical interactions.



- D. Implement non-discriminatory capacity restrictions:
 1. Reduce capacity to 50% of the maximum capacity for the facility and grounds at one time for outdoor bathing and 25% for indoor bathing facilities.
 2. Capacity in hot tubs must be reduced so that individuals maintain six feet social distancing, excluding immediate family members, caretakers, household members, or romantic partners.
 3. Measures to implement capacity restrictions may include, but need not be limited to:
 - Reservations (passes);
 - Limiting of hours; and
 - Demarcating grids on pool deck.
 4. Recommended bather load calculation:
 - Bather load refers to the number of bathers in the pool/spa at any given time. The bather load is included in the facility capacity numbers and is not separate.
 - Indoor ARF facilities bather load calculation is 113 square feet per person.

Pool Surface area	28 sq. ft./person/ 113 sq. ft/per indoor ARF
1200	43 / 11
2000	71 / 18
3000	107 / 27

- E. Maintain a sign in sheet for all staff and patrons, which may be electronic, to facilitate potential contact tracing efforts.
- F. In the event of illness both staff and/or visitors shall cooperate with the LHD and contact tracing personnel during a public health investigation and possible contact tracing for COVID-19.

III. Infection Control Strategies

All pool facilities shall implement the following prevention and mitigation strategies to slow and limit COVID-19 exposure and spread:

- A. Designate COVID-19 Emergency Care Room
 1. Facilities must identify, locate, and designate an COVID-19 emergency care area/room for the care of those who become ill while on-site.
 2. Document emergency care space cleaning procedures consistent with the cleaning and disinfection procedures identified below.
- B. Management must cooperate with LHA staff in any communicable disease investigation and follow current Communicable Disease Service guidance for



illness reporting <https://www.nj.gov/health/cd/>.

- C. Establish procedures for safely isolating and transporting anyone showing signs and symptoms of COVID-19 consistent with CDC guidance.
- D. Develop and implement enhanced cleaning and disinfection procedures using Environment Protection Agency (EPA) approved disinfectants and following CDC guidance that includes frequent cleaning and disinfecting of high traffic areas (Ex: restrooms, showers and changing rooms) and major touch points.

The procedures must include, at a minimum:

- 1. Provide sanitizer stations throughout the pool facility.
 - Ensure a sufficient quantity of cleaning supplies (Ex: soap, hand sanitizer at least 60% alcohol, surface disinfectant) are available.
 - 2. Require frequent sanitization of any areas opened to the public, including, at minimum, the following cleaning protocols:
 - Routine cleaning and disinfecting of frequently touched surfaces several times daily and shared objects after each use, including but not limited to, staff ticket or sales booths, lifeguard stands, life jackets, lifesaving equipment, railings, towel decks, medical area supplies and equipment, particularly in spaces that are accessible to staff, the public, or other individuals in accordance with CDC guidance.
- E. Limit the sharing of furniture and equipment for the patrons' use by the pool facility, including but not limited to lounge chairs, umbrellas, towels, and other equipment, except among immediate family members, caretakers, household members, or romantic partners. Clean and disinfect after each use pursuant to the procedures required herein. Aquatic Recreation Facilities shall adhere to the requirements of Health and Safety Standards for High-Touch Amusement and Recreation Activities Pursuant to Executive Order No. 181.
 - F. Allow patrons to use their own water play equipment, including but not limited to goggles, snorkels, fins, kickboards, pool noodles and toys, however the pool facility shall:
 - 1. Discourage the sharing of such equipment except among immediate family members, caretakers, household members, or romantic partners; and
 - 2. Not provide such equipment for rent or other use to patrons while at the pool facility.
 - G. In addition to the standards listed above and elsewhere in this document, Aquatic Recreation Facilities (ARF) including waterparks, water play equipment, and playgrounds at pool facilities must follow the protocols outlined in this



section, Executive Orders Nos. 157 and 181, current CDC guidance on [Aquatic Venues](#), and the DOH guidance for operating high-touch amusement and recreation activities.

1. Aquatic Recreation Facilities (ARF) as defined at N.J.A.C. 8:26-1.3 (including waterparks) will follow the requirements of operating high-touch amusement and recreation activities and must designate staff in congruence with I.A numerous in quantity for each role to achieve the intent outlined within the COVID Standards
2. Enhanced cleaning and disinfection of high touch points that meet the requirements in operating high-touch amusement and recreation activities is required.
3. A method to maintain a roster of patrons must be documented, implemented and records which include a primary contact method must be maintained for patrons attending, records may be electronic, are required at ARF's to facilitate contact tracing.
4. Consider one-way movement of patrons as much as possible and demarcate 6 feet social distancing.
5. Numbers of individuals allowed on the premises follow current Executive Orders for gatherings and or aquatic Recreation Facilities and as required in the high touch guidance which limits outdoor occupancy to 50% of the stated maximum capacity and indoor capacity of 25% of the stated maximum capacity.

H. Indoor Pool and all Aquatic Recreation Facilities will abide by the following protocols in addition to other standards outlined in this document:

1. Limit patrons in indoor areas to a number equaling 25% of the establishment's indoor capacity.
2. Indoor facilities must evaluate their ventilation systems and improve, where necessary, ventilation by increasing circulation of outdoor air as much as possible. Consider using high efficiency particulate air (HEPA) filtration systems to enhance air quality. (see Indoor Air and Ventilation section below)
3. Provisions ensuring that lap swimming takes place in one direction per lane or one swimmer per lane and require individuals to maintain social distancing.
4. Diving boards and slides are approved for use. Facility must ensure proper social distancing of bathers.
5. Swimming lessons may be conducted at both indoor and outdoor facilities.
6. Enhanced cleaning and disinfection of high touch points is required.
7. Use of indoor locker rooms should be limited. Where permitted, numbers of patrons inside the locker rooms must be monitored to ensure social distancing is maintained within the enclosed space.



8. Face coverings shall be worn by spectators on the pool deck unless doing so would inhibit the individual's health or the individual is under the age of two.

IV. Indoor Air and Ventilation

- A.** Keep doors and windows open where possible and utilize fans to improve ventilation.
- B.** Inspect and evaluate the heating, ventilation and air conditioning (HVAC) unit to ensure that the system is operating within its design specifications.
- C.** Conduct routine maintenance as recommended by the manufacturer or HVAC professional.
- D.** Within the design specification of the HVAC unit:
 1. Increase the volume of outdoor air to the maximum capacity while the facility is occupied.
 2. Reduce the volume of recirculated air being returned to the indoor spaces
 3. Increase the volume of air being delivered to the indoor spaces to the maximum capacity
 4. Select maximum filtration levels for the HVAC unit.
 5. Run the HVAC unit continuously while the facility is occupied.
 6. Run the HVAC unit for at least two hours before and two hours after the facility is occupied.
- E.** Consider installing portable air cleaners equipped with a high efficiency particulate air (HEPA) filter to increase the amount of clean air within the facility.
- F.** Review and follow the latest CDC guidance for ventilation requirements.

V. Restrooms and Shower Access

All pool facilities must implement the following policies in all restroom, shower areas, and locker rooms:

- A.** Require foot coverings within restroom, shower area, and locker rooms;
- B.** The installation of foot pedals or motion sensor in shower area is recommended; and



- C. Occupancy in restrooms, shower areas, and locker rooms should be limited to a capacity that permits six feet of social distancing between users.
 - 1. Designate personnel, where possible, to oversee the activity.

VI. Face Masks, Gloves, and Social Distancing Strategies

A. Face Masks and Gloves

Staff and patrons must wear a masks/face coverings while on the pool deck, while not in the pool and when social distancing of 6 feet cannot be maintained.

- 1. Masks/face coverings should **NOT** be put on children under age two because of the danger of suffocation.
- 2. Masks/face coverings should **NOT** be allowed in the water due to increased risk of drowning.
- 3. Lifeguards should **NOT** wear a masks/face covering while on duty actively lifeguarding. It is encouraged that lifeguards wear a masks/face covering when they are not on duty actively lifeguarding and cannot maintain social distancing of 6 feet.

Proper and frequent hand washing is required by staff. Gloves should be worn when handling or serving food to patrons.

Pool facilities should supply their staff with masks/ face coverings gloves, and other PPE's.

B. Social Distancing

Pool facilities must implement measures to ensure social distancing is maintained, including but not limited to:

- 1. Encouraging 6 feet social distancing while in the water, except immediate family members, caretakers, household members, or romantic partners, or unless the individual needs assistance in order to swim;
- 2. Encouraging 6 feet social distancing on the pool deck, except immediate family members, caretakers, household members, or romantic partners;
- 3. Separating and spacing apart all benches and tables to encourage social distancing;
- 4. Controlling crowd flow using visible markings, postings or signage; and
- 5. Demarcating and post signs that denote six feet of spacing in all commonly used and other applicable areas or where people may form a line.

VII. Communication Plan



Pool facilities must develop and implement an outreach plan as part of their CPOPP that includes, but is not limited to, at minimum:

- A. Methods to ensure a continuous public outreach campaign, including but not limited to highly visible signage, websites, and mobile applications, to communicate restrictions, set expectations, and emphasize the importance of social distancing and hygiene.
- B. Pool facilities **shall** post signage indicating that:
 1. Face coverings are strongly encouraged
 2. Face coverings should **NOT** be worn in the water (increases the risk of drowning)
 3. Hands should be washed frequently with soap and water
 4. Hand sanitizer that is at least 60% should be used if soap and water are not available
 5. Individuals should not touch their faces (especially eyes, nose or mouth) with unwashed hands
 6. Individuals must stay home if they are sick
 7. Practice social distancing and avoid large gatherings

VIII. Food Services

Food services shall remain limited to restrictions consistent with applicable Executive Orders and Executive Directives regarding dining. Tables or other equipment which impede social distancing at the facility should be removed, restricted or rearranged.

IX. Emergency Evacuation Procedure

Pool facilities must revise the emergency evacuation procedure to ensure social distancing protocols allow for safe evacuation and all applicable guidance contained herein.

References

<https://www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/aquatic-venues.html>

<https://www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/park-administrators.html>

<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/visitors.html>