

11.14 PUBLIC SWIMMING POOLS.

- (1) **Definitions.** The following definitions shall apply in the interpretation and the enforcement of this section.
 - (a) Chief of Police. Shall mean the Chief of Police of the Village of Hales Corners or authorized agent.
 - (b) Health Officer. Shall mean the Health Officer of the Village of Hales Corners or authorized agent.
 - (c) Operator. Shall mean the licensee of a public swimming pool or authorized agent.
 - (d) Person. Shall mean a municipality, corporation, company, association, firm, or individual owning, controlling, or operating any public swimming pool.
 - (e) Public Swimming Pool. Shall mean an indoor or outdoor entirely manmade pool used for swimming, diving, or wading, including those, such as whirlpools, used for non-recreational or therapeutic purposes, and excepting those serving less than three (3) individual residential quarters such as homes or apartments. Included are buildings, equipment, and appurtenances. Public swimming pools include those serving or installed for the Village, including school districts, those serving or installed for hotels, motels, resorts, housing developments, religious, charitable, or youth organizations, or similar establishments, irrespective of whether or not a fee is charged for the use thereof.
 - (f) Village. Shall mean the Village of Hales Corners.
- (2) **License Required.** No person shall operate a public swimming pool who does not possess a valid public swimming pool license from the Village.
- (3) **License Fee Exemption.** Any public swimming pools operated by the Village shall be required to possess a valid public swimming pool license but shall be exempt from the public swimming pool license fee.
- (4) **Application.** Application for a public swimming pool license shall be made to the Village Clerk in writing and shall include the full name or names of the person making application, the address of such applicant, the address of the public swimming pool, and, if a corporation, the full names and addresses of its officers.
- (5) **Investigation.** The application shall be referred to the Chief of Police who upon receipt of each such application shall institute such investigation of the applicant's business and moral character as he deems necessary for the protection of the public good, and shall endorse his approval or disapproval upon said application within 72 hours after it has been filed with him, and shall return the application to the Village Clerk with his findings.
- (6) **Issuance.** Such license shall be issued by the Village Clerk upon payment of the fee herein provided, after approval of the Chief of Police, after the Health Officer

has certified that the public swimming pool meets the requirements of all applicable regulations, and that the applicant shall not have due or owing any personal property and/or real estate taxes to the Village. Licenses shall be issued only in the name of the applicant and shall not be transferable from one person or place to another.

- (7) **Public Swimming Pool Regulations.** Any person to whom a public swimming pool license has been issued under section 11.13 of the Municipal Code of the Village shall maintain and operate such swimming pool in accordance with these regulations.
- (8) **Wisconsin Administrative Code Provisions Adopted.** Chapter HSS 171 Public Swimming Places and Chapter HSS 172 Safety Maintenance and Operation of Public Swimming Pools, of the Wisconsin Administrative Code, are hereby adopted and made part of this code by reference as if fully set forth herein. Failure to comply with any of the provisions of these chapters shall constitute a violation of this section. Copies of these chapters shall be permanently on file and open to public inspection in the office of the Village Clerk.
- (9) **Operator Designated.** The licensee or an authorized agent shall be designated in writing by the licensee to the Health Officer as the individual charged with the supervision, operation, and maintenance of the public swimming pool. The appointment of an agent shall in no way relieve the licensee of the responsibility of maintaining and operating the public swimming pool in accordance with the regulations of this section.
- (10) **Inspection.** The Health Officer is hereby given the right to enter all public swimming pools for which a license has been issued at reasonable times, for the purpose of making inspections. If upon such inspection, the Health Officer finds that any licensed public swimming pool is conducted, operated, or managed in violation of the ordinances and regulations of the Village, it shall be his duty to serve an order upon the licensee, his agent, or employee in charge of the licensed premises, directing him within a reasonable time to comply with said ordinances or regulations.
- (11) **Suspension of License.** A license may be temporarily suspended by the Health Officer without prior notice for violation of any of the terms of this section where such violation has been determined by the Health Officer to be a direct and immediate hazard to public health. A license may also be suspended with prior notice pending correction of any violations which constitute a health hazard which is serious, but not immediate, or recurring or repeated violations. The licensee whose license has been suspended may at any time make application for reinstatement of the license. Within 48 hours after the receipt of a written application for reinstatement, including a signed statement by the applicant that the violated provisions of this section have been corrected, the Health Officer shall make a reinspection and thereafter as many additional reinspections as he

deems necessary to assure himself that the applicant is complying with the requirements, and in the event findings indicate compliance, shall reinstate the license.

- (12) **Revocation of License.** A license may be revoked on grounds of serious or repeated violations after an opportunity is granted the license holder for a hearing. Such hearings shall be conducted by the Board of Appeals as set forth in Chapter I, Article XII of this Code.
- (13) **Posting.** Public swimming pool licenses must be posted at all times in a conspicuous place on the premises of the licensed public swimming pool.
- (14) **License Fee.** The annual fee for a public swimming pool license shall be \$200.00 paid to the Village Clerk/Treasurer, due and payable before July 1 of each year. There shall be no proration of license fees.