



Mark A. Hackel
County Executive

MACOMB COUNTY HEALTH DEPARTMENT

William J. Ridella, M.P.H., M.B.A.
Director/Health Officer

Kevin P. Lokar, M.D.
Medical Director

**EMERGENCY PUBLIC HEALTH ORDER IN RESPONSE TO
THE COVID-19 PANDEMIC
UNDER MCL 333.2453
CLOSURE OF PUBLIC SWIMMING POOLS
ORDER # 2020-01**

Predicated upon the facts detailed below and acting in accordance with the authority of Section 2453 of the Public Health Code, Public Act 368 of 1978, MCL 333.2453, the Macomb County Health Officer hereby orders the closure of all public swimming pools located within Macomb County.

This order is effective **May 28, 2020 at 7:00 p.m. EDT**. It shall remain in full force and effect until it is expressly rescinded by the Macomb County Health Officer.

Owners of public swimming pools shall **POST A COPY** of this order in a conspicuous place at all facility entrances in a manner making it visible to all employees, visitors, and members of the public.

Matters concerning the public health of the residents of Macomb County have been brought to the attention of the Macomb County Health Officer. The Health Officer has determined that controls are necessary to reduce transmission of COVID-19 to protect the public's health of Macomb County based on the following facts:

1. A biological agent commonly known as Coronavirus which causes COVID-19 has been detected within Macomb County.
2. COVID-19 is a communicable disease which can be transmitted from person-to-person.
3. It is in the public's best interest to prevent infected individuals from coming into contact with uninfected individuals. It is also a critical public interest that essential personnel be protected from contracting COVID-19.
4. Limiting interpersonal contact in circumstances where social distancing is not reasonably practical is an effective method of slowing or limiting the person-to-person spread of COVID-19.
5. Public swimming pools and related aquatic venues are non-essential amenities.

Mount Clemens Health Center

43525 Elizabeth Road ♦ Mount Clemens, Michigan 48043
Phone: 586-469-5235 Fax: 586-469-5885
health.macombgov.org



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6. Water in a properly maintained pool or related aquatic venue does not pose an undue risk of COVID-19 transmission. However, the lack of effective means of maintaining social distancing in and around the pool or venue, as well as in their associated facilities, enclosures, deck areas, sanitary facilities, poses an unreasonable risk of close proximity interpersonal transmission of COVID-19.
7. Accordingly, restrictions must be instituted regarding the use of public swimming pools at this time to minimize the spread of COVID-19 through close proximity interpersonal contacts.

For the purposes of this order, the term *public swimming pool* includes those facilities defined in MCL 333.12521(d), which extends to all artificial body of water used collectively by a number of individuals primarily for the purpose of swimming, wading, recreation, or instruction including swimming pools, cold plunge pools, diving pools, hot tubs, scuba diving pools, spa pools, training tanks, wading pools, water slide pools, horizontal water slides, wave pools, and special purpose pools located at parks, schools, hotels, motels, camps, resorts, apartments, clubs, mobile home parks, subdivisions, water parks, and/or other places of public accommodation. This order further extends to horizontal water slides, stock tanks employed for human recreational use, spray pads, splash zones, splash pads, and inner tube channel ways located at parks, schools, hotels, motels, camps, resorts, apartments, clubs, mobile home parks, subdivisions, water parks, and/or other places of public accommodation.

This order applies to all pools licensed as public pools by Macomb County.

During this closure, owners and/or operators shall maintain public swimming pools and spas in a reasonably safe manner and condition which does not cause a public health hazard as required under Michigan Public Health Code, Public Act 368 of 1978, Administrative Rule for Public Swimming Pools R325.2118b. This maintenance includes maintaining water chemistry and water circulation to prevent the degradation of engineered systems, the development of a biofilm which can potentially create an environment for the growth of human pathogens such as but not limited to, legionella pneumophila and pseudomonas aeruginosa bacteria. In addition, failure to maintain water chemistry and water circulation will create a situation of stagnant water that is a breeding habitat for mosquitos that can carry and transmit vector borne diseases such as West Nile Virus and Eastern Equine Encephalitis.

Bacteriological Samples

In accordance with Rule R325.2195, once per week, it is the responsibility of the owner of the pool for collection and analysis of water samples for coliform bacteria. The presence of total coliform bacteria or pathogenic organisms is unacceptable water quality. This water sampling and analysis requirement remains in effect under this Public Health Order.



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Re-opening

Prior to re-opening a public swimming pool and after the Health Officer declares that a public health threat no longer exists that requires the closure of public swimming pools, the owner must contact the Macomb County Health Department for an opening inspection. In addition, a condition of re-opening is the collection of a water sample that has been analyzed and has an acceptable water quality result as prescribed by Rule R325.2195.

Exclusions from this Public Health Order

The following are excluded from this Order:

1. Swimming pools which are connected to or used by 4 or less residential units, whether houses, condominiums, apartments, mobile homes, and/or hotel, motel, bed and breakfast, Air B&B type rentals, and/or other places of public accommodation; and
2. Therapy pools or engineered water devices utilized under the direction of healthcare personnel for the purpose of providing therapy/healthcare to patients may remain open for the limited purposes of providing necessary medical services.

Such measures will be enforced, and any violations are subject to citation and penalties as outlined in the Michigan Public Health Code.

This order may be revised as well as supplemented with specific procedures and orders in accordance with the Michigan Public Health Code.

This order 2020-01 is hereby effective as of May 28, 2020 at 7 PM EDT.

William J. Ridella, M.P.H., M.B.A.
Director/Health Officer
Macomb County Health Department

Date