

Required Notification of Intention to Open a Public Spa

This posting is a reminder to all owners/operators of public spas that in accordance with Ontario Regulation 428/05 - Public Spas (under the Health Protection and Promotion Act) - Section 4 requires that written notification be provided to the Medical Officer of Health of the intention to open or re-open a public spa.

The attached public spa opening notification form has been provided for your convenience. Also to assist you, the definitions for owner and operator, as well as the part of the section of the regulation which deals with the Application process are given below.

Please note as the owner, it is our understanding that you will also be considered the operator, unless you designate another individual as operator at this time.

Once complete, return this form to Region of Waterloo Public Health, Environmental Health and Lifestyle Resources division at least **two weeks** prior to opening. Note that any changes to this information shall be immediately indicated in writing to the Region of Waterloo Public Health, Environmental Health and Lifestyle Resources.

If you have any questions, please contact the Public Health Inspector on call at 519-575-4400 x 5147.

Health Protection and Promotion Act
Loi sur la protection et la promotion de la santé
ONTARIO REGULATION 428/05
PUBLIC SPAS

Definitions

“Operator” means a person designated by the owner of a public spa as being responsible for the operation of the spa; (French: “exploitant”)

“Owner” means a person who is the owner of a public spa; (French: “propriétaire”)

Application

2. (1) In this section,

“Class A pool” has the same meaning as in Regulation 565 of the Revised Regulations of Ontario, 1990 (Public Pools) made under the Act;

“Class B pool” has the same meaning as in Regulation 565 of the Revised Regulations of Ontario, 1990. O. Reg. 428/05, s. 2 (1).

(2) This Regulation applies to the following public spas, whether or not they are operated in conjunction with a Class A pool or a Class B pool, and to all buildings, appurtenances and equipment used in their operation:

1. A public spa operated on the premises of an apartment building that contains more than five dwelling units or suites, a mobile home park or a nurses’ residence, for the use of the occupants and their visitors.
2. A public spa operated as a facility to serve a community of more than five single-family private residences, for the use of the residents and their visitors.
3. A public spa operated on the premises of a hotel for the use of the hotel’s guests and their visitors, subject to subsection (3).
4. A public spa operated on the premises of a campground, for the use of the campground’s tenants and their visitors.
5. A public spa operated in conjunction with,
 - i. a club, for the use of its members and their visitors, or
 - ii. a condominium, co-operative or commune property that contains more than five dwelling units or suites, for the use of the owners or members and their visitors.
6. A public spa operated in conjunction with a day nursery, a day camp or an establishment or institution for the care or treatment of persons who are ill, infirm or aged or for persons in custodial care, for the use of such persons and their visitors. O. Reg. 428/05, s. 2 (2).