

(d) All private swimming pools shall comply with the requirements for fencing, the safety standards under Sections 105-9 and 105-10, disposal of waste water and site location of the pool with respect to wells and sewage disposal systems.

(e) Where the requirements of this Chapter are more specific or stringent than the requirements of the State Department of Health and Mental Hygiene regulations governing public swimming pools and bathing beaches, the requirements of this Chapter shall take precedence.

(f) Where this Chapter is silent, the provisions of the State Department of Health and Mental Hygiene shall govern and apply.

105-3. Duties and responsibilities.

(a) The owner shall be responsible for submitting plans to and obtaining the necessary permit from the approving authority to construct a public swimming pool and for providing for the physical maintenance, supplies and personnel required for such pool.

(b) The owner and appropriate contractor(s) shall be jointly and severally responsible for (1) having an approved plan before any work is commenced on the construction of the swimming pool, any addition, remodeling or other improvement thereto; (2) following the requirements of the physical standards of this Chapter, the approved plan and specifications, and the terms of the permit; (3) having such a public swimming pool inspected.

(c) The operator shall be responsible for determining that a valid operating permit has been issued for a public swimming pool prior to commencing of operation, for following the operating standards as hereinafter set forth in this Chapter, and for keeping such records as may be required.

(d) The owner and operator shall jointly and severally be responsible for obtaining the necessary operating permits and for responding to emergency closing orders.

(e) The approving authority shall be responsible for reviewing the plans as may be required and issuing of permits, and for inspecting public swimming pools.

(f) Any person using a public swimming pool shall be responsible for following such safety rules as may be promulgated for the operation thereof. The operator is authorized to deny the use of the premises to any person violating the established safety rules.

105-4. Permits.

No person shall begin construction or substantial alteration of a public swimming pool until plans and specifications therefor have