

Resolution # 22-91  
Revising the Public Swimming Pool and Spa Fees  
to Comply with  
Ohio Revised Code 3749  
and  
Administrative Code Chapter 3701-31  
October 18, 2022  
3<sup>rd</sup> Reading  
Fees to be Effective December 1, 2022

## RESOLUTION

**No. 22-91**

**Page 1**

**BY:** THE PORTAGE COUNTY BOARD OF HEALTH OF THE PORTAGE COUNTY COMBINED GENERAL HEALTH DISTRICT

**RE:** REVISING THE PUBLIC SWIMMING POOL AND SPA FEES TO COMPLY WITH OHIO REVISED CODE 3749 AND OHIO ADMINISTRATIVE CODE CHAPTER 3701-31. FEES TO BE EFFECTIVE DECEMBER 1, 2022.

**WHEREAS**, the Board of Health of the Portage County Combined General Health District is desirous of preventing disease and maintaining the integrity of the health, safety and morals of the citizens of the Portage County Combined General Health District;

**WHEREAS**, the Board of Health of the Portage County Combined General Health District is desirous of performing its duties in regard to administering, licensing and inspecting the public swimming pool and spa program as required;

**WHEREAS**, Ohio Revised Code 3749.04 states that each licensor administering and enforcing section 3749 of the Ohio Revised Code and the rules adopted thereunder may establish licensing and inspection fees in accordance with section 3709.09 of the Ohio Revised Code, which shall not exceed the cost of licensing and inspecting public swimming pools and public spas;

**WHEREAS**, section 3701-36-14 of the Ohio Administrative Code establishes a cost methodology for boards of health to calculate costs of providing services specified in section 3749.04;

**WHEREAS**, Ohio Administrative Code (OAC) 3701-31-03 instructs the licensor to utilize a cost methodology to calculate fees not to exceed the cost of licensing and inspection of public swimming pools and spas;

**WHEREAS**, Ohio Administrative Code 3701-31-03 establishes license fee categories in accordance with the following categories: individual public swimming pools, individual public spas, individual special use pools, additional licenses located at the same address and government/tax supported schools;

**WHEREAS**, due to the results of required cost methodologies it is necessary to revise the associated fees to cover the costs to institute and administer the Pool and Spa Program; and

## RESOLUTION

**No. 22-91**

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**Section 1.** WHEREFORE, the following fees shall be adopted in accordance with Section 3709.09 of the Ohio Revised Code.

Portage County Combined General Health District				
2023 Pool / Spa / Special Use Pool				
License Fee Cost Analysis				
		Current Fee	Calculated 2023 Fee	Proposed 2023 Local Fee
<b>Pools</b>				
	Pools	\$403.00	\$419.22	\$419.00
	Spa	\$403.00	\$419.22	\$419.00
	Special Use Pool	\$403.00	\$419.22	\$419.00
	Additional Pool/Spa	\$373.00	\$389.22	\$389.00
	Government Pool	\$201.00	\$209.61	\$209.00

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**Section 2.** If any section, sentence, or provision of this resolution shall be held or deemed to be invalid for any reason, that invalidity shall not affect the validity of any other part of this resolution which can be given effect without such invalid part or parts;

**Section 3.** The Board of Health finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Revised Code, and be it,

**RESOLVED** by the Board of Health of the Portage County Combined General Health District, a majority of all members thereto concurring, that it is necessary to revise the Pools/Spas Fees as required in 3709.09 of the Ohio Revised Code. Fees to become effective December 1, 2022.

## RESOLUTION

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It was moved by Board Member Ribelin seconded by Board Member Delaney that this resolution be adopted.

Upon call of the roll, the vote was as follows:

Robert Howard yes

Robert Howard, President

Evelyn Cutlip Absent

Evelyn Cutlip, Vice-President

Howard Minott Absent

Howard Minott, M.D., Member

James Bierlair Absent

James Bierlair, Member

Amy Everett yes

Amy Everett, Member

Lucy Ribelin yes

Lucy Ribelin, Member

Charles Delaney yes

Charles Delaney, Member

Linda Grimm yes

Linda Grimm, Member

I, Joseph J. Diorio, MPH, MS, REHS, Secretary of the Board of Health of the Portage County Combined General Health District do hereby certify that the foregoing is a true and correct copy of a Resolution of the Board of Health of Portage County, duly adopted October 18, 2022, appearing in the Board minutes of October 18, 2022.

Joseph J. Diorio

Joseph J. Diorio, MPH, MS, REHS  
Secretary, Board of Health

Date: October 18, 2022

Date, Reading #1 08/16/2022

Date, Reading #2 09/20/2022

Date, Reading #3 10/18/2022

Effective Date of this Resolution: 12/01/2022



**Portage County Combined  
General Health District**

705 Oakwood Street, 2<sup>nd</sup> Floor  
Ravenna, Ohio 44266  
[www.portagehealth.net](http://www.portagehealth.net)



*Joseph Diorio, MPH, MS, RS, Health Commissioner*

Portage County Health District 330-296-9919  
Fax 330-297-3597  
Portage County WIC 330-297-9422  
Columbiana County WIC 330-424-7293

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## MEMORANDUM

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**DATE:** August 19, 2022

**TO:** Owners/Operators of Licensed  
Public Swimming Pools, Spas, and Special Use Pools

**FROM:** Mary Helen Smith, MPH, REHS  
Director of Environmental Health

**SUBJECT:** 2023 Pool Safety Program Fee Public Hearing Notification

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In accordance with the Ohio Revised Code (ORC) Sections 3709.09 and 3749.04 and Ohio Administrative Code (OAC) 3701-31-03 and 3701-36-14, the Portage County Combined General Health District (PCHD) completed the 2021 Pool Safety Program cost methodology. This process is a standardized method by which local boards of health determine costs associated with conducting the public swimming pool, spa, and special use pool program.

In accordance with ORC 3709.09, please be advised that the Board of Health will conduct a public hearing regarding the proposed fees as follows:

**DATE:** September 19, 2022

**TIME:** 8:00 AM

**LOCATION:** Portage County Health District (**NEW LOCATION**)  
999 East Main Street, 2<sup>nd</sup> Floor Conference Room  
Ravenna, Ohio, 44266

During the hearing, we will explain the cost methodology process and address any questions or concerns. Your attendance and input to this process is appreciated but not required. If you have any questions or concerns prior to the public hearing please feel free to contact me or Justin Rechichar, REHS, Deputy Director of Environmental Health at (330) 296-9919 ext. 131 or at [jrechichar@portagehealth.net](mailto:jrechichar@portagehealth.net).

The Board of Health is proposing to adopt the new fee schedule effective December 1, 2022. Please find the proposed 2023 pool safety program fees on the reverse of this page

**Portage County Combined General Health District is an Equal Opportunity Employer**

Portage County Combined General Health District						
2023 Pool / Spa / Special Use Pool						
License Fee Cost Analysis - Public Hearing						
		Current Local Fee	Max Calculated 2023 Fee	Proposed 2023 Local Fee	Proposed Dollar Increase	% Difference From Current fee to Proposed 2023 Local Fee
<b>Pools</b>						
	Pools	\$403.00	\$419.22	\$419.00	\$16.00	3.97%
	Spa	\$403.00	\$419.22	\$419.00	\$16.00	3.97%
	Special Use Pool	\$403.00	\$419.22	\$419.00	\$16.00	3.97%
	Additional Pool/Spa	\$ 373.00	\$389.22	\$389.00	\$16.00	4.29%
	Government Pool	\$ 201.00	\$ 209.61	\$209.00	\$8.00	3.98%

**PLEASE NOTE:**

No payment is due at this time. This notice is for information purposes only.



**Date/Time: September 19, 2022 8:00 a.m.**

**999 East Main St. 2<sup>nd</sup> Floor Ravenna, Ohio 44266**

[illegible]

Portage County Combined General Health District						
2023 Pool / Spa / Special Use Pool						
License Fee Cost Analysis - Third Reading						
		Current Local Fee	Max Calculated 2023 Fee	Proposed 2023 Local Fee	Proposed Dollar Increase	% Difference From Current fee to Proposed 2023 Local Fee
<b>Pools</b>						
	Pools	\$403.00	\$419.22	\$419.00	\$16.00	3.97%
	Spa	\$403.00	\$419.22	\$419.00	\$16.00	3.97%
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**PORTAGE COUNTY**  
**2023 FEES**  
**SWIMMING POOL PROGRAM**  
 (POOLS, SPAS, & SPECIAL USE POOLS)  
 COST METHODOLOGY PUBLIC HEARING



September 19, 2022  
 8:00 AM

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**INTRODUCTIONS**

**Mary Helen Smith**, MPH, REHS, CPO  
 Director of Environmental Health

**Justin Rechichar**, MPH, REHS, CPO  
 Pool Program Supervisor

**Andy Bull**, MPH, REHS  
 Registered Sanitarian

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**Cost Methodology  
 Process**

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**Pool Safety Program  
 Inspector Cost**

- Wages and benefits
- Travel and mileage costs
- Inspection supplies & equipment costs
- Registered Sanitarian hours worked by category
  - Individual public swimming pools;
  - Individual public spas;
  - Individual special use pools



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**Pool Safety Program  
 Support and Overhead**

- Support Staff Wages and Benefits
- Health Education Activities
- Overhead costs up to **30%**
  - Rent, utilities, phone, audit, postage, advertising, copies, printing, furniture
- Support Staff hours worked by classification
  - Individual public swimming pools;
  - Individual public spas;
  - Individual public special use pools



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**Licensed Facilities  
 By  
 Classification**

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## 2019 - 2020 Licensed Facilities By Classification

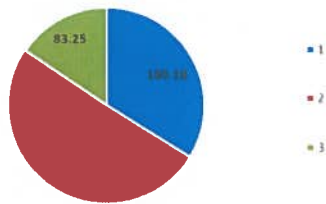
Type	Number (#)
Individual public swimming pools	59
Individual public spas	8
Individual special use pools	3
Total	<b>70</b>

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## Cost Methodology Data Tables

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2021 Inspector Hours Worked  
533.28 Totals Hours



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## 2021 Inspector Direct Costs

- Supplies & Equipment
  - Test kits, reagents
- Cell Phones, laptop computers & printers

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## 2020 SWIMMING POOL COST METHODOLOGY (2019 Support Staff Data)

- 30% of Cost of the program
  - Support Staff
  - Rent, utilities, phone, audit, postage, advertising, copies, printing, furniture
- Total = \$6,578.57

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## 2023 Fee Schedule Proposed

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## 2023 PROPOSED FEE SCHEDULE

Portage County Combined General Health District						
2023 Pool / Spa / Special Use Pool						
License Fee Cost Analysis - Public Hearing						
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## 2023 PROPOSED FEE SCHEDULE

3701-31-03(D) states in part "License fee established by a licensor pursuant to section 3709.09 of the Revised Code for a public swimming pool shall be specified in accordance with the following categories:

- (1) **Individual public swimming pools;**
- (2) **Individual public spas; and**
- (3) **Individual special use pools.**

(4) Individual and Additional licenses. Each individual public swimming pool shall be issued an individual license based on the categories listed above. Facilities where multiple public swimming pools are located at the same address, the licensor **MAY** establish a reduced fee for each additional license.

(5) Government/tax supported schools. For public swimming pools which are operated by the federal government, the state government, or a county, city, township, village, or tax-supported primary or secondary public school, the board of health of a city or general health district **MAY** adopt fees that are less than the fees established under paragraphs (D)(1) - (D)(3) of this rule.

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## Cost Methodology Summary

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## Summary

- Board of Health committed to a **comprehensive** review of the cost methodology process
- **Overhead Cost** maintained at 30%
- **2021 hours worked included:**
  - Frequency of Inspection
  - Operator Education
  - Re-inspections/Follow-up Inspections
  - Enforcement Activities

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## THANK YOU!

### Questions?

Portage County Health District  
(330) 296-9919  
999 East Main Street  
Ravenna, Ohio 44266



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