

# **Allegheny County Council**

*County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6490*



## **Meeting Minutes**

**Wednesday, April 4, 2018**

**4:15 PM**

**Conference Room I**

## **Committee on Health & Human Services**

*John Palmiere, Chair; Patrick Catena, Nick Futules, Cindy Kirk, Paul Klein, Bob Macey  
and Sue Means, Members*

## I. Call to Order

*The meeting was called to order at 4:29.*

### Invited Guests:

**William D. McKain, CPA, Allegheny County Manager or designee(s)**  
**Dr. Karen Hacker, Director, Allegheny County Health Department**

*Mr. McKain was present from the Office of the County Manager.*

*Dr. Hacker, Mr. Parker, Ms. Horowitz, Ms. Wilson, Mr. Naey and Mr. Kelley were present from the Health Department.*

*Mr. Barker was present from the Office of County Council.*

## II. Roll Call

**Members Present:** 3 - Paul Klein, Sue Means and John Palmiere

**Members Absent:** 3 - Nick Futules, Cindy Kirk and Bob Macey

**Members Phone:** 1 - Patrick Catena

**Members** 2 - Anita Prizio and Sam DeMarco

**Non-Members:**

## III. Approval of Minutes

## IV. Agenda Items

### Ordinances

#### [10557-18](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, ratifying amendments to the Allegheny County Health Department's Rules and Regulations, Article IX, "Lifeguards, Bathing Places, Bathing Beaches, Hot Tubs, and Spas."

**Sponsors:** Chief Executive

*At the request of the Chair, the clerk read the title of the bill, and Dr. Hacker provided a brief history of Article IX, together with a summary of how the possibility of amending the regulation was raised to the Department. Dr. Hacker noted that the entities that requested the revision were told that a consensus had to be reached regarding regulation content prior to adoption, and indicated that the Department's priorities were water sanitation. Ms. Horowitz summarized the public comment results, noting that several changes were made in response to the comments received, and indicated that letters were sent to stakeholders throughout the process. Dr. Hacker noted that the County's regulation has historically been more stringent than the Commonwealth's, and that remains true. Mr. Parker noted that there were a couple of isolated instances in which the County's regulation was actually less stringent than the Commonwealth's, and that the County regulation was rendered consistent with the Commonwealth's in those cases.*

*Ms. Means discussed some of the input that she had received during the process, noting that nobody expressed a desire to delay the process, but that some concerns had been*

*expressed regarding the lifeguard requirement in health club settings. Ms. Means summarized the nature of those concerns. Ms. Means and Dr. Hacker discussed the variance process, Mr. Parker indicated that variances would have to be evaluated on a case-by-case basis, and Dr. Hacker expressed a willingness to work with the health club pool owners.*

*In response to questions from Mr. Klein, Mr. Parker noted that the change is essentially a hybrid between the existing regulation, the Commonwealth's regulation, and the Model Aquatic Health Code. Ms. Horowitz noted that the MAHC is regarded as the ideal standard.*

*In response to a question from Mr. DeMarco, Mr. Parker noted that health clubs that have CPR or other certified individuals on premises, that would be a factor to consider. Dr. Hacker noted that the issuance of one day passes by health clubs - which often happens - creates an issue to the extent that it potentially renders them accessible to the general public for the purposes of the regulation. Mr. DeMarco suggested that issuing one day passes that exclude pool usage might be an avenue to consider.*

*Mr. DeMarco suggested that he is comfortable with the interpretation that the Department is giving, but also noted that he has some discomfort to the extent that the same regulations may be enforced very differently by future personnel, so he would like to thoroughly contemplate potential future implications prior to adoption of health regulations in general.*

*Ms. Means noted the written comment offered by Mr. Eichenlaub of the Apartment Association.*

**A motion was made by Klein, seconded by Palmiere, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.**

## **V. Adjournment**

*The meeting was adjourned at 4:52.*