

MEMORANDUM TO: Owners/Operators of Public Spas in
the Niagara Region

RE: Release of new Public Spas Regulation
(O.R. 428/05) under the *Health Protection and
Promotion Act (HPPA)*

The Niagara Region Public Health Department would like to take this opportunity to advise all owners and operators of public spas in the Niagara Region that the Ministry of Health and Long-Term Care (MOHLTC) has released the new Public Spas Regulation under the *Health Protection and Promotion Act* to regulate public spas in Ontario.

Following a coroner's investigation into the tragic death of a youth in a public spa, the Ontario Chief Coroner made a number of safety recommendations to prevent such tragedies in the future. After extensive stakeholder consultations, the MOHLTC has a new regulation that increases the health and safety requirements for spas and helps protect users from communicable and infectious diseases.

Public health inspectors, during routine inspections, will provide a copy of the Public Spa Regulation 428/05 to all owners or operators of spas, hot tubs and whirlpools.

The regulation is also available now for viewing on the Province of Ontario e-Laws website: <http://www.e-laws.gov.on.ca>.

The regulation will minimize the health and safety risks to spa users by requiring owners and operators of spa facilities to:

- Notify the medical officer of health if a spa has been constructed, altered or closed.
- Ensure water is treated with an approved sanitizer.
- Establish a maximum bather capacity.
- Test water for sanitizer and keep a written record of test results.
- Post signs for infection control and usage, time limits, emergency measures, and caution notices.
- Install a shut-off button, massage-jet timing device, tamper-proof temperature control thermostat, clock, audio and visual alarms, emergency telephone, vacuum release mechanism, or other engineered system, emergency rescue equipment and first-aid box.
- Conduct routine testing and keep a written record of test results of emergency telephone, emergency stop button, vacuum release mechanisms, ground fault

