

## **Top Ten Reasons Why Swimming Facility Permit and License Applications are Rejected**

Swimming pools and spas are standard features in hotels, motels, apartment complexes and subdivisions, as well as many at parks and recreation areas. Public swimming pools, spas, water slides, bathing beaches, and other aquatic features provide recreational opportunities for thousands of people each year; therefore, safety, cleanliness and sanitation are important.

To prevent the transmission of diseases and accidents, the Illinois Department of Public Health requires public-use swimming facilities meet water quality and safety standards, as well as engineering design standards. These rules and regulations are enforced by the Department through plan approvals and inspections of swimming facilities.

If these rules and regulations are not strictly followed, applications and licenses may be denied. This fact sheet provides reasons why many swimming facility permit applications fail to be accepted. It explains how application and permit denials can be avoided by providing explanations pertaining to various codes.

### **Top Ten Reasons:**

#### **1) *Applications are not complete and have missing information or attached fees.***

“Each application shall contain: the name and address of the applicant, or names and addresses of the partners if the applicant is a partnership, or the name and address of the officers if the applicant is a corporation or the names and addresses of all persons having an interest there in if the applicant is a group of individuals, association, or trust; and the location of the swimming facility” ([210 ILCS 125/4 – Swimming Facility Act: Sect. 4, License to Operate](#)).

**Example:** The application came without payment, and the operator listed as the owner/applicant has a status of “not in good standing” or “revoked” with the Illinois Secretary of State. Therefore, this prevents the facility from obtaining a license.

#### **2) *Permits and plans for construction or major alteration of a swimming facility, along with the fees, have not been submitted to the Department for review prior to construction.***

“No swimming facility shall be constructed, developed, installed, or altered in a major manner until plans, specifications, and other information relative to such swimming facility and appurtenant facilities as may be requested by the Department and found to comply with minimum sanitary and safety requirements and design criteria, and until a permit for the construction or development is issued by the Department” ([210 ILCS 125/5 – Swimming Facility Act: Sect. 5, Permit for Construction or Major Alteration](#)).

**Example:** An owner began construction prior to obtaining a permit. As a result, the project was delayed to reconstruct the pool to correct the code violations.

#### **3) *Appropriate fees are not provided or are not submitted in the correct form (facilities under the General Not-For-Profit Corporation Act need to submit a current copy of their Annual Report filed with the Secretary of State confirming their not-for-profit status).***

“The fee to be paid by an applicant, other than an organization incorporated under the General Not-For-Profit Corporation Act, as now or hereafter amended, for a permit for construction, development, major alteration, or installation of each swimming facility is \$50, which shall accompany such application” ([210 ILCS 125/5 – Swimming Facility Act: Sect. 5, Permit for Construction or Major Alteration](#)).

**Example:** An applicant sent in \$50 for a three-feature pool. They did not pay \$150 (the \$50 fee per feature), so the application was returned for lacking the correct fee.

**Example:** The owner is a not-for-profit corporation, but the applicant is not. Therefore, only the owner will need to submit a current copy of his Annual Report filed with the Secretary of State confirming their not-for-profit status.

**4) *The applicant has failed to comply with the Swimming Facility Act or other rules and/or regulations pertaining to this act.***

“The Department shall in any proceeding to suspend, revoke, or refuse to issue a license or permit, first serve or cause to be served upon the applicant or licensee a written notice specifying the way or ways in which such applicant or licensee has failed to comply with this Act, or any rules, regulations or standard promulgated by the Department pertaining thereto” ([210 ILCS 125/15 – Swimming Facility Act: Sect. 15](#)).

**Example:** The applicant opened a swimming facility before receiving a license; the Department revoked the license because they did not follow the Swimming Facility Act.

**5) *Applicant did not submit a Special Flood Hazard Area Location Request Form.***

“When construction, development, or installation is proposed in a flood plain, the applicant shall determine if the site is in a Special Flood Hazard Area. This form available from the Department shall be completed and submitted to the Department” ([Section 820.100 b/3/B – Permits: Verification of Compliance](#)).

**Example:** The applicant understood the facility was located in a flood plain, but failed to complete and submit the Special Flood Hazard Area Location Request Form to the Department. Therefore, the application was returned.

**6) *Applicant did not provide plans that were signed and sealed by an architect or professional engineer licensed in Illinois.***

“One set of detailed construction plans and specifications each bearing the seal and signature of an engineer or architect, licensed to practice in Illinois (and occasionally from other surrounding states), shall be submitted for initial review. However, three sets of drawings shall be submitted prior to the issuance of a construction permit” ([Section 820.100 b/2 – Permits](#)).

**Example:** The applicant included three copies of the facility plans but failed to have them sealed by an architect or engineer licensed in Illinois. Therefore, the application was returned.

**7) *Applicant did not provide a complete set of plumbing, mechanical, and electrical plans to be submitted for the pool and all other “pool rooms” within the facility.***

“All aspects of the facility shall conform with the 2008 National Electrical Codes” ([Section 820.200 o – General Design Requirements: Electrical Installation/Lighting](#)).

**Example:** The electrical plans referencing underwater lighting and bonding did not conform with the 2008 National Electrical Codes. Therefore, the swimming facility was not approved for a permit to begin construction.

“All plumbing shall be in accordance with the Illinois Plumbing Code – 77 Ill. Adm. Code 890” ([Section 820.200 r – General Design Requirements: Plumbing](#)).

**Example:** The plans were not in accordance with the Illinois Plumbing Code when submitting their plans to the Department. Therefore, the swimming facility was not approved for a permit to begin construction.

“All plans and specifications shall be clear, consistent, and legible and include the name of the project location, the scale in feet, the north point, and date” ([Section 820.100 b/2/A – Permits: Procedure to Obtain a Construction Permit](#)).

**Example:** The plans submitted did not provide all pertinent information about the construction of the swimming facility, and the plans were not consistent (e.g., oval spa on architectural drawings, square spa on pool drawings). Therefore, the application was returned.

“Detailed plans shall consist of plan view, elevations, sections and supplementary views and specifications. Dimensions and relative elevations of structures and equipment, location and size of piping, water levels, ground elevations, and pump curve(s) shall be included. The plans and specifications shall indicate compliance with all applicable requirements” ([Section 820.100 b/2/B – Permits: Procedure to Obtain a Construction Permit](#)).

**Example:** The plans submitted left out some of the necessary elevations, including the size of the piping and the water treatment equipment. Therefore, the swimming facility was not approved for a permit to begin construction.

**8) Applicant has not reviewed the Swimming Facility Code, and/or does not comply by having one or more violations to the code.**

“Swimming facilities and appurtenances, including other pools associated with or provided as appurtenances to swimming pools, shall comply with this Subpart” by complying with: enclosures, structure, material, obstruction, slope of pool floor, pool walls, depth markers, walkway/deck areas, ladders/step-holes/steps drinking fountains, diving area, electrical installation, acoustics, ventilation, plumbing, emergency telephone, equipment rooms, and water treatment equipment ([Section 820.200 – General Design Requirements](#)) & ([Section 820.210 – Swimming Facility Water Treatment Systems](#)).

**Example:** The plans submitted included deck areas and a pool floor slope that did not comply with the Swimming Facility Code. Therefore, the Department did not issue a construction permit because of violations to the code.

**9) Applicant who is an individual sole proprietor, has not completed the child support statement, which is located on the application, nor has submitted their Social Security number.**

“The law requires all applicants complete and sign the child support statement. Failure to complete and sign this statement will result in an incomplete application and delay in issuing your license. Making a false statement may place you in contempt of court” ([5 ILCS/100/10-65 c – Illinois Administrative Procedures Act: Sect. 10-65, Licenses](#)).

**Example:** The applicant did not provide a Social Security number on the application for the license. Therefore, the license cannot be issued to the facility.

**10) Swimming facility license applicants have not submitted the appropriate documents/forms by May 1 that are required by the Department (not applicable for permits).**

“Licenses for swimming facilities shall expire May 1, next following the swimming season for which the license was issued, except that an original license for a swimming facility issued after February 1 and before May 1 shall expire on May 1 of the following year” ([210 ILCS 125/4 – Swimming Facility Act: Sect. 4, License to Operate](#)).

**Example:** The applicant submitted the application on May 4, which is three days past the due date of May 1. Therefore, the swimming facility is not able to open for business because they did not get the appropriate forms to the Department on or before May 1.

By following the guidelines above, the application process for swimming facility licenses will be more timely. The potential swimming facility will better protect, promote and preserve the health, safety and general well-being of the public by providing the establishment and enforcement of minimum standards for safety, cleanliness, and general sanitation for all swimming facilities and aquatic features.

### **Where can I get more information?**

Illinois Department of Public Health  
Division of Environmental Health  
525 W. Jefferson St.  
Springfield, IL 62761  
217-782-5830  
TTY (hearing impaired use only) 800-547-0466