

MEMORANDUM

City of Philadelphia

Date: 12/3/13

TO: Shelley Smith, City Solicitor

FROM: Jeanne Reedy, Administrative Services Director, Records Dept.

SUBJECT: Regulation Regarding Public Swimming Places

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The above Regulation promulgated by the City of Philadelphia Department of Public Health was received in the Department of Records on 10/31/13 for filing and advertising. Inasmuch as there were no requests for hearings, this Regulation became effective midnight 12/2/13.

CC: Dr. Donald Schwarz, Commissioner, Department of Public Health  
Nan Feyler, Chief of Staff  
Giridhar Mallya, Director of Policy and Planning  
Palak Raval-Nelson, Environmental Health Services Director  
Raymond Leung, Public Policy Attorney Department of Public Health  
Lewis Rosman, Senior Attorney Law Department

Memorandum

City of Philadelphia

Date: 10/31/13

To: Dr. Donald Schwarz, Commissioner, Department of Public Health  
From: Jeanne Reedy, Administrative Services Director, Records Dept.  
Subject: Regulation Regarding Public Swimming Places

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The above Regulation promulgated by the City of Philadelphia Department of Public Health was received in the Department of Records on 10/31/13 for filing and advertising. If there are no requests for hearings this Regulation will become effective midnight 12/2/13.

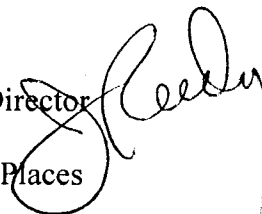
CC: Nan Feyler , Chief of Staff  
Giridhar Mallya, Director of Policy and Planning  
Palak Raval-Nelson, Environmental Health Services Director  
Raymond Leung, Public Policy Attorney Department of Public Health  
Lewis Rosman, Senior Attorney Law Department

Memorandum

City of Philadelphia

Date: 10/31/13

To: June Mechin, Advertising Supervisor  
From: Jeanne Reedy, Administrative Services Director  
Subject: Regulation Regarding Public Swimming Places



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The attached forms provide an exact copy of the subject for insertion in the three Philadelphia newspapers with the largest paid circulation as required under Section 8-407 of the Philadelphia Home Rule Charter.

We request that the insertion appear as soon as possible.

It will be necessary to inform the three newspapers to furnish us with a notarized original affidavit of proof of this publication within a week after it has been published.

Please acknowledge receipt of this advertisement by signing the enclosed copy of this memorandum and returning it to us.

Thank you.

Received In Procurement By:

June Mechin

Date: 11-1-13

NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section Number 8-407 and 7-400 that on October 31, 2013 Regulation Regarding Public Swimming Places

promulgated by the City of Philadelphia Department of Public Health was filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.

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Joan T. Decker  
*Commissioner of Records*

Cc: THE INQUIRER  
THE DAILY NEWS  
THE LEGAL INTELLIGENCER

City of Philadelphia  
Department of Public Health  
Office of the Commissioner

**MEMORANDUM**

To: Joan T. Decker, Commissioner  
Department of Records

Cc: Nan Feyler, Chief of Staff  
Giridhar Mallya, Director of Policy and Planning  
Palak Raval-Nelson, Environmental Health Services Director  
Raymond Leung, Public Policy Attorney  
Department of Public Health

Lewis Rosman, Senior Attorney  
Law Department

From: Donald F. Schwarz, Health Commissioner  
Department of Public Health



Date: October 29, 2013

Re: Regulation Regarding Public Swimming Places

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In accordance with § 8-407(a) of the Philadelphia Home Rule Charter, enclosed herewith please find (1): Regulation Regarding Public Swimming Places, which has been approved by the Board of Health; and (2) the Law Department approval for this regulation.

The following procedural actions have been taken:

Regulation approved by the Board of Health	October 10, 2013
Regulation approved by the Law Department	October 22, 2013

It is requested that the attached Regulation Regarding Public Swimming Places be filed for final action by the Department of Records.

Attachments:  
Law Department approval memorandum  
Regulation

778609

DEPARTMENT OF RECORDS  
OCT 31 PM 00

## Memorandum

**TO:** Dr. Donald F. Schwarz, Health Commissioner

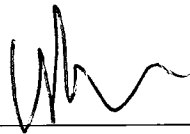
**FROM:** Lewis Rosman, Senior Attorney

**DATE:** October 22, 2013

**SUBJECT:** Regulation Regarding Public Swimming Places

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I have reviewed the attached "Regulation Regarding Public Swimming Places" that were submitted to the Law Department and find the amendments to be legal and in proper form. In accordance with Section 8-407(a) of The Philadelphia Home Rule Charter, this regulation having been approved by the Board of Health, you may forward these amendments to the Department of Records where they will be made available for public inspection.



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Lewis Rosman  
Senior Attorney

Attachment

778610

DEPARTMENT OF RECORDS  
OCT 31 10 10 AM '13

**CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
BOARD OF HEALTH**

**Regulation Regarding Public Swimming Places**

SECTION 1. Adoption of the Public Bathing Law.

(A) Any violation of the Public Bathing Law, Act of June 23, 1931, P.L. 899, No. 299, as amended (35 P.S. § 672 *et seq.*), or of any regulation under Chapter 18 of Title 28 of the Pennsylvania Code (regulations issued by the Department of Health of the Commonwealth of Pennsylvania pursuant the Public Bathing Law), with respect to any "swimming place" as defined by § 6-102(50) and subject to § 6-402(5) of The Philadelphia Code (pertaining to swimming places), shall be a violation of this Regulation.

(B) Any person who violates subsection (A) shall be subject to a fine of not less than one hundred fifty (150) dollars and not more than three hundred (300) dollars. Where the Department of Public Health finds that any continuing violation of subsection (A) constitutes a public nuisance pursuant to Phila. Code § 6-402(9), it may order abatement of such nuisance, and seek any remedy provided under Phila. Code § 6-103(5). This Regulation shall not limit the authority of the Department of Public Health to order a swimming place closed pursuant to Phila. Code § 6-402(5)(c).

SECTION 2. The regulation titled "Regulations Governing Bacteriological Quality and Disinfection of Water in Swimming Places," submitted to the Department of Records on May 31, 1956, is hereby rescinded.

778611

DEPARTMENT OF RECORDS  
OCT 31 1956

**CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
BOARD OF HEALTH**

**Regulation Regarding Public Swimming Places**

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SECTION 2. The regulation titled "Regulations Governing Bacteriological Quality and Disinfection of Water in Swimming Places," submitted to the Department of Records on May 31, 1956, is hereby rescinded.

778612

DEPARTMENT OF RECORDS  
OCT 31 1956



**Records  
Department**

NOTICE IS HEREBY GIVEN,  
under Philadelphia Home Rule  
Charter Section Number 8-407  
and 7-400 that on October 31,  
2013 **Regulation Regarding Pub-  
lic Swimming Places** promulgated  
by the **City of Philadelphia De-  
partment of Public Health** was  
filed with the Department of  
Records, Room 158, City Hall.  
Anyone affected thereby may file  
written request for hearing with  
the Department of Records within  
thirty (30) days from the above  
date.

**JOAN T. DECKER**  
**Commissioner of Records**  
11-5-1\*

CP # 20140463

**Proof of Publication in The Philadelphia Inquirer  
Under Act. No 160, P.L. 877, July 9, 1976**

**STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA**

Florence Devlin being duly sworn, deposes and says that **The Philadelphia Inquirer** is a daily newspaper published at 8<sup>th</sup> and Market Street, Philadelphia, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates:

November 5, 2013

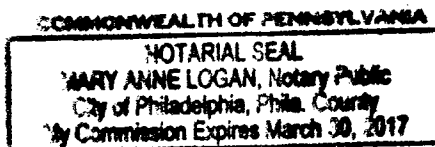
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

*Florence Devlin*

Sworn to and subscribed before me this 5<sup>th</sup> day of  
November, 2013.

*Mary Anne Logan*  
Notary Public

My Commission Expires:



**Copy of Notice of Publication**

**NOTICE IS HEREBY GIVEN**, under Philadelphia Home Rule Charter Section Number 8-407 and 7-400 that on October 31, 2013, Regulations Regarding Public Swimming Places promulgated by the City of Philadelphia Department of Public Health were filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.  
Joan T. Decker  
Commissioner of Records

CP # 20140464

**Proof of Publication in The Philadelphia Daily News  
Under Act. No 587, Approved May 16, 1929**

*STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA*

Florence Devlin being duly sworn, deposes and says that **The Philadelphia Daily News** is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

November 5, 2013

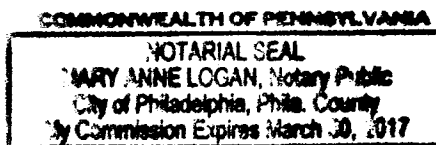
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

*Florence Devlin*

Sworn to and subscribed before me this 5<sup>th</sup> day of  
November, 2013.

*Mary Anne Logan*  
Notary Public

My Commission Expires:



**Copy of Notice of Publication**

**NOTICE IS HEREBY GIVEN**, under Philadelphia Home Rule Charter Section Number 8-407 and 7-400 that on October 31, 2013, Regulations Regarding Public Swimming Places promulgated by the City of Philadelphia Department of Public Health were filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.  
Joan T. Decker  
Commissioner of Records

CP# 20140465

**PROOF OF PUBLICATION OF NOTICE IN THE LEGAL INTELLIGENCER**

Under Act of May 16, 1929, P.L. 1784, as amended

Commonwealth of Pennsylvania, } ss.:  
County of Philadelphia }

STEPHANIE MURRAY, being duly sworn, deposes and says that The Legal Intelligencer is a daily newspaper published at One Penn Center at Suburban Station, 1617 John F. Kennedy, Philadelphia, Pennsylvania 19103, and was established in said city in 1843, since which date said legal newspaper has been regularly issued in said county, that it has been issued daily since September 4, 1933, and that it was entered at the Philadelphia Post Office under the Postal Laws and Regulations as second class matter in the United States mails on July 19, 1879; that The Legal Intelligencer is a daily legal newspaper complying in all respects with the Newspaper Advertising Act of May 16, 1929, P.L. 1784, its amendments and supplements; and that a copy of the printed notice or publication is attached hereto exactly as the same was printed or published in the regular editions and issues of the said legal newspaper on the following date, viz.:  
NOVEMBER 05, 2013

Affiant further deposes and says that she is an employee of the publisher of said legal newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**Copy of Notice or Publication**

NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section Number 8-407 and 7-400 that on October 31, 2013 Regulation Regarding Public Swimming Places promulgated by the City of Philadelphia Department of Public Health was filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.

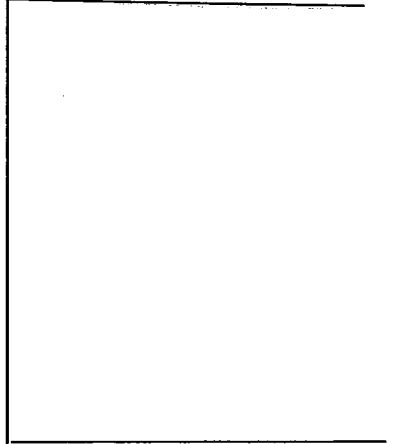
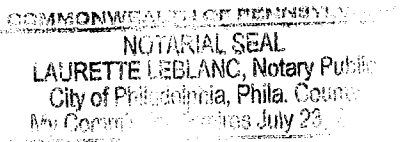
**JOANT T. DECKER**  
Commissioner of Records  
11-5-1\*

*Stephanie Murray*

Sworn to and subscribed before me this 05th day of  
NOVEMBER, 2013

*Laurette LeBlanc*  
Notary Public

Philadelphia, Philadelphia, County



**Office:**  
**One Penn Center at Suburban Station**  
**17th Floor**  
**1617 John F. Kennedy Boulevard**  
**Philadelphia, PA 19103**