

1 AN ACT concerning swimming facilities.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Swimming Facility Act is amended by  
5 changing Section 21 as follows:

6 (210 ILCS 125/21) (from Ch. 111 1/2, par. 1221)

7 Sec. 21. Closure of facility. Whenever the Department of  
8 Public Health finds any of the conditions hereinafter set  
9 forth it shall, by written notice, immediately order the  
10 owner, operator or licensee to close the swimming facility  
11 and to prohibit any person from using such facilities:

12 (1) If conditions at a swimming facility and  
13 appurtenances, including bathhouse facilities, upon  
14 inspection and investigation by a representative of the  
15 Department, create an immediate danger to health or  
16 safety, including conditions that could lead to bather  
17 entrapment or entanglement; or

18 (2) When the Department, upon review of results of  
19 bacteriological analyses of water samples collected from  
20 a swimming facility, finds that such water does not  
21 conform to the bacteriological standards promulgated by  
22 the Department for proper swimming water quality; or

23 (3) When an environmental survey of an area shows  
24 evidence of sewage or other pollutional or toxic  
25 materials being discharged to waters tributary to a beach  
26 creating an immediate danger to health or safety; or

27 (4) When the Department finds by observation or  
28 test for water clarity of the swimming facility water a  
29 higher turbidity level than permitted in the standards  
30 for physical quality as promulgated by the Department; or

31 (5) When in such cases as it is required, the

1 presence of a satisfactory disinfectant residual,  
2 prescribed by rule as promulgated by the Department, is  
3 absent.

4 The notice shall state the reasons prompting the closing  
5 of the facilities and a copy of the notice must be posted  
6 conspicuously at the pool or beach by the owner, operator or  
7 licensee.

8 The State's Attorney and Sheriff of the county in which  
9 the swimming facility is located shall enforce the closing  
10 order after receiving notice thereof.

11 Any owner, operator or licensee affected by such an order  
12 is entitled, upon written request to the Department, to a  
13 hearing as provided in this Act.

14 When such conditions are abated or when the results of  
15 analyses of water samples collected from the swimming  
16 facility, in the opinion of the Department, comply with the  
17 Department's bacteriological standards for acceptable water  
18 quality, or when the turbidity decreases to the permissible  
19 limit, or when the disinfectant residual reaches a  
20 satisfactory level as prescribed by rule, the Department may  
21 authorize reopening the pool or beach. When sources of  
22 sewage, pollution, or toxic materials discovered as a result  
23 of an environmental survey are eliminated, the Department may  
24 authorize reopening of such beach.

25 (Source: P.A. 92-18, eff. 6-28-01.)