

Indoor Swimming Pools May Open

With cooler temperatures descending upon New York City, New Yorkers are being forced to spend more time indoors. The good news is that this month the city has authorized the reopening of indoor pools. However, saunas, steam rooms, and indoor spa pools in gym facilities must remain closed. The NYC Health Code defines “spa pools” as:

[A] pool, primarily designed for therapeutic use or relaxation, which is normally not drained, cleaned or refilled for each individual. It may include, but is not limited to, hydrojet circulation, hot water, cold water, mineral bath, air induction, bubbles or any combination thereof ... ‘Spa Pool’ means and includes ‘hydrotherapy pool,’ ‘whirlpool,’ ‘hot spa,’ or ‘hot tub.’ (Section 165.03)

Coops and condos must also comply with (1) New York’s Interim Guidance for Pools and Recreational Aquatic Spray Grounds During the COVID-19 Public Health Emergency and (2) Reopening New York City: Guidance for Pool Operators. Requirements for operating an indoor pool at this time include:

- Limit the capacity of patrons at the bathing establishment to 33 percent of the normal operating capacity.
- Affirm compliance with New York Forward requirements by completing and submitting the New York State Affirmation Form.
- Complete and post a safety plan.
- Maintain the appropriate permits, licenses, and/or certifications for the operation of a bathing establishment. Please visit NYC’s Business Website for more information about applying or renewing the requisite licenses and certifications.

When reopening any indoor facility in a coop or condo, boards need to be vigilant about developing specific protocols to ensure compliance with all New York State and New York City guidelines and regulations.



Leni Morrison Cummins

**Chair,
Condominiums
& Cooperatives**

lcummins@cozen.com
Phone: (212) 883-4954
Fax: (212) 509-9492



Jennifer D. Miller

Member

jdmler@cozen.com
Phone: (212) 883-4908
Fax: (212) 509-9492

Related Practice Areas

- Condominiums & Cooperatives
- Real Estate