

It should be remembered that conditions pertaining to bathing water are different from those relating to drinking water. Many persons swallow little or no water while swimming. This is particularly true if it contains salt. Under such circumstances, the danger of epidemics of typhoid fever or dysentery from swimming is much less than from drinking water from a polluted supply. There may be an occasional or sporadic case of typhoid fever from bathing, but epidemics are comparatively rare.

Carelessness

The great danger at bathing places is not due to bacteria but to lack of thought and carelessness. At least 95% of the deaths, injuries and illnesses associated with swimming are unnecessary. If pool killers were highly efficient, the tragedies of bathing beaches, summer outings, and vacations would be negligible. Until we can discover a serum which will give people caution and foresight, we must continue to expect many accidents, infections, and illnesses connected with water. Even if there were such a preventive we would still have to deal with anti-vaccinationists who would refuse to be protected.

The old swimming hole of happy memory is gone. It is now a bathing beach. Park pools have taken a graduate course and have become emporiums of natation. The old teacher of diving reappears as an artist of contortion. It is no longer good taste to speak of swimmers. The Emily Post of bathing beaches insists that the proper word is aquacade. Swimming is both big business and superspecialization. Bathing places are located by commercial strategists, designed by architects, built by engineers, adorned by artists, supervised by sanitary chemists, and checked by bacteriologists. They are overwhelmed by salesmen, cosmeticians, suit designers, crooners, and students of anatomy. Swimming is truly the King of Sports and the Sport of Queens.

"THE PROMOTION OF A SWIMMING POOL"

By

C. M. Roos
Manager, Peoria Water Company

The adage, that there is more to the grapefruit than that which enters the eye, can very aptly be applied to swimming pools. Long before excavation begins or concrete is poured, there has been effort put forth by civic minded individuals. The mere promotion of a swimming pool is not often difficult to accomplish, but the promotion of a successful swimming pool involves careful planning and selling to the public. The ideas expressed by Dr. Roos are workable as evidenced by the most successful results in the shape of the municipal pool at Cairo. (Where he formerly was manager of the water company). Practical ideas in swimming pool planning combined with personal experiences in the field of public relations give the author special and outstanding qualification to present his most important topic.

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"THE PROMOTION OF A SWIMMING POOL"

By

C. M. Roos

Manager, Peoria Water Company

The subject assigned, "The Promotion of a Swimming Pool", includes one word, "promotion", which should be clarified or defined a bit before proceeding with this discussion, as the word can convey various meanings, some according to Webster and some applied or implied. In this instance the word is intended to mean "organizing and financing a swimming pool project or undertaking." The odiousness which sometimes is attached to this word as applied to the promoter of projects of questionable soundness or value, need not apply to the promotion of a swimming pool, as a project of this character, properly and intelligently set up, pays dividends of immeasurable value which can not be expressed in terms of dollars and cents. However, when intelligently planned and organized a swimming pool in the average community need not lack in financial success. Soundness, financially, economically, socially, in health and recreation dividends, is not only possible but should and can be paramount in any plan for a community swimming pool.

The first step in promoting a new swimming pool in a community which has not had one, or a new or improved pool where the old one is inadequate, inefficient or obsolete, is to create a community swimming pool consciousness. This means education, often involving tact, ability, patience and perseverance in this first process. However, usually the lack of success in this preliminary step is due to lack of sufficient interest on the part of someone who could do the job well. The best way to do a job is to do it. There is no substitute for intelligent effort, in building a swimming pool or a wood shed.

This job of educating the public is an important one, presenting many opportunities to have the people of the community understand in the beginning what a good modern swimming pool means, and understand the difference between a pool of highest sanitary standards and one which may be simply a hole with water in it, or a nearby creek or river. When the public understands the value of a modern clean sanitary pool, and the reasons why bathing places which are below these standards are extremely dangerous, the promoters have gone far toward the ultimate goal and are ready for the next step.

The second step overlaps somewhat the first one in that it is helpful to have at least part of the information provided by the second part of the undertaking to secure best results in the first. This second division of procedure is to have prepared, by one well qualified, a proper design for the pool and all equipment to fit the community. The subject of pool design will be presented by another speaker on the program, but reference should be made to it here to emphasize the importance of having proper plans and specifications if the promoters are to succeed in any stage of their work, and to assure success of the project after the pool is in operation. Design and success, financially and otherwise, are inseparable. In the past before modern swimming pool standards were established, too many pools were constructed by those whose good intentions, conscience and honesty are above question, but whose work and efforts produced results which show unmistakable evidence of "zeal without knowledge". This statement should not be interpreted as unfair criticism, as swimming pool standards as we now have them, thanks to the State Department of Public Health, do not date back many years in any state. However, it is this situation which makes the job of reselling the public on rebuilding or improving swimming pools so difficult for the State Health Department, local health authorities, and local organizations which are trying to help communities by providing safe, sanitary, clean pools.

Underscore prominently the importance of proper design and plans for pools. Money spent on good designing and engineering is the best investment in any pool, and this statement is not limited to swimming pools. It can be applied to any structure worth while.

The matter of financing can not be ignored or forgotten entirely until plans and specifications are available; but the final detail of financing construction and operation can not be set up until the design is completed. The design must be made to fit the available budget, and it must also fit the size and type of the community, but the financial budget must be made to provide certain definite features in design and equipment which are absolutely essential to safety and health. If these essential features can not be provided it is better not to have a swimming pool, as results would be harmful rather than beneficial. A competent swimming pool authority or engineer knows what features can be skimped safely and which ones are essential.

No plan of construction should be decided before first submitting it to, conferring with, and securing the approval of the State Department of Public Health, which ranks as the outstanding authority on swimming pools in the entire United States. Our State Health Department has rendered invaluable service to many cities in Illinois, not only in aiding and guiding them in selecting proper pool designs, but in assisting them in community meetings on swimming pool promotion.

There are various ways of financing community swimming pools. Pools have been financed successfully through municipal park board which have taxing power, sometimes through other municipal departments, through civic clubs and organizations, through public subscriptions, through municipal bond issues, by using W.P.A. and/or P.W.A. assistance, and other ways.

In the City of Cairo, Illinois, a pool was constructed a number of years ago, sponsored and financed by the Rotary Club, which club was supported in the project by a number of business firms who were led to realize the value of the pool to their employees and their employees' children. This old pool became obsolete and was scrapped in 1936, when a new modern pool was constructed as a municipal pool in the name of the city, with title in the city. However, the Rotary Club provided all funds necessary from its own treasury and by selling advance season pool tickets to the public to match W.P.A. funds and labor for the construction. Although this is a municipal pool, owned by the city, not one cent of the funds for construction or operation has come out of the city treasury. The total cost of this pool, including W.P.A. assistance, was about \$60,000.

An operating corporation, organized by the Rotary Club, handles all the detail of operating and financing the pool for the city. On this basis the local pool investment is on a self liquidating schedule, operating revenues paying all expenses and retiring the investment of the community.

The Cairo pool is free from children of school age during the entire morning of each day until eleven o'clock. During the afternoon and evening of each day adults pay 25¢ and children pay 10¢ admission. Spectators, for whom spacious attractive quarters are provided with a guard fence between them and the bathing areas, pay 10¢ admission. The pool is very popular and patronage is excellent.

Cairo points with pride to the fact that since the original community pool was provided not a single child has lost its life from swimming in the nearby rivers. Prior to the construction of a swimming pool every year took its toll of life of children of school age, drowned while swimming in the rivers.

The Olympic high diving champion at Paris about the year 1923, Miss Carolyn Smith, took her first swimming and diving lessons in the Old Cairo pool, and without much subsequent training she went to Paris to win the high diving championship. Such accomplishments and results help the public to place a proper value on public swimming pools.

Any civic organization or municipal department which desires to do something of real value to the community, has opportunities now which the pioneers in swimming pool design and construction did not have. It is easier now to design, finance and promote a swimming pool than it was only a few years ago. Guide posts, standards, advice, precedent, etc., all are now available. Competent experienced engineers are now available so that experimenting and guess work need no longer cause communities to hesitate to provide the essential benefits and advantages of public swimming pools.

DISCUSSION PAPER ON
"THE PROMOTION OF A SWIMMING POOL"

By

J. P. Thompson

Portland Cement Association

The discussion by Mr. Thompson includes many ideas that have "clicked."

DISCUSSION PAPER ON
"THE PROMOTION OF A SWIMMING POOL"

By
J. P. Thompson
Portland Cement Association

In promoting a new swimming pool the first major activity is to develop favorable public sentiment. This can generally best be accomplished through one or more civic organizations such as Chamber of Commerce, American Legion, Kiwanis, Rotary or Lions. Possibly several of these may cooperate. However, as with any project, most of the work must be done by one or two persons or at least the responsibility and active leadership must be in the hands of someone with considerable initiative.

While a community can be made conscious of the need of a swimming pool by the use of only general information, a complete job of selling to obtain definite action requires at least a preliminary plan, estimate and method financing. These are so interrelated that they must be developed together. Local conditions will determine which will carry the most weight and which will be the easiest to establish first.

Possibly the easiest way is to determine the approximate size of pool desired, obtain a rough estimate of cost for such a pool and then see if it can be financed satisfactorily. When a preliminary balance has been obtained between desirable size and funds available, a fairly complete design and estimate should be prepared and a detailed method of financing determined.

At least a reasonable plan should be complete before any idea as to the size or cost is given to the public. It is bad psychology to advance a grandiose scheme and then find that the available funds make it necessary to reduce the scheme very materially. However, to command attention and obtain support, the advance publicity should be based on as pretentious a scheme as may reasonably be expected to be followed.

The importance of proper design and equipment will be discussed in the next portion of the program, but I want to join Mr. Roos in emphasizing the necessity of obtaining qualified personnel in making the preliminary plans as well as in making the final design.

Pools have been financed in several ways and the method selected will depend upon local conditions. During the last few years practically all public pools have been built as work relief projects either through the WPA or the PWA. This has materially reduced the direct cost to the sponsoring body. However, most of the methods used in past years of raising funds for the entire project can still be applied to obtaining the money needed for the sponsor's share.

A properly designed and operated pool is not a drain on the public treasury. By charging reasonable fees, the pool may be made not only self supporting but also self-liquidating. When considering the original financing, it must be decided how much of the expense of operation and of initial cost is to be obtained from the income of the pool.

Many public bodies consider a swimming pool as a health and recreation service to the community the same as public parks, playgrounds, etc., and expect the pool to pay only its operating costs and sometimes only part of these. In other cases the public's financial condition is such that the returns from the pool must also retire the initial investment. These different conditions will be reflected both in the schedule of admission charges and in the financing.

Some of the methods of financing which have proved satisfactory are:

- Cash from public treasury
- General bonds of the public body
- Revenue bonds
- Private donations of clubs or individuals
- Advance sale of admissions
- Benefit shows, etc.
- Private construction and operation for a given period

The first of these simply requires selling the public body, such as city council, park district, the desirability of using its cash for this purpose.

The issuance of bonds generally requires the development of public opinion to the point of approving the bonds. When the bond election is held at the same time as a general election, good organization and publicity is required since approval of the proposition generally requires a majority of all votes cast at the election and not simply a majority of those cast on the proposition. Particularly when there is an important general election, people frequently neglect to vote on the special bond issues and failure to vote is the same as a negative vote.

Some states, including Illinois, have laws permitting the issuance of so-called "revenue bonds" for the construction of swimming pools. These bonds are secured by the income from the pool only, rather than by all of the assets of the public body. The approval of such bonds by the public can usually be obtained easier than approval of a general bond issue since there is no possibility of such bonds increasing the taxes. However, revenue bonds are more difficult to sell than are regular bonds.

Particularly if revenue bonds are used, it may be necessary or advisable to put on a drive to sell the bonds individually rather than to sell them through the usual financial channels. When the bonds are sold in this manner it is sometimes desirable to offer some special inducement such as reduced admission to holders of bonds. This private sale of bonds has been used considerably by private clubs.

All or part of the cost of many pools has been obtained by donations from clubs or individuals. Where the money is obtained from individuals, it is necessary to have a well organized and intensive drive the same as for raising funds for any public enterprise. One scheme which has been used by a few pools in order to increase the number of small pledges is to dramatize the idea by making the contributions in terms of sacks of cement and giving each contributor a small badge bearing a sketch of a sack of cement and the words "I bought a sack of cement". Of course the cement actually represents not more than about 5% of the cost of the complete pool, but it is a specific item which aids in the dramatization.

One city registered the results of the drive for funds on a large placard showing a body in a swimming suit and the caption "Make him swim." The height of the water indicated the results to date.

The advance sale of tickets has frequently been used to raise part of the necessary funds. However, there is a word of warning regarding the use of this method. Unless some special provision is made for current operating expenses, the pool may be in difficulties in this respect since its cash income will be greatly reduced until the advance tickets have been used.

In some instances, pools have been constructed on public property by private organizations or individuals with the understanding that the latter would operate the pool for a given number of years or until the profits from the pool paid for its cost and then the pool was turned over to the public.

In Sioux City, Iowa, a contractor agreed to build a \$30,000 pool if \$7,500 was raised by advance sale of tickets and receive the balance of the cost from the profits of the pool; the park board to operate the pool from the beginning. The Junior Chamber of Commerce sponsored the sale of tickets.

In order to have the pool in operation for the major part of the first season, the contractor started construction as soon as only \$2,000 had been raised.

At Weleetka, Oklahoma, the city furnished the land, water, light and power and the Lions built and operated the pool for five years at the end of which time the city was to operate the pool and turn the profits over to the Lions Club Park Funds for beautifying the city parks.

Various types of benefits may comprise part of the public campaign to raise funds. These may include all sorts of athletic events, theatrical performances, concerts and exhibitions.

Before the days of the WPA the cash required for some pools was reduced by contributions of labor. In Garden City, Kansas, merchants agreed to cancel some of their old accounts if the debtors would donate the equivalent in labor on the construction of the new pool. This obtained considerable construction labor, cost the merchants practically nothing since they had considered the debts uncollectable, and reestablished the debtors self esteem. In other cities, members of the sponsoring organization, and sometimes others, have contributed labor as well as cash.

The public should be definitely sold on the idea of a new pool even though it is not necessary to have their approval of a bond issue or other direct aid in financing. This requires good publicity.

The first source of publicity is the local newspaper using both news stories and paid ads. The editor will usually be very glad to cooperate and should be furnished with stories and with data from which he can prepare his own articles. These should explain the advantages of a swimming pool to any community and especially to this specific one. Some of the points which may be stressed are: Swimming is healthful exercise; pool eliminates danger of swimming in insanitary and unguarded places; keeps youngsters out of mischief by providing something definite to occupy their time; attracts non-residents resulting in more business for local merchants.

In addition to the newspapers, publicity may be obtained through talks before all local organizations; posters - possibly a contest for the best one; handbills which can be distributed by the Boy Scouts; and many other methods which can be developed by an active committee.

Both when planning the pool and when promoting it, consideration should be given to its uses outside of the swimming season. A few of the larger pools have been used for ice skating and I know of one at a private school which is used for boating during the spring and fall.

In New York City, the large pools with fairly level bottoms are used for games such as paddle tennis, badminton, handball, shuffleboard, and even tennis. Empty wading pools also give excellent sports for the youngsters to roller skate and ride their tricycles.

Small pools are not as adaptable to "off-season" uses but the bathhouses can be used for many other purposes. Where built in a park, the bathhouse can be used as dressing quarters for participants in other sports. Equipment may be removed from the dressing rooms and the space used for game and reading rooms or handicraft projects.

Many of you undoubtedly noticed in the last issue of Beach & Pool that the new project at Charlotte, N.C., includes a community house and bathhouse the second floor of which consists of one large room serviced from the kitchen below by a dumb-waiter. This may be used for dinners or dances. The dressing stalls and lockers will be removed from the women's dressing room and the space used for other purposes between swimming seasons. The building will also contain special locker rooms for golfers.

These special uses of pools and bathhouses can be used to advantage to gain support for the project by showing that the facilities can be used the year around and will serve persons other than those who swim.

To summarize, a swimming pool may be successfully promoted for various conditions in a wide variety of ways but each campaign should be based on a

fairly definite physical plan for the pool and a broad and complete plan for financing and promotion.

THE VALUE OF POOL OPERATION RECORDS AND REPORTS

By

J. K. Montieth, Park Commissioner

University City, Missouri

Swimming pool reports are often considered only sheets of records to be filed, but in this article, Mr. Montieth has vitalized them and emphasized their value and importance to the pool owner and operator in his daily activities. The author is particularly well qualified to discuss this subject because of his years of active swimming pool experience as a Park Commissioner and the active part he has taken in swimming pool and recreation associations throughout the entire country. Therefore, the ideas included in this paper are not only those based on Mr. Montieth's experiences, but include many garnered from the numerous contacts with wide awake swimming pool and park executives in various parts of this country.

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THE VALUE OF POOL OPERATION RECORDS AND REPORTS

By

J. K. Montieth, Park Commissioner
University City, Mo.

What type of business employing more than one person of the present day, can operate without keeping accurate records?

I think I can safely answer this question by saying that there isn't any.

With the various incomes, sales, social security, unemployment insurance and undistributed profit tax, many types of business are forced to employ additional help to keep these records and make additional reports.

The Government, with its many departments, the state and cities, are required to keep detailed records of all incomes and expenditures and experiences. These records are seemingly worthless to the average person, some possibly are, however, in many cases records are actually of great value and a saving to the agency.

When an ocean liner, battleship, air-plane transport, start on a scheduled trip, they rely on records and reports furnished them for their safety. They receive reports regularly which will determine their progress. They also keep accurate "legs" of records of their trips.

Where would the practice of Medicine, Law, or Engineering or practically any profession be without records?

Most swimming pools can be classed as business ventures and pool operation is fast becoming a profession.

How does the keeping of accurate records and reports help the pool owners and operators? In the case of private, commercial or municipal pools, the answer is the same. The pool either operated as a commercial establishment, a municipal enterprise, or by a Country Club or by an individual, must return either sufficient pleasure or an income to make it profitable. In case of a school or university, the pool is a necessary facility to round out the education program. If the operators are a Municipal Government, Park District, Officials or other public agency, the pool is operated as a recreation facility for the public. In the expenditure of public funds, an accurate record must be kept of both incomes and expenditures as required by the statutes and in many states and cities where these statutes do not apply, the responsibility of the community justifies accurate records and these records are public information.

To Commercial Pool Operators, operating for a profit, an annual set-up of records will afford a clear picture at the end of the day, week, month or season as to just what happened. A study of the record will assist him in making his plans for the future.

To the operators of the Country Club Pool, records kept by the Club Manager, of the Pool Operator, will indicate whether the pool is an asset or liability and unless the cost of operating the pool is insignificant to the operation of the club it should determine future policy of the club in regard to pool operation.

For private pool operators, operation records will be a check on the operation for the following season and also affords the owner some idea of the cost of his luxury.

TYPES OF RECORDS;

All Commercial and Public Pools should be self supporting or at least partially so, - so records of most importance should be of INCOME AND EXPENDITURES.

Records of all admissions in various charge classification will be indicative of the comparative adult and children's attendance. With a little additional effort this can be broken down to the number of men, women, boys and girls patronizing the pool. From these records, the alert operator can

see what the demand is and in many cases capitalize on it.

Records of the number and size of suits rented will be a guide in the future purchase of suits for rental purposes and thereby eliminate the future investment in suits that are sizes which are not in demand and use up valuable space that the suits of proper sizes should be using to advantage. Suit manufacturers all have made up for the purchasers convenience, various proportions of sizes that should be purchased, these being based on the salesman's experience over the country and also from the records of pool operators, however, location of the pool, charges, and many other elements will vary this figure considerably.

The question of laundry is also another element in considering the purchasing of suits. Records of TOWEL RENTALS AND LAUNDRY COSTS should indicate to the operator whether it would be more economical to rent towels rather than purchase them or whether it would be more advantageous to install a laundry equipment and laundry the towels and suits at the pool. This is of course, out of the question to most of us operators. Records of the greatest number of towels and suits used over a one, two and three consecutive day period, depending on the laundry conditions, will indicate the actual requirement of your pool.

Records of the sale of bathing caps, and other items, might indicate a possible savings in the future on quantity purchases without over loading.

Spectators' admission will indicate what attractions are successful and bring in the spectators and those that fail to please. Of course the estimate size of the crowd will tell this but records of the admissions are proof positives.

Next to the record of incomes are the records of EXPENDITURES. These should be kept in detail and at the end of the season or sooner should be broken down into such items as: Wages, which can again be broken down into Manager, Operator, Attendants, Life Guards, extra help, watchmen, etc. Cost of the various supplies could be divided into the cost and amount of water, chemicals, electricity, new equipment, suits, towels, also pool supplies, bath house supplies, repairs, paints, advertising, insurance and others, depending on local conditions. These records analyzed and compared with other seasons will give the operator of the pool something to think about.

Records of chemicals and bacterial tests are very important. The records of bacterial tests of the pool water made by an outside recognized agency, either public or private, will stand as evidence in Court. Records of chemical tests will also generally indicate what can be expected in bacterial tests. These chemical tests will give the operator a cross section of the condition of his water. He can correct any deficiency or eliminate any overdose by these tests. The record of chlorine, P.H. and copper sulphate tests should be a definite barometer to the operator. Records of the quantity of chemicals, either chlorine, ammonia, alum, soda-ash, lime, copper sulphate or the combination of some, used to produce definite results are invaluable to the pool operator. Some of these can be kept in the head but it is well to have it as a record as memory sometimes fails.

Records of all ACCIDENTS, either trivial or serious, are required by the Insurance Company covering pool liability. Pools carrying insurance can readily see the value of these records as they are often subpoenaed several years after the accident occurs. These records are much more convincing to a jury than some one attempting to remember just what happened at a particular time.

Records of weather, temperature, precipitation, will explain in detail some losses and gains. Of course, it is agreed that nothing can be done about the weather but the records will indicate that the management is not always necessarily at fault.

Records of swimming competition are interesting and if displayed on the Bulletin Board, where the swimmers have access to it, it creates competitive sport which will help to bring patronage.

There are many ways that records can be kept. To keep them uniform, I suggest the use of forms. These can vary according to the individual pool and generally they are quite similar. These records should be kept by the Cashier, Manager, Maintenance man or any one in similar position, however; it is necessary that some one who is interested and some one in which you have confidence, as a false entry may be the easiest or quickest way out, of course in a case of this kind, the records are not correct and they are of no value.

I have a copy of the S.E. Form S.P. - 2 Division of Sanitary Engineering Department of Public Health of Illinois. This form incorporates most of the information suggested in this paper. If these forms are properly kept, which I think they are, in most cases, much valuable information can be obtained from these records. A study of these reports will be time well spent, by the pool operators during long winter evenings.

I hope that some information contained in this paper has been of some benefit to some of the pool operators and will assist them in making their pools better places to swim and pay better and larger dividends on their investments.

"THE IMPORTANCE OF COMPETENT PERSONNEL"

By

H. W. Craig, Supervisor of Swimming

University of Illinois

A swimming pool operator can be better than the pool, but a pool can be no better than the operator and herein lies the importance of competent personnel. In this article Mr. Craig brings to us the results of his experiences not only as a pool operator but also in the capacity of one who through his position at the University is constantly instilling into students of physical education the value of this subject. This presentation is particularly characterized by the "straight to the point" manner in which the ideas are presented. It leaves no doubt in the mind of the reader the importance of proper personnel, not only their duties but particularly the qualifications on which their employment should be based.

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"The Importance of Competent Personnel"

By

H. W. Craig, Supervisor of Swimming,
University of Illinois

The importance of competent personnel in swimming pool work is something which has been, I believe, rather frequently overlooked. For many years inadequate salaries, discrimination between candidates for pool positions based on other considerations rather than ability and poor preparation on the part of candidates for positions, have marked this field of endeavor.

Today, faced with a growing public recognition of the value of recreation, of which swimming and aquatics form a very important phase, it behooves us to examine our thinking as to what determines competency insofar as the handling of swimming and swimming pools are concerned. It will be assumed that most of us are interested in situations involving pools to which the general public is admitted - pools maintained by and for the community certain questions of policy must be answered.

First, should the pool operate on a fee basis, or should it be open to all free of charge?

Second, should the pool promote free lessons for children in the mornings?

Third, should the pool promote games, contests, pageants, etc., with the intent of entering more fully into the leisure time activities of the community?

These, and similar questions should be answered fully in the minds of the park board or other agency which has the task of hiring personnel for their pool. For knowing what is wanted in the way of a program makes it easier to employ the proper persons to carry it out. (Parenthetically it might be added, that I am one of these persons who believes pools should be used to the widest possible extent by the community, giving free lessons to children, selling itself in many other ways as an agency of highest value to the community. One who worries too much how to make a profit with a swimming pool is doomed to many grey hairs or the loss of them entirely. What profit one can gain from a swimming pool will have to be the feeling of a job well done - a benefit in the social sense).

Starting then, from the premise that a community pool should operate for the greatest possible community benefit, let us ascertain the personnel necessary to operate the pool and discover if we can what are some of the desirable characteristics to look for when filling the positions.

First we have the manager. It is my belief that every municipal pool should have a manager whose time is occupied fully by his managerial duties. He should not be required to guard or do similar work. His task should be first to see that all others of the staff are functioning efficiently.

Secondly, he should be responsible for the proper operation of the pool according to the standards laid down by the State. This implies a knowledge of the techniques of pool operation, the taking of various water tests and other fundamentals of good pool operation.

Third, he should have a good knowledge and appreciation of swimming and, whenever possible, should have preceded his present position with experience in guarding work.

Fourth, he must be an organizer capable of producing interesting and attractive water shows, meets and similar events, as well as a broad and comprehensive teaching program.

Fifth, he should have some ability at writing and speaking - a big help in advertising the pool and what it is doing for the community.

Sixth, he should possess some knowledge of simple bookkeeping methods.

Finally, he must have a pleasant personality and yet possess enough iron in him to lay down the law when the occasion warrants. It should be made clear

to the other employees that the man in sole authority is the manager who in turn is, of course, answerable to the park board or commissioner who hired him.

Now it should be obvious that a man with these qualifications cannot be found without looking around considerably; and as a parallel to the last statement, a man with these qualifications should be worthy of his hire. One usually gets just about what he pays for in this world and the only too common practice of hiring a manager who is also a guard and in some cases is expected to watch the showers or the children's wading pool will lead to very undesirable results - perhaps in some cases to serious accidents. What should such a man receive? Such estimates cannot be made with any accuracy, but it seems like \$150.00 a month should be a minimum with larger communities definitely higher. One small community in this state pays its manager \$200.00 a month and feels that it is receiving fully value for its money. It is my belief that the most likely man to fill such a position will be a student or a graduate of one of our better schools of physical education.

Proceeding to the guards, one must again analyze his needs. In a swimming pool which is properly run, there are few occasions when rescue work is necessary. Therefore, the question arises as to whether a guard should be hired primarily on his swimming ability.

Some little experience with hiring guards has convinced me that the highly expert swimmer (the Varsity letter man if you will) by no means makes the best guard. Many times he has become too highly interested in the competitive phases of swimming to the exclusion of all other considerations.

As one's guards are going to be mainly concerned with the enforcement of regulations and the elimination of dangerous practices it would be wise, I believe, to place swimming ability in a secondary position and place the ability to command respect, the willingness to enforce regulations - the general ability to police in the first category. (If your guard has neither the gumption nor the desire to tell off the customer when he is violating regulations, you will have a poorly run pool no matter how well that guard can swim).

Other desirable characteristics for a guard include:

First, he should be a strong swimmer.

Second, he should make a good physical appearance (necessary because it is a characteristic highly thought of by public)

Third, he should have knowledge of and technical ability in the techniques of life saving as laid down by the American Red Cross.

Fourth, should have knowledge of and teaching ability in the various swimming strokes.

Fifth, he should be convinced of the necessity for strict bather regulations and knowledge of the reasons for it. (Explain to customer).

Sixth, he should have a high sense of responsibility and feel the essential importance and dignity of his position.

Seventh, he should be mature (at least college age) (Salary - indefinite, but should be about \$100.00).

The characteristics of other employees is perhaps not so important. Many well run pools employ the men who placed below the guards in the examinations for guards as checkers. This is a device to train guards by putting the checkers out in the pool for short periods while giving the regular guards a relief. It works very well.

The cashier (many times a woman) should of course be quick and accurate in her work, she should possess a pleasant personality (as she is the first person to contact the public) and should also possess some knowledge of bookkeeping.

The better pools have attendants in their dressing rooms and this appears a necessity if the regulations are to be lived up to. In these positions the more mature individual is a prime necessity. A man or woman of 50 or even more seems to best fit this situation.

To generalize:

A pool can be no better than its personnel. Good personnel can make the pool a powerful factor in the leisure time activities of the community. Good personnel must be chosen carefully along certain predetermined lines and should be paid adequately for the services they render.

"LEGAL RESPONSIBILITY IN POOL OPERATION"

By

John B. Harris

Assistant Attorney General, State of Illinois

The following is believed to be one of the most complete compilations of actual court cases of interest to those not only engaged in operating swimming pools but all types of bathing facilities. We are particularly indebted to Mr. Harris for this valuable contribution. This presentation has been made in such a manner as to clearly present cases often difficult to evaluate. The study of these examples should serve to point out the danger spots in swimming facilities which might involve danger suits.

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It is doubtless the law that the proprietor of a natatorium is liable for injuries to a patron resulting from lack of ordinary care in providing for his safety, without fault of the patron; but he is not in any sense an insurer of the safety of patrons, and the death of a patron within his premises does not cast upon him the burden of excusing himself from any presumption of negligence.

And it was held accordingly, in Bertalot v. Kinnare, 72 Ill. App. 52, that there could be no recovery for the death by drowning of a fifteen-year-old boy in the defendant's natatorium, where it appeared merely that he was last seen alive in the water at the shallow end of the pool, and some ten or fifteen minutes later was discovered unconscious and perhaps already lifeless, at the bottom of the pool, all efforts to resuscitate him being without avail.

The proprietor of a bathing establishment owes to his customers a duty to exercise reasonable care to maintain the premises in a safe condition; but he does not insure the safety of his patrons against accident; and his duty to patrons is satisfied when he uses reasonable care to maintain the premises in a safe condition for their proper use by the patrons. Rom. v. Huber (1919) 93 N.J.L. 360, 108 Atl. 361, affirmed in (1920) 94 N.J.L. 258, 109 Atl. 504.

Proprietors of a bathing resort, in discharging the duty of ordinary care for the safety of patrons, may be obliged to keep some one on duty to supervise bathers and rescue any apparently in danger; and may also be held liable for negligence if, on information that a bather is missing, they are tardy in instituting search. Thus, in Brotherton v. Manhattan Beach Improv. Co. (1896) 48 Neb. 463, 33 L.R.A. 599, 58 Am. St. Rep. 709, 67 N.W. 479, affirmed on rehearing in (1897) 50 Neb. 214 69 N.W. 757, 1 Am. Neg. Rep. 115, an action against the company which maintained a bathing resort, for the death of a patron by drowning, where there was evidence that the resort was on a lake shore, was frequented by an average of 10,000 bathers a month, and the evidence failed to show that the company had any guard or attendant to watch over the bathers, or to rescue them if in danger, and also showed that, when it was notified of a bather's disappearance, it did not institute immediate search, although the evidence warranted an inference that an immediate search would have resulted in the bather's rescue before death, it was held that the question of negligence should have been submitted to the jury, and that a peremptory instruction for the defendant was erroneous. The court said: "We think it is a reasonable inference that persons of ordinary prudence, conducting a bathing resort frequented by 10,000 people a month, should, in the exercise of ordinary care, keep some one on duty to supervise bathers and rescue any apparently in danger; and, if not, that it is certainly a reasonable inference that persons so situated should, on ascertaining that a person last seen in the water is missing, without a moment's delay, exert every effort to search for that person in the water and not merely advise a youthful companion of the missing person to search on the land and coolly watch the result of such search".

After stating that the rule is well settled that the owners of resorts to which people generally are expressly or by implication invited are legally bound to exercise ordinary care and prudence in the management and maintenance of such resorts, to the end of making them reasonably safe for visitors, the court in Larkin v. Saltair Beach Co. (1905) 30 Utah, 96, 3 L.R.A. (N.S.) 982, 116 Am. St. Rep. 818, 83 Pac. 686, 8 Ann. Cas. 977, said, regarding the duty of the proprietor of a bathing resort: "And when the business is that of keeping or carrying on a bathing resort, the authorities held that the proprietors or owners thereof are not only required to exercise that same degree of care and prudence with respect to keeping the premises in a reasonably safe condition, which the law

imposes upon keepers of public resorts generally for the protection of their patrons, but the law imposes upon them the additional duty, when the character and conditions of the resort are such that, because of deep water, or the arising of sudden storms, or other causes, the bathers may get into danger, of having in attendance some suitable person with the necessary appliances to effect rescues, and save those who may meet with accident. Not only is it the duty of the owners of bathing resorts to be prepared to rescue those who may get into danger while in bathing, but it is their duty to act with promptness, and make every reasonable effort to search for and if possible recover, those who are known to be missing".

In that case it was held that the owner of a public bathing resort might be found to be negligent, where he placed no signs as to the depth of the water, or marks to indicate danger, and kept no one at hand to aid persons in danger, and took no step to aid a person actually in peril until too late to be of any avail and in the case of Beaman v. Groons (1917) 138 Tenn.320, L.R.A. 1918 B, 305, 197 S.W. 1090, the court said: "The proprietor of a public bathing resort may be found to be negligent in failing to place or properly maintain signs as to the dangerous depths of the water, or marks to indicate danger to his patrons."

Other things being equal, the proprietor of a natatorium for profit, to which the public are invited, owes a greater degree of care to a youth who it knows cannot swim, and who is permitted to enter the pool, than to one who it knows can swim; in other words, the ability to swim, or the lack of it, may be an important factor in determining what is and what is not ordinary care on the part of such a proprietor. But in Henrod v. Gregson Hot Springs Co. (1916) 52 Mont. 447, 158 Pac. 824, it was held that a non-suit was properly entered in an action against a proprietor of a natatorium for profit, for the death of a youth thirteen years old by drowning in the pool, where it was alleged that the water varied in depth from 3 to 6 feet, that the deceased was about 4 feet 8 inches tall, was unable to swim and unable to take care of himself in water over 3 feet deep and that these facts were known to the defendant, who carelessly permitted the deceased to bathe in the pool for about two hours without any person being present to watch after him; since, if it was intended to charge negligence in permitting the deceased to remain in the pool an unreasonable time, there was no causal connection between such negligence and the injury and if the complaint intended to charge negligence in failing to provide an attendant or guard, based on the assumption that the deceased could not swim, the case likewise failed, because the evidence showed that an attendant had asked him if he could swim and he had replied in the affirmative and had demonstrated his ability in that respect. The court said this inquiry was directed to him in pursuance of a rule of the defendant which denied the privileges of the natatorium to an unaccompanied minor who could not swim; so that if it was true, as the plaintiff contended, that the youth could not swim, he secured admission by misrepresentation as to a material fact, by reason whereof he became a trespasser ab initio. The court said, also, that it was not called upon to determine whether the rule of ordinary care required the defendant to provide a life guard for the deceased without reference to his ability to swim, as the complaint did not charge negligence in that particular and the burden was on the plaintiff to show that the deceased was rightfully in the pool and that his death resulted proximately from a breach of duty which the defendant owed to him and with which it was charged in the complaint.

The proprietor of a bathing resort is not under the absolute duty of providing skilled attendants in sufficient number to insure the safety of patrons engaged in bathing; the duty is only to exercise ordinary care to provide a reasonably sufficient number of competent attendants for such purpose and it was held in Lovinski v. Cooper (1912) - Tex. Civ. App. 142 S.W.959, that, under the statute in that state (which is not set out), the defendant in conducting a swimming pool could not be held liable for the negligent acts of his servants in that promptly rescuing a bather, but was liable only for his own individual acts of negligence, if any, in failing to provide a sufficient

number of competent attendants. The action was one for the death of a twelve-year-old boy by drowning in a swimming pool maintained by the defendant, where it appeared that he had been playing about the pool and stumbled and fell into it, striking his head against the edge of the pool or against a post and although a good swimmer was so stunned by the blow that he could not extricate himself and when taken from the pool about ten minutes later could not be resuscitated. It was held that an instruction was erroneous that if the jury believed from the evidence that the defendant failed to provide skilled attendants at the pool in sufficient numbers "to insure the safety of the patrons" of the pool and that in such failure the defendant was guilty of negligence resulting in the death in question, they should find for the plaintiff.

So, in Behrns v. Roth (1917) 204 Ill. App. 328, notwithstanding there was much noise and shouting going on in a swimming pool from a large number of boys swimming, just before and at the time the deceased met his death therein, the court held that the evidence failed to show negligence on the part of the defendant in the equipment of operation of his natatorium, it appearing that signs as to the depth of the water and warning signs as to safety had been placed in the pool, that two life guards had been stationed there and that efforts were promptly made by them to recover the deceased from the water and to resuscitate him. It was held that the evidence showed that the death was not due to drowning but to organic disease.

Where it was customary to serve drinks in a bathing establishment, including the room in which was a swimming pool and a patron in attempting to enter the pool was injured by placing his hand on a glass on the edge of the pool, it was held that there could be no recovery against the proprietor for the injury, there being nothing to show who placed the glass where it was, or how long it had remained there. Jones v. Levy (1906) 50 Misc. 624, 98 N.Y. Supp. 206. The court said also that the place was brilliantly lighted and the glass should have been, at least, as clearly visible to the plaintiff as to the defendant's waiters.

In an action for injury to a bather by slipping upon smooth concrete steps as he was attempting to enter a swimming tank, the proprietor of a natatorium was, in Anderson v. Seattle Park Co. (1914) 79 Wash. 575, 140 Pac. 698, 6 N.C.C.A. 954 held not guilty of negligence, where it was shown that the steps were constructed in accordance with the universal custom of similar natatoriums, that they were scrubbed and washed with fresh water three times a week, that bathers had used the steps constantly without falling and had never found them in a slimy or dangerous condition. But the owner of a park in which is a swimming pool operated for hire and held out to the public as a suitable place for swimming and diving may be held liable to one diving, who was injured by striking invisible timber under the water. Bass v. Reitdorf, (1900) 25 Ind. App. 650, 58 N.E. 95.

In Turlington v. Tampa Electric Co. (1911) 62 Fla. 398, 38 L.R.A. (N.S.) 72, Ann. Cas. 1913D, 1213, 56 So. 696, 1 N.C.C.A. 490, it was held that a cause of action was stated by allegations in a declaration for damages for the death of one drowned in the defendant's bathing establishment, to the effect that the defendant maintained, as a part of his bathing house, a springboard for diving, which was about 3 or 4 feet above the water, that the depth of the water underneath was, at average tide, about $2\frac{1}{2}$ to $3\frac{1}{2}$ feet deep; that owing to the shallow water the place was dangerous for those who resorted there for bathing and diving; that the defendant negligently suffered the same to remain in this dangerous condition; that there was no sign indicating the depth of the water, and that the decedent had no knowledge thereof; and that the latter, having hired a bathing suit from the defendant, in the exercise of due care, dived from the springboard and struck his head on the bottom of the bay, sustaining injuries from which he died. It was contended in that case that the allegations were merely to the effect that the defendant maintained a springboard in good condition over a body of water $3\frac{1}{2}$ feet deep and that this

did not constitute actionable negligence. The court said: "The springboard and the water beneath and about it constituted the diving and swimming accommodations. It was in law the duty of the defendant to exercise proper care, precaution and diligence to provide and maintain a reasonably suitable and safe springboard and water of reasonably suitable and safe depth under and about the springboard, free from obstructions or other dangers to comfort and safety in the ordinary and customary use of such a diving and swimming place. If the water was in fact of such a depth as to make diving from the springboard into the water beneath, in the usual, ordinary and customary manner, unsafe in the particulars alleged and no appropriate notice or warning was given of the unsafe or unsuited condition of the diving place and the decedent was, because of such unsafe or unsuited accommodations being negligently furnished, injured while properly using the accommodations in a customary and appropriate manner in diving from the springboard in his customary way, without fault on his part, a cause of action for compensatory damages exists under the statute in favor of the plaintiff, if the decedent could have maintained an action for the same injury had his death not resulted therefrom Where a party maintains a bathhouse or a diving or swimming place for the use of the public for hire and negligently permits any portion of the same or its appurtenances, whether in the house, or the depth of the water, or in the condition of the bottom, or in things thereon, to be in an unsafe condition for its use in the manner in which it is apparently designed to be used, a duty imposed by law is thereby violated; and if an injury to another proximately results from a proper use of the same, without contributory negligence, a recovery of compensatory damages may be had."

In Barnes v. Honey Grove Natatoriums, (1921) - Tex. Civ. App., 228 S.W. 354, it was held that there was sufficient evidence to justify a finding of contributory negligence, and that a judgment for the defendant should be affirmed, in an action for the death of the plaintiff's sixteen-year-old son in the defendants' swimming pool, which was about 50 feet wide by 100 feet long, was of concrete, and sloped gradually from one end, at which the water was only about 18 inches deep, to the other end where it was about 9 feet deep, where there was testimony to the effect that the boy, who was an inexperienced swimmer, had been told by another boy with whom he spoke about "kind of cramping", to get out on the bank and wait until he felt differently. The case was treated as tho the party who was drowned were an adult, no complaint being made to the instructions on this ground. The court said that, treating the case as one in which the ordinary rule with reference to contributory negligence was applicable, it was plain that the jury were warranted in finding that the plaintiff's son was guilty of contributory negligence; that they had a right to conclude that the boy discovered, during the half hour he was in the pool before he had the conversation in question, that the water therein became gradually deeper, and knew and realized the danger to a person who was not a good swimmer, or even to an expert swimming, in using it after he discovered that he was cramping; and that the jury might conclude that an ordinarily prudent person under these circumstances would not have gone back into the pool, as the youth did after he had the conversation in question. The court expressed the opinion that a finding that the defendants were guilty of gross negligence would not have been warranted, where it appeared that they had exercised some care for the safety of persons who used the pool, by providing handrails along the end where the water was deepest and for a distance of about 40 feet along the sides from that end and by placing chains across the pool at points where the water was about 2 feet deep and also where it was about 3½ feet deep, although it did not appear that they had employed attendants charged with the duty specifically of looking after the safety of persons in the water.

A person constructing a toboggan slide to be used by the public for a consideration at a bathing resort is bound to anticipate and provide against injuries from defects in construction, to the extent that reasonably prudent men

might foresee the necessity of doing. Barrett v. Lake Ontario Beach Improv. Co. (1903) 174 N.Y. 310, 61 L.R.A. 829, 66 N.E. 968, 14 Am.Neg. Rep.144.

Where an amusement company maintained a pond in its park and charged an admission fee for bathing and swimming, it was held in Decatur Amusement Park Co. v. Porter (1907) 137 Ill.App.448, an action for the death of a fourteen-year-old boy who was drowned in the pond, that the duty of the defendant was to make reasonable provision to guard against those accidents which common knowledge and experience teach are likely to befall those engaged in said sports and that it might be held liable for negligence if it failed to have any attendant to render assistance, if necessary, to bathers, or failed to mark in any way the depth of the water, which in portions of the pond was alleged to be 10 feet deep. But it was held also that the mere failure of the defendant to furnish an experienced swimmer and diver would not alone constitute negligence, and that a cause of action was not stated by counts in the declaration based solely on the assumption that it was actionable negligence not to have an experienced swimmer and diver to render aid to those heeding it.

In Thierry v. Oswell (1925) ___ Ala. ___, 102 So. 903, in an action against the proprietor of a public bathing and pleasure resort, to recover damages for the drowning of plaintiff's minor child, a sixteen-year-old girl, the court held that although the defendant may have been negligent in failing to provide safeguards or warnings at a hole deredged out for deep water swimming and diving and immediately adjacent to shallower water used for swimming, and notwithstanding said hole was so deep as to be dangerous to bathers who could not swim, and that the defendant had noticed that the bathing resort was patronized by children and others unable to swim, nevertheless, if the decedent, although she did not know of the existence of the deep hole described, was notified of the danger in time to have avoided the injury and did not use ordinary care to avoid the danger, the plaintiff was not entitled to recover.

In Blanchette v. Union Street R. Co. (1924) 248 Mass. 407, 143 N.E. 310, the court held that a company maintaining for hire a bathing house and beach and in connection therewith a floating raft, with a chute or slide thereon, to be used by the bathers to dive and slide into the water, was bound to use reasonable care in maintaining the accommodations for the purposes for which they were apparently designed and to which they were adapted and if, by reason of the shallowness of the water, the chute and the water beneath it were not reasonably safe for diving, it was the duty of the company to warn the plaintiff, as an invitee for hire, of the dangerous condition, in order that he might be cognizant of the danger and a failure to perform this duty would be negligence for which the company would be responsible, unless the plaintiff was guilty of contributory negligence or had assumed the risk of the conditions. The court further said that although it was within the right of the defendant to limit its obligation by a sign warning the users of the chute that it was used at their risk, to have such effect the defendant must show that the invited persons had knowledge of the sign and that they accepted the invitation, subject to the absence of any duty of the owner and invitor to warn of dangers which were not visible to ordinary inspection.

In an action for the death of a fourteen-year-old boy who was drowned in a swimming pool conducted for profit by the defendant, it was held in Maher v. Madison Square Garden Corp. (1926) 242 N.Y. 506, 152 N.E. 403, reversing (1925) 215 App.Div.653, 212 N.Y. Supp.865, that the judgment for the plaintiff should be reversed and the complaint dismissed, where it appeared only that, although the pool was crowded at the time, apparently no one saw the fatality and that all that was known was that the boy was playing in the pool in the afternoon and that his dead body was found in another part of the pool the next morning and that death was caused by asphyxiation. It was said that no inference could be drawn that, by any act or omission of the defendant or any of its employees, the boy was placed in a position of danger which caused his death, or that any greater care by the defendant could have averted the accident. From the dissenting opinion in the lower court, it appears that

the verdict for the plaintiff was there sustained on the ground that lack of signs designating the various depths of the water, and failure to provide for guards, constituted sufficient basis on which to preclude liability for negligence. But in this opinion it is pointed out that it was not established that the alleged negligence was the proximate cause of the death.

The rule that proprietors of a bathing resort, in discharging the duty of ordinary care for the safety of patrons, may be obliged to keep some one on duty to supervise bathers and rescue any apparently in danger and may also be held liable for negligence if, on information that a bather is missing, they are tardy in instituting search, was approved in Lyman v. Hall (1928) 117 Neb. 140, 219 N.W. 902, although the evidence was held insufficient to sustain a verdict in favor of the plaintiff against the defendant, proprietor of a public bathing pool conducted for private gain, where it appeared that there were signs indicating the depth of the water; that there were lifeboats near the bathhouse equipped with oars, rope and grappling hook, upon which there was a sign "For emergencies only; "that the defendant had two employees who were qualified to act in the capacity of guards, who were on active duty at the time of the accidental drowning, and, at the first alarm one of the guards, who had been attentively watching the pool at the proper place for rescue when the bather disappeared, ran to the life boat and rowed to the natural place to look for a missing swimmer and began to cast with grappling hooks and, upon being told the boy was farther north, moved to the center of the pool, where the second cast resulted in bringing the boy's body to the surface; and that efforts at resuscitation were immediately made and were continued without avail for an hour or more and notwithstanding the fact that the proprietor had not equipped his life-boat or bathing resort with a pulmator, a modern instrument used in the work of resuscitation, where it appeared that the guards used standard methods of equal efficiency and that a physician arrived within a few minutes and used restoratives without success and testified that, in his opinion, the result would have been the same had a pulmator been used. The court nevertheless approved the rule that failure to place and maintain warning signs or notices indicating the depths of water in different parts of a public bathing pool conducted for private gain may be evidence of negligence and added that not only is it the duty of owners of bathing resorts to be prepared to rescue those who may get into danger while bathing, but it is their duty to act with promptness and make every reasonable effort to search for and if possible recover those who are known to be missing.

In Nordgren v. Strong (1930) 110 Conn.593, 149 A. 201, it was held to be a question for the jury as to whether one owning and operating a public resort with bathing facilities must, in the exercise of reasonable care, have a suitable person and necessary appliances ready to effect rescues and save patrons from drowning. Those using the swimming facilities of a public resort which made no charge for such facilities, but relied for its income on the renting of bathing suits, lockers and boats and the selling of refreshments, were held to be patrons entitled to reasonable care for their safety, even tho they paid nothing to the operator of the resort.

In Adams, v. American Enka Corp. (1932) 202 NC 767,164 S.E. 367, the court quoted the rule herein above mentioned as to the duty of supervising and rescuing bathers, but held it inapplicable where the bather was a gratuitous licensee of a manufacturing company which had constructed a lake for manufacturing purposes and permitted the public to swim in it.

In Blackwell v. Omaha Athletic Club (1932) 123 Neb. 332, 242 N.W.664, where the plaintiff, who went to the assistance of another swimmer in need of help, was injured when a life guard, believing her to be in difficulty, jerked her and pulled her over the bank of the pool, the court, in holding that a finding was warranted that the life guard was guilty of negligence for which the proprietor of the pool was liable, said: "Proprietors of bathing resorts of pools, in discharging their duty toward their patrons and guests, are not only under obligation to keep an attendant or life guard on hand to supervise and