



# GRAHAM COUNTY

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health (928) 428-1962

826 West Main Street, Safford, Arizona 85546

FAX (928) 428-8074

### APPLICATION FOR PERMIT TO OPERATE SEMI-PUBLIC OR PUBLIC SWIMMING FACILITY

CHECK TYPE:     Semi-Public     Public     New     Renewal

(Check all that apply)     Diving     Non-Diving     Pool     Spa     Wader     Splash Pad     Special Use

Bathing Load (Qty): Pool \_\_\_\_\_ Spa \_\_\_\_\_ Pool Size (Gal) \_\_\_\_\_ Spa Size (Gal) \_\_\_\_\_

**BUSINESS INFORMATION**

NAME OF BUSINESS		STREET ADDRESS		CITY	STATE	ZIP CODE
BUSINESS PHONE	CELL	FAX	E-MAIL ADDRESS			

MAILING ADDRESS	CITY	STATE	ZIP CODE
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PERSON IN CHARGE OF POOL	CERTIFIED POOL OPERATOR OR TRAINING COURSE		
CONTACT NO.	TIME OPEN/CLOSE	DAYS OF WEEK	MONTHS OF YEAR

**OWNER INFORMATION:**

NAME OF PERMIT HOLDER	MAILING ADDRESS	CITY	STATE	ZIP CODE
TELEPHONE NO.	E-MAIL ADDRESS			
EMERGENCY CONTACT NAME	TELEPHONE NO.			
PROPERTY OWNER *	CONTACT NUMBER			

\* If different from permit holder, require a copy of lease agreement and/or notarized letter from property owner indicating lease has been made to permit holder.

I \_\_\_\_\_ herby certify that I am the operator or authorized agent of the above public  
(owner name-print)  
 or semi-public pool. . I have read and understand the Prohibited Acts by County and Employees, the Regulatory Bill of Rights, and the Notice of Inspection Rights.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**\*\*CURRENT PERMIT NOT TRANSFERABLE\*\***

**THIS APPLICATION WILL NOT BE PROCESSED UNLESS COMPLETED IN FULL & PLAN REVIEW FEE PAID**

FEES ARE NON-REFUNDABLE

DO NOT WRITE BELOW THIS LINE

Rev. 11/2015

Date of Final Health Department Inspection / Inspector \_\_\_\_\_

Permit Fee payment \$ \_\_\_\_\_ Date \_\_\_\_\_ Permit No. \_\_\_\_\_

Application approved for Permit by \_\_\_\_\_ Date \_\_\_\_\_

## **A.R.S. 11-1604: Prohibited acts by county and employees; enforcement; notice**

- A. A county shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance, or delegation agreement. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a county shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit county flexibility to issue licenses or adopt ordinances or codes.
- D. A county shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a county. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a county for a violation of this section.
- F. A county employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the county's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

## **A.R.S. § 11-1602: Regulatory Bill of Rights**

### **To ensure fair and open regulation by counties, a person:**

- Is eligible for reimbursement of fees and other expenses if the person prevails by adjudication on the merits against a County in a court proceeding regarding a County decision as provided in A.R.S. §12-348.
- Is entitled to receive information and notice regarding inspections as provided in A.R.S. §11-1603 (effective June 30, 2012).
- Is entitled to have a County not base a licensing decision in whole or in part on licensing conditions or requirements that are not specifically authorized as provided in A.R.S. §11-1604.
- May have a County approve or deny the person's license application within a predetermined period of time as provided in A.R.S. §11-1605 (effective December 31, 2012).
- Is entitled to receive written or electronic notice from a County on denial of a license application (effective December 31, 2012):
  - That justifies the denial with references to the statute, ordinance, regulation, delegation agreement or authorized substantive policy statement on which the denial is based as provided in A.R.S. §11-1605.
  - That explains the applicant's right to appeal this denial as provided in A.R.S. § 11-1605.
- Is entitled to receive information regarding the license application process at the time the person obtains an application for a license as provided in A.R.S. § 11-1606.
- May inspect all ordinances, regulations, and substantive policy statements of a County, including a directory of documents, at the offices of the county or on the county's website as provided in A.R.S. § 11-1607.
- Unless specifically authorized, may expect counties to avoid duplication of their laws that do not enhance regulatory clarity and to avoid dual permitting to the maximum extent practicable as provided in A.R.S. § 11.1604.
- May file a complaint with the Board of Supervisors concerning an ordinance, regulation, or substantive policy statement that fails to comply with A.R.S. § 11-1602.

## Notice of Inspection Rights

Upon entry to the premises, the County Inspector(s) met with me, presented photo identification, and explained that the purpose of the visit was to conduct an inspection necessary for the issuance of a permit or license and to determine compliance with permit requirements. ***I understand that:***

- Graham County has legal authority to conduct inspections under its Delegation Agreement with the Arizona Department of Health Services.
- I may accompany the Department Inspector(s) on the premises, except during confidential interviews.
- There are no direct fees for this inspection; however, the costs for conducting inspections are included in the annual permit fees.
- I have the right to copies of any original document(s) taken from the premises by the County during the inspection if the County is permitted by law to take the original document(s).
- I have the right to have a split or duplicate of any samples taken during the inspection for the purpose of lab analysis, if the split or duplicate of any samples would not prohibit an analysis from being conducted or render an analysis inconclusive.
- I have the right to copies of any analysis performed on samples taken during the inspection.
- Each person whose conversation with the County Inspector during the inspection is tape recorded will be informed that the conversation is being tape recorded.
- Each person interviewed during the inspection will be informed that their statements may be included in the inspection report.
- The County may provide the regulated person an opportunity to correct deficiencies noted during an inspection, either during or after the inspection; however, a County decision with regard to whether the regulated facility has corrected the deficiency and is in substantial compliance is not an appealable County action. (See A.R.S. § 11-1603 E, F)
- If I have any questions about this inspection I may contact Gavin Lawson, Environmental Health Manager, RS/REHS, at (928) 428-1962.
- I may appeal the results of an inspection to Brian Douglas, Graham County Health Director, 826 West Main Street, Safford, Arizona, 85546, (928) 428-1962. My administrative hearing rights are also set forth in A.R.S. § 41-1061 to -1066.
- I may request that the County clarify its interpretation or application of a statute, ordinance, regulation, delegation agreement or authorized policy statement, by filing a written request in accordance with A.R.S. § 11-1609 and directed to the attention of the Graham County Health Director.
- I may file a complaint with the Graham County Board of Supervisors concerning ordinances, regulations, substantive policy statements, or County practices that are alleged to violate the Regulatory Bill of Rights Statutes (A.R.S. § 11-1601 to -1610).