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Frequently Asked Questions:

Question: When will all pools be open?

Answer: Currently, there is no definitive date for ALL pools to open. It is all contingent on future Public Health Order and what is allowed.

Question: What pools are currently allowed to operate given the Public Health Order?

Answer: Aquatic venues that were either designed and built for lane swimming or that offer classes that teach individuals how to swim, and Class D aquatic venues that provide physical therapy.

Question: Why isn't the pool at my HOA or apartment complex open?

Answer: This is likely due to the fact that the pool at your facility was not designed and built to be a lane swimming pool, but rather a recreation style pool.

Question: What is considered a "public" swimming pool?

Answer: Public swimming pools or Public Aquatic Venues are defined in 7.18.1 NMAC as the following:

"Aquatic venue" means any artificially constructed structure that is expressly designated or used with the knowledge or consent of the owner or operator for swimming, water recreation, or bathing for the use of any segment of the public. Such structures do not necessarily contain standing water, so water exposure may occur via contact, ingestion, or aerosolization. The term "aquatic venue" includes all class A, class B, class C, and class D aquatic venues and spas. This term does not include residential housing or lodging facilities having five or fewer living units. Plumbing fixtures associated with a specific living unit, hot springs, and fill-and-draw tubs are also excluded. The term "aquatic venue" includes, but is not limited to, public pools and spas owned or operated by:

- (a) travelers' accommodations including hotels, motels, inns, lodging and bed and breakfast facilities, hostels and recreational vehicle parks;
- (b) residential housing or lodging facilities having six or more living units;
- (c) apartments or apartment complexes, condominiums and mobile home parks;
- (d) recreation parks;
- (e) colleges or universities;
- (f) schools and group homes;
- (g) organizational camps;
- (h) clubs;

- (i) associations;
- (j) business establishments for their patrons or employees;
- (k) private persons with pools that are open to the public;
- (l) recreation districts; or
- (m) cities, municipalities, counties, the state of New Mexico or other political subdivisions.

Question: Does adding floating ropes to my pool convert it into a lane-swimming pool that would be allowed to operate under the current Public Health Order?

Answer: There are many steps to get a pool that was designed for recreation converted into a lane-swimming pool, below you will find a checklist of items that would need to be addressed to convert a pool such as one at a HOA or Apartment Complex into a lane swimming pool that would be allowed to operate under the current Public Health Order.

- Floating lane lines must be properly attached to a professionally installed recessed pool line anchor.
- At minimum a marker shall be provided on the bottom of the pool, 5 feet from the wall, to alert the swimmer that they are nearing the end of the pool.
- At minimum a full-time attendant must be provided. Their main purpose is to ensure that COVID safe practices outlined in the CDC's: "Considerations for Public Pools, Hot Tubs, and Water Playgrounds During COVID-19" are followed.