



## NEW MEXICO ENVIRONMENT DEPARTMENT



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# Attention all aquatic venue permit holders:

Based on the Public Health Emergency Order Limiting Mass Gatherings and Implementing Other Restrictions Due to COVID-19, released originally on 19 March 2020, all public aquatic venues permitted by the New Mexico Environment Department have been directed to close by this order. This decision is based on aquatic venues being “recreational facilities”. An updated Public health Order was issued on 15 May 2020 that extended the closure until 31 May 2020.

The Public Health Order Issued on 15 May 2020 defines the following terms:

- (7) “Recreational facilities” include movie theatres, swimming pools, museums, bowling alleys, miniature golf, arcades, amusement parks, concert venues, performance venues, go-kart courses, indoor shopping malls, and other places of indoor recreation or indoor entertainment.

The Public Health Order Issued on 15 May 2020 states the following:

- (3) “Close-contact business” and “recreational facilities” must remain closed.

7.18.1 NMAC, the Public Aquatic Venues: General Provisions defines an “Aquatic Venue” as follows:

(1) “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

Please watch our website for updates: <https://www.env.nm.gov/pools/pools-program/>

A copy of the Order can be found here: <https://cv.nmhealth.org/public-health-orders-and-executive-orders/>