

June 26, 1933.

Attention: Mr. F. E. Doucette.

Arizona State Board of Health
State House
Phoenix, Arizona

Gentlemen:

This will acknowledge receipt of your letter of June 12th in which you seek the opinion of the Attorney General as to whether your Board has authority, by cooperating with the local boards of health, to compel swimming pool owners to either clean up their pools or close them.

Section 2679, Revised Code of 1928, provides that the State Board of Health shall make and enforce all needful rules and regulations for the prevention and cure, and to prevent the spread of any contagious, infectious or malarial diseases among the people.

Section 2686 provides that each city or county board of health, within its jurisdiction, shall examine into all nuisances, sources of filth and causes of sickness, and make regulations regarding the same as are necessary for the health and safety of the inhabitants.

In view of the statutory provisions mentioned above, I am of the opinion that the State Board of Health has the power - either directly, or by means of its supervisory control over the local boards and health officers - to compel swimming pool owners to either clean up such pools to the satisfaction of the health department, or close them.

Very truly yours,

Attorney General

PHB:w

Assistant Attorney General.

33-253