

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2017, Legislative Day No. 8

Bill No. 22-17

Mrs. Cathy Bevins, Councilwoman

By the County Council, April 17, 2017

A BILL
ENTITLED

AN ACT concerning

Swimming Pools

FOR the purpose of defining the term “Semi-Public Swimming Pool;” providing for its applicability; providing for required signage at a semi-public swimming pool; and generally relating to swimming pools.

BY repealing and re-enacting, with amendments
Sections 13-6-201 and 13-6-204(c)
Article 13 – Public Health, Safety, and the Environment
Title 6 – Swimming Pools and Bathing Beaches
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 ARTICLE 13 – PUBLIC HEALTH, SAFETY, AND THE ENVIRONMENT

2 Title 6 – Swimming Pools and Bathing Beaches

3
4 § 13-6-201. Definitions.

5 (a) *In general.* In this subtitle, the following words have the meanings indicated.

6 (b) “Approving Authority” means the Health Officer of the Health Officer’s designee.

7 (c) *Private swimming pool.* “Private swimming pool” means a swimming pool located on a
8 private residential property under the control of a single resident, the use of which is limited to
9 members of the resident’s family and invited guests.

10 (d) *Public bathing beach.*

11 (1) “Public bathing beach” means a natural bathing beach together with any buildings,
12 appurtenances, or other improvements, at a pond, lake, quarry, stream, or bay, intended to be used
13 collectively by numbers of individuals for swimming or recreational bathing, regardless of whether
14 a fee is charged for use.

15 (2) “Public bathing beach” includes a bathing beach at a private club.

16 (e) *Public swimming pool.*

17 (1) (i) “Public swimming pool” means a swimming pool intended to be used collectively
18 by numbers of individuals for swimming or bathing, operated by any person including an owner,
19 lessee, operator, licensee, or concessionaire, regardless of whether a fee is charged for use.

20 (ii) “Public swimming pool” includes a swimming pool at a private club.

21 (2) “Public swimming pool” does not include a SEMI-PUBLIC SWIMMING POOL OR
22 A private swimming pool.

23 (F) SEMI-PUBLIC SWIMMING POOL. “SEMI-PUBLIC SWIMMING POOL” MEANS A

1 SWIMMING POOL THAT IS LOCATED AT A FACILITY WHICH IS A TEMPORARY
2 DWELLING TO INCLUDE A HOTEL, MOTEL, OR SIMILAR TEMPORARY DWELLING,
3 FOR USE BY GUESTS AT THE FACILITY.

4 [(f)] (G) *Swimming pool.*

5 (1) “Swimming pool” means an artificial structure, basin, chamber, or tank containing a
6 body of water for the primary purpose of swimming, diving, or recreational bathing.

7 (2) “Swimming pool” includes a wading pool.

8 [(g)] (H) *Wading pool.* “Wading pool” means a swimming pool not normally in excess of 2 feet
9 deep at its maximum depth and usually reserved for use by small children.

10

11 § 13-6-204. Health and Safety Requirements.

12 (c) *Lifeguards.*

13 (1) In this subsection, a “competent lifeguard” is a lifeguard who holds a current
14 American Red Cross senior lifesaving certificate or its equivalent.

15 (2) During all swimming periods, the operator of a public swimming pool or public
16 bathing beach shall provide:

17 (i) A minimum of one competent lifeguard; and

18 (ii) An adequate number of additional competent lifeguards as required by the
19 approving authority.

20 (3) A SEMI-PUBLIC SWIMMING POOL THAT DOES NOT HAVE A LIFEGUARD
21 ON DUTY SHALL HAVE A CONSPICUOUS SIGN POSTED ADJACENT TO ENTRANCES
22 TO THE POOL READING “WARNING; NO LIFEGUARD ON DUTY. **SWIM AT YOUR**
23 **OWN RISK.** DO NOT SWIM ALONE. CHILDREN UNDER 18 SHOULD NOT USE THE

1 POOL WITHOUT ADULT SUPERVISION.”

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3 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by

4 the affirmative vote of five members of the County Council, shall take effect on June 7, 2017.