

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2002 Legislative Session

Bill No. CB-38-2002

Chapter No. _____

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Shapiro, Wilson and Wilson

Co-Sponsors _____

Date of Introduction May 7, 2002

EMERGENCY BILL

1 AN EMERGENCY ACT concerning

2 Swimming Pools

3 For the purpose of modifying semipublic swimming pool supervision requirements for hotels and
4 motels located in Prince George's County; and generally relating to the regulation of swimming
5 pools.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 5. BUSINESSES AND LICENSES.

8 Sections 5-212 and 5-224,

9 The Prince George's County Code

10 (1999 Edition, 2001 Supplement

11 as amended by CB-4-2002).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Section 5-212 of the Prince George's County Code be and the same is hereby
14 repealed and reenacted with the following amendments:

15 SUBTITLE 5. BUSINESSES AND LICENSES.

16 DIVISION 17. SWIMMING POOLS AND PUBLIC SPAS.

17 SUBDIVISION 2. COUNTY ADDITIONS, INSERTIONS, AND CHANGES TO THE
18 STATE REGULATIONS.

19 **Sec. 5-212. Definitions.**

20 (a) In addition to the definition of terms contained in the State regulations adopted by
21 reference in this Division, the following definitions and terminology shall apply and are
22 applicable to such provisions adopted by reference:

(1) **County** shall mean Prince George's County, Maryland.

(2) **County Health Officer** shall mean the duly appointed County Health Officer or his authorized representative.

(3) **Public Swimming Pool** shall mean any constructed swimming pool or wading pool, together with buildings and all appurtenances thereto, except those serving an individual private residence. It shall also include community swimming pools within residential zones and "Semipublic Pool" as defined in COMAR 10.17.01.

(4) **Public Swimming Pool Lifeguard** shall mean any individual meeting the requirements of this Division who actively supervises public swimming pools for the purpose of insuring proper health and safety standards, as provided in this Division.

(5) **Public Swimming Pool Operator** shall mean any individual, duly licensed by the County Health Officer, who is responsible for the overall operation of a public swimming pool.

(6) **Turbidity** shall mean the cloudy condition of pool water caused by suspended particles which obscure visibility.

(7) **Wading Pool** shall mean any pool not normally in excess of 24 inches deep at its maximum depth and usually reserved for use by small children.

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SUBTITLE 5. BUSINESSES AND LICENSES.

DIVISION 17. SWIMMING POOLS AND PUBLIC SPAS.

SUBDIVISION 4. SUPERVISION.

Sec. 5-224. Supervision of public swimming pools; lifeguards required.

(a) Except as provided in Subsection 5-224(b), it [It] shall be unlawful for any person to operate or permit to be operated within the County a public swimming pool unless such pool is under the prompt supervision of duly licensed swimming pool operator and under the actual and direct supervision of that number of qualified public swimming pool lifeguards as indicated below.

(1) 1-50 persons in water - one lifeguard;

(2) 51-100 persons in water - two lifeguards;

(3) 101-150 persons in water - three lifeguards;

(4) For each additional 75 persons in water - one lifeguard.

1 (b) A pool at a facility that has pool use restricted to an individual staying at the facility,
 2 where the facility is a hotel or motel, shall meet all applicable provisions of COMAR 10.17.01
 3 pertaining to lifeguard requirements and safety signs at semipublic pools.

4 [(b)] (c) The County Health Officer has the authority to make adjustments in the foregoing
 5 schedule when deemed necessary and practicable and when such adjustment will not present a
 6 hazard to the public health or safety of persons using a pool.

7 [(c)] (d) Swimming pools shall be maintained in a clean, sanitary and safe manner at all
 8 times. All bathhouse supplies such as paper towels and toilet paper shall be available at all
 9 times.

10 [(d)] (e) All structures and equipment at swimming pools shall be maintained in good
 11 repair at all times.

12 [(e)] (f) For every pool a daily operating record shall be kept including pH, chlorine
 13 residual, number of bathers, time of recording, pressure differential (if applicable), and flow rate
 14 which shall be made available for checking by the County Health Officer during each inspection.

15 [(f)] (g) A data sheet containing all operational data, particularly the pool volume, rate of
 16 flow, turnover rate, backwashing procedure, and for DE pools, precoat procedure shall be posted
 17 at the pool for all pools included in the operation. All valves shall be tagged or otherwise
 18 marked to follow the data sheets.

19 [(g)] (h) At no time shall there be more swimmers in the pool than the number the pool
 20 was designed for.

21 [(h)] (i) No person shall be permitted in the pool who has an obvious or known infection,
 22 cut, abrasion, or open blister.

23 SECTION 2. BE IT FURTHER ENACTED that in accordance with the provisions of
 24 Section 317 of the Charter, the County Council hereby declares that a public emergency exists
 25 affecting the public health, safety, and welfare; said emergency being the need to adopt State
 26 standards and applicable safety regulations regarding semipublic swimming pools.

27 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on the date it
 28 becomes law.

1 Adopted this ____ day of _____, 2002, by an affirmative vote of two-thirds of
2 the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chairman

ATTEST:

Redis C. Floyd
Acting Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.