

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2019 Legislative Session**

Bill No. CB-44-2019

Chapter No. 46

Proposed and Presented by Council Members Turner, Ivey and Glaros

Introduced by Council Members Turner, Ivey, Glaros, Harrison, Davis, Streeter, Taveras,  
Hawkins, Anderson-Walker and Franklin

Date of Introduction October 15, 2019

**BILL**

1 AN ACT concerning

2 Swimming Pools

3 For the purpose of amending the County Code to have safety standards for pools under 2,500  
4 square feet of water within Prince George's County apply to health club services pools; and  
5 generally relating to the regulation of swimming pools.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 5. BUSINESSES AND LICENSES.

8 Section 5-224,

9 The Prince George's County Code

10 (2015 Edition; 2018 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
12 Maryland, that Section 5-224 of the Prince George's County Code be and the same is hereby  
13 repealed and reenacted with the following amendments:

14 SUBTITLE 5. BUSINESSES AND LICENSES.

15 DIVISION 17. SWIMMING POOLS AND PUBLIC SPAS.

16 SUBDIVISION 4. SUPERVISION.

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

18 (a) Except as provided in subsections (b) and (c), it shall be unlawful for any person to  
19 operate or permit to be operated within the County a public swimming pool unless such pool is  
20 under the prompt supervision of duly licensed swimming pool operator and under the actual and  
21 direct supervision of that number of qualified public swimming pool lifeguards as indicated

1 below.

- 2 (1) 1—50 persons in water—One lifeguard;
- 3 (2) 51—100 persons in water—Two lifeguards;
- 4 (3) 101—150 persons in water—Three lifeguards;
- 5 (4) For each additional 75 persons in water—One lifeguard.

6 (b) The provisions of subsection 5-224(a) do not apply to a pool with a water surface area of  
 7 under 2,500 square feet located within or outside a building that has a permit issued by Prince  
 8 George's County to operate as a hotel or motel, or that is registered as a seller of health club  
 9 services pursuant to the Annotated Code of Maryland, Commercial Law Article, Title 14,  
 10 Subtitle 12B, and that meets all State regulations, including COMAR10.17.01.40F and [of] the  
 11 following provisions:

- 12 (1) The size, color, design, application, symbol, and visual layout of a safety sign is in  
 13 compliance with the ANSI Z-535 series of standards for Safety Signs and Colors as  
 14 referenced in American National Standard for Public Spas;
- 15 (2) A spa safety sign is posted in a permanent location adjacent to a spa in compliance  
 16 with the American National Standard for Public Spas;
- 17 (3) The spa safety sign includes the user load of the spa;
- 18 (4) A chemical warning sign is posted at the entrance door to a chemical storage area  
 19 and includes the text "Caution! Chemical Storage Area";
- 20 (5) A chemical vat, feeder, pump, and line is labeled to identify the chemical in use;
- 21 (6) A chlorine gas warning sign reading "Danger—Chlorine Gas" is posted at the  
 22 entrance to a chlorine gas feed room and storage area;
- 23 (7) Other warning, health advisory, and safety signs are posted if necessary to protect  
 24 the public health and safety, for example, "Danger! No Diving In Shallow Water";
- 25 (8) A semipublic pool or public spa that does not have a lifeguard on duty has a  
 26 conspicuous sign posted adjacent to entrances to the pool or spa reading "WARNING;  
 27 NO LIFEGUARD ON DUTY. SWIM AT YOUR OWN RISK. DO NOT SWIM  
 28 ALONE. CHILDREN UNDER 15 SHOULD NOT USE THE POOL WITHOUT  
 29 ADULT SUPERVISION."; and

30 (c) In addition to meeting the above requirements and the provisions of COMAR  
 31 10.17.01.40F, a pool with a water surface area of under 2,500 square feet that is located in or  
 32 outside a building that has a use and occupancy permit to operate as a hotel or motel, or that is

1 registered as a seller of health club services pursuant to the Annotated Code of Maryland,  
 2 Commercial Law Article, Title 14, Subtitle 12B, and that meets a description of the provisions  
 3 set forth in subsection 5-224(b) must have a conspicuous sign posted adjacent to entrances to the  
 4 pool or spa reading:

5 "CHILDREN UNDER THE AGE OF 15 ARE NOT PERMITTED TO USE THE POOL  
 6 WITHOUT ADULT SUPERVISION."

7 (d) The County Health Officer has the authority to make adjustments in the foregoing  
 8 schedule when deemed necessary and practicable and when such adjustment will not present a  
 9 hazard to the public health or safety of persons using a pool.

10 (e) Swimming pools shall be maintained in a clean, sanitary and safe manner at all times. All  
 11 bathhouse supplies such as paper towels and toilet paper shall be available at all times.

12 (f) All structures and equipment at swimming pools shall be maintained in good repair at all  
 13 times.

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

17 (h) A data sheet containing all operational data, particularly the pool volume, rate of flow,  
 18 turnover rate, backwashing procedure, and for DE pools, pre-coat procedure shall be posted at  
 19 the pool for all pools included in the operation. All valves shall be tagged or otherwise marked to  
 20 follow the data sheets.

21 (i) At no time shall there be more swimmers in the pool than the number the pool was  
 22 designed for.

23 (j) No person shall be permitted in the pool who has an obvious or known infection, cut,  
 24 abrasion, or open blister.

25 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
 26 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
 27 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
 28 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
 29 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
 30 Act, since the same would have been enacted without the incorporation in this Act of any such  
 31 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,  
 32 or section.

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
2 calendar days after it becomes law.

Adopted this 19<sup>th</sup> day of November , 2019.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Todd M. Turner  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Angela D. Alsobrooks  
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.