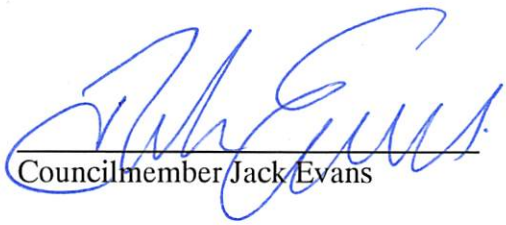
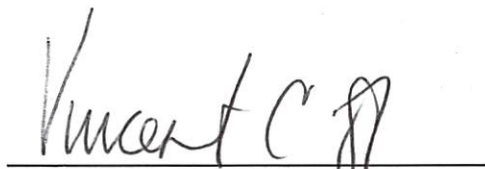


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7 Councilmember Jack Evans


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9 Councilmember Vincent C. Gray

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12 A BILL
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19 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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24 To repeal recently passed Department of Health regulations on semi-private pools.

25 BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
26 act may be cited as the "Pools Without Penalties Act of 2017".

27 "Sec. 2. A lifeguard shall not be required for a swimming pool that is:

28 "(a) Open for use only to persons who hold membership or other paid association in the
29 facility where the pool is located;

30 "(b) Open for use only to persons who are permanent or temporary residents or guests of
31 residents at the facility where the pool is located;

32 "(c) Open for use to persons who are lodging for a fee at the facility where the pool is
located; or

33 "(d) A spa."

34 "Sec. 3. The exemptions identified in section 2 shall not apply if a swimming pool has:

35 "(a) A diving board;

36 "(b) A depth of at least six feet (6 ft.) (1,830 mm), or

1 “(c) An expected bather population of fifty percent or more children under the age of 15.

2 “Sec. 4. Shower facilities, toilet facilities, and dressing rooms for pool users do not need
3 to be provided at hotels, motels, condominiums, and apartments where the:

4 “(a) Pool’s use is restricted to residents and guests; and

5 “(b) Farthest unit in the hotel, motel, condominium, or apartment is less than three
6 hundred feet (300 ft.) from the pool area, as measured along walkways provided for access by
7 residents and guests to the pool area.”.

8 “Sec. 5. A pool at condominium or apartment building shall not need:

9 “(a) A facility license from the Mayor per DCR §700.1; or

10 “(b) A certified pool operator per DCR §300.1:

11 “(c) Incorporation by reference into the Americans with Disabilities Act, which is limited
12 to public accommodations, per DCR § 102.1:

13 “(d) A fence around a rooftop pool; or

14 “(e) A safety line per DCR § 505.4.

15 Sec. 6. Fiscal impact statement.

16 The Council adopts the fiscal impact statement in the committee report as the fiscal
17 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
18 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

19 Sec. 7. Effective date.

20 The act shall take effect following approval by the Mayor (or in the event of veto by6 the
21 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
22 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

- 1 24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
- 2 Columbia Register.