

**ORDINANCE NO. \_\_\_\_\_, SERIES 2021**

**AN ORDINANCE AMENDING CHAPTER 115 OF THE LOUISVILLE METRO CODE OF ORDINANCES REGARDING WATER SAFETY PERSONNEL AND SWIMMING FACILITY REQUIREMENTS.**

**SPONSORED BY: COUNCIL MEMBERS PIAGENTINI AND MCCRANEY**

**WHEREAS**, it is the unintended consequence of well-intentioned regulations to create disadvantages to local businesses and developers;

**WHEREAS**, those who have the means to purchase a privately held pool are not subject to the same rules and regulations of those who have access to a pool through a homeowner's association or an apartment/condominium creating a disadvantage to those with less financial resources;

**WHEREAS**, the financial burden of training and retaining pool safety personnel has disproportionately impacted the installation of swimming pools in homeowner's associations and apartment/condominiums in West and South Louisville;

**WHEREAS**, limiting access to these amenities in economically blighted areas decreases, opportunities for cardiovascular exercise and recreation; and

**WHEREAS**, all pool owners should take reasonable precautions to prevent the risk of drowning to their guests with a particular focus on young children.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** Louisville Metro Code of Ordinances Section 115.221 is hereby amended to read as follows:

**§ 115.221 LIFEGUARDS REQUIRED; PERMIT**

(C) Public swimming and bathing facilities with pools having less than 2000 sq. ft. of water surface area and five (5) feet or less in depth shall not be subject to the water safety

personnel requirements set forth in Section 900.15 of the Louisville Metro Board of Health Sanitary Code Chapter 900 unless the facility has unlocked access and/or allows bathers 16 years of age or under to enter the facility area without a responsible person 17 years of age or older.

~~—(D) All public swimming and bathing facilities which do not provide a lifeguard must post and enforce the following rule: "No person may enter the facility area alone or swim alone."~~

~~—(E) Pursuant to 902 KAR Section 14, all public swimming and bathing facilities which do not provide a lifeguard are required to provide the following:~~

~~——(1) A U.S. Coast Guard approved ring buoy not more than fifteen (15) inches in diameter to which shall be attached a three-sixteenths (3/16) inch rope of length one and one-half (1 1/2) times the maximum pool width;~~

~~——(2) A life pole or shepherd's crook type of pole having blunted ends with a minimum length of twelve (12) feet; and~~

~~——(3) One (1) plywood backboard with straps, made to the specifications of the American Red Cross for back and neck injuries.~~

(D) All other relevant portions of Kentucky statutes, Kentucky Regulations and Local Health Rules regarding lifeguards and water safety personnel shall apply.

**SECTION II:** This Ordinance shall take effect upon its passage and approval.

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Sonya Harward  
Metro Council Clerk

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David James  
President of the Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

BY: \_\_\_\_\_

O-236-21 Swimming Facilities NJ 5-4-21