



October 20, 2020

Louisville Metro Council
601 W. Jefferson Street
Louisville, KY 40202

The Louisville Apartment Association would like to voice our concerns with the current regulations pertaining to swimming pools located in private Apartment Communities in Metro Louisville. The current regulations define private Apartment Community Pools as “Public Pools”. Our pools are not open to the public and are only available for residents living at the various communities. Pools are gated having entry gates only accessible to residents. In the current regulations there is a 2 – 5 rule (there has to be at least 2 people in the pool and if there is more than 5 people in the pool a lifeguard must be present.

Requiring lifeguards at private apartment community pools is not only a financial burden on the community, but at times, limits the residents use of the pool due to lack of available lifeguards. If an apartment community does not have a lifeguard on duty, they must close the pool to all residents.

We have researched pool regulations and pool safety by surveying apartment associations and prominent Apartment Management Companies. These Apartment Associations and Management Companies represent 100’s of thousands apartment units in multiple states, none operate in jurisdictions that require lifeguards for pools at apartment communities except for Jefferson County.

We respectfully request the Louisville Metro Council modify its swimming pool regulations to be modeled in a way to eliminate the 2 – 5 rule at private apartment community pools as follows:

Section 900.1502 of the Louisville and Jefferson County Board of Health Swimming Pools and Bathing Beaches Regulations: “Facilities limited to pools, of less than 2750 sq. ft. of water surface area shall not be subject to the water safety personnel requirements 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. No person may use the facility alone”.

An update of the regulations would enable our Apartment Communities to better serve their tenants and eliminate the need for Lifeguards at pools less than 2750 sq. ft. and eliminate the 5-person maximum rules at such pools. we do agree with all other regulations such as no one swims alone, anyone under the age of 16 must be accompanied by an adult, controlled access to the pool and prominent signage stating, “No lifeguard on duty, swim at your own risk”.

Please find attached letters from Associations and Management Companies confirming the absence of lifeguards has not compromised pool safety. We would be pleased to continue any efforts necessary to validate our request.

Sincerely,

A handwritten signature in black ink, appearing to read 'JD Carey', written over a white background.

JD Carey
Executive Director