

**ORDINANCE NO. \_\_\_\_\_, SERIES 2020**

**AN ORDINANCE AMENDING CHAPTER 115 OF THE LOUISVILLE METRO CODE OF ORDINANCES BY ADDING NEW SECTIONS ON WATER SAFETY PERSONNEL AND SWIMMING FACILITY REQUIREMENTS.**

**SPONSORED BY: COUNCIL MEMBERS YATES, 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 homeowners 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:** New sections are hereby added to the Louisville Metro Code of Ordinances Chapter 115.221 to read as follows:

**§ 115.221 LIFEGUARDS REQUIRED; PERMIT.**

(C) Public swimming and bathing facilities with pools having less than 2750 sq. ft. of water surface area and five (5) feet or less in depth 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.

(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) All public swimming and bathing facilities which do not provide a lifeguard must have at least one flotation device accessible in the swimming pool area which can be rapidly deployed if needed.

**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: \_\_\_\_\_