

2020 -- H 7397

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LC004172
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO HEALTH AND SAFETY - LICENSING OF SWIMMING POOLS

Introduced By: Representatives Jackson, Shekarchi, Noret, Serodio, and Ackerman

Date Introduced: January 31, 2020

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-22-6 of the General Laws in Chapter 23-22 entitled "Licensing
2 of Swimming Pools" is hereby amended to read as follows:

3 **23-22-6. License required -- Term of license -- Application -- Fee.**

4 (a) No person shall maintain within this state a swimming pool until that person shall
5 have obtained the appropriate license from the department. Licenses shall be of two (2) types,
6 year-round or seasonal. The director, upon receipt of an application for a license to operate a
7 swimming pool, shall cause that swimming pool to be inspected and if the swimming pool is
8 found to comply with the provisions of this chapter and the regulations adopted in accordance
9 with this chapter, shall issue a license upon receipt of a fee for a year-round license, for the first
10 pool at one location and an additional fee for each additional pool at the same location. The
11 director shall issue a license upon receipt of a fee for a seasonal license for the first pool at one
12 location and an additional fee for each additional pool at the same location. Seasonal licenses
13 shall begin no sooner than June 1, and expire on September 30 of the year issued and year-round
14 licenses shall expire on December 31 of the year issued, unless sooner revoked for violation of
15 the provisions of this chapter or of the regulations adopted in accordance with this chapter.
16 Provided, however, every organization which provides recreational facilities for persons under
17 the age of eighteen (18) years and which is exempt from income taxes pursuant to the provisions
18 of 26 U.S.C. § 501(c)(3), and which maintains a swimming pool shall pay a fee for a year-round
19 license. All fees required by this section shall be as set forth in § 23-1-54. The provisions of this

1 chapter shall not apply to any swimming pool maintained by the state.

2 (b) No lifeguard shall be required for any pool licensed in this chapter; provided, a
3 lifeguard shall be on duty if the pool is used by a swim club or a group of unsupervised children
4 who may have access to the pool. Operators of pools shall, when no lifeguard is on duty:

5 (1) Require an attendant and/or a mechanical system to limit access to guests and
6 members only;

7 (2) ~~Require a person trained in first aid to be physically located in close proximity to the~~
8 ~~pool in question;~~

9 (3) Require the following signs to be posted in a conspicuous place:

10 (i) NO LIFEGUARD ON DUTY -- SWIM AT YOUR OWN RISK (minimum 4" letters
11 in RED)

12 (ii) NO ONE UNDER 18 PERMITTED UNLESS ACCOMPANIED BY AN ADULT

13 (iii) ADULTS SHOULD NOT SWIM ALONE

14 (iv) A SCHEDULE OF POOL HOURS

15 (v) NO GLASS IN POOL AREA

16 (vi) NO RUNNING OR ROUGH HOUSING

17 (vii) NO DIVING

18 (viii) NO ANIMALS OR PETS

19 (4) Require, in the case of outdoor pools, in addition to the above requirements, a fence
20 with a lockable gate or door, a minimum of not less than six feet (6') in height, which completely
21 surrounds the pool area.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY - LICENSING OF SWIMMING POOLS

- 1 This act would remove the requirement to have a person trained in first aid in close
- 2 proximity to operate a swimming pool without a lifeguard.
- 3 This act would take effect upon passage.

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