

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 205
Second Edition Engrossed 4/8/25

Short Title: Clarify Swimming Pool Laws/Priv. Pool Rentals. (Public)

Sponsors: Senator Jarvis (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 3, 2025

A BILL TO BE ENTITLED
AN ACT PROHIBITING LOCAL BOARDS OF HEALTH FROM REGULATING PRIVATE
POOLS SERVING SINGLE FAMILY DWELLINGS; CLARIFYING THE SCOPE OF
SWIMMING POOL LAWS BY AMENDING THE EXEMPTION FOR PRIVATE POOLS
SERVING SINGLE FAMILY DWELLINGS; AND MAKING OTHER TECHNICAL
CHANGES TO G.S. 130A-280.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-39(b) reads as rewritten:

"(b) A local board of health may adopt a more stringent rule in an area regulated by the Commission for Public Health or the Environmental Management Commission where, in the opinion of the local board of health, a more stringent rule is required to protect the public health; otherwise, the rules of the Commission for Public Health or the rules of the Environmental Management Commission shall prevail over local board of health rules. However, a local board of health may not adopt a rule concerning a private pool serving a single family dwelling otherwise exempt from regulation pursuant to G.S. 130A-280 or a rule concerning the grading, operating, and permitting of food and lodging facilities as listed in Part 6 of Article 8 of this Chapter and as defined in G.S. 130A-247(1), and a local board of health may adopt rules concerning wastewater collection, treatment and disposal systems which are not designed to discharge effluent to the land surface or surface waters only in accordance with G.S. 130A-335(c)."

SECTION 2. G.S. 130A-280, as amended by Section 4.51 of S.L. 2024-49, reads as rewritten:

"§ 130A-280. ~~Scope.~~Scope and definitions.

(a) This ~~Article~~Part provides for the regulation of public swimming pools in the State as they may affect the public health and safety. ~~As used in this Article, the term "public swimming pool" means any structure, chamber, or tank containing an artificial body of water used by the public for swimming, diving, wading, recreation, or therapy, together with buildings, appurtenances, and equipment used in connection with the body of water, regardless of whether a fee is charged for its use. The term includes municipal, school, hotel, motel, apartment, boarding house, athletic club, or other membership facility pools and spas, spas operating for display at temporary events, and artificial swimming lagoons. As used in this Article, an "artificial swimming lagoon" means any body of water used for recreational purposes with more than 20,000 square feet of surface area, an artificial liner, and a method of disinfectant that results in a disinfectant residual in the swimming zone that is protective of the public health. This Article~~Part does not apply to any of the following:



- (1) ~~A private pool serving a single family dwelling and used only by the residents of the dwelling and their guests, regardless of whether their guests gain use of the private pool through a sharing economy platform or pay a fee for its use. In all cases in which a fee is exchanged for access to a private pool serving a single family dwelling that is used only by the residents of the dwelling and their guests, the private pool shall be maintained in good and safe working order.~~
- (2) ~~A private pool serving a single family dwelling meeting the minimum requirements of this subdivision which is offered to, and used by, individuals on a temporary basis utilizing a sharing economy platform. For the purposes of this subdivision, a sharing economy platform means an online platform used to facilitate peer-to-peer transactions to acquire, provide, or share access to goods and services. For the purposes of this subdivision, a pool must meet all of the following minimum requirements:~~
- ~~a. Pools must have proper fencing and barriers to prevent unsupervised access, especially by children. The fence should be at least 4 feet high with a self-latching gate.~~
 - ~~b. Pools must have clear and conspicuous signage posted around the pool area specifying pool rules, depth markers, and any potential hazards.~~
 - ~~c. Pools must be equipped with basic lifesaving equipment, including life rings and reaching poles.~~
 - ~~d. Pool decks and surrounding areas must have non-slip surfaces.~~
 - ~~e. Pools must have properly fitted covers for all submerged suction outlets.~~
 - ~~f. Pools must be well-maintained with proper chemical balance and cleanliness to ensure safe and healthy swimming conditions.~~
- (3) Therapeutic pools used in physical therapy programs operated by medical facilities licensed by the Department or operated by a licensed physical therapist, nor to therapeutic chambers drained, cleaned, and refilled after each individual use.
- (b) Definitions. – The following definitions apply in this Part:
- (1) Artificial swimming lagoon. – Any body of water used for recreational purposes with more than 20,000 square feet of surface area, an artificial liner, and a method of disinfectant that results in a disinfectant residual in the swimming zone that is protective of the public health.
- (2) Public swimming pool. – Any structure, chamber, or tank containing an artificial body of water used by the public for swimming, diving, wading, recreation, or therapy, together with buildings, appurtenances, and equipment used in connection with the body of water, regardless of whether a fee is charged for its use. The term includes municipal, school, hotel, motel, apartment, boarding house, athletic club, or other membership facility pools and spas, spas operating for display at temporary events, and artificial swimming lagoons.
- (3) Sharing economy platform. – An online platform used to facilitate peer-to-peer transactions to acquire, provide, or share access to goods and services."

SECTION 3. This act becomes effective July 1, 2025.