

Chapter 131

(House Bill 1101)

AN ACT concerning

Municipal Corporations – Closed Swimming Lake – Regulation

MC 32-16

FOR the purpose of providing that certain closed swimming lakes are not subject to certain regulations; requiring that a municipal corporation that maintains a closed swimming lake establish a policy to assess and monitor the water quality of the lake; requiring the policy to be consistent with certain requirements; defining a certain term; and generally relating to the regulation of closed swimming lakes.

BY adding to

Article – Environment

Section 9-321.2

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

9-321.2.

(A) IN THIS SECTION, “CLOSED SWIMMING LAKE” MEANS A BODY OF WATER THAT:

- (1) IS NO MORE THAN 1.5 ACRES IN SURFACE AREA;
- (2) IS USED FOR SWIMMING; AND
- (3) DOES NOT HAVE A CIRCULATION SYSTEM.

(B) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS SECTION, A CLOSED SWIMMING LAKE LOCATED WITHIN AND MAINTAINED BY A MUNICIPAL CORPORATION AND ONLY ACCESSIBLE TO RESIDENTS OF THE MUNICIPAL CORPORATION IS NOT SUBJECT TO THE REGULATIONS THAT APPLY TO PUBLIC BATHING BEACHES UNDER COMAR 26.08.09 OR ANY COUNTY REGULATIONS RELATED TO PUBLIC SWIMMING FACILITIES.

(c) (1) ~~A~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A MUNICIPAL CORPORATION THAT MAINTAINS A CLOSED SWIMMING LAKE SHALL ESTABLISH A POLICY TO ASSESS AND MONITOR THE WATER QUALITY OF THE CLOSED SWIMMING LAKE.

(2) THE POLICY ESTABLISHED UNDER THIS SUBSECTION SHALL BE CONSISTENT WITH REQUIREMENTS UNDER:

- (I) COMAR 26.08.09.06;**
- (II) COMAR 26.08.09.07; AND**
- (III) COMAR 26.08.09.08.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016.

Approved by the Governor, April 12, 2016.