

# June 2006

## Pool Safety

By: Lella Amiss E. Pape

Pool accidents are happening with what seems like increased frequency. Recent tragedies in a number of communities have highlighted to me a few things that every Association and should consider addressing with their pool service and their Members. While we hope that your community will never experience such a tragedy, you should always be prepared to respond in the event that an accident occurs.

Often, the most simple of items can be easily overlooked but can be of great help in the event of an emergency. In my community, we recently had a pool safety test. We learned that no patron of the pool could tell the rescue squad the street name, number or location of our pool. We decided that a very simple solution would be to post the address of the pool prominently within the pool area so all can read and recite it. Members should also be aware that with 911 dispatchers cannot determine your location if you are calling on a cell phone without additional effort and time. The dispatcher's time spent determining pool location could mean the difference between tragedy and rescue and recovery. And even though it is hard to believe that no one would have a cell

phone, keep a phone in the pool area and post emergency contacts next to it.

Many safety concerns will be addressed in the contract you have with your pool service. The Board and management should make sure that the pool service is meeting all of its obligations as required by the contract, such as proper staffing and training of lifeguards, safety equipment on hand and maintenance of the pool area. While we cannot help with contracts that you have already entered into, please feel free to ask any of our Association attorneys to review your pool contracts if you have questions.

Many of our communities have also inquired about lifeguards that are bilingual. Again, ease of communication may save valuable time. In my experience, most pool companies have begun staffing at least one bilingual lifeguard for each shift, so inquire with your pool company if you are interested. If your contract provides for the staffing of bilingual lifeguards, make sure that the pool service is meeting this requirement.

In addition, it may be worthwhile to review your Association's pool policy and make sure you are in compliance with all local ordinances and regulations. Specifically, I recommend that you review your policy regarding use of the pool by small children. While lifeguards are indispensable, members should be reminded that they should keep their children under close supervision at all times. If you do not already have one, you should consider a policy that requires all young children to be accompanied at the pool by a parent or legal guardian. Members should also not assume that it is impossible for a child to drown because the child knows how to swim.

Finally, management or a Board member should periodically inspect the pool area. Check for loose, damaged or missing drain covers. Depth markers should be visible and accurate. Fences should be in good repair and gates should be self-latching. Remove items from around the fence that a child could use to climb over the fence. Make sure that rescue equipment is handy and in working order, and that the appropriate signage is present and readable.

If you review the existing literature on pool safety, the phrase that comes up time and again is "layers of protection." Obviously, a single item or policy cannot prevent an accident. Hopefully, however, these suggestions, along with your lifeguards, your pool rules and your vigilance can prevent an accident at your pool.

If you have any questions regarding the pool in your community, feel free to contact any one of our community association attorneys.