

SENATE BILL NO. 250—SENATOR NOLAN

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Requires cities and counties to adopt ordinances that require certain swimming pools be enclosed or equipped with an alarm. (BDR 22-1114)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets **[omitted-material]** is material to be omitted.

AN ACT relating to swimming pools; requiring cities and counties to adopt by ordinance a requirement that newly constructed swimming pools be enclosed by a barrier or equipped with an alarm; requiring a person who purchases certain real property that includes a swimming pool to ensure that the pool is enclosed or equipped with an alarm; requiring each county and city to add provisions to its building code or to adopt certain ordinances providing specifications for such requirements; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 This bill requires every city and county to adopt an ordinance requiring that a
- 2 newly constructed swimming pool either be: (1) enclosed by a barrier designed to
- 3 prevent drowning by children; or (2) equipped with a motion-sensing alarm. Each
- 4 city or county must also adopt provisions in its building code or by ordinance
- 5 regarding design specifications for such a barrier and performance specifications
- 6 for such an alarm. Finally, this bill requires that a purchaser of residential property
- 7 which includes a swimming pool ensure that the swimming pool is enclosed by a
- 8 barrier or equipped with an alarm within 180 days of purchase.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Each city and county shall require by ordinance that:

(a) A newly constructed swimming pool within its respective jurisdiction be:

(1) Completely enclosed by a barrier designed to prevent drowning by children; or

(2) Equipped with a swimming pool alarm.

(b) Any person who purchases real property within its respective jurisdiction that includes a residential dwelling unit and swimming pool, within 180 days after the date of purchase:

(1) Completely enclose the swimming pool by a barrier designed to prevent drowning by children; or

(2) Equip the swimming pool with a swimming pool alarm, that meets the specifications adopted pursuant to subsection 2.

2. Except as otherwise provided in subsection 3, each city and county shall include in its respective building code the:

(a) Design specifications for a barrier designed to prevent drowning by children.

(b) Performance specifications for a swimming pool alarm.

3. If a city or county has no building code, it shall adopt the specifications required pursuant to subsection 2 by ordinance.

4. Each city and county shall provide for the enforcement of the codes or ordinances adopted pursuant to this section by:

(a) The officers or employees of the city or county; or

(b) The officers or employees of another local government pursuant to an interlocal agreement.

5. As used in this section:

(a) "Barrier" means a fence, dwelling wall or nondwelling wall, or a combination thereof.

(b) "Swimming pool" means any permanent and in-ground structure that is outdoors, constructed to contain at least 18 inches of water and intended to be used by persons for swimming or bathing.

(c) "Swimming pool alarm" means a device placed in a swimming pool that is designed to detect accidental or unauthorized entrance into the swimming pool and sound an alarm upon such detection.

Sec. 2. NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, **and section 1 of this act**, unless the context otherwise requires, the



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- 1 words and terms defined in NRS 278.0105 to 278.0195, inclusive,
- 2 have the meanings ascribed to them in those sections.

