



**TOWN OF NAGS HEAD RESOLUTION REQUESTING THE NORTH CAROLINA LEGISLATURE
TO AMEND RULES GOVERNING SWIMMING POOLS**

WHEREAS, tourism in North Carolina generated record visitor spending of \$23.9 billion in 2017, supporting 225,000 jobs; AND

WHEREAS, the growth of the tourism industry in our state has led to a greatly expanded market of privately owned residences that are rented for vacation, leisure, and recreational purposes; AND

WHEREAS, the popularity of swimming pools as amenities at residential vacation rentals has increased dramatically; AND

WHEREAS, drowning is the number one leading cause of unintentional death for children ages one through four according to the Centers for Disease Control and Prevention; AND

WHEREAS, from 2013-2015, there was an average of 351 pool- or spa-related drownings reported per year involving children younger than 15 years of age; AND

WHEREAS, seventy-six percent of those reported drownings from 2013-2015, according to a May 2018 Consumer Product Safety Commission report, involved children younger than five years of age; AND

WHEREAS, eighty-five percent of drownings from 2013 through 2015 involving victims younger than 5 years of age took place at residential locations; AND

WHEREAS, young children are inquisitive and impulsive and lack a realistic sense of danger, which makes swimming pools particularly hazardous for households with young children; AND

WHEREAS, the use of protective measures such as fences and gates surrounding swimming pools has decreased the incidences of drowning-related deaths; AND

WHEREAS, consumers expect their rental property to be clean and safe; AND

WHEREAS, the maintenance of pools and their enclosures and gates are integral to a safe environment for vacationers of all ages; AND


WHEREAS, North Carolina's Vacation Rental Act protects consumers who rent vacation property for fewer than 90 days; AND

WHEREAS, currently the Act includes several provisions required by the landlord to provide fit premises, including providing operable smoke detectors; AND


WHEREAS, the Act, unfortunately, does not currently include vital regulations regarding swimming pool and swimming pool enclosure safety and maintenance.

NOW THEREFORE BE IT RESOLVED that the Nags Head Board of Commissioners requests the North Carolina Legislature amend NCGS 42A-31 Landlord to provide fit premises, to include language that requires pools and their required enclosures to be maintained in good and safe working order and regularly inspected and promptly repaired.

Adopted this the 5th day of December 2018.


Benjamin Cahoon, Mayor

ATTEST:


Carolyn F. Morris, Town Clerk

