



MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

June 13, 2018

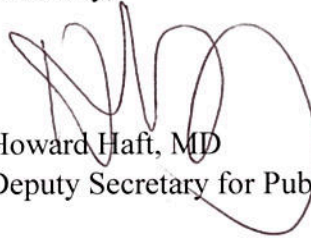
Dear Interested Stakeholders:

Maryland Department of Health (MDH) recently communicated with pool owners and operators regarding the issue of pool barrier regulations in COMAR 10.17.01. The communication provided for a compliance schedule to be created for pools that do not currently meet the barrier requirements in COMAR 10.17.01. These changes have been brought about in part as a result of a 2014 Court of Appeals decision* holding that “COMAR 10.17.01.03D(1) must be read to provide an exception to the grandfathering provisions for both a pool and its barrier.”

MDH has received feedback from pool and spa owners that the notification does not allow sufficient time for owners to implement the subsequent changes required by these regulations. This may create an undue burden upon businesses, especially as many rely on the busy summer season. MDH has recognized this burden and has extended the compliance date for COMAR 10.17.01 by one season.

MDH still encourages pool and spa owners to make these changes as soon as possible. MDH remains committed to listening and understanding the needs of pool and spa owners as well as the safety and health of all Marylanders. If you have any additional questions, please contact: Dr. Clifford Mitchell, Director of the Environmental Health Bureau, at 410-767-7438.

Sincerely,



Howard Haft, MD
Deputy Secretary for Public Health Services

Cc: Clifford S. Mitchell, MS, MD, MPH
Director, Environmental Health Bureau

**Blackburn Limited Partnership d/b/a Country Place Apartments, et al. v. Alicia Daley Paul*, Case No. 55, September Term, 2013, Opinion by Adkins, J. Filed April 28, 2014.