

## ALERT TO COMMUNITY ASSOCIATION CLIENTS IN MONTGOMERY COUNTY, MARYLAND – Automated External Defibrillators

On November 13, 2013 Montgomery County Bill 26-12 went into effect in Montgomery County, Maryland. This law mandates that all community pools must have an AED or Automatic External Defibrillator installed and maintained on the premises of the pool.

For our Montgomery County Maryland clients, many of you may have already learned of this law from your pool contractor as you negotiated your 2014 pool management contracts. For those of our community association clients that may be self-managed, we wanted to make certain that as the 2014 pool season nears that you are aware that your community will need to make arrangements to have an AED installed at your pool.

This new legislation affects all community association pools in Montgomery County even if these pools are not open to the general public. In adopting Bill 26-12, the County Council defined the term “private pool” so narrowly that all community association pools within Montgomery County are considered “public swimming pools” under the Bill.

If your pool does not currently have an AED system and you have not already made arrangements with your pool contractor to update your contract to rent or install an AED system, the purpose of this alert is to remind Board members and managers of communities in Montgomery County that their 2014 pool license may not be issued without the installation of an AED.

In many instances our community association clients have opted to rent AED systems through their pool contractor as the County law requires that all newly installed AEDs must be registered with the Maryland Institute for Emergency Medical Services Systems (“MIEMSS”). The statewide MIEMSS entity requires certain inspections and documentation prior to registering an AED system. Consequently, many of our Montgomery County community association clients have opted to rent AEDs from vendors who are already familiar with the MIEMSS regulations and procedures.

Our suggestion is that after discussion with the pool contractor, and presuming that they will offer the service, that the contractor's obligations to install, operate and maintain the AED be reflected in an addendum to the Association's pool contract (along, of course, with any price adjustment). We can assist in this regard if so desired.

For your more information about Montgomery County Bill 26-12 and its impact upon your community pool, please contact any of our community association attorneys.