

116045 Lifeguard Service Shall be Provided

- (a) Lifeguard service shall be provided for any public swimming pool that is of wholly artificial construction and for the use of which a direct fee is charged. For all other public swimming pools, lifeguard service shall be provided or signs shall be erected clearly indicating that the service is not provided.
- (b) Every public swimming pool that is required to provide lifeguard services and that charges a direct fee, as defined in subdivision (e), shall provide on its premises an Automated External Defibrillator (AED) unit. The AED unit shall be readily available during pool operations.
- (c)
 - (1) In order to ensure public safety, a person or entity that acquires an AED pursuant to these provisions shall comply with Section 1797.196.
 - (2) Pursuant to subdivision (d) of Section 1714.21 of the Civil Code, a person or entity that acquires an AED for emergency care pursuant to this section shall not be liable for any civil damages resulting from any acts or omissions in the rendering of emergency care by use of the AED.
 - (3) Pursuant to subdivision (b) of Section 1714.21 of the Civil Code, a volunteer who in good faith renders emergency care or treatment at the scene of an emergency with the use of an AED that is provided under this section shall not be liable for any civil damages resulting from any acts or omissions in rendering the emergency care, subject to the limitation in subdivision (e) of that section.
- (d) For purposes of this section, a complex of two or more proximate pools that charges a single fee for admission to all of those pools shall be considered one single public swimming pool.
- (e) For purposes of this section, the following definitions shall apply:
 - (1) "Direct fee" means a separately stated fee or charge for the use of a public swimming pool to the exclusion of any other service, facility, or amenity.
 - (2) "Public swimming pool" means any public swimming pool defined in Section 116025 that is open to the public.

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