

construction as not to be easily climbed or penetrated. Natural planting may be used in lieu of such fence or wall if it is equivalent to the standards of an artificial fence or wall in prohibiting climbing and penetration. The fencing of public pools shall be as specified in the manual of public swimming pool construction.

105-12. Swimming pool gates and doors.

There shall be securely affixed to the fence, wall or other enclosure of every outdoor public and private pool a gate, door or other such closure designed to prevent accidental or unauthorized entry. Each such gate or door shall be equipped with an appropriate self-closing or latching device situated on the pool side of the said gate or door at a height of not less than thirty-six inches from the ground, except that a built-in lock may present its key slot to the outside.

All fences and gates shall be maintained in good condition and all gates, doors and closures shall be closed, and latched when the pool is not in use. These requirements shall apply to both new and existing outdoor swimming pools within Montgomery County, provided that the owner of an existing pool shall have a reasonable time for compliance, but in no event to exceed one hundred eighty days from the effective date of this Chapter.

Any private swimming pool may be provided with an approved protective cover in lieu of a fence or enclosure. Such protective cover shall meet the requirements and specifications as defined in 105-1(g) of this Chapter and shall be firmly anchored and used whenever the pool is not attended.

Article III. Regulations; Appeals; Penalties.

105-13. Rules and regulations.

(a) The County Executive is authorized and designated to prescribe and issue written rules and regulations for the implementation and operation of public swimming pools and public swimming pool construction to this Chapter as may be necessary from time to time to implement the provisions of this Chapter.

(b) Each person selling, constructing or installing a swimming pool in Montgomery County shall provide the purchaser or owner with a current copy of this Chapter.

105-14. Appeals.

Any person aggrieved by any action involving suspension or revocation of any license or permit issued under this Chapter following written notice of the action shall have the opportunity to appear at a hearing before the approving authority to show cause why the permit should not be revoked or suspended. A decision of the ap-