

No. 1979-40

AN ACT

SB 223

Amending the act of June 23, 1931 (P.L.899, No.299), entitled "An act regulating public bathing places, swimming pools, public bath houses, public and private natatoriums, turkish bath houses, all places hired for any form of bathing or swimming, and all related appurtenances; fixing license fees; providing, in matters of sanitation, cleanliness and safety, for supervision by the Department of Health; and prescribing penalties for violations," further defining a public bathing place and changing a penalty.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clause (1) of section 2 and section 13, act of June 23, 1931 (P.L.899, No.299), known as the "Public Bathing Law," are amended to read:

Section 2. Definitions, as used in this act:

(1) A public bathing place shall mean any place open to the public for amateur and professional swimming or recreative bathing, whether or not a fee is charged for admission or for the use of said place, or any part thereof. *Except with respect to the regulation of water supply and content, hygiene and plumbing and electrical facilities, and safety equipment, a public bathing place shall not include a swimming pool owned and operated for the exclusive use and enjoyment of residents of a condominium or cooperative or their personal guests.*

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Section 13. Any person, firm, or corporation, association or institution whether as principal or agent, employer or employee, who violates by any act of omission or commission, or in any manner is a party to or directly or indirectly aids or permits a violation of any of the provisions of this act, shall be guilty of a **[misdemeanor] summary offense**. Each day that the conditions or acts in violation of this act of Assembly shall remain or continue shall be deemed, on the part of the person or persons charged with the knowledge thereof, to be a separate and distinct offense against the provisions of this act. For each offense, upon conviction, such person or persons shall be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than five hundred (\$500.00) dollars, or shall be imprisoned in the county jail for a term not exceeding six months, or by both such fine and imprisonment.

Section 2. This act shall take effect immediately.

APPROVED—The 12th day of July, A. D. 1979.

DICK THORNBURGH