

Dear Council Members,

As a resident, long standing taxpayer, and homeowner in Montgomery County, I write in opposition to both measures referenced above for a number of common-sense reasons. I am also writing to share my personal experience, in the hope that it will make you aware of what life would be like for those of us unfortunate to have neighbors with pools that rent them.

First let me say that there is nothing “sharing” about the proposed legislation and it should not be referred to as such—The Harvard Business Review debunked the nomenclature back in 2015 in their article, “The Sharing Economy Isn’t About Sharing at All.” What this actually is is a for-profit scheme in which one individual household benefits while the neighbors collectively pay the cost as their commons is agressed, as the safety, peace and tranquility of residential neighborhoods is harshly compromised.”

I speak from personal experience. I live across the street from a family that has been renting their pool since 2020 (even after being informed by the county that it was illegal and being told to shut it down, the illegal activity continued). Our entire block has been disturbed. During pool season (extended by a heater), there are cars morning, noon and night. Like a beach parking lot, there are groups of individuals in bathing suits, carrying floaties and equipment, while others sit parked along the block waiting their turn.

I have nothing against these individuals fortunate enough to be able to pay \$60 and up an hour to use a private pool, but this activity has greatly compromised our neighborhood. It is a tremendous nuisance. It is, for all intents and purposes, like having a pool club on the street. And it is dangerous for the paying guests. Many times I watched as people fled the neighbor’s pool during a thunderstorm long after people would have been ordered to exit a public pool and to leave the pool deck. It’s dangerous in other ways too, as I discuss more below.

Noise-wise, it’s like a loud party when a group arrives, so much so that I have to keep my windows closed. So much so, that my neighbors on both sides of them, down the block and behind them can hear the raucous. And this is not like the noise that a single family and resident might produce from time to time, who have an absolute right to enjoy their homes. This is a constantly renewed stream of paying “guests” seeking to extract the maximum enjoyment from their poolside time.

I realize I am fortunate to live in a residential zone. But Montgomery County is largely residential—that is its comparative advantage. Respect for zoning its hallmark. Is the Council going to agress the entire County’s peace so that a few individuals can benefit—and more than anyone the Swimply app? Isn’t it the role of government to protect the commons?

No jurisdiction in the country has legalized Swimply, and for good reason. Here and in other jurisdictions, there are actually already regulations governing public pools — thirty-five pages worth of the Code of Maryland Regulations (COMAR). Those regulations are detailed and difficult to comply with for a good reason — pools are inherently dangerous. People drown in them. People can be paralyzed by diving into them. Water quality gets compromised by people urinating, defecating or vomiting in them. And then people get sick from swimming in them. And the County is doing away with ALL of those regulations for these pools by blithely redefining “guests” to include “paying guests.” Why? Why should people who rent these pools not be entitled to the same safeguards that those who use traditional public pools are? Who is

ultimately gaining from this? It will be impossible for the County to enforce violations of the anemic regulation that is Bill 6-23. With all due respect, I am disappointed to see the County I love so much, and which is respected nationally, cave to these special interests.

I urge you to vote down Bill 6-23, which will benefit a privileged few while disturbing the safety, health, and peace and peace of many, and their ability to enjoy respectful neighborly relations.

Thank you.
Constance Kiggins
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