

Edward And Jackeline Pfister, Mar 13, 2023, 7:02 PM

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Subject: TESTIMONY IN OPPOSITION TO MONTGOMERY COUNTY BILL 6-23 AND ZTA 23-01 - Submitted By: Edward Pfister - (Attn: All CMs, Council Webform)

Comments: TESTIMONY IN OPPOSITION TO MONTGOMERY COUNTY BILL 6-23 AND ZTA 23-01 Dear Councilmembers: I write in concurrence with my neighbors in opposition to Bill 6-23 Bill 6-23, Housing - Sharing Economy Rental. The Bill would allow homeowners to rent out anything on their properties for 12 hours a day, 120 days a year. While Bill 6-23 mostly addresses swimming pools, it would basically cover anything that can be monetized: backyard dog parks, play sets, barbeque, etc. The County provides a great network of pools and parks that are available at very reasonable prices to anyone who lives in the County. The pools and other facilities are well located throughout the County, and are, in my experience, well-staffed and well run. Additionally, I am strongly opposed to the infiltration of commercial activity into residential neighborhoods for the host of reasons detailed in testimonies by several other neighbors. People who own homes with private pools are generally affluent -- they can afford a house with a private pool. They also chose one way or the other, to have a pool, which requires upkeep and maintenance. I do not believe that my quiet enjoyment of my property should be infringed upon by affluent neighbors who choose to rent out their private pools so that they "can" make a little extra cash. Chapter 51 of the Maryland Code of Regulations (COMAR) concerns the regulations that govern swimming pools. The proposed County legislation would do an end run around ALL of the regulations that govern public swimming pools, by redefining "guests" to include "paying patrons." My neighbors have proposed the following questions for which I too would appreciate your answering: • What is going to happen when someone, most likely a child, drowns in a rented residential pool? Would you still believe that the proposed legislation was a good idea? • What is going to happen when a thunderstorm comes through the area? What if a paying renter in a residential pool is electrocuted? • What if a child (or adult) vomits, urinates, or defecates in the pool? Does the next paying guest still get to use the pool? How would anyone know that even happened unless there are responsible people, such as a lifeguard and a manager, at the pool? The owner of the pool, if present, has a financial incentive not to disclose that the pool cannot be rented. • Who is going to test the water to make sure the levels of chemicals are correct? • If the pool isn't deep enough to permit diving, (many private pools are not) who is going to enforce a no diving rule? What is going to happen when someone is paralyzed because they dove into a residential pool when they shouldn't have? • Given that Montgomery County has failed to shut this activity down when it is illegal, what kind of staffing would be necessary to make sure that these pools are operating in accordance with the regulations the County is proposing to adopt, such as the requirement that the owner be at home? Legalizing activities simply because people are engaging in them is not good public policy. Montgomery County could also increase revenue by passing legislation increasing the fines for engaging in these types of rentals, fining and shutting down the offenders. I urge you to oppose Bill 6-23 and thank you for your public service and this opportunity to testify in opposition. Edward and Jackie Pfister [REDACTED]

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