



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Tuesday, 28th April, 2026

Third Assembly – Fifth Session
THIRTY SECOND SITTING

*[The County Assembly met at 10:37a.m at the County Assembly Buildings]
[The Temporary Speaker (Hon. Abdirahman Abdikadir) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Abdirahman Abdikadir): Please take your seats.

[Interruption]

Order Members we are in session! Yes, Clerk.

MOTION

MANDATORY PROVISION OF LIFEGUARDS IN ALL PUBLIC, COMMERCIAL, AND SHORT-TERM
SWIMMING POOLS WITHIN MOMBASA COUNTY

[Interruption]

Hon. Katana: Mr. Speaker, I beg to give notice of the following Motion;

THAT AWARE THAT,

Article 26(1) of the Constitution of Kenya guarantees every person the right to life, including protection from preventable loss of life arising from unsafe public and recreational facilities;

FURTHER AWARE THAT,

Article 43(1) (a) guarantees every person the right to the highest attainable standard of health, including protection from preventable injuries and drowning incidents;

NOTING THAT,

Part 2 of the Fourth Schedule to the Constitution assigns county governments functions relating to county health services, public amenities, trade development and regulation, and implementation of specific national government policies on public health and safety;

FURTHER NOTING THAT,

The County Government Act, No. 17 of 2012 empowers County Assemblies to legislate, provide oversight, and direct County Executives in matters relating to public health and safety within their jurisdictions;

FURTHER NOTING THAT,

Section 118 of the Public Health Act (cap.242) classifies any premises or conditions dangerous to health as a nuisance and mandates authorities to take necessary measures to prevent risks to public health, including unsafe recreational facilities;

ACKNOWLEDGING THAT,

The Occupational Safety and Health Act, 2007 obligates occupiers of premises to ensure the safety, health and welfare of all persons using such premises;

FURTHER; ACKNOWLEDGING THAT,

The Tourism Act, No. 28 of 2011 and the Tourism Regulatory Authority (Classification, Registration and Licensing of Tourism Accommodation Facilities) Regulations, 2014 require hospitality establishments to maintain safety standards, including provision of trained personnel for user safety;

[Interruption]

Mr. Speaker, may I be heard in silence please, *Mtu aje anishikie...Yes, Hapo hapo...*

The Temporary Speaker (Hon. Abdirahman Abdikadir): Continue please.

NOTING THAT,

Mombasa County is leading tourism destination with a high concentration on public swimming pools, hotels, resorts, and a growing number of short-term rental facilities operate without trained lifeguards, thereby exposing residents and visitors to increased risk of drowning and delayed emergency response;

CONCERNED THAT,

Many swimming pools within public spaces, private establishments, and short-term rental facilities operate without trained lifeguards, thereby exposing residents and visitors to increased risk of drowning and delayed emergency response;

RECOGNIZE THAT,

Trained lifeguards play a critical role in accident prevention, enforcement of safety protocols, and provision of immediate rescue and first aid response in aquatic environments;

NOW THEREFORE, THIS ASSEMBLY RESOLVES THAT:

- 1. The Tourism Regulatory Authority (Classification, Registration and Licensing of Tourism Accommodation Facilities) Regulations; 2014 is implemented within the county in regard to having suitable trained pool attendants with proper life-saving equipment.*
- 2. The County Government shall conduct public awareness and education campaigns on swimming pool, safety requirements and drowning prevention measures.*
- 3. The County Executive Committee Member responsible for public works shall, within six (6) months of adoption of this Motion develop and submit to the County Assembly a report on the implementation status, including regulatory guidelines, enforcement mechanisms and resources requirements.*
- 4. The County Government of Mombasa drafts and implement a regulatory framework requiring all public swimming pools, as well as swimming pools in short -term rental facilities including Airbnb units, Villas and cottages, to have at least one certified lifeguard on duty during defined operating hours.*

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you Honourable Allen Katana, by the way for your information Honourable Allen Katana there is some level of short sightedness that is classified as a disability in Kenya, so maybe you might be qualified to have the PWD card if you choose so. It is a matter of facts. Yes, Clerk.

ADJOURNMENT

Thank you Honourable Members, the House stands adjourned until the next sitting.

The House rose at 10:57a.m.