

# **BARRIERS FOR SWIMMING POOLS, SPAS AND HOT TUBS**

## **GENERAL**

Commencing January 1, 1998, the requirements of California assembly Bill 3305 and Appendix Chapter 4 of the Uniform Building Code will be enforced whenever a construction permit is issued for the construction of a new pool at a private, single-family home. The attached Code requirement must be complied with prior to approval of the pre-plaster inspection.

Any person entering into an agreement to build a swimming pool shall give the consumer notice of all the requirements contained in Assembly Bill 3305; and have provided the property owner with a copy of the attached Barriers for Swimming Pools Code Requirements.

I certify that I have read these requirements and agree to comply with the applicable sections of this law.

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APPLICANT

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## **OWNER DECLARATION**

This is to certify that I am the owner of the subject property located at \_\_\_\_\_ and that I have read the attached Barriers for Swimming Pools Code Requirements.

I agree to install and maintain door alarms on all doors that open directly into the pool area from the residence or attached garage. These alarms shall be installed and operational prior to the pre-plaster inspection.

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OWNER

**SECTION 8-1008. BARRIERS FOR SWIMMING POOLS.** Amendment of Section 421. Section 421 of Appendix Chapter 4, Division 1 of the Uniform Building Code, 1997 Edition, is hereby amended to read:

Section 421.1. Outdoor Swimming Pool. An outdoor swimming pool shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling with water. The barrier shall comply with the following:

1. The top of the barrier shall be at least 60 inches (1524 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45 inches (1143 mm) apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.
2. Openings in the barrier shall not allow passage of a 1 ¾ inch diameter (44.5 mm) sphere.

#### **EXCEPTIONS**

1. When vertical spacing between such openings is 45 inches (1143 mm) or more, the opening size may be increased such that the passage of a 4 inch diameter (102 mm) sphere is not allowed.
2. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4 inches (102 mm) when the distance between the tops of horizontal members is 45 inches (1143 mm) or more.
3. Chain link fences used as the barrier, shall not be less than 11 gauge.
4. Access gates shall comply with the requirements of Items 1 through 3. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 60 inches (1524 mm) from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the barrier at least 3 inches (76 mm) below the top of the gate, and (2) the gate and barrier shall have no opening greater than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. Pedestrian gates shall swing away from the pool. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.

5. Where a wall of a Group R, Division 3 Occupancy dwelling unit serves as part of a barrier and contains door openings between the dwelling unit and the outdoor swimming pool that provide direct access to the pool, a separation fence meeting the requirements of Items 1, 2, 3 and 4 of Section 421.1 shall be provided.

**EXCEPTION:** When approved by the building official, one of the following may be used:

1. Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 54 inches (1372 mm) above the floor.
  2. An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dBA when measured indoors at 10 feet (3048 mm). The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door.
  3. Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.
6. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier that meets the requirements of Items 1 through 5. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Items 1 through 5.