

Article 5: Building Regulations**Division 3: Additional Building Regulations for
Swimming Pools, Spas, and Hot Tubs**

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§145.0301 Purpose of Building Regulations for Swimming Pools, Spas and Hot Tubs

The purpose of this division is to establish building regulations for private swimming pools, spas, and hot tubs located on the premises of Group R, Division 3 (Occupancies).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§145.0302 When Swimming Pool, Spa, and Hot Tub Regulations Apply

The building regulations of this division apply to any outdoor swimming pool. An outdoor swimming pool means any structure intended for swimming or recreational bathing that can contain water over 18 inches in depth and is not totally contained within a residential structure and surrounded on all four sides by walls of the structure. This includes in-ground, aboveground and on-ground swimming pools, hot tubs, and spas.

(Added 12-9-1997 by O-18451 N.S.; amended 12-6-1999 by O-18728 N.S.; effective 1-1-2000.)

§145.0303 Barrier Requirements for Outdoor Swimming Pools

An outdoor swimming pool shall be provided with a barrier, meaning a fence, wall, building wall, or combination thereof, that completely surrounds the swimming pool, obstructs access to the swimming pool, and complies with the following:

- (a) The top of the barrier shall be at least 60 inches above grade, described as elevation of the surface of the ground. The grade shall be measured on the side of the barrier that faces away from the swimming pool and shall be constructed to withstand the forces contained in the Building Code. The maximum vertical clearance between grade and the bottom of the barrier shall be 4 inches, measured to a hard surface such as concrete, or 2 inches, measured to earth. This measurement shall be taken on the side of the barrier that faces away from the swimming pool. Where the top of the swimming pool is above grade, such as an aboveground pool, the barrier may be the pool's structure itself, or mounted on top of the pool structure. Where the barrier is

mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

- (b) Openings in the barrier shall not allow passage of a 4-inch-diameter sphere.
- (c) Solid barriers that do not have openings, such as masonry or stone walls, shall not contain indentations or protrusions except for tooled masonry joints.
- (d) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 2 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 2 inches in width.
- (e) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 2 inches in width.
- (f) Maximum mesh size for chain link fences shall be a 2-inch square. The wire shall not be less than 11-1/2 gauge.
- (g) Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than 2 inches.
- (h) Access gates shall comply with the requirements of Section 145.0303(a) through (g), and shall be equipped to accommodate a locking device no less than 60 inches above grade. Pedestrian-access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall comply with the requirements of Section 145.0303(a) through (g), and shall be equipped with a locking device.
- (i) 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 the following apply:
 - (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 Section 145.0303(a) through (h).

When the ladder or steps are secured, locked, or removed, any opening created shall not allow the passage of a 4-inch diameter sphere.

- (j) Hot tubs and spas located outdoors and not exceeding 64 square feet of water surface may have rigid locking safety covers that comply with American Society for Testing and Materials (ASTM) Standard F1346-91 in lieu of the barrier required by this division.
- (k) Outdoor swimming pools may have a manually or power-operated safety pool cover that complies with all of the performance standards of ASTM F1346-91 in lieu of the barrier required by this division.
- (l) When the house forms part of the swimming pool barrier and the house wall has door openings that lead directly into the pool yard area, one of the following child safety features must be provided:
- (1) The pool area must be isolated from the home by an additional barrier as described in this section.
 - (2) The pool must be equipped with an approved safety cover as described in Section 145.0303(k) above.
 - (3) The residence must have exit alarms on all doors leading from the house directly to the pool yard area.
 - (4) All doors leading to the pool yard area must have self-closing, self-latching door hardware with a release mechanism located no less than 54 inches above the floor.
- (m) Where unusual circumstances exist that make strict enforcement of this division impractical, the Building Official may grant modifications for individual cases as provided in Section 129.0104(a).

(Added 12-9-1997 by O-18451 N.S.; amended 12-6-1999 by O-18728 N.S.; effective 1-1-2000.)

§145.0304 Entry or Exit

A barrier, gate, or other protective device as required by this division shall be installed to comply with state law and the fire exit requirements as contained in the Building

(6-2000)

Code. No swimming pool shall be installed in any court or yard area that is required for entry or exit to any building or occupancy.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§145.0305 Minimum Front, Side, and Rear Yard Setbacks for Swimming Pools

- (a) Swimming pools that project 3 feet or less above grade shall be located at least 3 feet from all front, side, and rear property lines.
- (b) Swimming pools that project more than 3 feet above grade shall be located at least 4 feet from all rear property lines, and the distance from front and side property lines specified in Chapter 13, Article 1 (Base Zones), for front and side yard clearances for the zone in which the pool is located, but in no case less than 3 feet and shall comply with front and side yard setback requirements for the applicable zone, and shall not be allowed less than 3 feet from the property line in any zone.
- (c) All heating, filtering, pumping, and accessory equipment constructed after the effective date of this ordinance shall be subject to a 4-foot side and rear yard requirement.
- (d) All heating, filtering, pumping, and accessory equipment used in connection with a swimming pool, if located entirely below the finished grade of the site and provided with a permanent, durable, protective cover, need not observe the front, side, or rear yard requirements.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§145.0306 Lot Coverage

Swimming pools shall not be considered residential structures for purposes of computing lot coverage as set forth in Section 113.0240.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)