

REGULATIONS GOVERNING POOL & SPA BARRIERS

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The City of Apache Junction shares the same concerns as other jurisdictions and the State of Arizona when it comes to pool safety. This bulletin is offered as a general, more simplified guideline to assist members of the public.

SWIMMING POOL PERIMETER BARRIER

A swimming pool must be provided with a barrier or fence that is installed, inspected and approved before the final plastering or filling the pool with water.

The barrier must comply with the following:

1. The top must be at least 60 inches above the finished grade measured on the outside of the barrier. Where fencing material is used, like wrought iron or chain link, there shall be a maximum of 2" between the bottom of the barrier and the finished grade unless the grade is a solid surface such as a concrete deck in which case the space may be increased to 4". If the design is such that it creates a foothold or ladder effect, allowing a child to easily climb the fence (e.g. block with wrought iron), then it must be constructed so that there are no horizontal members closer together than 45".

Spas which meet **all** of the following criteria may use an approved safety cover and need not comply with the barrier described above.

- a. Spa must be no wider than 8' at the widest part, and;
 - b. Cover must be latchable by use of a tool or other device that causes the spa to be inaccessible to children, and;
 - c. Cover must be able to support 100 lbs. static load, and;
 - d. Cover must be designed to prevent the passage of a 4" sphere into the water when in the closed position.
2. Openings in the barrier, when using chain link fencing, shall not allow the passage of a sphere 1 3/4" in diameter and the fencing shall not be less than 11 gauge.
 3. Gates shall comply with the above requirements and pedestrian gates shall be self-closing and self-latching. When the latch is less than 54"

above the bottom of the gate, the latching mechanism shall be located on the pool side no less than 3" below the gate top and there shall not be an opening larger than 1/2" within 18" of the release mechanism. Pedestrian gates must swing away from the pool. All other gates shall be equipped with lockable hardware or padlocks and shall be locked at all times when not in use.

4. Where telephone service is utilized at the residence, a telephone must be installed where it will allow a direct unobstructed view of the pool.

INTERMEDIATE BARRIER

1. Where a wall of the house is used for part of the perimeter barrier and contains doors that open directly to the pool area, a barrier which meets the requirements of a perimeter barrier must be installed, except when approved by the Building Official, one of the following may be used:
 - a. The height of the separation or intermediate barrier need only be 48" and must not obstruct the view of the pool.
 - b. Self-closing and self-latching devices installed on all doors and windows with direct access to the pool with release located a minimum of 54" above the floor.
2. Above ground swimming pools which have non-climbable sides not less than forty-eight inches above the adjacent ground level may be located on single family residential property without requiring a fence or barrier between the pool and the dwelling provided any steps or ladder are either removable without the use of tools, or are designed to be secured in an inaccessible position with a lock or latch located not less than fifty-four inches above the adjacent ground level.
3. For detailed requirements see City Ordinance Article 7-4 (attached).

BUILDING

Article 7-4 REQUIREMENTS FOR SWIMMING POOL ENCLOSURES

- 7-4-1 Enclosures Required
- 7-4-2 Exceptions
- 7-4-3 Assignment Responsibility; Limitations on Removal
- 7-4-4 Barrier Details
- 7-4-5 Gate Requirements
- 7-4-6 Door Requirements
- 7-4-7 Window Requirements
- 7-4-8 Safety Covers

Section 7-4-1 Enclosures Required

- A. Every swimming pool shall be completely enclosed by a permanent fence, wall or barrier intended to restrict access to the swimming pool from public property, from adjacent private property and directly from all dwelling units or guest rooms located on the same premises as the swimming pool. For purposes of this section, the term "swimming pool" means any structure intended for swimming, diving or recreational bathing which contains water eighteen inches or more in depth at any point, including temporary, portable or permanent swimming pools, hot tubs or spas, whether located indoors, outdoors, in-ground, on grade or above grade.
- B. The swimming pool enclosure and barrier detail requirements of this section applies to all new swimming pools installed on or after February 14, 1991 and to all additions, alterations, repairs or replacements made to existing swimming pool enclosures. All swimming pools installed prior to February 14, 1991 shall be completely enclosed as required in this section on or before February 14, 1992.

Section 7-4-2 Exceptions

- A. Existing swimming pools located on single family residential property on or before February 14, 1991 need not be retroactively fitted with a barrier between the dwelling and the pool, provided all occupants of the dwelling at least six years of age or older. All other portions of the swimming pool enclosure shall be installed and maintained as required in this section.
 - 1. This exception does not eliminate an owner's responsibility for providing a temporary barrier or otherwise physically restricting visiting children's direct access from the dwelling to the swimming pool.
 - 2. This exception shall expire and the required permanent barrier shall be retroactively installed between the dwelling and the swimming pool whenever one or more children under six years of age become occupants of the property.

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- B. Gate latches shall be located not less than fifty-four inches above the underlying ground or shall otherwise be made inaccessible from the outside to small children.

Section 7-4-6 Door Requirements

All doors leading from a dwelling unit or guest room directly into a swimming pool enclosure shall be self-closing and self-latching and shall be equipped with a locking device. When a simple latch is used, the release mechanism for the latch, or a secondary locking device, shall be located not less than fifty-four inches above the floor. A locking latch which uses a key, electronic opener or integral combination lock may be located at any height on the door. Sliding doors shall not form part of a required barrier unless the self-latching mechanism is specifically approved by the building official for this purpose.

Section 7-4-7 Window Requirements

Emergency escape or rescue windows from sleeping rooms which face within a swimming pool enclosure shall be equipped with a latching device located not less than fifty-four inches above the floor. All other operable dwelling unit or guest room windows facing within a swimming pool enclosure shall be equipped with a screwed in place wire mesh screen; a keyed-lock that prevents opening the window more than four inches or a latching device located not less than fifty-four inches above the floor.

Section 7-4-8 Safety Covers

A safety cover which complies with ASTM ES-13-89 shall be deemed to meet all barrier requirements of this article for any spa or hot tub which is not more than eight feet in width at any point. A key-operated, motorized safety cover which complies with ASTM ES 13-89 may be used to meet the requirements of this article for a barrier between a single family dwelling and a swimming pool accessory to that dwelling provided all other portions of the swimming pool enclosure are installed and maintained as required herein. The keyed pool cover switch shall be located not less than fifty-four inches above the floor or adjacent ground level and where the entire pool can be visually inspected during cover operation.

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- B. Above ground swimming pools which have non-climbable sides not less than forty-eight inches high above the adjacent ground level may be located on single family residential property without requiring a fence or barrier between the pool and the dwelling provided any steps or ladder are either removable without the use of tools, or are designed to be secured in an inaccessible position with a lock or latch located not less than fifty-four inches above the adjacent ground level.

Section 7-4-3 Assignment of Responsibility; Limitations of Removal

It shall be the responsibility of the property owner and any other person in responsible charge of a swimming pool to ensure that the required swimming pool enclosure including all gates, doors, locks, latches and other portions of the barrier are maintained safe and in good working order at all times. No person shall alter or remove any portion of a swimming pool enclosure except to repair, reconstruct or replace the enclosure in compliance with the provisions of this article.

Section 7-4-4 Barrier Details

- A. Swimming pool barriers shall be a fence, a wall, a building wall or a combination thereof which completely surrounds the swimming pool. The pool side of the barrier shall be not less than twenty inches from the water's edge. The top of the barrier, including all gates and doors therein, shall be not less than five feet above the floor or underlying ground, measured on the exterior side of the enclosure.
- B. Exception: Barrier fences or walls not less than four feet in height which existed on or before February 14, 1991 may be used for that portion of the required swimming pool enclosure which separates a swimming pool from dwellings located on the same premises as the pool, provided such barrier is kept in repair and is otherwise maintained in compliance with all other provisions of this section.
- C. There shall be no openings, holes or gaps in a swimming pool barrier large enough for a sphere four inches in diameter to pass through. A barrier fence or wall shall have no handholds, footholds or horizontal members accessible from the exterior side of the enclosure. Horizontal members of fences shall be spaced no less than forty-five inches apart measured vertically or shall be placed on the pool side of a fence which has no opening greater than 1 ¾ inches measured horizontally. Wire mesh or chain link fences shall have a maximum mesh size of 1 ¾ inches measured horizontally.

Section 7-4-5 Gate Requirements

- A. All gates in a swimming pool barrier shall be equipped to accommodate a locking device. All pedestrian access gates shall be self-closing and self-latching. All pedestrian access gates installed after February 14, 1991 shall open outwards away from the pool. Gates other than pedestrian access gates need not be self-closing or self-latching when they are kept secured by a padlock or similar locking device.

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