

REGULATIONS FOR RESIDENTIAL SWIMMING POOLS

**A building permit is required before installing any pool, spa, hot tub having a depth of more than 18”!
No one may use a pool, spa or hot tub until a Certificate of Compliance has been issued by Code Official!**

(c) Pool alarms. Each residential swimming pool installed, constructed or substantially modified after Dec. 14, 2006 (this includes pools erected annually) shall be equipped with an approved pool alarm which:

- (1) is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;
- (2) is audible poolside **and** at another location on the premises where the swimming pool is located;
- (3) is installed, used and maintained in accordance with the manufacturer’s instructions;
- (4) is classified by Underwriter’s Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F2208, entitled “Standard Specification for Pool Alarms,” as adopted in 2002; and
- (5) is not an alarm device which is located on person(s) or which is dependent on device(s) located on person(s) for its proper operation.

§RAG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be **at least 48 inches** above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, 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.

2. Openings in the barrier shall not allow passage of a 4-inch-diameter sphere.

3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

4. 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 1.75 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches in width.

5. 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 1.75 inches in width.

6. Maximum mesh size for chain link fences shall be a 1.25-inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches.

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches

8. Access gates shall comply with the requirements of §RAG105.2, Items 1 through 7, and shall be securely locked with a key, combination or other child-proof lock sufficient to prevent access to the swimming pool through such gate when the swimming pool is not in use or supervised. 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 have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate, and

8.2. The gate and barrier shall have no opening greater than 0.5 inch within 18 inches of the release mechanism.

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9. Where a wall of a dwelling serves as part of the barrier one of the following conditions shall be met:

9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or

9.2. All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches above the threshold of the door; or

9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

10. 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:

10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access, or

10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of §RAG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter sphere.

§RAG105.3 Indoor swimming pool. All walls surrounding an indoor swimming pool shall comply with §RAG105.2, Item 9.

§RAG105.4 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

§RAG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in §RAG107, shall be exempt from the provisions of this appendix.

Electrical supply must be GFCI protected and inspected by a NYSEG approved Electrical Inspector before use. Pool and all equipment must be a minimum of ten feet from property line and a minimum of ten feet from the “drop line” of any overhead wires. Pool may not be erected on or in a right-of-way or easement.

Common mistakes to avoid:

Know your chemicals and how to store them safely.

Do not place objects near a pool or fence that would permit children to climb over the enclosure.

You **MUST** receive a certificate from the electrical inspection agency **BEFORE** using the pool.

Do not reduce an above ground pool’s height to less than forty-eight inches above grade unless you intend to construct an enclosure.

There shall be no fixed or direct connection between the pool and any potable water supply.

There shall be no drainage of pool water into a private sewer or onto adjacent property.

There is no substitute for direct and adequate supervision to enjoy many years of pool usage.

Never swim while the pool is completely or partially covered.

A clear view of the entire pool from the house should be maintained at all times.

Post pool safety rules conspicuously for all users to see. Sample language is available from the National Spa and Pool Institute 585-889-5130) or the American Red Cross (585-461-9800).