

**CITY OF ARCADIA
BARRIER REQUIREMENTS FOR A SWIMMING POOL, SPA OR HOT TUB
ORDINANCE NUMBER 2233**

Safety Barrier: Every person in possession of land, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool, spa or hot tub shall at all times maintain a safety barrier as hereinafter specified completely surrounding said swimming pool, spa or hot tub.

Exception: Safety barriers for public pools shall comply with Chapter 31B, Division 1 of the California Building Code.

Definition of Barrier: A barrier is a fence, wall, building wall or a combination thereof that completely surrounds the swimming pool, spa or hot tub and obstructs access to the swimming pool, spa or hot tub.

Swimming Pool-A swimming pool may be either: (a) a private swimming pool, or (b) a public swimming pool.

Definition of a Private Swimming Pool: Is any constructed or prefabricated structure that contains water eighteen (18) inches or more in depth. This includes in-ground, above-ground, on-ground swimming pools, hot tubs, spas or any open container or artificial body of water permanently or temporarily constructed or maintained upon any property, whether designed, intended or used exclusively or principally for swimming or not.

Definition of a Public Swimming Pool: A public swimming pool shall include any constructed or prefabricated structure that contains water eighteen (18) inches or more in depth, other than a private swimming pool, that is used exclusively or principally for swimming.

Definition of Wading Pool: Is any constructed or prefabricated pool used for wading that is less than eighteen (18) inches in depth.

Barrier Requirements for an Outdoor Swimming Pool, Spa or Hot Tub: An outdoor swimming pool, spa or hot tub shall be provided with a substantial and permanent barrier that complies with the following:

Exception: A spa or hot tub equipped with a locking safety cover that complies with the American Society for Testing Materials - Emergency Performance Specifications (ASTM-ES 13-89) shall be exempt from the requirements of this Section.

The top of the barrier shall be at least sixty (60) inches above finished grade, as

measured on the side of the barrier that faces away from the swimming pool, spa or hot tub. The maximum vertical clearance between finish grade and the bottom of the barrier shall be four (4) inches, as measured on the side of the barrier that faces away from the swimming pool, spa, or hot tub. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level 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 four (4) inches.

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

Solid barriers that do not have openings, such as masonry or stonewalls shall not contain indentations or protrusions except for tooled masonry joints.

Where the barrier is composed of horizontal and vertical members and the distance between each of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool, spa or hot tub side of the fence and the spacing between each vertical member shall not exceed 1-3/4 inches.

Where the barrier is composed of horizontal and vertical members and the distance between each of the horizontal members is 45 inches or more, the spacing between each vertical member shall not allow the passage of a four- (4) inch diameter sphere. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 3/4 inches in width.

Where chain link fencing is used, the maximum mesh size shall be 1- 1/4 inch square unless the fence is provided with slats fastened in place that reduces the openings to no more than 1-3/4 inches. The chain link fence fabric shall be not less than 11-gauge material. Solid or dense landscaping shall not be used to meet the requirements of this section. **Note: Per City Ordinance Number 2205, new chain link fencing may not be installed in any residential area of the City.**

Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be not more than 1-3/4 inches.

Gates: Access gates shall comply with the barrier requirements specified above and, in addition, shall be equipped to accommodate a locking device. Pedestrian-access gates shall open outward away from the swimming pool, spa or hot tub and shall be self-closing and self-latching. The release mechanism of the self-latching device shall be located not less than than fifty four (54) inches above adjacent finished grade. Access gates shall not be constructed across a driveway, and double gates or motor operated gates shall not be used. A weather-proof, durable sign of not less than 1/2 inch high letters stating, "POOL AREA KEEP GATE CLOSED", shall be posted at all times on every access gate.

Door Alarms: A building wall that serves as part of the barrier and allows access to the swimming pool, spa or hot tub through door openings shall comply with one of the following requirements:

(1) An alarm installed on all doors with direct access to the swimming pool, spa or hot tub. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be loud enough to be 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 a touch pad or switch, to temporarily deactivate the alarm for a single opening; such deactivation shall last for no more than 15 seconds. The deactivation switch shall be located at least 54 inches above the floor adjacent to the door opening. An alarm, which is incorporated into a general house alarm system, may be used to meet the requirements of this section providing the alarm is not connected to a central monitoring station and cannot be disabled.

(2) Self-closing and self-latching devices installed on all doors with direct access to the swimming pool, spa or hot tub with the release mechanism located a minimum 54" above adjacent finished grade.

Inspection: The swimming pool, spa or hot tub barrier, including pedestrian access gates and door alarms, shall be installed, inspected and approved prior to plastering or filling the swimming pool, spa, or hot tub with water.

Indoor Swimming Pool, Spa or Hot Tub: An exterior door with direct access to an indoor swimming pool, spa, or hot tub shall comply with the door alarm requirements specified above.

Legal Non-Conforming Swimming Pools, Spas or Hot Tubs: Every person in possession of land, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool, spa, or hot tub for which a permit was issued prior to June 19, 1992, shall at all times maintain a safety barrier completely surrounding said swimming pool, spa or hot tub, as follows:

(1) A substantial fence or other solid structure not less than four (4) feet in height, as measured from the side of the fence that does not enclose the swimming pool, spa or hot tub area, shall be provided. The openings in the barrier shall not allow the passage of a four- (4) inch diameter sphere and horizontal pickets that act as a latter shall not be used.

(2) Pedestrian access gates or door openings through the barrier shall be equipped to accommodate a locking device and be self-closing and self-latching. The release mechanism of the self-latching device shall be located not less than forty-eight (48) inches above the adjacent finished grade. Access gates shall be

not less than 48 inches in height and openings in the gate shall not allow the passage of a four- (4) inch diameter sphere. This section shall not apply to any door of the main dwelling unit located on the same legal lot as the swimming pool, spa or hot tub. Access gates shall not be constructed across any driveway and double gates or motor operated gates shall not be used. A weatherproof, durable sign of not less than one-half (1/2) inch high letters stating, "POOL AREA KEEP GATE CLOSED", shall be posted at all times on every access gate.

Plan Compliance. All plans submitted to the City for the construction of a new swimming pool, spa or hot tub shall show compliance with the barrier requirements specified in this code.

Final Inspection: Final approval of a swimming pool, spa or hot tub hereinafter constructed shall not be granted until the entire barrier requirements specified in this code has been complied with.