

## Chapter 21.40: Swimming Pools

### 21.40.100 APPLICATION

The provisions of this chapter control the design of barriers for residential swimming pools, spas, and hot tubs. These design controls are intended to provide protection against potential drowning and near drowning by restricting access to swimming pools, spas and hot tubs.

### 21.40.200 OUTDOOR SWIMMING POOL

An outdoor swimming pool, including in-ground, above-ground or on-ground pools, hot tubs or spas shall include a barrier that complies with the following:

1. The top of the barrier shall be at least forty-eight (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 two (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 above-ground pool, the barrier may be 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.
2. Openings in the barrier shall not allow passage of a four (4) inch diameter sphere.
3. Solid barriers that 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 forty-five (45) inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed one and seventy-five hundredths (1.75) inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed one and seventy-five hundredths (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 forty-five (45) inches or more, spacing between vertical members shall not exceed four (4) inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed one and seventy-five hundredths (1.75) inches in width.
6. Maximum mesh size for chain link fences shall be one and twenty-five hundredths (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 one and seventy-five hundredths (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 one and seventy-five hundredths (1.75) inches.
8. Access gates shall comply with the requirements set above and shall be equipped to accommodate a locking device. 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 fifty-four (54) inches from the bottom of the gate, the release mechanism and openings shall comply with the following:

- A. The release mechanism shall be located on the pool side of the gate at least three (3) inches below the top of the gate, and
  - B. The gate and barrier shall have no opening greater than one-half (0.5) inch within eighteen (18) inches of the release mechanism.
9. A pool shall not be located within the front yard area.