



# City of El Segundo

## SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

### DEFINITION'S:

- **SWIMMING POOL:** Any structure intended for swimming, recreational bathing or wading that contains water over 24" deep. This includes in-ground, above ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.
- **PRIVATE POOL:** A swimming pool that is intended for non-commercial use and is used by not more than three owner families and their guests.

### REFERENCE OF ATTACHED CODE SECTIONS:

- **RESIDENTIAL SWIMMING POOL ENCLOSURE:** Sec. 3109.4.4.2 and 3109.4.4.3
- **ANTI-ENTRAPMENT DEVICE:** Sec. 3109.5 and Health and Safety Code 115928(d)
- **CIRCULATION DRAINS:** Sec. 3109.4.4.8

**SEE THE FOLLOWING CODE SECTIONS**

**3109.4.4.1 Definitions.** As used in this division, the following terms have the following meanings:

**APPROVED SAFETY POOL COVER** means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with Standard F 1346-91.

**ENCLOSURE** means a fence, wall or other barrier that isolates a swimming pool from access to the home.

**EXIT ALARMS** means devices that make audible, continuous alarm sounds when any door or window that permits access from the residence to the pool area, that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.

**PUBLIC SWIMMING POOL** means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.

**SWIMMING POOL** or **POOL** means any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep. Swimming pool includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas and nonportable wading pools.

Authority: Health and Safety Code Section 18942(b)

Reference: Health and Safety Code Section 115921  
Ab 3305, Statutes 1996, C.925

**3109.4.4.2 Construction permit; safety features required.** Commencing January 1, 2007, except as provided in Section 3109.4.4.5, whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private, single-family home, it shall be equipped with at least one of the following seven drowning prevention safety features:

1. The pool shall be isolated from access to a home by an enclosure that meets the requirements of Section 3109.4.4.3.
2. The pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F 2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
3. The pool shall be equipped with an approved safety pool cover that meets all requirements of the ASTM Specifications F 1346.
4. The residence shall be equipped with exit alarms on those doors providing direct access to the pool.
5. All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release

mechanism placed no lower than 54 inches (1372 mm) above the floor.

6. Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standard F 2208 "Standards Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.
7. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in items 1-4, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Testing Mechanical Engineers (ASME).

Prior to the issuance of any final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention devices required by this act and if no violations are found, shall give final approval.

Authority: Health and Safety Code Section 18942(b)

Reference: Health and Safety Code Section 115922  
AB 3305 (Statutes 1996, c.925); AB 2977 (Statutes 2006, c.926); AB 382 (Statutes 2007, c.XXX)

**3109.4.4.3 Enclosure; required characteristics.** An enclosure shall have all of the following characteristics:

1. Any access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device placed no lower than 60 inches (1524 mm) above the ground.
2. A minimum height of 60 inches (1524 mm).
3. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches (51 mm).
4. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches (102 mm) in diameter.
5. An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

Authority: Health and Safety Code Section 18942(b)

Reference: Health and Safety Code Section 115923  
Ab 3305, Statutes 1996, C.925

**3109.4.4.4 Agreements to build; notice of provisions.** Any person entering into an agreement to build a swimming pool or spa, or to engage in permitted work on a

pool or spa covered by this article, shall give the consumer notice of the requirements of this article.

Pursuant to existing law, the Department of Health Services shall have available on the department's web site, commencing January 1, 2007, approved pool safety information available for consumers to download. Pool contractors are encouraged to share this information with consumers regarding the potential dangers a pool or spa poses toddlers. Additionally, pool contractors may provide the consumer with swimming pool safety materials produced from organizations such as the United States Consumer Product Safety Commission, Drowning Prevention Foundation, California Coalition for Children's Safety & Health, Safe Kids Worldwide, Association of Pool and Spa Professionals, or the American Academy of Pediatrics.

Authority: Health and Safety Code Section 18942(b)  
Reference: Health and Safety Code Section 115926  
AB 3305 (Statutes 1996, c.925); AB 2977 (Statutes 2006, c.926); AB 382 (Statutes 2007, c.XXX)

**3109.4.4.5 Exempt facilities.** The requirements of this article shall not apply to any of the following:

1. Public swimming pools.
2. Hot tubs or spas with locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specification (ASTM ES 13-89).
3. Any pool within the jurisdiction of any political subdivision that adopts an ordinance for swimming pool safety that includes requirements that are at least as stringent as this division.
4. An apartment complex or any residential setting other than a single-family home.

Authority: Health and Safety Code Section 18942(b)

Reference: Health and Safety Code Section 115925

Ab 3305, (Statutes 1996, c.925); AB 2977 (Statutes 2006, c.926); AB 382 (Statutes 2007, c.XXX)

**3109.4.4.6 Application to facilities regulated by Department of Social Services.** This division does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as a private residence of the operator. Pool safety in those facilities shall be regulated pursuant to regulations adopted therefor by the State Department of Social Services.

Authority: Health and Safety Code Section 18942(b)  
Reference: Health and Safety Code Section 115926  
Ab 3305, Statutes 1996, c.925); AB 2977 (Statutes 2006, c.926); AB 382 (Statutes 2007, c.XXX)

**3109.4.4.7 Modification and interpretation of division.** Notwithstanding any other provision of law, this article shall not be subject to further modification or interpretation by any regulatory agency of the state, this authority being reserved exclusively to local jurisdictions, as pro-

vided for in Item 5 of Section 3109.4.4.2 and Item 3 of Section 3109.4.4.5.

Authority: Health and Safety Code Section 18942(b)  
Reference: Health and Safety Code Section 115927  
AB 3305 (Statutes 1996, c.925); AB 2977 (Statutes 2006, c.926); AB 382 (Statutes 2007, c.XXX)

**3109.4.4.8 Construction requirements for building a pool or spa.** Whenever a building permit is issued for the construction a new swimming pool or spa, the pool or spa shall meet all of the following requirements:

1. The suction outlet of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in Paragraph 2.
2. The swimming pool or spa shall have at least two circulation drains per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the drains. Suction outlets that are less than 12 inches across shall be covered with antientrapment grates, as specified in the ASME/ANSI Standard A 112.19.8, that cannot be removed except with the use of tools. Slots of openings in the grates or similar protective devices shall be of a shape, area and arrangement that would prevent physical entrapment and would pose any suction hazard to bathers.
3. Any backup safety system that an owner of a new swimming pools or spa may choose to install in addition to the requirements set forth in subdivisions (1) and (2) shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Products Safety Commission.
4. Whenever a building permit is for the remodel or modification of any existing swimming pool, toddler pool or spa, the permit shall require that the suction outlet of the existing swimming pool, toddler pool or spa be upgraded so as to be equipped with an antientrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME).

Authority: Health and Safety Code Section 18942(b)

Reference: Health and Safety Code Section 115928 AB 3305 (Statutes 1996, c.925); AB 2977 (Statutes 2006, c.926); AB 382 (Statutes 2007, c.XXX)

**3109.5 Entrapment avoidance.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.



# City of El Segundo

## Building Safety Division

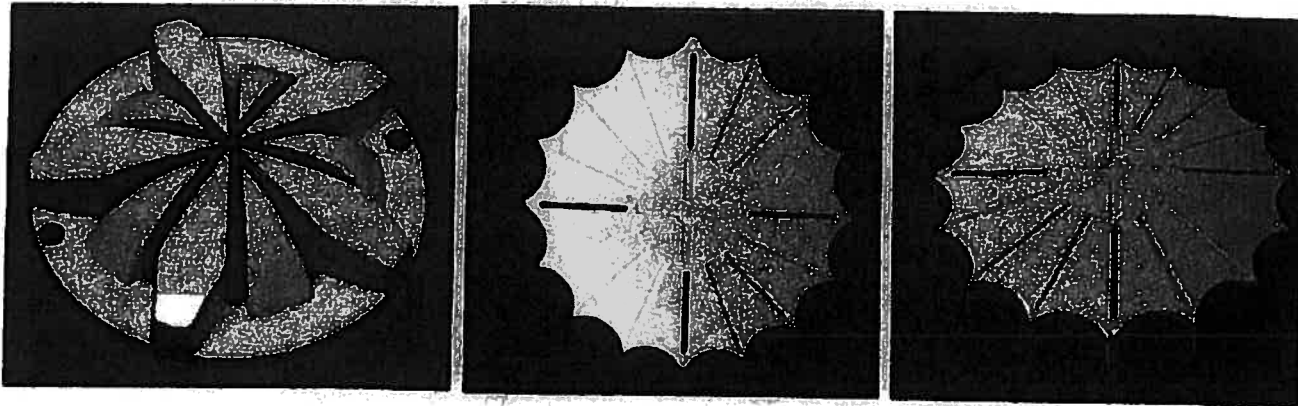
### **New State Law: Swimming Pool Safety Act of 2006 (Assembly Bill 2977) Effective January 1, 2007**

*California Health and Safety Code Section 115928 "(d) Whenever a building permit is issued for the remodel or modification of a single family home with an existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an anti-entrapment cover meeting the current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME)."*

To see the full text of this law visit the State of California website at:  
[http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_2951-3000/ab\\_2977\\_bill\\_20060928\\_chaptered.html](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_2951-3000/ab_2977_bill_20060928_chaptered.html)

**This new State law requires that when a building permit is issued for the remodel or modification of a single-family home or new or remodeled swimming pool and spa, the permit shall include the installation of an anti-entrapment cover on the suction outlet of the pool or spa located on that property. The anti-entrapment cover shall meet ASTM or ASME standards.**

#### **Examples of anti-entrapment drain cover devices for existing pools**



**Note: Some device installations may require the pool to be empty.**

**Available at pool equipment suppliers**

**To receive final inspection approval, the building inspector will verify the installation of an anti-entrapment device.**