



# SWIMMING POOL AND SPA SAFETY ACT

## Building Inspection Requirements

Swimming Pool and Spa Safety Act – Effective January 1, 2007

### Health and Safety Code 115922

1. Except as provided in Section 115925, whenever a building permit is issued for construction of a new swimming pool or spa or the remodeling of an existing pool or spa at a private single-family home, the respective pool or spa shall be equipped with **at least two** of the following seven drowning prevention safety features:
  - (a) An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home.
  - (b) Removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
  - (c) An approved safety pool cover that meets all the requirements of ASTM standard F1346-91.
  - (d) Exit alarms on the private single-family home's doors that provide direct access to the pool.
  - (e) A self-closing, self-latching device with a release mechanism placed no lower than 54" above the floor or each door providing direct access to the swimming pool or spa.
  - (f) An alarm that, when placed in a swimming pool, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Specification for Residential Pool Alarms" which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety device.
  - (g) 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 above, and has been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Mechanical Engineers (ASME).
2. 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.

### 115923. An enclosure shall have all of the following characteristics:

- (a) 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 above the ground.
- (b) A minimum height of 60 inches.
- (c) A maximum vertical clearance from the ground to the bottom of the enclosure of two inches.
- (d) Gaps or voids, if any, do not allow passage of a sphere equal to or greater than four inches in diameter.
- (e) 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.

### 115924.

- (a) 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.
- (b) 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 to 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.

**115925. The requirements of this article shall not apply to any of the following:**

- (a) Public swimming pools.
- (b) Hot tubs or spas with locking safety covers that comply with the American Society for Testing Materials (ASTM-ES 13-89).
- (c) An apartment complex, or any residential setting other than a single-family home.

**115926.**

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

**115927.**

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 provided for in subdivision (e) of Section 115922 and subdivision (c) of Section 115924.

**115928. Whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements:**

- (a) (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).
- (b) 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.
- (c) Suction outlets that are less than 12 inches across shall be covered with anti-entrapment grates, as specified in the ASME/ANSI Standard A112.19.8, that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.
- (d) Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) 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 Product Safety Commission.

**115928.5.** Whenever a building permit is issued for the remodel or modification of 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 current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME).

**Remember, Kids Aren't Drown Proof**

Drowning is quick and silent. A child can drown in less than one minute in as little as one inch of water. There is usually no warning, such as screams or splashing. Take [preventative steps](#) so no kids drown, and read [Children Drown in Silence \(PDF\)](#).