

Cave Creek Barrier Codes

(11) **Appendix G, “Swimming Pools, Spas and Hot Tubs”**, is deleted and replaced with the following:

General: Every swimming pool shall be completely enclosed by a permanent fence, wall or barrier to restrict access to the swimming pool from public property, from adjacent private property, and directly from all dwelling units or guest rooms located on the same premises as the swimming pool.

These swimming pool enclosure and barrier detail requirements apply to all new swimming pools installed on or after the effective date of this ordinance, and to all additions, alterations, repairs or replacements made to existing swimming pool enclosures. All swimming pools installed before the effective date of this ordinance shall be completely enclosed by January 1, 1995.

EXCEPTIONS:

Swimming pools built on single-family residential property on or before the effective date of this ordinance need not be retroactively fitted with a barrier between the dwelling and the pool provided all occupants of the dwelling are at least six years of age or older. All other portions of the swimming pool enclosure shall be installed and maintained as required herein.

This exception does not eliminate an owner's responsibility for providing a temporary barrier or otherwise physically restricting visiting children's direct access from the dwelling to the swimming pool. This exception shall expire and the required permanent barrier shall be retroactively installed between the dwelling and the swimming pool whenever one or more children under six years of age become residents of the property.

Above ground swimming pools which have nonclimbable sides not less than 48 inches (1219 mm) high above the adjacent ground level may be located on single-family residential property without a fence or barrier between the pool and the dwelling provided any steps or ladder are either removable without the use of tools, or are designed to be secured in an inaccessible position with a lock or latch located not less than 54 inches (1372 mm) above the adjacent ground level.

The property owner and any other person in charge of a swimming pool shall ensure that the required swimming pool enclosure, including all gates, doors, locks, latches and other portions of the barrier, are maintained safe and in good working order. No person shall alter or

remove any portion of a swimming pool enclosure except to repair, reconstruct or replace the enclosure in compliance with this section.

Barrier Details: Swimming pool barriers shall be installed as a permanent fence, a wall, a building wall or a combination thereof, which surround the swimming pool. The pool side of the barrier shall not be less than 20 inches (508 mm) from the water's edge. The top of the barrier, including all gates and doors, shall not be less than 60 inches (1524 mm) above the floor or underlying ground, measured on the exterior side of the enclosure.

EXCEPTION: Barrier fences or walls not less than 54 inches (1372 mm) in height which existed on or before the effective date of this ordinance may be used for that portion of the required swimming pool enclosure which separates a swimming pool from dwellings located on the same premises as the pool, provided such barrier is kept in repair and is otherwise maintained in compliance with all other provisions of this section. There shall be no openings, holes or gaps in a swimming pool barrier large enough for a sphere 4 inches (102 mm) in diameter to pass through. Barrier fences or walls may not have handholds, footholds or horizontal members accessible from the exterior side of the enclosure. Horizontal members of fences shall be spaced not less than 45 inches (1143 mm) apart measured vertically or shall be placed on the pool side of a fence which has no opening greater than 1.75 inches (44 mm) measured horizontally. Wire mesh or chain link fences may have a maximum mesh size of 1.75 inches (44 mm) measured horizontally.

Gates: All gates in a swimming pool barrier shall be equipped to accommodate a locking device. All pedestrian access gates shall be self-closing and self-latching. All pedestrian access gates installed after the effective date of this ordinance shall open outward away from the pool. Gates other than pedestrian access gates need not be self-closing or self-latching when they are kept secured by a padlock or similar locking device. Gate latches shall be located not less than 54 inches (1372 mm) above the underlying ground or shall otherwise be made inaccessible from the outside to small children.

Doors: All doors leading from a dwelling or guest room directly into a swimming pool enclosure shall be self-closing and self-latching, and shall be equipped with a locking device. When a simple latch is used, the release mechanism for the latch, or a secondary locking device, shall be located not less than 54 inches (1372 mm) above the floor. A locking latch that uses a key, electronic opener, or integral combination lock may be located at any height on the door. Sliding doors shall not form part of a required barrier unless their self-closing and self-latching mechanism is specifically approved by the building official for this purpose.

Windows: Emergency escape or rescue windows from sleeping rooms which face within a swimming pool enclosure shall be equipped with a latching device located not less than 54 inches (1372 mm) above the floor. All other dwelling unit or guest room windows facing within a swimming pool enclosure shall be equipped with a screwed-in-place wire mesh screen, a keyed lock that prevents opening the window more than four inches, or a latching device located not less than 54 inches (1372 mm) above the floor.

Safety Covers: A key-operated, motorized safety cover which complies with ASTM ES 13-89 may be used to meet the requirements of this section for a barrier between a single-family dwelling and a swimming pool accessory to that dwelling provided all other portions of the swimming pool enclosure are installed and maintained as required herein. The keyed pool cover switch shall be located not less than 54 inches (1372 mm) above the floor or adjacent ground level and where the entire pool can be visually inspected during cover operation.

Alarms: All doors with direct access to the pool may 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 touch pad or switch, to temporarily deactivate the alarm or a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door. This alarm may be used in lieu of the door requirements listed above.