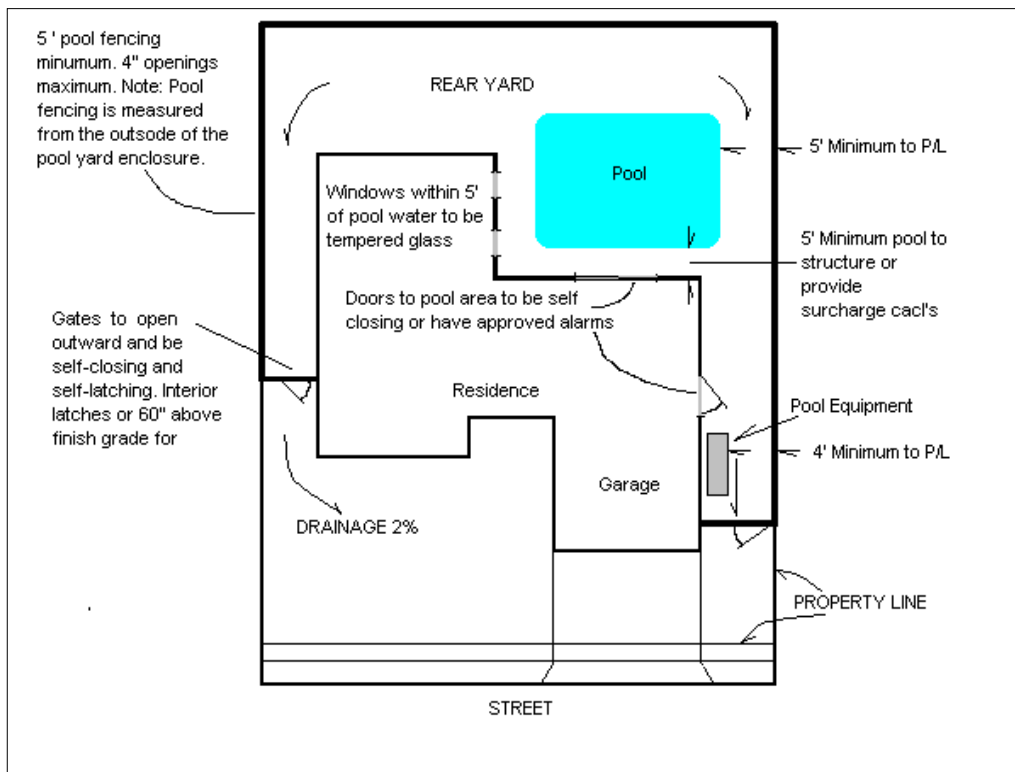


Swimming Pools require permits in the City of Carlsbad. Many Uniform Code requirements and City ordinances regulate the safe construction of pools, spa, and hot tubs. Electrical systems for pools are carefully reviewed, and pool yard fencing is of paramount importance in California. The fencing requirements of Assembly Bill 3305, The Swimming Pool Safety Act (1996), are part of the City Municipal Code. This hand out attempts to summarize all pool requirements for building pools, spas, and hot tubs in Carlsbad.

### Swimming Pool Plan Check

Two sets of plans are necessary for application for a pool permit. Plans for applying for a pool permit must contain the following information:

- A site plan drawn to scale and dimensioned showing all existing and proposed structures, slopes, property lines, and proposed pool fencing. The site plan should show proper drainage of surface water on the entire lot. The site plan should call out the location for the disposal of earth removed during pool excavation. The site plan should also show how the materials for pool construction will be staged. Staging materials in the right of way requires Issuance of a Right Of Way permit. This additional permit triggers additional insurance requirements and a traffic control plan. A typical site plan would be:



Site plan notes: Pools are required to be setback a minimum of 5 feet to property lines. Spas contiguous with a pool must be 5 feet from a property line unless freestanding pool wall details are provided. Freestanding spas may be placed 2 feet from property lines if the spa is less than 30" above grade. If a pool is proposed to be within 5 feet of a structure, additional surcharge calculations must be provided to justify the pool structure can safely carry the additional weight.

All windows within 5 feet of the water's edge are required to be tempered glass if the bottom edge of the window is within 60 inches of the pool deck.

Pool fencing should be detailed on the site plan along with a call out for the additional child safety protective feature into the pool yard enclosure.

- Structural details for the construction of any new pool are required to be stamped and wet signed by a licensed engineer. Photocopies of signed engineered plans are not acceptable. The plans should assume expansive soil conditions unless a current soils report is submitted with the application for a pool permit.

### Swimming Pool Inspections

There are a number of required inspections made by city inspectors during the course of construction for a swimming pool. Inspections should be requested the preceding day by 4 p.m. for an inspection the next working day. The required inspections are:

1. **Steel and Bonding** - Made when the pool is ready for gunite placement. All steel reinforcement and bonding is to be completed, including pool light shells, diving board or pool cover apparatus, metal window frames and patio cover hardware within 5 feet of the water's edge. Pool plumbing should be under a 35 pound pressure test. **Note that City Ordinance prohibits guniting of any pool until the pool fencing, gates, and latches are in place.**
2. **Underground electric and gas pressure test** - Made when all electrical conduit and gas piping has been installed and is prepared for cover. Gas piping must be observed under test prior to covering with soil at any point.
3. **Pre-plaster inspection** - Made when the pool is ready to be plastered. All electrical work must be finished. The fencing, gates and latches must be complete. The additional pool safety device must be installed. If that device is an exit alarm or self-closing and latching hardware on an exterior doors(s), the contractor or homeowner must demonstrate those systems to the inspector at this time.
4. **Final inspection** - Made when all construction is completed including finish grading if required.

## Pool Yard Fencing

All pools, spas, and hot tubs constructed or installed as package units are subject to the City's pool fence regulations. The ordinance requirements are identical to the State of California's Swimming Pool Safety Act. The entire ordinance is attached to the end of this handout. The general requirements of the ordinance are as follows:

- Fencing must be a minimum of 60" high as measured from outside the pool yard.
- Openings shall not allow the passage of a 4" sphere.
- The outside surface of the fence shall not have handholds that would enable climbing.
- When the house forms part of the pool enclosure and there are doors leading from the house to the pool yard, an additional child safety protective device is mandatory. Those may be one of the following:
  - \* Isolate the pool from the house with additional fencing.
  - \* Provide exit alarms on the exterior doors
  - \* Equip the pool with an approved safety cover
  - \* Provide all doors with self-closing and latching hardware

**(Note that these additional safety features do not eliminate the need for pool enclosure fencing.)**

- Yard gates must be self closing and latching.
- Gates must open away from the pool.
- Gate latches must be inside the enclosure or 60" above grade.
- Inspectors will not approve the pool for gunite until the fencing, gates, and latches are installed.

## Electrical Requirements

Swimming pools, spas, and hot tubs that have electrical equipment are carefully inspected. The National Electric Code regulations are very explicit since having electrical devices in and near pools can lead to fatalities. That document should be consulted for specific, detailed requirements. The following general rules are extracted and paraphrased from NEC Article 680:

- Receptacles :
  - \* Must be installed at least 10' away from the water.
  - \* At least one receptacle must be installed at grade between 10 and 20 feet from the water.
  - \* All receptacles within 20 feet of the pool must be GFCI protected.
- Light Fixtures
  - \* Lights may not be installed over or within 5 feet of the inside walls of the pool. (Existing light fixtures must be at least 5 feet above the pool and GFCI protected.)
  - \* Light fixtures between 10 and 20 feet must be GFCI protected.
  - \* Lighting systems operating at 30 volts or less shall be a minimum of 10 ft from pools and spas.
  - \* Cord connected light fixtures (including all low voltage landscape lighting) are subject to the above noted limitations.
- Switching devices

All switching devices must be located 5 feet from the water's edge unless separated by a solid wall or barrier.

The following NEC Articles are very complex and too important to paraphrase. General requirements in the NEC are attached to this handout.

- Underwater Lighting Fixtures

The lighting fixtures are to be installed specifically per the manufacturer's installation instructions and in accordance to Article 680-20. The NEC should be consulted for detailed requirements. Pool lights require both grounding and bonding in addition to GFCI protection.

- Bonding

These requirements are often confused with grounding requirements. Bonding is the principal of positively connecting all electrical and metallic systems together to eliminate potential between those systems. When these systems are at the same electrical potential, the possibility of transmitting voltage across these systems is greatly reduced.

- Grounding

Pool circuit grounding is also very important. The use of chlorine and other pool chemicals has shown to deteriorate some wiring types, so pool wiring methods are very specific. Generally, all pool wiring, including grounding, must be insulated copper wiring. There are some exceptions to this general rule for pool feeders remote from the pool equipment. The NEC Article 680-25 should be consulted for exceptions.

### **18.28.010 Definitions.**

As used in this chapter:

A. "Swimming pool or pool" means any structure intended for recreational swimming or bathing that contains water over eighteen inches 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.

B. "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.

C. "Enclosure" means a fence, wall, or other barrier which completely surrounds the swimming pool and obstructs access to the swimming pool.

D. "Approved safety 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 F1346-91 or in the case of a hot tub or spa, a safety cover that complies with ASTM- Emergency Performance Specification ASTM-ES 13-89.

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

F. "Grade" means the underlying surface, such as earth or a walking surface. (Ord. NS-387 § 2 (part), 1996: Ord. 8092 § 1 (part), 1981: Ord. 8036 § 1)

### **18.28.020 Fence requirements.**

A. Every swimming pool, other than public swimming pools, shall be enclosed by an enclosure having a minimum height of five feet (sixty inches). The enclosure shall obstruct access thereto by persons other than the occupant of the premises on which the pool is located.

B. Openings, gaps, or voids in the enclosure shall not allow the passage of a sphere equal to or greater than four inches.

C. The maximum vertical clearance from grade to the bottom of the enclosure shall not exceed two inches. The vertical clearance from grade to the bottom of the enclosure may be four inches when the grade under the enclosure is solid concrete.

D. The outside surface of the enclosure shall be 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.

E. Chain link fencing shall be a minimum of eleven gauge.

F. When a wall of a dwelling unit serves as part of the enclosure and contains door openings providing direct access to the pool, the dwelling unit and/or the pool shall be equipped and maintained with at least one of the following safety features:

1. The pool shall be isolated from the home by an enclosure that meets the requirements of Section 18.28.020; or

2. The pool shall be equipped with an approved safety cover; or

3. The residence shall be equipped with exit alarms on doors providing direct access to the pool; or

4. 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 fifty-four inches above the floor.

G. The approved plans shall state which of the above safety features are to be installed as a condition of the pool permit prior to issuance of the pool permit. (Ord. NS-387 § 2 (part), 1996: Ord. NS-121 § 1, 1990: Ord. 8092 § 1 (part), 1981: Ord. 8036 § 2)

#### **18.28.030 Gates and latches.**

A. Any access gates through the enclosure shall comply with the requirements of Section 18.28.020.

B. Any pedestrian access gate(s) through the enclosure shall open away from the swimming pool.

C. Every pedestrian access gate shall be equipped and maintained with self-closing and self-latching devices. Such devices shall be placed no lower than sixty inches above grade. Latching hardware may be placed at a lower height if it is operable only from the inside of the enclosure.

D. Gates other than pedestrian access gates shall be equipped with lockable hardware and shall remain locked at all times when not in use.(Ord. NS-387 § 2 (part), 1996: Ord. 8092§ 1 (part),1981:Ord. 8036 § 3)

#### **18.28.040 Ingress and egress requirements.**

Such fence, gate or other protective device as required by these sections shall be installed in such manner as to comply with the fire exit requirements as contained in this code and the state law. No swimming pool shall be installed in any court or yard area which is required for ingress or egress to any building or occupancy. (Ord. NS-387 § 2 (part),1996: Ord. 8092 § 1 (part), 1981)

#### **18.28.050 Pool fence variances.**

The owner of any swimming pool may request approval of a variance from the fencing requirements herein by submitting to the principal building inspector written application for the variance, setting forth a description of the pool site and alternate safeguard or conditions of the site by which entry into said swimming pool is restricted or prevented. The principal building inspector may approve such alternate safeguard or obstruction if the principal building inspector in his discretion determines that the following exists:

A. Physical conditions of the site make the erection of a fence or wall impractical or unnecessary to protect the public health and safety; or

B. The proposed limitation of access or conditions of control would accomplish the same protections of the public health and safety as the fencing requirements. (Ord. NS-387 § 2 (part), 1996: Ord. NS-176 § 5 (part), 1991; Ord. 1261 § 25, 1983; Ord. 8092 § 1 (part), 1981)

**18.28.060 Gunite.**

Gunite of any swimming pool or spa shall not be permitted until all fencing, gates and latches are installed. Inspection of steel and bonding will not be made until the required enclosure is installed. (Ord. NS-387 § 2 (part), 1996: Ord. 8092 § 1 (part), 1981)

**18.28.070 Indoor pools.**

All swimming pools which are completely contained within the walls of a building shall comply with the enclosure safety requirements contained in Section 18.28.020(F). (Ord. NS-387 § 2 (part), 1996: Ord. 8092 § 1 (part), 1981)

**18.28.080 Violations.**

Any person or corporation who violates any of the provisions of this chapter is guilty of an infraction except for the fourth or each additional violation of a provision within one year which all be a misdemeanor. Penalties for a violation of this chapter shall be as designated in Section 1.08.010 of this code. (Ord. NS-387 § 2 (part), 1996: Ord. 8092 § 1 (part), 1981)

## **SWIMMING POOL AND SPA PLAN CHECK**

1. Two site plans to scale showing:

A. Legal description, address and location.

B. A fence that is 60" minimum height with self-closing, self-latching gates, latches to be at least five (5) feet above grade, bottom of gate shall be no more than four (4) inches above grade, and no openings in the fence shall be larger than four (4) inches. Any fence, which exceeds six (6) feet in height, requires a building permit. Pool fences are measured from the side of the fence opposite the yard where the pool is located.

### **SPAS**

Two-foot clearance from buildings, property lines and slopes.

### **POOLS**

Five-foot clearance from property lines, buildings, top of slopes and bottom of slopes, unless surcharge calculations are submitted for justification.

C. Location of heater.

1. Heaters shall comply with all governing codes and manufacturer's recommendations. (Stackless models may not terminate closer than four (4) feet horizontally to any operable window).

2. May not be under roof overhangs.

3. Must be four (4) feet clear of property lines.

2. Identify manufacturer of equipment and spas for approval.

3. Show proper drainage of surface water.

4. Show method of disposal of pool flushing water.

5. Call out the location for disposal of earth removed.

6. Expansive soil details are to be used unless a soils report for pool site is submitted.

7. NO GUNITING OF ANY SWIMMING POOL OR SPA NOR INSPECTION OF STEEL AND BONDING SHALL BE PERMITTED UNTIL THE REQUIRED FENCING, GATES AND LATCHES ARE INSTALLED.



# City of Carlsbad

## Building Department

**To:** Building Contractors  
**From:** Pete Dreibelbis  
**Date:** November 19, 2002  
**Re:** Pool Fencing Requirements

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Effective immediately, temporary fencing will no longer be accepted while pools or spas are under construction. Permanent fencing meeting the requirements of **Municipal Code Chapter 18.28** will be required at the steel and bonding inspection. This is the result of temporary fencing not being maintained and/or being removed during the building process.

All inspectors will be advised to disapprove any inspection when the required fencing does not conform to the above noted **Municipal Code**.

A handwritten signature in black ink, appearing to read "Pete Dreibelbis".

Pete Dreibelbis  
Sr. Building Inspector

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