

## City of Fullerton Municipal Code Section 14.03.090



Section 3109.4.4.3 of Chapter 31 of the California Building Code, 2016 Edition, is hereby amended to read as follows:

Enclosure; required characteristics for outdoor swimming pools. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier. This barrier shall be in addition to the requirements of section 3109.4.4.2. This barrier may enclose the pool separately, or may incorporate a wall of an adjacent house or building. If the barrier incorporates the wall of a house or building that has windows or doors that open into pool enclosure area, two of the seven drowning prevention safety features listed in 3109.4.4.2 shall be provided. The barrier shall comply with the following:

1. The top of the barrier shall be at least 60 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 inches, measured on the side of the barrier which faces away from the swimming pool.
2. Gaps or voids, if any, shall not allow passage of a four-inch-diameter sphere.
3. 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 the barrier.
4. Where the barrier is composed of diagonal members, such as a lattice or chain link fence, the maximum opening formed by the diagonal members shall be no more than 2-1/4 inches. Posts shall be spaced at not over eight feet on center. The bottom wire of a chain link fence shall be staked to the ground, between support posts, unless provided with a bottom rail or pipe.
5. Access gates shall have a width no greater than four feet. Gates shall comply with 1 through 4 above. Gates shall be self-closing and self-latching and swing in the direction of exit from the pool area. The latching device shall be capable of keeping the gate securely latched at all times when not in use. This section also applies to a garage man door when there is direct communication from the street

to the pool enclosure area through the garage vehicle and man door. The latching device shall be installed a minimum of 60" above the exterior grade. If a lesser mounting height must be used, then the latch shall be on the inside of the enclosure and the gates and barrier shall have no opening greater than 1/2" within 18" of the release mechanism.

6. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier which meets the requirements of items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter sphere.
7. The barrier shall be so arranged and constructed so that no impediment to a required exit is created, and a minimum of a three foot wide walking path is maintained between the barrier and the water.
8. All swimming pool and spa water shall be maintained in a clear condition which is free of significant algae, insects, debris and in a sanitary condition. The entire floor of the pool shall be clearly visible.

(Ord. 3235 § 1, 2016)