



CALIFORNIA SWIMMING POOL SAFETY ACT (STATEWIDE).

Authority: California Health and Safety Code Section 18942(b).

Reference: California Health and Safety Code Section 18942(b); Chapter 925, Statutes of 1996

(Added by Stats. 1996, Ch. 925, Sec. 3.5 Effective January 1, 1997)

Definition: *Swimming pools or pools, hot tubs, portable spas, and non-portable wading pools – any structure intended for swimming or recreational bathing that contains water over 18 inches deep.*

Regulation:

The City of Millbrae has adopted the California Code of Regulations Title 24 2022 edition in which standards for barriers around swimming pools, spas and hot tubs are established.

These standards have been condensed in this handout and are listed here to help those planning to construct or already have swimming pools, spas, or hot tubs.

- I). When a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped at least two (2) of the following seven (7) with drowning prevention safety features.
- (1) An enclosure that is a fence, wall or other barrier that isolates the swimming pool or spa from the private single-family home. 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 (4) 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 (5) years to climb over.
 - (2) Removable mesh 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.
 - (3) An approved safety pool cover, a manually or power-operated safety pool cover that meets all performance standards of ASTM F1346-91.
 - (4) Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."
 - (5) A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.
 - (6) An alarm that, when placed in a swimming pool or spa, 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 Safety 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 feature.
 - (7) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

- II). Before the issuance of a final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention features required by this section and, if no violations are found, shall give final approval. [Amended by Stats. 2017, Ch. 670, Sec. 4. (SB 442) Effective January 1, 2018].

SWIMMING POOL , SPAS AND HOT TUB ANTI-ENTRAPMENT

[Amended by Stats. 2012, Ch. 679, Sec. 2. (AB 2114) Effective January 1, 2013.]

Requirements for New Swimming Pool, Spas and Hot Tub

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 outlets 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 paragraphs (2) and (3).
- (2). The swimming pool or spa shall either have at least two circulation suction outlets 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 suction outlets, or be designed to use alternatives to suction outlets, including, but not limited to, skimmers or perimeter overflow systems to conduct water to the recirculation pump.
- (3). The circulation system shall have the capacity to provide a complete turnover of pool water, as specified in Section 3124B of Chapter 31B of the California Building Standards Code (Title 24 of the California Code of Regulations).
- B). Suction outlets shall be covered with anti-entrapment grates, as specified in the ANSI/APSP-16 performance standard or successor standard designated by the federal Consumer Product Safety Commission, 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.
- C). 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 (<https://www.des.nh.gov>)

Requirements for Remodel or Modification of Existing Swimming Pool, Toddler Pool, or Spa

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 or suction outlets of the existing swimming pool, toddler pool or spa be upgraded so as to be equipped with anti-Entrapment grates, as specified in the ANSI/APSP-16 performance standard or a successor standard designated by the federal Consumer Product Safety Commission.

[Amended by Stats, 2012, Ch 679, Sec. 3. (AB 2714) Effective January 1, 2013.]