

SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

Swimming Pools: Any structure intended for swimming, recreational bathing, or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs, spas, and fixed-in-place wading pools.

2012 INTERNATIONAL BUILDING CODE

3109.4 RESIDENTIAL SWIMMING POOLS.

Residential swimming pools shall comply with Sections **3109.4.1** through **3109.4.3**.

Exception: A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346 need not comply with Section **3109.4**.

3109.4.1 BARRIER HEIGHT AND CLEARANCES.

The top of the barrier shall be not less than 48 inches (1219 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The vertical clearance between grade and the bottom of the barrier shall be not greater than 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the vertical clearance between the top of the pool structure and the bottom of the barrier shall be not greater than 4 inches (102 mm).

3109.4.1.1 OPENINGS.

Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3109.4.1.2 SOLID BARRIER SURFACES.

Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

3109.4.1.3 CLOSELY SPACED HORIZONTAL MEMBERS.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall be not greater than 1³/₄ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1³/₄ inches (44 mm) in width.

3109.4.1.4 WIDELY SPACED HORIZONTAL MEMBERS.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall be not greater than 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1³/₄ inches (44 mm) in width.

3109.4.1.5 CHAIN LINK DIMENSIONS.

Mesh size for chain link fences shall be not greater than a 2¹/₄ inch square (57 mm square) unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1³/₄ inches (44 mm).

3109.4.1.6 DIAGONAL MEMBERS.

Where the barrier is composed of diagonal members, the opening formed by the diagonal members shall be not greater than 1³/₄ inches (44 mm).

3109.4.1.7 GATES.

Access doors or gates shall comply with the requirements of Sections **3109.4.1.1** through **3109.4.1.6** and shall be equipped to accommodate a locking device. Pedestrian access doors or gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Doors or gates other than pedestrian access doors or gates shall have a self-latching device. Release mechanisms shall be in accordance with Sections 1008.1.9 and 1109.13. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the door or gate, the release mechanism shall be located on the pool side of the door or gate 3 inches (76 mm) or more, below the top of the door or gate, and the door or gate and barrier shall be without openings greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

3109.4.1.8 DWELLING WALL AS A BARRIER.

Where a wall of a *dwelling* serves as part of the barrier, one of the following shall apply:

1. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be *listed* and labeled in accordance with UL 2017. In dwellings not required to be *Accessible units, Type A units* or *Type B units*, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be *Accessible units, Type A units* or *Type B units*, the deactivation switch shall be located not higher than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the threshold of the door.
2. The pool shall be equipped with a power safety cover that complies with ASTM F 1346.
3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved*, shall be accepted so long as the degree of protection afforded is not less than the protection afforded by Section 3109.4.1.8, Item 1 or 2.

3109.4.1.9 POOL STRUCTURE AS BARRIER.

Where an aboveground 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 the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections **3109.4.1.1** through **3109.4.1.8**. Where the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

3109.4.2 INDOOR SWIMMING POOLS.

Walls surrounding indoor swimming pools shall not be required to comply with Section **3109.4.1.8**.

3109.4.3 PROHIBITED LOCATIONS.

Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

KATIE BETH'S LAW – TENNESSEE CODE ANNOTATED

68-14-802. PART DEFINITIONS.

For purposes of this part, unless the context otherwise requires:

- (1) "Pool alarm" means a device which emits a sound of at least fifty decibels (50 dB) when a person or an object weighing fifteen pounds (15 lbs.) or more enters the water in a swimming pool, but shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water;
- (2) "Residential dwelling" means a one-family or two-family dwelling structure; and
- (3) "Swimming pool" means any structure that is intended for swimming or recreational bathing and contains water over thirty-six inches (36") deep, including, but not limited to, in-ground, aboveground, and on-ground swimming pools, hot tubs and nonportable spas.

68-14-803. PROMINENT SIGN BY SELLERS OF POOLS REGARDING ALARM REQUIREMENT.

Each person, enterprise, agency or entity that sells swimming pools to the general public shall post in a prominent place a sign, at least six inches (6") high and fourteen inches (14") wide, that reads as follows:

STATE LAW REQUIRES A POOL ALARM BE INSTALLED.

68-14-804. ALARM REQUIREMENT IN POOLS.

Each person, enterprise, agency or entity that purchases or acquires a swimming pool to be installed after January 1, 2011, shall install and maintain a pool alarm before using or making available for use such swimming pool.

68-14-805. ALARM INSTALLATION REQUIRED FOR FINAL APPROVAL OF ELECTRICAL WIRING AND FOR BUILDING PERMIT -- OFFENSE.

- (a) When an electrical inspection is required for approval of the wiring of a swimming pool, the electrical inspector shall not give final approval for such electrical wiring unless a hard-wired swimming pool alarm has been properly installed or the person, enterprise, agency or entity who has acquired the pool provides written proof that a battery operated pool alarm has been purchased.
- (b) No local government shall issue a building permit for the construction or substantial alteration of a swimming pool located at a residential dwelling unless the project calls for a functioning swimming pool alarm to be installed prior to the completion of the construction project.
- (c) It is an offense for any person, firm, association or corporation to knowingly accept a building permit for a swimming pool located at a residential dwelling unless a functioning swimming pool alarm will be installed prior to the completion of the construction project.

68-14-806. VIOLATIONS -- PUNISHMENT.

A violation of this part is a Class C misdemeanor, punishable by a fine only not to exceed one hundred dollars (\$100). Second and subsequent offenses shall be punishable by a fine only of not more than five hundred dollars (\$500).

68-14-807. EXCEPTIONS.

This part shall not apply to public swimming pools or multi-family residential housing swimming pools, as defined in § 68-14-302.

The depth of water in the pool may not exceed twenty-four inches (24") unless a temporary or permanent pool enclosure is in place.

If your project description includes a pool deck, the deck must be completed at the time of the final inspection of the pool.

If a deck is intended to be added at a later date, a separate building permit for the deck will be required.

I have read and understand Senate Bill No 3019 "Katie Beth's Law." I also understand that the "Pool Alarm" called for by this bill is a requirement for installation of a swimming pool.

I have read and understand the listed pool requirements. I will verify that these requirements have been met and call (931) 560-1560 for a final inspection of the pool and deck, if applicable, within fourteen (14) days after the pool installation has been completed.

PRINT NAME

SIGNATURE

DATE