

SWIMMING POOL REGULATIONS

The Town of Peru Codes Office is in the process of updating their records and to remind residents of the NYS Swimming Pools, Spas & Hot Tub Regulations. All swimming pools, spas and hot tubs need a barrier (fence/gate), an alarm, as well as to meet set-back requirements. Any installation of the above referenced must be issued a Building Permit and a Certificate of Compliance once the project is completed and inspected.

If you have a swimming pool, spa or hot tub in place and did NOT get a permit for it you must do so by contacting the Codes Office. If you did get a permit but did NOT have it inspected please contact the Codes Office in order to obtain a Certificate of Compliance. Office hours are Monday – Friday 9am to 3pm. Every 2nd and 3rd Wednesday of the Month - 12pm to 6pm. Please call 643-2745 x 3 or 643-2745 x 6





Swimming Pool Rules and Regulations

Swimming Pool Rules and Regulations found in the Uniform Fire Prevention and Building Code (Uniform Code)

PLEASE NOTE that this web page is not intended to be the document required by Executive Law Section 376(6). This web page includes a brief summary of some, but not all, of the Uniform Code's requirements relating to swimming pools. For a more complete summary of those requirements, as well as a summary of the Uniform Code's other pool-related requirements, please [click here](#) for the document titled ***Current Requirements for Swimming Pools Contained in the State Fire Prevention and Building Code (UNIFORM CODE)*** [December 2010]. [Click here](#) for a PDF version of the ***Current Requirements*** document.

PLEASE NOTE also that local laws regarding fencing and other safety requirements for swimming pools may be more restrictive than requirements for swimming pools contained in the Uniform Code. Please go to the following [web site](#) for a list of municipalities with More Restrictive Local Standards (MRLS). If you are considering the purchase of a swimming pool, you should review the Uniform Code requirements summarized in the ***Current Requirements*** document, and in addition, you should consult the local laws, ordinances, codes and regulations of the municipality where the pool is to be installed for additional zoning requirements.

The term "Swimming Pool" means any structure, basin, chamber or tank which is intended for swimming, diving, recreational bathing or wading and which contains, is designed to contain, or is capable of containing water more than 24 inches (610 mm) deep at any point. This includes in-ground, above-ground and on-ground pools; indoor pools; hot tubs; spas; and fixed-in-place wading pools

[About Pool Alarm Requirements](#)

[About Pool Barrier \(Fencing\) Requirements](#)

[Temporary Pool Enclosures](#)

[Pool Entrapment Requirements](#)

[Other Pool Safety Requirements](#)

[Helpful Pool Safety Links](#)

For a detailed summary of the Uniform Code's other pool-related requirements, please [click here](#) for the document titled ***Current Requirements for Swimming Pools Contained in the State Fire Prevention and Building Code (UNIFORM CODE)*** [December 2010]. [Click here](#) for a PDF version of the ***Current Requirements*** document.

Please note that this document is an abridged summary of the requirements required by law.

Requirements for Swimming Pool and Spa Alarms

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Brief Summary of Requirements Swimming Pool and Spa Alarm:

Every swimming pool that is installed, constructed or substantially modified after December 14, 2006, must be equipped with an approved pool alarm which:

- is capable of detecting a person entering the water at any point on the surface of the pool and giving an audible alarm
 - to provide detection capability at every point on the surface of a swimming pool, it may be necessary to install more than one pool alarm
- is audible poolside and at another location on the premises where the swimming pool is located

- is not an alarm device which is located on a person, or which is dependent on a device located on a person for its proper operation
- meets ASTM F2208

Pool alarms are not required in:

- a hot tub or spa equipped with a safety cover
- a swimming pool equipped with an automatic power safety cover

Contact your local municipality for additional code and zoning requirements.

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For specific Swimming Pool and Spa Alarm requirements, please [click here](#) for the document titled ***Current Requirements for Swimming Pools Contained in the State Fire Prevention and Building Code*** (UNIFORM CODE) [December 2010]. [Click here](#) for a PDF version of the ***Current Requirements*** document. Swimming Pool and Spa Alarm requirements for One- and Two-Family Dwellings and Townhouses can be found in Appendix G of the *Residential Code of New York State*. Swimming Pool and Spa Alarm requirements for pools not regulated by the Residential Code can be found in Chapter 31, Section 3109 of the *Building Code of New York State*.

Please note that this document is an abridged summary of the requirements required by law.

Barrier (Fence) Requirements for Outdoor Residential Swimming Pools

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Brief Summary of Barrier Requirements for Outdoor Residential Swimming Pools:

- The barrier must completely surround the swimming pool and must obstruct access to the swimming pool.
- The barrier must be at least 4 feet (48 inches) high.
- In the case of an above-ground pool, the barrier may be at ground level or mounted on top of the pool structure; however, if the barrier is mounted on top of the pool structure, the space between the top of the pool structure and the bottom of the barrier cannot exceed 4 inches.
- A building wall can form part of the required barrier. However, where a wall of a dwelling serves as part of the barrier, at least one of the following requirements must be satisfied:
 - the pool must be equipped with a powered safety cover
 - all doors with direct access to the pool through that wall must be equipped with an alarm or other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body
- In the case of an above-ground pool, the pool structure itself can serve as a part of the required barrier, provided that the pool structure is sufficiently rigid to obstruct access to the pool. However, 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:
 - the ladder or steps shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier
 - when the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter sphere.
 - Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

Contact your local municipality for additional code and zoning requirements.

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For specific Swimming Pool Barrier requirements, please [click here](#) for the document titled ***Current Requirements for Swimming Pools Contained in the State Fire Prevention and Building Code*** (UNIFORM CODE) [December 2010]. [Click here](#) for a PDF version of the ***Current Requirements*** document. Swimming Pool Barrier requirements for One- and Two-Family Dwellings and Townhouses can be found in Appendix G of the

Residential Code of New York State. Swimming Pool Barrier requirements for pools not regulated by the Residential Code can be found in Chapter 31, Section 3109 of the *Building Code of New York State*.

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Temporary Barriers

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Brief Summary of Requirements for Temporary Barriers:

During the installation or construction of a swimming pool, the pool must be ENTIRELY enclosed by a temporary barrier. The temporary barrier may be a temporary fence, a permanent fence, the wall of a permanent structure, any other structure, or any combination of those. However, the temporary barrier must:

- be at least four (4) feet high
- prevent access to the swimming pool by any person not installing or constructing the pool
- remain in place until a permanent pool barrier is provided
- be replaced by a permanent pool barrier within either:
 - 90 days of the date of issuance of the building permit for the installation or construction of the swimming pool;
 - or
 - 90 days of the date of commencement of the installation or construction of the swimming pool.

The code enforcement official may extend the time period to complete the permanent barrier for good cause, including, but not limited to, adverse weather conditions delaying construction.

There are some exceptions to the requirement for temporary pool barriers:

- Above-ground or on-ground pools where the pool structure itself serves as the barrier
- Spas or hot tubs with a safety cover, as long as the safety cover remains in place during the installation or construction
 - The safety cover can be removed temporarily for the installation or construction of the hot tub or spa if at least one person engaged in the installation or construction is present

Contact your local municipality for additional code and zoning requirements.

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For specific Temporary Barrier requirements, please [click here](#) for the document titled ***Current Requirements for Swimming Pools Contained in the State Fire Prevention and Building Code*** (UNIFORM CODE) [December 2010]. [Click here](#) for a PDF version of the ***Current Requirements*** document. Temporary Barrier requirements for One- and Two-Family Dwellings and Townhouses can be found in Appendix G of the *Residential Code of New York State*. Temporary Barrier requirements for pools not regulated by the Residential Code can be found in Chapter 31, Section 3109 of the *Building Code of New York State*.

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Entrapment Protection for Residential Swimming Pool and Spa Suction Outlets

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According to the Consumer Products Safety Commission, there are an average of 283 drowning deaths and 2,700 emergency room visits related to swimming pools and spas involving children under the age of five each year. One cause of drowning deaths and injuries is entrapment. Entrapment occurs when a person becomes caught in the strong suction in and around swimming pool and spa drains. In some instances, the suction force around drains is so strong that the bather cannot break free and either drowns or is fatally injured before being rescued.

Brief Summary of Requirements for Entrapment Protection for Residential Swimming Pool and Spa Suction Outlets:

- Suction outlets must be designed to produce circulation throughout the pool or spa
- Single outlet systems, such as automatic vacuum cleaner systems, or other such multiple suction outlets whether isolated by valves or otherwise must be protected against user entrapment

- **Suction Fittings:** All pool and spa suction outlets (except surface skimmers) must be provided with:
 - a cover that conforms with reference standard ANSI/ASME A112.19.8 *Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances*, or
 - a drain grate that is 18 inches x 23 inches or larger, or
 - an approved channel drain system
- **Atmospheric vacuum relief system required:** All pool and spa single- or multiple-outlet circulation systems must be equipped with atmospheric vacuum relief should grate covers located in the pool become missing or broken
- The vacuum relief system needs to include at least one of the following two approved or engineered methods:
 1. Safety vacuum release system conforming to ASME A112.19.17; or
 2. An approved gravity drainage system
- **Dual drain separation:** Single or multiple pump circulation systems must have:
 - at least two of the approved type of suction outlets, and
 - a minimum horizontal or vertical distance of 3 feet between the outlets, and
 - the suction outlets piped so that water is drawn through them simultaneously through a vacuum-relief-protected line to the pump or pumps
- **Pool cleaner fittings:** Where provided, vacuum or pressure cleaner fittings shall be located in accessible positions at least 6 inches and not more than 12 inches below the minimum operational water level, or
- as an attachment to the skimmers

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For specific Entrapment Protection for Swimming Pool and Spa Suction Outlets requirements, please [click here](#) for the document titled ***Current Requirements for Swimming Pools Contained in the State Fire Prevention and Building Code*** (UNIFORM CODE) [December 2010]. [Click here](#) for a PDF version of the ***Current Requirements*** document. Entrapment Protection for Swimming Pool and Spa Suction Outlets requirements for One- and Two-Family Dwellings and Townhouses can be found in Appendix G of the *Residential Code of New York State*. Entrapment Protection for Swimming Pool and Spa Suction Outlets requirements for pools not regulated by the Residential Code can be found in Chapter 31, Section 3109 of the *Building Code of New York State*.

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Additional Swimming Pool Requirements

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Additional requirements that apply to swimming pools, including, but not limited to, safety glazing, backflow prevention and pool heaters, may be found in the Uniform Code and the Energy Conservation Construction Code of New York State. For more information, contact your local municipality or the Department of State BSC at (518) 474-4073.

New York State Department of Health (DOH) Additional **commercial** pool requirements can be found at the New York State Department of Health [web site](#). These DOH regulations (10 NYCRR Volume A Part 6) do not apply to:

- swimming pools, or other bathing facilities, owned and/or maintained by an individual for the use of family and friends
- spa pools used under medical supervision or associated with hospitals
- float tanks or relaxation tanks used for solitary body immersion in skin-temperature salt water
- swimming pools maintained and operated in connection with a temporary residence or children's camp subject to DOH regulations

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Helpful Pool Safety Links



NYS Department of Health
<http://www.health.ny.gov>