



Acknowledgement of Pool Barrier Requirements

I, _____, owner or partial owner of the property known as _____ in Violet Township, Fairfield County in the State of Ohio agree to the following:

A barrier, compliant with the Violet Township Zoning Resolution, the current Residential Code of Ohio (Reference Appendix G of the 2003 International Residential Code), and the currently adopted National Electric Code shall be installed to completely enclose the swimming pool. The installation or erection of the barrier shall be in a timely manner, coordinated with the pool installation.

Additionally, in the event the barrier is attached to the house, employing the house as part of the barrier, all of the house doors with direct access to the pool shall be equipped with a code compliant audible warning device or a powered safety cover in compliance with the American Society of Testing Materials (ASTM) ASTM F1346. I further acknowledge the requirement to erect and maintain the barrier and gate(s) that comply with the statutes as listed in the attached 5 pages.

The pool barrier agreement/information shall be transferred to all future owners of the property.

Homeowner's Signature

Date

3Y Swimming Pools – Non Commercial

3Y1 Uses Permitted

- 3Y1-01:** Swimming pool is defined as a private noncommercial structure for swimming or recreational bathing which is twenty-four inches (24”) or more in depth at any point when filled to capacity, together with the equipment and appurtenances thereof. These include in-ground, above-ground and on-ground swimming pools. Spas and hot tubs are not included within the definition of swimming pools. However, they are subject to all applicable setback, zoning and building permit requirements.
- 3Y1-02:** Temporary swimming pool is defined as a swimming pool constructed to be disassembled and reassembled to its original integrity on a seasonal basis (4 months or less).
- 3Y1-03:** Barrier is defined as a sturdy and well maintained fence, wall, building wall or combination thereof, which completely surrounds and encloses the swimming pool and obstructs access to the swimming pool. For the purpose of these regulations, the term “sturdy” shall mean and shall be interpreted to mean that the barrier meets the standards for handrails and guards contained in Section 1607.7.1 (1607.7.1.1 through 1607.1.3) of the Ohio Building Code or any successor regulation, and also shall mean that the barrier will not fail under a single concentrated load of 200 pounds, applied in any direction at any point along the top of the barrier.

3Y2 Regulations Pertaining to Building and Land Use

- 3Y2-01:** Swimming pools must be located at the rear of a dwelling and if a corner lot, shall not be closer to the street line than the dwelling. In addition, no swimming pool shall be located nearer than fifteen feet to the side or rear line of the lot or parcel upon which it is located or any nearer to the street than a distance that is ten feet greater than the building setback line. If a deck surrounds or partially surrounds an above ground swimming pool, the deck and its appurtenances shall be located no closer than fifteen feet from the side or rear line of the lot or parcel.
- 3Y2-02:** No lights, diving boards or other accessories shall project more than ten feet above the surface of the pool.
- 3Y2-03:** Pool lights shall be designed and installed to confine direct beams to the lot or parcel upon which the pool is located in a manner that does not constitute a nuisance or undue annoyance to occupants or adjoining properties.
- 3Y2-04:** Swimming pools shall be completely enclosed by a barrier of sturdy construction. The top of the barrier shall be at least forty-eight (48) 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 2 inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches. Openings in the barrier shall not allow the passage of a 4-inch-diameter sphere. Gates in the barrier shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates shall be kept locked at all times when the pool is not in use. 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 must be capable of being secured, locked or removed to prevent access when the pool is not in use.

If an adjacent deck area, either at one side or completely around an aboveground pool, is constructed access to the pool must be limited by additional fencing or gates if the deck adjoins the house or when steps are installed down from the deck to the ground. The deck shall be built with normal 36-inch high guardrail with pickets no more than 4 inches apart except at the end of the deck where the stairs will be located. The guardrail on the end of the deck where the stairs begin shall be 48 inches high and shall extend 3 feet in each direction beyond the top step of the stairs with no more than 4 inch spacing between the pickets. A gate shall be installed at the steps leading to the aboveground pool, open outward away from the pool and must be equipped with a self-closing and self-latching device and the maximum vertical clearance shall be not more than two (2) inches. Gates shall be kept locked at all times when the pool is not in use.

3Y2-05: Where the wall of a dwelling serves as part of the barrier of a swimming pool, the pool shall be equipped with a powered safety cover in compliance with the American Society of Testing Materials (ASTM) ASTM F1346; or all dwelling doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are open. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door and/or screen is opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. All fences and barriers shall be located so as to prohibit permanent structures, equipment or other objects from being used to climb the fence or barrier.

3Y2-06: Owners and occupants shall ensure that the discharge of any water from a swimming pool, spa, hot tub or any similar installation is accomplished in accordance with all applicable requirements of the Ohio Environmental Protection Agency. All water shall be dechlorinated before it is discharged. In no case shall a pool, spa, hot tub or similar installation be drained directly or indirectly into any street, road, or storm sewer.

- 3Y2-07:** Temporary swimming pools are only permitted from May 15 through September 15. Temporary pools shall be enclosed with a sturdy barrier as defined and described in Section 3Y2-04 and shall otherwise meet all other requirements of this Section. Temporary pools shall be removed after September 15th of each year and stored in a completely enclosed structure.
- 3Y2-08:** No person shall construct or install any swimming pool, spa or hot tub or make any changes therein without first having obtained a zoning and a building permit. This permit requirement shall not apply to temporary pools, spas, hot tubs or similar installations holding less than twenty-four inches (24") in depth when filled to capacity.
- 3Y2-09:** All swimming pools shall be maintained and kept in a sanitary condition, free of algae, vegetation and debris.

APPENDIX G

SWIMMING POOLS, SPAS AND HOT TUBS

SECTION AG101 GENERAL

AG101.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- and two-family dwelling.

SECTION AG102 DEFINITIONS

AG102.1 General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool."

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming pool."

IN-GROUND POOL. See "Swimming pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

SECTION AG103 SWIMMING POOLS

AG103.1 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

AG103.2 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

SECTION AG104 SPAS AND HOT TUBS

AG104.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

AG104.2 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) 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 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. 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 not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the hori-

- zontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a 2.25-inch (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 1.75 inches (44 mm).
 7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).
 8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and
 - 8.2. The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
 9. Where a wall of a dwelling serves as part of the barrier one of the following conditions shall be met:
 - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or
 - 9.2. All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
 - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
 10. 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:

- 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access, or
- 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, 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 (102 mm) sphere.

AG105.3 Indoor swimming pool. All walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

SECTION AG106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

AG106.1 General. Suction outlets shall 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 shall be protected against user entrapment.

AG106.2 Suction fittings. All Pool and Spa suction outlets shall be provided with a cover that conforms with ANSI/ASME A112.19.8M, or a 12" x 12" drain grate or larger, or an approved channel drain system.

Exception: Surface skimmers

AG106.3 Atmospheric vacuum relief system required. All pool and spa single or multiple outlet circulation systems shall be equipped with atmospheric vacuum relief should grate covers located therein become missing or broken. Such vacuum relief systems shall include at least one approved or engineered method of the type specified herein, as follows:

1. Safety vacuum release system conforming to ASME A112.19.17, or
2. An approved gravity drainage system

AG106.4 Dual drain separation. Single or multiple pump circulation systems shall be provided with a minimum of two (2) suction outlets of the approved type. A minimum horizontal or vertical distance of three (3) feet shall separate such outlets. These suction outlets shall be piped so that water is drawn through them simultaneously through a vacuum relief-protected line to the pump or pumps.

AG106.5 Pool cleaner fittings. Where provided, vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least (6) inches and not greater than twelve (12) inches below the minimum operational water level or as an attachment to the skimmer(s).