



# TOWN OF GOLDEN BEACH

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## Residential Swimming Pool, Spa and Hot Tub Safety Act

### Notice of Requirements

I (We) acknowledge that a new swimming pool, spa or hot tub will be constructed or installed \_\_\_\_\_  
\_\_\_\_\_, Golden Beach, Florida, and hereby affirm that one of the following methods will be used to meet  
(Print Job Address)

the requirements of Chapter 515, Florida Statute, Florida Building Code- Building Section 454.2 & Florida Building Code.

#### **Please initial the method(s) to be used for your pool or spa, hot tub:**

\_\_\_\_\_ The pool will be equipped with an approved safety pool cover that complies with ASTM F1346-91.  
(Submit product approval and/or manufacturer's specifications).

\_\_\_\_\_ A continuous, one-piece (child) barrier meeting the requirements of Florida Building Code 454.2.17 will  
protect the pool perimeter (pool deck). The plans shall show the fence location and method of attachment, including one  
end that shall not be removable without the aid of tools. (Submit product approval and/or manufacturer's  
specifications).

\_\_\_\_\_ A combination of **non-dwelling walls and fences** (screen enclosure, child fence, masonry fence walls,  
chain link or wood fence, etc.) will protect the pool perimeter (pool deck). The plans must specify the type and location of  
all non-dwelling walls.

\_\_\_\_\_ Any combination of protection which incorporates **dwelling walls** with openings directly into the pool  
perimeter and all windows and doors will be equipped with exit alarms complying with UL 2017 and is either hard-wired  
or of the plug-in type. If this option is selected, **submit plans** showing all types and locations of all perimeter protection.  
The plans must also show the location and type of all openings, and the exit alarm type for each location. (Submit  
product approval and/or manufacturer's specifications).

\_\_\_\_\_ Any combination of protection which incorporates **dwelling walls** with openings directly into the pool  
perimeter and all doors will be equipped with a self-latching device with positive mechanical latching/locking installed a  
minimum 54" above the threshold. If this option is selected, submit plans showing all types and location of all perimeter  
protection. The plans must also show the location and type of all openings, and the hardware type for each location  
(Submit product approval and/or manufacturer's specifications).

**In accordance with the Code, a final inspection of the pool project will not be approved without compliance with the Private  
Swimming Pool Safety Requirements, and upon expiration of the permit, the pool shall be presumed to be unsafe.**

**I understand that not having one of the above installed will constitute a violation of Chapter 515, F.S., and will be considered  
as committing a misdemeanor of the second degree, punishable as provided in Section 775.082 or Section 775.083 F.S.**

\_\_\_\_\_  
Owner's Signature and Date

\_\_\_\_\_  
Prime Contractor's Signature and Date

\_\_\_\_\_  
Owner's Name (please print)

\_\_\_\_\_  
Prime Contractor's Name (please print)

\_\_\_\_\_  
Notary Signature & Date Commission Expires

\_\_\_\_\_  
Notary Signature & Date Commission Expires

## Chapter 4, Section 424, (2)(17)

424.2.17 Residential swimming barrier requirement. Residential swimming pools shall comply with Sections 424.2.17.1 through 424.2.17.3.

**Exception:** A swimming pool with an approved safety pool cover complying with ASTM F 1346.

**424.2.17.1 Outdoor swimming pools.** Outdoor swimming pools shall be provided with a barrier complying with Sections 424.2.17.1.1 through 424.2.17.1.14.

**424.2.17.1.1** 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 the barrier may be at ground level 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).

**424.2.17.1.2** The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier as herein described below. One end of a removable child barrier shall not be removable without the aid of tools. Openings in any barrier shall not allow passage of a 4-inch diameter (102 mm) sphere.

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

**424.2.17.1.4** 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  $1\frac{3}{4}$  inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.

**424.2.17.1.5** 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 not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.

**424.2.17.1.6** Maximum mesh size for chain link fences shall be a  $2\frac{1}{4}$  inch (57 mm) square unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than  $1\frac{3}{4}$  inches (44 mm).

**424.2.17.1.7** Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than  $1\frac{3}{4}$  inches (44 mm).

**424.2.17.1.8** Access gates, when provided, shall be self-closing and shall comply with the requirements of Sections 424.2.17.1.1 through 424.2.17.1.7 and shall be equipped with a self-latching locking device located on the pool side of the gate. Where the device release is located no less than 54 inches (1372 mm) from the bottom of the gate, the device release mechanism may be located on either side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap from the outside. Gates that provide access to the swimming pool must open outward away from the pool. The gates and barrier shall have no opening greater than  $\frac{1}{2}$  inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

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

1. All doors and windows providing direct access from the home to the pool shall be equipped with an exit alarm complying with UL 2017 that has a minimum sound pressure rating of 85 dB A at 10 feet (3048 mm). The exit alarm shall produce a continuous audible warning when the door and its screen are opened. The alarm shall sound immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall be equipped with a manual means to temporarily deactivate the alarm for a single opening. Such deactivation shall last no more than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door. Separate alarms are not required for each door or window if sensors wired to a central alarm sound when contact is broken at any opening.

**Exceptions:**

- a. Screened or protected windows having a bottom sill height of 48 inches (1219 mm) or more measured from the interior finished floor at the pool access level.
  - b. Windows facing the pool on floor above the first story.
  - c. Screened or protected pass-through kitchen windows 42 inches (1067 mm) or higher with a counter beneath.
2. All doors providing direct access from the home to the pool must be equipped with a self-closing, self-latching device with positive mechanical latching/locking installed a minimum of 54 inches (1372 mm) above the threshold, which is approved by the authority having jurisdiction.

**424.2.17.1.10** 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, 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 424.2.17.1.1 through 424.2.17.1.9 and Sections 424.2.17.1.12 through 424.2.17.1.14. 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.

**424.2.17.1.11** Standard screen enclosures which meet the requirements of Section 424.2.17 may be utilized as part of or all of the "barrier" and shall be considered a "nondwelling" wall. Removable child barriers shall have one end of the barrier nonremovable without the

aid of tools.

**424.2.17.1.12** The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall, or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this section.

**424.2.17.1.13** Removable child barriers must be placed sufficiently away from the water's edge to prevent a young child or medically frail elderly person who may manage to penetrate the barrier from immediately falling into the water. Sufficiently away from the water's edge shall mean no less than 20 inches (508 mm) from the barrier to the water's edge. Dwelling or nondwelling walls including screen enclosures, when used as part or all of the barrier and meeting the other barrier requirements, may be as close to the water's edge as permitted by this code.

**424.2.17.1.14** A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide direct access from the home to the swimming pool.

**424.2.17.1.15** A mesh safety barrier meeting the requirements of Section 424.2.17 and the following minimum requirements shall be considered a barrier as defined in this section:

1. Individual component vertical support posts shall be capable of resisting a minimum of 52 pounds (24 kg) of horizontal force prior to breakage when measured at a 36 inch (914 mm) height above grade. Vertical posts of the child safety barrier shall extend a minimum of 3 inches (76 mm) below deck level and shall be spaced no greater than 36 inches (914 mm) apart.
2. The mesh utilized in the barrier shall have a minimum tensile strength according to ASTM D 5034 of 100 lbf, and a minimum ball burst strength according to ASTM D 3787 of 150 lbf. The mesh shall not be capable of deformation such that a  $\frac{1}{4}$ -inch (6.4 mm) round object could not pass through the mesh. The mesh shall receive a descriptive performance rating of no less than "trace discoloration" or "slight discoloration" when tested according to ASTM G 53, *Weatherability, 1,200 hours*.
3. When using a molding strip to attach the mesh to the vertical posts, this strip shall contain, at a minimum, #8 by  $\frac{1}{2}$  inch (12.7 mm) screws with a minimum of two screws at the top and two at the bottom with the remaining screws spaced a maximum of 6 inches (152 mm) apart on center.
4. Patio deck sleeves (vertical post receptacles) placed inside the patio surface shall be of a nonconductive material.
5. A latching device shall attach each barrier section at a height no lower than 45 inches (1143 mm) above grade. Common latching devices that include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring actuated retaining lever (commonly referred to as a safety gate hook).
6. The bottom of the mesh safety barrier shall not be more than 1 inch (25 mm) above the deck or installed surface (grade).

**424.2.17.1.16 Adjacent waterways.** Permanent natural or permanent man-made features

such as bulkheads, canals, lakes, navigable waterways, etc., adjacent to a public or private swimming pool or spa may be permitted as a barrier when approved by the authority having jurisdiction. When evaluating such barrier features, the authority may perform on-site inspections and review evidence such as surveys, aerial photographs, water management agency standards and specifications, and any other similar documentation to verify, at a minimum, the following:

1. The barrier feature is not subject to natural changes, deviations, or alterations and is capable of providing an equivalent level of protection as that provided by the code.
2. The barrier feature clearly impedes, prohibits or restricts access to the swimming pool or spa.

**424.2.17.2 Indoor swimming pools.** All walls surrounding indoor swimming pools shall comply with Section 424.2.17.1.9.

**424.2.17.3 Prohibited locations.** A barrier may not be located in a way that allows any permanent structure, equipment, or window that opens to provide access from the home to the swimming pool.