



**City of Pinole**  
Community Development Department  
Building Division

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## **SWIMMING POOL/SPA REQUIREMENTS**

For the purpose of this section, certain terms, words and phrases are defined as follows:

**ABOVE GROUND/ON-GROUND POOL:** See definition of “swimming pool.”

**BARRIER:** a fence, wall, building wall or combination thereof that completely surrounds the swimming pool and obstructs access the swimming pool.

**GRADE:** the underlying surface, such as earth or a walking surface.

**HOT TUB:** See definition of “spa, nonself-contained’ and “spa, self-contained.”

**IN-GROUND POOL:** See definition of “swimming pool.”

**SEPARATION FENCE:** a barrier that separates all doors of a dwelling unit with direct access to a swimming pool from the swimming pool.

**SPA, NONSELF-CONTAINED:** a hydro massage pool or tub for recreational or therapeutic use, not located in health-care facilities, designed for immersion of users and usually having a filter, heater and motor-driven blower. It may be installed indoors or outdoors, on the ground or on a supporting structure, or in the ground or in a supporting structure. A nonself-contained spa is intended for recreational bathing and contains water over 24 inches (610 mm) deep.

**SPA, SELF-CONTAINED** is a continuous-duty appliance in which all control, water-heating and water-circulating equipment is an integral part of the product, located entirely under the spa skirt. A self-contained spa is intended for recreational bathing and contains water over 24 inches (610 mm) deep.

**SWIMMING POOL:** any structure intended for swimming or recreational bathing that contains water 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, and fixed-in-place wading pools.

**SWIMMING POOL, INDOOR:** is a swimming pool that is totally contained within a residential structure and surrounded on all four sides by walls of said structure.

**SWIMMING POOL, OUTDOOR:** any swimming pool that is located outside a structure.

## **REQUIREMENTS**

**Outdoor Swimming Pool:** An outdoor swimming pool shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling with water. The barrier shall comply with the following:

1. The top of the barrier shall be at least 60 inches (1219 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51mm) measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45 inches (1143 mm) apart, the horizontal members shall be placed on the poolside of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, are prohibited.
2. Openings in the barrier shall not allow passage of a 1 3/4-inch diameter (44.5 mm) sphere.

## **EXCEPTIONS:**

- ✓ When vertical spacing between such openings is 45 inches (1143 mm) or more the opening size may be increased such that the passage of a 4-inch diameter (102 mm) sphere is not allowed.
  - ✓ For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4 inches (102 mm) when the distance between the tops of horizontal members is 45 inches (1143 mm) or more.
1. Chain link fences used as the barrier shall not be less than 11 gage.
  2. Access gates shall comply with the requirements of Items 1 through 3. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching is located less than 54 inches (1372 mm) from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the barrier at least 3 inches (76 mm) below the top of the gate, and (2) the gate and barrier shall have no opening greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. Pedestrian gates shall swing away from the pool. Any gates other than pedestrian access gates shall remain locked at all times when not in use.

3. Where a wall of a Group R, Division 3 Occupancy dwelling unit serves as part of the barrier and contains door openings between the dwelling unit and contains door openings between the dwelling unit and the outdoor swimming pool, a separation fence meeting the requirements of Items 1,2,3 and 4 of Section 421.1 shall be provided.

**EXCEPTION:**

When approved by the building official, one of the following may be used:

- ✓ Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 54 inches (1372 mm) above the floor.
- ✓ An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 DBA when measured indoors at 10 feet (3048 mm). The alarm will automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door.
- ✓ Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.
- ✓ Where an above 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 (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier that meets the requirements of Items 1 through 5. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Items 1 through 5.

**Indoor Swimming Pool:** For an indoor swimming pool, protection shall comply with the requirements of Section 421.1, Item 5.

**Spas and Hot Tub:** For a nonself-contained and self contained spa or hot tub, protection shall comply with the requirements of Section 421.1.

**EXCEPTION:** A self-contained spa or hot tub equipped with a listed safety cover shall be exempt from the requirements of Section 421.1.

**PERMITS REQUIRED**

The Uniform Building Code and the Pinole Municipal Code states that no person, firm or corporation shall install any structure intended for swimming or recreational bathing that

contains water over 18 inches without first having obtained a building permit from the building official. Included are hot tubs, spas, portable spas and not-portable wading pools.

### **HOW TO APPLY TO A SWIMMING POOL PERMIT**

When filing an application for a building permit to install a swimming pool the applicant shall submit for approval:

- 3 sets of plot plans showing:
  - Name & address of the owner of the property;
  - Distance from the pool excavation to the property lines and all structures and easements on the property;
  - Location of the equipment pad and size and location of the gas line & meter if applicable; and
  - Enclosure method selected by the owner
  - Pools, spas and equipment shall not be located in required yard setbacks.
- Obtain land-use approval from the Planning Division.
- 2 sets of a site-specific steel schedule signed by a registered engineer.
- Electrical load calculations based on Article 220-30 of the National Electrical Code are required if the existing electrical service is 125 amps or less.