

### **ADDITIONAL REGULATIONS FOR SWIMMING POOLS**

1. Water shall not be discharged onto neighboring properties.
2. Water shall not be discharged onto a drain field.
3. Water shall not be directed into a well area.

### **THE INTERNATIONAL BUILDING CODE 2006** **SWIMMING POOLS, SPAS AND HOT TUBS**

#### **SECTION AG102 - DEFINITIONS**

##### **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.

#### **SECTION AG105**

##### **BARRIER REQUIREMENTS**

##### **AG105.1 APPLICATION**

The provisions of this chapter shall control the design 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 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 1.75 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 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 be listed in accordance with UL 2017. The audible alarm shall activate within 7 seconds and sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are 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. 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.

#### **AG105.5 – BARRIER EXCEPTIONS**

Spas or hot tubs with a safety cover, which complies with ASTM\* F1346, shall be exempt from the provisions of Section AG105.2.

\*ASTM International, 100 Barr Harbor Dr., West Conshohocken, PA 19428

## **ZONING ORDINANCE, ORD. #686, 12/30/08**

### **Section 920: Swimming Pools and Therapeutic Spas**

- (A) Private non-commercial swimming pools, which are designed to contain a water depth of twenty-four (24) inches or more, that are utilized for the purpose of swimming and bathing shall comply with the following standards and specifications:
  - (1) The pool shall be considered as an impervious surface and applied to the maximum impervious surface Ratio permitted on the lot for which it is located.
  - (2) The swimming pool, filters, pumps and other mechanical or structural equipment shall only be permitted within the side yard or rear yard of a lot, and shall comply with the following requirements:
    - (a) Swimming pools shall be located a minimum of ten (10) feet from the side lot line and rear lot line for properties located within the MR, HR and LC Zoning Districts.
    - (b) Swimming pools located within the AG, RC, LR, HC, OC and GI Districts shall comply with the side yard and rear yard setback requirements. (Phone for these dimensions)
  - (3) Any flood lighting or other illumination used in conjunction with the swimming pool shall be shielded and directed away from adjacent property owners.
  - (4) The swimming pool shall be enclosed by a secured fence or barrier and shall be equipped with a self-latching gate, which shall comply with the specifications of the appropriate building codes of Cumru Township.
  - (5) All swimming pools shall comply with the appropriate provisions for permits, construction, plumbing, Sanitation, inspection, operation and maintenance, which are further defined and outlined by Cumru Township.
  - (6) The pool shall be used or intended to be used in connection with a residential use and available only to the family of the householder and their private guests.
- (B) Public, community or commercial swimming pools, which are designed to contain a water depth of twenty-four (24) inches or more, shall be considered an active or commercial recreation use, which shall comply with the provisions of Section 844 (Recreational Uses) of this Zoning Ordinance.
- (C) Therapeutic spas or hot tubs, which are designed to contain a water depth of twenty-four (24) inches or more shall comply with the following shall comply with the following standards and specifications:
  - (1) The therapeutic spa or hot tub, including the filters, pumps and other mechanical or structural equipment shall comply with the following setback requirements:
    - (a) Therapeutic spas or hot tubs shall be located a minimum of five (5) feet from the side lot line and Rear lot line for properties located within the HR zoning District.
    - (b) Therapeutic spas or hot tubs shall be located a minimum of ten (10) feet from the side lot line and rear lot line for properties located within the MR and LC Zoning Districts.
    - (c) Therapeutic spas or hot tubs located within the AG, RC, LR, HC, OC and GI Zoning Districts shall comply with the setback requirements of the zoning district to which use and the accessory therapeutic spa and hot tub is located. (Phone for these dimensions)

- (2) Any flood lighting or other illumination used in conjunction with the pool shall be shielded and directed away from adjacent property owners.
  - (3) The therapeutic spa or hot tub shall be completely enclosed by a cover in accordance with the manufacturer's specifications of the manufacturer and the codes established by Cumru Township.
  - (4) The therapeutic spa or hot tub shall be used in connection with a permitted residential use and shall be available only to the family of the householder and their private guests.
- (D) In addition to these provisions, the requirements for permits, construction, plumbing, sanitation, inspection, operation and maintenance, which are further regulated under the codes adopted by Cumru Township.

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