



**CITY OF ESCONDIDO**  
Building Department  
201 North Broadway  
Escondido, CA 92025-2798  
(760) 839-4647

**SWIMMING POOL AFFIDAVIT**

This Document Will Certify That I Am Aware of State and Local Regulations Requiring Fencing for Swimming Pools.

I understand that I, as the owner of the property located at \_\_\_\_\_,  
(site address)

must obtain an approved inspection of the fencing from your department prior to final inspection and use of the pool.

This document will also certify that I am aware of the provisions of the California Energy Code, Title 24, Sec. 114, regarding Swimming Pool Heating.

I understand that neither a swimming pool building permit for using a fossil-fueled heater nor a plumbing/electrical permit for a new or replacement fossil-fueled heater will be issued until this certification is executed.

I certify that this swimming pool meets all of the following requirements for fossil-fueled (or electric) swimming pool heaters:

1. Outdoor pools shall be equipped with a pool cover;
2. ON-OFF switch on outside of heater to allow shutdown without adjusting thermostat and start-up without relighting pilot light;
3. A permanent weatherproof instruction plate or card;
4. 36" minimum length of plumbing provided between filter and heater to allow future solar installation;
5. After January 1, 1982, new heaters installed must have 75 percent thermal efficiency;
6. Time clocks installed to allow pump operation during off-peak demand periods (unless pump used for active solar);
7. Directional water inlets in pool for good mixing.

\_\_\_\_\_  
Property Owner Name (PLEASE PRINT)

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date



## **SWIMMING POOL FENCING**

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03-19-2008

### **LOCAL REGULATIONS:**

Local regulations require a minimum 5-foot high fence that typically limits access to the yard that contains the pool. Gates must be self-closing and self-latching.

### **STATE REGULATIONS:**

To increase pool safety by limiting access between the house and the pool, the state passed legislation that provides alternatives for limiting this access. These new regulations are effective Jan. 1, 1998 and apply to all private pools and spas constructed after the effective date. Items 5 and 6 below were added per AB 2977 and effective January 1, 2007.

In addition to the 5-foot fence required by local ordinance the new state law provides the following alternatives for limiting access from the house to the pool.

1. A fence between the house and the pool, or
2. An approved pool safety cover, or
3. Exit alarms on those doors providing direct access to the pool, or
4. Self-closing and self-latching devices on those doors providing direct access to the pool.
5. The pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F 2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
6. Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standard F 2208 "Standards Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser, and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.

Additional information is shown on the copy of the state law, attached.



## **RULES FOR POOLS**

The “Rules for Pools”, noted below, have been developed by the U.S. Consumer Product Safety Commission.

- Instruct babysitters about potential pool hazards to young children and about the use of protective devices, such as door alarms and latches. Emphasize the need for constant supervision.
- Never leave a child unsupervised near a pool. During social gatherings at or near a pool, appoint a “designated watcher:” to protect young children from pool accidents. Adults may take turns being the “watcher”. When adults become preoccupied, children are at risk.
- If a child is missing, check the pool first. Seconds count in preventing death or disability. Go to the edge of the pool and scan the entire pool, bottom and surface, as well as the pool area.
- Do not allow a young child in the pool without an adult.
- Do not consider young children to be drownproof because they have had swimming lessons. Children must be watched closely while swimming.
- Do not use flotation devices as a substitute for supervision.
- Learn CPR (cardiopulmonary resuscitation). Babysitters and other caretakers, such as grandparents and older siblings, should also know CPR.
- Keep rescue equipment by the pool. Be sure a telephone is poolside with emergency numbers posted nearby.
- Remove toys from in and around the pool when it is not in use. Toys can attract young children to the pool.
- Never prop open the gate to a pool barrier.



## HEALTH AND SAFETY CODE SECTION 115920-115929

**Note:** Section 115928.5 was added since January 1, 2007 for clarification of the applicability of antientrapment devices on remodels to existing pools, etc., not for remodel permits to single-family homes with pools on the property.

**115920.** This act shall be known and may be cited as the Swimming Pool Safety Act.

115921. As used in this article the following terms have the following meanings:

(a) "Swimming pool" or "pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. "Swimming pool" includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas, and nonportable wading pools.

(b) "Public swimming pool" means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.

(c) "Enclosure" means a fence, wall, or other barrier that isolates a swimming pool from access to the home.

(d) "Approved safety pool cover" means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.

(e) "Exit alarms" means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.

115922. (a) Commencing January 1, 2007, except as provided in Section 115925, whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private, single-family home, it shall be equipped with at least one of the following seven drowning prevention safety features:

(1) The pool shall be isolated from access to a home by an enclosure that meets the requirements of Section 115923.

(2) The pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F 2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.

(3) The pool shall be equipped with an approved safety pool cover that meets all requirements of the ASTM Specifications F 1346 .

(4) The residence shall be equipped with exit alarms on those doors providing direct access to the pool.

(5) All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor.

(6) Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water.

These pool alarms shall meet and be independently certified to the ASTM Standard F 2208 "Standards Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser, and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.

(7) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth above, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Mechanical Engineers (ASME).

(b) Prior to the issuance of any final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention devices required by this act and if no violations are found, shall give final approval.

115929. (a) The Legislature encourages a private entity, in consultation with the Epidemiology and Prevention for Injury Control Branch of the department, to produce an informative brochure or



booklet, for consumer use, explaining the child drowning hazards of, possible safety measures for, and appropriate drowning hazard prevention measures for, home swimming pools and spas, and to donate the document to the department.

(b) The Legislature encourages the private entity to use existing documents from the United States Consumer Product Safety Commission on pool safety.

(c) If a private entity produces the document described in subdivisions (a) and (b) and donates it to

the department, the department shall review and approve the brochure or booklet.

(d) Upon approval of the document by the department, the document shall become the property of the state and a part of the public domain. The department shall place the document on its Web site in a format that is readily available for downloading and for publication. The department shall review the document in a timely and prudent fashion and shall complete the review within 18 months of receipt of the document from a private entity.

**An act to amend Sections 115922, 115924, and 115928 of the Health and Safety Code, relating to public safety.**

**AB 2977, Mullin Swimming Pool and Spa Safety Act of 2006.**

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This act shall be known as, and may be cited as, the Swimming Pool and Spa Safety Act of 2006.

SEC. 2. Section 115922 of the Health and Safety Code is amended to read:

115922. (a) Commencing January 1, 2007, except as provided in Section 115925, whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private, single-family home, it shall be equipped with at least one of the following seven drowning prevention safety features:

- (1) The pool shall be isolated from access to a home by an enclosure that meets the requirements of Section 115923.
- (2) The pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F 2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
- (3) The pool shall be equipped with an approved safety pool cover that meets all requirements of the ASTM Specifications F 1346.
- (4) The residence shall be equipped with exit alarms on those doors providing direct access to the pool.
- (5) All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor.
- (6) Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standard F 2208 "Standards Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser, and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.
- (7) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth above, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Mechanical Engineers (ASME).

(b) Prior to the issuance of any final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention devices required by this act and if no violations are found, shall give final approval.

**CITY OF ESCONDIDO**  
**Building Division**  
**(760) 839-4647**  
**Inspection Request (760) 839-4646**



## **POOL INSPECTION SEQUENCE**

### **Pre-Gunite**

Pre-Gunite is the first inspection and includes:

1. Set backs, BMP's
2. Pool steel
3. Bonding: pool steel and all metal objects within 5 ft.
4. Hydrostat valve if required
5. Verify Pool Enclosure components such as the type and location of fence(s) and materials.

### **Prior to Final**

1. Underground electric
2. Underground gas piping with pressure test
3. Pool filler or other water piping

### **Pre-plaster/Final Inspection**

Pre-plaster inspection will be the final inspection; all work is to be completed.

1. Fence or other pool barrier to be in place
2. Barrier alarms to be installed
3. Final electric
4. Final equipment
5. Pool cover as required
6. Retaining walls needed as a result of grading associated with the pool construction. Separate permit as required.
7. Safety glass if required due to pool location
8. Obtain Encroachment Permit Final Inspection from Field Engineering

**Note:** Water shall not to be placed in the pool prior to final inspection approval. *Exception: Automatic Pool Covers.* Where applicable, County Health Department approval may be required. City Engineering Dept. inspection will be required for release of posted bond.