

## Swimming Pool Information

Definitions: (From 2006 IRC)

**Private Swimming Pool:** Any structure that contains water over 24 inches in depth and which is used, or intended to be used, for swimming or recreational bathing in connection with an occupancy in Use Group R-3 (one and two family residences), and which is available only to the family and guests of the householder. This includes in-ground, above ground and on-ground swimming pools, hot tubs and spas.

**Public Swimming Pool:** Any swimming pool other than a private swimming pool.

**Private Swimming Pool, Indoor:** Any private swimming pool that is totally contained within a private structure and surrounded on all sides by walls of the structure.

**Private Swimming Pool, Outdoor:** Any private swimming pool that is not an indoor swimming pool.

According to the Consumer Product Safety Commission (CPSC), approximately 350 children under five years of age drown each year in residential swimming pools, spas and hot tubs. A CPSC study, *Child Drowning Study, A Report on the Epidemiology of Drownings of Residential Pools of Children Under Five*, found that the majority of the victims lived in or were visiting the residence where the accident happened. Less than 2 percent of the drowning incidents occurred when a child trespassed on the property. For these reasons, the code requires that all private swimming pools, spas and hot tubs must be enclosed to prevent young children from gaining unsupervised access to pool areas. The code provides prescriptive details for the construction of enclosures around private swimming pools, spas and hot tubs to make it more difficult for children, particularly those five years old and younger, to enter such areas unsupervised.

Barrier requirements are prescribed by the building code, and a copy of these requirements is available at the Department of Code Administration, in room 103 of City Hall. A building permit is required to install a swimming pool, hot tub or spa, plus the associated barriers. Please note that the City of Fairfax also requires a **six foot** high fence to surround all residential swimming pools (section 10-621 (b) of the City Code). This City fence requirement does not apply to spas and hot tubs.

**Question.** I obtained a building permit when I installed a 36" deep pool on top of the ground in my back yard, a couple of years ago. At that time, I built the necessary fencing and complied with the other barrier requirements. This year I am going to replace the pool, because the original one has worn out. Do I need another permit?

**Answer.** If you install the new replacement pool in the same location, and the fencing and other barrier requirements are still in place and in good condition, a new building permit is not required. Please contact the Zoning Department at 703 385-7820 to learn their requirements, if any.

*Effective Sept. 1, 2003*

A building permit is not required for swimming pools which are 150 sq. ft. or less in surface area, 5000 gallons or less of water capacity, and 24 inches or less in depth.