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## **Requirements for Swimming Pool, Spa and Hot Tub Barriers**

### **Excerpt from the City of Petaluma Municipal Code**

**15.17.070 C Swimming Pool and Spa Covers.** Covers are required for all outdoor swimming pools and spas.

**17.24.010 Fencing required.** Every person in possession of land within the city upon which is situated a swimming pool or other outdoor body of water designed, constructed and used for swimming, dipping or immersion purposes, and having a depth in excess of two (2) feet shall at all times maintain on the lot or premises upon which such pool or body of water is located, and completely surrounding such pool, body of water or premises, a fence or wall not less than six (6) feet in height so that the swimming pool or body of water is completely enclosed by such fence or wall, or is enclosed in part by such fence or wall and in part by a dwelling house or other permanent structure to which such fence or wall is connected.

Such fence or wall shall be constructed so as to prevent any person, including small children, from crawling or passing through, under or over the same except at gates therein.

The construction of the fencing or wall shall be of material approved by the city building inspector (Ord. 1146 NCS §1, 1974; Ord. NCS §2: prior code §29)

**17.24.020 Gates.** Every gate or door opening to a swimming pool enclosure, including gates or doors which provide access from breezeways and garages, and other auxiliary structures, shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use. Such latching shall be placed at least four and one-half (4½) feet above the ground level or otherwise made inaccessible to small children; provided, however, that the door of any dwelling occupied by human beings and forming any part of the enclosure herein above required need not be so equipped. (Ord. 901 NCS §2: prior code §29.2)

**17.24.030 Time for compliance.** The fencing required by these regulations shall be installed around all existing pools or bodies of water within ninety (90) days from and after the effective date of these regulations. No pool or other body of water, the construction of which is completed after the effected date of these regulations, shall be filled with water until the fencing required by the provisions hereof has been provided. (Ord. 901 NCS §2: prior code §29.3)

**17.24.040 New construction to comply with chapter.** All plans hereafter submitted to the city for swimming pools to be constructed shall show compliance with the requirements of the preceding sections and final inspection and approval of all pools hereafter constructed shall be withheld until all requirements of the preceding sections shall have been complied with. (Ord. 901 NCS §2: prior code §29.4)

**17.24.050 Modification of construction standards generally.** The city council may make modifications in individual cases, upon a showing of good cause, with respect to the height, nature or location of the fence, wall, gates or latches, or the necessity therefore; provided the degree of protection provided for in this chapter is not reduced thereby. (Ord. 901 NCS §2: prior code §29.5[a])

**17.24.060 Other protective devices.** The city council may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the fence, gate and latch described in this chapter. (Ord. 901 NCS §2: prior code §29.5[b])

**17.24.070 Time extension for compliance.** Upon the application of a property owner, the city council may grant extension of time for compliance in individual cases upon a showing of good cause. Such extensions of time shall not exceed thirty (30) days at a time. (Ord. 901 NCS §2: prior code §29.5[c])

***17.24.080 Permit required – No person, firm or corporation shall erect, construct, repair or move any fences or walls as required in this chapter without first obtaining a permit for such action from the building official. To obtain the permit, the applicant shall file an application in writing on a form furnished for that purpose by the building department. The fees for such permit shall be paid to the building official. (Ord. 901 NCS §2: prior code §29.6)***