



County of Santa Cruz

PLANNING DEPARTMENT

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Swimming Pool Enclosure Ordinance (SPEO)

Effective: 1/1/08

Applicability Questions & Compliance Checklist

APPLICABILITY QUESTIONS

Answer **Yes** or **No** to the questions below to determine the applicability of the Santa Cruz County Swimming Pool Enclosure Ordinance (SPEO).

_____ Do you own a single-family home or duplex in the unincorporated area of Santa Cruz County with a swimming pool, spa or hot tub? **If no**, you do not need to proceed further. **If yes**, please continue with the review of the following questions.

_____ Do you know when your pool was built?

If no, refer to Note A below.

If yes, continue with the review of the following questions.

_____ Was the swimming pool, spa or hot tub built **before August 14, 1992** with a building permit that was given final inspection approval?

If no, please proceed to question #4.

If yes, review the SPEO Checklist. Compliance with the current pool enclosure standards will be required. If your pool was installed without a permit, or if you do not know if a permit was issued, refer to Note B.

_____ Was your pool, spa, or hot tub installed **on or after August 14th, 1992** with a building permit and given final inspection approvals?

If no, review the SPEO Checklist. Compliance with applicable features of the SPEO will be required. If you were issued a permit but did not receive a final inspection, contact the Building Counter for information about your permit status.

If yes, see questions #8 and #14 of the Swimming Pool Enclosure Ordinance Checklist. Your pool enclosure barrier should already comply with items 1-7, however it is strongly recommended that you review your existing barrier to make sure that none of the code-required features have been modified or removed.

If you're not sure of the completion date of your pool, spa, or hot tub, refer to Note A below.

If your pool was installed without a permit, refer to Note B below.

_____ Is the residential property to be sold on or after January 1, 2007?

If no, you are not required to obtain a written certification of compliance with the SPEO at this time.

If yes, discuss compliance with these regulations with your real estate professional and determine whether you will be hiring a Certified Home Inspector or acquiring the services of the Santa Cruz County Planning Department - Building Inspection Services Section to certify compliance with SPEO.

Notes

A. If you are unsure of when your swimming pool, spa, or hot tub was installed, or whether a building permit was issued and final inspections completed, contact the Planning Department Building Counter (listed below) and provide your Assessor's Parcel Number (APN) or Site Address.

B. If no permit was issued for your swimming pool, spa, or hot tub, a building permit will be required to build a pool enclosure, but this permit will not legalize the pool. You may apply for an As-Built Permit to legalize your swimming pool. If you are unsure if a permit was issued for your pool, you may contact the Building Counter to inquire about the records for your property. You should be aware that if the County Building Inspector identifies any other life-safety hazards during the inspection of the pool barrier, a correction notice would be issued.

COMPLIANCE CHECKLIST

The following checklist questions are intended as a guide to assist the homeowner in determining whether their existing swimming pool, spa or hot tub are in general compliance with Santa Cruz County Swimming Pool Enclosure Ordinance (SPEO) regulations. If, after completing this checklist, you find that you need assistance installing upgrades to your pool or enclosure or evaluating your compliance with the SPEO amendments, we recommend that you contact a pool contractor, engineer, architect or a fence or other contractor with pool enclosure experience. Following these questions is a list of modifications requiring permits and a list of modifications that are exempt from permits.

Answer **Yes** or **No** to the following questions, and refer to the linked diagrams for illustrations. If the answer is 'No' to any of the applicable questions, it will be necessary to install the missing safety features, or to modify your existing ones, in order to be in compliance with the SPEO amendments.

Outdoor Swimming Pools

1. _____ Does the pool hot, tub or spa area have a barrier/fence 60 inches high measured on the outside - away from the pool, with openings at the bottom of the barrier that do not allow passage of a 2 inch sphere? See [Barrier and Gate Details](#) for illustrations.
2. _____ If the barrier/fence has openings, are they the size and shape to not allow passage of a 1 3/4 inch sphere? See [Barrier and Gate Details](#) for illustrations.
3. _____ Is the barrier/fence not easily climbable by children due to planters, indentions, protrusions, or the design of the barrier/fence? See [Barrier and Gate Details](#) for illustrations.
4. _____ If the barrier/fence consists of chain link, is it a minimum of 11 gauge thick with a maximum mesh size of 2.25 inches? See [Barrier and Gate Details](#) for illustrations.
5. _____ Are all access gates self-closing and self-latching? See [Barrier and Gate Details](#) for illustrations
6. _____ Is the height of the release mechanism on gate(s) at least 60 inches high? See [Barrier and Gate Details](#) for illustrations.
7. _____ Do all the gates swing away from the pool? See [Barrier and Gate Details](#) and [Site Plans A](#) and [Site Plans C](#) for illustrations.
8. _____ If the home serves as part of the barrier/enclosure without a separation barrier/fence located between the pool, spa, or hot tub and the home), and if the home has doors and windows opening into the pool area, is at least one of the following three (3) features present?
 - a. Are the door(s) opening to the pool area self-closing and self-latching, and do they have a release mechanism/latch 60 inches above the floor, **or**
 - b. Do the door and window openings to the pool have an audio alarm with a deactivation switch located at least 54 inches above the floor that will automatically reset and does it have a touch pad or switch to temporarily deactivate the alarm for a single opening, **or**
 - c. Does the pool, spa and hot tub have an approved safety cover?

Aboveground Swimming Pools (as applicable)

9. _____ Is the top edge of the aboveground pool, or if there is a barrier mounted on top of the pool, the top of this barrier at least 48 inches above ground level on all sides of the pool?
10. _____ Does the aboveground pool have a ladder or steps that can be secured, locked or removed to prevent access? **or**
11. _____ Is the aboveground pool surrounded by a barrier with features noted in items 1-8 above? See [Barrier and Gate Details](#) for illustrations.

Indoor Swimming pools (as applicable)

12. _____ Does the indoor swimming pool comply with question #8 above?

Spa or Hot Tubs (as applicable)

13. _____ Does the spa or hot tub, if separate from the pool area, and not protected by a compliant pool enclosure, have a lockable, fully functioning safety cover?

Maintenance of Swimming Pools, Spas or Hot Tubs

14. _____ If your swimming pool, spa or hot tub was built/installed **on or after August 14, 1992**, with a building permit that was given final inspection approval, are the barrier/fence features maintained according to the approved plans and regulations in effect at the time of permit filing and does the barrier/fence comply with item #8? See [Barrier and Gate Details](#) for illustrations.

Building Permits and Inspections

Compliance with the SPEO requires a building permit in the following circumstances:

- To build a new swimming pool or pool enclosure.
- To rebuild a fence surrounding your pool, spa, or hot tub.
- When a County Building Inspector issues a Swimming Pool Barrier Correction Notice.
- If you choose to have a County Building Inspector certify compliance with the SPEO.

No Building Permit is required to make minor changes required by the SPEO, including:

- Installing code-compliant door alarms
- Changing the direction of the gate swing.
- Moving a gate latch
- Installing features to make your barrier non-climbable
- Installing features to reduce the size of opening in your barrier.

If you have any questions regarding the applicability of the SPEO to your property after review of this checklist, please contact the Building Counter from **1 PM to 4 PM, Monday through Friday, at (831) 454-2260**.

(Revised 7/7/08)