

# CARROLL COUNTY BUREAU OF PERMITS AND INSPECTIONS

## RESIDENTIAL CODE COMPLIANCE GUIDELINES FOR SWIMMING POOLS, SPAS, AND HOT TUBS

**Code Reference:** The Code of Public Local Laws and Ordinances of Carroll County, Chapter 170  
International Residential Code as adopted

The following list of Code requirements is intended to assist you in complying with the Carroll County Building Code as adopted by Chapter 170, but does not encompass the entire Code. Failure to comply with all applicable Code requirements will result in a Notice of Violation and/or Stop Work Order until such violations are corrected. The building permit must be made available at the site for the required inspections. Should you have any questions regarding these requirements, please call 410-386-2674.

### (1) GENERAL

1. The provisions of this appendix shall control the design and construction of swimming pools, spas, and hot tubs installed in or on the lot of a one and two-family dwelling.

### (2) DEFINITIONS

- ABOVE GROUND/ON-GROUND POOL – See “Swimming Pool.”
- BARRIER – A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool
- HOT TUB – See “Swimming Pool.”
- IN-GROUND POOL – See “Swimming Pool.”
- RESIDENTIAL – That which is situated on the premises of a detached one or two-family dwelling or a one-family townhouse not more than three stories in height.
- SPA, NONPORTABLE – See “Swimming Pool.”
- SWIMMING POOL – Any structure intended for swimming or recreational bathing that contains water over 24” (610 mm) deep. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs, and spas.
- SWIMMING POOL, INDOOR – A swimming pool, which is totally contained within a structure and surrounded on all four sides by walls of, said structure.
- SWIMMING POOL, OUTDOOR – Any swimming pool which is not an indoor pool.

### (3) BARRIER REQUIREMENTS

Application. The provisions shall control the design of barriers for residential swimming pools, spas, and hot tubs.

Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above ground 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” (1219 mm) above grade. The maximum vertical clearance between grade and the bottom of the barrier shall be 2” (51 mm). Where the top of the pool structure is above grade, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure.

2. Openings in the barrier shall not allow passage of a 4" diameter (102 mm) sphere.
3. Solid barriers, which do not have any openings, such as masonry or stonewall, shall not contain indentations or protrusions.
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", the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4".
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45" or more, spacing between vertical members shall not exceed 4".
6. Maximum mesh size for chain link fences shall be 2 1/4".
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 3/4".
8. Access gates shall comply with the requirement of items #1 through #7 above, and shall be equipped to accommodate a locking device. Access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 54" 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" (76 mm) below the top of the gate, and
  - 8.2 The gate and barrier shall have no opening greater than 1/2" (12.7 mm) within 18" (457 mm) of the release mechanism.
9. Where a wall of a dwelling serves as a part of the barrier, one of the following conditions shall be met:
  - 9.1 The pool shall be equipped with a powered safety cover.
  - 9.2 All 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 sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. The deactivation switch (es) shall be located at least 54" (1372 mm) above the threshold of the door; or
  - 9.3 Other means of protection, such as self-closing doors with self-latching devices, shall be acceptable.
10. Where an above ground 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.

Indoor swimming pools. All walls surrounding an indoor swimming pool shall comply with #9 above.

Prohibited locations. Barrier shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

Barrier exception. A portable spa with a safety cover shall be exempt from the provisions. Swimming pools, hot tubs, and non-portable spas with safety covers shall not be exempt from the provisions of this appendix.

In-ground swimming pools under construction shall have a temporary safety fence installed by the pool company once the pool is filled with water. The fence shall be maintained in a safe condition and may remain for a period of up to 3 months at which time the permanent fence shall be installed and completed or the pool shall be deemed unsafe. (Added 02/25/10 by Ord. No. 2010-01)