

**TOWN OF INDIAN RIVER SHORES**  
**BUILDING DEPARTMENT**  
6001 North A1A, Indian River Shores, FL 32963  
Phone: (772) 231-4453 Fax: (772) 234-5246

**SWIMMING POOL REQUIREMENTS FORM**

The Swimming Pool you contracted to have built at \_\_\_\_\_,  
*Address*

Tax ID: \_\_\_\_\_, must be equipped with an approved enclosure or barrier.

**Although it is the responsibility of the pool contractor to install this required enclosure or barrier, it is the homeowner's responsibility to maintain and keep the system in working condition.**

**The purpose of this requirement is to protect the life and safety of your family and others who may use your swimming pool. Any removal, disconnection or inactivation of the system may result in serious injury or death.**

**Pool Enclosure/Barrier (See specifications form)**

A pool enclosure meeting the requirements of section R4101.17.1.1 2007 edition of the Florida Building Code (FBC), must be provided prior to final inspection and before a certificate of completion can be issued. This enclosure will require a permit.

This form along with the following required documents, must be submitted with all swimming pool permit applications:

1. Residential Swimming Pool Safety Act Form
2. Survey/Site Plan, indicating all setbacks, structures, doors and windows on dwelling, and electrical equipment (including new and existing lights, receptacles, pool equipment, overhead utilities, etc.)
3. Signed and sealed pool construction plans.
4. Application, plans and documents for fence, barrier, and/or screen

**OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws.**

\_\_\_\_\_  
*Owner Name - Please print*

\_\_\_\_\_  
*Owner's Signature*

State of Florida  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
*Signature of Notary* [Seal]

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**POOL ENCLOSURE/BARRIER SPECIFICATIONS**

Swimming pool must comply with the 2007 Florida Building Code (FBCR). The requirements for the enclosure or barrier are:

**R4101.17.1 Residential Swimming pool barrier requirement.** Residential swimming pools shall comply with R4101.17.1.1 through R4101.17.1.14.

**Exception:**

A swimming pool with an approved safety pool cover, complying with ASTM F 1346-91.

**R4101.17.1 Outdoor Swimming Pools.** Outdoor swimming pools shall be provided with a barrier complying with R4101.17.1 through R4101.17.14.

**R4101.17.1** The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade the barrier may be at ground level or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

**R4101.17.1.2** The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier as herein described below. One end of the barrier shall not be removable without the aid of tools. Openings in the barrier shall not allow passage of a 4-inch diameter sphere.

**R4101.17.1.3** Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

**R4101.17.1.4** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 $\frac{3}{4}$  inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 $\frac{3}{4}$  inches in width.

**R4101.17.1.5** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 $\frac{3}{4}$  inches in width.

**R4101.17.1.6** Maximum mesh size for chain link fences shall be a 2 $\frac{1}{4}$  inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1 $\frac{3}{4}$  inches.

**R4101.17.1.7** Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than 1 $\frac{3}{4}$  inches.

# POOL ENCLOSURE/BARRIER SPECIFICATIONS

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**R4101.17.1.8** Access gates, when provided, shall comply with the requirements of R4101.17.1.8 through R4101.17.1.8 and shall be equipped with a self-latching locking device located no less than 54 inches from the bottom of the gate. The device release mechanism shall be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap. Gates that provide access to the swimming pool must open outward away from the pool. The gates and barrier shall have no opening greater than ½ inch within 18 inches of the release mechanism.

**R4101.17.1.9** Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

1. All doors and windows providing direct access from the home to the pool shall be equipped with an exit alarm complying with UL 2017 that has a minimum sound pressure rating of 85 dB A at 10 feet and is either hard-wired or of the plug-in type. The exit alarm shall produce a continuous audible warning when the door and its screen are opened. The alarm shall sound immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall be equipped with a manual means to temporarily deactivate the alarm for a single opening. Such deactivation shall last no more than 15 seconds. The deactivation switch shall be located at least 54 inches above the threshold of the door.

### Exceptions:

a. Screened or protected windows having a bottom sill height of 48 inches or more measured from the interior finished floor at the pool access level.

b. Windows facing the pool on floor above the first story.

c. Screened or protected pass-through kitchen windows 42 inches or higher with a counter beneath.

2. All doors providing direct access from the home to the pool must be equipped with a self-closing, self-latching device with positive mechanical latching/locking installed a minimum of 54 inches above the threshold, which is approved by the authority having jurisdiction.

**R4101.17.1.10** Where an aboveground 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, the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of R4101.17.1.1 through R4101.17.1.9 and R4101.17.1.12 through R4101.17.1.14. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4 inch diameter sphere.

**R4101.17.1.11** Standard screen enclosures which meet the requirements of section R4101.17 may be utilized as part of or all of the “barrier” and shall be considered a “non-dwelling” wall. One end of the barrier shall not be removable without the aid of tools.

**R4101.17.1.12** The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall, or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this section.

# POOL ENCLOSURE/BARRIER SPECIFICATIONS

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**R4101.17.1.13** The barrier must be placed sufficiently away from the water's edge to prevent a young child or medically frail elderly person who may manage to penetrate the barrier from immediately falling into the water. Sufficiently away from the water's edge shall mean no less than 20 inches from the barrier to the water's edge. Dwelling or non-dwelling walls, when used as part or all of the "barrier" and meeting the other barrier requirements, may be as close to the water's edge as permitted by this code.

**R4101.17.1.14** A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide direct access from the home to the swimming pool.

**R4101.17.2 Indoor swimming pools.** All walls surrounding indoor swimming pools shall comply with 424.2.17.1.9.

**R4101.17.3 Prohibited locations.** A barrier may not be located in a way that allows any permanent structure, equipment, or window that opens to provide access from the home to the swimming pool.

DEFINITION: Pool Perimeter - A pool perimeter is defined by the limits of the pool deck and any dwelling or non-dwelling wall or any combination thereof which completely surrounds the pool.

**REVISED 2-27-09**

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**RESIDENTIAL SWIMMING POOL SAFETY ACT FORM**  
**FLORIDA BUILDING CODE (FBCR) 2007**

Property owner: \_\_\_\_\_

Address: \_\_\_\_\_

Tax ID: \_\_\_\_\_

Swimming Pool Contractor: \_\_\_\_\_

The following is from Florida Statutes Chapter 515, effective October 1, 2000, and Florida Building Code (FBCR) 2004, effective November 1, 2005. **Please check your choice of compliance.**

**Residential swimming pool safety feature options; penalties.**

(1) In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the following requirements relating to pool safety features:

- (a) The pool must be equipped with an approved safety pool cover; R4101.14.1.15 exception. No other barrier feature required.
- (b) The pool must be isolated from access to a home by an enclosure that meets the pool barrier requirements of section R4101.17.1.9;
- (c) Where a wall of a dwelling serves as part of the barrier one (1) of the following shall apply: R4101.17.1.9.
  1. All doors and windows providing direct access from the home to the pool shall be equipped with an exit alarm complying with UL 2017 that has a minimum sound pressure rating of 85 dB A at 10 feet and is either hard-wired or of the plug-in type. The exit alarm shall produce a continuous audible warning when the door and its screen are opened. The alarm shall sound immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall be equipped with a manual means to temporarily deactivate the alarm for a single opening. Such deactivation shall last no more than 15 seconds. The deactivation switch shall be located at least 54 inches above the threshold of the door.

Exceptions:

    - a. Screened or protected windows having a bottom sill height of 48 inches or more measured from the interior finished floor at the pool access level.
    - b. Windows facing the pool on floor above the first story.
    - c. Screened or protected pass-through kitchen windows 42 inches or higher with a counter beneath. R4101.17.1.9 EX C.
  2. All doors providing direct access from the home to the pool must be equipped with a self-closing, self-latching device with positive mechanical latching/locking installed a minimum of 54 inches above the threshold, which is approved by the authority having jurisdiction. R4101.17.1.8

**RESIDENTIAL SWIMMING POOL SAFETY ACT FORM**

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(2) A person who fails to equip a new residential swimming pool with at least one pool safety feature as required, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, except that no penalty shall be imposed if the person, within 45 days after arrest or issuance of a summons or a notice to appear, has equipped the pool with at least one safety feature as required in subsection (1) and has attended a drowning prevention education program established by s. 515.31. However, the requirement of attending a drowning prevention education program is waived if such program is not offered within 45 days after issuance of the citation.

**Many types/models of alarms are not acceptable. Please check with the building department.**

**An alarm that floats in the pool is not acceptable.**

**OWNER’S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws.**

\_\_\_\_\_  
*Owner Name - Please print*

\_\_\_\_\_  
*Owner’s Signature*

State of Florida

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
*Signature of Notary*

[Seal]