

**SECTION 473 (North Cornwall Township Zoning Ordinance - page 286)**

- 473.A. Within all Zones swimming pools are permitted accessory uses to a principal residence provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those specifically as follows:
- 473.B. Swimming pools shall not be located within the front yard and shall be setback at least fifteen (15') feet from any side or rear lots line as measured from the water's edge;
- 473.C. All pools shall comply with the applicable requirements of Appendix G of the International Residential Code or any succeeding regulations;
- 473.D. Only portable swimming pools shall be permitted without an operable filtration system utilizing chlorine, bromine or some other antibacterial agent; and,
- 473.E. The pumping of pool water in such a manner as to cause it to spill onto an adjoining street or property is prohibited.

**APPENDIX G (International Residential Code)**  
**SWIMMING POOLS, SPAS AND HOT TUBS**

(The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.)

***SECTION AG101***  
***GENERAL***

**AG101.1 General.**

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- or two-family dwelling.

**AG101.2 Pools in flood hazard areas.**

Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Sections AG101.2.1 or AG101.2.2.

Exception: Pools located in riverine flood hazard areas which are outside of designated floodways.

**AG101.2.1 Pools located in designated floodways.**

Where pools are located in designated floodways, documentation shall be submitted to the building official, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the jurisdiction.

AG101.2.2 Pools located where floodways have not been designated.

Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction.

*SECTION AG102*  
*DEFINITIONS*

AG102.1 General.

For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

**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."

**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 24 inches (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 the walls of the enclosing structure.

**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

*SECTION AG103*  
*SWIMMING POOLS*

**AG103.1 In-ground pools.**

In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

**AG103.2 Above-ground and on-ground pools.**

Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

**AG103.3 Pools in flood hazard areas.**

In flood hazard areas established by Table R301.2(1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

*SECTION AG104*  
*SPAS AND HOT TUBS*

**AG104.1 Permanently installed spas and hot tubs.**

Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

**AG104.2 Portable spas and hot tubs.**

Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

*SECTION AG105*  
*BARRIER REQUIREMENTS*

**AG105.1 Application.**

The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

**AG105.2 Outdoor swimming pool.**

An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) 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 (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, 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 (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
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 (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 13/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 13/4 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 13/4 inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a 21/4-inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 13/4 inches (44 mm).
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 13/4 inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) 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 inches (76 mm) below the top of the gate; and

8.2. The gate and barrier shall have no opening larger than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or

9.2. 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/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

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:

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 which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

**AG105.3 Indoor swimming pool.**

Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

**AG105.4 Prohibited locations.**

Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.

**AG105.5 Barrier exceptions.**

Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

### ***SECTION AG106***

### ***ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS***

**AG106.1 General.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

**SECTION AG107**  
**ABBREVIATIONS**

**AG107.1 General.**

**ANSI**—American National Standards Institute  
11 West 42nd Street  
New York, NY 10036

**APSP**—Association of Pool and Spa Professionals  
**NSPI**—National Spa and Pool Institute  
2111 Eisenhower Avenue  
Alexandria, VA 22314

**ASCE**—American Society of Civil Engineers  
1801 Alexander Bell Drive  
Reston, VA 98411-0700

**ASTM**—ASTM International  
100 Barr Harbor Drive,  
West Conshohocken, PA 19428

**UL**—Underwriters Laboratories, Inc.  
333 Pfingsten Road  
Northbrook, IL 60062-2096

***SECTION AG108***  
***STANDARDS***

**AG108.1 General.**

**ANSI/NSPI**

**ANSI/NSPI-3-99** Standard for Permanently Installed  
Residential Spas      **AG104.1**

**ANSI/NSPI-4-99** Standard for Above-ground/On-  
ground Residential Swimming Pools      **AG103.2**

**ANSI/NSPI-5-2003** Standard for Residential In-  
ground Swimming Pools      **AG103.1**

**ANSI/NSPI-6-99** Standard for Residential Portable  
Spas      **AG104.2**

**ANSI/APSP**

**ANSI/APSP-7-06** Standard for Suction Entrapment  
avoidance in Swimming Pools,  
Wading Pools, Spas, Hot Tubs and Catch Basins  
   **AG106.1**

**ASCE**

**ASCE/SEI-24-05** Flood Resistant Design and  
Construction      **AG103.3**

**ASTM**

**ASTM F 1346-91 (2003)** Performance Specification  
for Safety Covers and Labeling Requirements for All  
Covers for Swimming Pools, Spas and Hot Tubs  
   **AG105.2, AG105.5**

**UL**

**UL 2017-2000** Standard for General-purpose  
Signaling Devices and Systems-with Revisions  
through June 2004      **AG105.2**