

All outdoor residential swimming pools must conform to the New York State Property Maintenance Code for enclosures (Section 303.2) regardless of the year the pool was built

## SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

[NY] 303.2 Enclosures. The provisions of this section shall control the maintenance of barriers for swimming pools, spas and hot tubs installed, constructed or substantially modified after December 14, 2006. Design controls are intended to provide protection against potential drowning and near drowning by restricting access to swimming pools, spas and hot tubs.

[NY] 303.2.1 Compliance with other codes. Enclosures for residential swimming pools, spas and hot tubs shall be in compliance with Section R326 of the Residential Code of New York State. Enclosures for public swimming pools, spas and hot tubs shall be in compliance with Section 3109 of the Building Code of New York State.

[NY] 303.2.2 Temporary barriers. An outdoor swimming pool, including an in-ground, above-ground or on ground pool, hot tub or spa shall be surrounded by a temporary barrier during installation or construction in compliance with Section R326.4 of the Residential Code New York State or Section 3109.3.2 of the Building Code of New York State, as applicable.

[NY] 303.3 Swimming pool and spa alarms. A swimming pool or spa installed, constructed or substantially modified after December 14, 2006, shall be equipped with an approved pool alarm in compliance with Section R326.7 of the Residential Code of New York State or Section R3109.5 of the Building Code of New York State.

Exceptions:

1. A hot tub or spa equipped with a safety cover that complies with ASTM F1346.
2. A swimming pool (other than a hot tub or spa) equipped with an automatic power safety cover that complies with ASTM F1346.