



Swimming Pool Enclosure Requirements

Outdoor in-ground swimming pool shall be surrounded by a barrier which shall comply with the following:

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 4 inches measured on the side of the barrier which faces away from the swimming pool.
2. Openings in the barrier shall not allow passage of a 4 inch diameter 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 24 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. Exception: When intermediate horizontal members are located 34 inches or more above grade, the spacing between vertical member shall not exceed 4 inches in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 24 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.
6. Maximum mesh size for chain link fences shall be a $2 \frac{1}{4}$ square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not less than $1 \frac{3}{4}$ inches.
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 $1 \frac{3}{4}$ inches.
8. Access gates shall comply with 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 48 inches from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - a. The release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate: and
 - b. The gate and barrier shall have no opening larger than $\frac{1}{2}$ inch within 18 inches of the release mechanism.

Property Owner's Signature

Date

Address: _____

Please return signed form with the permit application to Building Inspection.

constructed in accordance with Section R312.1.2 and R312.1.3

SECTION R313

AUTOMATIC FIRE SPRINKLER SYSTEMS

R313 Automatic Fire Sprinkler Systems. Section R313.1 through R313.2.1 of the 2015 IRC shall be DELETED in their entirety.

SECTION R326

SWIMMING POOLS, SPAS AND HOT TUBS

R326.1 General. The provisions of this section 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.

R326.2 Definitions. The following terms are defined in Chapter 2:

BARRIER

HOT TUB

IN-GROUND POOL

PRIVATE SWIMMING POOL

PRIVATE SWIMMING POOL, INDOOR

PRIVATE SWIMMING POOL, OUTDOOR

SPA

SWIMMING POOL

R326.3 Pools in flood hazard areas. Pools that are located in flood hazard areas established by the local jurisdiction or the flood plain manager including in-ground pools that involve placement of fill, shall comply with Section R326.3.1 or R326.3.2.

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

R326.3.1 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*.

R326.3.2 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*.

R326.4 In-ground pools. In-ground pools shall be designed and constructed in compliance with ANSI/NSPI-5.

R326.5 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in compliance with ANSI/NSPI-4.

R326.6 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 compliance with ASCE 24

R326.7 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-3.

R326.8 Barrier Requirements. The provisions of this section shall control the design of barriers for residential swimming pools. These design controls are intended to provide protection against potential drownings and near - drownings by restricting access to swimming pools.

R326.8.1 Outdoor swimming pool. An outdoor in-ground swimming pool 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 4 inches (102 mm) measured on the side of the barrier, which faces away from the swimming pool.
2. Openings in the barrier shall not allow the 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 24 inches (610 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.

Exception: When intermediate horizontal members are located 34 inches (864 mm) or more above grade, the spacing between vertical members shall not exceed 4 inches (102 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 24 inches (610 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 1 3/4 inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 2 1/4-inch (57 mm) square, unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1 3/4 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 1 3/4 inches (44 mm).
8. Access gates shall comply with the requirements of 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 48 inches (1219 mm) above grade 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
 - 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 herein.

R326.8.2 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Item 9 of Section R926.6.2.

R326.8.3 Prohibited locations. Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

R326.8.4 Barrier exceptions. Spas or hot tubs with a safety cover which comply with ASTM F 1346 shall be exempt from the provisions of this appendix.

R326.9 Locations. Private swimming pools shall not encroach on any front or side yard required by this code or by the governing zoning laws, unless in accordance with specific rules of the jurisdiction in which the pool is located. A wall of a swimming pool shall not be located less than 6 feet (1829mm) from any rear or side property lines or 10 feet (3048mm) from any street property line, unless in accordance with the specific rules of the jurisdiction in which the pool is located.

R326.10 Entrapment Protection for Swimming Pool and Spa Suction Outlets. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7

SECTION R327 POST AND FRAME STRUCTURES

R327.1 Post and frame structures. The following requirements serve as minimum standards for post and frame structures within all of the following structural limitations:

1. Residential accessory structures
2. Single story
3. Metal roof on purlins with bracing and metal wall panels on girts, with bracing as shown in Figure R327.1 or in lieu of bracing provide solid exterior structural sheathing
4. No attic storage
5. Maximum building width of 48 feet including the overhang
6. Maximum wall height of 16 feet
7. Maximum mean roof height of 20 feet
8. Maximum post spacing of 8 feet

Post and frame structures and portions thereof outside the above structural limitations of this standard shall be accompanied by structural calculations as required by the residential building official or designed under the provisions of section R106.1 of the Kentucky Residential Code (KRC). Post and frame structure shall comply with the structural design requirements of Section R301 of the KRC or the alternative provisions (Post Frame Building Design Manual) referenced in Section 301.1.1.

R327.2 Definition. Post and frame structures consist of primary members (post, beams and single span trusses or ceiling joists and rafters) and secondary members (roof purlins, wall girts, bracing and sheathing) where all loads are transmitted from the sheathing and the secondary members to the primary members which transfer them to the ground through vertical posts bearing on footings embedded in the soil. See Figure R327.1.

SECTION 9.17 LANDSCAPE REQUIREMENTS:

Refer to Appendix A for the Landscape Ordinance.

SECTION 9.18 OUTDOOR SWIMMING POOLS:

A. PRIVATE SWIMMING POOLS: All private swimming pools shall be regulated according to the following requirements;

1. Swimming pools shall be permitted to locate only to the rear and side of the principal permitted use. No swimming pool or associated equipment shall be permitted within any required yards, nor within any public utility right-of-way easement, except that swimming pools may be permitted to extend into the minimum rear yard, provided that they are setback twenty (20) feet from the rear lot line.
2. Swimming pools which are constructed in-ground shall be required to have a fence or wall, including a self-closing or self-locking door or gate around the pool or the property on which the pool is located. Such fence or wall shall be at least four (4) feet, but not more than seven (7) feet in height (only classes 1, 3, 4, or 5 fences are permitted, as regulated in Article 13; Fences and Walls, of this ordinance); such fences or walls shall be constructed in such a manner that a small child may not reach the pool from the street or any adjacent property without climbing the fence or wall or opening the gate or door.
3. Building permit is required for all in ground swimming pools.
4. Addition within Cynthiana City limits: *Swimming pools above ground shall be required to have a fence or wall, including a self-closing or self-locking door or gate around the pool or property upon which the pool is located. Such fence or wall shall be at least (4) feet, but not more than seven (7) feet in height. Such fence or wall shall be constructed in such a manner that a small child may not reach the pool from the street or any adjacent property without scaling a fence or wall or opening the gate or door. Said wall may be the wall of the above ground pool providing that said wall is at least four (4) feet in height above the surrounding ground level. Any access to above ground pools by means of a ladder or stairway shall be provided with a self-closing or self-locking door or gate, or some other device that would prevent a small child from gaining access to the pool by means of a ladder.*
Addition within County limits: *Swimming pools above ground shall be required to have a fence, wall, self-locking door or gate, or some other device that would prevent a small child from gaining access to the pool by means of a ladder. Removing the ladder after use would also be an appropriate means to prevent a child from accessing the pool.*

B. PROVISION AND MAINTENANCE: Required screening areas shall be provided as a condition of development by the owner and/or developer. All required screening (including the planting of trees and other vegetation) shall be maintained by the property owner.

C. INCLUSION ON SITE PLAN AND/OR SUBDIVISION IMPROVEMENT DRAWINGS:

Areas to be set aside as screening areas shall be identified on the required site plans, and where

applicable, on the improvement drawings as regulated by the subdivision regulations. Sufficient bond, adequate to cover the required improvements as determined by the city (county) may be required to be posted. It shall be unlawful to occupy any premises unless the required screening has been installed in accordance with the requirements as provided herein.

1. Glare from lights used to illuminate the swimming pool area shall be directed away from adjacent properties.
2. All swimming pools and associated equipment shall be constructed and erected in accordance with all applicable codes, ordinances, and regulations of the city (county). Water used in the swimming pool which is obtained from other than a public source, shall be approved by the Harrison County Health Department.
3. All swimming pools existing at the time of adoption of this ordinance which are unprotected by a surrounding fence or wall, including gates or doors, as regulated herein, shall be required to comply with the provisions of this ordinance section within sixty (60) days after its adoption.

D. PUBLIC, SEMI-PUBLIC AND COMMERCIAL SWIMMING POOLS: All public, semi-public, and commercial swimming pools shall be regulated according to the following requirements:

1. Except as herein provided, no swimming pool and associated equipment shall be permitted within any required yards or within the limits of any public utility right-of-way easement.
2. The swimming pool or the property on which the pool is located shall be surrounded by a fence or wall, including a self-closing or self-locking door or gate (only classes 1, 3, 4, and 5 fences are permitted, as regulated by Article 13; Fences and Walls, of this ordinance). Such fence or wall shall be at least five (5) feet in height, but not exceeding the height as permitted herein, and of such construction that a small child may not reach the pool from the street or from adjacent property without climbing the wall or fence or opening a door or gate.
3. Glare from lights used to illuminate the swimming pool area shall be directed away from adjacent properties.
4. All swimming pools and associated equipment of the swimming pool shall be constructed and erected in accordance with all applicable codes, ordinances and regulations of the city (county). Water used in the operation of the swimming pool, which is obtained from a public source, shall be approved of by the Harrison County Health Department.
5. No mechanical device for the reproduction or amplification of sounds used in connection with swimming pools shall create a nuisance to adjacent residential properties.
6. A building permit is required for in ground pools.

SECTION 9.19 SITE PLAN REQUIREMENTS:

No building shall be erected or structurally altered nor shall any grading take place on any lot or parcel in zones where a site plan is required, except in accordance with the regulations of this section and an approved site plan as hereinafter required. Before a permit is issued for construction one copy of the site plan of the area at a scale no smaller than one (1) inch to one hundred (100) feet shall be filed with the Planning Commission. The site plan shall identify and