

# Sample Adoption Ordinance for 2021 International Swimming Pool and Spa Code

Chapter 1 through 3 and Chapter 7 through 11 of the 2021 International Swimming Pool and Spa Code (ISPSA) is adopted by reference as the Swimming Pool and Spa Code of [NAME OF JURISDICTION] and is hereby amended, deleted or added to as follows:

1. Where the term *International Building Code* is used it shall be replaced with the term *California Building Code*.
2. Where the term *International Residential Code* is used it shall be replaced with the term *California Residential Code (CRC)*.
3. Where the term *International Plumbing Code* is used it shall be replaced with the term *California Plumbing Code*.
4. Where the term *International Energy Conservation Code* is used it shall be replaced with the term *California Energy Code (CEC)*.
5. Where the term *International Fire Code* is used it shall be replaced with the term *California Fire Code*.
6. Where the term *International Fuel Gas Code* is used it shall be replaced with the term *California Plumbing Code*.
7. Where the term *International Mechanical Code* is used it shall be replaced with the term *California Mechanical Code*.
8. Where the term *NFPA 70* is used it shall be replaced with the term *California Electrical Code (CElecC)*.

**9. Revise Section 101.1 as follows:**

**101.1 Title.** These regulations shall be known as the International Swimming Pool and Spa Code of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

**10. Delete Part 1-Scope and Application, Sections 101.2 through 102.10 and replace with local requirements [Insert local jurisdiction administrative code requirements]**

**11. Delete Part 2- Administrative and Enforcement, Sections 103 through 108 and replace with local requirements [Insert local jurisdiction administrative code requirements]**

**12. Add the following sections to your jurisdiction’s administrative section of the Code from 2022 APPENDIX V – SWIMMING POOL SAFETY ACT:**

**2022 CRC APPENDIX V 115924 Agreement to Build:**

- (a) Any person entering into an agreement to build a swimming pool or spa, or to engage in permitted work on a pool or spa covered by this article, shall give the consumer notice of the requirements of this article.
- (b) Pursuant to existing law, the Department of Health Services shall have available on the department’s Web site, commencing January 1, 2007, approved pool safety information available for consumers to download. Pool contractors are encouraged to share this information with consumers regarding the potential dangers a pool or spa poses to toddlers. Additionally, pool contractors may provide the consumer with swimming pool safety materials produced from organizations such as the United States Consumer Product Safety Commission, Drowning Prevention Foundation, California Coalition for Children’s Safety & Health, Safe Kids Worldwide, Association of Pool and Spa Professionals, or the American Academy of Pediatrics.  
(Amended by Stats. 2006, Ch. 478, Sec. 3. Effective January 1, 2007.)

**2022 CRC APPENDIX V 115925. The requirements of this article do not apply to any of the following:**

- (a) Public swimming pools.
- (b) Hot tubs or spas with locking safety covers that comply with the American Society for Testing and Materials (ASTM F1346).
- (c) An apartment complex, or any residential setting other than a single-family home.  
[Amended by Stats. 2017, Ch. 670, Sec. 5. (SB 442) Effective January 1, 2018.]

**2022 CRC APPENDIX V 115926.** *This article does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as the private residence of the operator. Pool safety in those facilities shall be regulated pursuant to regulations adopted therefor by the State Department of Social Services.*

*(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)*

**2022 CRC APPENDIX V 115927.** *Notwithstanding any other provision of law, this article shall not be subject to further modification or interpretation by any regulatory agency of the state, this authority being reserved exclusively to local jurisdictions, as provided for in paragraph (7) of subdivision (a) of Section 115922 and subdivision (c) of Section 115925.*

*(Amended by Stats. 2018, Ch. 957, Sec. 13. (SB 1078) Effective January 1, 2019.)*

**13. Add or amend the following definitions to Chapter 2 from 2022 APPENDIX V – SWIMMING POOL SAFETY ACT:**

*“Swimming pool” or “pool” means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. “Swimming pool” includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and nonportable wading pools.*

**PUBLIC SWIMMING POOL (Public Pool).** A pool, other than a residential pool, that is intended to be used for swimming or bathing and is operated by an owner, lessee, operator, licensee or concessionaire, regardless of whether a fee is charged for use. Public pools shall be further classified and defined as follows:

**Class A competition pool.** A pool intended for use for accredited competitive aquatic events such as Federation Internationale De Natation (FINA), USA Swimming, USA Diving, USA Synchronized Swimming, USA Water Polo, National Collegiate Athletic Association (NCAA), or the National Federation of State High School Associations (NFHS).

**Class B public pool.** A pool intended for public recreational use that is not identified in the other classifications of public pools.

**Class C semi-public pool.** A pool operated solely for and in conjunction with lodgings such as hotels, motels, apartments or condominiums.

**Class D 1 wave action pool.** A pool designed to simulate breaking or cyclic waves for purposes of general play or surfing.

**Class D 2 activity pool.** A pool designed for casual water play ranging from simple splashing activity to the use of attractions placed in the pool for recreation.

**Class D 3 catch pool.** A body of water located at the termination of a manufactured waterslide attraction. The body of water is provided for the purpose of terminating the slide action and providing a means for exit to a deck or walkway area.

**Class D 4 leisure river.** A manufactured stream of water of near constant depth in which the water is moved by pumps or other means of propulsion to provide a river like flow that transports bathers over a defined path that may include water features and play devices.

**Class D 5 vortex pool.** A circular pool equipped with a method of transporting water in the pool for the purpose of propelling riders at speeds dictated by the velocity of the moving stream of water.

**Class D 6 interactive play attraction.** A manufactured water play device or a combination of water based play devices in which water flow volumes, pressures or patterns can be varied by the bather without negatively influencing the hydraulic conditions for other connected devices. These attractions incorporate devices or activities such as slides, climbing and crawling structures, visual effects, user-actuated mechanical devices and other elements of bather driven and bather controlled play.

**Class E.** Pools used for instruction, play or therapy and with temperatures above 86°F (30°C).

**Class F.** Class F pools are wading pools and are covered within the scope of this code as set forth in Section 405.

Public pools are either a diving or nondiving type. Diving types of public pools are classified into types as an indication of the suitability of a pool for use with diving equipment.

~~Type O. A nondiving public pool.~~

~~Types VI–IX. Public pools suitable for the installation of diving equipment by type.~~

“Public swimming pool” means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.

“Enclosure” means a fence, wall, or other barrier that isolates a swimming pool from access to the home.

“Approved safety pool cover” means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.

“Exit alarms” means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.

“ANSI/APSP performance standard” means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).

~~**SUCTION OUTLET.** A submerged fitting, fitting assembly, cover/grate and related components that provide a localized low-pressure area for the transfer of water from a swimming pool, spa or hot tub. Submerged suction outlets have been referred to as main drains.~~

“Suction outlet” means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.

**14. Add Section 301.1.2. as follows:**

**301.1.2 Conflicts.** In the event of a conflict between the provisions of the Swimming Pool Safety Act, the International Swimming Pool and Spa Code, 2021 Edition, the 2022 California Building Code, or the 2022 California Residential Code, the Building Official shall implement the most restrictive measures cited.

**15. Add Section 303.1.2.1 as follows:**

**303.1.2.1 Operating time.** A time switch or other control mechanism shall be installed as part of a pool water circulation control system that will allow all pumps to be set or programmed to run only during off-peak electric demand period, and for the minimum time necessary to maintain the water in the condition required by applicable public health standards.

[CEnC 110.4(b)3ii]

**16. Section 303.1.3 is amended as follows:**

**303.1.3 Covers.** A cover is required for outdoor pools or outdoor spas that have a heat pump or gas heater *Exception:* Pools or spas deriving at least 60 percent of the annual heating energy from site solar energy or recovered energy. [CEnC 110.4(b)2]

**17. Section 305.2 is amended as follows:**

**305.2 Outdoor swimming pools and spas.** Other than those facilities regulated in Section 305.8, all outdoor *pools and spas* and indoor swimming pools shall be surrounded by a *barrier* that complies with Sections 305.2.1 through 305.7. [CBC 3109.4.4.2]

**18. Per 2022 CRC APPENDIX V 115922 Add Section 305.8 as follows:**

**305.8 Construction permit; safety features required.**

Except as provided in Section 115925, When a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with at least two of the following seven drowning prevention safety features:

- (1) An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home.
- (2) Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications

- F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.
- (3) An approved safety pool cover, as defined in subdivision (d) of Section 115921.
  - (4) Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."
  - (5) A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.
  - (6) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.
  - (7) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

**19. Per 2022 CRC APPENDIX V 115923 Add Section 305.9 as follows:**

**305.9 Enclosure; required characteristics.**

An enclosure shall have all of the following characteristics:

- (a) Any access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device placed no lower than 60 inches above the ground.
  - (b) A minimum height of 60 inches.
  - (c) A maximum vertical clearance from the ground to the bottom of the enclosure of two inches.
  - (d) Gaps or voids, if any, do not allow passage of a sphere equal to or greater than four inches in diameter.
  - (e) An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.
- (Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)

**20. Per 2022 CRC APPENDIX V 115928 and 115928.5 Add Section 310.2 as follows:**

**310.2 Construction Requirements for building a pool or spa.** Whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements:

- (1) The suction outlets of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in paragraphs (2) and (3).
- (2) The swimming pool or spa shall either have at least two circulation suction outlets per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the suction outlets, or be designed to use alternatives to suction outlets, including, but not limited to, skimmers or perimeter overflow systems to conduct water to the recirculation pump.
- (3) The circulation system shall have the capacity to provide a complete turnover of pool water, as specified in Section 3124B of Chapter 31B of the California Building Standards Code (Title 24 of the California Code of Regulations).
- (4) Suction outlets shall be covered with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or successor standard designated by the federal Consumer Product Safety Commission, that cannot be

removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.

(5)Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Product Safety Commission.

[Amended by Stats. 2012, Ch. 679, Sec. 2. (AB 2114) Effective January 1, 2013.]

### **310.2.1 Existing Pool, Toddler Pool, or Spa**

115928.5. Whenever a building permit is issued for the remodel or modification of an existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet or suction outlets of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or a successor standard designated by the federal Consumer Product Safety Commission.

[Amended by Stats. 2012, Ch. 679, Sec. 3. (AB 2114) Effective January 1, 2013.]

## **21. Add Section 316.2.1 (a) and (b) as follows:**

**316.2.1 (a) Certification by manufacturers.** Heating systems and equipment shall be certified by the manufacturer that the heating system and equipment complies with the following:

1. **Efficiency.** A thermal efficiency that complies with the Appliance Efficiency Regulations in Title 20, Division 2, Chapter 4, Article 4 of the California Code of Regulations; and [CEnC 110.4(a)1]
2. **Instructions.** A permanent, easily readable and weatherproof plate or card that gives instruction for the energy efficient operation of the pool or spa heater and for the proper care of pool or spa water when a cover is used; and [CEnC 110.4(a)3]
3. **Electric resistance heating.** No electric resistance heating; and  
Exception 1 to Section 110.4(a)4: Listed package units with fully insulated enclosures, and with tight-fitting covers that are insulated to at least R-6.  
Exception 2 to Section 110.4(a)4: Pools or spas deriving at least 60 percent of the annual heating energy from site solar energy or recovered energy. [CEnC 110.4(a)4]

**316.2.1 (b) Installation.** Any pool or spa system or equipment shall be installed with all of the following: [CEnC 110.4(b)]

1. **Piping.** At least 36 inches of pipe shall be installed between the filter and the heater or dedicated suction and return lines, or built-in or built-up connections shall be installed to allow for the future addition of solar heating equipment. [CEnC 110.4(b)1]
2. **Directional inlets.** The swimming pool shall have directional inlets that adequately mix the pool water. [CEnC 110.4(b)3ii]

## **22. Revise and amend Chapter 9 as follows:**

Delete section 901.2: ~~901.2General~~

~~Permanent residential spas and permanent residential exercise spas shall comply with Chapter 5 except that Sections 504.1, 504.1.1, 508.1 and 509 shall not apply. Such spas shall comply with the requirements of Chapter 3.~~

Add Sections 903-908 as follows

## **SECTION 903 MATERIALS**

### **903.1 Pumps and motors.**

Pumps and motors shall be *listed* and *labeled* for use in spas.

**SECTION 904  
STRUCTURE AND DESIGN**

**904.1 Water depth.**

The maximum water depth for spas shall be 4 feet (1219 mm) measured from the *design waterline* except for spas that are designed for special purposes and *approved* by the authority having jurisdiction. The water depth for exercise spas shall not exceed 6 feet 6 inches (1981 mm) measured from the *design waterline*.

**904.2 Multilevel seating.**

Where multilevel seating is provided, the maximum water depth of any seat or sitting bench shall be 28 inches (711 mm) measured from the *design waterline* to the lowest measurable point.

**904.3 Floor slope.**

The slope of the floor shall not exceed 1 unit vertical in 12 units horizontal (8.3-percent slope). Where multilevel floors are provided, the change in depth shall be indicated.

**SECTION 905  
PUMPS AND MOTORS**

**905.1 Emergency shutoff switch.**

One emergency shutoff switch shall be provided to disconnect power to circulation and jet system pumps and air blowers. Emergency shutoff switches shall be accessible, located within sight of the spa and shall be located not less than 5 feet (1524 mm) but not greater than 10 feet (3048 mm) horizontally from the inside walls of the spa. [CElecC 686.14]

**905.2 Timer.**

The operation of the hydrotherapy jets shall be limited by a cycle timer having a maximum setting of 10 minutes. The cycle timer shall be located not less than 5 feet (1524 mm) away, adjacent to, and within sight of the spa.

**SECTION 906  
RETURN AND SUCTION FITTINGS**

**906.1 Return fittings.**

Return fittings shall be provided and arranged to facilitate a uniform circulation of water and maintain a uniform sanitizer residual throughout the entire spa or exercise spa.

**906.2 Suction fittings.**

Suction fittings shall be in accordance with [Sections 505.2.1](#) through [505.2.4](#).

**906.2.1 Testing and certification.**

Suction fittings shall be *listed* and *labeled* in accordance with [APSP 16](#).

**906.2.2 Installation.**

Suction fittings shall be sized and installed in accordance with the manufacturer's specifications. Spas and exercise spas shall not be used or operated if the suction outlet cover is missing, damaged, broken or loose.

**906.2.3 Outlets per pump.**

Suction fittings shall be provided in accordance with [Section 310](#).

**906.2.4 Submerged vacuum fittings.**

*Submerged vacuum fittings* shall be in accordance with [Section 310](#).

**SECTION 907  
HEATER AND TEMPERATURE REQUIREMENTS**

**907.1 General.**

This section pertains to fuel-fired and electric appliances used for heating spa or exercise spa water.

**907.2 Water temperature controls.**

Components provided for water temperature controls shall be suitable for the intended application.

**907.2.1 Water temperature regulating controls.**

Water temperature regulating controls shall comply with [UL 873](#) or [UL 372](#). A means shall be provided to indicate the water temperature in the spa.

**Exception:** Water temperature regulating controls that are integral to the heating appliance and *listed* in accordance with the applicable end use appliance standard.

**907.2.2 Water temperature limiting controls.**

Water temperature limiting controls shall comply with [UL 873](#) or [UL 372](#). Water temperature at the heater return outlet shall not exceed 140°F (60°C).

**SECTION 908  
WATER SUPPLY**

**908.1 Water temperature.**

The temperature of the incoming makeup water shall not exceed 104°F (40°C).

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