



## THE POOL SAFETY ACT

A new California law known as the *Pool Safety Act* (SB442) has been signed by Governor Brown and became effective on January 1, 2018. The law requires new or remodeled pools and spas to have two of seven child protective safety barriers. While existing pools and spas are not required to add additional safety barriers, the California Real Estate Inspection Association (CREIA) suggests when it comes to protecting our young and vulnerable, all pools and spas should have 2 of the 7 appropriate safety barriers identified in the Pool Safety Act as well as a perimeter fence that separates the property from neighboring properties.

### **CREIA Vision = To protect lives, health and investments**

According to both federal Centers for Disease Control and Prevention's National Center for Injury Prevention and Control and the State Department of Public Health's EpiCenter data, drowning is the second leading cause of death for California children one to four years of age, inclusive. EpiCenter data shows that between the years 2010 and 2014 more than 160 children one to four years of age, inclusive, suffered fatal drowning, with the majority of the incidents involving residential pools, and between the years 2010 and 2015 more than 740 children one to four years of age, inclusive, were hospitalized after suffering a near drowning incident with the leading cause of hospitalization being brain injury due to the lack of oxygen, also known as asphyxiation.

*"Additional children suffer near drowning incidents and survive, but many of those children suffer irreversible brain injuries, which can lead to lifelong learning deficiencies that impact not only the affected child and his or her family, but also the resources and moneys available to California's health care system, regional centers, and special education school programs. The State Department of Developmental Services reported that as of December 2016 the agency was providing care for more than 755 near-drowning victims with severe brain damage resulting from the near drowning."*



The California Real Estate Inspection Association, CREIA is a non-profit association dedicated to using all its resources for the benefit of members and the home buying public they serve. CREIA is an association of members for members, founded on the principle that joining and working together can avail much more to advance the home inspection profession and protect the public than could possibly be accomplished individually.

### **CREIA = Tier One Inspectors**

Unsurpassed testing; Unmatched training and education requirements; Industry leading performance Standards of Practice and Code of Ethics - That's why California Law specifically mentions CREIA as an industry benchmark.

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# CHILDREN AREN'T WATERPROOF

PROTECTING OUR MOST VALUABLE ASSET...  
OUR CHILDREN.



CREIA is dedicated to consumer protection and education.

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to locate a qualified CREIA inspector near you.

## PROTECTING OUR MOST PRECIOUS ASSET... OUR CHILDREN.



### 1 A pool or spa fence that separates your pool or spa from the home.



An enclosure with a minimum height of 60 inches. Access gates through the enclosure open away from the pool or spa, are self-closing,

self-latching, and shall be no lower than 60 inches above the ground, and where the bottom is 2 inches above ground with no gaps or voids, which could allow passage of a 4-inch sphere. The fence should not be easily climbable.

### 2 A removable mesh fence.



A removable mesh fence that provides 360 degrees of protection for the pool / spa from the private single-family home. The top of fence needs to be a minimum height of 48

inches high. Hinged gates, if present, must be self-closing, self-latching, open outward from the pool or spa and accommodate a locking device 54 inches above grade on the outside of the gate and latching devices, which secure each barrier section shall be no lower than 45 inches above grade and provide security equal or greater than the hook-and-eye-type latch with a spring retaining lever (safety gate hook).

### 3 A manually or automated safety pool cover.



The requirements for pool covers are too detailed and specific to list in this brochure. If a manual or power pool cover is present it is strongly suggested that a licensed pool/spa contractor be employed to perform an evaluation and provide you with an expert opinion.

### 4 Exit alarms on doors and windows that provide direct access to the swimming pool or spa.



The exit alarms are required on all doors that lead to the pool/spa.

### 5 A self-closing, self-latching device that prevents direct access to the swimming pool or spa.



A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on all doors that provide direct access to the pool/spa.

### 6 Pool and spa alarm that will sound upon detection of accidental or unauthorized entrance into the water.



A pool and spa alarm that detects surface motion or by pressure, sonar, laser, and/or infrared. Note: Alarms not approved are alarms 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.

### 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).

### A perimeter fence that separates your property from the neighboring properties



Install and maintain a fence with a minimum height of 5 feet. Gates shall open away from the swimming pool and shall be self-closing, self-latching, and where the bottom is 2 inches above soil or 4 inches above concrete. The fence should not be easily climbable.

An informative flyer regarding the new requirements can also be downloaded at [www.creia.org/home-buyers-realtors](http://www.creia.org/home-buyers-realtors)