



☐ TECHNICAL GUIDELINE ☐ INTERPRETATION ☐ MODIFICATION
ISSUE DATE: April 9, 2007
REVISION DATE: October 22, 2007
REFERENCE: California Codes, Health and Safety Code
CODE/ STANDARD SECTION: 115920-115929 (Specifically 115928.5)
DEVELOPED BY: Tim Wegner, Assistant Chief Building Official
AREA SUPERVISOR APPROVAL:
BUILDING OFFICIAL APPROVAL:
EFFECTIVE DATE: January 1, 2008

ISSUE (briefly describe the situation/issue)

The State of California enacted this "Swimming Pool Safety Act" and requires local jurisdictions enforce these provisions. Clarification was necessary in defining the term modification permit, so as to demonstrate what type of permits may be exempted from the installation of this device.

10/22/07

Assembly Bill AB 382 inserts section 115928.5 and removes paragraph (d) which further clarifies what types of permits trigger the installation of an Anti-Entrapment Device.

CODE/STANDARD LANGUAGE (provide all code/standard sections that pertain)

Please see the attached Health and Safety Code, Section 115920-115929

Specifically Section 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 of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an antientrapment cover meeting the standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME)"

HISTORY (provide the county's past history/policies regarding this item)

This is a revision to the State of California's previous requirement for this device.

POLICY (provide the new or corrected policy regarding this item)

As it applies, when a permit is issued for the modification or remodel of an existing pool, see attached handout and certificate of compliance. Please begin to issue this handout and certificate of compliance at the time of permit application, excluding those permits as described therein. At the time of final inspection the inspector shall obtain a copy of the signed certificate of compliance. The signed original copy shall be inserted into the permit file.

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(3) The Bureau of State Audits shall conduct periodic audits to ensure that bond proceeds are awarded in a timely fashion and in a manner consistent with the requirements of this subdivision, and that awardees of bond proceeds are using funds in compliance with applicable provisions of this subdivision. The first audit shall be conducted no later than one year from voter approval of this part.

(4) In its annual report to the Legislature, the Department of Housing and Community Development shall report how funds that were made available pursuant to this subdivision and allocated in the prior year were expended. The department shall make the report available to the public on

its Internet Web site.

(b) Eight hundred fifty million dollars (\$850,000,000) shall be deposited in the Regional Planning, Housing, and Infill Incentive Account, which is hereby created in the fund. Funds in the account shall be available, upon appropriation by the Legislature, and subject to such other conditions and criteria as the Legislature may provide in statute, for the following purposes:

(1) For infill incentive grants for capital outlay related to infill housing development and other related infill development, including, but not limited

to, all of the following:

- (A) No more than two hundred million dollars (\$200,000,000) for park creation, development, or rehabilitation to encourage infill development.
- (B) Water, sewer, or other public infrastructure costs associated with infill development.
 - (C) Transportation improvements related to infill development projects.

(D) Traffic mitigation.

(2) For brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans.

- (c) Three hundred million dollars (\$300,000,000) to be deposited in the Transit-Oriented Development Account, which is hereby created in the fund, for transfer to the Transit-Oriented Development Implementation Fund, for expenditure, upon appropriation by the Legislature, pursuant to the Transit-Oriented Development Implementation Program authorized by Part 13 (commencing with Section 53560).
- (d) Two hundred million dollars (\$200,000,000) shall be deposited in the Housing Urban-Suburban-and-Rural Parks Account, which is hereby created in the fund. Funds in the account shall be available upon appropriation by the Legislature for housing-related parks grants in urban, suburban, and rural areas, subject to the conditions and criteria that the Legislature may provide in statute.

SEC. 19. Section 115928 of the Health and Safety Code is amended to

read:

115928. 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:

(a) (1) The suction outlet 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 paragraph (2).

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(2) The swimming pool or spa shall have at least two circulation drains 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 drains.

- (b) Suction outlets that are less than 12 inches across shall be covered with antientrapment grates, as specified in the ASME/ANSI Standard A 112.19.8, 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.
- (c) 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.
- SEC. 20. Section 115928.5 is added to the Health and Safety Code, to read:
- 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 of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an antientrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME).
- SEC. 21. Section 5803 of the Revenue and Taxation Code is amended to read:
- 5803. (a) "Full cash value" means the "full cash value" or the "fair market value," as determined pursuant to Section 110, of a manufactured home similarly equipped and installed, including any value attributable to a manufactured home accessory building or structure as defined in Section 18008.5 of the Health and Safety Code which is sold along with the manufactured home, giving recognition, however, to the exemption provided in subdivision (m) of Section 3 of Article XIII of the Constitution.
- (b) The Legislature finds and declares that, because owners of manufactured homes subject to property taxation on rented or leased land do not own the land on which the manufactured home is located and are subject to having the manufactured home removed upon termination of tenancy, "full cash value" for purposes of subdivision (a) does not include any value attributable to the particular site where the manufactured home is located on rented or leased land which would make the sale price of the manufactured home at that location different from its price at some other location on rented or leased land. In determining the "full cash value" of a manufactured home on rented or leased land, the assessor shall take into consideration, among other relevant factors, cost data issued pursuant to Section 401.5 or sales prices listed in recognized value guides for manufactured homes, including, but not limited to, the National Automobile Dealers Association's Manufactured Housing Appraisal Guide.



Effective in Placer County as of January 1, 2008

ATTENTION POOL OWNERS

New Law Requires Anti-Entrapment Suction Outlets Cover

Effective January 1, 2008, Swimming Pool and Safety Act (Health & Safety Code 115920-115929) of 2006 (Assembly Bill 382 modifies previous Assembly Bill 2977) which requires the following:

- 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(s) of the existing swimming pool, toddler pool or spa be upgraded so as to be equipped with an anti-entrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME/ANSI A112.19.8).
- A County inspection is required to verify compliance with the above noted requirement prior to final approval. Therefore, it is the responsibility of the homeowner to make sure the required covers meet the current standards of ASME/ANSI A112.19.8 and are installed per the manufacturer's installation instructions where required by AB 382. If there is water in the existing swimming pool, toddler pool or spa, the required inspection and verification cannot be performed. Instead of requiring the property owner to empty the swimming pool, toddler pool or spa, the property owner is given the option of completing and signing a certificate attesting compliance with the above noted requirement.

The County's interpretation of the wording "remodel or modification of an existing swimming pool, toddler pool, or spa" is to mean any building permit issued for work on an existing pool on private property except for maintenance, replacement and/or repair of existing parts.

For pool safety and product information, please visit the following websites:

The United States Consumer Product Safety Commission

http://www.cpsc.gov/cpscpub/pubs/chdrown.html

The American Academy of Pediatrics

http://www.aap.org/family/tipppool.htm

The California Coalition for Children's Safety and Health

http://www.sacadvocacy.com/cccsh/cccshabout.html



Certification of Pool/Spa Anti-Entrapment Cover Installation

Effective January 1, 2008, Swimming Pool and Safety Act (Health & Safety Code 115920-115929) of 2006 (Assembly Bill 382 modifies previous Assembly Bill 2977) which requires the following:

- ✓ 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(s) of the existing swimming pool, toddler pool or spa be upgraded so as to be equipped with an anti-entrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME/ANSI A112.19.8).
- An inspection is required to verify compliance with the above noted requirement prior to final approval. If there is water in the existing swimming pool, toddler pool or spa, the required inspection and verification cannot be performed. Instead of requiring the property owner to empty the swimming pool, toddler pool or spa, the property owner may choose to complete and sign the certificate below attesting compliance with the above noted requirement.

Certification

I,	(Print Name), hereby certify that I am the owner
of the property located at	(Site
	of the existing swimming pool, toddler pool or spa is cover meeting the current standards of ASME/ANSI
Home Owner's Signature Date	
Permit No.:	