

# California Code of Regulations

## Title 22

### Safety Requirements for Facilities with Pools and Other Bodies of Water

#### § 80065. Personnel Requirements.

(e) The licensee shall provide for direct supervision of clients during participation in or presence at potentially dangerous activities or areas in the facility.

(1) An adult other than a client shall be present at all times while clients are using a pool or other body of water from which rescue requires the rescuer's ability to swim.

(2) Adults who supervise while clients are using a pool or other body of water from which rescue requires the rescuer's ability to swim, shall have a valid water safety certificate.

#### § 80087. Buildings and Grounds.

(e) All licensees serving children or serving clients who have physical handicaps, mental disorders, or developmental disabilities shall ensure the inaccessibility of pools, including swimming pools (in-ground and above-ground), fixed-in-place wading pools, hot tubs, spas, fishponds, or similar bodies of water through a pool cover or by surrounding the pool with a fence.

(1) Fences shall be at least five-feet high and shall be constructed so that the fence does not obscure the pool from view. The bottom and sides of the fence shall comply with Division 1, Appendix Chapter 4 of the 1994 Uniform Building Code. In addition to meeting all of the aforementioned requirements for fences, gates shall swing away from the pool, self-close and have a self-latching device located no more than six inches from the top of the gate. Pool covers shall be strong enough to completely support the weight of an adult and shall be placed on the pool and locked while the pool is not in use.

(A) If licensed prior to June 1, 1995, facilities with existing pool fencing shall be exempt from the fence requirements specified in Section 80087(e)(1) until such fence is replaced or structurally altered. If the licensee replaces or alters the fence, it shall be required to meet the fence requirements specified in Section 80087(e)(1).

(2) Where an above-ground pool structure is used as the fence or where the fence is mounted on top of the pool structure, the pool shall be made inaccessible when not in use by removing or making the ladder inaccessible or erecting a barricade to prevent access to decking. If a barricade is used, the barricade shall meet the requirements of Section 80087(e)(1).

(f) All in-ground pools, and above-ground pools which cannot be emptied after each use shall have an operative pump and filtering system.

#### § 84087.2. Outdoor Activity Space.

(5) The administrator or facility manager, or their responsible designee, shall apply the "Reasonable and Prudent Parent Standard," as specified in Section 84067, when determining whether to allow a "child" to have access to fishponds, fountains, and similar bodies of water.

(A) The licensee shall ensure safeguards that include but are not limited to; familiarity of the surroundings, and staff trained in water safety as specified in Section 80065(e)(2).

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#### § 87307. Personal Accommodations and Services.

(e) Facilities providing services to residents who have physical or mental disabilities shall assure the inaccessibility of fishponds, wading pools, hot tubs, swimming pools or similar bodies of water, when not in active use by residents, through fencing, covering or other means.

#### Additional Information/Resources

- [CPR and First Aid Training](#) (YMCA North Web Page)
- [Wellness Bulletin – Drowning Prevention](#) (CA Department of Developmental Services)
- [Drowning Prevention](#) (Centers for Disease Control and Prevention)
- [Life Jackets Save Lives](#) (Water Safety USA)