

AUTOMATIC POOL COVER ALLOWANCE INSTEAD OF FENCING AROUND SWIMMING POOLS.

David Betz

From: Robin Hudson <robin.hudson@comcast.net>
Sent: Wednesday, June 05, 2019 11:49 AM
To: David Betz
Subject: Robin Hudson - Verona - 9377 Wilbrook Drive

David,

I appreciate you speaking with me yesterday regarding the need for a fence with a pool. I had been hearing so much conflicting information from pool companies, etc and it seems like there isn't a lot of consistency from Delaware Co, townships to cities. I would like to take you up on your offer to discuss that with the council if that is appropriate or provide my e-mail to them. We moved here 2.5 years ago from Indiana where a fence or automatic cover was the regulation. I would love to share my thoughts. My automatic cover is under lock and key. Much safer than a fence that can be jumped over. Also we have small children next door that are small enough to come through the fence. This is a daily occurrence as the kids love to play with mine. For the safety of my neighbors and my liability I need to have an automatic cover. I did not consider the cost of a fence or the aesthetics in my plan. We have such a small yard I would like for automatic cover only be considered since the City of Powell is moving to the 2019 Residential Code of July 1, 2019. Also, my husband was informed by Liberty Township that they are moving to either or. (Again, we started with County and then Township since we didn't realize we were in the City)

Lastly, you mentioned you would be willing to look at my first round of the drawing. We made the changes that you informed me about yesterday

1. Structure 15 foot from back line due to easement
2. Pool 10 foot back line (I can't remember was that supposed to be 12?)
3. Side line 10 foot
4. Also I think I read somewhere that it has to be 3 foot of material around the pool. I do have a border around it then 3 foot of patio stone is that sufficient?

Could you let me know if I am missing anything. I am trying to be proactive and do it right the first time.

Thanks so much for your assistance,
Robin Hudson
812-322-1015

Begin forwarded message:

From: Robin Hudson <robin.hudson@mmm.com>
Date: June 5, 2019 at 11:44:33 AM EDT
To: Robin Hudson <robin.hudson@comcast.net>

ISPSC Adoption Status Report

(Revised 06-01-2019)

Please verify the ISPSC adoption and version with your local code officials.

Mandatory State Adoptions | Effective Statewide - 11

Georgia ('12) | Louisiana ('15) | Massachusetts ('15) | Michigan ('15) | Montana ('15)
New Jersey ('15) | Pennsylvania ('15) | Virginia ('15) | Washington ('15)
Washington, D.C. ('12) | West Virginia ('15)

States with Optional Adoption - 10

Alabama ('15) | Arizona ('12) | California ('12) | Colorado ('12) | Illinois ('12) | Oklahoma ('12)
South Carolina ('12) | Tennessee ('12) | Texas ('12) | Wyoming ('12)

Local Adoptions - 181

Alabama

Tuscaloosa ('12)

Arizona

Apache County ('15)
 Benson ('15)
 Camp Verde ('12)
 Casa Grande ('18)
 Chandler ('18)
 City of Goodyear ('12)
 Fountain Hills ('12)
 Marana ('18)
 Mesa ('18)
 Oro Valley ('18)
 Pima County ('18)
 Phoenix ('18)
 Sahuarita ('12)
 Sierra Vista ('12)
 Snowflake ('15)
 Tempe ('15)
 Tucson ('18)
 Yavapai County ('12)

California

Alhambra ('12)
 Brea ('15)
 Cathedral City ('15)
 Cotati ('15)
 El Segundo ('15)
 Fremont ('15)
 Grass Valley ('15)
 Hanford City ('15)
 Huntington Park ('12)
 La Habra ('12)
 Laguna Niguel ('12)
 Los Alamitos ('12)
 Mission Viejo ('12)
 Monterey Park ('15)
 Nevada City ('15)
 Nevada County ('12)
 Palo Alto ('15)
 Sacramento County ('15)
 San Manuel Indian
 Reservation (In San
 Bernardino County) ('12)
 Seal Beach ('12)
 Sebastopol ('15)
 Temple City ('12)
 Whittier ('15)

Colorado

Adams County ('18)
 Arapahoe County ('15)
 Aspen ('15)
 Black Hawk ('15)

Blue River ('12)
 Boulder County ('15)
 Castle Pines ('15)
 Castle Rock ('12)
 Centennial ('15)
 Chaffee County ('15)
 City of Sheridan ('15)
 Federal Heights ('15)
 Fort Collins ('18)
 Garfield County ('15)
 Longmont ('18)
 Pagosa Springs ('15)
 Parker ('15)
 Salida ('15)
 Thornton ('15)
 Timnath ('18)
 Town of Buena Vista ('15)

Delaware

New Castle County ('15)

Idaho

City of Lewiston ('15)

Illinois

Addison ('12)
 Darien City ('15)
 DeKalb ('15)
 DuPage County ('15)
 Elmhurst ('12)
 Geneva ('15)
 Hainesville ('12)
 Hanover Park ('12)
 Lake Bluff ('12)
 Lake County ('12)
 Long Grove ('12)
 Loves Park ('15)
 Pecatonica ('12)
 Saint Clair County ('12)
 Shorewood ('18)
 St. Charles ('15)
 Warrenville ('15)
 Westchester ('12)

Iowa

City of Ankeny ('15)
 City of Johnston ('15)
 Coralville ('15)
 Des Moines ('15)
 Ottumwa ('15)
 Sioux Center ('15)

Kansas

DeSoto ('12)
 Gardner ('12)

Olathe ('12)
 Wichita ('12)

Maryland

Anne Arundel County ('12)
 City of Annapolis ('15)
 Montgomery County ('15)

Mississippi

Diamondhead ('12)
 Federal Heights ('12)
 Garfield County ('12)
 Pearl River Valley
 Water Supply
 District ('15)

Missouri

Branson ('18)
 City of O'Fallon ('15)
 City of Sedalia ('15)
 City of St. Charles ('15)
 Jackson ('15)
 Jefferson ('15)
 Joplin ('18)
 Ladue ('15)
 Rolla ('18)
 Sikeston ('12)
 St. Louis County ('12)
 St. Peters ('15)
 University City ('12)

Nevada

Boulder City ('12)
 Carson City ('18)
 Clark County ('18)
 Henderson ('12)
 Las Vegas ('18)
 North Las Vegas ('18)
 Sparks ('18)
 Storey County ('18)
 Washoe County ('12)
 Winnemucca ('12)

Ohio

Grove City ('18)

South Carolina

Clemson ('15)
 Greenville County ('15)
 Myrtle Beach ('15)
 Seneca ('15)

Tennessee

Alcoa ('18)
 City of Brentwood ('12)

Hendersonville ('18)
 Knox County ('18)
 Mount Juliet ('12)
 Roane County ('12)
 White House ('12)

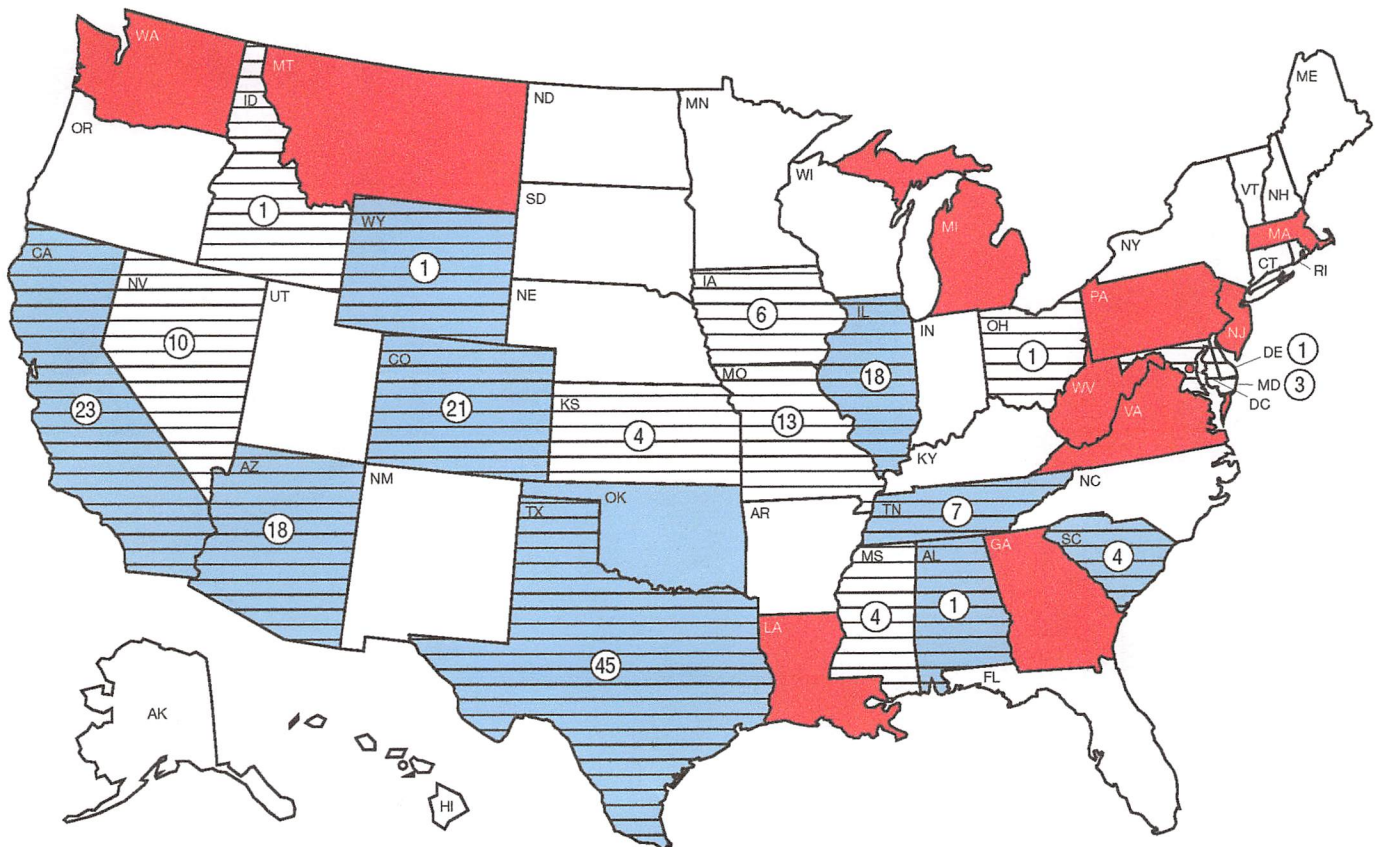
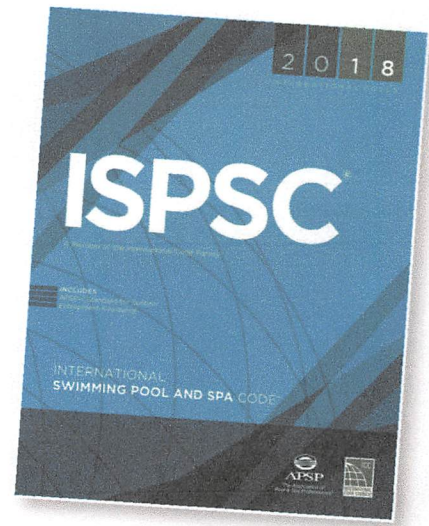
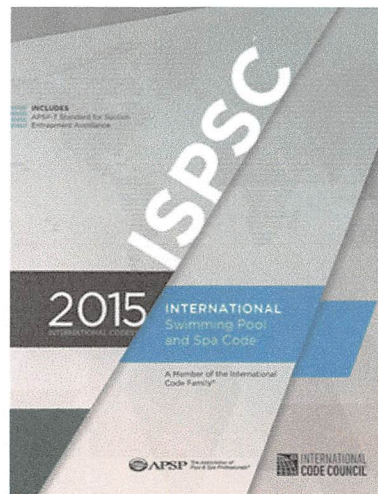
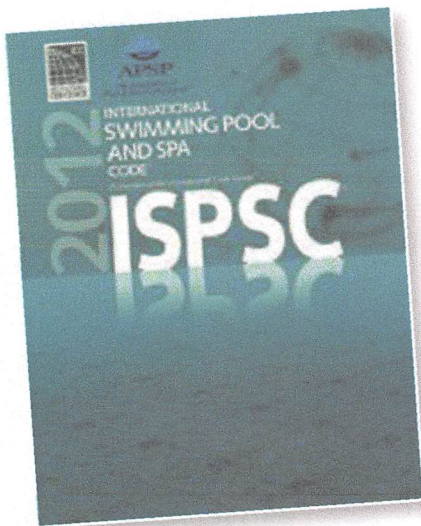
Texas

Amarillo ('15)
 Andrews ('15)
 Angleton ('12)
 Bastrop ('12)
 Bangs ('12)
 Bells ('15)
 Canton ('12)
 Canyon ('15)
 Cedar Park ('15)
 City of Missouri ('15)
 Cleveland ('15)
 Del Rio ('15)
 Euless ('15)
 Ferris ('15)
 Freeport ('15)
 Fulshear ('15)
 Grand Prairie ('15)
 Groesbeck ('18)
 Hurst ('15)
 Katy ('15)
 Killen ('15)
 Kilgore ('12)
 Kyle ('15)
 Lancaster ('15)
 Live Oak ('18)
 Manvel ('12)
 McAllen ('12)
 New Braunfels ('15)
 Nolanville ('15)
 Pearland ('15)
 Pecos ('15)
 Plainview ('15)
 Pleasanton ('15)
 Princeton ('15)
 Rosenberg ('18)
 Round Rock ('15)
 Saginaw ('12)
 San Saba ('15)
 Schertz ('12)
 Southlake ('18)
 Taylor Lake ('18)
 Universal City ('15)
 Uvalde ('15)
 Waco ('15)
 Wylie ('12)

Wyoming

Rawlins ('15)

192 State or Local Adoptions Throughout the United States



11 Mandatory State Adoptions 10 Optional Adoptions 181 Local Adoptions

*Please verify the ISPSC adoption and version with your local code officials

From: Regan Ratliff Rratliff@phta.org
Subject: Automatic Pool Cover information
Date: June 27, 2019 at 3:46 PM
To: robin.hudson@comcast.net

RR

Hi Robin,

Please let me know if you have questions. Hope this helps!

Here's a summary of the attachments:

1. International Swimming Pool and Spa Code: This code has been developed by the ICC/ANSI/APSP. The International Swimming Pool and Spa Code (ISPSC) is a design and construction code used for residential and commercial swimming pools and spas. The ISPSC mentions barrier requirements in section 305. Here is the link to view the code for free: <https://codes.iccsafe.org/content/ISPSC2018/chapter-3-general-compliance>

CHAPTER 3 GENERAL COMPLIANCE | 2018 International Swimming Pool and Spa Code | ICC premiumACCESS - codes.iccsafe.org

User note: About this chapter: Chapter 3 covers general regulations for pool and spa installations. As many of these requirements would need to be repeated in Chapters 3 through 10, placing such requirements in only one location eliminates code development coordination issues with the same requirement in multiple locations. These general requirements can be superseded by more specific ...

codes.iccsafe.org

2. ISPSC Adoption Sheet: This shows all the places the ISPSC has been adopted (that we know of). There is only one place in Ohio listed, however this does not mean other jurisdictions in Ohio haven't adopted the code. I have only been with the company one year and have not had the time to really look into Ohio.
3. Frequently asked questions about the ISPSC (FAQs): This gives a more in depth look into the ISPSC and can be left behind with City Council members to refer to.
4. The Department of Energy has also endorsed automatic pool covers for energy savings (which another great plus): <https://www.energy.gov/energysaver/swimming-pool-covers>



Swimming Pool Covers | Department of Energy

You can significantly reduce swimming pool heating costs by using a pool cover. On the following pages, see the tables showing the costs of heating pools with and without pool covers in different U.S. cities:

www.energy.gov

5. Consumer Product Safety Commission (CPSC) released a report on swimming pool barriers and endorsed automatic pool covers as a recommended barrier option: <https://www.cpsc.gov/s3fs-public/362%20Safety%20Barrier%20Guidelines%20for%20Pools.pdf>

Safety Barrier Guidelines for Residential Pools - CPSC.gov

4 Safety Barrier Guidelines for Residential Pools Barriers are not child proof, but they provide layers of protection for a child when there is a lapse in adult supervision. Barriers give parents

www.cpsc.gov

6. Here is an article on automatic safety covers <https://www.poolcoverspecialists.com/more-info/a-pcs-pool-cover-is-safe/>

Is An Automatic Swimming Pool Cover Safe?

What makes a Pool Cover Specialists® automatic swimming pool cover so safe? Besides meeting all the safety certifications and being code compliant, automatic swimming pool covers are an "Isolation" Barrier, which unlike other barriers such as fences...an automatic swimming pool cover actually isolates the pool water from the pool deck and its surroundings.

www.poolcoverspecialists.com



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www.APSP.org

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Alexandria, VA 22314 Colorado Springs, CO 80919

Formerly The Association of Pool & Spa Professionals/National Swimming Pool Foundation



June 2019-
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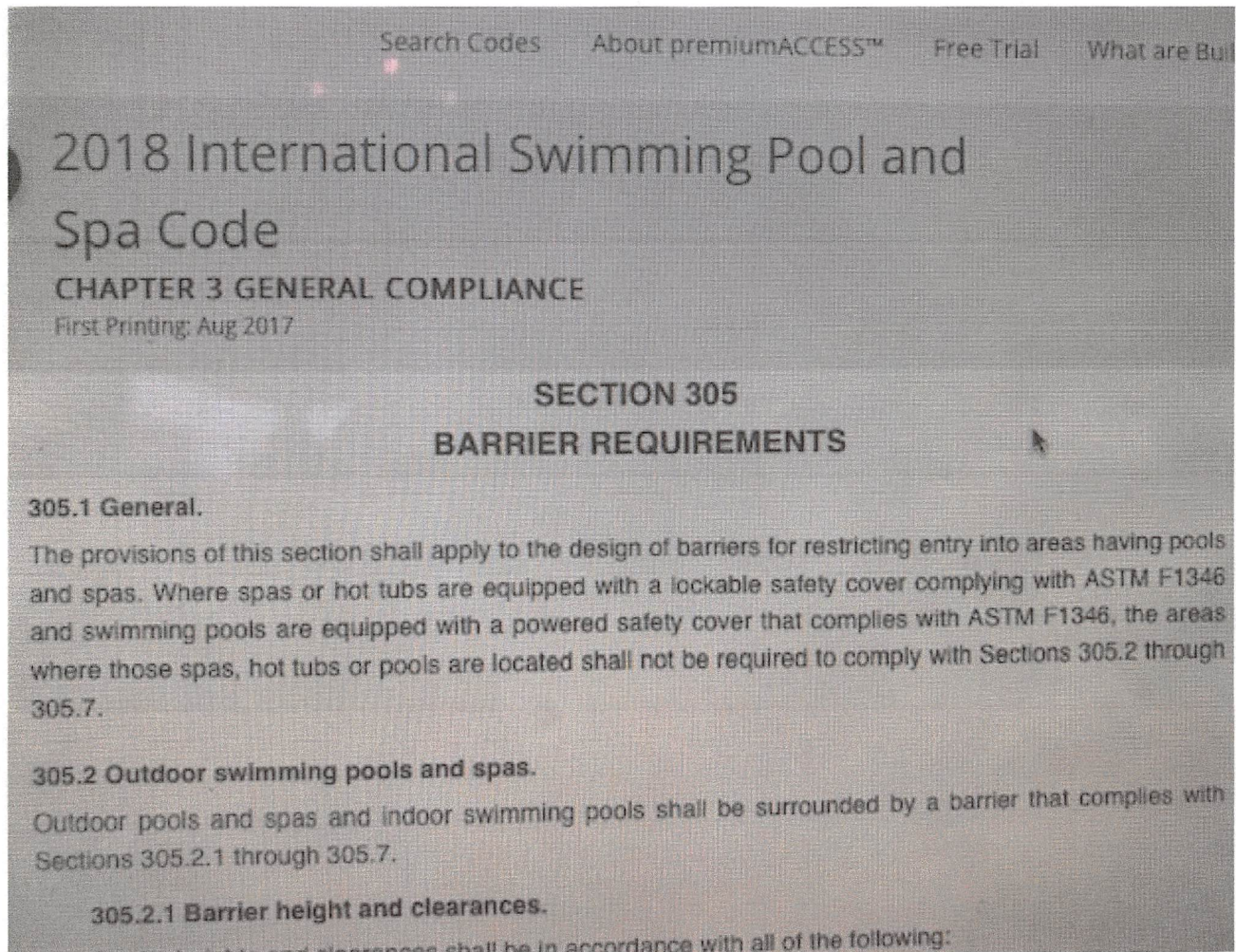


ISPSC_FAQ
Novem...18.pdf



From: **Justin Hudson** drjustinhudson@gmail.com
Subject:
Date: June 27, 2019 at 4:40 PM
To: Robin Hudson robin.hudson@comcast.net

JH



JUSTIN R. HUDSON, DPM, FACFAS, CWS

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INTERNATIONAL SWIMMING POOL & SPA CODE (ISPSC)

1. **What is the ISPSC?** The ISPSC is the first and only comprehensive model swimming pool and spa code available for states and localities to adopt. It is the only model code that addresses ALL (public and residential) types of pools and spas, and covers ALL aspects of construction & design; including barriers, entrapment prevention, materials, finishes, dimensions and slopes, exits and entries, circulation, sanitization, signage and depth markers, and energy efficiency. It also covers ancillary components such as suction fittings, filters, pumps, motors, heaters, diving equipment, ladders and steps. It is part of the family of International Code Council model codes and was developed jointly with the APSP.
2. **Why is the ISPSC needed?** There is no other Code or Standard that addresses all aspects of residential and public pool and spa construction & design. While most states and local jurisdictions have some form of existing public pool code, most lack a comprehensive code or laws that address the design, construction and safety of residential pools, which is where most pool related injuries occur. Many jurisdictions lack even a barrier or suction-fitting requirement in residential pools.
3. **Why would a state or locality want to adopt the ISPSC?** Adoption of the ISPSC will:
 - Substantially reduce child drowning or near drowning incidents by introducing or enhancing existing barrier requirements in residential pools and spas.
 - Eliminate entrapment incidents by requiring compliance with the provisions in the Virginia Graeme Baker Pool and Spa Safety Act, and the ANSI/APSP-7 Entrapment Avoidance Standard.
 - Eliminate electrical incidents in and around pools and spas by requiring compliance with the National Electric Code
 - Save lives and reduce visits to the ER generally by establishing a state of the art comprehensive code that reduces child drowning by requiring barriers, compliant designs and slopes and exists and entry; eliminates entrapment incidents once and for all; ensures pools & in-ground spas are built with proper materials.
 - Reduce both energy & water consumption in pools and spas.
 - Make life easier for code inspectors by adopting simple, understandable & verifiable language.
 - Bring states into compliance with the Virginia Graeme Baker Pool & Spa Safety Act, as well as help them qualify for grants under the Act.
4. **How was the ISPSC developed?** The ISPSC was developed through the rigorous International Code Council Government Consensus Process, which requires full and fair consideration of all comments and submissions, first by a balanced panel of recognized experts, and secondly, a final determination by the public servants who have hands on experience, and who comprises the ICC membership.
5. **Are the ANSI approved APSP standards included in the ISPSC?** Yes, the ISPSC is derived from and fully supported by the ANSI/APSP national consensus standards, which have been developed under the rigorous due process requirements of the American National Standards Institute. This process ensures full and fair considerations of all comments and submissions, and final determination by a balanced panel of recognized experts, including representatives of public health departments, independent testing facilities, the National Safety Council and the US Consumer Product Safety Commission.
6. **Does the ISPSC cover public pools, spas, & aquatic recreation facilities?** Yes, the ISPSC covers all aspects of design and construction of public (commercial) pools, spas & aquatic recreation facilities by incorporating language from the APSP-1, APSP-2, and APSP-9 Standards and incorporating best practices from state codes. Further, it separates public pools into several discreet and necessary categories (including semi public, distinguishing between large municipal and hotel or condominium pools for example) as well as spas (inground, portable and swim).

7. **How does a State or Locality go about adopting the ISPSC?** Most states adopt building codes on a three-year cycle, with a state agency that oversees the adoption of such codes holding rulemaking hearings when reviewing new codes for consideration. A state can adopt a new code for mandatory use statewide or it can then be determined at the local level whether a particular jurisdiction wants to adopt a particular code by a local ordinance. Many times a separate state agency (health and/or environmental state agency) oversees public pools and spas; therefore, it is also imperative to work with this agency to ensure any public pool or spa rule adopts construction & design language consistent with the ISPSC.
8. **How can APSP members help to ensure adoption of the ISPSC in their State or Locality?** They can start by discussing the ISPSC with their local building officials and inspectors, hold joint APSP and ICC (building official & inspector) meetings to discuss when the next opening for adoption of a new code is in a particular state or locality, and then participate in the rulemaking process to support the adoption of the ISPSC. APSP members can also encourage their building officials and inspectors to discuss with health inspectors the importance of the ISPSC, to encourage consistency between any rules (codes) adopted by the health inspectors.
9. **How will the ISPSC be enforced?** Once adopted by a state or locality, building and/or health inspectors will enforce the ISPSC through the permitting and inspection processes. Direct action against noncompliant facilities may be taken by local building or health officials enforcing state or health building codes that reference the ISPSC. Violations of the Code may prevent issuance of a permit or certificate of occupancy, subject a covered pool to closure, and/or subject the builder or owner/operator to civil liability or penalties.
10. **Does the ISPSC apply to both existing and new pools and spas?** As a design and construction code the ISPSC is intended to apply to newly constructed or renovated pools and spas (meaning those built or renovated after the date the new code goes into effect). Individual jurisdictions can elect to make certain provisions retroactive or require that when certain parts are being replaced they must comply with the new code, i.e. drain covers or energy efficient pumps or motors.
11. **How many editions of the ISPSC currently exist?** The 2018 ISPSC is the 3rd and current edition and is available for adoption. A number of states and localities have already adopted or are in the process of adopting or considering the prior 2015 edition. As with all I-codes, the ISPSC undergoes a rigorous triennial review process, allowing a code to be open to improvement as new technologies and scientific advances are presented.
12. **Where can I learn more about the ISPSC requirements?** APSP has developed a course, "How to Build and Comply with the ISPSC" that can be scheduled by contacting APSP. Further, as with other I-codes, the ISPSC also provides a concise commentary book for users that provides an understanding of requirements found in the code. Information on both the ISPSC and the ISPSC Commentary can be found on the APSP website and at www.ICCsafe.org.
13. **What are the Top benefits of a state or locality adopting the ISPSC?**
 - The only comprehensive model residential and public swimming pool and spa code available.
 - "NEW" state and local jurisdictions adopting the ISPSC are eligible for [Consumer Product Safety Commission \(CPSC\)](http://www.ConsumerProductSafetyCommission.gov) yearly training money.
 - Enhances residential pool barrier requirements, reducing drowning or near drowning.
 - Eliminates entrapment incidents, and ensures Virginia Graeme Baker Act compliance and eligibility under the VGB State Grant Program by reference to APSP-7 Standard for Suction Entrapment Avoidance.
 - Uses time-proven ANSI/APSP standards by reference and integration.
 - Contains barrier, decking and lighting provisions coordinating with the IBC.
 - Covers all types of aquatic vessels, including residential and public pools, portable and in-ground spas, water parks, exercise spas, and hot tubs.
 - Is based on up to date, scientific and third party testing and research on issues such as entrapment prevention, drowning prevention, energy usage and materials and dimensions.
 - Requires portable spas be certified to the latest industry standards, eliminating the need to inspect inaccessible interior components.
 - The first swimming pool and spa code to address aquatic recreation facilities.
 - The first swimming pool and spa code to address energy usage by including an energy standard for residential portable electric spas and for residential in-ground swimming pool and spa equipment.

1147.06 - SWIMMING POOLS.

- (a) *Purpose.* It is the purpose of this section, to promote the public health, safety, and welfare through the regulation of swimming pool facilities which are constructed, operated or maintained as an accessory use.
- (b) *Private Swimming Pools.* No private swimming pool, exclusive of portable swimming pools with a diameter of less than 12 feet or with an area of less than 100 square feet, or a farm pond, shall be allowed in any residential district or commercial district except as an accessory use, and shall comply with the following requirements:
 - (1) The pool is intended to be used and is used solely for the enjoyment of the occupants of the property on which it is located and their guests.
 - (2) The pool may be located anywhere on the premises except in required front yards, provided that it shall not be located closer than 12 feet to any property line or easement.
 - (3) The swimming pool, or the entire property upon which it is located, shall be walled or fenced in such a manner as to prevent uncontrolled access by children from the street and from adjacent properties.
- (c) *Community or Club Swimming Pools.* A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club or association, for use and enjoyment by members and their families. Such swimming pools shall comply with the following requirements:
 - (1) The pool is intended solely for and is used solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
 - (2) The pool and accessory structures thereto shall not be located closer than 100 feet to any property line or easement.
 - (3) The swimming pool, its accessory facilities, and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than six feet in height and maintained in good condition with a gate and lock. The area surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs, and trees and maintained in good condition.
 - (4) Such pool facilities shall not be operated prior to 9:00 a.m. in the morning or after 10:00 p.m. in the evening.