

## Private Swimming Pools, Hot Tubs and Spas

### Alberta's Safety System

Alberta Municipal Affairs works in partnership with the Safety Codes Council, municipalities, corporations, agencies, and other organizations, to deliver effective community-focused public safety programs and services to Albertans.

*Although the use of swimming pools is a wonderful way to enjoy the summer, caution needs to be exercised to prevent unnecessary accidents.*

The 2014 Alberta Building Code has specific safety requirements governing swimming pools and the placement of pools to protect you and neighboring children who may be tempted to use your pool without your knowledge.

### Swimming pool design

Swimming pools can be above ground, below ground or special purpose types such as a Whirlpool (Hot Tub) or a swim spa.

**NOTE:** Under the Alberta Building Code, **swimming pool** means a structure, basin or tank containing an artificially created pool of water that is used for swimming, recreation, bathing, diving, wading, healing or therapy, religious rituals or other purposes, and includes all buildings, equipment and facilities used in connection with it.

### Importance of permits

The *Safety Codes Act* requires that permits in Alberta be obtained prior to commencing work on any buildings covered by the Alberta Building and Fire Codes, the Canadian Electrical Code, the Gas Code, or the National Plumbing Code.

Permits are part of a process to access compliance to a minimum standard of construction safety for the benefit of all Albertans. If construction projects are undertaken without required permits, the owner may be subject to penalties and extra costs incurred to bring a project into compliance.

As the property owner, you are responsible to obtain all necessary permits. A contractor can look after this on your behalf; however, you should specify in writing, who will get the required permits. Some jurisdictions may require a letter of authorization before a contractor can apply for permit(s) on your behalf.

## Private swimming pools

**Private swimming pool** means a **swimming pool** that is constructed for the use of a single family *dwelling unit* or a house with a *secondary suite* by the *owners* and their guest.

**NOTE:** These requirements are applicable even if the private swimming pool is designed for use as an above ground swimming pool.

The **Alberta Building Code** states the following for fence and gate design and construction of private swimming pools and for their required protection:

### Fence and gate design

- 1) The entire area of an outdoor swimming pool shall be protected by a fence, building wall or enclosure that can prevent access by unauthorized persons. Its height above the outside ground level shall not be less than 1.8 m (6'-0") for a private swimming pool.
- 2) An opening for access through a fence around a private swimming pool shall be protected by a gate that is;
  - the same height as the fence;
  - equipped with a self-closing device;
  - equipped with a self-latching device on the inside of the gate located not less than 1.5m (5'-0") above the ground level; and
  - capable of being locked.
- 3) The fence and gate around a swimming pool or a private swimming pool shall be constructed so that all horizontal and diagonal members are located on the swimming pool side. The space between fencing members is limited to 100 mm (or 4").

### Benefits of getting a permit

When you get a permit, certified safety codes officers (inspectors) will:

- give you expert advice,
- review your plans to find any potential problems,
- inspect your project, and
- make sure your project meets the Alberta Building Code.

Making changes at the planning stage can save you money, rather than making costly corrections after construction. Certified safety codes officers will give you an inspection report(s) and follow-up on deficiencies to make sure your project is safe and in compliance.

### Where do you get a permit?

Permits are available through municipalities that administer the *Safety Codes Act* and through agencies that provide inspection services on behalf of municipalities or the province. If you don't know whether your municipality issues permits, contact the Alberta Safety Codes Authority (ASCA) at 1-877-413-6725 or visit [safetycodes.ab.ca/ASCA](http://safetycodes.ab.ca/ASCA).

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- 4) Barbed wire shall not be used on or for a fence or gate around a swimming pool or private swimming pool.
- 5) No device shall be installed on or adjacent to a fence or gate around a swimming pool or a private swimming pool that could cause an electric current to pass through the fence or gate.

**NOTE:** A fence is not required around any portion of an outdoor private swimming pool where the top of the outside wall of the private swimming pool is not less than 1.8 m (6'-0") above the surrounding ground level, and the only means of access to the private swimming pool is through a gate or similar facility.

### Protective covers

As an alternative to installing a fence and gate to prevent unauthorized access to your swimming pool, the Alberta Building Code permits the use of protective covers that:

- a) have been designed and constructed in conformance with ASTM F1346, *Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs* (Ask the pool company to provide you with documentation to ensure the covers are compliant); and
- b) are provided with lockable devices to prevent access to the water by unauthorized persons.

### Applying for a building permit

When applying for a building permit, you must submit the following information to your local authority:

- details of the project or occupancy to be covered by the permit.
- details of the land on which the project will be located, including a description that will easily identify and locate the building lot.
- plans, specifications and other documents showing, in detail, the proposed occupancy of all parts of the building. state the value of the proposed project.

### Hire qualified tradespeople

Specific trades such as electricians, plumbers and gasfitters must be certified to work in Alberta. To find out if the tradespeople you are hiring need to be certified in Alberta or to verify an individual's status, you may contact *The Apprenticeship and Industry Training* office by calling 310-0000.

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### Do you need a permit?

Yes, you will need to obtain a building permit before installing a private swimming pool, hot tub or spa. Check with your municipality to find out what permits you need or contact Municipal Affairs to find the permit provider in your area. Make sure you get your permit(s)

**IMPORTANT:** Check with your municipality on the zoning and development bylaws in your area. Some restrictions may apply.

**Gas permits** are required to install or modify all gas-fired swimming pool heaters.

Gas-fired swimming pool heaters must be installed and maintained in accordance with manufacture's certified instructions, and **the current Natural Gas and Propane Installation Code**.




**Electrical Permits** are required for electrical work on any private pool, hot tub or spa installations.

When constructing in, or around pools, the Canadian electrical code must be followed to ensure proper grounding, bonding, and GFCI requirements are met. For outdoor pools located near overhead power lines, there may be additional rules and regulations to ensure safety. Outdoor installations must also satisfy minimum clearance requirements to all over-head and under-ground power lines.

### More information:

#### Alberta Municipal Affairs

Community & Technical Support  
16<sup>th</sup> Floor, Commerce Place  
10155 - 102 Street  
Edmonton, Alberta T5J 4L4

 Toll-free: 1-866-421-6929  
 [safety.services@gov.ab.ca](mailto:safety.services@gov.ab.ca)  
 [municipalaffairs.gov.ab.ca](http://municipalaffairs.gov.ab.ca)

#### Safety Codes Council

Suite 1000  
10665 - Jasper Ave NW  
Edmonton, Alberta T5J 3S9

Toll-free within Alberta:  
 1-888-413-0099  
1-888-424-5134  
 [webmaster@safetycodes.ab.ca](mailto:webmaster@safetycodes.ab.ca)  
 [safetycodes.ab.ca](http://safetycodes.ab.ca)

#### Alberta Safety Codes Authority (ASCA)

Toll-free within Alberta:  
 1-877-413-6725  
 [askasca@safetycodes.ab.ca](mailto:askasca@safetycodes.ab.ca)  
 [safetycodes.ab.ca/ASCA](http://safetycodes.ab.ca/ASCA)

### Call (or click) before you dig!

**Alberta One Call** will locate utility lines on your property. Call or click before you start any project that involves digging in your yard. Alberta One Call will locate gas, water, electricity, drainage, telephone and cable TV lines. Allow at least two full working days for Alberta One Call to locate your utility lines.

*These brochures may be updated periodically. They have no legal status and cannot be used as an official interpretation of the various bylaws, codes and regulations currently in effect.*