

**Accessory Pools and Spas**  
**Lake Havasu City – Development Code Excerpt**

**14.03.03.E.8. ACCESSORY POOLS AND SPAS**

8. *Accessory pools and spas.* A swimming pool, spa, or other contained body of water, whether belowground, aboveground, permanent, or portable, that is 18 inches or more in depth at any point and is intended for human use, shall be protected as provided for in this section.

a. *Exemptions.* The following shall be exempt from this section:

- i. A system of sumps, irrigation canals, irrigation, flood control, or drainage works constructed or operated for the purpose of conveying, delivering, distributing, or storing water;
- ii. Livestock operations, livestock watering troughs, stock ponds, storage tanks, or other structures used in normal agricultural practices;
- iii. Public or semi-public swimming pools.

b. *Enclosure.*

- i. Swimming pools, spas, or other contained bodies of water shall be entirely enclosed by at least a 5-foot high permanent fence, wall, wire fencing at least 11.5 gauge, or other barrier.
- ii. Enclosure height shall be measured on the exterior side of the wall, fence, or barrier.
- iii. Enclosures shall have no openings through which a spherical object 4 inches in diameter can pass.
- iv. The horizontal components of the enclosure shall be spaced not less than 45 inches apart, measured vertically or shall be placed on the pool side of the enclosure as long as the enclosure does not provide any opening greater than 1.75 inches measured horizontally.
- v. Wire mesh or chain link enclosures shall be a maximum mesh size of 1.75 inches measured horizontally.
- vi. Enclosures shall be placed at least 20 inches from the water's edge.
- vii. Enclosure gates shall be self-closing, self-latching, and open outward from the pool. An unsecured latch shall be located at least 54 inches above grade if on the exterior of the enclosure. If on the pool side of the enclosure, the release mechanism shall be at least 5 inches below the top of the gate and no opening greater than 0.5 inches shall be within 24 inches of the release mechanism or be secured by a padlock or similar device that requires a key, electric opener, or integral combination which may have the latch located at any height.
- viii. Above ground spas less than 8 feet wide may substitute an electronically or manually placed cover designed and intended for use with a spa in lieu of an enclosure. This cover shall meet the National Safety Council minimum specifications with a locking mechanism that is secured by a padlock or similar device that requires a key, electric opener, or integral combination.

c. *Access from residence or living areas.* If a residence or other living structure constitutes a part of the required enclosure, allowing direct access from the residence or living area into the

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enclosure, 1 of the following methods shall be used to restrict access for safety purposes in lieu of the requirements of subsection b., except as noted:

i. Between the swimming pool, spa, or other contained body of water and the residence or living structure, a wall, fence, or barrier a minimum of 4 feet in height shall be constructed in compliance with subsection b. above.

ii. Pools shall be protected by a motorized safety cover that meets the American Society of Testing and the Materials Emergency Standards 13-89 and that requires the operation of a key switch as the only manual operation necessary.

iii. Spas shall be protected by a manually placed safety cover designed and intended for use with a spa.

iv. Doors with direct access to a swimming pool, spa, or other contained body of water shall be equipped with a self-latching device that meets the requirements of subparagraph b.7. above or shall be equipped with an audible alarm which shall be listed in accordance with United Laboratories Standard 2017. Emergency escape or rescue windows from sleeping rooms with access to a swimming pool, spa, or other contained body of water shall be equipped with a latching device not less than 54 inches above the floor. All other openable windows with similar access shall be equipped with a screwed-in-place wire mesh screen, keyed lock that prevents the window from being opened more than 4 inches, or a latching device not less than 54 inches above the floor.

v. The swimming pool or spa shall be aboveground with non-climbable exterior sides that are a minimum of 4 feet high. Any access ladder or steps shall be removable without tools and be secured in an inaccessible position with a latching device located not less than 54 inches above the ground when the pool is not in use.

The following are graphic examples of when subsection c. applies:



For general reference only. Contact a Planning and Zoning Division representative for more information.

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d. *Notice of responsibilities.* A person on entering into an agreement to build a swimming pool, spa, or other contained body of water, or to sell, rent, or lease a dwelling with a swimming pool, spa, or other contained body of water shall give the buyer, lessee, or renter a notice explaining safety education and responsibilities of pool ownership as approved by the Department of Health Services.

e. *Approval of enclosures.* Applications for swimming pools, spas, or other contained bodies of water shall include detailed plans of the enclosure to be provided. The enclosures will be considered a part of the installation. A temporary fence or warning ribbon shall be installed around all inground pools, spas, or other contained bodies of water during construction. Pools, spas, or other contained bodies of water shall not be filled with water until the enclosure is in place and approved by the Building Inspector.

f. *Violations.* A person who violates this section is guilty of criminal violation of this Development Code in compliance with § 14.05.06 “Violation, Enforcement, and Penalties” except that no fine may be imposed if a sufficient showing is made that the person has subsequently equipped the swimming pool, spa, or contained body of water with an enclosure in compliance with this section within 45 days of citation.