

NOTE: NEED CSC TO INSTALL A ABOVE
GROUND & IN GROUND SWIMMING POOL WITHOUT
RESTRICTION & 1 & 2 FAMILY, OR HIC LICENSE

MASSACHUSETTS BUILDING CODE

780CMR 7th Edition

780CMR 120.M Swimming Pools, Spas and Hot Tubs

An overview,
as presented to the District 7 Building Officials
at the Billerica Town Hall, 365 Boston Road, Billerica, MA

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780 CMR 120.M

SWIMMING POOLS, SPAS AND HOT TUBS

780 CMR 120.M101 GENERAL

120.M101.1 General. The provisions of 780 CMR 120.M shall control the design and construction of swimming pools, spas and hot tubs.

Note 1: Public and semi-public outdoor in-ground swimming pool enclosures shall conform to the requirements of M.G.L. c. 140, § 206.

Note 2: Also see 521 CMR 19.00: Recreational Facilities.

Note 3: Also see 105 CMR 430.000 and 435.000 as such regulates swimming pool requirements.

Note 4: Installation of electrical wiring and electrical devices shall be in accordance with 527 CMR 12.00: Massachusetts Electrical Code.

Note 5: Installation of gas-fired pool heaters shall be in accordance with 248 CMR (the Massachusetts Fuel Gas and Plumbing Code).

780 CMR 120.M102 DEFINITIONS

120.M102.1 General. For the purposes of 780 CMR 120.M, the terms used shall be defined as follows and as set forth in 780 CMR 52.00.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming Pool."

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming Pool."

IN-GROUND POOL. See "Swimming Pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family town-house not more than three stories in height.

SPA, NONPORTABLE. See "Swimming Pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

* **SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

780 CMR 120.M103 SWIMMING POOLS

120.M103.1 In-ground Pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in 780 CMR 120.M107.

120.M103.2 Above-ground and On-ground Pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in 780 CMR 120.M107.

780 CMR 120.M104 SPAS AND HOT TUBS

120.M104.1 Permanently Installed Spas and Hot Tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in 780 CMR 120.M107.

120.M104.2 Portable Spas and Hot Tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in 780 CMR 120.M107.

780 CMR 120.M105 BARRIER REQUIREMENTS

120.M105.1 Application. The provisions of 780 CMR 120.M shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drowning and near-drowning by restricting access to swimming pools, spas and hot tubs.

120.M105.2 Outdoor Swimming Pool. An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (102 mm).

3105.3 Design and construction. Awnings and canopies shall be designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 with due allowance for shape, open construction and similar features that relieve the pressures or loads. Structural members shall be protected to prevent deterioration. Awnings shall have frames of noncombustible material, *fire-retardant-treated wood*, wood of Type IV size, or 1-hour construction with combustible or noncombustible covers and shall be either fixed, retractable, folding or collapsible.

3105.4 Canopy materials. Canopies shall be constructed of a rigid framework with an *approved* covering that meets the fire propagation performance criteria of NFPA 701 or has a *flame spread index* not greater than 25 when tested in accordance with ASTM E 84 or UL 723.

SECTION 3106 MARQUEES

3106.1 General. Marquees shall comply with this section and other applicable sections of this code.

3106.2 Thickness. The maximum height or thickness of a marquee measured vertically from its lowest to its highest point shall not exceed 3 feet (914 mm) where the marquee projects more than two-thirds of the distance from the property line to the curb line, and shall not exceed 9 feet (2743 mm) where the marquee is less than two-thirds of the distance from the property line to the curb line.

3106.3 Roof construction. Where the roof or any part thereof is a skylight, the skylight shall comply with the requirements of Chapter 24. Every roof and skylight of a marquee shall be sloped to downspouts that shall conduct any drainage from the marquee in such a manner so as not to spill over the sidewalk.

3106.4 Location prohibited. Every marquee shall be so located as not to interfere with the operation of any exterior standpipe, and such that the marquee does not obstruct the clear passage of stairways or exit discharge from the building or the installation or maintenance of street lighting.

3106.5 Construction. A marquee shall be supported entirely from the building and constructed of noncombustible materials. Marquees shall be designed as required in Chapter 16. Structural members shall be protected to prevent deterioration.

SECTION 3107 SIGNS

3107.1 General. Signs shall be designed, constructed and maintained in accordance with this code.

SECTION 3108 TELECOMMUNICATION AND BROADCAST TOWERS

3108.1 General. Towers shall be designed and constructed in accordance with the provisions of TIA-222.

Exception: Single free-standing poles used to support antennas not greater than 75 feet (22 860 mm), measured

from the top of the pole to grade, shall not be required to be noncombustible.

3108.2 Location and access. Towers shall be located such that guy wires and other accessories shall not cross or encroach upon any street or other public space, or over above-ground electric utility lines, or encroach upon any privately owned property without the written consent of the owner of the encroached-upon property, space or above-ground electric utility lines. Towers shall be equipped with climbing and working facilities in compliance with TIA-222. Access to the tower sites shall be limited as required by applicable OSHA, FCC and EPA regulations.

SECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

3109.1 General. Swimming pools shall comply with the requirements of this section and other applicable sections of this code.

3109.2 Definition. The following word and term shall, for the purposes of this section and as used elsewhere in this code, have the meaning shown herein.

SWIMMING POOLS. Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

3109.3 Public swimming pools. Public swimming pools shall be completely enclosed by a fence at least 4 feet (1290 mm) in height or a screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

3109.4 Residential swimming pools. Residential swimming pools shall comply with Sections 3109.4.1 through 3109.4.3.

Exception: A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346.

3109.4.1 Barrier height and clearances. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

3109.4.1.1 Openings. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3109.4.1.2 Solid barrier surfaces. Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

3109.4.1.3 Closely spaced horizontal members.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed $1\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.

3109.4.1.4 Widely spaced horizontal members.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.

3109.4.1.5 Chain link dimensions. Maximum mesh size for chain link fences shall be a $2\frac{1}{4}$ inch square (57 mm square) unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than $1\frac{3}{4}$ inches (44 mm).

3109.4.1.6 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than $1\frac{3}{4}$ inches (44 mm).

3109.4.1.7 Gates. Access doors or gates shall comply with the requirements of Sections 3109.4.1.1 through 3109.4.1.6 and shall be equipped to accommodate a locking device. Pedestrian access doors or gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Doors or gates other than pedestrian access doors or gates shall have a self-latching device. Release mechanisms shall be in accordance with Sections 1008.1.9 and 1109.12. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the door or gate, the release mechanism shall be located on the pool side of the door or gate at least 3 inches (76 mm) below the top of the door or gate, and the door or gate and barrier shall have no opening greater than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

3109.4.1.8 Dwelling wall as a barrier. Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

1. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. In dwellings not required to be *Accessible units, Type A units* or *Type B units*, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be *Accessible units, Type A units* or *Type B units*, the deactivation switch(es) shall be

located at 54 inches (1372 mm) maximum and 48 inches (1219 mm) minimum above the threshold of the door.

2. The pool shall be equipped with a power safety cover that complies with ASTM F 1346.
3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved*, shall be accepted so long as the degree of protection afforded is not less than the protection afforded by Section 3109.4.1.8, Item 1 or 2.

3109.4.1.9 Pool structure as barrier. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections 3109.4.1.1 through 3109.4.1.8. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

3109.4.2 Indoor swimming pools. Walls surrounding indoor swimming pools shall not be required to comply with Section 3109.4.1.8.

3109.4.3 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

3109.5 Entrapment avoidance. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

SECTION 3110 AUTOMATIC VEHICULAR GATES

3110.1 General. Automatic vehicular gates shall comply with the requirements of this section and other applicable sections of this code.

3110.2 Definitions. The following word and term shall, for the purposes of this section and as used elsewhere in this code, have the meaning shown herein.

VEHICULAR GATE. A gate that is intended for use at a vehicular entrance or exit to a facility, building or portion thereof, and that is not intended for use by pedestrian traffic.

3110.3 Vehicular gates intended for automation. Vehicular gates intended for automation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

3110.4 Vehicular gate openers. Vehicular gate openers, when provided, shall be *listed* in accordance with UL 325.