



NEW YORK STATE DEPARTMENT OF STATE

Division of Code Enforcement and Administration

Phone : (518) 474-4073
www.dos.state.ny.us

Fax : (518) 486-4487
E-mail: info@dos.state.ny.us

TECHNICAL BULLETIN

Effective Date: January 1, 2003

Source Document: 19NYCRR 1220 - *Residential Code of New York State (RCNYS)*

Topic: Self-set swimming pool with 48 inch wall height

This document is to answer the question whether a self-set or quick-set swimming pool (not rigid metal walls) with 48 inch or more wall height meets the requirements of section AG105.2 of Appendix G of the *Residential Code of New York State (RCNYS)* as a barrier.

NO. Section AG105.2 states in part:

*An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a **barrier** ...*

The term “barrier” is defined as “*A fence, wall, building wall or combination thereof which completely surrounds the swimming pool **and obstructs access to the swimming pool.***”

Although the self-set pool has a 48 inch wall, it does not obstruct access because it is not rigid. The wall can easily be deflected by a child who grabs the top inflated ring.

Ronald E. Piester, R.A., Director
Division of Code Enforcement and Administration