

STATE BUILDING CODE INTERPRETATION NO. I-17-02

July 31, 2002

The following is offered in response to your request for a formal interpretation of sections 421.10.1 and 421.10.3 of the BOCA National Building Code/1996 portion of the 1999 State Building Code. Your request included a sketch of a prefabricated enclosure for steps leading up to an above-ground pool. Your concern is the ends of the stair treads, which have been fitted with an angled cover to discourage climbing.

Question: Are the protrusions at either side of the enclosure acceptable, in that they might allow one to climb up the outside of the enclosure to gain access to the pool?

Answer: The sketch submitted does not contain sufficient information to make a determination if the intent of the code has been met, but I will explain the code's requirements for application in the field by the local code official. All of the various requirements set forth in section 421.10.1 lead to one conclusion: it is the intent of the code that a barrier that is impenetrable to and not climbable by small children be constructed and maintained around private swimming pools. In addition, section 421.10.3 makes it clear that there can be no objects located in close proximity to the pool barrier that would facilitate climbing the barrier. With that in mind, in keeping with the fact that the size of the child we are trying to keep away from the pool is such that they cannot reach a gate latch at 54 inches above the bottom of the gate, an on-site determination must be made by the local building official as to the climbability of the angled protrusions. If, for example, the protrusions are constructed of a slippery material at a steep angle, it may not be possible for a small child to use them for climbing, and the intent of the code has thus been met. If this is not the case, and the barrier can be easily climbed by a small child, the intent of the code has not been met. Keep in mind that the test that must be passed is the ability of a small child to climb the barrier, not the ability of an adult to climb the barrier.