

STATE BUILDING CODE INTERPRETATION NO. I-23-01

July 23, 2001

The following is offered in response to your letter to me dated July 6, 2001 in which you seek formal interpretations of the provisions of section 421.1 of the BOCA National Building Code/1996 portion of the 1999 State Building Code. Your questions involve possible exemptions for inflatable swimming pools.

Question One: The pool in question is 36 inches tall with less than 24 inches of water in it. How is pool depth measured for the purposes of determining if a pool must follow the regulations set forth in Section 421.0 due to the depth exceeding 24 inches?

Answer One: Section 421.1 of the referenced code states that the pool regulations do not apply to any pool less than 24 inches deep, *or* less than 250 square feet in surface area except where such pools are permanently equipped with a water-recirculating system or involve structural materials. The depth requirement is for the pool itself, not for the depth of the water. The pool you describe, with 36 inch inflatable walls, but holding less than 24 inches of water, is, in the eyes of the code, a 36 inch deep pool. One would determine the depth of the pool as the highest point of the walls of the pool capable of containing water, not the arbitrary depth of water that one may wish to put in the pool at any given time.

In addition, it is important to note that the word “or” is used between the pool height and pool area criteria for exemption from the regulations. This means that the regulations do not apply to pools that fall into either criteria, as long as they do not employ a permanent water-recirculating system, or structural materials. Theoretically, you could encounter a four foot deep pool that is less than 250 square feet in surface area that the regulations would not apply to, just as they would not apply to a 23 ½ inch deep pool that is 600 square feet in area, *as long as neither pool employed a permanent water-recirculating system or structural materials*. Conversations BOCA International indicate agreement with this interpretation.

Question Two: What constitutes a permanent water-recirculating system?

Answer Two: The intent of the code, when it allows for the exception to the pool regulations for small pools not employing either a permanent water-recirculating system or structural materials is to allow for portable pools that are normally emptied after each use, and thus do not require water filtration. A permanent water-recirculating system would be any installed system that draws water from the pool via hoses connected to the pool, through a filtration system, and back into the pool. A pump that is part of a self-contained, portable filtration system not attached to the pool, but rather lowered into the water from time to time, would not constitute a permanent water-recirculating system.