



DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013
RUDOLPH J. RINALDI, Commissioner
312-5100

MEMORANDUM

TO: The Borough Commissioners and Executive Staff
FROM: Irving Polsky, P.E. Executive Engineer *JP*
DATE: April 11, 1991
SUBJECT: Section 27-493(b) of the Building Code, in relation
to Safety Precautions for Swimming Pools,
Clarification of

Section 27-493(b) of the Building Code states:

"(b) Every outdoor swimming pool, fish pond, or other pool greater than eighteen inches deep at any point shall be protected by an enclosure, barrier or other means adequate to make such pool inaccessible to small children which including gates thereto shall be at least four feet high above the adjacent ground.

All gates shall be self-latching with latches located at least four feet high above the ground or otherwise made inaccessible to small children from the outside."

It is the interpretation of this office that:

Where a dwelling has an adjacent swimming pool or an abutting deck with an above-ground pool and access is through the exterior wall of the dwelling, the wall of the dwelling is permitted to serve as part of the enclosure under the following conditions:

1. Windows in the wall shall have a latching device at least four feet above the floor;
2. a swinging door in the wall, shall be self-closing and self-latching; and
3. a sliding door in the wall, shall have a self-latching device.

IP:cn