

4717.1550 POOL ACCESS RESTRICTION; FENCING.

Subpart 1. **General.** Access to a public pool must be controlled to effectively prevent the entrance of children.

A. Where fencing is used to control access, it must comply with subparts 2 to 6 except as noted in item B, subitem (2).

B. Access to a public pool within a building or enclosure must be controlled:

(1) by locating the pool in a separate room with self-latching doors that restrict access to the room; or

(2) with fencing or a comparable barrier which is at least four feet high and has self-closing, self-latching doors or gates.

Exception: poolside guest rooms, corridors adjacent to poolside guest rooms, and poolside activity areas may be within the pool enclosure.

Subp. 2. **Fencing.** Fencing must:

A. be at least five feet high;

B. be equipped with self-closing, self-latching gates capable of being locked;

C. not have any opening greater than four inches;

D. not have any opening greater than two inches below the fence; and

E. not be a readily climbable design.

Subp. 3. **Existing four-foot fencing.** Fencing in existence prior to January 4, 1995, that is less than five feet high must:

A. be no less than four feet high;

B. be equipped with self-closing, self-latching gates capable of being locked;

C. not have any opening greater than four inches; and

D. not be a readily climbable design.

Subp. 4. **Wading pools.** Fencing for a wading pool enclosure must be at least 42 inches high for existing installations and 48 inches high for new installations.

Subp. 5. **Chain link fencing.** New chain link fencing must not exceed 1-1/2 inch mesh for fencing less than eight feet high. New chain link fencing eight foot high or higher must have mesh which does not exceed two inches.

Subp. 6. **Latches.** Latches for new installations must be four feet above the ground.

Statutory Authority: *MS s 144.05; 144.12; 144.123; 145A.02; 157.01*

History: *19 SR 1419; 19 SR 1637*

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