To: City of Ripon
Building Department
259 N. Wilma Avenue
Ripon, CA 95366

PERMIT # ________________

I am the property owner of ____________________________,
Ripon, California. I have read Assembly Bill 3305 - Article 2.5, the Swimming Pool Safety Act, and understand the provisions contained therein.

I hereby declare that an exit alarm meeting the provisions of Assembly Bill 3305 has been installed on each door providing direct access to the pool. I further declare that I have checked the alarms and found them to be in full compliance with all provisions of Assembly Bill 3305 relating to exit alarms.

I and my family have read and/or discussed the Facts and Figures on Child Drowning handout provided to us by the City of Ripon.

Property Owner’s Name (please print)

Property Owner’s Signature ____________________________ Date ____________

PLEASE DETACH THE SIGNED SWIMMING POOL SAFETY ACT FORM AND LEAVE WITH THE INSPECTION CARD FOR THE BUILDING INSPECTOR.

Keep the facts & figures and A.B. 3305 information for your records.
FACTS AND FIGURES ON CHILD DROWNINGS*

In some of the nation’s Sunbelt, drowning has been the leading cause of accidental death in the home of children under 5 years old.

Each year, nationwide more than 300 children under 5 years old drown in residential swimming pools, usually a pool owned by their family. In addition, more than 2,000 children in that age group are treated in hospital emergency rooms for submersion injuries.

Medical costs for submersion victims during the initial hospitalization alone can be quite high. Costs can range from an estimated $2,000 for a victim who recovers fully to $80,000 for a victim with severe brain damage. Some severely brain damage victims have initial hospital stays in excess of 120 days and expenses in excess of $150,000.

Following are just a few facts uncovered by the U S Consumer Product Safety Commission (CPSC) in a comprehensive study of drowning and submersion incidents involving children under age 5 years old Arizona, California, and Florida.

• Seventy-five percent of submersion victims studied by CPSC were between 1 and 3 years old; 65 percent of this group were boys. Toddlers, in particular, often do something unexpected to be at or in the pool, yet they were found in the water.

• At the time if the incidents, most victims were being supervised by one or both parents. Forty-six percent of the victims were last seen in the house; 23 percent were last seen in the yard or on the porch or patio; and 31 percent were in or around the pool. In all 69 percent of the children were not expected to be at or in the pool, yet they were found in the water.

• Submersion incidents involving children usually happen in familiar surroundings. Sixty-five percent of the incidents happened in a pool owned by the child’s family and 33 percent of the incidents happened in a pool owned by friends or relatives.

• Pool submersion involving children happen quickly. A child can drown in the time it takes to answer the phone. Seventy-seven percent of the victims had been missing from sight for 5 minutes or less.

• Survival depends on rescuing the child quickly and restarting the breathing process, even while the child is still in the water. Seconds count in preventing death or brain damage.

• Child Drowning is a silent death. There’s no splashing to alert anyone that the child is in trouble.

*The Above information was copied from U.S. CONSUMER PRODUCT SAFETY COMMISSION publication No.359
(b) This section shall become operative on July 1, 1997. Sec 3.
Article 2.5 (commencing with Section 115920) is added to chapter 5 of part 10 of Division 104 of the Health and Safety Code, to read:

Article 2.5. The Swimming Pool Safety Act

115920. This act shall be known and may be cited as the Swimming Pool Safety Act.
115921. As used in this article the following terms have the following meanings:
(a) “Swimming pool” or “pool” means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. “Swimming Pool” includes, in-ground and above ground structures and includes, but not limited to, hot tubs, spas, portable spas and non-portable wading pools.
(b) “Public swimming pool” means a swimming pool operated for the use of the general public with or without charge, or for the use of the members or guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.
(c) “Enclosure” means a fence, wall, or other barrier that isolates a swimming pool from access to the home.
(d) “Approved safety pool cover” means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.
(e) “Exit alarms” means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.
115922, Commencing January 1, 1998, except as provided in section 115925, whenever a construction permit is issued for construction of a new swimming pool at a private, single-family home it shall be equipped with at least one of the following safety features:
(a) The pool shall be isolated from access to a home by an enclosure that meets the requirements of section 115923.
(b) The pool shall be equipped with an approved safety pool cover.
(c) The residence shall be equipped with exit alarms on those doors providing direct access to the pool.
(d) All doors providing direct access from the home to the swimming pool shall be equipped with a self closing, self latching device with a release mechanism placed no lower than 54 inches above the floor.
(c) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in subdivision (a) to (d), inclusive, as determined by the building official of the jurisdiction issuing the applicable building permit.
Any ordinance governing child access to pools adopted by a political subdivision on or before January 1, 1997, is presumed to afford protection that is equal to or greater than that afforded by any of the devices set forth in subdivisions (a) to (d), inclusive.
115923; An enclosure shall have all of the following characteristics:
(a) Any access gates through the enclosure open away from the swimming pool, and are self-closing with a self-latching device placed no lower than 60 inches above the ground.
(b) A minimum height of 60 inches.
(c) A maximum vertical clearance from the ground to the bottom of the enclosure of two inches.
(d) Gaps or voids, if any, do not allow passage of a sphere equal to or greater than four inches in diameter.
(e) An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.
A.B. 3305

115924. Any person entering into an agreement to build a swimming pool shall give the consumer notice of the requirements of this article.

115925. The requirements of this article shall not apply to any of the following:
(a) Public swimming pools.
(b) Hot tubs or spas with a locking safety cover that comply with the American Society for Testing, Materials-Emergency Performance Specification (ASTM ES 13-89).
(c) Any pool within the jurisdiction of any political subdivision that adopts an ordinance for swimming pool safety that includes requirements that are at least as stringent as this article.
(d) An apartment complex, or any residential setting other than a single family home.

115926. This Article does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as the private residence of the operator. Pool safety in those facilities shall be regulated pursuant to regulations adopted therefore by: the State Department of Social Services.

115927. Notwithstanding any other provision of law, this article shall not be subject to further modification or interpretation by any regulatory agency of the state, this authority being reserved exclusive to local jurisdictions, as provided for in subdivision (e) of section 115922 and subdivision (c) of section 115924

SEC. 4 No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within meaning of Section 17556 of the Government Code.
Notwithstanding Section 17580, of the Government Code, unless otherwise specified, in the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.