

1220.5. **Swimming pool alarms.** [amended text 12/14/2006]

(a) Purpose. Paragraph (b) of subdivision (14) of section 378 of the Executive Law, as added by Chapter 450 of the Laws of 2006, requires that the New York State Uniform Fire Prevention and Building Code (the Uniform Code) provide that any “residential or commercial swimming pool constructed or substantially modified after the effective date of this paragraph (December 14, 2006) shall be equipped with an acceptable pool alarm capable of detecting a child entering the water and of giving an audible alarm.” The Introducer’s Memorandum in Support of Chapter 450 states, in pertinent part, that “drowning is the second leading cause of unintentional injury-related deaths in children between the ages of one and fourteen nation wide, and the third leading cause of injury-related deaths of children in New York. . . .

(T)echnological advances have produced several different types of pool alarms designed to sound a warning if a child falls into the water. When used in conjunction with access barriers, these alarms provide greater protection against accidental pool drownings.” This section and section 1221.3 of Part 1221 of this Title are intended to implement the provisions of Executive Law section 378(14)(b).

(b) Definitions. The terms “approved,” “commercial swimming pool,” “residential swimming pool,” “swimming pool,” “substantial damage,” and “substantial modification” shall, for the purposes of this section, have the meanings ascribed in subdivision (b) of section 1221.3 of Part 1221 of this Title.

(c) Pool alarms. Each residential swimming pool installed, constructed or substantially modified after December 14, 2006 and each commercial swimming pool installed, constructed or substantially modified after December 14, 2006 shall be equipped with an approved pool alarm which:

(1) is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;

(2) is audible poolside and at another location on the premises where the swimming pool is located;

(3) is installed, used and maintained in accordance with the manufacturer’s instructions;

(4) is classified by Underwriter’s Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F2208, entitled “Standard Specification for Pool Alarms,” as adopted in 2002 and editorially corrected in June 2005, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428; and

(5) is not an alarm device which is located on person(s) or which is dependent on device(s) located on person(s) for its proper operation.

(d) Multiple pool alarms. A pool alarm installed pursuant to subdivision (c) of this section must be capable of detecting entry into the water at any point on the surface of the swimming pool. If necessary to provide detection capability at every point on the surface of the swimming pool, more than one pool alarm shall be installed.