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## California Department of Public Health Information Bulletin 16-01

**Date:** January 7, 2016

**TO:** LOCAL BUILDING DEPARTMENTS  
LOCAL ENVIRONMENTAL HEALTH DEPARTMENTS  
STATE AGENCIES AND DEPARTMENTS  
LICENSED CONTRACTORS  
DESIGN PROFESSIONALS  
INTERESTED PARTIES

**SUBJECT:** Public Swimming Pool Enclosures

The California Department of Public Health (CDPH) is authorized to establish and enforce regulations pertaining to public swimming pools pursuant to California Health and Safety Code (H&S) sections 116035 and 116050. The building code regulations for public swimming pools are in the California Code of Regulations, Title 24, Part 2, Chapter 31B.

The purpose of this Information Bulletin is to bring attention to the unintentional omission of the word “openable” in section 3119B. In the final express terms of the Chapter 31B regulations submitted by CDPH to the California Building Standards Commission for adoption during the 2010 Intervening Code Adoption Cycle, CDPH inadvertently left the word “openable” out of the text of the 2010 final rulemaking package.

The following illustrates section 3119B as it existed in the 2010 California Building Code prior to the 2010 Intervening Code Adoption Cycle and as it should read now in the 2013 California Building Code:

**3119B Enclosure.** *The pool shall be enclosed by one of a combination of the following: a fence, portion of a building, wall or other approved durable enclosure. Doors, **openable** windows, or gates of living quarters or associated private premises shall not be permitted as part of the pool enclosure. The enclosure, doors and gates shall meet all the following specifications:*

The inadvertent omission of the word “openable” has created confusion between local enforcement agencies that approve public swimming pool construction plans and the public swimming pool design and construction industry. Restoring the word “openable” to section 3119B will allow for the continued construction of public swimming pool enclosures of living quarters or associated private premises that include windows that do not open.

When the September 1, 2012, supplement to the Building Code was published, the word “openable” was omitted from the section because CDPH unintentionally omitted the word “openable” from the proposed language submitted to the California Building Standards Commission. CDPH is rectifying this error by working with the Commission to restore the word “openable” in section 3119B.

Questions or comments regarding this Information Bulletin should be directed to Eric Trevena, Senior Environmental Scientist, at (916) 449-5695 or at [eric.trevena@cdph.ca.gov](mailto:eric.trevena@cdph.ca.gov).