

**New Jersey Department of Health & Senior Services  
Public Health Sanitation and Safety Program**

**American Disabilities Act – Pool Entry Requirements  
Guidance Document**

**Overview**

The US Department of Justice (US DOJ) recently adopted expanded guidelines for public pools as part of the American Disabilities Act (ADA). These new guidelines will take effect on March 15, 2011. Recently, this office has received numerous requests from local health authorities (LHA) and the regulated community for guidance from the New Jersey Department of Health & Senior Services. This guidance document is provided to assist the above regarding the new ADA requirements.



Beginning in March 2011, these requirements will apply to newly constructed and altered swimming pools. Because these requirements are all related to pool construction, enforcement is under the jurisdiction of the Uniform Construction Code (UCC), which is enforced by local construction code enforcement officials and the Department of Community Affairs (DCA). The LHA's responsibility is to inform the local construction code official if any licensed/new/altered pools in their jurisdiction have not complied. The following is a quick reference guide of the new requirements.

<b>POOL TYPE</b>	<b>SLOPED ENTRY</b>	<b>LIFT</b>	<b>TRANSFER WALLS</b>	<b>TRANSFER SYSTEMS</b>	<b>STAIRS</b>
Swimming (less than 300 linear feet of pool wall)	✓	✓			
Swimming (300 or more linear feet of pool wall)	✓*	✓*	✓	✓	✓
Wave action, leisure river, and other pools where user entry is limited to one area	✓	✓		✓	
Wading pools	✓				
Spas		✓	✓	✓	

\*Primary means must be by sloped entry or lift, secondary means can be any of the permitted types.

As a Federal civil rights law, the ADA requires **newly constructed and altered** state and local government facilities, places of public accommodation, and commercial facilities to be readily accessible to and usable by, individuals with disabilities. The ADA Accessibility Guidelines (ADAAG) contain the technical standards that are applied to buildings and facilities. Recreational facilities, including swimming pools, wading pools, and spas, are among the facilities required to comply with the ADA. The ADA is enforced by complaint alleging discrimination (non-compliance). The UCC is enforced by plan review and inspection. Although the Barrier Free Subcode (BFSC) of the UCC, which contains the accessibility requirements for accessible construction in New Jersey, is not yet as specific as the newly adopted ADAAG, it does require that publicly used swimming pools be accessible and the means of achieving accessibility provided in the new ADAAG standards will result in compliance with the BFSC.

"Alterations are covered by section 202.3 of the 2010 Standards and the definition of "alteration" is provided at section 106.5. A physical change to a swimming pool which affects or could affect the usability of the pool is considered to be an alteration. Changes to the mechanical and electrical systems, such as filtration and chlorination systems, are not alterations."

The definition above for alteration is in relation to ADA requirements only. This should not be confused with the definition of alteration pertaining to public recreational bathing facilities in general as found in N.J.A.C. 8:26. The definition found in N.J.A.C. 8:26 specifically describes the difference between a repair and alteration, informing the facility owner/operator when a plan review and approval must be submitted to the LHA.

## Swimming Pools

- Large pools must have a minimum of two accessible means of entry.
- Pools with less than 300 linear feet of pool wall are required to provide one accessible means of entry, which must be either a pool lift or sloped entry.
- A wading pool is a pool designed for shallow depth and is used for wading. Each wading pool must provide at least one sloped entry into the deepest part. Other forms of entry may be provided as long as a sloped entry is provided. The sloped entries for wading pools are not required to have handrails.



- Spas must provide at least one accessible means of entry, which can be a pool lift, transfer wall, or transfer system. If spas are provided in a cluster, 5 percent of the total—or at least one spa—must be accessible. If there is more than one cluster, one spa or 5 percent per cluster must be accessible.

## Aquatic Recreation Facilities

- Wave action pools, leisure rivers, sand bottom pools, and other pools where access to the water is limited to one area and where everyone gets in and out at the same place, must provide at least one accessible means of entry, no matter how many linear feet of pool wall are provided.
- A catch pool is a body of water where water slide flumes drop users into the water. An accessible means of entry or exit is not required into the catch pool. However, an accessible route must connect to the edge of the catch pool.

## Types of Accessible Means of Entry into the Water

- Pool lifts must be located where the water level is not deeper than 48 inches.
- Clear deck space must be designed for easy transfer from a wheelchair or mobility device.

- Lifts must be designed and placed so that people can use them without assistance.
- Sloped entries must extend to a depth between 24 inches minimum and 30 inches maximum below the stationary water level.
- Sloped entries must have handrails on both sides regardless of the slope.
- A transfer wall is a wall along an accessible route that allows a person to leave a mobility device and transfer onto the wall and then into a pool or spa. Transfer walls must have at least one grab bar.
- Transfer walls must be a minimum of 12 inches wide and a maximum of 16 inches wide.

## Transfer Systems

- A transfer system consists of a transfer platform and a series of transfer steps that descend into the water.
- Each transfer system must have a platform on the deck surface. Transfer platforms must be between 16 and 19 inches high, measured from the deck.
- The transfer steps must extend into the water a minimum of 18 inches below the stationary water level.



## Accessible Pool Stairs

- Accessible pool stairs are designed to provide assistance with balance and support from a standing position when moving from the pool deck into the water and out.

## Handrails

- Pool stairs must have handrails with a minimum width between the rails of 20 inches and a maximum of 24 inches.
- The top of the handrail gripping surface must be a minimum of 34 inches and a maximum of 38 inches.

## Water Play Components

- If water play components are provided, they must comply with the Access Board's Play Area Guidelines and accessible route provisions.
- If the surface of the accessible route, clear floor or ground spaces, and turning spaces that connect play components are submerged, the accessible route does not have to comply with the requirements for cross slope, running slope, and surface conditions.
- Transfer systems may be used instead of ramps to connect elevated water play components.

## Other Accessible Elements

- If swimming pools are part of a multi-use facility, designers and operators must also comply with ADAAG and all applicable requirements for recreation facilities.

## Service Animals

Service animals are allowed in swimming pools and enclosures at public recreational bathing facilities. The US DOJ and ADA define a "service animal" as "a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. The rule states that other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not service animals. The final rule also clarifies that individuals with mental disabilities who use service animals that are trained to perform a specific task are protected by the ADA. The rule permits the use of trained miniature horses as alternatives to dogs, subject to certain limitations. To allow flexibility in situations where using a horse would not be appropriate, the final rule does not include miniature horses in the definition of "service animal."



## Summation

This guidance document is a cursory review of the new ADA requirements for swimming pools and spas. Because the local construction code official has primary responsibility for review and enforcement, the LHA does not need to know the intricate details, only a summary.

You can obtain copies of the ADA/ADAAG recreation facility guidelines, which include swimming pools, wading pools, and spas, and further technical assistance from the U.S. Access Board at <http://www.access-board.gov/>, 1-800-872-2253, or 1-800-993-2822 (TTY) or from the US DOJ at <http://www.ada.gov/index.html>.

If you have any questions, please feel free to contact Loel Muetter of the NJDHSS Public Health Sanitation and Safety Program at (609) 826-4941 or via email at [loel.muetter@doh.state.nj.us](mailto:loel.muetter@doh.state.nj.us).

## References

United States Access Board – Accessible Swimming Pools and Spas

- <http://www.access-board.gov/>
- <http://www.ada.gov/index.html>
- <http://www.access-board.gov/ada-aba/ada-standards-doj.cfm#a100831>

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