

County of Santa Clara

Department of Environmental Health



1555 Berger Drive, Suite 300
San José, CA 95112-2716
(408) 918-3400
www.EHinfo.org

May 2, 2024

Dear Pool Operator,

We are writing to let you know that we will be evaluating all pools, including spas, to ensure the enclosures (i.e., fences, gates, walls, etc.) are sufficient to prevent accidental access. If we find that your pool poses safety hazards we will be requiring they be addressed. While most pools/spas do not pose a concern, those that do may require significant investment to address the matter. Some items may require closure until the safety hazards are addressed. Your immediate attention in this matter may prevent an accidental drowning from occurring at your property.

During the structural evaluation of your pool, DEH representatives will document their observations and the steps necessary for correction. If a representative is present at the time of the inspection, a copy of the report will be provided. If no representation is present, a copy will be left in the pool pump room and sent to the mailing address on record with the Department.

The report will identify necessary corrective actions to correct the hazards found at the time of the inspection and provide a deadline for completing those actions. In some cases, the risk may be so critical that it will require immediate closure of the pool(s). In these cases, DEH will suspend the DEH pool permit(s) to operate and post the pool(s) closed until corrections are made to address the hazard and authorization to reopen is issued by DEH. Corrections may range from making repairs to constructing structures to prevent access to the pool(s). Failure to make these necessary corrections can ultimately result in demolition of the pool.

Violations pertaining to pool access are serious and can result in serious injury or death. As the person/entity responsible for safe operation of the pool you should take immediate action to address the risk any time such a hazard occurs. For this reason, the Department is providing you the enclosed checklist (see reverse) so that you may check the enclosure(s) on your property to minimize the risk of a tragic accident occurring. Please note, this checklist is not all inclusive. "Yes" responses do not necessarily indicate the enclosure is completely safe. "No" responses may indicate that your enclosure is out of compliance and will require corrective action(s). For further information on operation requirements, please visit our website at www.scc.info/dehpools.

If replacement or updating of any part of the enclosure is needed or if an enclosure needs to be installed, contact us at dehplancheck@deh.sccgov.org for guidance and plan submittal (if required). You can also visit <https://cpd.sccgov.org/food/foodpool-plan-check-program> for information on the plan submittal process. Please be advised plans may also need to be submitted to your local building department for any construction work carried out on your pool.

We look forward to working with you to create a safer environment for all throughout the County of Santa Clara.

Sincerely,

Beatrice Santiago, MPA, REHS
Director – Consumer Protection Division

Board of Supervisors: Sylvia Arenas, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: James R. Williams

Regarding facility: XX

Pool Enclosure Self-Checklist

Note: This checklist is not required to be returned to the Department.

#	CHECK YES OR NO FOR EACH QUESTION BELOW:	YES	NO
1	Is the pool fully enclosed by a fence, building, wall, and/or other approved durable enclosure?		
2	Is the pool free from direct access from living units or private premises? Direct access may include doors, openable windows or gates from the living units or private premises.		
3	Measuring from the exterior of the enclosure starting at ground level (outside of the pool area), is the enclosure at least 5 feet tall at the shortest point?		
4	Do gaps in the enclosure prevent the passage of a 4-inch diameter sphere?		
5	Is the enclosure constructed over a hard and permanent material equivalent to concrete? (e.g. not over sand, dirt, or other materials that can easily erode)		
6	Does the enclosure's horizontal and diagonal component design prevent it from being used as a ladder for small children?		
7	Are the horizontal components of the enclosure spaced at least 48 inches (4 feet) apart?		
8	Is the area 5-feet outside of the pool enclosure, and within a 5-foot arc as measured from the top of the enclosure (see Figure 31B-5 below), free of climbable objects/structures (e.g. benches, planters, staircases, etc.)?		
10	If chain link is used, are the horizontal openings equal to or less than 1 and 3/4 inches? Write "N/A" if chain link is not used.		
11	Are all gates and doors equipped with self-closing and self-latching devices?		
12	Do the self-latching device(s) keep all gates or doors securely closed? In other words, simply pulling/pushing the gate/door will not cause it to open.		

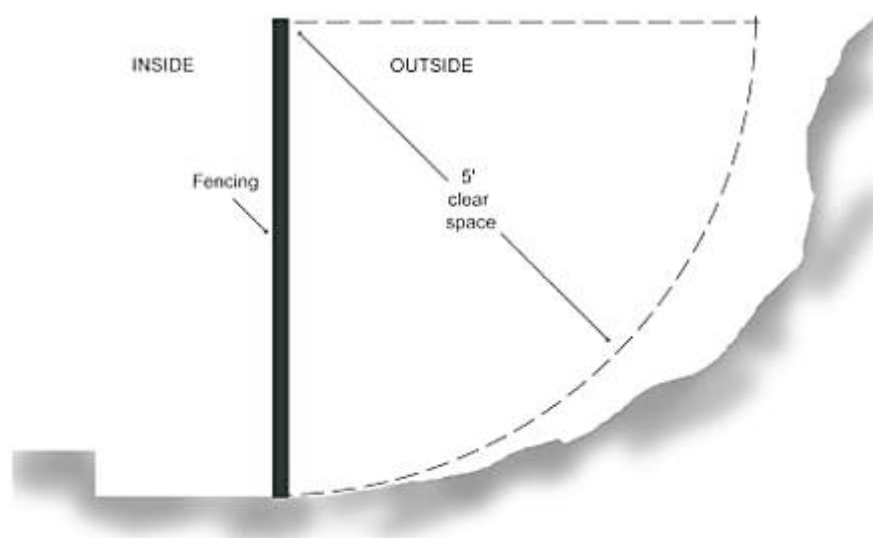


Figure 31B-5 Effective Fencing Height