



SWIMMING POOL/SPA ADDENDUM



Addendum to contract dated _____, between _____ (“Buyer”) and _____ (“Seller”) pertaining to the real property described as follows: _____ (the “Premises”)

AN IMPORTANT NOTICE ABOUT POOL SAFETY*

Drowning is a serious threat to young children in Arizona. Young children also suffer from a high number of near drownings that may lead to permanent, severe disability. Most of these incidents occur in the child’s own backyard swimming pool. These tragedies must be stopped. To that end, the Arizona Legislature has passed a law requiring that new occupants of dwellings with pools, persons having a pool installed, receive this safety message about steps to prevent drownings and the legal responsibilities of pool ownership.

State of Arizona law requires a barrier between the house and pool**

This law applies to homes with both a child under 6 years of age and a pool built after June 1, 1991. This law aims to impede children’s access to their own pools. Likewise, all pools must have a barrier to keep out uninvited neighborhood children.

Unless a local code provides otherwise, *** the barrier must:

- Entirely enclose the pool area.
- Be at least 5 feet high, measured on the outside of the barrier.
- Not have openings, handholds or footholds that can be used to climb the barrier. Wire mesh or chain link fences shall maximum mesh size of 1 ¾ inches measured horizontally.
- Have no openings through which a sphere 4 inches in diameter can pass. Horizontal components of any barrier shall be spaced not less than 45 inches apart measured vertically, or shall be placed on the pool side of the barrier which shall have no opening greater than 1 ¾ inches measured horizontally.
- Be at least 20 inches from the water’s edge
- Prevent direct access from the house to the pool.

Gates must be self-closing and self latching with the latch located at least 54 inches above the ground or on the pool side with a release mechanism at least 5 inches below the top of the gate and no opening greater than ½ inch within 24 inches of the release mechanism, or be secured by a padlock or similar device which requires a key, electronic opener or integral combination which can have the latch at any height. Gates must open outward from the pool.

If a wall of the home forms part of the barrier, one of the following must be used:

- A barrier at least 4 feet high between the home and the pool which otherwise meets all of the requirements for a barrier set forth above.
- A motorized, safety pool cover which does not require manual operation other than the use of a key switch which meets the American Society of Testing and Materials (ASTM) emergency standard 13-89 (now ASTM #F 1346-91).
- Self latching devices on all doors with direct access to the pool. Such latches shall meet the requirements for latches on self-closing gates set forth above.
- Emergency escape or rescue windows from sleeping rooms with access to the pool shall be equipped with a latching device not less than 54 inches above the floor. All other operable dwelling unit or guest room windows with similar access shall be equipped with a screwed in place wire mesh screen or a keyed lock that prevents opening the window more than 4 inches, or a latching device located not less than 54 inches above the floor.

An above-ground swimming pool shall have non climbable exterior sides which are a minimum height of 4 feet. Any access ladder or steps shall be removable without tools and secured in an inaccessible position with a latching device not less than 54 inches above the ground when the pool is not in use.

* Approved pursuant to Arizona Revised Statutes 36-1681 and A.A.C. R9-3-101.

** “Pool” means an in-ground or above ground swimming pool or other contained body of water 18 or more inches in depth, wider than 8 feet, and intended for swimming.

*** Phoenix, Peoria, Tucson, and some other cities, and unincorporated areas of Maricopa, Pima, and Pinal Counties have different pool barrier requirements, check with your city and county governments to see if they have adopted different pool barrier requirements.

Supervision is the key to prevent drownings.

- Never leave children unsupervised in the pool or inside the pool area – **not even for a second!**
- Inform guests to your home of the importance of closely watching children around water. At parties, make sure someone is always watching around the pool.
- Don’t count on barriers to keep children from reaching the pool. **No barrier is foolproof.** Barriers only slow a child’s access to the pool

In case of an emergency: act immediately.

1. **Shout** for help.

2. **Pull** the child out of the water.

3. **Take** the child to the phone and **dial 911**

(or local emergency number) for help.

4. **Check** airway and breathing. If needed, start CPR immediately.

CPR can save lives and prevent serious injury.

Other smart tips to protect children around water:

DON’T

- Don’t keep toys, tricycles or other playthings in the pool area. Also remove items that a child could use to climb over the barrier.
- Don’t be distracted by phone calls, doorbells, or chores while children are in the pool. Your full attention should be on the children.
- Don’t rely on swimming lessons or “floaties” to protect your children.
- Don’t prop gates open.

DO

Attend a CPR class. All family members and baby-sitters should know CPR. For the nearest class, contact your local fire department.

Post 911 (or the local emergency number) on all phones. Learn water rescue. Keep lifesaving equipment mounted near the pool, especially if you can’t swim.

Lock passageways (such as pet doors) leading to the pool.

Inspect latches and gates regularly; keep them in working order.

Set a good example. Insist on safety around the pool.

The undersigned acknowledge receipt of a copy hereof.

Buyer _____ Mo/Da/Yr _____

Seller _____ Mo/Da/Yr _____

Buyer _____ Mo/Da/Yr _____

Seller _____ Mo/Da/Yr _____

Agent _____ Mo/Da/Yr _____

Agent _____ Mo/Da/Yr _____

Broker Initials _____ Mo/Da/Yr _____

Broker Initials _____ Mo/Da/Yr _____