Indiana State Department of Health
Environmental Public Health Division

New Americans with Disabilities Act (ADA) Regulations for Swimming Pools

New regulations regarding ADA became effective on March 15, 2011. This document will provide a brief summary of the new regulations that pertain to swimming pools (public and semi-public, waterparks, wading, spas, and all other pools). It is for informational purposes only and not intended to be a complete description of this federal law. Moreover, since this is not a health and safety issue, the Indiana State Department of Health (ISDH), Rule 410 IAC 6-2.1 Public and Semi Public Swimming Pool Rule does not apply.

Additional details may be obtained from local building officials, who enforce the Indiana Department of Homeland Security, Fire Prevention and Building Services' Indiana Swimming Pool and Water Attractions Code (construction code) through review of design release and inspection. Although the new Indiana construction code is not as specific at this time as the new ADA requirements, compliance with ADA would also comply with the current Indiana Code. Enforcement could also be accomplished by a complaint alleging discrimination based on accessibility to and usability by individuals with disabilities.

Please note that definitions listed in the ADA requirements are specific to that document only and not interchangeable with the definitions in the Indiana construction code, 675 IAC 20-1.1 or the ISDH rule, 410 IAC 6-2.1.

What pools are affected?

- New construction - **Effective March 15, 2011.**
- Alterations or remodel – **Compliance must be met** at the time that a physical change to a swimming pool takes place that affects or could affect the usability of the pool (does not include chemical & filtration changes).
- Existing Public Facilities (Title II) - **Facilities must be brought into compliance over time.** Facilities must have an understanding of what they need to do to become compliant and must be working towards the goal. Barrier removal is an ongoing obligation and facilities are expected to remove barriers as resources are made available (includes public parks, schools and universities, & other public pools).

- Existing Private (semi-public) Facilities (Title III) -

are held to a standard of making changes when they are "readily achievable." The ADA defines this as being able to be made without much expense or difficulty. The ADA requires that accessibility be improved without taking on excessive expenses that could harm the business. In general, pool lifts are considered an inexpensive and easy solution to removal of barriers. **Compliance is required by March 15, 2012** (semi-public pools such as motels, hotels, condominium,)
NOTE: If a private facility (e.g., apartment complex, subdivision, or condominiums) *only* allows residents or members, and

- does not rent out for events,
- advertise for membership to public,
- use the pool to generate income,
- allow guests to come and go at will as opposed to guests accompanying residents or members,
- units are not rented through advertising when owners are absent (timeshare), does not take reservations over the phone, offers meals, or housekeeping services, OR
- does not receive federal funds.

then they may be exempt, but must provide a barrier free pathway up to the edge of a pool. In addition, they cannot prevent a resident from using their own apparatus (e.g., portable lift) to gain access to the pool, providing it does not provide a hazard for other residents. In other words, if a resident has a portable pool lift and keeps it in storage when not in use, the facility cannot prevent that resident from using the lift to gain access to the pool.

Accessible equipment for non exempt pools:

	Sloped entry[1]	Lift[1]***	Transfer wall[2]	Transfer systems[2]	Stairs[2]	Total Required
Pools; less than 300 lineal feet pool wall**	√	√				1
Pools with 300 lineal feet of pool wall or more**	√	√	√	√	√	2
Wave action, lazy river, 1 point of entry	√	√		√		1
wading	mandatory					1
spas		√	√	√		1

** To measure Lineal feet, measure outside of pool
***lifts must be accessible at all times and operable without assistance

[1] Slope entry and lift are primary means

[2] Transfer walls, transfer systems, and stairs are secondary means

Swimming Pools:

- 300 lineal feet or more, must have a minimum of two accessible means of entry, 1 of which must be primary.
- Less than 300 lineal feet, must have at least 1 total, which must be either a lift or sloped entry.
- Access can be removed for swim meets as it may interfere with event.
- Wading pools must have a sloped entry to the deepest part of the pool. This sloped entry does not have to be 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.

Other water recreational venues:

- Wave action pools, lazy 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. The accessible means of entry can be either a pool lift, sloped entry, or transfer system.
- 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.
- For waterparks, the access is evaluated per pool and not for the entire waterpark facility.

Types of accessible means of entry into the water:

- Pool lifts must be located where the water level is not deeper than 48 inches. 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 (except wading pools) and must have handrails on both sides regardless of the slope. Handrails are not required at wading pools.
- 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

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- 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 are designed to provide assistance with balance and support from a standing position when moving from the pool deck into the water and out.
- Clear deck space must be designed for easy transfer from a wheelchair or mobility device.

For additional information, including the definitions for: “readily achievable”, “open to the public,” and “affect commerce,” contact:

Department of Justice ADA Standards Technical Assistance Hotline: **1.800.514.0301**

www.ada.gov/2010ADAstandards_index.htm

Access Board’s Technical Assistance Hotline: **1.800.872.2253**

www.access-board.gov/recreation/guides/pools.htm

Tax incentives or grants for barrier removal and accessibility improvement for customers with disabilities: www.ada.gov/taxincent.htm

Additional sites with helpful information:

www.spearcorp.com/ADA.asp

www.compliantpools.com/

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