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ADA SWIMMING POOL & SPA GUIDELINES (Americans with Disabilities Act)

ADA Swimming Pool & Spa Accessibility Summary

On March 15, 2011 the guidelines created for Swimming Pool and Spa accessibility that were created in 2004 became law. The law requires all Public Entities and Public Accommodations to have access into their pools and spas using a lift or ramp by March 15, 2012.

March 15, 2011- Deadline for compliance on all newly constructed facilities.

March 15, 2012- Deadline for compliance on all required facilities.

Who Must Comply?

The law requires that facilities classified as a Public Entity or a Public Accommodation must have access for disabled persons. Examples of these types of facilities are:

- Schools
- Municipalities
- Cities
- Counties
- Athletic Clubs
- Hotels/Motels
- Water Parks
- Swim Schools
- Any Place of Recreation
- Any Place of Education
- Any Place of Lodging

Facilities that are not open to the public or do not fall into one of the Public Entity or Public Accommodation categories (residential housing, condos, homeowner associations) are not required to comply, although it is highly recommended that they do.

Accessibility Requirements

The law stipulates that any pool with under 300 linear feet of pool wall must provide one pool lift or sloped entry as a primary means of access. In addition, any pool that has over 300 linear feet of pool wall must provide two means of access, one of which must be either a pool lift or sloped entry. The second means of access for large pools can be any of the five designated means of access, which are: pool lifts, sloped entries, transfer walls, transfer systems, or accessible pool stairs.

PERMITTED MEANS OF ACCESS					
APPLICATION TYPE	POOL LIFT	SLOPED ENTRY	TRANSFER WALL	TRANSFER SYSTEM	STAIRS
Means of Access	Primary		Secondary		
Swimming Pool <300 Linear Feet (1 means of access required)	■	■			
Swimming Pool >300 Linear Feet (2 means of access required –one must be a primary means)	■	■	■	■	■
Wave action, lazy river, and other pools where user entry is limited to one area	■	■		■	
Wading Pools		■			
Spas	■		■	■	

Maintenance of Accessible Features

The law requires that mandated features must be maintained in working order. The regulations provide a "Maintenance of Accessible Features" provision which states that "a public accommodation shall maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities."

Enforcement

Enforcement will vary, but most ADA regulations are enforced in ways that are both direct and indirect. Direct action against noncompliant facilities may be taken by local building or health officials enforcing state or health building codes that reference the new guidelines. Individuals may also file civil lawsuits against noncompliant facilities. Indirect enforcement can occur when a local government becomes ineligible for a federal grant unless all facilities are in compliance.

Cost of Compliance - \$\$\$

The cost of compliance can vary from facility to facility and there are many access and lift options available. The cost range of compliance per required access can range from \$4,000 to \$8,000 for lifts and \$25,000 to \$40,000 for sloped entries.

Financial Assistance

A special tax credit is available to help smaller employers make accommodations required by the ADA. Information discussing the tax credits and deductions is contained in the Department of Justice's ADA Tax Incentive Packet for Businesses available from the ADA Information Line. Information about the tax credit and tax deduction can also be obtained from a local IRS office, or by contacting the Office of Chief Counsel, Internal Revenue Service.

Important Considerations

1. Facilities with multiple bodies of water (ie pool and spa) are required to provide at least one means of access for "each" body of water.
2. Lifts that are installed with an anchoring system that permanently installs into the pool deck require electrical bonding by a licensed electrician.
3. Lifts provided for entry into spas do not require footrests.

ADA Compliant Lifts

There are many ADA compliant lifts available with a wide range of configurations and options. Most lifts either anchor into the pool deck or are designed to be portable. More information on available lifts can be found here: <http://www.horizonpoolsupply.com/store/category-detail.php?intResourceID=4376>.

Final Note

Please visit our web site for more complete information on the ADA Swimming Pool & Spa requirements and swimming pool safety. You will find guides and many resources for understanding the new requirements and solutions for becoming compliant. You can also contact your Horizon consultant to review your compliance requirements and options.

Useful Links



ADA Guidelines- Accessible Swimming Pools and Spas

Web Version

<http://www.access-board.gov/recreation/guides/pools.htm>

PDF version

http://www.horizonpoolsupply.com/_uls/resources/ADA_Guidelines.pdf

ADA Website

<http://www.ada.gov/>

Department of Justice ADA Info Line

(800) 514-0301

Disabled Access Credit Form

http://www.horizonpoolsupply.com/_uls/resources/ADA_Guidelines.pdf