

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: August 11, 2023	PREPARED BY: Aaron Gunderson
Meeting Date Requested: August 23, 2023	PRESENTED BY: Derrick Braaten
ITEM: (Select One) <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 10 minutes	
SUBJECT: Amendment to Franklin County Code (FCC) Chapter 17.66.220, Swimming Pools & Hot Tubs, specifically Section 17.66.220(B) – This amendment seeks to lower the required barrier height for residential swimming pools from five (5) feet in height to four (4) feet in height.	
FISCAL IMPACT: N/A. This is a text code amendment application.	
<p>BACKGROUND: Planning and Building Department sought guidance from the Board of County Commissioners (BoCC) on February 21, 2023, as to whether it desired the 5 ft. barrier requirement articulated in FCC 17.66.220 to continue to be required for all pool installations, or if the BoCC would like to amend FCC 15.12 to allow for the use of automatic pool safety covers, meeting the ASTM F1346 standard, to be used as the only barrier, as allowed under the 2018 ISPSC (<i>Please see staff report for more historical context</i>).</p> <p>During the meeting, the BoCC did not desire to reinstate the 2018 ISPSC, or to allow for the use of an automatic pool safety cover as the only barrier, and directed Staff to prepare a proposed amendment to lower the required swimming pool barrier from its current 5 ft. minimum height, to an allowed 4 ft. minimum height.</p> <p>Under the direction of the BoCC, Planning and Building Department brought the proposed text code amendment application to the Planning Commission at their June 20, 2023 meeting for their recommendation. Planning Commission then voted to recommend to the BoCC the proposed text code amendment.</p>	
<p>RECOMMENDATION: Staff and the Planning Commission recommend approval to amend FCC 17.66.220(B) to lower the minimum allowed fence height from 5 ft. to 4 ft.</p> <p><i>Suggested Motion:</i> I move to pass Ordinance # _____, amending FCC 17.66.220(B) to lower the minimum allowed pool fence height from 5 ft. to 4 ft.</p>	
<p>COORDINATION: This issue has been discussed and reviewed in coordination with the Franklin County Building Official Mike Troidl, and Franklin County Board of County Commissioners.</p>	
<p>ATTACHMENTS: (Documents you are submitting to the Board)</p> <p>(1) Draft Ordinance (2) Minutes and packet from Planning Commission public hearing</p>	
<p>HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf)</p> <p>To the Clerk of the Board: 1 Original Ordinance</p> <p>To Planning: 1 Copy Ordinance</p>	

I certify the above information is accurate and complete.

 Derrick Braaten

FRANKLIN COUNTY ORDINANCE 06-2023
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

Text Change (TC 2023-01) to amend Franklin County Code Chapter 17.66.220, Swimming Pools & Hot Tubs, of the Franklin County Title 17, Zoning Code, specifically subsection 17.66.220(B), regarding pool barrier height requirements.

IN THE MATTER OF COUNTY PLANNING – A TEXT AMENDMENT TO TITLE 17 OF THE FRANKLIN COUNTY CODE PERTAINING TO DEVELOPMENT REGULATIONS (CHAPTER 17.66.020 – SWIMMING POOLS & HOT-TUBS, SUBSECTION (B)).

WHEREAS, Franklin County is a “fully planning” county within the context of the State of Washington Growth Management Act (GMA); and

WHEREAS, RCW 36.70A, also known as the “Growth Management Act (“the Act”), requires that counties subject to the Act adopt comprehensive plans and implementing development regulations consistent with the Act and further periodically take legislative action to review and revise, if needed, the comprehensive plan and development regulations in accordance with RCW 36.70A.130(5); and

WHEREAS, the Franklin County Planning & Building Department is responsible for the implementation and enforcement of development and building codes in unincorporated Franklin County; and

WHEREAS, approximately 80% of the swimming pool applications received by the Planning & Building Department seek to use an automatic pool safety cover as the only type of barrier, as provided for in the Washington State Building Code, since the adoption of the 2015 Building Code; and

WHEREAS, Franklin County Code 17.66.020(B), adopted in 2008, provides the swimming pool barrier requirements locating within its jurisdictional authority, and requires a minimum of a 5’ barrier, regardless of whether an approved automatic pool safety cover is being used; and

WHEREAS, on February 21, 2023, due to the influx of requests to use an automatic pool safety cover as the only pool barrier, the Planning & Building Director requested direction regarding whether the Board of Commissioners desired to change FCC 17.66.020(B), and allow for approved automatic pool safety covers to be used as the only required barrier for a swimming pool; and

WHEREAS, following discussion at the February 21, 2023 meeting, the Board of County Commissioners determined that it did not desire to allow property owners to use automatic swimming pool safety covers as the only swimming pool barrier; and

WHEREAS, after discussion at the February 21, 2023 meeting, the Board of County Commissioners directed staff to amend FCC 17.66.020(B) to reduce the minimum swimming pool barrier from 5' to 4', as provided for in the Washington State Building code for swimming pools without an approved automatic swimming pool safety cover, regardless of whether an automatic pool safety cover was being used; and

WHEREAS, based on this, County staff has prepared proposed revisions and coordinated review by County Departments and agencies with jurisdiction; and

WHEREAS, County staff submitted draft revisions to the State of Washington Department of Commerce, Growth Management Services, for a required 60-day review in compliance with RCW 36.70A.106, and the notice and documentation was accepted by Commerce on May 11, 2023; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 20, 2023; and

WHEREAS, the county's Planning Commission recommended the adoption of the proposed revisions to FCC 17.66.020(B), reducing the minimum swimming pool barrier height from 5' to 4' in height; and

WHEREAS, updates to the County's development code are subject to review under the State Environmental Policy Act (SEPA); County staff reviewed the proposed revisions as to the environmental impacts of the proposal and issued a Notice of Application and a SEPA Determination of Nonsignificance (DNS) on May 11, 2023. The comment period for the determination and environmental impacts of the proposal closed on May 25, 2023, and no comments were received; and

WHEREAS, the changes are necessary to implement the goals and policies of the Comprehensive Plan, protect the public's health and safety, to modernize outdated code language, and to improve how the code is administered and understood by property owners and applicants; and

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1: The Franklin County Code, Title 17, Zoning Code, Chapter 17.66.020 – Swimming Pools and Hot-Tubs, subsection (B), is hereby amended as set forth in **Exhibit A**, attached hereto and incorporated by this reference as if set forth in full.

SECTION 2: SEVERABILITY: If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 3: EFFECTIVE DATE: This ordinance, being an exercise of a power specifically delegated to the County legislative body, is not subject to referendum,

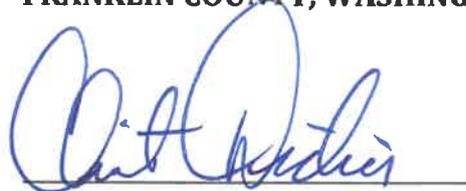
and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

SECTION 4: CORRECTIONS: The County Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's / clerical errors, references, ordinance numbering, section / subsection numbers and any references thereto.

SECTION 5: COPY TO DEPARTMENT OF COMMERCE: Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten days of adoption.

APPROVED THIS 23th DAY OF AUGUST, 2023.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**



Chair

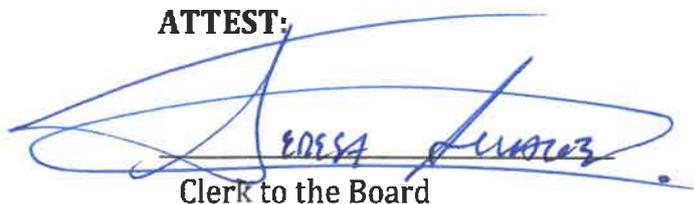


Chair Pro-Tem



Member

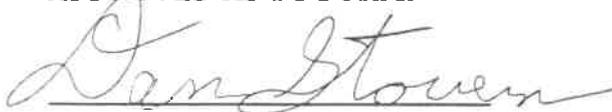
ATTEST:



EDESA August 2023

Clerk to the Board

APPROVED AS TO FORM:



Franklin County Deputy Prosecuting Attorney

FRANKLIN COUNTY ORDINANCE 06-2023

EXHIBIT A.

17.66.220 - Swimming pools and hot tubs.

Swimming pools and hot tubs may be constructed and placed as an accessory use for a residence provided that:

- A. A swimming pool may be constructed within any side or rear yard. Setbacks for swimming pools located in a designated rear or side yard include the following:

The edge of water line shall not be located within five feet of a designated front yard, five feet from any rear or side yard; and one-foot from any utility easement.

- 1. A swimming pool may be constructed in a designated front yard area with the approval of conditional/special use permit. Setbacks for swimming pools, located in a designated front yard with the approval of a conditional/special use permit, include the following: The edge of water line shall not be located within twenty-five (25) feet of a front property line, five feet from any rear or side yard, and one-foot from any utility easement, unless otherwise approved in the special/conditional use permit process.
- B. Swimming pools shall be entirely enclosed by buildings, fences or walls not less than four (4) feet in height and with no openings that are greater in size than four inches. Such fences shall be equipped with self-latching gates or doors, the latching device being located not less than four feet above the ground. All fencing must be in place and approved by the building department before water is run into the pool. All lighting of pool areas shall be so hooded that the light does not shine toward abutting properties.
- C. Hot tubs shall include a pre-manufactured approved locking top. If an approved locking top is not provided, the unit shall comply with the swimming pool enclosure and fencing requirements in subsection B. of this section. This standard shall not apply to hot tubs located within an enclosed building.

(Ord. 7-2005 § 33.21.0, 2005)

PC MEETING SUMMARY

TC 2023-01

Franklin County – Amending FCC 17.68.220

Request to Decrease Minimum Swimming Pool Barrier Height

FACT SHEET/STAFF SUMMARY
Meeting before the Franklin County Planning Commission

Case file: TC 2023-01 [Request to amend FCC 17.66.220(B)] and SEPA 2023-05.

PC Meeting Date: June 20, 2023

See the staff report for the application details, description, explanation of public notice, etc.

SUMMARY OF THE PUBLIC HEARING:

The request to amend Franklin County Code (FCC) 17.66.220(B) to reduce the required barrier height for a residential swimming pool from 5 ft. to 4ft. went before the Planning Commission on June 20, 2023. There were no public comments received before the hearing and one commenter during the public hearing regarding the proposal.

Staff provided a presentation and PowerPoint regarding the proposal. Time was allowed for clarification by the Planning Commission. *(See Staff Report and draft minutes)*

Findings of Fact Criteria Used by Planning Commission: The Planning Commission made and entered findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals and policies of the comprehensive plan;
2. The effect of the proposal on the immediate vicinity will be materially detrimental;
3. There is merit and value in the proposal for the community as a whole;
4. Conditions should be imposed in order to mitigate any significant adverse impacts from the proposal;
5. A concomitant agreement should be entered into between the County and the petitioner, and if so, the terms and conditions of such an agreement;
6. All notifications of the public hearing were posted as per County ordinances and state law.

As proposed, the application to amend Franklin County Code 17.66.220(B) to reduce the required barrier height for swimming pools from 5 ft. to 4 ft. At the June 20, 2023 meeting, the Planning Commission discussed the proposal, the comments made, the record as provided, and findings of fact. A motion was made for a recommendation that the Franklin County Board of Commissioners approve the request for the rezone of the properties, regarding Application TC 2020-02, seconded, and approved, with the suggested six (6) findings of fact, as provided below.

Findings of Fact - Planning Commission: The Planning Commission (with assistance from Planning Staff) made and entered the following findings from the record, and conclusions thereof:

Suggested Findings of Fact:

1. The proposal **IS IN** accord with the goals and policies of the Franklin County Comprehensive Plan, including the county-wide planning policies.
 - a. Amendment is consistent with the requirements of the Washington State Building Code, specifically Section 305 of the 2018 ISPSC.
 - b. Amendment supports the intent of Comprehensive Plan Land Use Element, Goal #7, subsections 3, implementing “codes, such as building, fire, and sign codes, in the public interest and for the purposes of promoting public health, safety and welfare.” (Pg. 37)
2. The effect of the proposal **WILL NOT** be materially detrimental.
 - a. The amendment reduces the overall barrier height from 5’ to 4’ in height, but maintains a static safety barrier against small children or large animals entering a swimming pool.
3. There **IS** merit and value in the proposal for the community as a whole.
 - a. Reducing the required minimum height requirement from 5’ to 4’ for a swimming pool barrier reduces the overall cost for residents, and still maintains a static barrier against small children or large animals entering a swimming pool.
4. Conditions **ARE NOT** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
 - a. N/ A - This criterion does not apply as this is not a change to the Zoning Map.
5. A concomitant agreement between the County and the petitioner **IS NOT** required for this application.
 - a. N/ A - This criterion does not apply as this is not a change to the Zoning Map.
6. All Notifications of the Public Hearing were posted as per County Ordinances and State law.

Suggested Motion: “I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and approve TC 2023-01, based upon the six (6) written findings of fact.”

PC MEETING MINUTES

&

POWERPOINT PRESENTAION

TC 2023-01

Franklin County – Amending FCC 17.68.220

Request to Decrease Minimum Swimming Pool Barrier Height

ITEM #2 – TC 2023-01 / SEPA 2023-05 (Swimming Pool)

Proposal is to amend Franklin County Code Chapter 17.66 Swimming Pools & Hot Tubs, specifically Section 17.66.220 Swimming Pool Barrier. This amendment seeks to lower the required barrier height for a residential swimming pool from five (5) feet in height to four (4) feet in height.

APPLICANT: Franklin County

REPRESENTATIVE: Derrick Braaten, Director of Franklin County Planning & Building Department

OPEN PUBLIC HEARING:

Commissioner Gutierrez declared the public hearing to be open at 7:38PM.

STAFF REPORT:

- Mr. Braaten presented the staff report. Presentation lasted approximately 15 minutes.

COMMISSIONER QUESTIONS FOR STAFF:

- Commissioner Gutierrez asked how does the U.S. Consumer Product Safety Commission feel about barrier changes like this or does it even matter?
 - Mr. Braaten responded that he has no idea. The Board asked the same question and his response was that his duty is the public's health and safety, so he supports things that protect the public's health and safety.
 - Mr. Braaten further stated that he has not read any of their paperwork regarding this requirement but for him, he wants safety but wants it reasonable.

PUBLIC COMMENTS:

- Vicki Montegudo spoke regarding the proposed text amendment.
 - Spoke regarding Commissioner Mullen's comment during the BoCC meeting about the possibility of livestock getting onto people's property and how there is specific livestock fencing for that very reason.
 - The County also does not fence the canals or the rivers.
 - Stated that there are surrounding neighbors and community members who only have the safety covers and no fencing.
 - Wondered why the County doesn't follow the state Department of Health or the ICC standards which is a 4' barrier or an automatic safety cover.
- Mr. Braaten made a clarification stating that one of her neighbors who didn't have a fence was due to the fact that their pool not being finished and with that being said, if they are operating that pool without a fence then they are doing it illegally and it is a code enforcement item. If that is going on, he would appreciate being informed so that staff can enforce it.
- Mr. Braaten reiterated that staff does treat everyone equal but it doesn't mean that everyone follows the rules and if the pool is filled with water and there is no fence up, then they are violating Franklin County Code.
- No further public comments were made for, against, or neutral regarding this agenda item.

STAFF FINAL COMMENTS:

ITEM UNDER REVIEW FROM JUNE 20th PC MEETING

- Mr. Braaten made a comment stating that this is staff's recommendation and stated to the Planning Commission that they can recommend approval, approval with modifications, or recommend denial on any agenda item.
- Commissioner Gutierrez wanted clarification that the Planning Commission's decision is only a recommendation and not a final decision.
 - Mr. Braaten agreed with that statement and further stated that the Board of County Commissioners can follow the Planning Commission's recommendation or they can approve with modifications or deny but must provide findings of fact as to why they deviated or changed the Planning Commission's recommendation.

CLARIFICATION OF PUBLIC STATEMENTS:

- No clarification of public statements was needed by the audience.

CLOSING PUBLIC HEARING ITEM:

- Commissioner Gutierrez closed the public hearing portion of this item around 8:06PM.

PLANNING COMMISSION DISCUSSION (before motion):

- No discussion amongst the Planning Commission prior to the motion.

- Commissioner Harpster did make a comment stating that the number one cause of accidental deaths among children is drowning in a swimming pool and if this is what the board wants then he is inclined to recommend approval.

Commissioner Gutierrez entertained a motion.

Commissioner Harpster made a motion to forward to the Board of County Commissioners a positive recommendation of TC 2023-01/SEPA 2023-05 with the six (6) adopted findings of fact.

Commissioner Kniveton seconded the motion.

PLANNING COMMISSION FURTHER DISCUSSION (after motion):

- No further discussion amongst the Commissioners after the motion was made.

ROLL CALL VOTE:

Mike Corrales:	Absent
Melinda Didier:	Yes (call-in)
Mike Vincent:	Absent
Layton Lowe:	Absent
Peter Harpster:	Yes
Manny Gutierrez:	Yes
Stacy Kniveton:	Yes (call-in)

The motion has been approved for TC 2023-01 / SEPA 2023-05 at 8:08 PM.

The remainder of the meeting minutes are being EXCLUDED, as the next part of the meeting addressed an item will go to the Board of County Commissioners at a future date, which is subject to the state Appearance of Fairness Doctrine.

AGENDA ITEM # 2

TC 2023-01

TEXT CHANGE

AMENDMENT TO FCC CHAPTER 17.66
SWIMMING POOLS & HOT TUBS



FRANKLIN COUNTY PLANNING COMMISSION
Tuesday, June 06, 2023

TC 2023-01

DESCRIPTION

- This is a proposed amendment to Franklin County Code Chapter 17.66, Swimming Pools & Hot Tubs, specifically, Section 17.66.220 Swimming Pool Barrier.
- This amendment seeks to lower the required barrier height for residential swimming pools from five (5) feet in height to four (4) feet in height.
- Staff is proposing this change to bring this requirement more in line with the Washington State Building Code.

TC 2023-01

STAFF ANALYSIS

- A primary duty of the Planning & Building Department is to minimize risk to the public's health and safety.
- Another duty is to notify the Board of County Commissioners of new technologies, products, or procedures, that subject-matter experts have determined provide the same, or similar, level of protection, as well as changes in applicant behavior, which, based on the new information, may be cause for the Board of County Commissioners to adopt new standards.

TC 2023-01

STAFF ANALYSIS

- The International Building Code (IBC) is the code used, in conjunction with other codes such as the International Fire Code (IFC), to determine the minimum building construction and safety standards for specific uses and structure types that are not residential in nature, or exceed three residential units.
- The International Residential Code (IRC) provides the minimum construction and safety standards for residential uses involving three, or fewer, residential units, and accessory residential uses, such as personal storage buildings.

TC 2023-01

STAFF ANALYSIS

- The IBC, IRC, and IFC codes, in conjunction, with a variety of appendices covering specific uses and facility types, are collectively referred to as the International Building Code, or IBC, as well.
- The IBC is also used by most finance and insurance companies to determine whether a structure being financed and insured meets minimum safety and construction standards.
- If the structure was not built to this standard, then they will often deny financing, or may not pay on an insurance claim.

TC 2023-01

STAFF ANALYSIS



- Updates to the IBC generally occur on a 3-year cycle.
- As part of the review and vetting process, Washington State makes various amendments to the IBC when it adopts the latest version.
- Localities are not allowed to adopt building regulations that have lower standards than the State adopted IBC.

TC 2023-01

STAFF ANALYSIS

- One of the appendices adopted by Washington State is the International Swimming Pool & Spa Code (ISPSA), a set of codes specifically developed for the installation of public and private swimming pools and spa/hot tubs.
- Section 305 of the ISPSA covers barrier requirements, and discusses the reason for barrier requirements, and allows for the use of automatic pool “safety covers”, meeting an ATSM F1346 standard, as the barrier.

TC 2023-01

STAFF ANALYSIS

- A “safety cover” is one that will support the weight of two (2) adults and a child, if they were to fall into (onto) the covered pool, as opposed to just a “pool cover” that may collapse under that weight.
- In order to act as the only barrier, the safety cover must meet an ASTM F1346 standard, and be able to cover the pool automatically.
- Safety covers meeting the ASTM F1346 standard requiring the pool to be covered manually do not qualify as the barrier, in the ISpsc.

TC 2023-01

STAFF ANALYSIS

- Section 305.2.1 through 305.8 provides the barrier requirements for pools without automatic safety covers meeting the ASTM F 1346 standard.
- It states “pools not having automatic safety covers meeting the ASTM F1346 standard must be protected on all sides by a minimum 4’ barrier.” (Sect. 305.2.1(1))
- FCC Chapter 17.66.220, Swimming Pools & Hot Tubs, requires the installation of a minimum 5’ barrier around all sides of the pool, with self-locking gates, regardless of whether any pool cover is used.
- This section of the FCC was last updated in 2011.

TC 2023-01

STAFF ANALYSIS

- The version of FCCC 15.12, adopted by Franklin County on March 16, 2011, specifically repealed the section adopting the 2018 ISPSC.
- Therefore, when reviewing pool applications, the barrier requirements provided for in FCCC 17.66.220 have been required for all pools, regardless of the type of pool cover being used.
- Other than the difference in the barrier requirements – 4’ minimum in the ISPSC, and an allowance for safety covers to act as the barrier, and 5’ minimum, regardless of pool cover in the FCCC – Franklin County has the same requirements for pool installations as those required in the ISPSC.

TC 2023-01

STAFF ANALYSIS



- At the time, the 2018 Building Code was adopted, it was rare for applicants to install these types of safety covers.
- Over the course of 2022 and 2023, the majority of pool installation requests have involved the use of these automatic pool covers, and included requests to waive the 5' barrier rule.

TC 2023-01

STAFF ANALYSIS

- Based on this shift, the Planning & Building Department sought guidance from the Board of County Commissioners on February 21, 2023, as to whether it desires the 5' barrier requirement articulated in FCC 17.66.220 to continue to be required for all pool installations, or if the Board would like to amend FCC 15.12 to allow for the use of automatic pool safety covers, meeting the ASTM F1346 standard to be used as the only barrier, as allowed under the 2018 ISPSC.
- At the meeting, the Board did not desire to reinstate the 2018 ISPSC, or to allow for the use of an automatic pool safety cover as the only barrier, and directed Staff to prepare a proposed amendment to lower the required swimming pool barrier from its current 5' minimum height to an allowed 4' minimum height.

TC 2023-01

PUBLIC NOTICE / STATE AGENCY NOTICE

- On, or about, May 11, 2023 staff sent a public notice to the Franklin County Graphic and made a SEPA Determination of Non-Significance (DNS).
 - ▣ SEPA Registry #202302231
- In accordance with procedural requirements under RCW 36.70A.106, the proposed text amendment to the County's Development Regulations was provided to the state Department of Commerce on May 11, 2023, for expedited review (approved on May 30, 2023) in advance of potential adoption of changes to the development regulations, for distribution to state agencies, to allow an opportunity for agency comment.

TC 2023-01

AGENCY/PUBLIC COMMENTS

- No agency or public comments have been received.

TC 2023-01

FINDINGS AND RECOMMENDATIONS

Consistent with Chapter 14.60, the Planning Commission shall:

1. After completion of a hearing on the petition for change to the development regulations, the Planning Commission shall make and enter findings from the record and conclusions thereof which support its recommendation and find whether or not:
 - a) The proposal is in accord with the goals and policies of the Comprehensive Plan, including the County-Wide Planning Policies.
 - b) The effect of the proposal will be materially detrimental.
 - c) There is merit and value in the proposal for the community as a whole.
2. Render a recommendation to approve, approve with modifications and/or conditions, or reject the petition on its findings and conclusions.

TC 2023-01

SUGGESTED FINDINGS OF FACT

- 1) The proposal **IS IN** accord with the goals and policies of the Franklin County Comprehensive Plan, including the county-wide planning policies.
 - a) Amendment is consistent with the requirements of the Washington State Building Code, specifically Section 305 of the 2018 ISPSC.
 - b) Amendment supports the intent of the Comprehensive Plan Land Use Element, Goal #7, subsection 3, implementing “codes, such as building, fire, and sign codes, in the public interest and for the purposes of promoting public health, safety and welfare.” (Pg. 37)

TC 2023-01

SUGGESTED FINDINGS OF FACT

- 2) The effect of the proposal **WILL NOT** be materially detrimental.
 - a) The amendment reduces the overall barrier height from 5' to 4' in height, but maintains a static safety barrier against small children or large animals entering a swimming pool.
- 3) There **IS** merit and value in the proposal for the community as a whole.
 - a) Reducing the required minimum height requirement from 5' to 4' for a swimming pool barrier reduces the overall cost to residents, and still maintains a static barrier against small children or large animals entering a swimming pool.

TC 2023-01

SUGGESTED FINDINGS OF FACT

- 4) Conditions **ARE NOT** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
 - a) N/A – This criterion does not apply as this is not a change to the Zoning Map.
- 5) A concomitant agreement between the County and the petitioner **IS NOT** required for this application.
 - a) N/A – This criterion does not apply as this is not a change to the Zoning Map.
- 6) All notifications of the public hearing were posted as per County Ordinances and State law.

TC 2023-01

SUGGESTED MOTION



- **“I move that the Franklin County Planning Commission adopt the findings of fact as contained in the staff report, and recommend approval of the proposed amendment to Chapter 17.66.220, lowering the swimming pool barrier height requirement from five (5) feet to four (4) feet, based on the findings.”**

PC STAFF REPORT

TC 2023-01

Franklin County – Amending FCC 17.68.220

Request to Decrease Minimum Swimming Pool Barrier Height

Agenda Item #2

STAFF REPORT

TC 2023-01

Amending FCC 17.66.220(B)
Reducing Swimming Pool Barrier Height from 5' to 4'

FACT SHEET/STAFF REVIEW

Hearing before the Franklin County Planning Commission

Case-file: TC 2023-01 / SEPA 2023-05
Amendment to Franklin County Code Chapter 17.66, Swimming Pools & Hot Tubs, Specifically Section 17.66.220 Swimming Pool Barrier.

Hearing Date: June 6, 2023

Applicant: Franklin County Planning & Building Department

Location: N/A – the code will apply to all lands in unincorporated Franklin County

ATTACHMENTS TO THIS STAFF REPORT:

1. DRAFT Ordinance for BOCC adoption [Proposed code is shown as Attachment A]
2. SEPA DNS and Checklist

APPLICATION DESCRIPTION:

This is a proposed amendment to Franklin County Code Chapter 17.66, Swimming Pools & Hot Tubs, specifically Section 17.66.220 Swimming Pool Barrier. This amendment seeks to lower the required barrier height for a residential swimming pools from five (5) feet in height to four (4) feet in height. Staff is proposing this change to bring this requirement more in line with the Washington State Building Code.

STAFF ANALYSIS:

A primary duty of the Planning & Building Department is to minimize risk to the public's health and safety. Another duty is to notify the BoCC of new technologies, products, or procedures, that subject-matter experts have determined provide the same, or similar, level of protection, as well as changes in applicant behavior, which, based on the new information, may be cause for the BoCC to adopt new standards in response.

The International Building Code (IBC) is the code used, in conjunction with other codes such as the International Fire Code (IFC), to determine the minimum building construction and safety standards for specific uses and structure types that are not residential in nature, or exceed three residential units. The International Residential Code (IRC) provides the minimum construction and safety standards for residential uses involving three, or fewer, residential units, and accessory residential uses, such as personal storage buildings. The IBC, IRC, and IFC codes, in conjunction with a variety of appendices covering specific uses and facility types, are collectively referred to as the International Building Code, or IBC, as well.

The IBC is also used by most finance and insurance companies to determine whether a structure being financed and insured meets minimum safety and construction standards. If the structure was not built to this standard, then they will often deny financing, or may not pay on an insurance

claim. This is why Tribes in Washington State often have buildings, such as casinos and other public facilities, designed and inspected to an IBC standard, even though they are exempt from Washington State and local permitting requirements, when building on Tribal Trust or Tribal Reservation lands.

Updates to the IBC generally occur on a 3-year cycle. As part of the review and vetting process, Washington State makes various amendments to the IBC when it adopts the latest version. Localities are not allowed to adopt building regulations that have lower standards than the State adopted IBC. However, localities may have regulations in place that are more robust than those required under the IBC. On March 16, 2021, Franklin County updated FCC Chapter 15.12, Franklin County Building Code, to the current 2018 International Building Code (IBC), as required under RCW 19.27.031, through the adoption of FCC Ordinance 02-2021.

One of the appendices adopted by Washington State is the International Swimming Pool & Spa Code (ISPSC), a set of codes specifically developed for the installation of public and private swimming pools and spas/hot tubs. Section 305 of the ISPSC covers barrier requirements, and discusses the reason for barrier requirements, and allows for the use of automatic pool “safety covers”, meeting an ASTM F1346 standard, as the “barrier”. A “safety cover” is one that will support the weight of two (2) adults and a child, if they were to fall into (onto) the covered pool, as opposed to just a “pool cover” that may collapse under that weight, potentially entangling the person (depending on the material used) in the cover as it collapses into the pool. In order to act as the only barrier, the safety cover must meet an ASTM F1346 standard, and be able to cover the pool automatically. Safety covers meeting the ASTM F1346 standard requiring the pool to be covered manually do not qualify as the barrier.

Section 305.2.1 through 305.8 provides the barrier requirements for pools without automatic safety covers meeting the ASTM F1346 standard. It states pools not having automatic safety covers meeting the ASTM F1346 standard must be protected on all sides by a minimum 4’ barrier. (Sec. 305.2.1(1))

FCC Chapter 17.66.220, Swimming Pools & Hot Tubs, requires the installation of a minimum 5’ barrier around all sides of a pool, with self-locking gates, regardless of whether any pool cover is used. This section of the FCC was last updated in 2011.

The version of FCC 15.12 adopted by Franklin County on March 16, 2021, specifically repealed the section adopting the 2018 ISPSC. (Please see Ordinance 02-2021, page 4, Section 15.12.090, attached) Therefore, when reviewing pool applications, the barrier requirements provided for in FCC 17.66.220 have been required for all pools, regardless of the type of pool cover being used. Other than the difference in barrier requirements – 4’ minimum in the ISPSC, and an allowance for safety covers to act as the barrier, and 5’ minimum, regardless of pool cover in the FCC – Franklin County has the same requirements for pool installations as those required in the ISPCS.

At the time the 2018 Building Code was adopted, it was rare for applicants to install these types of safety covers, potentially due to the cost (generally \$8,000-\$20,000, or more) and maintenance requirements. However, over the course of 2022, and so far in 2023, the majority of pool installation requests have involved the use of these covers, and included requests to waive the 5' barrier rule.

Based on this shift in applicant requests, the Planning & Building Department sought guidance from the BoCC on February 21, 2023, as to whether it desires the 5' barrier requirement articulated in FCC 17.66.220 to continue to be required for all pool installations, or if the BoCC would like to amend FCC 15.12 to allow for the use of automatic pool safety covers, meeting the ASTM F1346 standard, to be used as the only barrier, as allowed under the 2018 ISPSC.

At that meeting, the BoCC did not desire to reinstate the 2018 ISPSC, or to allow for the use of an automatic pool safety cover as the only barrier, and directed Staff to prepare a proposed amendment to lower the required swimming pool barrier from its current 5' minimum height, to an allowed 4' minimum height.

PUBLIC NOTICE:

1. A Public Notice was published in the Franklin County Graphic May 11, 2023 for the Planning Commission meeting on June 6, 2023.
2. A SEPA Determination of Non-Significance (DNS) was issued on May 11, 2023, with a comment period ending on May 29, 2023.
3. The SEPA Checklist, DNS, and other relevant materials, were submitted to the SEPA Registry on May 11, 2023, with a SEPA Registry File Number of 202302231.

NOTICE TO THE STATE DEPARTMENT OF COMMERCE, GROWTH MANAGEMENT SERVICES:

In accordance with procedural requirements under RCW 36.70A.106, the proposed text amendment to the County's Development Regulations was provided to the state Department of Commerce on May 11, 2023, for expedited review (approved on May 30, 2023) in advance of potential adoption of changes to the development regulations, for distribution to state agencies, to allow an opportunity for agency comment.

APPLICABLE STANDARDS/ORDINANCES:

1. Franklin County Comprehensive Plan.
2. Franklin County County-Wide Planning Policies.
3. Franklin County Code Chapter 14.60 Zoning and Subdivision Code Text Amendments.
4. Local Project Review Act (RCW 36.70B)
5. Land Use Petition Act (Chapter 36.70C RCW)

ADDITIONAL BACKGROUND INFORMATION:

The County's prosecuting attorney's office has not reviewed this item yet. They will have a chance to review this item before it is presented to the BoCC.

COMMENTS/CRITERIA FOR FINDINGS OF FACT:

As of the date of this staff report, no agency or public comments have been received.

FINDINGS AND RECOMMENDATIONS: (TC 2023-01)

Consistent with Chapter 14.60, the Planning Commission shall:

1. After completion of an hearing on the petition for change to the development regulations, the Planning Commission shall make and enter findings from the records and conclusions thereof which support its recommendation and find whether or not:
 - a. The proposal is in accord with the goals and policies of the comprehensive plan including the county-wide planning policies.
 - b. The effect of the proposal will be materially detrimental.
 - c. There is merit and value in the proposal for the community as a whole.
2. Render a recommendation to approve, approve with modifications and/or conditions, or reject the petition based on its findings and conclusions. The Planning Commission's recommendation, to include its findings and conclusions, shall be forwarded to the Board of Commissioners at a regularly scheduled business meeting thereof.

Staff: Staff recommends the Planning Commission forward a **POSITIVE RECOMMENDATION**, according to the following suggested findings of fact:

Suggested Findings of Fact:

1. The proposal **IS IN** accord with the goals and policies of the Franklin County Comprehensive Plan, including the county-wide planning policies.
 - a. Amendment is consistent with the requirements of the Washington State Building Code, specifically Section 305 of the 2018 ISPSC.
 - b. Amendment supports the intent of Comprehensive Plan Land Use Element, Goal #7, subsections 3, implementing "codes, such as building, fire, and sign codes, in the public interest and for the purposes of promoting public health, safety and

welfare.” (Pg. 37)

2. The effect of the proposal **WILL NOT** be materially detrimental.
 - a. The amendment reduces the overall barrier height from 5’ to 4’ in height, but maintains a static safety barrier against small children or large animals entering a swimming pool.
3. There **IS** merit and value in the proposal for the community as a whole.
 - a. Reducing the required minimum height requirement from 5’ to 4’ for a swimming pool barrier reduces the overall cost for residents, and still maintains a static barrier against small children or large animals entering a swimming pool.
4. Conditions **ARE NOT** required to be imposed in order to mitigate any significant adverse impacts from the proposal.
 - a. N/ A - This criterion does not apply as this is not a change to the Zoning Map.
5. A concomitant agreement between the County and the petitioner **IS NOT** required for this application.
 - a. N/ A - This criterion does not apply as this is not a change to the Zoning Map.
6. All Notifications of the Public Hearing were posted as per County Ordinances and State law.

SUGGESTED MOTION:

*I move that the Planning Commission adopt the findings of fact as contained in the staff report, and recommend approval of the proposed amendment to **Chapter 17.66.220, lowering the swimming pool barrier height requirement from five (5) feet to four (4) feet, based on the findings.***

FC ORDINANCE 02-2021

Chapter 15.12 Franklin County Building Code Adoption

FRANKLIN COUNTY ORDINANCE- 02-2021

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON**

Amendments to Chapter 15.12 – Franklin County Building Code

WHEREAS, the Board of Franklin County Commissioners is given authority to pass regulatory Ordinances under the State Constitution Article 11, §11, RCW 36.32.120(7), and RCW 19.27; and

WHEREAS, the State of Washington has mandated in RCW 19.27 that the International Building Code with the amendments made by Washington State be adopted; and

WHEREAS, Franklin County previously passed Ordinance 6-2016 which substantially adopted the 2015 International Building Code, 2015 International Residential Code, 2015 International Existing Building Code, 2015 Uniform Plumbing Code, 2015 International Mechanical Code, 2015 International Fuel Gas Code, 2015 Wash. State Energy Code, 2015 International Swimming Pool and Spa Code, 2015 International Zoning Code, 2015 International Property Maintenance Code; and the 1997 Uniform Code for the Abatement of Dangerous Buildings; and

WHEREAS, Ordinance 6-2016 provided minimum standards to safeguard health, property, and public welfare by regulating and controlling all aspects of construction, occupancy, repair and design within unincorporated areas of Franklin County and was codified as Franklin County Code Chapter 15.12 , a chapter of Title 15 "Buildings and Construction"; and

WHEREAS, Franklin County subsequently passed Ordinance 5-2017 amending FCC 15.12.230; and

WHEREAS, Washington State has updated the multiple building codes, including an update to the energy code, with an effective date of February 1, 2021; and

WHEREAS, in accordance with RCW 43.21C.450, no SEPA review is required for this action; and

WHEREAS, it is in the public interest to approve the code amendments;

NOW, THEREFORE, BE IT ORDAINED that Franklin County Code Chapter 15.12 – "Franklin County Building Code" be amended as shown in Attachment A to this ordinance; and

BE IT FURTHER ORDAINED that this ordinance shall be in force and in effect after its passage and publication as required by law.

APPROVED THIS 16th DAY OF MARCH, 2021.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON


Chair


Chair Pro-Tem


Member

Attest:


Clerk of the Board

FRANKLIN COUNTY ORDINANCE 02-2021

EXHIBIT A

NOTE TO REVIEWERS AND CODIFIER: Chapter 15.12 Sections omitted from this document are retained and unchanged unless noted.

15.12.020 - Adoption of the International Building Code with Washington State Amendments.

The ~~2015~~ **2018** edition of the International Building Code, as published by the International Code Council, is hereby adopted by reference with the following additions of Appendix Chapters: C, ~~D~~, E, H, I, and J, as if fully set out in this chapter ordinance. The code is modified in accordance with the ~~The~~ provisions of Chapter 51-50 WAC and RCW 19.27, ~~copies of which are on file with the Franklin County Auditor's office,~~ are hereby adopted by reference ~~by the County of Franklin,~~ as if fully set out in this chapter ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes ~~which are on file with the Franklin County Auditor's office~~ as if fully set out in this chapter ordinance. Appendix Chapter H, (Signs), where there is a conflict with this chapter and Franklin County Title 17 (Zoning) the most current Franklin County Zoning Ordinance, as amended, and the Franklin County Sign Code, Chapter 15.16 of this Title Sign Ordinance, as amended, the latter referenced ordinances shall govern.

15.12.030 - Adoption of the International Residential Building Code with Washington State Amendments.

The ~~2015~~ **2018** edition of the International Residential Code, as published by the International Code Council, is hereby adopted by reference with the ~~following~~ deletion of chapters 11 and ~~25-42~~ **25 through 43** and additions of Appendix Chapters ~~F, G, H and J,~~ and T, as if fully set out in this chapter ordinance. The code is modified in accordance with the ~~The~~ provisions of Chapter 51-51 WAC and RCW 19.27, ~~copies of which are on file with the Franklin County Auditor's office,~~ and are hereby adopted by reference ~~by the County of Franklin,~~ as if fully set out in this chapter ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes ~~which are on file with the Franklin County Auditor's office as if fully set out in this ordinance.~~

15.12.040 - ~~Repealed Adoption of the International Existing Building Code with Washington State Amendments.~~

~~The 2015 edition of the International Existing Building Code, as published by the International Code Council, is hereby adopted by reference, as if fully set out in this~~

FRANKLIN COUNTY ORDINANCE 02-2021

~~ordinance. The provisions of Chapter 51-50 WAC and RCW 19.27, copies of which are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this ordinance.~~

15.12.050 - Adoption of the Uniform Plumbing Code and Installation Standards with Washington State Amendments.

The ~~2015~~ **2018** edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference with the following additions of Appendix chapters of A, B, E and I and deleting T-104.5, Chapters 12 and 14, as if fully set out in this ~~chapter ordinance~~. Provided further, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted. The code is modified in accordance with the ~~The~~ provisions of Chapter 51-56 WAC, RCW 19.27, ~~copies of which are on file with the Franklin County Auditor's office,~~ **and** are hereby adopted by reference ~~by the County of Franklin,~~ as if fully set out in this ~~chapter ordinance~~. This adoption by reference will also include any future amendments to codes and Washington statutes ~~which are on file with the Franklin County Auditor's office as if fully set out in this ordinance.~~

15.12.060 - Adoption of the International Mechanical Code with Washington State Amendments.

The ~~2015~~ **2018** edition of the International Mechanical Code, ~~as~~ published by the International Code Council, is hereby adopted by reference, as if fully set out in this ~~chapter ordinance~~. The code is modified in accordance with the ~~The~~ provisions of Chapter 51-52 WAC, RCW 19.27, ~~copies of which are on file with the Franklin County Auditor's office,~~ **and** are hereby adopted by reference ~~by the County of Franklin,~~ as if fully set out in this ~~chapter ordinance~~. This adoption by reference will also include any future amendments to codes and Washington statutes ~~which are on file with the Franklin County Auditor's office as if fully set out in this ordinance.~~

15.12.070 - ~~Repealed~~ Adoption of the International Fuel Gas Code with Washington State Amendments.

~~The 2015 edition of the International Fuel Gas Code, published by the International Code Council is hereby adopted by reference except that the standards for liquefied petroleum gas installations shall be the 2014 NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and the 2015 ANSI Z223.1/NFPA 54 (National Fuel Gas Code), as if fully set out in this ordinance. The provisions of Chapter 51-52 WAC, RCW 19.27 copies of which~~

FRANKLIN COUNTY ORDINANCE 02-2021

~~are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin, as if fully set out in this ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this ordinance.~~

15.12.080 - Adoption of the International Energy Conservation Code with Washington State Amendments Washington State Energy Code.

The ~~2015~~ 2018 edition of the ~~International Energy Conservation Code~~ Washington State Energy Code is hereby adopted by reference, as if fully set out in this ~~chapter ordinance~~. ~~For residential buildings, the code is modified in accordance with the~~ The provisions of Chapter 51-11, 51-11C and 51-11R WAC and RCW 19.27 which are on file with the Franklin County Auditor's office and are hereby adopted by reference ~~by the County of Franklin, as if fully set out in this chapter ordinance.~~ For commercial buildings, the code is modified in accordance with the provisions of Chapter 51-11C WAC and RCW 19.27 and are hereby adopted by reference, as if fully set out in this chapter. Based on the 2018 IECC, "Residential" includes One- and Two-family dwellings, Townhouses and Group R-2 and R-3 buildings three stories or less "Commercial" includes all buildings not covered under "Residential." This adoption ~~will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this chapter ordinance.~~

15.12.090 - ~~Repealed.~~ Adoption of the International Swimming Pool and Spa Code.

~~The 2015 edition of the International Swimming Pool and Spa Code, published by the International Code Council as if fully set out in this ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this ordinance.~~

15.12.100 - Adoption of the International Zoning Code—Chapter 10 (Signs).

The ~~2015~~ 2018 edition of the International Zoning Code — Chapter 10 (Signs), published by the International Code Council, is hereby adopted by reference, as if fully set out in this ~~chapter ordinance~~. This adoption by reference will also include any future amendments to codes and Washington statutes ~~which are on file with the Franklin County Auditor's office~~ as if fully set out in this ~~chapter ordinance~~. The ~~2015~~ 2018 edition of the International Zoning Code — Chapter 10, where there is a conflict with this chapter and the most current Franklin County Zoning Ordinance, as amended, and the Franklin County Sign Ordinance, as amended, the latter referenced ordinances shall govern.

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15.12.110 - Adoption of International Property Maintenance Code.

The ~~2015~~ **2018** edition of the International Property Maintenance Code, published by the International Code Council is hereby adopted by reference, as if fully set out in this chapter ordinance.

15.12.120 - Adoption of the Uniform Code for the Abatement of Dangerous Buildings.

The 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials is hereby adopted by reference, as if fully set out in this chapter ordinance.

15.12.190 - Fees.

Pursuant to Section 109 of the ~~2015~~ **2018** International Building Code and Section R108 of the ~~2015~~ **2018** International Residential Code, the fee for each permit shall be as set forth in the following attached tables for valuations based upon the ~~June 2016~~ **February 2020** Building Valuation Data as published by the International Code Council and as also amended, permit fee schedule, plumbing and mechanical fee schedule tables. A partial listing of current square footage values based upon occupancy utilizing exterior building dimensions are as follows, and are subject to amendment:

PERMIT FEES ARE BASED ON THE FOLLOWING VALUATIONS:

Single Family Dwelling (SFD)/Addn.	\$112.65 SQ. FT. <u>\$122.46 SQ. FT.</u>
Heated/Unheated Basement (SFD)	\$60.00 SQ. FT. <u>\$65.00 SQ. FT.</u>
Remodel — Single Family Dwelling (SFD)	\$45.00 SQ. FT. <u>\$50.00 SQ. FT.</u>
Single Family Dwelling (SFD) Unfinished/Unheated space integral to the SFD and accessed by typical residential standards (non-basement)	\$62.00 SQ. FT. <u>\$65.00 SQ. FT.</u>
Residential Attached Garage/Wood Framed (U-Occupancies)	\$44.63 SQ. FT. <u>\$48.30 SQ. FT.</u>
Private Detached Wood Framed Shop/Garage (U-Occupancies) Unfinished/Unheated	\$30.00 SQ. FT. <u>\$32.00 SQ. FT.</u>

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Decks/Patios/Balconies/Exterior alterations, reframe roof etc.	\$17.00 SQ. FT. <u>\$20.00 SQ. FT.</u>
Re-roofing (<u>no structural repairs</u>): Residential	\$100.00 <u>\$125.00</u> Based upon submitted
Commercial	Contract value
<u>Re-roofing: Commercial</u>	<u>Based upon submitted Contract value</u>
Enclosed Porch/Carports	\$22.00 SQ. FT. <u>\$23.00 SQ. FT.</u>
Pole Buildings (unfinished/unheated, private) U-occupancies	\$17.00 SQ. FT. <u>\$20.00 SQ. FT.</u>
Steel Buildings (unfinished/unheated, private) U-occupancies	\$25.00 SQ. FT. <u>\$30.00 SQ. FT.</u>
Hay Shed	\$9.00 SQ. FT. <u>\$10.00 SQ. FT.</u>
Ag Crop Storage/Shed	Per Building Valuation Data (Utility use)
Scales	\$20.00 SQ. FT.
In ground Pool	\$300.00
Above Ground Pool/Hot Tubs	\$100.00
Wood/Pellet/Gas/Stoves/Inserts. Other Appliances per Mechanical Fee Table.	\$55.00
Demolitions (Commercial, based upon value of Work)	\$50.00 <u>\$75.00</u>
Foundations	Based upon submitted Contract value
House Move	\$40.00 SQ. FT. (Garage \$15.00 SQ. FT.)
Signs	Based upon submitted Contract value
Address Numbers (1 Set)	Address fee not to exceed actual cost of each individual number plate

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State Building Code Council (SBCC) - Residential building permits	\$6.50 for each building permit, plus an additional surcharge of \$2.00 for each residential unit after the first unit (or as amended by the State Building Code Council)
State Building Code Council (SBCC) - Commercial building permits	\$25.00, plus an additional surcharge of \$2.00 for each residential unit after the first unit (or as amended by the State Building Code Council)
Special / Re-Inspection	\$75.00
Additional Plan Review Required by Changes, Additions or Revisions to Approved Plans	\$50.00 \$60.00 Per Hour (Minimum Charge of 2 Hours)
Construction started without Permit	Permit Fee is to be doubled

Plumbing Fees = As per Plumbing Fee Table. (Amended 1997 UPC Fee Table)

Mechanical Fees = As per Mechanical Fee Table. (Amended 1997 UMC Fee Table)

Grading and Excavation Fees shall be as set forth in the 1997 Uniform Building Code Appendix Chapter 33, Table A-33-A and Table A-33-B. Plan review fees shall be 65% of the building permit fee and shall be in addition to the building permit fee and shall be paid for reviewing building plans in occupancy group A through M inclusive, Group R-1, R-2, R-4 and Group S. Plan review fees shall be paid as well for Group U occupancies, tanks, towers and buildings over 3,000 square feet (except open hay sheds). All other building occupancies plan review fees shall be 5% of the building permit fee and shall be in addition to the building permit fee.

All other occupancies, which may not have a listed value, a signed contract bid may be required.

BUILDING PERMIT FEE TABLE

\$1.00—500	\$23.50
501—600	26.55
601—700	29.60
701—800	32.65
801—900	35.70
901—1000	38.75
1001—1100	41.80
1101—1200	44.85
1201—1300	47.90

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1301—1400	50.95
1401—1500	54.00
1501—1600	57.05
1601—1700	60.10
1701—1800	63.15
1801—1900	66.20
1901—2000	69.25
2001—3000	83.25
3001—4000	97.25
4001—5000	111.25
5001—6000	125.25
6001—7000	139.25
7001—8000	153.25
8001—9000	167.25
9001—10000	181.25
10001—11000	195.25
11001—12000	209.25
12001—13000	223.25
13001—14000	237.25
14001—15000	251.25
15001—16000	265.25
16001—17000	279.25
17001—18000	293.25
18001—19000	307.25
19001—20000	321.25
20001—21000	335.25
21001—22000	349.25
22001—23000	363.25
23001—24000	377.25
24001—25000	391.25
25001—26000	401.85
26001—27000	411.95
27001—28000	422.05
28001—29000	432.15
29001—30000	442.25
30001—31000	452.35

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31001—32000	462.45
32001—33000	472.55
33001—34000	482.65
34001—35000	492.75
35001—36000	502.85
36001—37000	512.95
37001—38000	523.05
38001—39000	533.15
39001—40000	543.25
40001—41000	553.35
41001—42000	563.45
42001—43000	573.55
43001—44000	583.65
44001—45000	593.75
45001—46000	603.85
46001—47000	613.95
47001—48000	624.05
48001—49000	634.15
49001—50000	644.25
50001—51000	650.75
51001—52000	657.75
52001—53000	664.75
53001—54000	671.75
54001—55000	678.75
55001—56000	685.75
56001—57000	692.75
57001—58000	699.75
58001—59000	706.75
59001—60000	713.75
60001—61000	720.75
61001—62000	727.75
62001—63000	734.75
63001—64000	741.75
64001—65000	748.75
65001—66000	755.75
66001—67000	762.75

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67001—68000	769.75
68001—69000	776.75
69001—70000	783.75
70001—71000	790.75
71001—72000	797.75
72001—73000	804.75
73001—74000	811.75
74001—75000	818.75
75001—76000	825.75
76001—77000	832.75
77001—78000	839.75
78001—79000	846.75
79001—80000	853.75
80001—81000	860.75
81001—82000	867.75
82001—83000	874.75
83001—84000	881.75
84001—85000	888.75
85001—86000	895.75
86001—87000	902.75
87001—88000	909.75
88001—89000	916.75
89001—90000	923.75
90001—91000	930.75
91001—92000	937.75
92001—93000	944.75
93001—94000	951.75
94001—95000	958.75
95001—96000	965.75
96001—97000	972.75
97001—98000	979.75
98001—99000	986.75
99001—100000	993.75

OVER \$100,000 TO \$1,000,000 - \$993.75 FOR THE FIRST \$100,000 PLUS \$7.00 FOR EACH ADDITIONAL \$1,000 OR FRACTION.

\$1,000,000 AND UP - \$7,293.75 FOR THE FIRST \$1,000,000 PLUS \$5.00 FOR EACH ADDITIONAL \$1,000 OR FRACTION.

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PLUMBING PERMIT FEE TABLE

1. Permit. \$40.00

UNIT FEE SCHEDULE (In addition to item 1 above)

- 2. For each plumbing fixture on 1 trap or a set of fixtures on 1 trap (including water, drainage piping and back flow protection therefore. \$10.00
- 3. Rainwater Systems - per drain (inside building). \$7.00
- 4. For each building sewer and each trailer park sewer. \$30.00
- 5. For each water heater and or vent. \$20.00
- 6. For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps. \$20.00
- 7. For each installation, alteration or repair of water piping and/or water treating equipment each. \$20.00
- 8. For each repair or alteration of drainage or vent piping, each fixture. \$10.00
- 9. For each lawn sprinkler system on any 1 meter, including Backflow protection devices therefore. \$10.00
- 10. For atmospheric-type vacuum breakers not included in Item #9 above -
 - 1—5: \$10.00
 - Over 5 each: \$2.00
- 11. For each backflow protective device other than atmospheric type vacuum breakers -
 - 2" and smaller: \$10.00
 - Over 2": \$15.00
- 12. Solar Panels:
 - Residential Installation (Without Structural Alterations) \$100.00

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Commercial Installation (Per Contractor Bid)

13. For each Medical gas piping system serving 1-5 inlets/outlets for a specific gas -	\$75.00
For each additional medical gas inlet/out:	\$5.00
14. Building Fire Extinguishing Systems -	\$200.00
& Per suppression head:	\$1.00
15. Spray Finishing Fire Extinguishing Systems -	\$100.00
& Per Suppression head:	\$1.00
16. Hood & Duct Fire Extinguishing Systems -	\$50.00
& Per Suppression head:	\$1.00
17. Fire Alarm Systems	\$150.00

*** Other allowed plumbing systems which may be allowed per the WA State amended Uniform Plumbing Code - fees will be based upon the value(s) of the work.

MECHANICAL PERMIT FEE TABLE

1. Permit	\$40.00
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UNIT FEE SCHEDULE (In addition to Item 1 above)

2. Furnaces; for the installation or relocation of each forced-air gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW) -	\$25.00
For each Additional 100,000 Btu/h (29.3kW):	+ \$5.00
3. For the installation of relocation of each suspended heater, recessed wall heater or floor mounted unit heater.	\$20.00

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4.	Appliance Vents; For the installation, relocation or replacement of each vent installed and not included in an appliance permit.	\$ 8.00
5.	Repairs, additions or alterations to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code.	\$15.00
6.	Boilers, Compressors and Absorption systems; for the installation up to and including 15 horsepower (52.7 KW) or each absorption system up to 500,000 Btu/h (146.6 KW).	\$35.00
7.	Boilers, Compressors and Absorption systems; for the installation over 15 horsepower (52.7 kW) to an including 50 horsepower (176 KW) or each absorption system over 500,000 Btu/h (146.6 KW) up to and including 1,750,000 Btu/h (512.9 KW).	\$65.00
8.	Boilers, Compressors and Absorption systems; for the installation over 50 horsepower (176 KW) or each absorption system over 1,750,000 Btu/h (512.9 KW).	100.00
9.	For each air handling unit to and including 10,000 (cfm) (4719 L/s), including ducts attached thereto -	\$13.00
	For each air handling unit over 10,000 (cfm) (4719 L/s):	\$20.00
	Note: This fee does not apply to an air-handling unit which is a portion of a factory assembled appliance for which a permit is required elsewhere in the Mechanical Code.	
10.	Evaporative coolers other than portable type	\$12.00
11.	Exhaust and ventilation fans connected to a single ducts up to 200 (cfm)	\$8.00
	Fans less than 5000 (cfm)	\$15.00
	Fans less than 50,000 (cfm)	\$20.00
	Fans greater than 50,000 (cfm)	\$25.00
12.	Gas Piping Systems regulated by the Mechanical Code/Fuel	
	Gas Code, 1-8 outlets -	\$15.00
	For each additional outlet over 8:	\$1.25

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13. Flammable and Combustible Liquid Storage Tanks and Compressed Gas Tank Set; 1-1000 Gallons - \$75.00
- 1001-3,000 Gallons: \$100.00
- 3,001 Gallons and up: permit fee based upon value
- Note: Up to a 3,000 gallon tank, support systems must comply with manufacturer's specifications. When not available, and above a 3,000 gallon tank, submittal of Washington State Engineered plans will be required. 65% Plan Review Fees in addition to Permit Fees are required for tanks over 3,000 gallons.
14. For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table. \$20.00

15.12.230 - Permit expiration and revalidation.

Section 105.5 of the International Building Code and of the International Residential Code shall be amended to read as follows:

"A building permit shall be obtained from the Franklin County Planning and Building Department. The permit shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 ~~calendar~~ days from the date of permit issuance, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days, ~~but in~~ in any case, the permit shall expire by limitation two (2) years from the date of issuance.

~~, unless the owner of the permit has requested an extension in writing and can show cause acceptable to the Director of Planning, to grant a 180-day extension of the permit. In the event a building permit expires prior to~~

Prior to expiration of the building permit, a final inspection shall be requested from the and approval by the Franklin County Planning and Building Department. In the event a building permit expires prior to the final impaction and approval by the Franklin County Planning and Building Department, a revalidation permit at 25% of the original permit fee, shall be paid prior to any further inspections, approvals, or the issuance of a Certificate of Occupancy by the department. No more than one revalidation permit shall be issued. A revalidation permit shall be valid for no more than one (1) year.

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~~of the original permit may be requested within 30 days after the expiration date, subject to a 25% fee of the original permit fee. Said fee shall be paid prior to any further inspections, approvals, or the issuance of a Certificate of Occupancy by the department.~~

~~No more than one revalidation permit shall be issued upon the expiration of a valid building permit. A revalidation permit shall be valid for 180 days, and may be extended for an additional 180 days, if the owner has requested an extension in writing demonstrating cause acceptable to the Director of Planning prior to the expiration date. Further extensions may only be considered if the exterior of the structure is complete, and in the opinion of the Director of Planning, the outward appearance of the building/structure is that of being complete and finished (including compliance with the requirements of the Landscaping and Screening Chapter of the Franklin County Zoning Ordinance, as amended).~~

Expired permits that have not been appropriately extended shall be subject to a new application, review, and ~~may~~ **shall** be subject to state code updates."

A revalidation permit shall be required when the exterior of the structure is uncompleted at the initial 2 year permit expiration. The six (6) month permit extension is authorized with the permit condition that upon completion of the initial six (6) month extension, the exterior of the structure is complete. Failure to meet this condition shall be cause for the original permit to be terminated, and a new permit be issued for all outstanding items.

However, if the exterior of a structure is completed (siding, windows, doors, roof, etc.) prior to the expiration of a permit, a six (6) month permit extension may be issued. Extension Permits may be further extended in six (6) month increments provided that substantial progress is verified, through the passing of an outstanding required inspection, such as framing, plumbing, insulation, etc. "Partial inspections" shall not meet the standard of "passing of an outstanding required inspection". In no case shall more than four (4) permit extensions be issued. The six (6) month permit extensions will not be charged a permit fee, but rather be charged the \$75.00 Special Inspection/Re-Inspection fee for each and every requested site inspection visit by the Planning and Building Department personnel."

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: March 8, 2021

PREPARED BY: Nicole Stickney (AHBL)

Meeting Date Requested: March 16, 2021

PRESENTED BY: Derrick Braaten or N. Stickney

ITEM: (Select One) Consent Agenda

Brought Before the Board
Time needed: 5 minutes

SUBJECT: Adoption of Ordinances to update FCC Chapter 15.12 "Franklin County Building Code" and Chapter 8.40 "Franklin County Fire Code" following state action (File #TC 2021-01 and -02)

FISCAL IMPACT: None

BACKGROUND: Washington State has updated the multiple building codes, including an update to the energy code. All took effect on February 1, 2021. (Further info and detail available at <http://www.sbcc.wa.gov/state-code-regulations-guidelines/state-building-code>)

Energy code note - The energy code effective date of 2/1/2021 came as a surprise to most, as the legislature had pushed it back several months but then Governor Inslee vetoed that delay (which was the 2nd or 3rd delay of its kind). While the state's first energy code (adopted in 1977 by statute) was a voluntary requirement, the legislature passed State Building Code Act and State Energy Code Act (SECA) 1985.

The State Building Code Act gave rulemaking authority to the State Building Code Council (SBCC) which oversees all various building, fire, and energy codes within the state. This means that Franklin County is automatically required to apply the codes in permit administration. The County may make certain adjustments for local administration and conditions. Passage of this ordinance will clarify what building codes development in Franklin County is subject to in accordance with state law while setting out certain administrative policies and processes.

RECOMMENDATION: The Planning and Building Department recommends passage of the ordinances which will update the codified versions of Ord. 14-2004 (Fire Code) and Ord. 6-2016 (Building Code).

Suggested Motion: I move to Pass Ordinance # 02-2021 amending certain sections of Franklin County Code Chapter 15.12 and pass Ordinance # 03-2021 amending certain section of Franklin County Code Chapter 8.40.

COORDINATION: This action has been coordinated with Building Official Darryl Brown. In addition, J. Johnson, Civil Prosecuting Attorney, reviewed the ordinance and approved as to form. This non-project action is exempt from SEPA (RCW 43.21C.450). Staff has provided an enclosed memo to document the rationale of some changes.

ATTACHMENTS: (Documents you are submitting to the Board)

(1) Memo (2) Two Draft Ordinances

HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list name(s) of parties that will need a pdf)

To the Clerk of the Board: 1 Original Ordinance; To Planning: 1 Copy Ordinance

I certify the above information is accurate and complete.

Derrick Braaten

ISPSC

Sections 305.1 through 305.2.8

along many rivers and streams shown on FIRMs. Placement of pools and spas that encroach into floodways, especially those that are on ground, partially in the ground and those that involve fill, are required to be evaluated by a qualified professional in accordance with accepted engineering practices. To be acceptable, the encroachment analysis must demonstrate that there will be no increase in the design flood elevation. Several states have more restrictive requirements, which can be determined by contacting the NFIP state coordinator (each state has an agency designated to coordinate the NFIP with communities).

[BS] 304.2.2 Pools and spas located where floodways have not been designated. Where pools and spas are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool or spa and any associated grading and filling, will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction.

❖ Although FEMA has mapped floodways along many rivers and streams shown on a community's FIRM, other riverine flood hazard areas have base flood elevations but do not have designated floodways. In these areas, the potential effects that floodplain activities may have on flood elevations have not been evaluated. If FEMA has not designated a regulatory floodway, the community is responsible for regulating development that encroaches into these areas so as not to increase flood elevations by more than 1 foot (305 mm) at any point in the community. In effect, this means a community must either prepare a hydraulic analysis for proposed activities or require permit applicants to do so. Encroachment analyses should be prepared by a qualified professional in accordance with accepted engineering practices. Several states have more restrictive requirements, which can be determined by contacting the NFIP state coordinator.

[BS] 304.3 Pools and spas in coastal high-hazard areas. Pools and spas installed in coastal high-hazard areas shall be designed and constructed in accordance with ASCE 24.

❖ Flood hazard areas in a coastal community include areas subject to flooding that are not expected to have high waves and usually have coastal high-hazard areas where wave heights of 3 feet (914 mm) or higher are expected above the elevation of floodwaters during the base flood (identified on FIRMs as "Zone V"). Some FIRMs also delineate areas where wave heights of 1.5 to 3 feet are expected to occur (called "Coastal A Zones"). Waves impose significant loads on structures, including pools and spas. ASCE 24 requires consideration of flood loads and requires pools to be elevated and designed to break away without producing debris capable of causing significant damage to adjacent structures or designed to remain in the ground. Alternatively, pools may be designed and constructed to remain in the ground during design flood conditions without obstructing flow that results in

damage to any structure. The IBC (by reference to ASCE 24) and IRC Section R322.3.3 require pools to be structurally independent of buildings unless the buildings are designed to resist the additional imposed flood load. Additional guidance is found in FEMA TB #5.

[BS] 304.4 Protection of equipment. Equipment shall be elevated to or above the design flood elevation or be anchored to prevent flotation and protected to prevent water from entering or accumulating within the components during conditions of flooding.

❖ Equipment associated with a pool or spa, such as filters, pumps and heaters, must be installed above the design flood elevation to protect such equipment. If equipment cannot be elevated and still serve the intended function, it can be installed below the flood elevation if it is anchored and protected.

304.5 GFCI protection. Electrical equipment installed below the design flood elevation shall be supplied by branch circuits that have ground-fault circuit interrupter protection for personnel.

❖ Electrical equipment that is installed below the elevation required in ASCE 24, such as lighting, receptacle outlets and motorized pool covers, must be supplied by circuits that have ground-fault circuit-interrupter (GFCI) protection. Caution should be used to ensure that the GFCI device, whether a GFCI receptacle or GFCI breaker, is located above the elevation required in ASCE 24, as the line side of the GFCI device may remain energized even after all downstream devices have been de-energized.

SECTION 305 BARRIER REQUIREMENTS

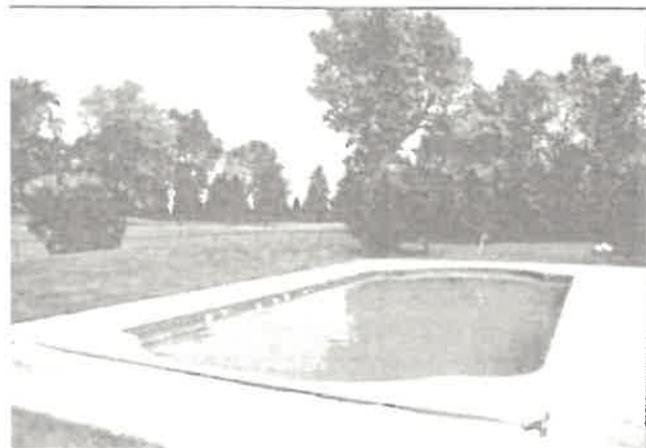
305.1 General. The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

❖ Barriers around pools and spas significantly restrict unauthorized access to such pools and spas. The perimeter barrier design requirements in this section are especially focused on preventing children from having access to an area where the potential for drowning or near drowning is very high. Once children are inside the barrier perimeter, only constant adult supervision of those children can prevent drowning or near drowning. Thus, when adults choose to leave the pool and spa area, common sense dictates that all children should also leave the area and be taken outside of the perimeter barrier. Therefore, a thorough inspection of perimeter barriers is necessary, as they are the only required line of defense against drowning or near drowning of children when adults are not present.

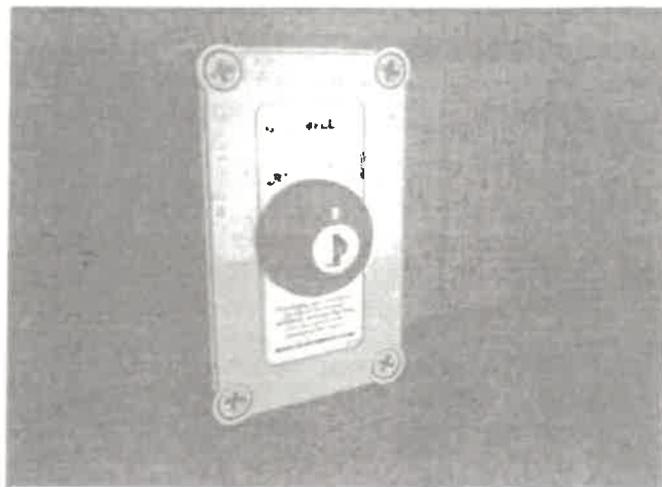
Where spas and hot tubs are provided with lockable covers complying with ASTM F1346 and pools are provided with power safety covers complying with ASTM F1346, barriers are not required. Commentary Figures 305.1(1) and 305.1(2) show powered safety covers on residential and public swimming pools, respectively. When covers are retracted on pools or removed from spas, only constant adult supervision of a pool and spa can prevent children from drowning or near drowning. Thus, when adults choose to leave the pool or spa area, common sense dictates that children are removed from the pool or spa and the cover installed immediately. Therefore, a thorough inspection of covers, cover latching systems and cover deployment systems (and their operation) is necessary, as these covers are the only required line of defense against drowning or near drowning of children when adults are

not present. Although the code is silent about the controls for electric-powered safety covers for pools, it is a reasonable assumption that care would be taken to keep the operating controls secured so only those persons responsible enough to not trap users in the pool would be operating the cover [see Commentary Figure 305.1(3)].

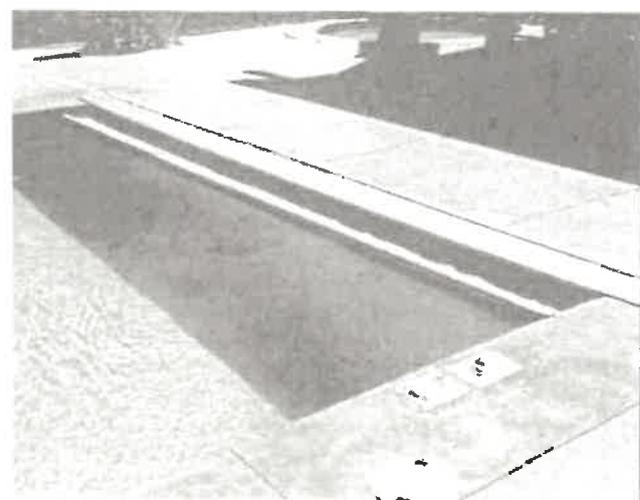
Note that a nonpowered pool cover (i.e., one that is manually installed) does not provide relief of the barrier requirement [see Commentary Figure 305.1(4)]. Even though a manual pool cover might comply with the requirements of ASTM F1346, installation of manually installed covers are time consuming and could be somewhat complicated such that they would not be used every time the pool was not in use.



**Commentary Figure 305.1(1)
ON-DECK-TYPE POWERED
SAFETY COVER FOR RESIDENTIAL POOL**



**Commentary Figure 305.1(3)
KEY SWITCH FOR
POWERED POOL COVER OPERATION**



**Commentary Figure 305.1(2)
INTEGRAL-TYPE POWERED
SAFETY COVER FOR PUBLIC POOL**



**Commentary Figure 305.1(4)
NONPOWERED MESH COVER DOES NOT ALLOW
FOR ABSENCE OF BARRIER AROUND POOL**

305.2 Outdoor swimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7.

❖ Sections 305.2 through 305.7 cover the requirements for barriers.

305.2.1 Barrier height and clearances. Barrier heights and clearances shall be in accordance with all of the following:

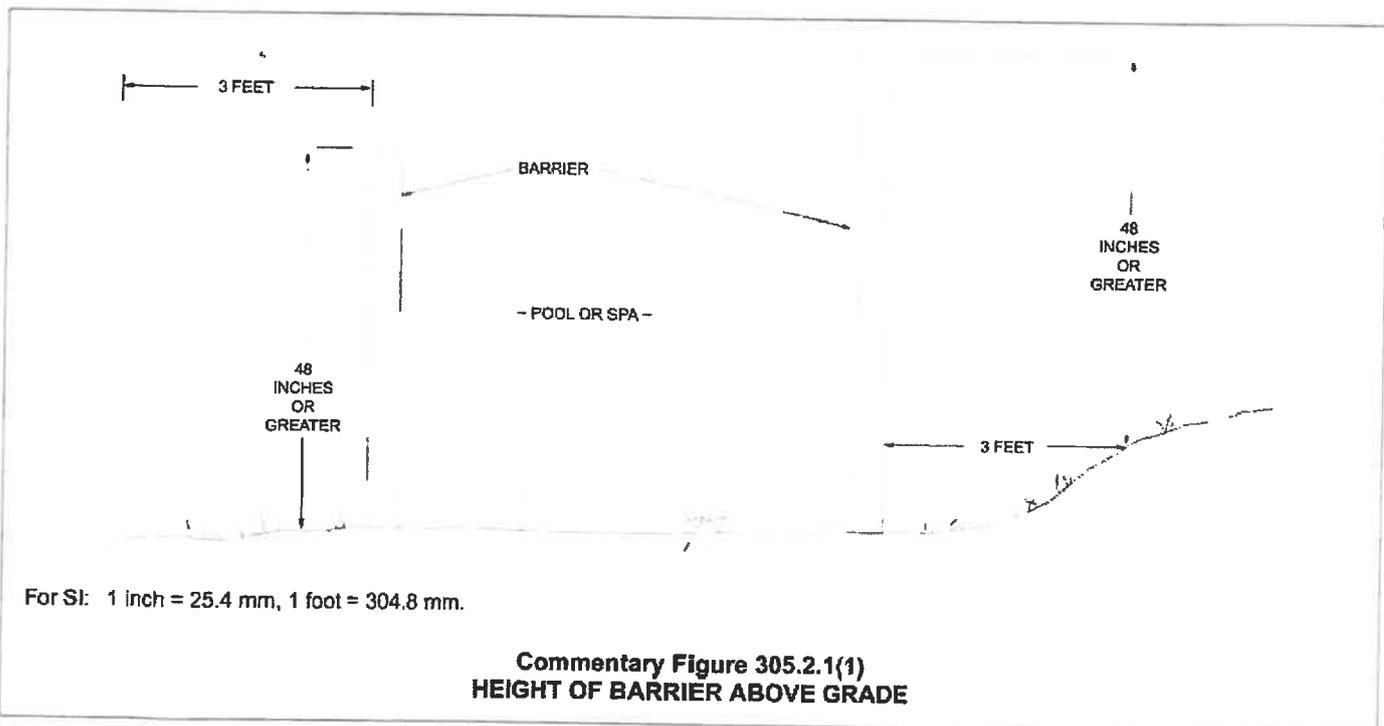
1. The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

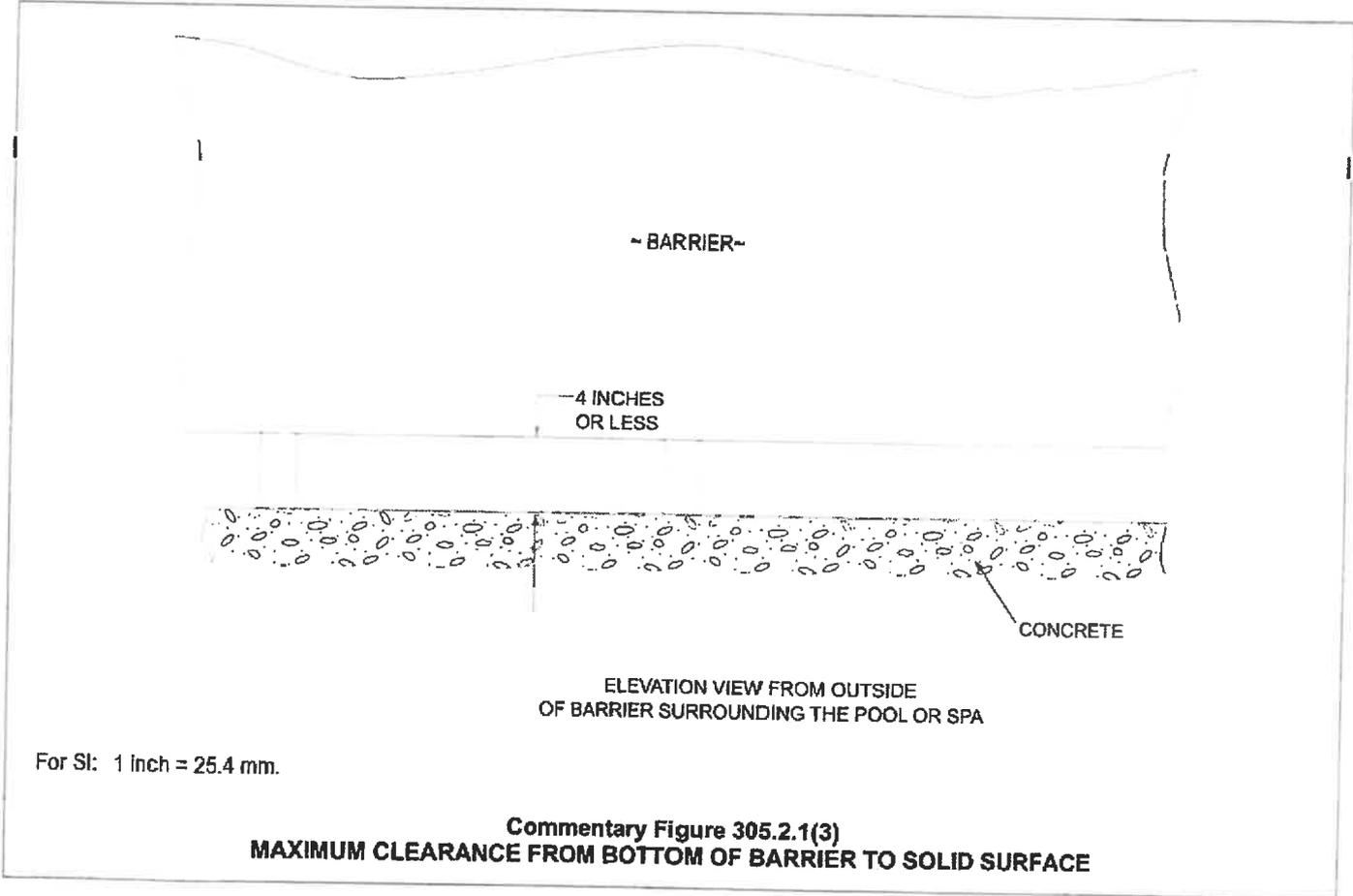
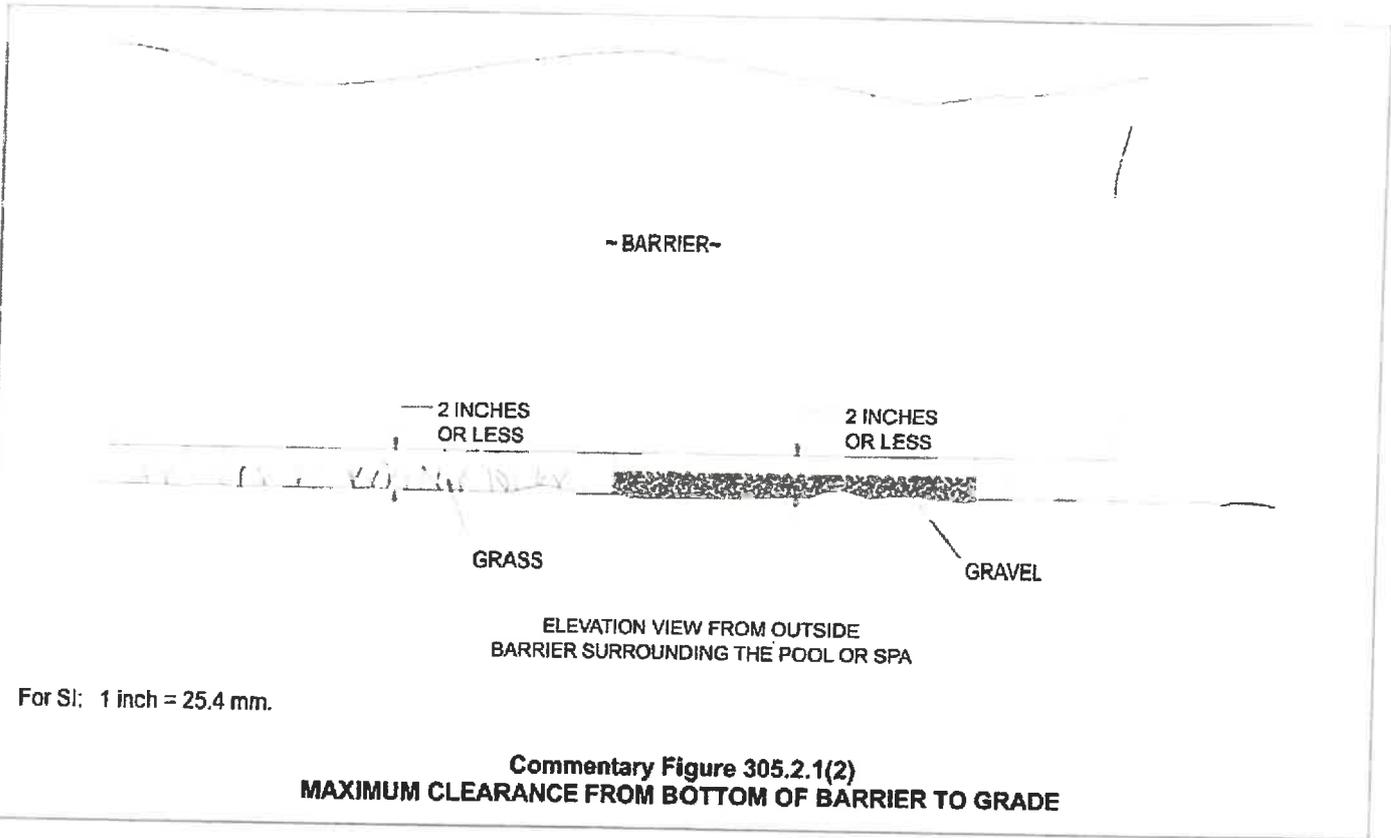
❖ The barrier height of 48 inches (1219 mm) ensures that smaller children cannot simply hop the fence to gain access to the pool or spa. Those persons who are

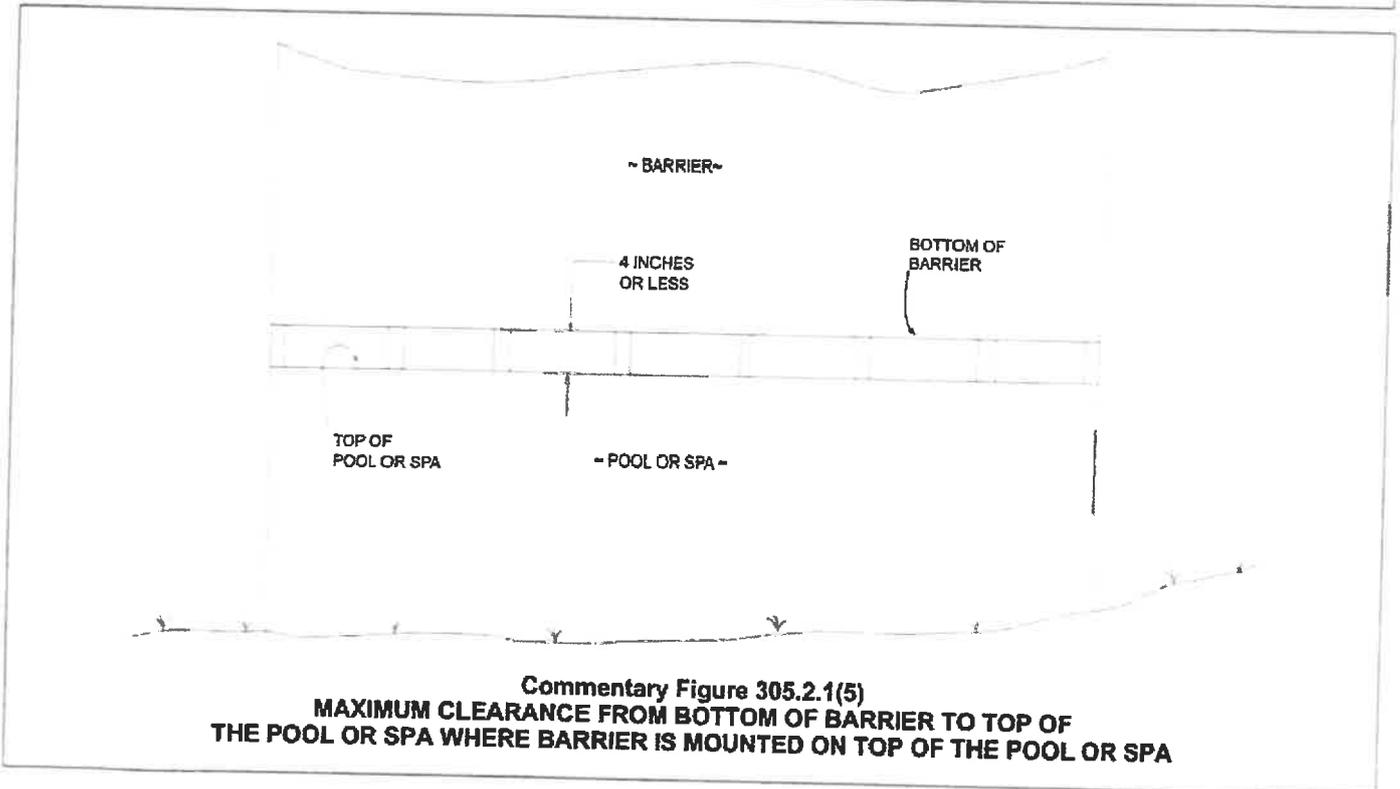
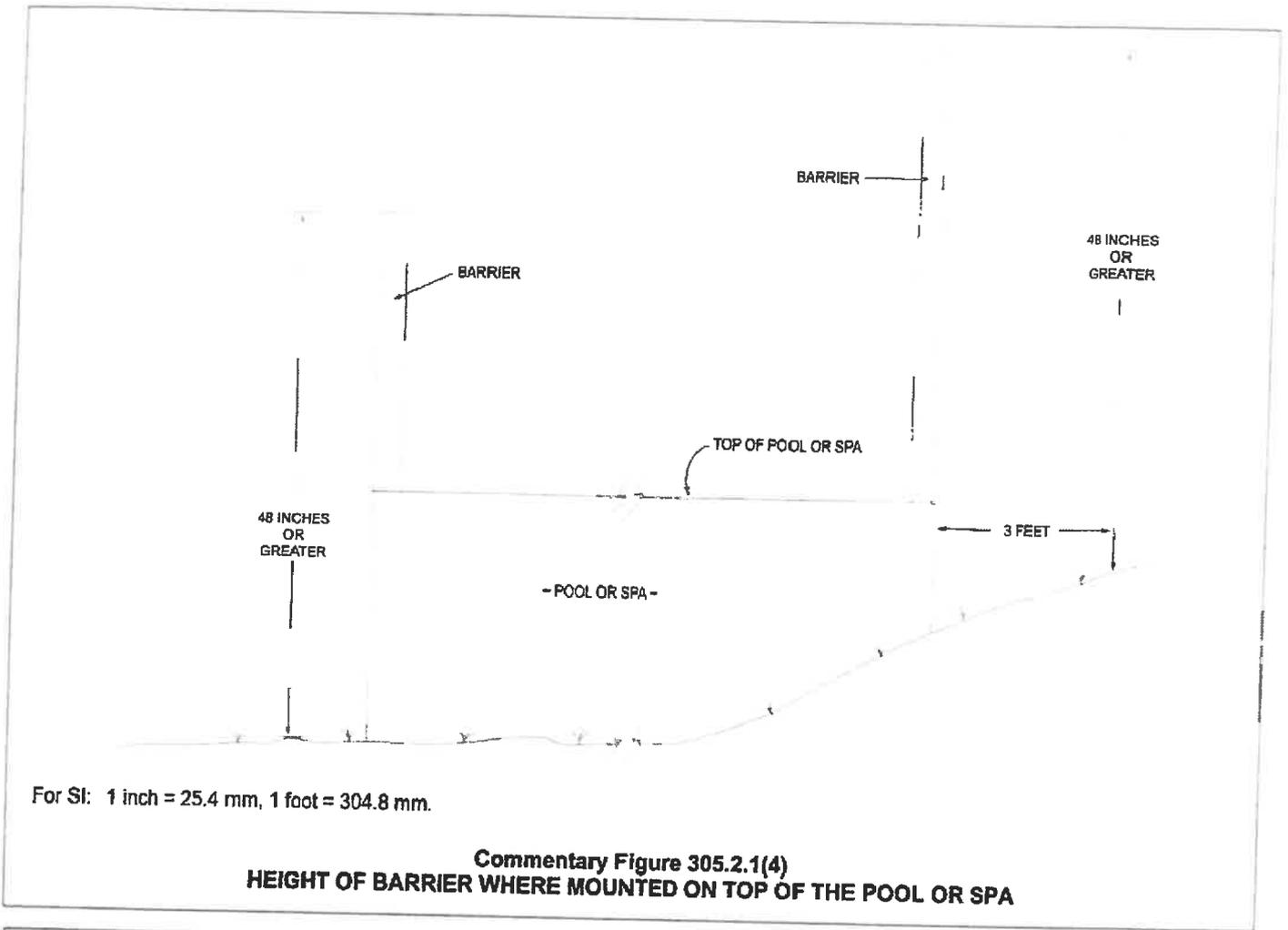
capable of climbing over a 48-inch-high (1219 mm) barrier are probably of sufficient maturity to avoid the pool if they cannot swim or are uncomfortable with the idea of entering the water of a spa. The height is measured on the outside of the barrier from the highest elevation of grade or concrete slab for a distance of 3 feet (914 mm) away from the outside of the barrier [see Commentary Figure 305.2.1(1)]. This requirement coordinates with Section 305.2.9, which requires a clear zone of 36 inches (914 mm) around the outside of the barrier.

Barriers that are not close to the ground could be bypassed by a child maneuvering under the barrier. Where over grass or gravel, the bottom of the barrier must be within 2 inches (51 mm) of the ground surface from which the grass grows from or onto which the gravel is placed. It is unlikely that a child would be able to dig out more than 2 inches (51 mm) of settled, naturally compacted earth in order to make an opening large enough to gain access to the pool or spa. If the bottom of the barrier is over concrete, the bottom must be within 4 inches (102 mm) of the concrete surface to prevent a child from maneuvering through the opening to gain access to the pool or spa [see Commentary Figures 305.2.1(2) and (3)].

The top of a pool or spa could be above grade. The barrier for this arrangement could be installed at grade or the barrier could be installed on top of the pool or spa [see Commentary Figure 305.2.1(4)]. Where mounted on top of the pool or spa, the vertical clearance from the top of the pool or spa to the underside of the barrier cannot exceed 4 inches (102 mm) [see Commentary Figure 305.2.1(5)] to prevent a child from maneuvering through the opening to gain access to the pool or spa.







305.2.2 Openings. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

- ❖ The 4-inch (102 mm) opening is narrow enough to prevent passage of a small child through the barrier (see Commentary Figure 305.2.2).

305.2.3 Solid barrier surfaces. Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

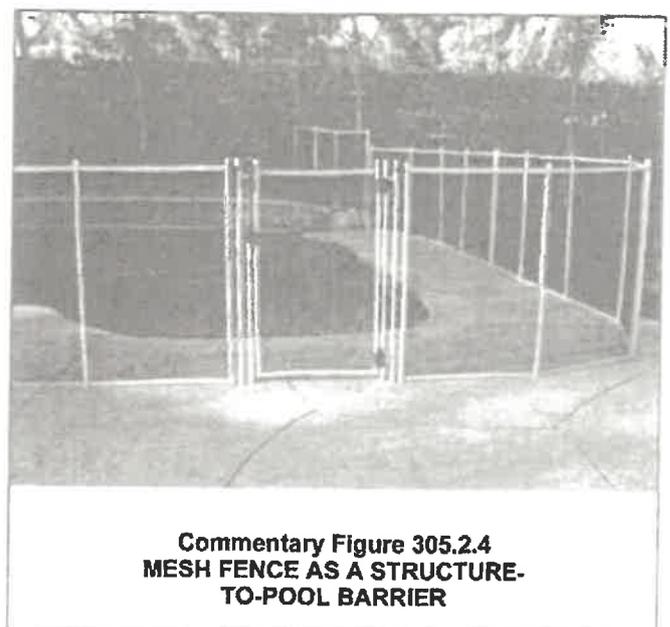
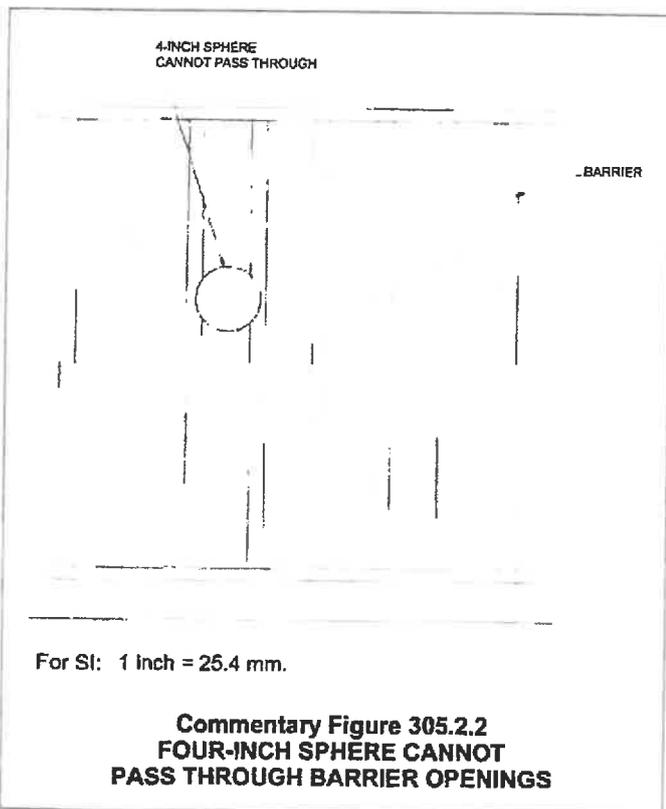
- ❖ An important characteristic of a barrier is that the exterior vertical face not offer any protrusions or indentations such that a toehold or handhold could assist in the climbing of the barrier.

305.2.4 Mesh fence as a barrier. Mesh fences, other than chain link fences in accordance with Section 305.2.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall be not greater than 4 inches (102 mm) from grade or decking.

4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
 5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
 6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
 7. Mesh fences shall not be installed on top of onground residential pools.
- ❖ Mesh fences provide a removable barrier for a pool or spa. For example, consider a pool with a permanent barrier on three sides and the fourth side is bounded by a building. During times when the pool is not in use, a mesh barrier could be erected between the pool and the building so that the space between the building and the mesh fence could be used without concern that the pool could be easily accessed by children. The bottom of the mesh barrier (fence) must not be able to be lifted more than 4 inches (102 mm) above the pool deck so that a child cannot crawl under the barrier. The attachment devices between mesh barrier sections and the posts must be not less than 45 inches (1142 mm) above the deck so that they are out of reach of small children. The attachment devices must offer the same difficulty to disengage as a spring-loaded hook and eye latch. Gates with mesh fences must comply with gate requirements in Section 305.3.

Mesh fences must not be used on top of onground residential pools because mesh fencing cannot resist the forces of an adult falling against it. An adult could topple off the deck of an above-ground pool and onto the ground below (see Commentary Figure 305.2.4).



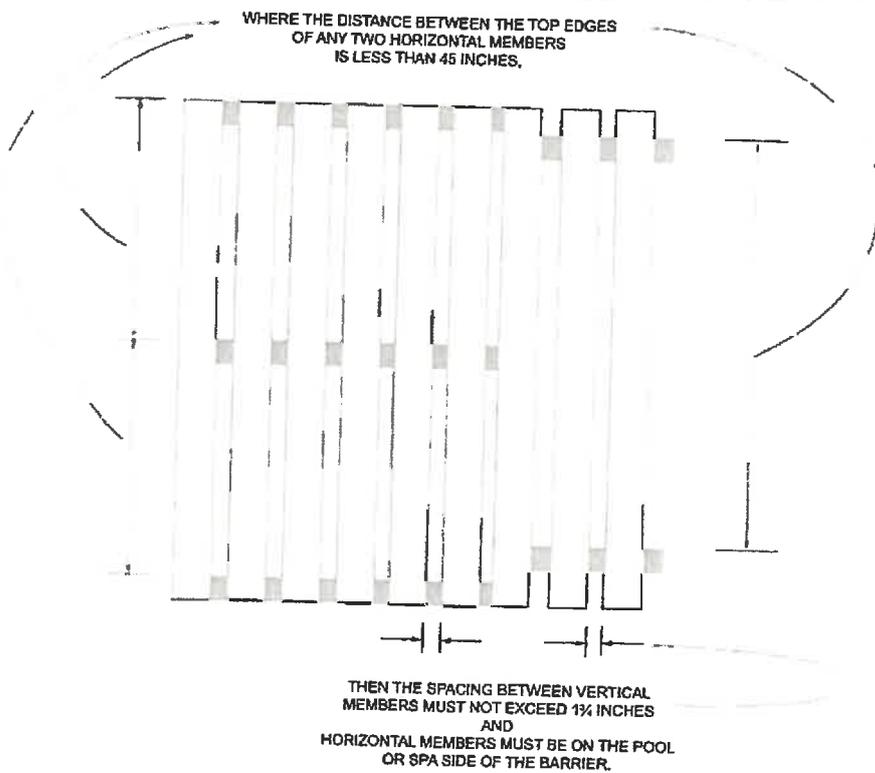
305.2.5 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed $1\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.

❖ Conventional fencing that is not chain link fence is typically constructed with horizontal rails attached to vertical posts. Vertical pickets are fastened to the horizontal rails to complete the barrier. If the distance between the top surface of the horizontal rails is less than 45 inches (1143 mm), such spacing could allow a child to climb up and over the barrier. Therefore, these closely spaced rails must be located on the pool or spa side of the barrier so that a child on the outside of the barrier cannot climb over it. Where closely spaced rails exist and are exposed between vertical members on the exterior of the fence, the gap between vertical pickets must not be more than $1\frac{3}{4}$ inches (44 mm) wide so that a child cannot wedge his or her foot in the gap and gain a handhold on the top closely spaced horizontal member in order to scale the fence [see Commentary Figure 305.2.5(1)]. Any decorative cutouts in the pick-

ets must not have an opening greater than $1\frac{3}{4}$ inches (44 mm) for the same reason [see Commentary Figure 305.2.5(2)].

There are welded metal wire mesh products and flexible "on a roll" plastic fence products that "technically comply" with the dimensional requirements of this section. However, this section was written with typical wood or rigid vinyl fence construction in mind. Consider a wood fence with 4-inch by 4-inch vertical posts with two 2-inch by 4-inch horizontal rails (one near the top, one near the bottom of the fence) with $\frac{3}{4}$ -inch-thick vertical pickets (4 to 6 inches wide) horizontally spaced apart not more than about the thickness of 2-inch (nominal) material. Such construction has "thickness of its vertical members," making it difficult to climb. For example, reaching between the pickets to grab onto a 2-inch by 4-inch horizontal rail will be difficult. Similarly, wedging the toe of a shoe between the (thick) pickets to get a toe-hold onto the horizontal rail will be difficult. And generally, such a fence would not be constructed with many closely spaced horizontal rails as it would be too costly and structurally unnecessary.

Do these metal or plastic mesh products with horizontal "members" every 4 inches or closer (but with the width between vertical "members" less than $1\frac{3}{4}$



or SI: 1 inch = 25.4 mm.

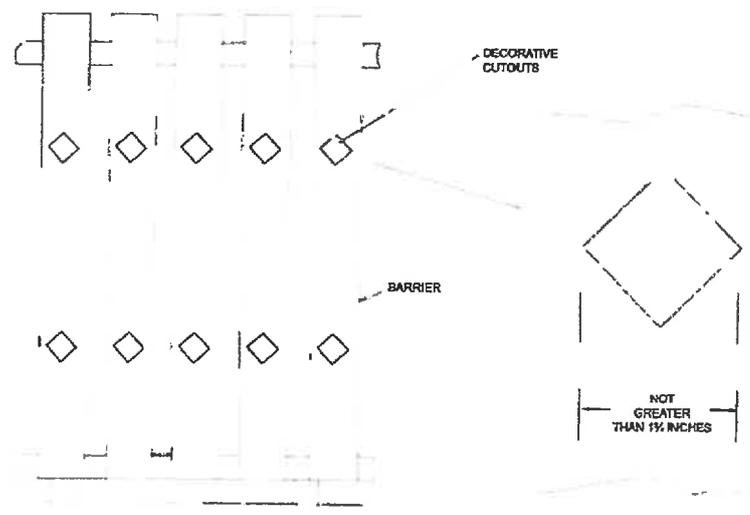
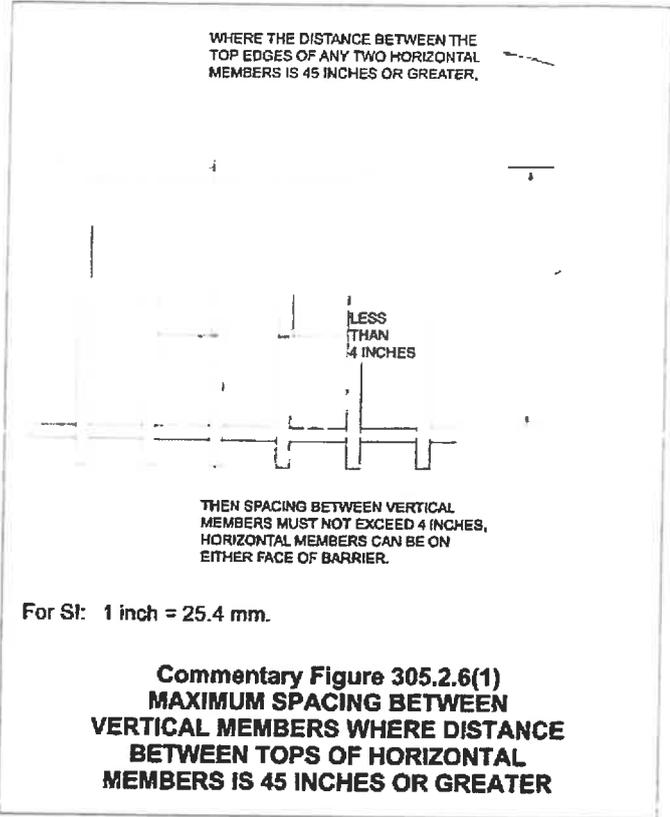
**Commentary Figure 305.2.5(1)
MAXIMUM SPACING BETWEEN VERTICAL MEMBERS WHERE
DISTANCE BETWEEN TOP OF HORIZONTAL MEMBERS IS LESS THAN 45 INCHES**

inches) offer an equivalent resistance to climbing by children? Does such a product offer a similar rigidity and ruggedness to a fence constructed of wood members given that the code does not specify a distance between vertical posts? There are situations where, for public safety, a code official might have to make a decision about items that are not specifically covered by the code. Section 102.8 provides support to the code official in these instances.

305.2.6 Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 1 3/4 inches (44 mm).

Conventional fencing that is not chain link fencing is typically constructed with horizontal rails attached to vertical posts. Vertical pickets are fastened to the horizontal rails to complete the barrier. If the distance between the top surface of the horizontal rails is greater than or equal to 45 inches (1143 mm), such spacing poses a climbing difficulty for children. Therefore, these widely spaced rails could be located on either side of the fence. Because there is not a reachable horizontal top member to gain a handhold, the vertical pickets could be spaced as far as 4 inches apart [see Commentary Figure 305.2.6(1)]. However, note that Section 305.2.2 requires that openings in the barrier must not allow the passage of a 4-inch (102 mm) sphere. Any decorative cutouts in the pickets must not have an opening that is greater than 1 3/4 inches (44 mm) to prevent a child from gaining a foothold to scale the fence [see Commentary Figure 305.2.5(2)].

Commentary Figure 305.2.6(2) shows a barrier. The fence is known to be 4 feet (1219 mm) high. It is obvious that the distance between the horizontal rails is less than 45 inches (1143 mm) and the vertical pickets spaced wider than 1.75 inches (44 mm). Thus, this fence is a violation because the horizontal members are not at least 45 inches (1143 mm) apart.

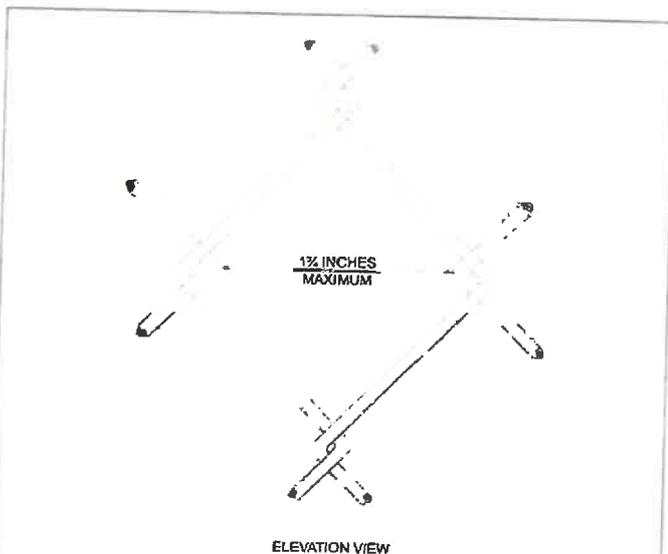




**Commentary Figure 305.2.6(2)
 VIOLATION—BARRIER (FENCE) HORIZONTAL
 MEMBERS TOO CLOSE**

305.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than $1\frac{3}{4}$ inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than $1\frac{3}{4}$ inches (44 mm).

❖ Chain link fencing has diamond-shaped or square openings. The most common sizes of chain link openings (measured between parallel sides of the opening) are 2 inches (51 mm) and $2\frac{1}{4}$ inches (57 mm). This section requires that the openings be not greater than $1\frac{3}{4}$



For SI: 1 inch = 25.4 mm.

**Commentary Figure 305.2.7
 MAXIMUM OPENING WIDTH IN
 BARRIERS BUILT WITH CHAIN LINK FENCING**

inches (44 mm) so that a child cannot wedge his or her foot in the opening in order to climb the fence (see Commentary Figure 305.2.7). Two-inch (51 mm) and $2\frac{1}{4}$ -inch (57 mm) chain link fence must have the openings reduced in size by the installation of slats (sometimes called privacy slats) vertically or diagonally. Where slats are used, they must be attached to the top and bottom of the fence so that they cannot be removed for gaining a hand- or foothold on the fence. The slats must be of a width that reduces the openings to less than $1\frac{3}{4}$ inches (44 mm).

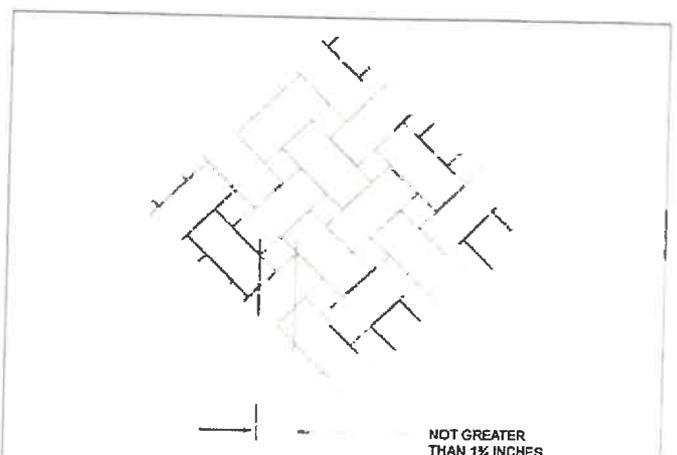
Chain link fencing is also available in $1\frac{1}{4}$ -inch (32 mm) size (mesh). The resulting diagonal opening is $1\frac{3}{4}$ inches (44 mm). Therefore, slats would not be required for this size of chain link fence.

305.2.8 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than $1\frac{3}{4}$ inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

❖ Some barrier designs use diagonal members (lattice-work) as part of the barrier. Where diagonal members are installed, the angle cannot be more than 45 degrees (0.79 rad) from vertical and the opening created by the diagonal members cannot be greater than $1\frac{3}{4}$ inches (44 mm) so a child cannot wedge a foot in the opening to climb the barrier (see Commentary Figure 305.2.8).

305.2.9 Clear zone. There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the barrier.

❖ A barrier of any height is not much of a deterrent to gaining access to the pool or spa if there is equipment, trees or storage boxes that are within 3 feet (914 mm) of the outside of the barrier. These items could be used to assist someone in climbing over the barrier



For SI: 1 inch = 25.4 mm.

**Commentary Figure 305.2.8
 MAXIMUM OPENING WIDTH IN BARRIERS
 BUILT WITH DIAGONAL MEMBERS**

FRANKLIN COUNTY CODE

FCC 17.66.220

Swimming pools and hot tubs may be constructed and placed as an accessory use for a residence provided that:

- A. A swimming pool may be constructed within any side or rear yard. Setbacks for swimming pools located in a designated rear or side yard include the following:

The edge of water line shall not be located within five feet of a designated front yard, five feet from any rear or side yard; and one-foot from any utility easement.

- 1. A swimming pool may be constructed in a designated front yard area with the approval of conditional/special use permit. Setbacks for swimming pools, located in a designated front yard with the approval of a conditional/special use permit, include the following: The edge of water line shall not be located within twenty-five (25) feet of a front property line, five feet from any rear or side yard, and one-foot from any utility easement, unless otherwise approved in the special/conditional use permit process.
- B. Swimming pools shall be entirely enclosed by buildings, fences or walls not less than five feet in height and with no openings that are greater in size than four inches. Such fences shall be equipped with self-latching gates or doors, the latching device being located not less than four feet above the ground. All fencing must be in place and approved by the building department before water is run into the pool. All lighting of pool areas shall be so hooded that the light does not shine toward abutting properties.
- C. Hot tubs shall include a pre-manufactured approved locking top. If an approved locking top is not provided, the unit shall comply with the swimming pool enclosure and fencing requirements in subsection B. of this section. This standard shall not apply to hot tubs located within an enclosed building.

(Ord. 7-2005 § 33.21.0, 2005)

(Ord. No. 4-2011, § 33.21.0(1), 8-3-2011)

ASTM F1346 – 91

Automatic Pool Safety Cover Standard



Designation: F 1346 – 91 (Reapproved 2003)

Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs¹

This standard is issued under the fixed designation F 1346; the number immediately following the designation indicates the year of original adoption or, in the case of revision, the year of last revision. A number in parentheses indicates the year of last reapproval. A superscript epsilon (ϵ) indicates an editorial change since the last revision or reapproval.

1. Scope

1.1 This specification establishes requirements for safety covers for swimming pools, spas, hot tubs, and wading pools (hereinafter referred to as pools, unless otherwise specified). When correctly installed and used in accordance with the manufacturer's instructions, this specification is intended to reduce the risk of drowning by inhibiting the access of children under five years of age to the water.

1.2 This specification includes performance tests to demonstrate the compliance or noncompliance to requirements herein stated for safety covers. It also includes marking requirements for all covers.

1.3 The values stated in inch-pound units are to be regarded as the standard. The values in parentheses are given for information only.

1.4 The following safety hazards caveat pertains only to the test methods section, Section 9, of this specification: *This standard does not purport to address all of the safety concerns, if any, associated with its use. It is the responsibility of the user of this standard to establish appropriate safety and health practices and determine the applicability of regulatory limitations prior to use.*

2. Referenced Documents

2.1 NFPA Document:

National Electrical Code, Article 680-26²

3. Terminology

3.1 Definitions of Terms Specific to This Standard:

3.1.1 *appurtenances*—subordinate parts or adjunct accessory components to the cover such as hardware including buckles, straps, ties, springs, anchors, tracks, rollers, lifting arms, and the like.

3.1.2 *automatic cover*—a cover which can be placed over the water area and removed with a motorized mechanism actuated by a suitable control mechanism. See also *power safety cover (PSC)*, *other cover (OC)*.

3.1.3 *barrier*—something that restrains or obstructs access to the body of water.

3.1.4 *blanket*—a material used for thermal insulation. See also *solar energy blanket*.

3.1.5 *cover*—something that covers, protects or shelters, or a combination thereof, a swimming pool, spa, or hot tub.

3.1.6 *debris cover*—a cover with attendant appurtenances positioned over the pool area which permits the cover to prevent debris, such as foliage, dirt, windblown trash, and the like from entering the pool. It is intended to be completely removed before the entry of bathers. See also *other covers (OC)*.

3.1.7 *decks*—those areas abutting a pool, spa, or hot tub that are specifically constructed or installed (for example, of wood, concrete, brick, stone, and the like) for use by bathers for sitting, standing or walking and may also act as a base for supports for covers.

3.1.8 *dome*—a semipermanent enclosure supported by trusses, or positive air pressure erected over the pool area to provide temperature and atmospheric control over the pool environment.

3.1.9 *energy conservation*—the reduction of heat loss from pool water through air convection or evaporative cooling, or both.

3.1.10 *hot tub*—a spa constructed of wood with sides and bottoms formed separately; and the whole shape joined together by pressure from surrounding hoops, bands or rods; as distinct from spa units formed of plastic, concrete, metal, or other materials.

3.1.11 *inaccessible locations*—a location at least 5 ft (1.5 m) above the ground with no other access such as hand or footholds which would permit a child to reach the location.

3.1.12 *manual cover*—a cover which requires it to be placed over the water area by hand. See also *manual safety cover (MSC)*, and *other covers (OC)*.

¹ This specification is under the jurisdiction of ASTM Committee F15 on Consumer Products and is the direct responsibility of Subcommittee F15.28 on Covers for Pools, Spas, and Hot Tubs.

Current edition approved Feb. 10, 2003. Published May 2003. Originally approved in 1991. Last previous edition approved in 1996 as F 1346-91 (1996).

² Available from National Fire Protection Assoc., Batterymarch Park, Quincy, MA 02269.

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3.1.13 *markings*—the application of numbers, letters, labels, tags, symbols or colors to provide identification and safety information and to expedite handling during shipment and storage.

3.1.14 *manual safety cover (MSC)*—a barrier which requires it to be placed over the water manually. Provides a high level of safety for children under the age of five by inhibiting their access to the water.

3.1.15 *other covers (OC)*—includes any cover type not incorporated in the other two classifications; PSC, MSC. They are not intended to serve as a barrier for children under the age of five.

3.1.16 *power safety cover (PSC)*—a barrier which can be placed over the water area and removed with a motorized mechanism actuated by a suitable control mechanism. Provides a high level of safety for children under the age of five by inhibiting their access to the water.

3.1.17 *safety cover*—a barrier (intended to be completely removed before entry of bathers), for swimming pools, spas, hot tubs or wading pools, attendant appurtenances and/or anchoring mechanisms which reduces—when properly labeled, installed, used and maintained in accordance with the manufacturers' published instructions—the risk of drowning of children under five years of age, by inhibiting their access to the contained body of water, and by providing for the removal of any substantially hazardous level of collected surface water. See also *power safety cover (PSC)*, and *manual safety cover (MSC)*.

3.1.18 *solar energy blankets*—a cover which is a floating translucent (not transparent) heat insulating sheet incorporating, for example, encapsulated air bubbles or similar low heat transfer (floating) sheet material whose purpose is to inhibit heat dissipation from the pool water surface through air convection or evaporative cooling. The sheet material, customarily translucent (not transparent) to permit the transfer of solar radiation energy directly to the pool water at all depths and intended for day and night use, is cut to the shape of the pool and is not affixed to the pool structure. It is intended to be completely removed before the entry of bathers.

3.1.19 *energy conservation blanket*—a cover which is a floating heat insulating sheet material incorporating, for example, a cellular foam or similar low-heat transfer material whose purpose is to inhibit heat loss from the covered water, through air convection or evaporative cooling, or both. Such materials are customarily cut to the shape of the pool and are intended for a night covering. The blanket is not affixed to the pool structure. It is intended to be completely removed before the entry of bathers.

3.1.20 *wading pool*—a shallow pool intended for wading, not swimming.

3.1.21 *waterline*—the waterline shall be defined in one of the following ways:

3.1.22 *skimmer system*—the water line shall be at the mid-point of the operating range of the skimmers.

3.1.23 *overflow system*—the waterline shall be at the top of the overflow outlet.

4. Cover Classifications and Minimum Qualification Criteria

4.1 *Power Safety Cover (PSC)*—Provides a high level of safety for children under the age of five by inhibiting their access to the water.

4.1.1 Must satisfy 5.1-5.3, 6.1-6.5, 7.1-7.4, 8.1, 8.2, 8.4-8.12, 9.1-9.4, 10.1-10.4, and all subsections.

4.2 *Manual Safety Cover (MSC)*—Provides a high level of safety for children under the age of five by inhibiting their access to the water. May require a longer period of time to be fully secured.

4.2.1 Must satisfy 5.1-5.3, 6.1-6.5, 7.1-7.4, 8.1, 8.2, 8.4-8.12, 9.1-9.4, and all subsections.

4.3 *Other Covers (OC)*—Includes any cover type not incorporated in the other two categories MSC, PSC. They are not intended to serve as a barrier for children under the age of five. Design characteristics may be hazardous when used in the presence of children under the age of five.

4.3.1 Shall satisfy 5.1-5.3, 8.1-8.3, 8.5-8.12, and all subsections.

5. Materials and Manufacture

5.1 Only materials not known to be harmful to health, within the intended application, shall be used.

5.2 All materials and components shall be durable and satisfactory for the intended purpose under the conditions normally prevailing at the site.

5.3 The cover shall be manufactured or fabricated, or both, in accordance with generally accepted, good manufacturing practices.

6. General Requirements for Safety Covers

6.1 *Installation/Use of safety covers*—Unless installed by the manufacturer, or responsible parties, or both, detailed instructions for installation shall be given in a form included in the packaging or a label, or both, attached to the cover.

6.2 Labels attached to the cover shall meet the general requirements described in 8.5.1 and 8.8-8.8.2.

6.3 *Markings for safety covers shall include:*

6.3.1 the manufacturer's name,

6.3.2 date manufactured or installed, and

6.3.3 instructions to consumers to inspect the cover for premature wear or deterioration.

6.3.4 Labels attached to covers shall meet the general requirements described in 8.4.1, 8.7-8.8.1, and 8.9.

6.4 *Fastening mechanisms or devices*—Ties, attachment points, anchors, anchorage, and controls for automatic covers or other means of fastening a cover shall include provisions such as keys, combination locks, special tools, devices, or inaccessible locations, and the like, to inhibit children under five years of age from removing or operating the cover. When subjected to the load and perimeter deflection tests described in 9.1 and 9.2, all fastening devices shall remain in their intended, secured or closed, or both, position. After the test, the intended performance of the device should not be impaired.

6.5 *Openings*—The cover shall be designed in such a way that, when it is tested by the test method described in 9.4, any opening in the major component or between the edge of the

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cover and the deck surface or coping wall, or both, and the top surface of the spa or pool does not allow the test object to pass through. The test object shall not gain access to the water, or be subject to entrapment.

6.6 Seams, ties or welds in the cover shall show no signs of damage, which will impair intended performance of the device when the cover is tested by the methods described in 9.1-9.4.

7. Performance Requirements for Safety Covers

7.1 *Static Load*—In the case of a pool with a width or diameter greater than 8 ft (2.4 m) from the periphery, the cover shall be able to hold a weight of 485 lb (220.0 kg) (2 adults and 1 child) to permit a rescue operation.

7.1.1 In the case of a pool with a width or diameter not greater than 8 ft (2.4 m) the cover shall withstand the weight of 275 lb (125 kg) (weight of a child and an adult). Compliance shall be determined by the test method described in 9.1.

7.2 *Perimeter Deflection*—The cover shall be designed in such a way that, when it is tested by the test method described in 9.2, deflection of the cover does not allow the test object to pass between the cover and the side of the pool, or to gain access to the water.

7.3 *Surface Drainage*—The cover shall be so constructed, or incorporate a system, or have an auxiliary system provided, that when used in accordance with the manufacturer's instructions, shall drain substantially all standing water from the cover within a period of 30 min after cessation of normal rainfall. Compliance shall be determined by the test in 9.3.

7.4 *Opening Tests*—The tests shall be conducted by the test method described in 9.4 to demonstrate that any opening in the major component or between the edge of the cover and the deck surface or coping wall, or both, and the top surface of the pool or the top surface of the spa is sufficiently small and strong to prevent the opening from being forced to a size that will allow the test object to pass through.

8. Minimum Label Requirements for All Covers for Swimming Pools, Spas, and Hot Tubs

8.1 *Product Label*—All covers shall be labeled/marked to identify manufacturers or other responsible parties (such as

private label distributors), or both. Labels attached to covers shall meet the general requirements described in 8.5.1 and 8.8-8.8.2.

8.2 *Warning Labels*—All covers shall be required to have attached the following warning label:

8.2.1 *Signal Word*—**WARNING**.

8.2.2 *Safety Alert Symbol*—Preceding the signal word there shall be triangle with an exclamation point inside the triangle.

8.2.2.1 *Word Message*—The standard word message shall be **AVOID DROWNING RISK** which shall be the first message to appear directly under the signal word.

8.2.2.2 *Additional Word Message Statement*—Covers with any of the outlined hazards in Fig. 1 shall list all applicable warning statements on the label.

8.3 *Color*—Non-safety cover warning label.

8.3.1 *Signal Word*—Black letters with orange background.

8.3.2 *Safety Alert Symbol*—Black triangle with orange exclamation point.

8.3.3 *Word Message*—Black lettering on white background or white letters on black background.

8.4 *Color*—Safety cover warning label.

8.4.1 Colors assigned to the signal word panel may also be used for the message word panel provided the panel colors contrast with the lettering of the label. This is applicable to covers conforming with the PSC and MSC classifications only.

8.5 *Warning Label*—Letter size.

8.5.1 Lettering shall be of a size that enables a person with normal vision, including corrected vision, to read the safety sign or label at a safe viewing distance from the hazard. Considerations should be given to environmental variables that will affect readability.

8.5.2 *Signal Word*—Letter height shall be at least 50 % greater than the selected height of the message panel wording.

8.5.3 *Safety Alert Symbol*—Safety alert symbol, when used with the signal word shall precede the signal word. The base of the safety alert symbol shall be on the same horizontal line as the base of the letters of the signal word. The height of the safety alert symbol shall equal or exceed the signal word letter height.

"HAZARD/WARNING STATEMENT CHART"	
If This Hazard Exists:	Add This Warning Statement:
*Will not support weight (as defined in this specification) Nonsecured or improperly secured covers	*Stay off cover—will not support weight.
*Concealment by slipping under cover	*Keep children away. Children or objects cannot be seen under cover.
*Drowning on top of cover in accumulated surface water (as defined in this specification)	*Remove Standing Water—child can drown on top of cover.
*Concealment, Entrapment—Drowning under cover	*Remove cover(s) completely before entry of bathers—entrapment possible.
*General requirement for all covers	*Non-secured or improperly secured covers are a hazard.
*Option to above for Safety Covers	*Failure to follow all instructions may result in injury or drowning.
*Cover does not meet all requirements of this specification for PSC, MSC.	*This is not a Safety Cover.

FIG. 1 Hazard/Warning Statement Chart

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8.5.4 Word message letter height shall be as defined in Table 1.

8.6 Letter style:

8.6.1 Signal Word shall be in sans serif letters in upper case only.

8.6.2 Message Panel shall be in sans serif letters. Letters may be in upper case only.

8.6.3 Examples of acceptable lettering styles are: medium or bold helvetica, or news gothic bold.

8.7 Placement—Location shall be such that the message will:

8.7.1 Be readily visible to the intended viewer, taking into consideration all possible viewing angles, and

8.7.2 Alert the viewer to the potential hazard in time to take appropriate action.

8.7.3 Label must be located so as not to be removed in the fitting process.

8.8 Life Expectancy—The label shall have a reasonable expected life with good color stability and word message legibility when viewed as stated in 8.5.1. Reasonable expectancy shall be taken into consideration in accordance with the expected life of the product.

8.8.1 Protection—When possible, placement of label should provide protection from foreseeable damage, fading, or visual obstruction caused by abrasion, ultraviolet light or substances such as chemicals or dirt.

8.8.2 Attachment—The label shall be attached permanently to the product or so that it cannot be easily removed.

8.9 Replacement—Product/Warning labels should be replaced by the product user when they no longer meet legibility requirements for safe viewing distance described in 8.5.1 and 8.7.1. In cases where products have an extensive expected life or where exposed to extreme conditions, the product user should be able to obtain replacement labels from the manufacturer or responsible party.

8.10 Instruction/Use Label—Any product instructions or use label not attached to the product, intended to be viewed by the consumer/user shall contain in its contents the same applicable warning label as set forth in 8.2-8.6.3.

8.10.1 When special circumstances limit use of label colors to two colors, the colors assigned to the message word panel may also be used for the signal word panel provided that the panel colors contrast with background color of instruction/use label.

8.11 Packaging Label—If packaging is intended for product display to the consumer/user, applicable warning label as

described in 8.2-8.6.3 shall be placed on the printed side of the package intended for display and/or consumer information. The label shall be printed on or affixed to the package and not easily removable.

8.11.1 When special circumstances limit use of label colors to two colors, the colors assigned to the signal word panel may also be used for the message word panel provided that the panel colors contrast with background color of packaging.

8.12 Compliance Labeling—All labels shall note the specific cover classification.

9. Test Methods For Safety Covers

9.1 Static Load Test:

9.1.1 This test shall be conducted to demonstrate that the cover is capable of supporting a weight of (a) 485 lbs (composed of one 210-lb, one 225-lb or one 50-lb weight) for pools or spas within a width or diameter greater than 8 ft or (b) 275 lbs (composed of one 225-lb and one 50-lb weight) for a pool or a spa with a width or diameter equal to or less than 8 ft distributed over 1 ft² each, all of which are within a 3-ft radius without the test objects causing damage which would allow any of the test objects to pass through the cover. During this test there shall be no requirement for the absence of water appearing on the surface of the cover.

9.1.2 Procedure—The pool shall be filled to its waterline and the cover fitted in accordance with the cover manufacturer's instructions. The test objects shall be placed on the surface of the cover at the following critical points:

9.1.2.1 The center point of the cover.

9.1.2.2 Between attachment points and a distance of at least 4 ft (1.2 m) but not to exceed 6 ft from the side of the pool.

9.1.2.3 The test objects shall remain in each test position for a period of 5 min.

9.2 Perimeter Deflection Test:

9.2.1 This test shall be conducted to demonstrate the following: if a child under the age of five were to fall onto the cover neither that child nor another child could slip through any openings that may occur between the cover and the side of the pool.

9.2.2 Perimeter Deflection Test Object—Test object shall be 3.7 in. (0.09 m) by 5.7 in. (0.14 m) by a minimum 12 in. length and a weight of 36.6 lbs in an ellipsoidal shape. See Fig. 2.

9.2.3 Procedure—With 50 lbs (22.7 kg) on the cover at a distance of at least 4 ft, but not exceeding 6 ft from the side of the pool, the same cover shall not deflect to allow a perimeter test object to pass through, gain access to the water or be subject to entrapment between the cover and the side of the pool.

9.3 Surface Drainage Test:

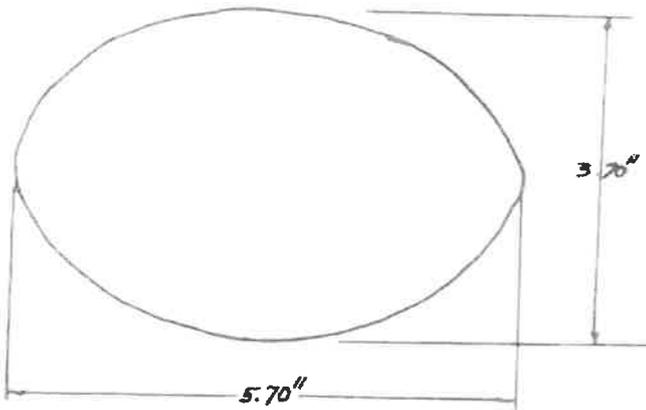
9.3.1 Surface Drainage Test Object—Timmy³ or equivalent (32 in. length by 9 in. width by 5 in. deep by 36.6 lbs torso-shaped object) shall be placed on the pool cover in a supine position, faceup, within two to three feet of and parallel with the pool's edge. Three minutes later there shall not be an unsafe amount of water. An unsafe amount of water is defined

TABLE 1 Word Message Letter Height Sizes

Safe Viewing Distance	Minimum Letter Height for FAVORABLE Reading Conditions	Minimum Letter Height for UNFAVORABLE Reading Conditions
less than 24 in.	Height (in.) = $\frac{\text{View Distance}}{150}$	Height (in.) = $\frac{\text{View Dist.}}{75}$
24 to 96 in.	Height (in.) = $\frac{\text{View Distance}}{300}$	Height (in.) = $\frac{\text{View Dist.}}{150}$
greater than 96 in.	Height (in.) = $\frac{\text{View Distance}}{400}$	Height (in.) = $\frac{\text{View Dist.}}{300}$

³ "Timmy" is a CPR mannequin, three year old boy; available from Simulaids Inc., P.O. Box 807, Dixon Avenue, Woodstock, NY 12489.

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NOTE 1—Area = 16.6 in.²

NOTE 2—Perimeter = 15.0 in.

FIG. 2 Template for Swimming Pool Cover Standard

as any quantity of water which completely covers the torso of the surface drainage test object.

9.3.2 *Procedure*—Test the cover by spraying water evenly over the area at an application rate of 10 gal/min per 1000 ft² (9.29 m²) of pool area for a period of 30 min. During this test, all equipment shall operate in accordance with cover manufacturer's instructions. Thirty minutes after completion of this procedure, the cover shall pass the test method in 9.3. At all times during the procedure, maintain the pool level at the waterline.

9.4 Openings Test:

9.4.1 These tests shall be conducted to demonstrate that any openings remain small enough to prevent a small child's head from gaining access to the water.

9.4.2 *Openings test object*—A solid faced sphere test object with a maximum breadth of 4.5 in.

9.4.3 *Procedure*—The cover shall be fitted in accordance with the cover manufacturer's instructions. The test object shall be placed at or into any existing opening and apply a force of 40 lbs (plus or minus 1 pound) steadily to ensure the test object cannot pass through at the following critical openings:

9.4.3.1 Any opening between the edge of the cover and the deck surface and coping wall, or both, or the top surface of the spa or pool.

9.4.3.2 Any opening in the major component of the cover.

10. Operating Controls, Safety Covers

10.1 The open-close switch shall be spring-loaded or of the momentary contact type, so that when released, the cover stops operation immediately at any point in the open or closed cycle period.

10.2 The cover shall be reversible in direction from a full stop at any point in its travel without having to complete the full open or closed cycle.

10.3 Electrically operated control switches and motors shall be installed in accordance with the National Electrical Code Article 680-26.

10.4 The type of pool covering operating controls shall be such that:

10.4.1 Its fixed location is in the line of sight of the complete pool cover, or by its operating process. This ensures that the operator shall be in complete view of the cover at all times during the closing or pool covering process.

10.4.2 Switching devices shall be key-operated or locked away or able to be de-activated or otherwise located in an inaccessible location. An inaccessible location shall be at a height of at least five feet above the deck.

ANNEX

(Mandatory Information)

A1. RATIONALE

A1.1 Scope

A1.1.1 Although the majority of child-drowning and near-drowning which were reported did not involve safety covers, those who purport to provide a level of safety should be held to a higher level of reliability. Injury reports made available from CPSC indicate that male children, one and two years of age, living in a home with an in-ground pool are at the highest risk of being involved in a submersion incident that requires medical care.

A1.2 Referenced Documents

A1.2.1 Allows document reviewers the necessary information to validate the text of the standard.

A1.3 Terminology

A1.3.1 Consumers and new manufacturers may not be familiar with the technological language used within the text. This section also provides definitions for new terms created for this standard.

A1.4 Cover Classifications and Minimum Qualification Criteria

A1.4.1 By defining both the level of safety afforded and standard requirements to be satisfied, manufacturer and consumer will be able to define their needs and properly interpret

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the standard. This section also allows manufacturers to research and develop new technology which when applied could change their designation.

A1.5 Materials and Manufacture

A1.5.1 Varying lead times for material availability restrict or delay immediate compliance with this standard.

A1.6 Performance Requirements For Safety Covers

A1.6.1 Specified load factors represent the 95th percentile for a child under the age of five as well as one male adult and one female adult.

A1.6.2 If one child should gain access to the surface of the cover, another child in the area of the pool should not face increased risk.

A1.6.3 Recognizing that some residual water will remain after the surface water is removed, the test has been devised to ensure that the level can be maintained below that deemed substantially hazardous to a child of three based on data received from the Consumer Product Safety Commission.

A1.6.4 Openings in the major component or horizontal openings between the cover and solid structure of the pool area should remain small enough to prevent the head of a small child from gaining entrance. The head breadth for a 5th percentile of a 7 month old is about 4.5 in. The smallest mobile child would be about 7 months old since at this age 50 % of children can creep on hands and knees.

A1.7 Minimum Label Requirements For All Covers For Swimming Pools, Spas, and Hot Tubs

A1.7.1 Labeling on the product allows for transfer of the information to second owners and temporary users.

A1.7.2 The combination of Signal Word, Safety Alert Symbol and Word Message provides a higher level of warning than any single effort.

A1.7.3 An effort is being made nationally to make consistent the colors used to alert consumers to potential hazards.

A1.7.4 Contrast of colors between letter colors and labels are necessary in order to attract users' attention to label and enable readability.

A1.7.5 Letter size is an important factor in warning legibility so the consumer can recognize and avoid the hazard.

A1.7.6 Style of lettering affects the readability of the warning message.

A1.7.7 Warning labels can be more effective if they allow for reaction time on the part of the consumer.

A1.7.8 Damaged labels would not provide as strong a message as necessary.

A1.7.9 Due to extended life expectancy of cover products, labels cannot be expected to maintain their original appearance.

A1.7.10 Labeling messages and format should be consistent from point of purchase to use and/or application of cover.

A1.7.11 Packaging is, at times, the consumers first exposure to product information. Information contained on the warning label is necessary for making informed choices.

A1.7.12 All labels shall note that the product meets the requirements described in Specification F 1346.

A1.8 General Requirements For Safety Covers

A1.8.1 Installation can be a key factor in the effectiveness of a safety cover whether it is manually or power installed.

A1.8.2 Manufacturer's markings are necessary to allow a continuity for second owners and consumer/manufacturer contact.

A1.8.3 The mechanisms which secure the cover are an integral component that help to defeat a child's entry to the water.

A1.8.4 Openings shall not be so large that the purpose of the cover is defeated.

A1.8.5 Structural integrity is necessary to provide safety.

A1.9 Test Methods For Safety Covers

A1.9.1 The rescue operation may require two adults and the cover shall support the total combined weight to avoid possible injury to those in the rescue attempt. The 95th percentile is represented by the 225-lb male, 210-lb female and 50-lb child.

A1.9.2 This test was devised to avoid an opening large enough for one child or another child to fall between the edge of the cover and the edge of the pool when one child of 50 lb is already on the cover.

A1.9.3 Recognizing that some residual water remains after the surface water is removed, this test is devised to ensure that the level is maintained below a level deemed substantially hazardous to a child under three years of age.

A1.9.4 No opening shall exist in the cover or at any point that the cover joins the surface of the pool structure or deck area (which would allow a small child's head to gain access to the water or become entrapped). The head breadth for a 5th percentile 7 month old is about 4.5 in.

A1.10 Operating Control, Safety Covers

A1.10.1 Operator controlled momentary contact type switches afford greater control in the event of an emergency.

A1.10.2 Should a child enter the water during the closure process, the cover shall be able to reverse without total closure.

A1.10.3 It is important in the case of an electrical installation to protect children and all swimmers from the possibility of electrocution, which is the purpose of Article 680-26 of the National Electrical Code.

A1.10.4 Operator observation of the pool during the closing process is necessary to ensure that another person does not enter the water during the process. Additionally, the location of the activating device or the ability to render it inactive is necessary to avoid unauthorized opening of the cover.

 F 1346 – 91 (2003)

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SAMPLE AUTOMATIC POOL SAFETY COVER INSTALLATION GUIDE

Meets ASTM F1346 Standard

T4 Automatic Pool Cover Owner's Manual

This pool cover has been installed with the following features:

- Stainless Steel Cable
- Rope
- Slip Clutch
- Auto-shutoff
- CoverLink™ Control Pad
- Latching Strap

Please read operation instructions for these features.

Cover-Pools Incorporated
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PLEASE READ AND FOLLOW ALL INSTRUCTIONS!

▲WARNING When installing and using this electrical equipment, basic safety precautions should always be followed, including the following.

1. To reduce the risk of injury, do not permit children to operate this product.
2. Remove and safely store the key after covering or uncovering your pool.
3. Turn off the electrical breaker when the cover will not be used for extended periods of time or as an added layer of protection against unauthorized operation. Always turn off the breaker before servicing the cover

INSTALLATION SAFETY CHECKLIST

For your benefit, double check the following items with your installer/ representative to aid in your understanding of the use of your cover.

YES NO

1. Has a representative from the company who installed your cover explained to you the proper operation of the system?

- a. Roll-up adjustment
- b. Chemical application as it affects the cover
- c. Authorized operation
- d. Latching the cover after it is closed (optional)
- e. Proper maintenance
- f. Placing the cover pump in position when the cover is closed

2. Did a representative offer you assistance on how to maintain a safer pool area?

3. Did you receive drowning prevention information?

Please take the time with your representative to go over this list to ensure that you understand the importance of the proper use of your pool cover.

▲WARNING

AVOID RISK OF ENTRAPMENT AND/OR DROWNING

- REMOVE STANDING WATER—CHILDREN CAN DROWN ON TOP OF THE COVER
- REMOVE THE COVER(S) COMPLETELY BEFORE ENTRY OF BATHERS—ENTRAPMENT IS POSSIBLE.
- NON-SECURED OR IMPROPERLY SECURED COVERS ARE A HAZARD.
- DO NOT WALK ON THE COVER EXCEPT IN AN EMERGENCY.
- FAILURE TO FOLLOW ALL INSTRUCTIONS MAY RESULT IN INJURY OR DROWNING.

SAVE-T* COVERS COMPLY WITH THE APPLICABLE REQUIREMENTS OF ASTM F1346-91, THE 'STANDARD PERFORMANCE SPECIFICATION FOR SAFETY COVERS AND LABELING REQUIREMENTS FOR ALL COVERS FOR SWIMMING POOLS, SPAS AND HOT TUBS', WHEN USED AS INSTRUCTED.

PROTECT YOUR INVESTMENT

Your automatic cover is designed to perform reliably throughout many years of daily use. Since the automatic cover is easy to use, some people allow anyone to operate it. Our experience shows that service requirements increase with the number of people who operate the cover without having received instruction. **Do not allow anyone to operate the cover unless they have been properly instructed. Never allow children to operate the cover.**

▲WARNING Do not walk on the cover except in the case of an emergency. Playing or walking on the cover

unnecessarily can cause injury and increases the risk of damage to the cover. The standard aluminum lid over the cover housing is not strong enough to walk on; to prevent damage or injury, avoid stepping on the lid. Lids may be slippery when wet. Before operating the cover, remove all objects from the spa and cover, including toys, spa cleaners, cover pumps and hoses. Be sure you have full view of the spa area when operating the cover. To reduce the risk of drowning which can result in serious injury, including loss of life, do not leave a spa partially covered.

POOL SAFETY

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Thank you for your purchase of a Cover-Pools cover. Cover-Pools make every effort to provide you with the safest product available and want to stress the following safety precautions.

Cover-Pools recommends *layers* of protection. Your cover is a reliable layer; however, you should not rely on any one layer to be fail proof.

A swimming pool can provide your family with hours of entertainment and the opportunity for healthy recreation. As a pool owner, be aware that you must ensure your child's safety. There is a risk of a child drowning when around any body of water. There is no substitute for constant adult supervision. Most drowning occurs during a five-minute-or-less lapse in supervision. By providing barriers between your child and the pool, you can avoid a tragic accident should your child momentarily slip out of sight.

Don't rely on one system—layering (pool cover, fence, alarm...) safety precautions provides the strongest safeguard.

Never leave a child alone—even for a second.

Maintain constant eye contact with your children when they are around the pool.

Do not consider young children water-safe because they have had swimming lessons. Swimming instructions for children under three years of age are not recommended.

Instruct all care-takers about potential hazards to young children in and around swimming pools and the need for constant supervision.

Train all caretakers in life-saving, cardiopulmonary resuscitation and first aid. No exceptions.

Install a telephone near the pool with emergency numbers posted.

Keep toys away from the pool when the pool is not in use. They can lure a child into the pool.

Use inflatable toys only under adult supervision. They may deflate or your child may slip off.

Post and enforce rules such as No Running, No Pushing, No Dunking, and Never Swim Alone.

Make sure you have rescue devices accessible near the pool.

Keep all doors and windows leading from the house to the pool area secure. Install self-closing mechanisms on doors.

Enclose the pool with a barrier. In fact, fencing may be required in certain area. Check your local city or county building code for more information.

Install only child-proof, self-closing, self-latching gates around the pool.

Vertical bars on a pool fence should be no more than 3-3/4 inches apart. Avoid fences such as chain link that provide climbing footholds.

Place table and chairs well away from the pool fence to prevent children from climbing into the pool area.

Alert your pool maintenance people, utility personnel, and neighbors to keep covers, gates, and doors to pool closed and locked at all times.

Check to ensure that spa and pool covers pass minimum safety requirements set by the American Society of Testing Materials.

Never use a pool with its cover partially in place since children may become trapped under it.

Beware of a free-floating pool cover. A child can slip beneath one unnoticed.

Realize that a child can drown in as little as two inches of water. Drain standing water off of your spa or pool cover.

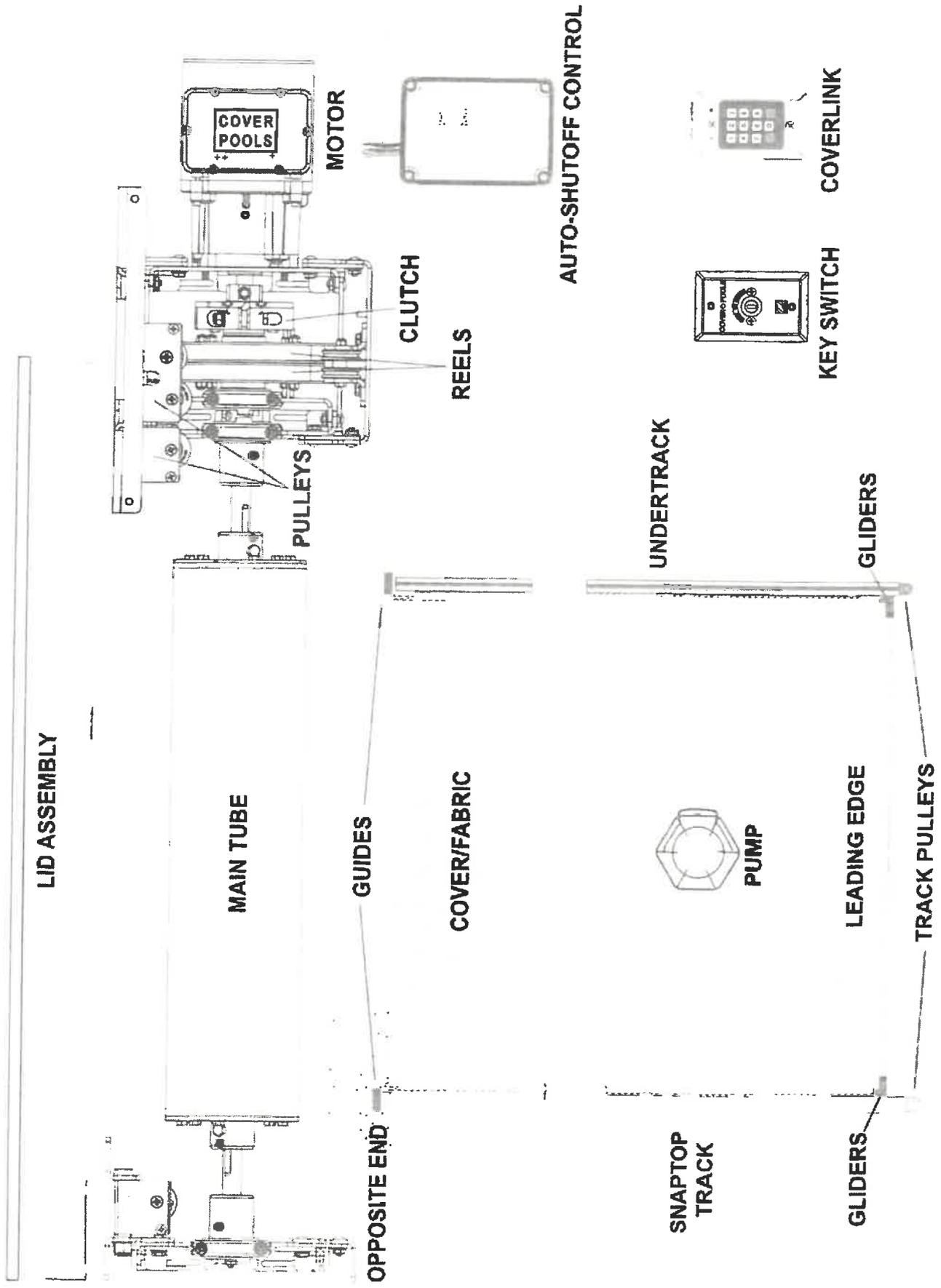
Investigate using a pool alarm and/or a monitoring system that can be worn by a child.

Remove ladders and steps from above ground pools. No objects should be in the pool area for a child to climb on and into the water.

Inspect safety and pool equipment regularly. Preventive devices are only effective if they are in working order.

Sources: Drowning Prevention Society; United States Consumer Product Safety Commission; National Spa and Pool Institute's Operation Water Watch; and the American Academy of Pediatrics.

COVER COMPONENTS



Covering the Pool

Remove any objects from the pool.

Keyswitch with Slip Clutch: Turn the key in the cover direction until the pool is completely covered.

Keyswitch with Auto-shutoff: The auto-shutoff keyswitch contains a safety feature that requires two turns before operating the cover.

Turn the key to "cover" or "uncover" for 1 second, briefly return to "off," then operate the cover within 4 seconds.

If the switch is left inoperative for more than 20 seconds, it will time out and you will need to turn the key twice to reactivate it.

CoverLink™ control: Enter the four-digit PIN and press "cover" until the pool is covered.

For Undertrack Systems, release the key or control pad a few inches before the end of the pool, let the cover coast to a stop, then turn to or press "close" until the front of the cover taps the end of the pool. This "soft stop" method will improve the life of the cover and its components rather than overrunning to the end of the pool under full motor torque and having the cover hit the end.

For Universal Track Systems, run the cover up to within two to three inches of the end of the track and stop. Do not attempt to close the cover completely against the pulley castings at the end of the tracks. A convenient way to judge this is to place a stop mark on the cover, which will align with a stop mark placed on the tracks at a place where you can see it from the control.

Remove the control key from the key switch, and store it in a secure location to prevent unauthorized operation of the cover. The CoverLink digital control will deactivate after 20 seconds without input.

If your pool has a latching strap, immediately latch the leading edge once the pool has been completely covered (see "Latching Procedure" below).

Latching Procedure (Optional)

Latching: Some systems require a latching strap on the leading edge. In some circumstances a young child may be able to force their way under the cover by pulling or pushing on the leading edge. Another risk is that when weight is applied to the cover (such as from water, snow load, or a person standing on the cover), it may force the leading edge open enough to allow a child to slip through the opening.

Latching Procedure: Cover the pool. Put the pin through the grommet in the strap. Press the pin into the housing in the deck until it clicks into place.

Place the cover pump on the cover at this time (see "Placing the Pump on the Cover" on page 9.) Keep the pump on the cover whenever the pool is covered.

Uncovering the Pool

If your pool has a latching strap, unlatch the leading edge (see "Latching Procedure" below).

Remove the cover pump and any debris that may damage the cover.

Keyswitch: Insert the key and turn it towards "uncover."

Note: If you have an auto-shutoff installed, you must turn the key twice as described in "Covering the Pool."

CoverLink control: Enter the four-digit PIN and press "uncover."

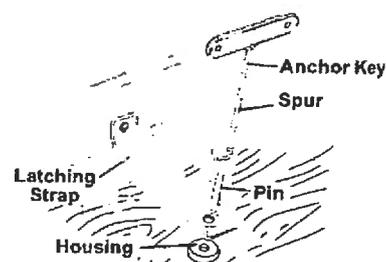
Continue to uncover the pool until the cover is within a few inches of the end of the pool. Let the cover coast to a stop, then operate the cover until the pool is completely uncovered.

Do not retract the pool cover too closely to the end of the tracks. With most undertrack models, the leading edge should rest half way across the pool end wall. On universal track models, the leading edge should stop before the mechanism housing.

⚠WARNING In order to minimize the risk of drowning which can result in serious injury or loss of life, the control pad must be mounted permanently on a wall in full view of the cover. Do not remove the control pad and carry it like a portable remote. This may be a direct violation of local codes.

NOTE: Your cover should include stops to prevent it from running too far in either direction. These stops, in conjunction with the slip clutch or auto-shutoff, will help prevent overrunning and damaging the cover. Stopping the cover briefly before hitting the pool wall or track ends, can increase the life of the cover components.

To Remove Pin: Insert the key into the top of the pin. Line up the pin slot with the key spur. (The spur should point away from the center of the pin.) Push the key down until it stops and turn it 90 degrees. Pull up on the key to remove the pin from the housing.

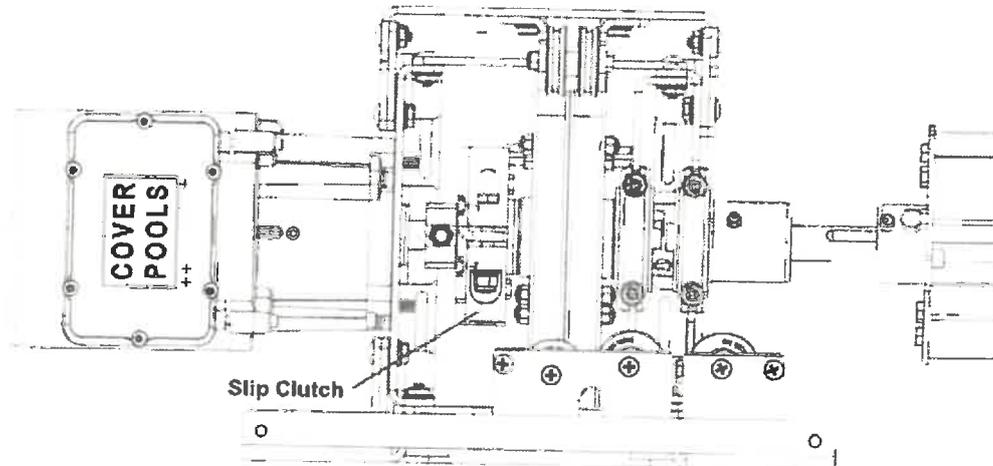


FEATURE INSTRUCTIONS

Slip Clutch: Some units include a slip clutch designed to slip if the cover is ran too far in either direction to prevent possible damage to the cover components. While operating the cover you may stop and reverse direction at any point between the fully opened or fully closed position.

If your cover stops running during operation there is something creating resistance such as water on the cover,

dirt or contamination in the tracks, or something damaged on the system. Remove any excess water or debris and try reversing the direction. If the cover moves, then proceed with operating the cover. If the cover will not move further in the intended direction, call your service technician or see "ADVANCED TROUBLESHOOTING AND REPAIR" on page 14

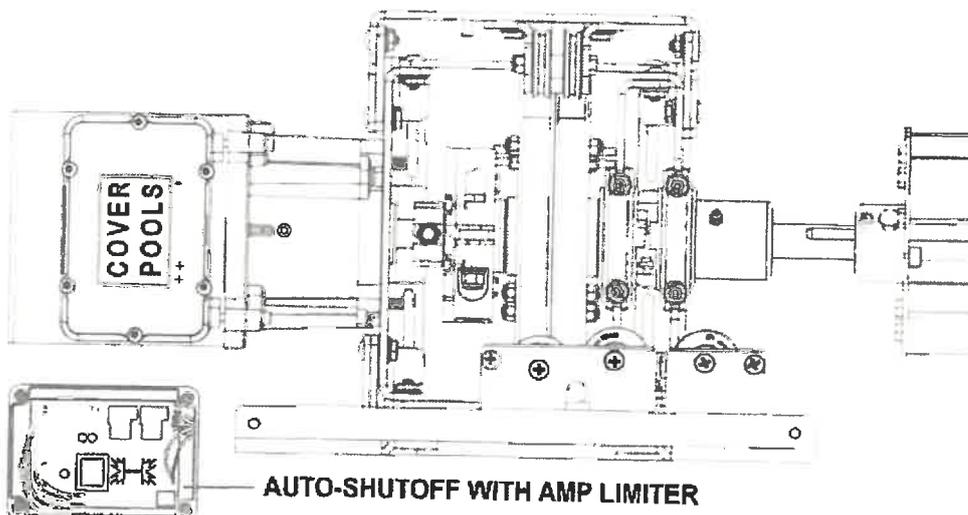


Auto-Shutoff Operation: If your cover has been installed with an auto-shutoff control, your cover will shut off automatically when it has reached the fully uncovered or covered position. This feature prevents overrunning the cover in either direction to prevent possible damage. Make sure that your cover opens and closes evenly so that your auto-shutoff will be able to operate properly. While operating the cover you may stop and reverse direction at any point between the fully opened or fully closed position.

Once the cover has shut off automatically in one direction you will only be able to run it in the opposite direction. In addition, your auto-shutoff control has an adjustable amperage stop that will turn off the motor if the pool cover meets significant resistance when it is operating.

If your cover stops running during operation there is something creating resistance, such as water on the cover, dirt or contamination in the tracks, or something damaged on the system. Remove any excess water or debris and try reversing the direction. If the cover moves, then proceed with operating the cover. If the cover will not move further in the intended direction, call your service technician or see "Auto-Shutoff Amp Limiter Adjustment" on page 14.

NOTE: If there has been a power interruption to your control, the system will not operate until power has been restored. Once power is restored, it is possible to overrun the cover if the control is operated in the wrong direction. Once the cover has been run in the correct direction for just a few feet, the shutoff sequence is restored and it will not be possible to overrun the cover



REMOVING WATER ON TOP OF THE COVER

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▲WARNING Do not let persons or pets access or play on the cover. Water which may have collected on top of the cover poses a potential risk of drowning which could result in serious injury or loss of life. Isolated puddles tend to migrate toward a depression. Persons or pets can create a depression in the cover that could be large enough to collect potentially dangerous amounts of water which can pose risk of drowning.

Standing water on top of your cover poses as great a hazard as an open pool. You have been provided with a submersible pump designed to reduce this hazard by sensing water accumulation and turning on or off automatically. Always place the pump on the cover anytime your pool is covered. Water accumulation on top of the cover can come from holes or leaks in the cover, from overspray and misdirected sprinklers, or from rain and snow. **▲Caution** Never attempt to run the cover with water on it. Damage can occur to the fabric and mechanism.

Placing the Pump on the Cover

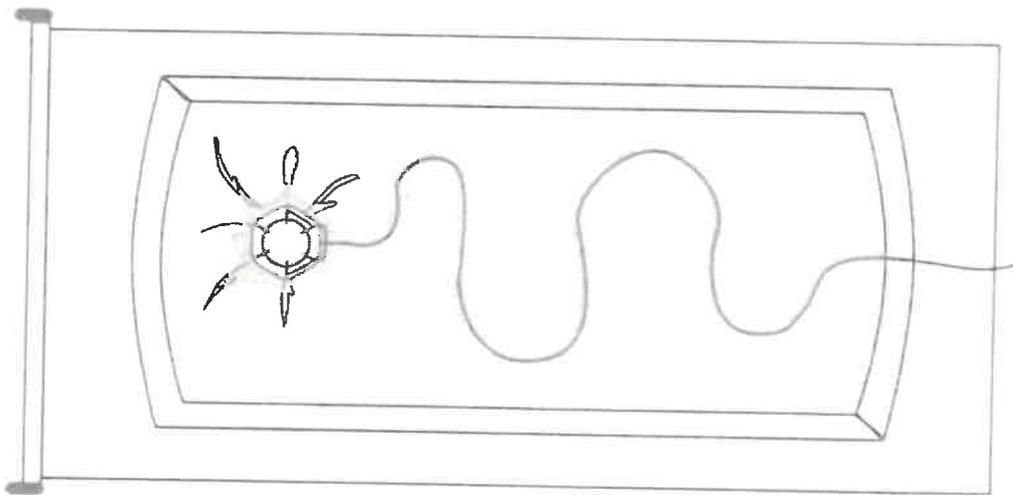
1. **Place the pump on your cover:** (1) set the pump at the side of the pool, then push it into place with a pool brush. Or, (2) stand at the lid end of the pool and place the pump on the cover as a second person closes the cover.

2. **Snake the Hose:** Snake a long discharge hose over as much of your cover as possible to create a natural channel for water to flow back to your pump (see diagram). The water will be removed as it is channelled back to your pump. Due to different shapes and construction styles of pools, the occurrence of isolated puddles of water will be specific to your cover. After you become familiar with where the puddles usually occur, you should be able to position your discharge hose so you can remove nearly all the water on your cover.

3. **Plug in the Pump:** Plug the pump into a GFCI-protected outlet.

After your pump has stopped and most of the water has been removed, the pump itself should create enough of a depression to allow continual consolidation of water.

If you plan on being away from your pool for a long period of time, you should find a neighbor or friend to check your cover frequently to make sure all standing water has been removed. Your pump can be left on the cover all winter. The pump will freeze into the ice without damage and it will activate itself as the ice melts during the winter. Make sure you keep power on to the pump and that the discharge hose is free of kinks.



▲WARNING In order to prevent the risk of drowning, fire or electric shock, which could result in property damage or serious injury, including loss of life be sure to adhere to the following:

- Plug the pump into a Ground Fault Circuit Interrupter (GFCI) - protected outlet only.
- Do not use extension cord.
- If your pump or cord becomes damaged, replace the pump immediately.
- Place the pump on the cover first; then plug in the pump.
- DO NOT stand on a wet surface while using the pump.
- Avoid contact with accumulated surface water on your cover when the pump is on the cover.
- Do not use the pump for anything other than what is specified in these instructions.
- To ensure that the automatic on/off feature operates properly, Do NOT allow the pump to tip over.
- Keep the pump clean and well-maintained at all times.

Motor

The motor we provide is waterproof and capable of withstanding short-term submersion. However, you should not allow the motor to be submersed for periods longer than a few hours. Your system housing should have adequate means of drainage for below-deck or recessed installations. Make sure all drains remain clear. Your motor has an internal thermal overload switch. If the motor overheats to the point where the switch activates, it will reset automatically when cool.

Water Level

The ability of your cover to support any weight and operate properly is completely dependent upon maintaining the pool water at normal operating level. In many cases, the cover will not support itself if run over a low or empty pool. In addition, low water level will increase friction and prevent the cover from operating properly.

▲WARNING Severe damage to the cover may occur and a great hazard may develop if your water level is not maintained properly! (see "Winterizing Your Cover" on page 12).

Track Cleaning

The track may collect dirt and debris over a period of time. A buildup of dirt and debris can affect the operation and adjustment of your cover. If the channels in your cover track are not cleaned when necessary, the edging on your cover and the protective anodized coating on your track can wear out prematurely. To clean the track, retract the cover and spray water into the track. The water will flush out debris if sprayed the full length of the track at close range. In most situations your track should be cleaned twice a season. For pools that are used year round, or if you are in an area that is sandy or windy, cleaning should be done more often. Never use anything but water to clean the tracks or other extrusions.

Mechanism Cleaning

Over time, dried chemicals and dirt can build up on your mechanism. If these components are not rinsed off, the buildup can become so excessive that damage can occur. We recommend rinsing the components as soon as you see a noticeable residue. The metal components of your pool cover should be rinsed off with fresh water only. The frequency will vary with the usage of the pool cover. When in doubt, it is better to rinse too frequently, than not frequently enough. When rinsing the mechanism, turn off all electricity to the cover. Make sure you have adequate drainage in your cover housing. The motor will withstand direct spray at low force. NOTE: Improper chemical balance can rapidly affect your system as well as the cover fabric. Check your water regularly to be sure it is balanced properly. Please review the rest of this manual for proper chemical balance recommendations.

Replacing a Pulley

At the end of each track is a pulley. A worn pulley can cause cover adjustment problems and eventually lead to a broken cable/rope. Pulleys usually last about three years. If a pulley in the end of the track causes a noticeable clicking or grinding sound, it is worn. You should contact your local dealer for replacement as soon as possible.

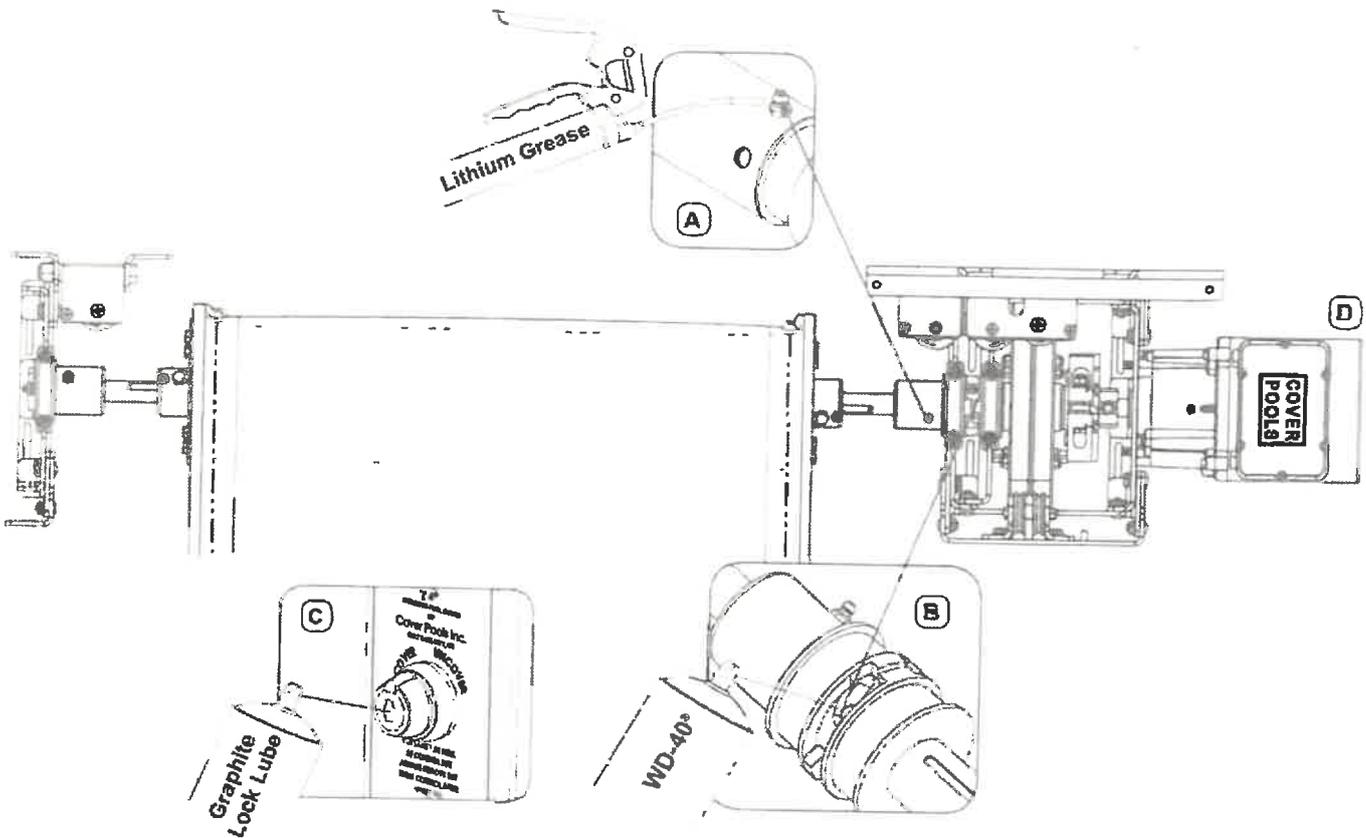
Lubrication

The working life of the mechanism will be enhanced and service problems will be reduced if you follow a regular lubrication schedule. Never over-grease; excessive lubrication will collect dirt and can possibly get on the vinyl cover or webbing. Grease on the vinyl or webbing can cause deterioration. Do not grease or put silicone on the cable/rope, webbing, or tracks; this will cause rapid deterioration of the threads, fabric, and track.

PARTS LUBRICATION REQUIREMENTS

Part	Lubrication	Frequency
A Motor Side End Hub #110427	Waterproof lithium type grease (Lubriplate® #1200-2) -Note: Cover the pool completely.-	Twice per season
B Double Dog #180101/180099	WD-40®, Motor oil 30w, or similar -Note: You may need to undo the strap around the double dog.-	Twice per season
C Key Switch Tumbler	Graphite lock lube	Twice per year
D Motor	Does not require lubrication	N/A

IMPORTANT: Clean and dry the parts before applying lubrication (e.g. using high-pressure water and/or compressed air).



With over 50 years of experience, we have seen well-maintained covers last far beyond expectations. The key to a long-lasting, healthy cover has been proper pool chemical balance and regular care and cleaning of the cover

Extra Slack in the Fabric

Our customers often question the extra slack in the pool cover. We include slack in our pool covers for the following reasons:

Rain and Snow Loads: The pool cover needs extra slack to handle rain and snow loads.

Fabric Shrinks: The pool cover fabric will shrink between one to two percent, which can equal three to four inches on a 20-foot wide pool cover. Indoor pools may shrink more because they are often heated year-round.

Debris and Obstacles

Sharp Objects: Remove any sharp objects and obstacles before opening the cover. Sharp objects can damage the cover.

Obstacles: Remove any obstacles (toys, dirt, rocks etc.) in the track, on the cover, or in the mechanism housing.

Debris: Remove leaves, water, etc. promptly to prevent residue-buildup on the vinyl. When the cover does become soiled from dirt, organic matter, or undissolved chemicals, clean it.

Cleaning

Rinse: Regularly rinse the cover fabric with a pump in place to remove water and contaminants. Even if the cover does not appear dirty, harmful chemical deposits can accumulate on the fabric and can cause premature fabric failure if the fabric is not rinsed regularly.

Stains: For stains, use a soft bristle brush and scrub the cover with fresh, clean water.

Oils and Stubborn Stains: For oils, such as suntan lotion or stubborn stains that cannot be removed by scrubbing, use a small amount of non-detergent cleanser. **Never use detergents on the vinyl.** One of the most available non-detergent cleaners is **Ivory® bar soap** (not dish-washing liquid). Use the bar soap on a wet cloth and scrub the soiled area. Rinse well with fresh water.

Algae: For algae stains, especially black algae, use a mixture of water and Clorox® bleach. Use one (1) part Clorox to nine (9) parts water. Make sure you use Clorox, not the pool's chlorine. You can apply this solution directly on the algae. Some algicides contain detergent

and may damage the cover.

Repair Holes

Use the vinyl patch kit to patch even the smallest holes as soon as they occur. If water penetrates the vinyl and comes in contact with the scrim (the reinforcing thread), the thread will soak up water and carry chemicals and contaminates to the inside of the material. This may lead to stiffening and or delamination of the vinyl. Patching should be done on both sides of the hole in the cover if possible.

Winterizing Your Cover

The cover can support a limited amount of water, snow, and ice. Each gallon of water on the cover weighs eight pounds and a few inches of rain can quickly result in a ton of water. Without the support of water underneath the cover, tracks may pull off, the cover may tear, or other damage could occur to the pool that may create a hazardous situation. **It is important to maintain the same water level all year.**

Make at least monthly inspections of the water level under the pool cover.

FALL MAINTENANCE: It is important to keep all water pumped off your cover as freezing weather approaches so you can go through the winter with as little weight as possible on the cover. Your pump can be left on the cover through freezing weather. Follow instructions as described in the section "WATER ON TOP OF THE COVER" on page 9.

WINTER MAINTENANCE: Inspect the water level in the pool at least once a month and add water if necessary. (One method is to add water via the skimmer.) Note that your water level may appear to be normal if there is ice or snow on the cover. The weight on top of the cover displaces an equal volume of water under the cover and the pool water may be much lower than it appears. Adding water will float the ice or snow on the cover upward, thus relieving stress on the cover. As the ice or snow melts the cover pump will turn on to remove it. Your cover will survive the winter if these procedures are followed.

DRAINAGE: Any drain in the housing should be kept free of debris to allow water to drain freely. The lid covering the housing should always be kept in place to avoid someone stepping into the housing area and to prevent rain from directly entering the housing.

IMPORTANT! If it is not possible to keep your pool full during the winter, then the cover should be left off the pool and other safety precautions should be taken.

CHEMICALS AND YOUR COVER

The pool's chemical program may be significantly different from that of a pool without a cover. With proper use, the cover will substantially reduce chemical loss; therefore, any previous chemical programs may need to be adjusted to maintain proper chemical balance in your covered pool.

Chemical Build-up: You must avoid a build-up in the quantity of chemicals in the pool water that can result in serious damage to pool walls and equipment. Such a build-up may also create an improper water balance which may cause deterioration of the vinyl cover. A deterioration so caused is not covered by the warranty.

To avoid chemical build-up, allow the chemicals to circulate before closing the cover after adding any chemicals to your pool. Test the water at the surface with your test kit to ensure that it is safe to cover.

If it is safe to swim in, it is safe to cover!

High Alkalinity & Chlorine: A high alkalinity or high chlorine level can begin to break down the cover prematurely. Some pH adjusters may create harmful levels of alkalinity (high pH) if they are not allowed to mix with the water before the cover is closed. The same is true with chlorine shocks. Some chlorine shocks require 12-24 hours before returning to swim-safe range.

Cover-Pools Incorporated recommends using a non-chlorine shock because you can close the cover within 30 minutes. Please check with your pool service company for proper usage.

Extended Covering: Before covering the pool for extended periods of time, such as winterizing, make sure the water is balanced. Recheck the water after the chemicals have mixed completely; this may require checking the pool water a day or two later.

When covering the pool for long periods of time, adjust your ozone generators and chemical feeders to an appropriate level for a covered pool. Constant long-term buildup of ozone can damage the fabric.

Inform Others: Please make sure your pool service company or anyone in charge of pool maintenance is aware of this information.

Obtain a good test kit and use it frequently.

Maintain Proper Balance: Common sanitizers (dry or liquid) vary in their pH value. Depending upon the pH value of the specific type of chlorine used, you may use acid, soda ash, and baking soda to maintain proper pH and alkalinity values.

Maintain the following swim-safe levels:

*Chlorine	pH	Alkalinity
1—5 ppm	7.2—7.8 ppm	80—120 ppm

*Sanitizers other than chlorine-based compounds, per manufacturer guidelines.

⚠WARNING Never leave an open pool unattended. Instruct anyone you allow to operate your cover about this!

Please have your pool company fill in the following:

Recommended Chemical Plan

- Recommended Alkalinity: _____
- Recommended Sanitizer Level: _____
- Recommended pH: _____
- Sanitizer Type: _____
- Recommended Salt Level: _____
- Shock Frequency: _____
- Other Recommendations: _____

(Always leave the cover open until the water is back to a safe range for swimming.)

ADJUSTMENTS AND MINOR REPAIR

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Service: Some services, such as patching holes, are simple enough that you can do it yourself. Other services are much more complex than they first appear; therefore, we recommend that you leave repairs to your local authorized service technician. Contact your local service company for advice before you undertake any serious service project on your own; call Cover-Pools at 800-447-2838 to find a local service company.

▲WARNING In order to minimize the risk of serious injury, including loss of life, from electrocution or moving mechanical parts, be sure to turn off the power to the cover at the mains circuit breaker. Never adjust the cover or try to perform any other maintenance while the cover is running. Keep hands, clothing, etc., away from the mechanism while operating.

Uneven Cover Retraction

Once your cover is installed it is unlikely that it will require any adjustment. However, it is possible for extreme changes in the cover condition to cause the cover to run unevenly. If your cover is retracting or opening unevenly, call your local service company for assistance.

ADVANCED TROUBLESHOOTING AND REPAIR

Slip Clutch Adjustment

(see your included features on page 1)

The slip clutch may need to be adjusted if the cover pauses as it travels across the pool or will not complete the open or close cycle. Make sure there is nothing interfering with the cover operation before adjusting the slip clutch. Water on the cover, low pool water level, bad track pulleys, and dirt or debris in the track can all cause the clutch to slip. If the clutch is slipping due to the reasons above, fix the problem, don't adjust the slip clutch.

To adjust the slip clutch, use a 1/2" socket, 6" socket extension and a ratchet handle. Tighten both bolts equally by turning nuts clockwise in 1/8 turn increments (Figure 1, 2 & 3). After both nuts have been adjusted, run the cover. If the clutch is slipping before the cover is completely opened or closed, additional adjustment is needed. If for some reason you feel the slip clutch is too tight, loosen the nuts evenly by turning the nuts counter-clockwise in 1/8 turn increments and run the cover after each adjustment. (Figure 2) **DO NOT OVERTIGHTEN THE CLUTCH TO THE POINT THAT IT WON'T SLIP IF OVERRUN.**

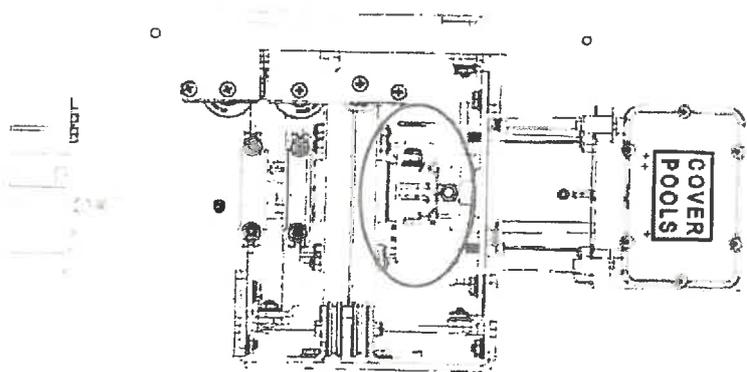


Figure 1

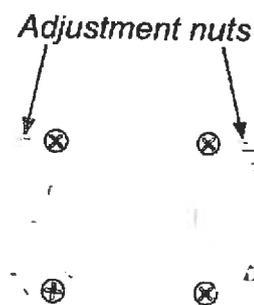


Figure 2



Figure 3

Auto-Shutoff Amp Limiter Adjustment

(see your included features on page 1)

▲WARNING Never attempt any adjustment to electrical components without first turning off the circuit breaker providing power to the cover.

The auto-shutoff amp limit board has LED lights to facilitate installation and diagnostics. The board also has an adjustable amp limit feature. The amp limit feature stops the cover by sensing the amperage draw to the motor. If the cover runs into an obstacle or resistance (i.e. water on the cover, dirt or contamination in the tracks, or something damaged on the system) during the cover or uncover cycle, the amp limit feature will sense the additional load and shut off the motor.

If the cover frequently stops during operation, and there is very little or no water on the cover, then call your local cover technician to adjust the amp limiter.

INSPECTION PROCEDURE FOR WEAR AND DETERIORATION

You should thoroughly inspect the components of your automatic cover at least two to three times a year.

Vinyl Cover

The vinyl cover material is constructed with a tough combination of vinyl and a polyester mesh.

Inspect the vinyl: Over the years, depending on your cover's exposure to chemicals, heat, and sun, the vinyl will become brittle and eventually begin to crack. When this occurs the polyester mesh will be exposed and begin to change the capability of your cover to hold weight. Inspection for this kind of deterioration should begin with an examination for leaks. If you have leaks:

1. Patch the hole immediately.
2. Check the area around the hole to see if it has become brittle or stiffer than the rest of the cover. Any change in the feel of the vinyl where it begins to seem brittle or stiff can indicate a problem.
3. If the normal square pattern you see in your cover changes so that the mesh pattern appears to be more pronounced than the other parts of the cover, it could indicate that the vinyl is becoming weak.
4. In areas where your cover is pulled over your deck or coping it is possible to gradually wear the vinyl away from the reinforcing mesh. Once the mesh is exposed it can begin to deteriorate or break. Have the cover repaired immediately.

Inspect the sewing: Inspect the sewing where the vinyl is attached to the webbing (edging) along the side of your cover by your tracks. If any threads are broken or if the webbing has begun to tear or fray, the strength of your cover will be compromised. Have the cover repaired immediately if you notice this problem.

Cover Track

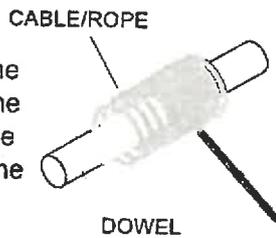
Since your track is the main means of anchoring your cover to your pool, inspection of the fasteners used to hold your track to the pool sides is as important as inspecting the cover. Make sure that all screws are tight and replaced if missing. Some track is contained in a channel with shims. Be sure to replace missing shims. The channel or opening that your webbing slides in can wear over the years. If you feel there is marked difference in any of these items, please contact your pool cover service technician immediately for a detailed inspection.

EMERGENCY PROCEDURES

Manually Cover the Pool

This requires two people. Remove the bolt from the coupler (#080027) or the motor side of the slip clutch. Wrap the cable/rope around a dowel. Pull on the dowel to remove a few feet of cable/rope from the reels.

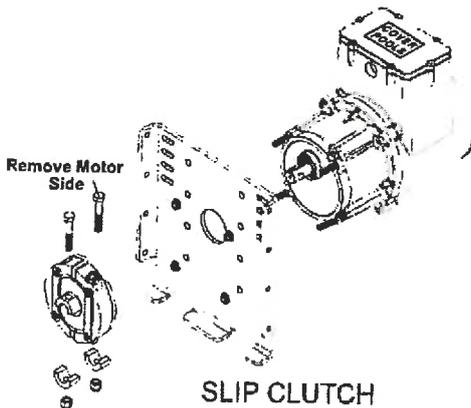
▲WARNING DO NOT PULL DIRECTLY ON THE CABLE/ROPE. Remove cables/rope equally on either side until the cover is in place. It may be necessary to remove the lid to accomplish this and to unroll some of the fabric manually before pulling it into the track.



Manually Uncover the Pool

This also requires two people and the recessed lid must be removed first. Remove the bolt from the coupler (#080027). Slide the cover through the track toward the roller for a few feet on both sides. Then roll it up by turning the roller by hand. Repeat this procedure until the cover is totally retracted keeping the roll as compact as possible. To reduce any possible drag, loosen both brakes completely. A square hole washer (#110145) is located on the opposite end of the mechanism; the washer is sized to accept a standard 1/2" drive ratchet socket wrench. Follow the procedure above to remove coupler or clutch bolt and loosen the brakes. Insert the wrench into the washer and use the wrench to reverse the main tube. This will uncover the pool.

▲WARNING It is physically easier to remove the cover using the ratchet wrench than it will be to close the cover. Closing the cover manually requires two strong people. If you are using your cover as a safety barrier, make sure you will be able to close the cover if needed, before you open the cover.



Operation And Programming Instructions

The CoverLink wireless control system controls access to operate the pool cover. The CoverLink wireless control uses a Personal Identification Number (PIN) instead of a key. Entering a valid PIN into the control pad allows access to cover and uncover the pool.

COVERLINK WIRELESS CONTROL FEATURES

CoverLink Control Pad and CoverLink Receiver

The CoverLink Control system is factory programmed and ready for use.

The control pad must be mounted in full view of the pool cover.

Control Pad features:

- Up to 3 separate control pads can operate the same pool cover.
- Up to 4 unique four-digit PINs can control access to the pool cover.
- Control pads can be setup in different locations around the pool.
- A master PIN that is stored in memory location 1 (Factory Default Master PIN: 1583).
- Additional PINs can be stored in memory locations 2, 3 and 4.
The pool owner should keep a record of PIN to memory location for reference.
- A unique signal that is sent from the control pad and stored by the receiver when linked.
- For multiple control pads, each control pad must be linked to the receiver and set to the same channel number and the same network ID number.

Receiver features:

3 control buttons:

- » Uncover
- » Cover
- » Setup

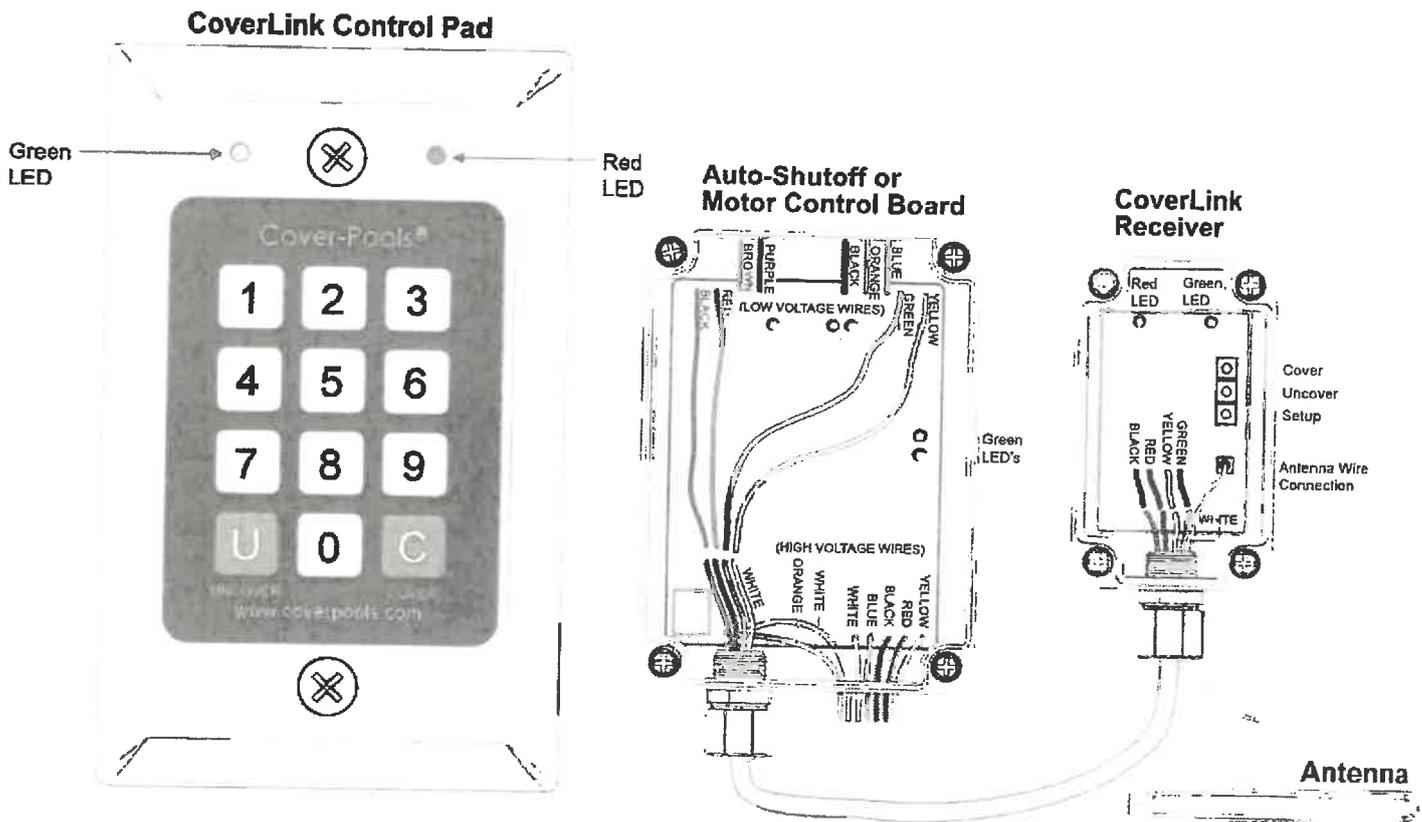
32 usable Channels:

- » 00 - 31

100 Network ID numbers:

- » 00 - 99

Typically the auto-shutoff is located in an enclosure by the pool cover electric motor connected to the Receiver enclosure by a cable. The receiver enclosure is labeled "CoverLink Receiver."



Normal Operation

Normal use: Control Pad

PIN entry controls access to cover and uncover the pool. After entering the PIN, press & hold *C* or *U* within 20 seconds or the system will time out and PIN re-entry will be required.

1. **Enter** four-digit PIN: **1583** (or valid PIN)
 - a. The red LED will flash as each button is pressed.
 - b. The green LED will flash if PIN is accepted.
Press & Hold C (Cover) to cover or **U** (Uncover) to uncover the pool.
 - c. The green LED will flash while the cover is in motion.

If the PIN is not accepted, the Red LED will be *on* when *C* (Cover) or *U* (Uncover) is pressed; re-enter PIN.

PIN SETUP

Factory Default Master PIN: 1583. The factory default master PIN **CAN** be changed.

The factory default master PIN is stored in memory location 1 on the control pad and can be changed to any four-digit PIN. This master PIN controls access to add, change, or delete PINs, as well as cover or uncover the pool.

Change or Enter New PIN:

To change or enter new PINs, follow this process. Buttons must be pressed within 20 seconds of each other or programming access will time out.

1. **Enter 1583** (or current master PIN)
 - a. The red LED will flash as each button is pressed.
 - b. The green LED will flash if PIN is accepted.
2. **Press 1** to enter programming mode.
 - a. The red and green LED will turn *on*.
3. **Press 1** to enter PIN change mode.
 - a. The green LED will flash.
4. **Press 1, 2, 3, or 4** to select PIN memory location.
(Remember factory default master PIN is stored in memory location 1, but can be changed).
 - a. The red LED will flash.
5. **Enter new four-digit PIN.**
 - a. Both LEDs will flash
6. **Enter new PIN again to confirm change.**
 - a. The red LED will flash.
 - b. The green LED will remain on indicating success.
 - c. The system is ready after 20 second delay and green LED turns *off*.

Test the new PIN by following NORMAL OPERATION.

Use the table to record your PINs.

PIN Memory Location Record

Location #	PIN
1	(1583)
2	
3	
4	

DELETE PIN

To delete a PIN (except the master):

To erase one PIN at a time from the receiver follow this process. Buttons must be pressed within 20 seconds of each other or programming access will time out.

1. **Enter '1583'** (or current master PIN)
 - a. The red LED will flash as each button is pressed.
 - b. The green LED will flash if the PIN is accepted.
2. **Press 1** to enter programming mode.
 - a. The red and green LEDs turn on.
3. **Press 2** to enter PIN delete mode.
 - a. The green LED will flash.
4. **Press (2, 3, or 4)** to delete the PIN from that memory location.
 - a. The green LED will flash.

(If you wish to abort PIN Delete, press 0.)
5. **Press (2, 3, or 4) again** for confirmation.
 - a. The green LED will turn on after a brief delay indicating success.
 - b. The system will be ready after a 20-second delay and the green LED turns off.

To delete all PINs (except the master):

To erase all PINs except the master from the receiver, follow this process. Buttons must be pressed within 20 seconds of each other or programming access will time out.

1. **Enter '1583'** (or current master PIN)
 - a. The red LED will flash as each button is pressed.
 - b. The green LED will flash if the PIN is accepted.
2. **Press 1** to enter programming mode.
 - a. The red and green LEDs will turn on .
3. **Press 3** to enter delete mode for all PINs.
 - a. The red and green LEDs will flash.

(If you wish to abort PIN Delete, press 0.)
4. **Enter the master PIN** to verify delete.
 - a. The green LED will turn on after a brief delay indicating success.
 - b. The system will be ready after a 20-second delay and the green LED turns off.

RECEIVER RESET

Reset receiver to factory default: (See illustration on page 16 for setup button location)

This process may require more than one person if the main power (breaker) is not within reach of the receiver.

To erase the receiver memory, including all linked control pads, follow this process.

•All control pads must be re-linked to the receiver and PINs re-established.
(See LINK CONTROL PAD AND RECEIVER on pg. 4 to re-establish link).

1. Turn **power off** for **ten seconds**.
2. **Hold the setup** button down while turning the **power on**.
 - a. The green LED on the receiver will flash briefly indicating the erasure is complete.
 - The Receiver is returned to factory default settings.

Prior to programming the CoverLink™ system, complete the following steps at the auto-shutoff board and CoverLink receiver: June 6, 2023 PC Meeting
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Uncover and cover the pool completely by pushing the buttons on the CoverLink receiver located in the auto-shutoff box as shown in the "CoverLink Receiver" illustration on page 16.

LINK CONTROL PAD AND RECEIVER

This process may require more than one person if the control pad is not within reach of the receiver. Buttons must be pressed within 20 seconds of each other or programming access will time out.

Step 1 Enter Setup Mode:

1. Control Pad: **Press and Hold U** (Uncover) and **3** until both LEDs turn on (5 seconds).
2. **Enter 396207** (6 digit Security code)
 - a. Control Pad: Red LED off - Green LED on.

Step 2 Link Radio Signal:

1. Receiver: **Press and Hold the *setup*** button.
2. **Press and release 1** on the control pad.
 - a. Control Pad: Green LED will flash once, then remain on indicating link is established.
 - b. Control Pad: If Red LED is *on*, then the link is not established; repeat step 4. (Press 4 to abort setup)

Step 3 Set Channel Number:

1. **Press 2** to enter Channel mode.
 - a. No LEDs on.
2. **Enter two-digit channel number** (00 - 31). (Example: 01)
 - a. Control Pad: Green LED is *on* if channel is accepted.
 - b. Control Pad: Red LED is *on* if channel is not accepted; repeat steps 5 and 6.

Step 4 Set Network ID Number:

1. **Press 3** to enter network mode.
 - a. No LEDs on.
2. **Enter two-digit network ID number** (00 - 99) (Example: 09).
 - a. Control Pad: Green LED remains *on* if network ID is accepted.
 - b. Control Pad: Red LED remains *on* if network ID is not accepted; repeat steps 7 and 8.

Step 5 End Setup:

1. **Press 0** on the control pad.
 - a. Control Pad: Green LED will flash once if accepted.
Link is complete and system is ready for normal operation.
(See "PIN SETUP" on page 17)
 - b. Control Pad: Red LED will be *on* if link is not accepted, wait 20 seconds and repeat link procedure.

PROBLEM	SOLUTION
<p>LEDs on control pad do not light when buttons are pressed.</p> <p>Did not fix problem.</p>	<p>Remove control pad faceplate. Remove batteries from battery holder. Clean battery contacts. Install new batteries in battery holder. Reinstall control pad faceplate.</p> <p>Contact local cover dealer for service.</p>
<p>PIN entry does not activate cover mechanism, but red LED on the control pad is <i>on</i> when buttons are pressed.</p> <p>Did not fix problem.</p> <p>Did not fix problem. Power on to auto-shutoff board</p> <p>Did not fix problem.</p> <p>Did not fix problem.</p>	<p>Enter valid PIN. If PIN is valid, Green LED will flash as <i>C</i> (Cover) or <i>U</i> (Uncover) is pressed. If PIN is NOT valid, Red LED will be <i>on</i> as <i>C</i> (Cover) or <i>U</i> (Uncover) is pressed; Re-enter PIN.</p> <p>Verify that power to the auto-shutoff board is on. <i>Typically the auto-shutoff board and receiver are located in separate enclosures by the pool cover electric motor.</i> Power to auto-shutoff board will be on if two green LEDs on the auto-shutoff board are flashing.</p> <p>Turn power off for ten seconds. Turn power on. Enter valid PIN.</p> <p>See RECEIVER RESET instructions. See LINK CONTROL PAD AND RECEIVER instructions.</p> <p>Contact local cover dealer for service.</p>

EXPLANATION OF CHANNEL AND NETWORK ID

Channel:

The channel controls the frequency at which signals are transmitted. Frequencies range in thirty-two increments between 903MHz (channel 00) to 926MHz (channel 31). Thus, if signal interference is observed during cover operation (intermittent or hesitant cover movement) another interference free channel may be selected.

Network ID:

The network ID allows multiple cover systems (within the same vicinity) to run without interference while being on the same channel. There are one hundred Network IDs (00 to 99). If each cover system is on a different network ID, they will run interference free from one another on the same channel.

Cover-Pools is committed to producing the highest quality pool and spa covers which comply with applicable safety standards. We are your partners in providing a reliable additional layer of safety for your pool or spa.

UNDERWRITERS LABORATORIES INC. LISTING



ASTM (American Society for Testing and Materials)

Designation: F 1346-91 (PSC, MSC, OC)

Cover-Pools products Save-T cover, Step-Saver and Auto-Save Spa Covers have been manufactured and are in full compliance with ASTM F 1346-91 Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs.

FCC ID: P8G-50306 Save-T Cover Wireless 50305

Note: This equipment has been tested and found to comply with the limits for a Class B digital device, pursuant to Part 15 of the FCC Rules. These limits are designed to provide reasonable protection against harmful interference in a residential installation. This equipment generates, uses and can radiate radio frequency energy and, if not installed and used in accordance with the instructions, may cause harmful interference to radio communications. However, there is no guarantee that interference will not occur in a particular installation. If this equipment does cause harmful interference to radio or television reception, which can be determined by turning the equipment off and on, the user is encouraged to try to correct the interference by one or more of the following measures:

- Reorient or relocate the receiving antenna.
- Increase the separation between the equipment and receiver.
- Connect the equipment into an outlet on a circuit different from that to which the receive is connected.
- Consult the dealer or an experienced radio/TV technician for help.

Note: This equipment has been tested and found to comply with the limits for a Class 1, Class 2, and Class 3 Radio equipment and systems under Title: ETS EN 300 683 : 97 and ETS EN 300 200-1 (RES) (EMC) (SRD) operating on frequencies between 9 kHz and 25 GHz. These limits are designed to provide reasonable protection against harmful interference in a residential installation. This equipment generates, uses and can radiate radio frequency energy and, if not installed and used in accordance with the instructions, may cause harmful interference to radio communications. However, there is no guarantee that interference will not occur in a particular installation. If this equipment does cause harmful interference to radio or television reception, which can be determined by turning the equipment off and on , the user is encouraged to try to correct the interference by one or more of the following measures:

Reorient or relocate the receiving antenna.

Increase the separation between the equipment and receiver.

Connect the equipment into an outlet on a circuit different from that to which the receiver is connected.

If you have any additional questions please contact Cover-Pools at 1-800-447-2838.

Agenda Item #2

**APPLICATION,
SEPA DETERMINATION & SEPA CHECKLIST**

TC 2023-01

Amending FCC 17.66.220(B)
Reducing Swimming Pool Barrier Height from 5' to 4'



FRANKLIN COUNTY

June 6, 2023 PC Meeting
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PLANNING AND BUILDING DEPARTMENT

GENERAL LAND DEVELOPMENT APPLICATION

FOR STAFF USE ONLY	FILE #: TC 2023-01 + SEPA 2023-05	
	Total Fees: N/A	Date deemed complete:
	Receipt #: N/A	Pre-App Meeting Date:
	Reviewed By:	Hearing Date:

CHECK ALL THAT APPLY AND ATTACH SUPPLEMENTAL FORM(S):	<input type="checkbox"/> Alteration/Vacation of Easement	<input type="checkbox"/> SEPA – Environmental Checklist
	<input type="checkbox"/> Appeal (File # of item appealed: _____)	<input type="checkbox"/> Shoreline Permit
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Shoreline – Conditional Use Permit
	<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Shoreline – Exemption
	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Shoreline – Non-Conforming
	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline – Substantial Development
	<input type="checkbox"/> Critical Areas Determination/Review Reasonable Use Determination	<input type="checkbox"/> Shoreline – Variance
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Short Plat
	<input type="checkbox"/> H2A Farm Worker Housing (Zoning Review)	<input type="checkbox"/> Subdivision (Long Plat)
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Variance
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Zone Change (Rezone)
	<input checked="" type="checkbox"/> Other: FCC Text Change	<input type="checkbox"/> Zoning Interpretation/Administrative Decision

CONTACT INFORMATION (Please provide all necessary information and checkmark the primary contact)

<input type="checkbox"/>	Property Owner Name: Franklin County Planning + Building Mailing Address: 502 W. Boeing St Pasco, WA 99301 Phone Number: (509) 545-3521 E-mail Address: planninginquiry@franklincountywa.gov
<input type="checkbox"/>	Applicant/Agent/Contractor (if different) Contact Name: Derrick Braaten Business Name: FC Planning + Building Dept. Phone Number: (509) 545-3521 Business Address: 502 W. Boeing St E-mail Address: dbraaten@franklincountywa.gov Pasco, WA 99301
<input type="checkbox"/>	Surveyor/Engineer Contact Name: Business Name: Phone Number: N/A Business Address: E-mail Address:



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

PROPERTY INFORMATION

Parcel Number(s) (9-digit tax number):	All properties in unincorporated Franklin County
Legal Description of Property:	All properties in unincorporated Franklin County County
Site Address: (describe location if no address is assigned)	All properties in unincorporated Franklin County

BRIEF DESCRIPTION OF PROJECT OR REQUEST

Amending FCC 17.66.020(B), regarding swimming pool barrier requirements, proposing to reduce the required minimum pool barrier from 5' to 4'.

- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current pricing of fees.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Please ensure that all required information is submitted along with this application form.
- If the property is owned by a trust, corporation, or LLC, please attach documentation showing that the person signing as the "owner" has the authority to sign on behalf of the trust, corporation, or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning and Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

	<u>5/5/2023</u>	_____	_____
Owner (Signature)	Date	Applicant/Representative (Signature)	Date
<u>Danick Braaten</u>	<u>5/5/2023</u>	_____	_____
Owner (Print Name)	Date	Applicant/Representative (Print Name)	Date

FRANKLIN COUNTY, WASHINGTON

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of proposal: a request to amend Franklin County Code Title 17, Zoning Code, specifically Chapter 17.66.020 – Swimming Pools and Hot-Tubs, Subsection (B), file # **TC 2023-02** and **SEPA 2023-05**. Said application is to reduce the minimum swimming pool barrier requirement for swimming pools located in Unincorporated Franklin County from the current 5' minimum allowed, to a 4' minimum.

File Number: SEPA 2023-05 (TC 2023-02)

Proponent Franklin County

Location: All properties located within Unincorporated Franklin County

Legal Description: All properties located within Unincorporated Franklin County

Lead agency: Franklin County, Washington.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14 days from the date of publication (May 11, 2023). Comments must be submitted by: May 29, 2023.

Responsible official: Derrick Braaten

Position/title/Phone: Planning and Building Director — (509) 545-3521

Address: 502 Boeing Street, Pasco, WA 99301

Date/Signature: 5/11/2023 - Derrick Braaten

Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than **May 29, 2023**. Contact the responsible official to read or ask about the procedure for SEPA appeals.

SEPA ENVIRONMENTAL CHECKLIST FRANKLIN COUNTY, WASHINGTON

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

**For guidance on completing this form or assistance in understanding a question, visit
<http://www.ecy.wa.gov/programs/sea/sepa/ChecklistGuidance.html>**

**The SEPA Handbook is available online at:
<http://www.ecy.wa.gov/programs/sea/sepa/handbk/hbintro.html>**

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:
Amending 17.66.020(B) of the Franklin County Code
2. Name of applicant:
Franklin County
3. Address and phone number of applicant and contact person:
Derrick Braaten
502 W. Boeing Street
Pasco, WA 99301
(509) 545-3521
4. Date checklist prepared:
May 3, 2023
5. Agency requesting checklist:
Franklin County
6. Proposed timing or schedule (including phasing, if applicable):
Planning Commission Open Public Hearing: June 6, 2023
BoCC Closed-Record Hearing & Final Action: July 11, 2023
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
SEPA Checklist
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None
10. List any government approvals or permits that will be needed for your proposal, if known.
Franklin County Board of County Commissioners adoption of the proposed amendment.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this

page. (Lead agencies may modify this form to include additional specific information on project description.)

This action seeks to amend the pool barrier requirement provide for in Franklin County Code 17.66.020(B), lowering the required pool barrier height from 5' in height, to 4' in height. This regulation covers the entirety of unincorporated Franklin County.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

This regulation covers the entirety of unincorporated Franklin County.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

This regulation covers the entirety of unincorporated Franklin County.

b. What is the steepest slope on the site (approximate percent slope)?

This regulation covers the entirety of unincorporated Franklin County. Properties can have a wide range of slopes, from flat to over 90 degree slopes in unincorporated Franklin County. However, pools are not generally built on slopes. A pool being built on a slope, or within the skarp of a slope, is required to obtain a geo-technical report (at a minimum) and design recommendations to ensure any potential slide risk is minimized.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

This regulation covers the entirety of unincorporated Franklin County. As it relates to barrier height requirements, it will not have an impact on soils. There are a variety of soil types, including sand, clay, silty soils, rocky, etc., depending on the specific site, throughout the County.

To Be Completed by Applicant:

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

This regulation covers the entirety of unincorporated Franklin County. There have been incidents of slides, generally in the NW quadrant of the county and along limited shorelines. All known areas possessing conditions that increase the likelihood of unstable soils, or have had a slide incident in the past, are mapped

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

As this is a non-project action, no filling, excavation, or grading is proposed.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No. This action regards reducing a barrier height requirement.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None. This action regards reducing a barrier height requirement.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

None.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

This regulation covers the entirety of unincorporated Franklin County.

There are properties with pools that are located within close proximity to surface waters.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Generally not. However, if a pool is proposed to locate within 200' of a surface water body, then the requirements of the Shoreline Master Program and/or Critical Areas Ordinance would apply.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected.

Indicate the source of fill material.

Not applicable, as this is a non-project action

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

This regulation covers the entirety of unincorporated Franklin County.

Therefore, some pools may be located within 100-year floodplains.

However, if a pool is proposed to locate within a 100-year floodplain, then the requirements of Critical Areas Ordinance would apply.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site.

b. What kind and amount of vegetation will be removed or altered?
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

c. List threatened and endangered species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site.

However, if a site is indicated to have a listed PHS species onsite, then any development is required to implement protection protocols, as assigned by WDFW, and/or other relevant agencies having jurisdiction on the matter.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

e. List all noxious weeds and invasive species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, a number of noxious weeds or invasive species may be found at a specific site. These include goat's heads or poke vines, tree of heaven, Russian olive, and others.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, a variety of animal species may be located on a specific site.

- b. List any threatened and endangered species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site.

However, if a site is indicated to have a listed PHS species onsite, then any development is required to implement protection protocols, as assigned by WDFW, and/or other relevant agencies having jurisdiction on the matter.

- c. Is the site part of a migration route? If so, explain.

The entirety of Franklin County is under the Pacific Flyway migration route.

- d. Proposed measures to preserve or enhance wildlife, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- e. List any invasive animal species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site.

However, if a site is indicated to have a listed PHS species onsite, then any development is required to implement protection protocols, as assigned by WDFW, and/or other relevant agencies having jurisdiction on the matter.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

Not likely, as this action regards amending the pool barrier height requirement, and is a non-project action. Ground mounted solar arrays, in theory, could be impacted if a proposed barrier is solid, and due to elevation differences between the properties, blocked the sun from the array.

- c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 1) Describe any known or possible contamination at the site from present or past uses.

This regulation covers the entirety of unincorporated Franklin County. Site specific review regarding this issue would occur at time of site development. There are no known residences in unincorporated Franklin County located on any known current, or past, contaminated sites.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Generally, none. Residential natural gas liens may be located on a residential property that will need to be avoided when the barrier is put in.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- 4) Describe special emergency services that might be required.
None.

- 5) Proposed measures to reduce or control environmental health hazards, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
None, as most properties with pools are either located within residential subdivisions, or are located on large (1-acre plus)

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
None, except at time of barrier installation.

- 3) Proposed measures to reduce or control noise impacts, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
This regulation covers the entirety of unincorporated Franklin County. Site specific review regarding this issue would occur at time of site development.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
This regulation covers the entirety of unincorporated Franklin County. There are no forest lands of long-term commercial significance within the County. Much of the County is used for agricultural uses, and much of the land approx. 1-mile north of the City of Pasco are designated ALLTCS. As this amendment regards reducing pool barrier height requirements, it is not expected to have any impact on ALLTCS.

To Be Completed by Applicant:

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversized equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No. As this amendment regards reducing pool barrier height requirements, whether the property that has the pool will be impacted or impact surrounding farm activities would have been determined at the time of original site development. Unincorporated Franklin County rural lands are covered under the County's Right-To-Farm Ordinance.

- c. Describe any structures on the site.

None, as this action regards amending the pool barrier height requirement, and is a non-project action. However, pools are not permitted except as an accessory residential use. Therefore, any pool will have residential structures on the property, and may have other structures for residential use (storage buildings, garages, pool houses, etc.).

- d. Will any structures be demolished? If so, what?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- e. What is the current zoning classification of the site?

This regulation covers the entirety of unincorporated Franklin County. However, pools are only permitted on residentially zoned properties, and/or within those zones that allow for residential development, but residential activity is ancillary to the zone, such as Agricultural Production (AP) zones that allow for farm related residential development to occur.

- f. What is the current comprehensive plan designation of the site?

This regulation covers the entirety of unincorporated Franklin County. However, pools are generally only permitted on residentially zoned properties, that have a Comp Plan designation of Residential, and/or within those zones that allow for residential development, but residential activity is ancillary to the zone, such as Agricultural Production (AP) zones that allow for farm related residential development to occur, that have a Comp Plan designation of Agriculture.

- g. If applicable, what is the current shoreline master program designation of the site?

This regulation covers the entirety of unincorporated Franklin County. As this amendment regards reducing pool barrier height requirements,

To Be Completed by Applicant:

whether the property that has the pool will be impacted by, or impact, shorelines would have been determined at the time of original site development.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

This regulation covers the entirety of unincorporated Franklin County. As this amendment regards reducing pool barrier height requirements, whether the property that has the pool will be impacted by, or impact, critical areas would have been determined at the time of original site development.

- i. Approximately how many people would reside or work in the completed project?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- j. Approximately how many people would the completed project displace?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. It will not have any displacement impacts.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. Whether the property that has the pool created a conflict with surrounding properties would have been determined at the time of original site development.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. Whether the property that has the pool created a conflict with surrounding properties would have been determined at the time of original site development.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, mid-
dle, or low-income housing.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This proposal seeks to lower the minimum height requirement for a pool barrier from 5' to 4'.

- b. What views in the immediate vicinity would be altered or obstructed?

None, as this action regards amending the pool barrier height requirement, and is a non-project action. However, depending on the specific location, type, and design of a pool barrier, view-lines across properties may be impacted.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. However, allowing for the reduced pool barrier height may reduce potential view-line obstruction.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- b. Could light or glare from the finished project be a safety hazard or interfere with views?
No, as this action regards amending the pool barrier height requirement, and is a non-project action.
- c. What existing off-site sources of light or glare may affect your proposal?
None, as this action regards amending the pool barrier height requirement, and is a non-project action.
- d. Proposed measures to reduce or control light and glare impacts, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
This regulation covers the entirety of unincorporated Franklin County. Franklin County does not have a municipal park system, but a variety of natural areas, trails, state and federal lands, open to the public, exist within unincorporated Franklin County.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
No, as this action regards amending the pool barrier height requirement, and is a non-project action.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
This regulation covers the entirety of unincorporated Franklin County. Depending on the specific site, there may be structures that are eligible for listing on preservation registers. This action regards amending the pool barrier height requirement, and would not impact such structures.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

This regulation covers the entirety of unincorporated Franklin County. This action regards amending the pool barrier height requirement. Whether the property that has the pool has any landmarks, features, or other evidence of Indian or historic use or occupation, would have been determined at the time of original site development.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

This regulation covers the entirety of unincorporated Franklin County. As the sites falling under this regulation are developed residential sites, and this action regards amending the pool barrier height requirement, activities allowed under this amendment are extremely unlikely to impact cultural and historic resources.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Tribes will be invited to provide comment regarding this proposal, as part of the SEPA Review process for this action.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This regulation covers the entirety of unincorporated Franklin County. As this action regards amending the pool barrier height requirement, and is a non-project action, it will not impact the transportation system.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

This regulation covers the entirety of unincorporated Franklin County. As this action regards amending the pool barrier height requirement, the proximity of public transit is not relevant to the action.

To Be Completed by Applicant:

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

This regulation covers the entirety of unincorporated Franklin County. As this action regards amending the pool barrier height requirement, and is a non-project action, it will not impact water, rail, or air transportation.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- h. Proposed measures to reduce or control transportation impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

16. Utilities

- a. ~~Circle utilities currently available at the site.~~

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,

other _____

This regulation covers the entirety of unincorporated Franklin County. Any of the above utilities may, or may not, be available at a site.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee _____

Position and Agency/Organization _____

Date Submitted: _____

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Reducing pool barrier heights is extremely unlikely to create any increase in discharges from a site. Depending on the specifics of a site, and barrier design, such barriers may decrease the risk of runoff, and reduce noise as heard from neighboring properties.

Proposed measures to avoid or reduce such increases are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Reducing pool barrier heights is extremely unlikely to impact plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

3. How would the proposal be likely to deplete energy or natural resources?

Reducing pool barrier heights is extremely unlikely to impact energy or natural resources. Ground mounted solar arrays, in theory, could be impacted if a proposed barrier is solid, and due to elevation differences between the properties, blocked the sun from the array. However, this would also be the case if the regulation was not amended.

Proposed measures to protect or conserve energy and natural resources are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

It would not, as this action regards amending the pool barrier height requirement, and such barriers are only allowed as part of a residential accessory use – the installation of a swimming pool. Such sites are already developed, or are generally located in areas outside of environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:
None, as this action regards amending the pool barrier height requirement,
and is a non-project action.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

It would not, as this action regards amending the pool barrier height requirement, and such barriers are only allowed as part of a residential accessory use – the installation of a swimming pool. Such sites are already developed, or are generally located in areas outside of environmentally sensitive areas. Potential impacts/incompatibility issues would be determined at the time of subdivision or initial site development.

Proposed measures to avoid or reduce shoreline and land use impacts are:
If a party desired to locate a pool within 200' of a shoreline, then the requirements of the Shoreline Master Program permitting process would be triggered.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

It would not, as this action regards amending the pool barrier height requirement.

Proposed measures to reduce or respond to such demand(s) are:
None, as this action regards amending the pool barrier height requirement,
and is a non-project action.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed reduction in pool barrier heights is in accordance with the Washington State Building Code, which allows for pool barriers to be a minimum of 4' in height, when required.

SEPA ENVIRONMENTAL CHECKLIST FRANKLIN COUNTY, WASHINGTON

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

**For guidance on completing this form or assistance in understanding a question, visit
<http://www.ecy.wa.gov/programs/sea/sepa/ChecklistGuidance.html>**

**The SEPA Handbook is available online at:
<http://www.ecy.wa.gov/programs/sea/sepa/handbk/hbintro.html>**

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:
Amending 17.66.020(B) of the Franklin County Code
2. Name of applicant:
Franklin County
3. Address and phone number of applicant and contact person:
Derrick Braaten
502 W. Boeing Street
Pasco, WA 99301
(509) 545-3521
4. Date checklist prepared:
May 3, 2023
5. Agency requesting checklist:
Franklin County
6. Proposed timing or schedule (including phasing, if applicable):
Planning Commission Open Public Hearing: June 6, 2023
BoCC Closed-Record Hearing & Final Action: July 11, 2023
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
SEPA Checklist
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None
10. List any government approvals or permits that will be needed for your proposal, if known.
Franklin County Board of County Commissioners adoption of the proposed amendment.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this

page. (Lead agencies may modify this form to include additional specific information on project description.)

This action seeks to amend the pool barrier requirement provide for in Franklin County Code 17.66.020(B), lowering the required pool barrier height from 5' in height, to 4' in height. This regulation covers the entirety of unincorporated Franklin County.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

This regulation covers the entirety of unincorporated Franklin County

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

This regulation covers the entirety of unincorporated Franklin County.

b. What is the steepest slope on the site (approximate percent slope)?

This regulation covers the entirety of unincorporated Franklin County. Properties can have a wide range of slopes, from flat to over 90 degree slopes in unincorporated Franklin County. However, pools are not generally built on slopes. A pool being built on a slope, or within the skarp of a slope, is required to obtain a geo-technical report (at a minimum) and design recommendations to ensure any potential slide risk is minimized.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

This regulation covers the entirety of unincorporated Franklin County. As it relates to barrier height requirements, it will not have an impact on soils. There are a variety of soil types, including sand, clay, silty soils, rocky, etc., depending on the specific site, throughout the County.

To Be Completed by Applicant:

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

This regulation covers the entirety of unincorporated Franklin County. There have been incidents of slides, generally in the NW quadrant of the county and along limited shorelines. All known areas possessing conditions that increase the likelihood of unstable soils, or have had a slide incident in the past, are mapped

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

As this is a non-project action, no filing, excavation, or grading is proposed.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No. This action regards reducing a barrier height requirement.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None. This action regards reducing a barrier height requirement.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

None.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

This regulation covers the entirety of unincorporated Franklin County. There are properties with pools that are located within close proximity to surface waters.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Generally not. However, if a pool is proposed to locate within 200' of a surface water body, then the requirements of the Shoreline Master Program and/or Critical Areas Ordinance would apply.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected.

Indicate the source of fill material.

Not applicable, as this is a non-project action

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

This regulation covers the entirety of unincorporated Franklin County.

Therefore, some pools may be located within 100-year floodplains.

However, if a pool is proposed to locate within a 100-year floodplain, then the requirements of Critical Areas Ordinance would apply.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site.

b. What kind and amount of vegetation will be removed or altered?
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

c. List threatened and endangered species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site. However, if a site is indicated to have a listed PHS species onsite, then any development is required to implement protection protocols, as assigned by WDFW, and/or other relevant agencies having jurisdiction on the matter.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

e. List all noxious weeds and invasive species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, a number of noxious weeds or invasive species may be found at a specific site. These include goat's heads or poke vines, tree of heaven, Russian olive, and others.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, a variety of animal species may be located on a specific site.

- b. List any threatened and endangered species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site. However, if a site is indicated to have a listed PHS species onsite, then any development is required to implement protection protocols, as assigned by WDFW, and/or other relevant agencies having jurisdiction on the matter.

- c. Is the site part of a migration route? If so, explain.

The entirety of Franklin County is under the Pacific Flyway migration route.

- d. Proposed measures to preserve or enhance wildlife, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- e. List any invasive animal species known to be on or near the site.

This regulation covers the entirety of unincorporated Franklin County. Due to the variety of terrain, land-uses, and conservation sites throughout the County, any of the listed plant types may be found at a specific site. However, if a site is indicated to have a listed PHS species onsite, then any development is required to implement protection protocols, as assigned by WDFW, and/or other relevant agencies having jurisdiction on the matter.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

Not likely, as this action regards amending the pool barrier height requirement, and is a non-project action. Ground mounted solar arrays, in theory, could be impacted if a proposed barrier is solid, and due to elevation differences between the properties, blocked the sun from the array.

- c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- 1) Describe any known or possible contamination at the site from present or past uses.

This regulation covers the entirety of unincorporated Franklin County. Site specific review regarding this issue would occur at time of site development. There are no known residences in unincorporated Franklin County located on any known current, or past, contaminated sites.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Generally, none. Residential natural gas liens may be located on a residential property that will need to be avoided when the barrier is put in.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- 4) Describe special emergency services that might be required.
None.

- 5) Proposed measures to reduce or control environmental health hazards, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
None, as most properties with pools are either located within residential subdivisions, or are located on large (1-acre plus)

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
None, except at time of barrier installation.

- 3) Proposed measures to reduce or control noise impacts, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
This regulation covers the entirety of unincorporated Franklin County. Site specific review regarding this issue would occur at time of site development.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
This regulation covers the entirety of unincorporated Franklin County. There are no forest lands of long-term commercial significance within the County. Much of the County is used for agricultural uses, and much of the land approx. 1-mile north of the City fo Pasco are designated ALLTCS. As this amendment regards reducing pool barrier height requirements, it is not expected to have any impact on ALLTCS.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversized equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No. As this amendment regards reducing pool barrier height requirements, whether the property that has the pool will be impacted or impact surrounding farm activities would have been determined at the time of original site development. Unincorporated Franklin County rural lands are covered under the County's Right-To-Farm Ordinance.

c. Describe any structures on the site.

None, as this action regards amending the pool barrier height requirement, and is a non-project action. However, pools are not permitted except as an accessory residential use. Therefore, any pool will have residential structures on the property, and may have other structures for residential use (storage buildings, garages, pool houses, etc.).

d. Will any structures be demolished? If so, what?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

e. What is the current zoning classification of the site?

This regulation covers the entirety of unincorporated Franklin County. However, pools are only permitted on residentially zoned properties, and/or within those zones that allow for residential development, but residential activity is ancillary to the zone, such as Agricultural Production (AP) zones that allow for farm related residential development to occur.

f. What is the current comprehensive plan designation of the site?

This regulation covers the entirety of unincorporated Franklin County. However, pools are generally only permitted on residentially zoned properties, that have a Comp Plan designation of Residential, and/or within those zones that allow for residential development, but residential activity is ancillary to the zone, such as Agricultural Production (AP) zones that allow for farm related residential development to occur, that have a Comp Plan designation of Agriculture.

g. If applicable, what is the current shoreline master program designation of the site?

This regulation covers the entirety of unincorporated Franklin County. As this amendment regards reducing pool barrier height requirements,

whether the property that has the pool will be impacted by, or impact, shorelines would have been determined at the time of original site development.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

This regulation covers the entirety of unincorporated Franklin County. As this amendment regards reducing pool barrier height requirements, whether the property that has the pool will be impacted by, or impact, critical areas would have been determined at the time of original site development.

- i. Approximately how many people would reside or work in the completed project?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- j. Approximately how many people would the completed project displace?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. It will not have any displacement impacts.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. Whether the property that has the pool created a conflict with surrounding properties would have been determined at the time of original site development.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. Whether the property that has the pool created a conflict with surrounding properties would have been determined at the time of original site development.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, mid-dle, or low-income housing.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This proposal seeks to lower the minimum height requirement for a pool barrier from 5' to 4'.

- b. What views in the immediate vicinity would be altered or obstructed?

None, as this action regards amending the pool barrier height requirement, and is a non-project action. However, depending on the specific location, type, and design of a pool barrier, view-lines across properties may be impacted.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action. However, allowing for the reduced pool barrier height may reduce potential view-line obstruction.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- b. Could light or glare from the finished project be a safety hazard or interfere with views?
No, as this action regards amending the pool barrier height requirement, and is a non-project action.
- c. What existing off-site sources of light or glare may affect your proposal?
None, as this action regards amending the pool barrier height requirement, and is a non-project action.
- d. Proposed measures to reduce or control light and glare impacts, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
This regulation covers the entirety of unincorporated Franklin County. Franklin County does not have a municipal park system, but a variety of natural areas, trails, state and federal lands, open to the public, exist within unincorporated Franklin County.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
No, as this action regards amending the pool barrier height requirement, and is a non-project action.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None, as this action regards amending the pool barrier height requirement, and is a non-project action.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
This regulation covers the entirety of unincorporated Franklin County. Depending on the specific site, there may be structures that are eligible for listing on preservation registers. This action regards amending the pool barrier height requirement, and would not impact such structures.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

This regulation covers the entirety of unincorporated Franklin County. This action regards amending the pool barrier height requirement. Whether the property that has the pool has any landmarks, features, or other evidence of Indian or historic use or occupation, would have been determined at the time of original site development.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

This regulation covers the entirety of unincorporated Franklin County. As the sites falling under this regulation are developed residential sites, and this action regards amending the pool barrier height requirement, activities allowed under this amendment are extremely unlikely to impact cultural and historic resources.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Tribes will be invited to provide comment regarding this proposal, as part of the SEPA Review process for this action.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This regulation covers the entirety of unincorporated Franklin County. As this action regards amending the pool barrier height requirement, and is a non-project action, it will not impact the transportation system.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

This regulation covers the entirety of unincorporated Franklin County. As this action regards amending the pool barrier height requirement, the proximity of public transit is not relevant to the action.

To Be Completed by Applicant:

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

This regulation covers the entirety of unincorporated Franklin County. As this action regards amending the pool barrier height requirement, and is a non-project action, it will not impact water, rail, or air transportation.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

- h. Proposed measures to reduce or control transportation impacts, if any:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No, as this action regards amending the pool barrier height requirement, and is a non-project action.

To Be Completed by Applicant:

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

16. Utilities

- a. ~~Circle utilities currently available at the site.~~

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,

other _____

This regulation covers the entirety of unincorporated Franklin County. Any of the above utilities may, or may not, be available at a site.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 
Name of signee Derrick Braaten
Position and Agency/Organization EC Planning & Building Director
Date Submitted: 5/11/2023

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Reducing pool barrier heights is extremely unlikely to create any increase in discharges from a site. Depending on the specifics of a site, and barrier design, such barriers may decrease the risk of runoff, and reduce noise as heard from neighboring properties.

Proposed measures to avoid or reduce such increases are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Reducing pool barrier heights is extremely unlikely to impact plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

3. How would the proposal be likely to deplete energy or natural resources?

Reducing pool barrier heights is extremely unlikely to impact energy or natural resources. Ground mounted solar arrays, in theory, could be impacted if a proposed barrier is solid, and due to elevation differences between the properties, blocked the sun from the array. However, this would also be the case if the regulation was not amended.

Proposed measures to protect or conserve energy and natural resources are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

It would not, as this action regards amending the pool barrier height requirement, and such barriers are only allowed as part of a residential accessory use – the installation of a swimming pool. Such sites are already developed, or are generally located in areas outside of environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

It would not, as this action regards amending the pool barrier height requirement, and such barriers are only allowed as part of a residential accessory use – the installation of a swimming pool. Such sites are already developed, or are generally located in areas outside of environmentally sensitive areas. Potential impacts/incompatibility issues would be determined at the time of subdivision or initial site development.

Proposed measures to avoid or reduce shoreline and land use impacts are:

If a party desired to locate a pool within 200' of a shoreline, then the requirements of the Shoreline Master Program permitting process would be triggered.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

It would not, as this action regards amending the pool barrier height requirement.

Proposed measures to reduce or respond to such demand(s) are:

None, as this action regards amending the pool barrier height requirement, and is a non-project action.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed reduction in pool barrier heights is in accordance with the Washington State Building Code, which allows for pool barriers to be a minimum of 4' in height, when required.

Agenda Item #2

**PUBLIC NOTICE,
AGENCY/PUBLIC COMMENT**

TC 2023-01

**Amending FCC 17.66.220(B)
Reducing Swimming Pool Barrier Height from 5' to 4'**



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

NOTICE OF OPEN RECORD PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission a request to amend Franklin County Code Title 17, Zoning Code, specifically Chapter 17.66.020 – Swimming Pools and Hot-Tubs, Subsection (B), file # **TC 2023-01** and **SEPA 2023-05**.

Said application is to reduce the minimum swimming pool barrier requirement for swimming pools located in Unincorporated Franklin County from the current 5' minimum allowed, to a 4' minimum.

The subject parcels are described as follows:

LEGAL DESCRIPTION(S): All properties located within Unincorporated Franklin County

NON-LEGAL DESCRIPTION: All properties located within Unincorporated Franklin County

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. A public hearing will be held on **June 6, 2023 at 7:00 PM**. Written comments are accepted prior to the public hearing and those comments shall be submitted by either email at planninginquiry@franklincountywa.gov, or by regular mail to Franklin County Planning Department, 502 W. Boeing Street, Pasco, WA 99301. To be included as part of the packet provided to the Planning Commission in advance of the meeting, comments shall be submitted by **4:00 PM, May 29, 2023**. Further information on how to participate in the meeting is provided below.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Determination of Non-Significance (DNS)** has been issued. Accordingly, an Environmental Impact Statement is **not** required. This determination was made on **May 11, 2023** and comment period for the determination and environmental impacts of proposal close on **May 25, 2023**.

HOW TO WATCH/PARTICIPATE ONLINE: How to Watch/Participate Online: You can watch the proceeding on YouTube Live, by going to the Franklin County, WA agenda page at <https://www.franklincountywa.gov/AgendaCenter/Planning-Commission-2>. To participate online, more information will be posted to the agenda page, by the Friday proceeding the meeting.

Information concerning the proposal can be obtained by email at planninginquiry@franklincountywa.gov, or by calling 509-545-3521.

DATED AT PASCO, WASHINGTON ON THIS 5th DAY OF MAY, 2023.

PUBLISH:

Franklin County Graphic: May 11, 2023

Agenda Item #2

DRAFT ORDINANCE

TC 2023-01

**Amending FCC 17.66.220(B)
Reducing Swimming Pool Barrier Height from 5' to 4'**

FRANKLIN COUNTY ORDINANCE _____
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

Text Change (TC 2023-01) to amend Franklin County Code Chapter 17.66.220, Swimming Pools & Hot Tubs, of the Franklin County Title 17, Zoning Code, specifically subsection 17.66.220(B), regarding pool barrier height requirements.

IN THE MATTER OF COUNTY PLANNING – A TEXT AMENDMENT TO TITLE 17 OF THE FRANKLIN COUNTY CODE PERTAINING TO DEVELOPMENT REGULATIONS (CHAPTER 17.66.020 – SWIMMING POOLS & HOT-TUBS, SUBSECTION (B)).

WHEREAS, Franklin County is a “fully planning” county within the context of the State of Washington Growth Management Act (GMA); and

WHEREAS, RCW 36.70A, also known as the “Growth Management Act (“the Act”), requires that counties subject to the Act adopt comprehensive plans and implementing development regulations consistent with the Act and further periodically take legislative action to review and revise, if needed, the comprehensive plan and development regulations in accordance with RCW 36.70A.130(5); and

WHEREAS, the Franklin County Planning & Building Department is responsible for the implementation and enforcement of development and building codes in unincorporated Franklin County; and

WHEREAS, approximately 80% of the swimming pool applications received by the Planning & Building Department seek to use an automatic pool safety cover as the only type of barrier, as provided for in the Washington State Building Code, since the adoption of the 2015 Building Code; and

WHEREAS, Franklin County Code 17.66.020(B), adopted in 2008, provides the swimming pool barrier requirements locating within its jurisdictional authority, and requires a minimum of a 5’ barrier, regardless of whether an approved automatic pool safety cover is being used; and

WHEREAS, on February 21, 2023, due to the influx of requests to use an automatic pool safety cover as the only pool barrier, the Planning & Building Director requested direction regarding whether the Board of Commissioners desired to change FCC 17.66.020(B), and allow for approved automatic pool safety covers to be used as the only required barrier for a swimming pool; and

WHEREAS, following discussion at the February 21, 2023 meeting, the Board of County Commissioners determined that it did not desire to allow property owners to use automatic swimming pool safety covers as the only swimming pool barrier; and

WHEREAS, after discussion at the February 21, 2023 meeting, the Board of County Commissioners directed staff to amend FCC 17.66.020(B) to reduce the minimum swimming pool barrier from 5' to 4', as provided for in the Washington State Building code for swimming pools without an approved automatic swimming pool safety cover, regardless of whether an automatic pool safety cover was being used; and

WHEREAS, based on this, County staff has prepared proposed revisions and coordinated review by County Departments and agencies with jurisdiction; and

WHEREAS, County staff submitted draft revisions to the State of Washington Department of Commerce, Growth Management Services, for a required 60-day review in compliance with RCW 36.70A.106, and the notice and documentation was accepted by Commerce on _____; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 6, 2023; and

WHEREAS, the county's Planning Commission recommended the adoption of the proposed revisions to FCC 17.66.020(B), reducing the minimum swimming pool barrier height from 5' to 4' in height; and

WHEREAS, updates to the County's development code are subject to review under the State Environmental Policy Act (SEPA); County staff reviewed the proposed revisions as to the environmental impacts of the proposal and issued a Notice of Application and a SEPA Determination of Nonsignificance (DNS) on May 11, 2023. The comment period for the determination and environmental impacts of the proposal closed on May 25, 2023, and no comments were received; and

WHEREAS, the changes are necessary to implement the goals and policies of the Comprehensive Plan, protect the public's health and safety, to modernize outdated code language, and to improve how the code is administered and understood by property owners and applicants; and

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1: The Franklin County Code, Title 17, Zoning Code, Chapter 17.66.020 – Swimming Pools and Hot-Tubs, subsection (B), is hereby amended as set forth in **Exhibit A**, attached hereto and incorporated by this reference as if set forth in full.

SECTION 2: SEVERABILITY: If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 3: EFFECTIVE DATE: This ordinance, being an exercise of a power specifically delegated to the County legislative body, is not subject to referendum,

and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

SECTION 4: CORRECTIONS: The County Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's / clerical errors, references, ordinance numbering, section / subsection numbers and any references thereto.

SECTION 5: COPY TO DEPARTMENT OF COMMERCE: Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten days of adoption.

APPROVED THIS ___th DAY OF JULY, 2023.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

Chair

Chair Pro-Tem

Member

ATTEST:

Clerk to the Board

APPROVED AS TO FORM:

Franklin County Deputy Prosecuting Attorney

FRANKLIN COUNTY ORDINANCE _____

EXHIBIT A.

17.66.220 - Swimming pools and hot tubs.

Swimming pools and hot tubs may be constructed and placed as an accessory use for a residence provided that:

- A. A swimming pool may be constructed within any side or rear yard. Setbacks for swimming pools located in a designated rear or side yard include the following:

The edge of water line shall not be located within five feet of a designated front yard, five feet from any rear or side yard; and one-foot from any utility easement.

1. A swimming pool may be constructed in a designated front yard area with the approval of conditional/special use permit. Setbacks for swimming pools, located in a designated front yard with the approval of a conditional/special use permit, include the following: The edge of water line shall not be located within twenty-five (25) feet of a front property line, five feet from any rear or side yard, and one-foot from any utility easement, unless otherwise approved in the special/conditional use permit process.
- B. Swimming pools shall be entirely enclosed by buildings, fences or walls not less than four (4) feet in height and with no openings that are greater in size than four inches. Such fences shall be equipped with self-latching gates or doors, the latching device being located not less than four feet above the ground. All fencing must be in place and approved by the building department before water is run into the pool. All lighting of pool areas shall be so hooded that the light does not shine toward abutting properties.
- C. Hot tubs shall include a pre-manufactured approved locking top. If an approved locking top is not provided, the unit shall comply with the swimming pool enclosure and fencing requirements in subsection B. of this section. This standard shall not apply to hot tubs located within an enclosed building.

(Ord. 7-2005 § 33.21.0, 2005)



< Business Lookup

License Information:

[New search](#) [Back to results](#)

Entity name: ELLS, BRANDON

Business name: BK AUDIO INNOVATIONS

Entity type: [Sole Proprietor](#)

UBI #: 604-249-288

Business ID: 001

Location ID: 0001

Location: Active

Location address: 2205 ROAD 72
PASCO WA 99301-1836

Mailing address: 2205 ROAD 72
PASCO WA 99301-1836

Excise tax and reseller permit status: [Click here](#)

Endorsements

Endorsements held at	License #	Count	Details	Status	Expiration	First issue
Franklin County Home Occupation	3683			Active	Jul-31-20	Aug-10-2



Governing People May include governing people not registered with Secretary of State

Governing people	Title
------------------	-------

ELLS, BRANDON

FLIEGER, KELLSEY

Registered Trade Names

Registered trade names	Status	First issued
BK AUDIO INNOVATIONS	Active	May-02-2018

The Business Lookup information is updated nightly. Search date and time: 8/11/2023 9:30:26 AM

Contact us

How are we doing?

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< Business Lookup

Tax Information

[New search](#) [Back to results](#)

Entity name: ELLS, BRANDON

Entity type: [Sole Proprietor](#)

DBA name: BK AUDIO INNOVATIONS

Excise tax account ID #: 604-249-288

UBI #: 604-249-288

Opened: May 31, 2018

Closed:

Mailing address: 2205 ROAD 72
PASCO WA 99301-1836

NAICS: 488390 - Other Support Activities for Water Transportation

Reseller Permit(s)



Reseller permit #	Status	Effective date	Expiration date
A45312927	Active	Feb-23-2023	Feb-22-2027
A45312923	Expired	Feb-23-2021	Feb-22-2023



Business License Locations



Business name	License account ID #	Location address
BK AUDIO INNOVATION	604249288-001-0001	2205 ROAD 72 PASCO WA 99301

The Business Lookup information is updated nightly. Search date and time: 8/11/2023 9:38:12 AM

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The Herald - Rock Hill
 Herald Sun - Durham
 Idaho Statesman
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 Kansas City Star
 Lexington Herald-Leader
 Merced Sun-Star
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
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Sun News - Myrtle Beach
 The News Tribune Tacoma
 The Telegraph - Macon
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 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
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Attention: AP

FRANKLIN CNTY PLANNING & BUILDING/LEGALS
 502 W BOEING ST.
 PASCO, WA 99301

planninginquiry@franklincountywa.gov

NOTICE OF OPEN RECORD HEARING

TC 2023-01/SEPA 2023-05
 NOTICE IS HEREBY GIVEN that the Franklin County Board of County Commissioners will be holding a closed record hearing, regarding TC 2023-01/SEPA 2023-05, Franklin County, on August 23, 2023, at their regular meeting, scheduled to begin at 9:00 am. in the Franklin County Courthouse, Commissioners Meeting Room, 1016 North 4th Avenue, Pasco, WA 99301.

The meeting agenda, links to view the meeting, and other information related to Franklin County Board of County Commissioners meetings can be found at: <https://franklincountywa.gov/614/Meeting-Agendas>

DATED AT PASCO, WASHINGTON ON THIS 8th DAY OF AUGUST, 2023

PUBLISH:
 Franklin County Graphic: August 10, 2023
 Tri-City Herald: August 8, 2023
 IPL0134445
 Aug 8 2023

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stefani Beard, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time (s) commencing on 08/08/2023, and ending on 08/08/2023 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:

08/08/23

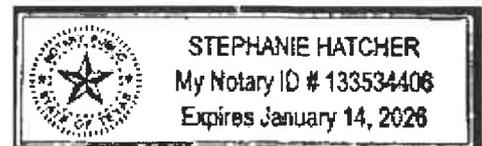
Stefani Beard

(Signature of Legals Clerk)

Sworn to and subscribed before me this 8th day of August in the year of 2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON

SS:

COUNTY OF FRANKLIN

Katherine Trowbridge being first duly sworn on oath deposes and says that she is the manager of the FRANKLIN COUNTY GRAPHIC, a weekly newspaper. That said newspaper is a legal newspaper approved by the Superior Court of the State of Washington, in and for Franklin County, under order made and entered on the 11th day of January, 1955, and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continually as a weekly newspaper, in Connell, Franklin County, Washington, and that the annexed is a true copy of

FC PLANNING

NOTICE OF PUBLIC HEARING

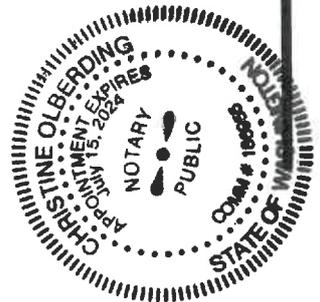
TC 2023-01

as it was published in regular issue (and not in supplemental form) of said newspaper, once each week for a period of **one** week to-wit, commencing on the **10th** day of **August, 2023**, and that such newspaper was regularly distributed to its subscribers during all of said period, that the full amount of **\$27.90** has not been paid in full at the legal rate.

Katherine Trowbridge
Manager

Subscribed and sworn to before me this **10th** day of

August, 2023



Christine Olberding
Notary Public in and for the
State of Washington, residing in Connell.

NOTICE OF OPEN RECORD HEARING
TC 2023-01/SEPA 2023-02
NOTICE IS HEREBY GIVEN that the Franklin County Board of County Commissioners will be holding an open record hearing, and be asked to take final action, regarding TC 2023-01/SEPA 2023-05, Amending Swimming Pool Barriers Requirements, on **August 23, 2023, at their regular meeting, scheduled to begin at 9:00 am, in the Franklin County Courthouse, Commissioners Meeting Room, 1016 North 4th Avenue, Pasco, WA 99301.** The meeting agenda, links to view the meeting, and other information related to Franklin County Board of County Commissioners meetings can be found at: <https://co.franklin.wa.us/commissioners/meeting.php>.
DATED AT PASCO, WASHINGTON ON THIS 8th DAY OF AUGUST, 2023
(Published August 10, 2023 in the Franklin County Graphic).