421.10.1 Outdoor private swimming pool:
An outdoor private swimming pool, including an inground, above ground, on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier (fencing) shall be at least 48 inches (1219 mm) above finished ground level measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between finished ground level and the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool.

2. Where the top of the pool structure is above finished ground level such as an above-ground swimming pool, the barrier shall be at finished ground level or shall be mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm). (see diagram below)

3. Solid barriers shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints. (as not to create a climbable surface)

4. Where the barrier is composed of horizontal and vertical members and the distance between tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 ¾ inches (44 mm) in width. Decorative cutouts shall not exceed 1 ¾ inches (44 mm) in width. (see diagram below)

5. 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 four inches (102 mm). Decorative cutouts shall not exceed 1 ¾ inches (44 mm) in width. (see diagram below)
6. Maximum mesh size for chain link fences shall be a \textbf{1 ¼ inch} (32 mm) \textbf{square} unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than \textbf{1 ¾ inches} (44 mm). (see diagram below)

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be not more that \textbf{1 ¾ inches} (44 mm).

8. \textbf{Access gates} shall comply with the requirements of 780 CMR 421.10.1 items 1 through 7, and shall be equipped to accommodate a \textbf{locking device}. Pedestrian access gates shall open \textbf{outwards} away from the pool and shall be \textbf{self-closing} and have a \textbf{self-latching} device. Where the release mechanism of the self-latching device is located less than \textbf{54 inches} (1372 mm) from the bottom of the gate:
   (a) the release mechanism shall be located on the pool side of the gate at least \textbf{3 inches} (76 mm) below the top of the gate; and
   (b) the gate and barrier shall not have an opening greater than \textbf{½ inch} (13 mm) within \textbf{18 inches} (457 mm) of the release mechanism.

9. Where a wall of a dwelling serves as part of the barrier (fencing), \textbf{one of the following shall apply}:  
   
   \begin{figure}[h]
   \centering
   \includegraphics[width=0.5\textwidth]{fence_diagram.png}
   \caption{Fence Diagram for Private Swimming Pools}
   \end{figure}

   \textbf{9.1} All doors with direct access to the pool through the wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened and shall sound continuously for a minimum of 30 seconds. The alarm shall have a minimum sound pressure rating of 85 dBA at ten feet (3048 mm) and the sound of the alarm shall be distinctive from other household sounds shall as smoke alarms, telephones and door bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touches or switches, to deactivate temporarily the alarm for a single opening from either direction. Such deactivation shall last for not more than 15 seconds. The deactivation touchpads or switches shall be located at least 54 inches (1372 mm) above the threshold of the door.

   \textbf{9.2.} The pool shall be equipped with an approved power safety cover.

10. Where an \textbf{above-ground pool} structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
   \textbf{10.1.} The ladder or steps shall be capable of being secured, locked or removed to prevent access; Or
   \textbf{10.2.} The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow passage of a 4-inch-diameter (102 mm) sphere.