



## TOWN OF PERINTON

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### POOL DECK RESOURCES & CONSTRUCTION GUIDE

#### **Pool Deck Guide- Based on Section R328 of the 2025 NYS Residential Building Code**

This guide explains the minimum code requirements for constructing a deck serving a swimming pool, spa, or hot tub at a one- or two-family dwelling in New York State. It is intended to help plan code-compliant pool decks and understand the requirements. Always verify local zoning, setback, and permit requirements before construction.

Please see our *Deck Resources & Construction Guide* for prescriptive deck building steps and related codes available on the Building & Codes website or in the office.

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## 1. What Is Considered a Pool Deck?

A **pool deck** is any **walking surface, platform, or deck** that:

- Is **adjacent to or surrounds** a swimming pool, spa, or hot tub
- Provides **access, circulation, or lounging space**
- Is **elevated or at grade**, and
- Is **attached or detached** from the dwelling

Both **wood** and **composite pool decks** must comply with section R328 (Swimming Pools, Spas and Hot Tubs) and R507 (Exterior Decks) of the 2025 RCNYS.

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## 2. Required Permits

A **building permit is required** when:

- A pool deck is **attached to a dwelling**
- The deck is **attached to or abuts an existing deck**
- The deck supports **guardrails, stairs, or barriers**
- The deck is part of the **pool barrier system**
- Electrical bonding or lighting is installed

Even ground-level decks may require a permit if they serve as part of the **required pool enclosure**.

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### 3. Pool Barriers

#### Minimum Barrier Height (R328.4.2.1)

- **48 inches minimum**
- Openings shall not allow passage of a **4-inch diameter sphere**
- The vertical clearance between grade and the bottom of the barrier shall be **not greater than 2 inches** measured on the side of the barrier that faces away from the swimming pool.
- If the pool is cut into a sloped yard, the earth cut needs to be a minimum of 4ft from the edge of the pool **OR**, a code-compliant pool barrier must be installed on top of the pool. Any earth cut 3ft or taller needs a retaining wall designed by a licensed design professional.

#### Closely spaced horizontal members (R328.4.2.3)

- 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, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1-3/4 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1-3/4 inches in width.

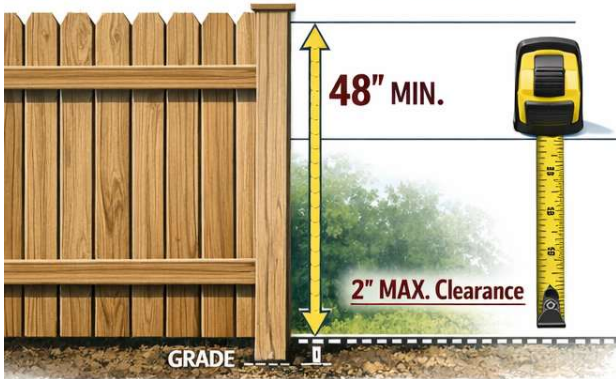
#### Widely spaced horizontal members (R328.4.2.4)

- Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall be not greater than 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1-3/4 inches in width.

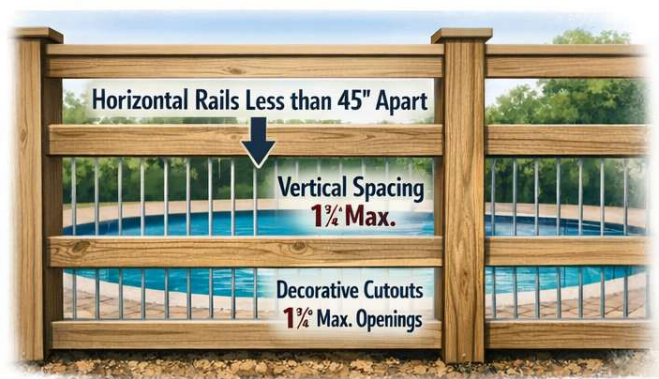
#### Chain link dimensions (R328.4.2.5)

- Maximum mesh size for chain link fences shall be a 1-3/4-inch square, unless the fence has vertical slats fastened at the top or the bottom which reduce the openings to not more than 1-3/4 inches.

### Barrier Height & Clearance



### Closely Spaced Horizontal Members



### Widely Spaced Horizontal Members



### Chain Link Fence Requirements



### Gates (R328.4.2.7)

- Must be **self-closing and self-latching**
  - Latch located **at least 54 inches above deck**, or
  - Latch on pool side with no opening greater than **1/2 inch within 18 inches**
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## 4. Electrical Bonding & Clearance

### Bonding (Required)

- All **metal components** within **5 feet of the pool** must be bonded:
  - Handrails
  - Guardrails
  - Ladders
  - Metal deck framing
- Bonding must comply with **NEC Article 680**

### Lighting

- Low-voltage and wet-location rated fixtures required
  - No overhead conductors permitted above pools or spas, must be a minimum of 10ft away
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## 5. Required Inspections

1. **Footing inspection** (before concrete placement)
  2. **Framing inspection** (before decking installed)
  3. **Final**
    1. **Barrier / guard inspection**
    2. **Stairs rise / run**
    3. **Handrails are proper height, continuous and returned on each end**
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## 6. Common Reasons for Failed Final Inspections

- Barrier height less than 48 inches
  - Guard openings exceeding 4 inches
  - Improper or missing self-closing gate hardware
  - Gate latch release incorrect height
  - Unbonded metal railings
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## 7. Helpful Tips

- ✓ Plan your deck and barrier **together**
  - ✓ Verify pool setbacks before pouring footings
  - ✓ Use corrosion-resistant fasteners (galvanized or Stainless Steel)
  - ✓ Submit clear drawings with permit application
  - ✓ Call for inspections **before covering work**
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### Final Note

This guide summarizes **Section R328 of the 2025 NYS Residential Building Code** and related residential provisions. It is not a substitute for approved construction documents or professional design when required.

**Example Pool Deck Top View**  
**For pool decks, refer to the Swimming Pool Barrier handout**

