



Existing Fence/Gate(s) Affidavit for Residential Swimming Pool, Spa and Hot Tub Safety Act
Existing Fence Affidavit

I (We) acknowledge that a new swimming pool, spa or hot tub will be constructed or installed at
(Please Print Job Address)

does meet the requirements of Florida Building Code Section 454.2.17.1 through 454.2.17.3 as follows:

- o Sec. 454.2.17.1.12: The existing fence is located on the perimeter of the pool in the yard area on the same property.
o Sec. 454.2.17.1.1: The top of the fence is minimum 48 inches above grade measured on the side of the barrier which faces away from the swimming pool.
o Sec. 454.2.17.1.1: There is maximum 2-inch clearance between grade and the bottom of fence.
o Sec. 454.2.17.1.2: There are no gaps, openings, indentations that allow a child to climb over, under or squeeze through.
o Sec. 454.2.17.1.4: The distance between the tops of the horizontal members is less than 45 inches; the horizontal members are on the pool side of the fence; the spacing between the vertical members does not exceed 1-3/4 inches.
o Sec. 454.2.17.1.5: The distance between the tops of the horizontal members is 45 inches or more; the spacing between the vertical members does not exceed 4 inches.

Existing GateCsl - Sec. 454.2.17.1.8

- o Existing gate(s) is self-closing.
o Existing gate(s) has a self-latching locking device located on pool side of gate(s).
o The device mechanism is placed so that it cannot be reached by a young child over the top or through any openings or gaps from the outside.
o The gate(s) swings outward away from the pool.
o Gate(s) and barrier have no openings greater than 1/2 inch within 18 inches of the release mechanism.
o The device release mechanism is located no less than 54 inches from the bottom of the gate and is not located on pool side of gate.

Owner's Signature and Date

Prime Contractor's Signature and Date

Owner's Name (Please Print)

Prime Contractor's Name (Please Print)

Notary Signature and Date

Notary Signature and Date

Commission Expiration Date

Commission Expiration Date

Notary Seal:

Notary Seal:

