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2525 Estero Blvd., Fort Myers Beach, Fla. 33931

## **Pool owners please note: safety barriers required**

**Town of Fort Myers Beach, FL** – Property owners in Fort Myers Beach need to be aware that their water-filled swimming pools require effective barriers around them. State law requires property owners to maintain barriers if there is water in the pool.

The Residential Swimming Pool Safety Act ([Chapter 515, Florida Statutes](#)) requires pool safety measures. It is the intent of the Legislature that all new residential swimming pools, spas, and hot tubs be equipped with at least one pool safety feature. Town ordinance Sec. 34-1176 also applies to swimming pool safety in the Town.

Note also that Florida has an “attractive nuisance” doctrine (Florida Statute 823.08) that holds property owners responsible for a child’s injuries if the child suffered an injury by a feature or object on the owner’s premises that is likely to attract children.

According to Florida Statute 823.08, attractive nuisances to children include the following types of abandoned or discarded items:

- Washers
- Dryers
- Refrigerators
- Iceboxes
- Other airtight units that still have the doors intact

Other potential attractive nuisances include swimming pools, trampolines, lawn mowers, and plugged-in power tools.

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