

**NC Office of the State Fire Marshal
Engineering and Codes Division
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Pool Barriers on Adjacent Properties

Code: 2018 NCRC
Section: AV 105.2

Date: October 28, 2025

Question:

Can a neighbor's fence fulfill the pool barrier requirements of Section AV 105.2 of the 2018 NC Residential Code?

Answer: It cannot meet the requirements in most cases.

The requirements for meeting the Residential Building Code are for *each* dwelling, and there are no provisions to require the neighbor to provide the minimum code requirements for an adjacent property's dwelling.

There may be cases where the fence line is written into both property's deeds as common to both properties' therefore both property owners are responsible for its upkeep and maintenance, but that would be a legal issue, outside the scope of the NCRC. In other words, both neighbors would have to agree to the terms and conditions of it; a single neighbor could not force their requirements onto another property owner without their consent, as now the neighbor has legal liability for pool safety also.

If the homeowner has entered into a permanent deed restriction for a required pool barrier, it could be considered in that case, but that would be an unlikely situation.

Keywords: Pool, Barrier, Fence