



## INSTRUCTIONS FOR SWIMMING POOL SPA OR HOT TUB APPLICANTS

**A PERMIT IS REQUIRED** for any pool, spa or hot tub that can contain water to a depth greater than 24 inches, used, intended to be used or which may be used for swimming, bathing or wading, whether constructed, installed or maintained in, on or above the ground.

Setbacks from property lines are **REQUIRED** for ALL pools, spas or hot tubs, and the position of the pool, spa or hot tub should be located on the property by stakes. The completed application should be delivered to the Village Building Department so arrangements can be made for the Village Building Inspector to make the required inspection of the stakeout at the property site. After the application is processed and approved by the Village, payment of the Permit Fee must be made, and then the permit will be issued.

### **WORK ON THE POOL, SPA OR HOT TUB MAY NOT BEGIN BEFORE A PERMIT IS ISSUED**

**FENCE OR DECK REQUIREMENTS:** An enclosure (see New York State Uniform Fire Prevention and Building Code requirements attached) shall be provided around outdoor swimming pools which surround the pool and accessory equipment only. Such enclosure shall be at least 4 feet high, have a maximum clearance of adjoining grade of 2 inches. Where a picket-type fence is provided, horizontal openings between pickets shall not exceed 4 inches. Such enclosure shall resist a horizontal force of 150 pounds per foot applied at a height of 4 feet. Structural bracing shall be within the enclosure. Gates or doors shall be self-closing and self-latching with the latch handle at least 40 inches above grade and located within the enclosure, and shall be securely locked with a key, combination or other child-proof lock sufficient to prevent access to the pool, spa or hot tub through such gate when it is not in use or supervised. Spas and hot tubs that have locking covers are exempt from fencing requirements. A pool less than 24 inches deep is exempt from this requirement. If a fence is required or desired, or if any deck structures are associated with the pool, A **SEPARATE PERMIT APPLICATION MUST BE MADE**, along with the pool, spa or hot tub permit application.

**UNDERWRITER APPROVAL AND INSPECTION:** The owner or contractor is responsible for contacting the **New York Electrical Inspection Agency (436-4460)**, **Middle Department Inspection Agency (454-5191)**, or **Commonwealth Electric (229-4240)** obtaining the necessary forms, having all electrical work associated with the pool, spa or hot tub inspected, and being issued a Certification of Compliance before the pool, spa or hot tub is used. A Ground Fault Circuit Interrupter (GFCI) **MUST** be part of the electrical inspection, and the pool, spa or hot tub **MUST NOT BE USED** until this certificate is received.

The Building Inspector will make additional periodic inspections as necessary, while the pool spa or hot tub is being installed.

**Each such permit shall be revocable on each July 1<sup>st</sup> following its issuance**, provided that an inspection by the Building Inspector shall reveal noncompliance with the terms of this ordinance or deviations in the pool, spa or hot tub or accessory installations from the plans for same as originally approved. The revocation shall be in writing and mailed to the owner at the address given on the original permit. A permit, once revoked, may not be reinstated, but an application may be made for a new permit.

**POOL ALARMS: NEW YORK STATE REQUIRES THAT ALL SWIMMING POOLS INSTALLED, CONSTRUCTED OR SUBSTANTIALLY MODIFIED AFTER DECEMBER 14, 2006 SHALL BE EQUIPPED WITH AN APPROVED POOL ALARM.**

**FOR SPECIFIC REQUIREMENTS YOU CAN REFER TO:**

[www.dos.state.ny.us/code/part1228.htm](http://www.dos.state.ny.us/code/part1228.htm)

**PLEASE READ & RETAIN FOR YOUR RECORDS**

VILLAGE OF FAIRPORT APPLICATION FOR POOL, SPA OR HOT TUB PERMIT

PERMIT #	TAX ACCOUNT #
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OWNERS NAME:
ADDRESS & PHONE #
INSTALLER'S NAME/ADDRESS/PHONE:
WORKERS COMPENSATION INSURANCE

**CIRCLE ONE:**      **IN GROUND POOL**                      **ABOVE GROUND POOL**                      **SPA**      **HOT TUB**

Size of Pool, Spa or Hot Tub \_\_\_\_\_

**ELECTRICAL INSPECTION AGENCY TO BE USED (CIRCLE ONE):**

New York Electrical Inspection Agency                      Middle Dept.                      Commonwealth Electric

SETBACKS:                      SIDE: \_\_\_\_\_ (10' MIN)                      REAR: \_\_\_\_\_ (10' MIN)

CORNER LOT:                      SIDE: \_\_\_\_\_ (15' MIN)                      FRONT \_\_\_\_\_ (35' MIN)

Pool spa or hot tub stake out required **before** a permit is issued

Attach to this application: **INSTRUMENT SURVEY MAP** showing all property lines, streets, all structures and buildings on premises, dimension and location of pool, spa or hot tub and fences (Fences require a separate permit).

**NECESSARY REQUIREMENTS:**

1. Overhead electric wires: minimum 10' measured horizontally from edge of pool, spa or hot tub, deck or any platform.
2. Ground Fault Circuit Interrupter (GFCI) device required.
3. All electrical installations **MUST** be inspected by an approved electrical inspection agency.
4. In-ground pools must be enclosed with a fence at least 4' high, gates or doors shall be self-closing and self-latching with latch handle at least 40" above grade and located within the enclosure and locked when pool is not supervised. Walls of aboveground pool may be used in lieu of fence, provided walls are 46" high on all sides, and ladder is removed when pool is not supervised. Folding ladders **MUST** be locked in up position.
5. New York State Fire Prevention and Building Code Section 1228.2 states: **Swimming pool alarms:** each residential swimming pool installed, constructed or substantially modified after December 14, 2006 and each commercial swimming pool installed, constructed or substantially modified after December 14, 2006 shall be equipped with an approved pool alarm which:
  - 1) is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;
  - 2) is audible poolside and at another location on the premises where the swimming pool is located;
  - 3) is installed, used and maintained in accordance with the manufacturer's instructions;
6. I have read the above and understand that all Pool, Spa or Hot Tub permits expire each July 1<sup>st</sup>. Pool, spa or hot tub permits are automatically renewed, as of this date, providing there are no violations of the Code.

PERMIT FEE: \$40.00 Residential (1 & 2 family dwellings)                      \$75.00 all others                      Reinspection fee: \$30.00

Estimated Cost: \$ \_\_\_\_\_                      Date Stake-Out Checked: \_\_\_\_\_

Date: \_\_\_\_\_                      Owner's Signature: \_\_\_\_\_

Building Inspector: \_\_\_\_\_

Fee: \$ \_\_\_\_\_                      Date Paid: \_\_\_\_\_

## SWIMMING POOL ENCLOSURE

3109 General Requirements. Outdoor swimming pools shall be provided with an enclosure which shall comply with the following:

- a. Shall be at least 4 feet in height and have a maximum vertical clearance to grade of 2 inches.
- b. Where a picket-type fence is provided, horizontal openings between pickets shall not exceed 4 inches.
- c. Where a chain-link fence is provided, the openings between links shall not exceed 2 3/8 inches.
- d. Enclosures shall be constructed so as not to provide footholds.
- e. Pickets and chain-link twists shall extend above the upper horizontal bar.
- f. Such enclosure shall have railings and posts within the enclosure, which shall be capable of resisting a minimum lateral load of 150 pounds applied midway between posts and at top of posts respectively. Enclosure, fence material or fabric shall be capable of withstanding a concentrated lateral load of 50 pounds applied anywhere between supports on an area 12 inches square, without failure or permanent deformation. Gates provided in the enclosure, shall be self-closing, and self-latching with the latch handle located within the enclosure and at least 40 inches above grade, and shall be locked with a key, combination or other child-proof lock sufficient to prevent access to the pool, spa or hot tub through such gate when it is not in use or supervised.
- g. A wall of a dwelling is permitted to serve as part of the enclosure under the following conditions:
  - i. Windows in the wall shall have a latching device at least 40 inches above the floor
  - ii. A swinging door in the wall, shall be self-closing and self-latching
  - iii. A sliding door in the wall, shall have a self-latching device.
- h. Where an aboveground pool has a deck, which abuts or is adjacent to a dwelling and direct access to the deck is through the exterior wall of the dwelling, such access shall be in accordance with subdivision (g) of this section.

### 720.1 Exemptions

- a. Aboveground pools with at least 48 inches between pool decking or pool top and adjoining final grade, are exempt from the requirements of Part 720.1 provided that their access ladder or steps can be locked or removed in an approved manner when not intended for use.
- b. A pool less than 24 inches deep is exempt from the requirements of Part 720.1.