

Building Permit Instructions for a POOL

Town of Groveland Code Enforcement Office
Ron Maxwell, CEO
4955 Aten Rd. Groveland, NY 14462
(585) 243-1750 Fax (585) 243-3810
e-mail address: codeenforcement@grovelandny.org

1. Proposal must be approved by the Code Enforcement Officer.
2. Building Permit Application
 - A. A building permit application and a zoning permit application are required.
 - B. On page 3 of the zoning permit application, the location of the pool with respect to the buildings on site and the property lines must be shown. A copy of a survey map with the pool location is preferable, but not required.
 - C. A soil erosion control permit is required with pool application if more than 500 square feet of soil will be disturbed.
 - D. Applicant must notify the electric utility company and get their approval that the location of the pool is the required distance from all of their poles and equipment.
 - E. A letter from the utility company approving the location of the pool must be submitted with the application.
 - F. Code officer will determine whether an above ground pool will need a fence.
 - G. All in ground pool require fencing, along with a temporary barrier during construction.
 - H. All pools require a pool alarm.
 - I. Applicant's contractor is to send to the Code Enforcement Office a Certificate of Insurance
 - J. Fee is required when application has been approved. You and/or your contractor will receive a letter in the mail stating what the Building Permit has been issued for, how much the Building Permit is, and what inspections are required.
3. The Code Enforcement Officer has 30 Days to review plans and approve or disapprove Building Permit Applications. Proposed changes to approved Building Permit Plans will require approval from the Code Enforcement Officer and a letter from your contractor and/or engineer/architect may be required.

The following inspections are required:

For an in-ground pool:

- A third party electrical inspection for the grounding and the final electric is required prior to final inspection.
- The sticker and/or electric inspection paperwork needs to be submitted to the code office or be on site.
- Final inspection of the pool will be done by the Code Enforcement Officer. Please call our office to schedule.
- The homeowner will need to be home for that inspection as the code officer will need to hear the pool alarm go off inside the house.

For an above-ground pool:

- A third party electrical inspection for the final electric is required prior to final inspection.
- The sticker and/or electric inspection paperwork needs to be submitted to the code office or be on site.
- Final inspection of the pool will be done by the Code Enforcement Officer. Please call our office to schedule.
- The homeowner will need to be home for that inspection as the code officer will need to hear the pool alarm go off inside the house.

TOWN OF GROVELAND
Livingston County, New York

APPLICATION FOR BUILDING PERMIT

All Town of Groveland property owners are required to comply with all regulations as set forth by New York State Building Code and Zoning Code of the Town of Groveland.

INSTRUCTIONS:

Date _____

- a. This application to be filled in by typewriter or in ink *and* submitted with two sets of plans and specifications to Code Enforcement Officer.
- b. A copy of the approved Zoning Application shall accompany this Building Permit Application if required.
- c. The work covered by this Application shall not be commenced before the issuance of a Building Permit.
- d. Upon approval of the Application, the Code Enforcement Officer will issue a Building Permit to the applicant and return one set of the Plans and Application. The Permit and approved Plans shall be kept on the premises during the progress of the work,
- e. No building shall be occupied or used in whole or in part for any purpose until a Certificate of Occupancy shall have been granted by the Code Enforcement Officer.
- f. All new construction of buildings, additions and alterations must comply with the New York State Uniform Fire Prevention and Building Code.

APPLICATION IS HEREBY MADE to the Code Enforcement Officer for the issuance of a Building Permit, pursuant to the Code Ordinance of the Town of Groveland, for the buildings, additions, alterations or relocation as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations.

Signature of Applicant

Street or Road

Town or City State Zip

1. Location of land on which the proposed work will be done _____

_____ Tax Map No.: _____

2. Present use _____ Intended use and occupancy _____

3. Nature of Work:

- Construction of new building
 - Addition to building
 - Alteration to a building
 - Demolition of a building
 - Installation of oil or gas burner
 - Installation of plumbing, describe:
 - Installation of electric, describe:
 - Other work, describe:
 - Enter description here: _____
- One family dwelling
 - Two family dwelling
 - Multiple dwelling
 - Commercial/Profession
 - Accessory Building
 - One-car detached garage
 - Two-car detached garage
 - Private storage building
 - Shed
- _____ Attached garage
 - _____ Attached garage
 - _____ Attached garage

4. Estimated true value _____

5. Dimensions of additions _____ Area _____ Sq. Ft. _____

6. Dimensions of new structures _____ Area _____ Sq. Ft. _____

7. Dimensions of alteration _____ Area _____ Sq. Ft. _____

OVER

| |
|---------------------|
| OFFICIAL USE |
| |
| |
| |
| |
| FEE: \$ _____ |

8. The Name, address, and telephone number of the Owner is: (please print) _____

9. The plot diagram, shown on page 3 of the Zoning Application or on separate drawings, showing location of all buildings, existing or proposed, together with dimensions from property lines, the surface elevation of front yard at the front wall of the principal building as related to the surface of the street or highway, lot number, street names and type of lot (interior or corner) and lot description is a part of this application.

10. The tile field for the disposal of the effluent from a septic tank shall not be covered until an inspection shall have been made by an authorized person and approved as meeting the requirements of the State Department of Health.

This permit is issued subject to the provisions of Section 57 of the Workman's Compensation Law. In issuance of the permit the Town assumes no responsibility regarding the performance or quality of work, except as provided by law.

I HEREBY CERTIFY THAT I AM THE _____ and that I am duly authorized to make, and file this application; that all statements contained in this application are true to the best of my knowledge and belief, and that the work will be performed in the manner set forth in this application and in the plans filed herewith.

Signature of Applicant

Name and Address of Contractor:*

*Must submit a Workers Compensation Certificate listing Town of Groveland as an Additional Insured

Date Code Enforcement Officer

Planning Board Approved _____ Date

Chairman Planning Board _____ Date

Town Attorney _____ Date

Town Highway Superintendent _____ Date

Water Department _____ Date

Fire Department _____ Date

TOWN of GROVELAND
Livingston County, New York

ZONING APPLICATION

Date _____

All Town of Groveland property owners are required to comply with all the regulations as set forth by New York State Building Code and the Zoning Code of the Town of Groveland.

INSTRUCTIONS:

- a. This application to be completed in ink or typewriter and submitted to the Zoning Officer.
- b. A plot plan in duplicate showing location and actual dimensions of the lot and the exact size and location on the lot of the buildings on the premises, relation to public streets or areas and to adjoining premises, giving a detailed description of the layout of the property to be drawn on a diagram which is part of this application.
- c. Work described in this application is not to be commenced before receiving a Building Permit. **THIS IS NOT BUILDING PERMIT.** In the event that a setback variance is requested, an instrument survey showing precise setbacks to be created by the project, along with existing and proposed structures, must be attached.

APPLICATION IS HEREBY MADE to the Zoning Officer pursuant to the Zoning Ordinance of the Town of Groveland for the buildings, additions, alterations, or relocation as herein described. The applicant agrees to comply with all the applicable laws, ordinances and regulations.

1. APPLICANT

Name _____ Tel. No. _____

Address _____

2. PROPERTY OWNER

Name _____ Tel. No. _____

Address _____

3. PRESENT USE IS: _____

PROPOSED CHANGE/USE or OCCUPANCY: _____

4. APPLYING FOR: _____ New Structure _____ Addition _____ Alteration
 _____ Site Plan _____ Sign _____ Other
 _____ If sign permit, include elevation and dimension. Sign permit fee: \$ _____

5. TYPE USE: If Dwelling: _____ 1 Family _____ 2 Family _____ Multiple Family
 If Commercial: _____ Office _____ Retail _____ Industrial
 _____ Storage _____ Assembly _____ Other
 If Other Explain: _____

6. DIMENSIONS OF: New Structure _____ Area _____ sq. ft.
 Additions _____ Area _____ sq. ft.
 Alterations _____ Area _____ sq. ft.

7. ESTIMATED COST: \$ _____

8. LOCATION OF LAND FOR PROPOSED WORK:

Address _____

Tax Map No. _____

Size & Area of the lot _____ ft. by _____ ft = _____ sq. ft.

Zone Dist. _____ Class Use _____ in which premises are situated

9. Does the proposed construction or use violate any Zoning Law or other ordinance or Regulation? _____

If yes, give details _____

10. The plot diagram shown on page 3 of this application or on separate drawings, showing location of all buildings existing or proposed, together with the dimensions from property lines, the surface elevation of the front yard at the front wall of the principal building as related to the surface of the street or highway, lot number, street names and type of lot (interior or corner) and lot description is a part of this application.

I HEREBY CERTIFY THAT I AM THE _____ and that I am duly authorized to make and file this application; that all statements contained in this application are true to the best of my knowledge and belief, and that the work will be performed in the manner set forth in this application and in the plans filed herewith.

Signature of Applicant

Date _____ Zoning Officer _____
(Approved)
(Disapproved)

If disapproved, reason for Disapproval _____

PETITION TO BOARD OF APPEALS

To the Board of Appeals, Town of Groveland:

Dated _____, 19 _____

Signed _____
Petitioner

Action by the Board of Appeals of the Town of Groveland on the above stated matter:

Dated _____, 19 _____

Attest: _____
Secretary, Board of Appeals

_____ Chairman

_____ Member

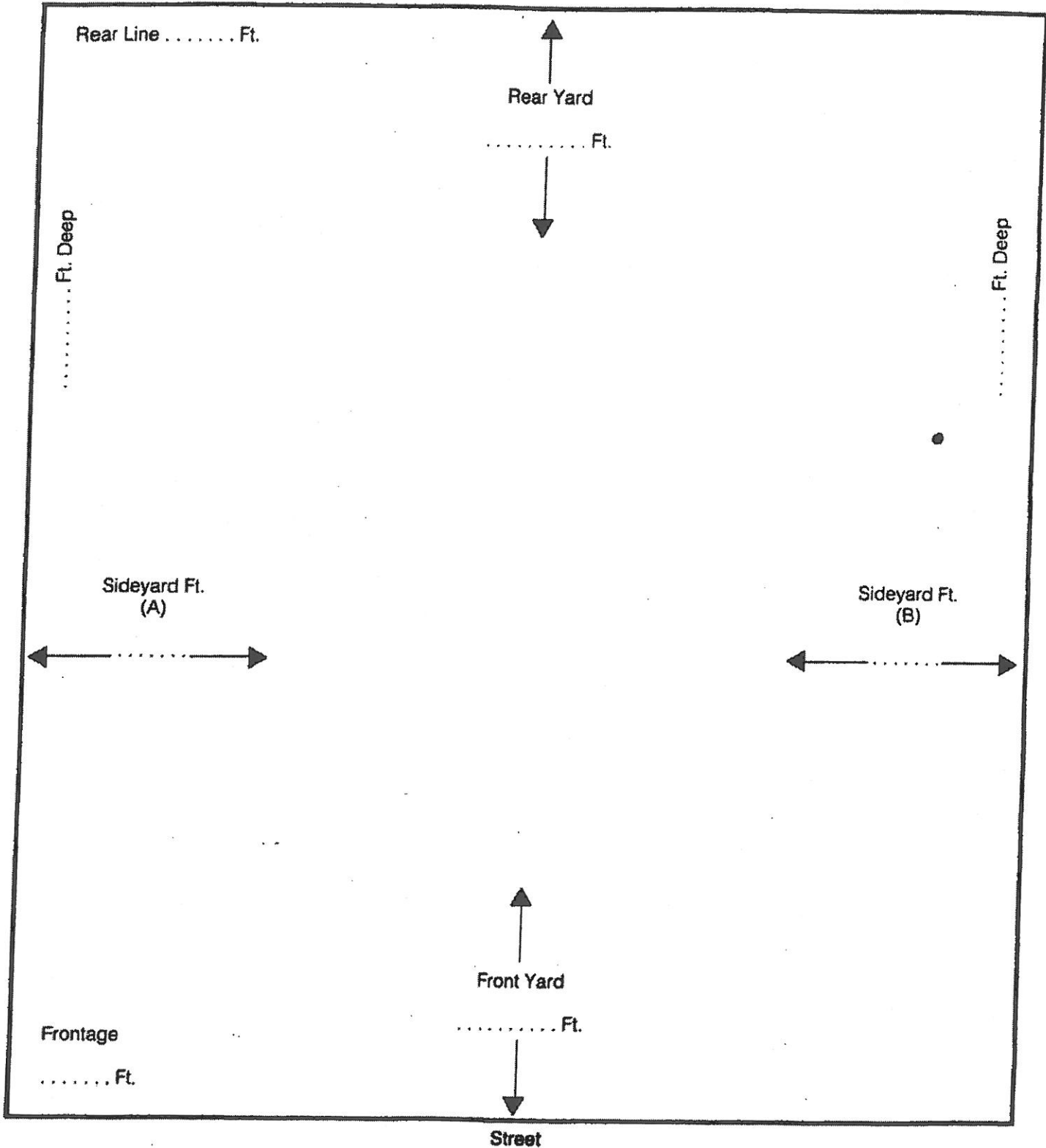
_____ Member

_____ Member

_____ Member

PLOT DIAGRAM/SURVEY MAP

Locate clearly and distinctly all buildings, whether existing or proposed, and indicate all setback dimensions from property lines. Give identifying information or deed description, show all easements and street names, adjacent property owner names. Indicate whether an interior or a corner lot. Show any water bodies or creeks, shorelines.



* 1/4" = 1 foot

Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

****This form cannot be used to waive the workers' compensation rights or obligations of any party.****

Under penalty of perjury, I certify that I am the owner of the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- I am performing all the work for which the building permit was issued.
- I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ◆ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a CE-200 exemption form; OR
- ◆ have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

(Signature of Homeowner)

(Date Signed)

(Homeowner's Name Printed)

Home Telephone Number _____

Property Address that requires the building permit:

| |
|---|
| <p>Sworn to before me this _____ day of _____,</p> <p>_____ (County Clerk or Notary Public)</p> |
|---|

Once notarized, this BP-1 form serves as an exemption for both workers' compensation and disability benefits insurance coverage.

PERMANENTLY INSTALLED SWIMMING POOLS

ELECTRICAL WIRING REQUIREMENTS

2014 National Electrical Code

www.NYEIA.com

PERMANENTLY INSTALLED SWIMMING POOLS ARE THOSE THAT ARE CONSTRUCTED IN THE GROUND OR PARTIALLY IN THE GROUND, AND ALL OTHERS CAPABLE OF HOLDING WATER WITH A DEPTH GREATER THAN 42 INCHES (1067 MM)

1) Pool Pump Receptacle (Outlet) and Wiring Method

- a. If a pump motor receptacle is located between 6' – 10' from the inside pool wall, the receptacle must be a single outlet, grounded, and Ground Fault Circuit Interrupter (GFCI) protected.
- b. Receptacle must have an extra-duty, in-use, weatherproof cover that can be closed when the cord is plugged in.
- c. The circuit line for the pump motor must be a continuous line going directly to the panel box, and is to be isolated from all other receptacles.
- d. Wire for the pump motor shall not be less than #12 AWG insulated copper grounded wire, and must be in conduit. (Exception: When entering a building the wire can change to NM) (Cannot use NM wire in conduit).
- e. Conduit
 - i. PVC – All PVC conduit* must be buried at least 18" deep (12" if GFCI protected).
 - ii. Metal – All Rigid Metal Conduit* must be at least 6" deep.

* Wires used in conduit must be single strand wires (ex: THWN, etc - NO NM or UF CABLE in Conduit).

2) Convenience Receptacle (Outlet) and Wiring Method

- a. At least one (1) 15- or 20-ampere convenience receptacle must be located not closer than 6' but not further than 20' from the outside pool wall (Can be existing and/or wired with any approved wiring method).
- b. Convenience receptacle must be Ground Fault Circuit Interrupter (GFCI) protected, Tamper Resistant (TR), and Weather Resistant (WR) type receptacle.
- c. Must have an extra-duty, in-use, weatherproof cover that can be closed when in use (for all wet locations).
- d. Must be separate from the pool pump receptacle wiring.
- e. Wiring
 - i. UF cable if buried must be at least 24" deep.
 - ii. PVC – All PVC conduits* must be buried at least 18" deep (12" if GFCI protected).
 - iii. Metal – All Rigid Metal Conduits* must be at least 6" deep

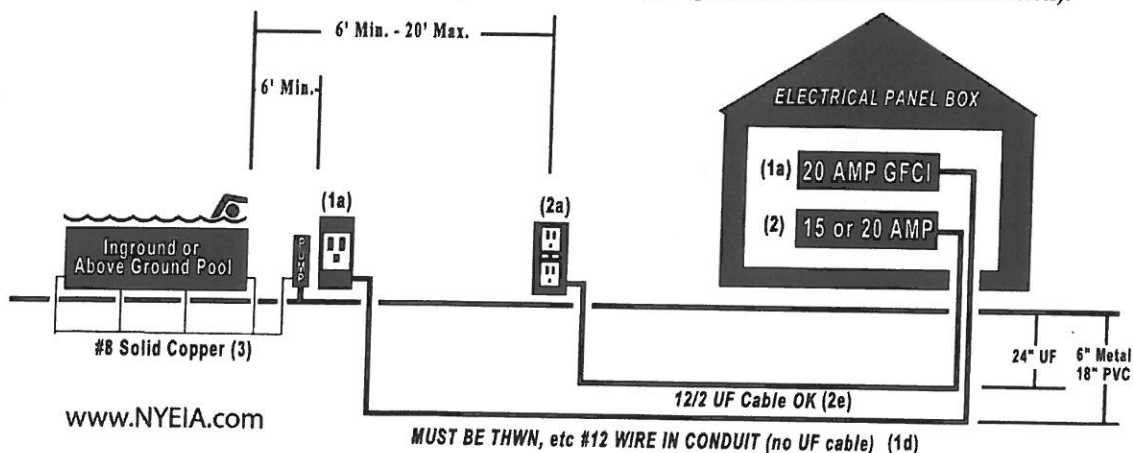
* Wires used in conduit must be single strand wires (ex: THWN, etc. - NO NM or UF CABLE in Conduit).

3) Bonding The Pool

- a. All metal parts must be bonded together using a #8 (or larger) solid copper wire.
- b. Must use non-corrosive clamps.
- c. Conductive pool shells must be bonded in a minimum of four (4) equal points uniformly spaced around the pool
- d. Nonconductive pool shells must have a #8 (or larger) solid, bare copper wire 18"-24" from the inside pool wall under the perimeter surface 4"-6" below the final grade.
- e. A minimum of nine (9) square inches of corrosion resistant metal must be in the water to bond the water.

4) Other

- a. Building Permits are required. Secure a Building Permit from your municipality prior to beginning work.
- b. Pool Alarms are required. (Check with your local Building Department for additional information).
- c. Pool Pump Timers: (Check with your local Building Department for additional information).



PLEASE CONTACT YOUR LOCAL INSPECTOR IF YOU HAVE ANY QUESTIONS

HOT TUBS & SPAS - ELECTRICAL WIRING REQUIREMENTS

2014 National Electrical Code

www.NYEIA.com

SPA OR HOT TUB. A HYDROMASSAGE POOL, OR TUB FOR RECREATIONAL OR THERAPEUTIC USE, NOT LOCATED IN HEALTH CARE FACILITIES, DESIGNED FOR IMMERSION OF USERS, AND USUALLY HAVING A FILTER, HEATER, AND MOTOR-DRIVEN BLOWER. THEY ARE INSTALLED INDOORS OR OUTDOORS, ON THE GROUND OR SUPPORTING STRUCTURE, OR IN THE GROUND OR SUPPORTING STRUCTURE. GENERALLY, A SPA OR HOT TUB IS NOT DESIGNED OR INTENDED TO HAVE ITS CONTENTS DRAINED OR DISCHARGED AFTER EACH USE.

1) Hot Tub / Spa Wiring Method and Receptacles (Outlets)

- a. Maintenance Disconnect - A disconnect is required for all ungrounded electrical wires (except for lighting). It must be at least 5' but not more than 50' from the water's edge, readily accessible, and within sight of the Hot Tub / Spa.
- b. The outlet(s) that supply a Hot Tub / Spa must be Ground-Fault Circuit Interrupter (GFCI) protected.
- c. Indoors Hot Tubs & Spas
 - i. At least one (1) convenience receptacle must be located between 6' and 10' from the inside wall of the Hot Tub / Spa and be GFCI Protected (Existing receptacle OK and wired with any approved wiring method).
- d. Outdoors Hot Tubs & Spas
 - i. At least one (1) convenience receptacle must be located between 6' and 20' from the inside wall of the Hot Tub / Spa and be GFCI Protected (Existing receptacle OK and wired with any approved wiring method).
 - ii. Liquidtight flexible metal or nonmetallic conduit is permitted in lengths of not more than 6'.
 - iii. A listed packaged hot tub / spa installed outdoors that is GFCI protected shall be permitted to be cord and plug-connected provided that such cord does not exceed 15 feet in length.
 - iv. Outdoor receptacles must have a weatherproof cover where exposed to the weather (In-use type cover required on used, unattended, receptacles in wet locations).

2) Bonding The Hot Tub / Spa

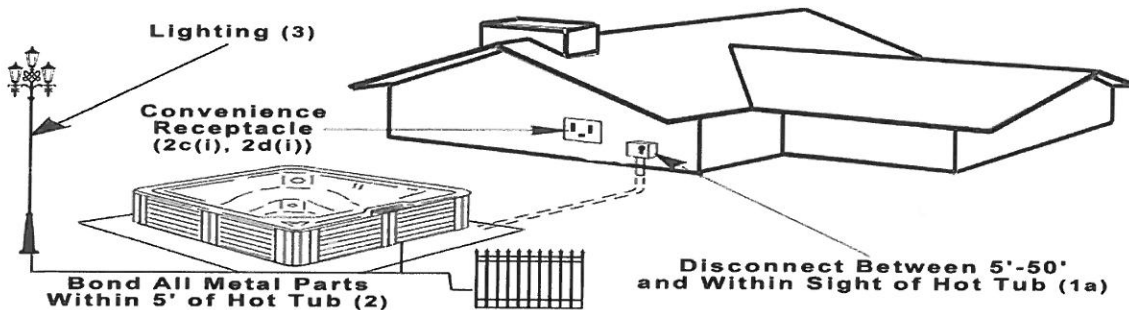
- a. All metal parts & surfaces within 5' of the Hot Tub / Spa must be bonded together using a #8 (or larger) solid copper wire and connections must be non-corrosive.
 - b. Outdoor Hot Tubs / Spas with nonconductive shells must have a #8 (or larger) solid, bare copper wire 18"-24" from the inside hot tub wall under the perimeter surface 4"-6" below the final grade and connected to a metal part of the pump motor.*
- * Exception: All must apply; 1) Hot tub must be listed for aboveground use, 2) Listed for outdoor use, 3) Installed on or aboveground, 4) The top rim of the hot tub must be at least 28" above the perimeter surfaces within 30" horizontally.

3) Lighting (other than underwater applications) (if any)

- a. All non-GFCI protected lights and ceiling fans within 5' of the inside wall of the Hot Tub / Spa must be at least 12' above the maximum water level of the Hot Tub / Spa.
- b. All GFCI protected lights and ceiling fans within 5' of the inside wall of the Hot Tub / Spa must be at least 7 ½' above the maximum water level of the Hot Tub / Spa.
- c. Exception - Lights that are within 5' of the inside wall of the Hot Tub / Spa and less than 7 ½' above the water level are only acceptable if they meet the following:
 - i. Recessed Lights - GFCI protected with a glass or plastic lens, nonmetallic or electrically isolated metal trim, and suitable for damp locations.
 - ii. Surface-Mounted Lights - GFCI protected with a glass or plastic globe, a nonmetallic body, or a metallic body isolated from contact, and suitable for damp locations.

4) Other

- a. Building Permits are required. Always secure a Building Permit from your municipality prior to beginning work.
- b. Indoor Hot Tubs / Spas wall switches must be a minimum 5' from the inside wall of the Hot Tub / Spa.
- c. Outdoor Hot Tubs check for overhead wires within 10' of the Hot Tub. (Must be 22 ½' above water level & not allowed in many towns)
- d. All Hot Tubs / Spas, other than in a single family residence, must have an emergency shutoff between 5'-50' & within sight.



PLEASE CONTACT YOUR LOCAL INSPECTOR IF YOU HAVE ANY QUESTIONS

STORABLE SWIMMING POOLS, SPAS, & HOT TUBS

ELECTRICAL WIRING REQUIREMENTS 2014 National Electrical Code

www.NYEIA.com

STORABLE POOLS ARE THOSE THAT ARE CONSTRUCTED ON OR ABOVE THE GROUND, AND ARE CAPABLE OF HOLDING WATER TO A MAXIMUM DEPTH OF 42 IN., OR A POOL, SPA, OR HOT TUB WITH NON METALLIC, MOLDED POLYMERIC WALLS, OR INFLATABLE FABRIC WALLS REGARDLESS OF DIMENSION. (The maximum water depth of 42" does not apply to inflatable swimming pools.)

1) Storable Pool Pumps

- a. A cord-connected pool filter must incorporate an approved system of double insulation or equivalent
- b. Cord-connected pool filter pumps must be provided with a ground-fault circuit interrupter (GFCI) that is an integral part of the attached plug or located in the power supply cord within 12" of the attached plug.

2) Receptacle (Outlet) and Wiring Method for Storable Pool Pump

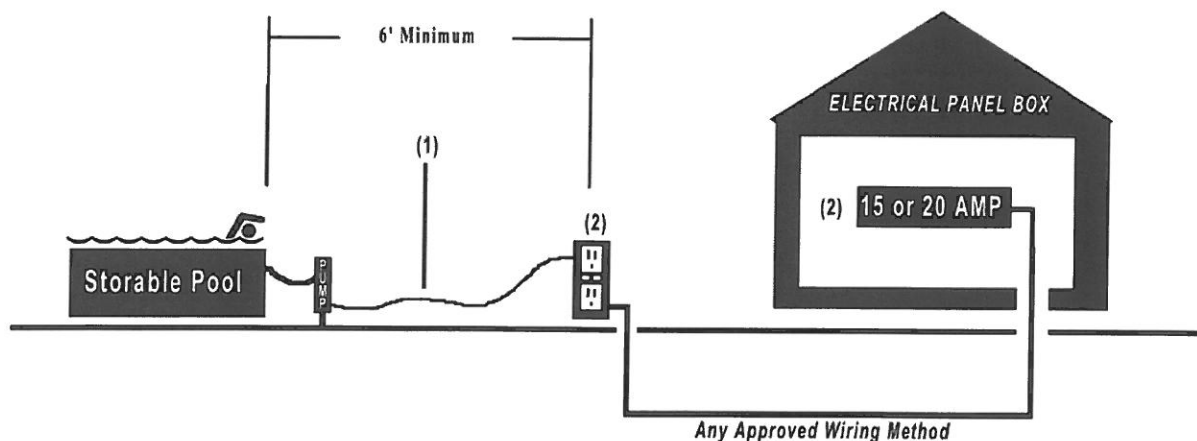
- a. Receptacles cannot be located within 6' of the inside wall of a storable pool.
- b. The receptacle must be grounded, must be Ground Fault Circuit Interrupter (GFCI) protected, and the Tamper Resistant (TR), and Weather Resistant (WR) type receptacle.
- c. Receptacle must have an In-use, extra-duty weatherproof cover that can be closed when the cord is plugged in.
- d. An Automatic Timer (Time Switch) must be installed on storable swimming pool pumps.

3) Luminaries (lights) for Storable Pools (if used)

- a. Luminaries cannot have exposed metal parts and must be listed for the purpose.
- b. Luminaries 15 Volts or less must:
 - i. Have a luminaire lamp that operates at 15 volts or less
 - ii. Have an impact-resistant polymeric lens, luminaire body, and a transformer enclosure
 - iii. Have a transformer listed for swimming pools with a primary rating not over 150 volts
- c. Luminaries Over 15 Volts but not over 150 volts must:
 - i. Have an impact-resistant polymeric lens and luminaire body
 - ii. Have Ground Fault Circuit Interrupter (GFCI) protection.

4) Other


- a. Building Permits are required. Secure a Building Permit from your municipality prior to beginning work.
- b. Pool Alarms may be required. (Check with your local Building Department for additional information.)
- c. All receptacles located within 20' of the inside walls of a storable pool wall must be GFCI protected.



PLEASE CONTACT YOUR LOCAL INSPECTOR IF YOU HAVE ANY QUESTIONS

(5) The term *substantial damage* means damage of any origin sustained by a swimming pool whereby the cost of restoring the swimming pool to its before damaged condition would equal or exceed 50 percent of the market value of the swimming pool before the damage occurred.

(6) The term *substantial modification* means any repair reconstruction, rehabilitation, addition, or improvement of a swimming pool, the cost of which equals or exceeds 50 percent of the market value of the swimming pool before the repair, rehabilitation, addition, or improvement is started. If a swimming pool has sustained substantial damage, any repairs are considered to be a substantial modification regardless of the actual repair work performed.

 (c) *Pool alarms*. Except as otherwise provided in subdivision (e) of this section, 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;

(4) is classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to:

(i) ~~reference standard~~ ASTM F2208, entitled *Standard Specification for Pool Alarms*, as adopted in 2002 and editorially corrected in June 2005, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or

(ii) reference standard ASTM F2208, entitled *Standard Specification for Pool Alarms*, as adopted in 2007, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428; and

(5) is not an alarm device which is located on person(s) or which is dependent on device(s) located on person(s) for its proper operation.

(d) *Multiple pool alarms*. A pool alarm installed pursuant to subdivision (c) of this section must be capable of detecting entry into the water at any point on the surface of the swimming pool. If necessary to provide detection capability at every point on the surface of the swimming pool, more than one pool alarm shall be installed.

(e) *Exemptions*.

(1) A hot tub or spa equipped with a safety cover classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F1346 (2003), entitled *Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs*, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, shall be exempt from the requirements of subdivisions (c) and (d) of this section.

(2) Any swimming pool (other than a hot tub or spa) equipped with an automatic power safety cover classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F1346 (2003), entitled *Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs*, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, shall be exempt from the requirements of subdivisions (c) and (d) of this section.

SECTION G105 BARRIER REQUIREMENTS

G105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

G105.2 Temporary barriers. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a temporary barrier during installation or construction and shall remain in place until a permanent barrier in compliance with Section AG105.3 is provided.

Exceptions:

1. Above-ground or on-ground pools where the pool structure is the barrier in compliance with Section AG105.3.
2. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, provided that such safety cover is in place during the period of installation or construction of such hot tub or spa. The temporary removal of a safety cover as required to facilitate the installation or construction of a hot tub or spa during periods when at least one person engaged in the installation or construction is present is permitted.

G105.2.1 Height. The top of the temporary barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool.

G105.2.2 Replacement by a permanent barrier. A temporary barrier shall be replaced by a complying permanent barrier within either of the following periods:

1. 90 days of the date of issuance of the building permit for the installation or construction of the swimming pool; or
2. 90 days of the date of commencement of the installation or construction of the swimming pool.

G105.2.2.1 Replacement extension. Subject to the approval of the code enforcement official, the time period for completion of the permanent barrier may be extended for good cause, including, but not limited to, adverse weather conditions delaying construction.

G105.3 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. 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 (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed $1\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a $2\frac{1}{4}$ -inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than $1\frac{3}{4}$ inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than $1\frac{3}{4}$ inches (44 mm).
8. Gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and with the following requirements:
 - 8.1. All gates shall be self-closing. In addition, if the gate is a pedestrian access gate, the gate shall open outward, away from the pool.
 - 8.2. All gates shall be self-latching, with the latch handle located within the enclosure (i.e., on the pool side of the enclosure) and at least 40 inches (1016 mm) above grade. In addition, if the latch handle is located less than 54 inches (1372 mm) from the bottom of the gate, the latch handle shall be located at least 3 inches (76 mm) below the top of the gate, and neither the gate nor the barrier shall have any opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the latch handle.
 - 8.3. All gates shall be securely locked with a key, combination or other child proof lock sufficient to prevent access to the swimming pool through such gate when the swimming pool is not in use or supervised.
9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:
 - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or
 - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which

produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within 7 seconds and sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touch pad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

- 9.3. Other means of protection, such as self-closing doors with self-latching devices, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
 - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
 - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.