

# Swimming Pool Requirements

## Building Permit Requirements for Swimming Pools, Pools and Hot Tubs

All pools, spas and hot tubs capable of holding twenty-four (24) inches of water shall require a building permit with the Village of Newark Code Enforcement Office. Each building permit application shall be accompanied by the following:

1. A completed building permit application.
2. A survey indicating proposed location of the proposed pool, spa or hot tub, along with the associated setbacks to all property lines. From the rear and side property lines the setback must be four (4) feet or greater. Also, all buildings, easements, power lines and other utilities shall be indicated on the map along with their respective distances to the proposed pool, spa or hot tub.
3. Installer's Certificate of liability, disability and Workmen's Compensation insurance. Please list Village of Newark, 100 E Miller St, Newark NY 14513 as Certificate Holder or Additionally Insured. If Workmen's Compensation is not required, a waiver must be filed using Form WC/DB- 100 (7-04).
4. Payment of \$40.00 to the Village of Newark.
5. Estimated cost of the pool, spa or hot tub.
6. Manufacturer's information relating to size and design of pool, as well the number of gallons of water needed to fill the pool, spa or hot tub.

## Electrical

A Ground Fault Circuit Interrupter (GFCI) shall protect all pools, spas or hot tubs requiring electrical connections.

The electrical portion of an installation of a pool, spa or hot tub shall be inspected by a Village approved third party electrical inspection agency prior to the final inspection by the Code Enforcement Officer.

## **Barrier Requirements**

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

Barriers, such as fences, are required around swimming pools, hot tubs and spas. This includes both fixed and portable units, including pre-formed or inflatable pools. The only exception is when a swimming pool is not able to contain more than twenty-four (24) inches of water. Hot tubs and spas are exempt from the barrier if equipped with a safety cover complying with the ASTM F1346 safety standard.

The Residential Code of New York State and the Building Code of New York State regulate the construction parameters of barriers. Several options are available.

1. A 48 inch barrier shall surround the pool, spa or hot tub area. This barrier can be made using various methods including masonry, wood, or metal. Whatever method is used, it must not allow passage of children through the barrier, and should also be constructed to prevent climbing. All barriers shall meet the requirements of Section AG105 of the Residential Code of New York State.
2. For above-ground pools, spas and hot tubs, the side wall can be used as part of the barrier as long as the walls are 48 inches above the ground and the access ladder is secured. A barrier can be placed on top of the pool, spa or hot tub if it does not quite meet the 48 inch requirement by itself.
3. When the wall of a building serves as the barrier, or a portion thereof, a power operated top can be used or alarms can be placed on the doors leading to the pool, spa or hot tub area.

## **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:

- is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;
- is audible poolside and at another location on the premises where the swimming pool is located;
- is installed, used and maintained in accordance with the manufacturer's instructions;
- is classified by Underwriter's Laboratory, Inc. (or other approved independent testing laboratory) to 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; and
- is not an alarm device which is located on persons(s) or which is dependent on device(s) located on person(s) for its proper operation.

## Multiple Pool Alarms

A pool alarm installed pursuant to subdivision (Pool Alarms) 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.

### Filling a Swimming Pool

A pool can be filled by using water:

1. From your own garden hose:
  1. If you have a building permit on file for your pool and are filling your pool for the first time, you may apply for a sewer exemption on your water bill through the Code Enforcement Officer upon his final inspection. This sewer exemption is valid one time only.
  2. If you need to replace your liner but have used a swimming pool sewer exemption in the past, or if you are refilling/topping off your pool in the spring, you may be eligible for relief from the sewer portion if your utility bill IF YOU HAVE RECEIVED APPROVAL PRIOR TO FILLING OR REFILLING YOUR POOL. You may print out the [Sewer Credit for Pool Filling](#) form to start the approval process.
2. From a water hauler: You may purchase a truckload of water from a water hauler to fill your pool.