

SWIMMING POOLS

Proper installation and continued maintenance of a swimming pool is the responsibility of the property owner. All swimming pools must be maintained in a clean and sanitary condition and in good repair.

- **Any pool capable** of containing more than 24 inches of water is a “swimming pool” which is regulated by NYS Building Code and **requires a permit** from the Town of Glenville Building Department.
- **Inflatable, plastic and similar type pools commonly purchased at department stores** also **require a permit** from the Town of Glenville Building Department. These pools must comply with all the requirements listed below, which includes the installation of a **pool alarm** and **electrical connection** as well as a code compliant barrier (**fence**). There are no provisions or exemptions for “temporary” swimming pools in the code.
- All swimming pools must meet the following guidelines even if the pool is filled to a depth less than 24 inches.
- **Permits** issued for Swimming Pools **are valid for 90 days** and can not be extended.
- **Temporary fencing** used during the installation of a pool **must be replaced** with a code compliant permanent barrier **within 90 days** from the issuance of the permit.

IMPORTANT NOTES: A Certificate of Compliance is required prior to use of the pool or expiration of the permit.

The following items must be completed prior to the issuance of a Certificate of Compliance.

1. Final electrical inspection must be approved and recorded in the building department.
2. The permanent pool enclosure (fence, gate, etc), if required, must be completed.
3. The pool alarm must be installed.

It is a violation to install and/or maintain a swimming pool without the mandated enclosure and/or alarms.

1. **PLOT PLAN:** The applicant must submit a plot plan that includes all of the following items
 - a. All property lot lines and street locations
 - b. Dimensions of lot
 - c. Distance of proposed swimming pool to property lines, dwelling and septic system.
 - d. Dimensions of proposed swimming pool.
 - e. Length and width of all other structures on property, including dwelling.
2. **ZONING REQUIREMENTS** (Town of Glenville)
 - a. Pools are not permitted in a front yard.
 - b. Pools, pumps, equipment, decks, etc. must be located at least 10 feet from any side and rear property line.

- c. No more than 20% of the lot may be covered by accessory structures. Swimming pools, decks, sheds, detached garages, etc. are considered accessory structures and must be included when calculating lot coverage.
- d. In Suburban Residential Zoning Districts, the combined footprint of all accessory structures, including the proposed pool, shall not exceed 75% of the footprint of the dwelling.

3. DISTANCE FROM SEPTIC SYSTEM: (County Health Dept.)

a. Inground:

- i. 10 feet from the septic tank
- ii. 20 feet from the leachfield
- iii. 20 feet from the drywell.

b. Above Ground:

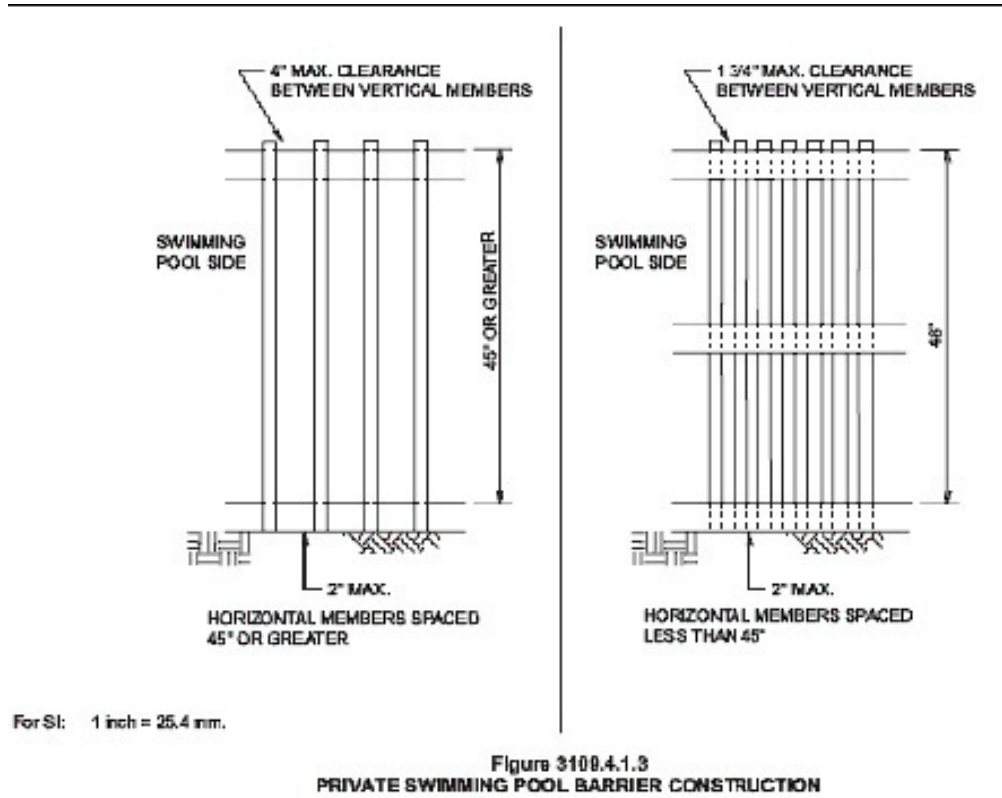
- i. Not regulated. However, a minimum of 10' to all parts of the system is recommended in order to maintain the integrity of the septic system.

4. POOL BARRIERS & GATES Summary: (New York State Building Code)

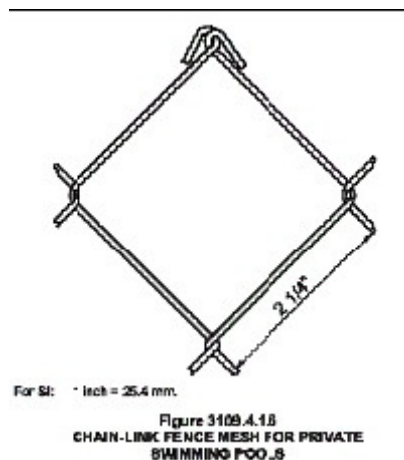
A barrier (fence) is required for all in-ground pools, on-ground inflatable pools and other self-set/quick-set pools that do not have rigid metal walls and all above-ground pools with a wall height of less than 48 inches (4 feet) measured from the top of pool to grade.

- a. The barrier must be at least 48" (4 feet) high; completely surround the swimming pool; and must obstruct access to the swimming pool.
- b. The space between the bottom of the barrier and the ground cannot exceed 2 inches.
- c. In the case of an above-ground pool, the barrier may be at ground level or mounted on top of the pool structure; however, if the barrier is **mounted on top of the pool structure**, the space between the top of the pool structure and the bottom of the barrier cannot exceed 4 inches.
- d. Any opening in the barrier must not allow passage of a 4 inch diameter sphere.
- e. Masonry, stone walls, etc. cannot contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.
- f. 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**:
 - i. the horizontal members must be located on the swimming pool side of the fence;
 - ii. the spacing between vertical members cannot exceed 1.75 inches; and
 - iii. spacing within any decorative cutouts in vertical members cannot exceed 1.75 inches.
 - iv. See diagram below

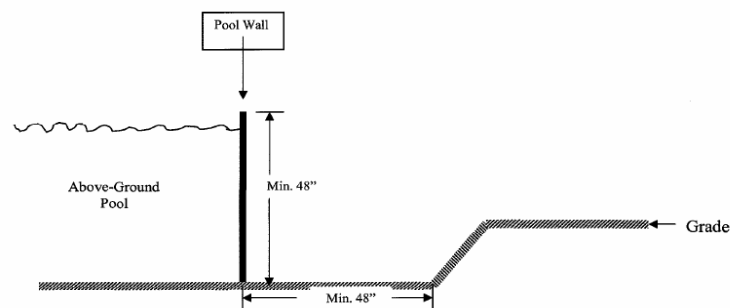
- g. Where the barrier is composed of **horizontal and vertical members** and the distance between the tops of the horizontal members is **45 inches or more**:
- spacing between vertical members cannot exceed 4 inches; and
 - spacing within any decorative cutouts in vertical members cannot exceed 1.75 inches.
 - See diagram below



- h. If a **chain link fence** is used as the barrier, the mesh size cannot exceed 2.25-inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches.



- i. Where the barrier is composed of diagonal members, such as a **lattice fence**, the opening formed by the diagonal members cannot exceed 1.75 inches.
- j. Where a **wall of a dwelling** serves as part of the barrier, at least one of the following must be satisfied:
 - i. the pool must be equipped with a powered safety cover per ASTM F1346, **or**
 - ii. all doors with direct access to the pool through that wall must be equipped with an alarm which meets all of the following:
 - 1. produces an audible warning when the door is opened, and
 - 2. sounds continuously for a minimum of 30 seconds immediately after opened, and
 - 3. is capable of being heard throughout the house during normal household activities, and
 - 4. automatically resets under all conditions, and
 - 5. is equipped with a manual means, such as touchpad or switch, to deactivate the alarm temporarily for a single opening (such deactivation cannot last for more than 15 seconds, and the deactivation switch must be located at least 54 inches above the threshold of the door, **or**
 - iii. other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body.
- k. In the case of an **above-ground pool**, the pool structure itself can serve as a part of the required barrier, provided that the pool wall is at least 48 inches high and is sufficiently rigid to obstruct access to the pool. However, 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, then:
 - i. the ladder or steps shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier that meets the requirements above.
 - ii. when the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter sphere.



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- l. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

m. **Access gates** must satisfy the requirements stated above, and with the following additional requirements:

- i. All gates must be self-closing.
 1. If the gate is a pedestrian access gate, **the gate must open outward, away from the pool.**
- ii. 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 above grade.
 1. If the latch handle is located less than 54 inches from the bottom of the gate, the latch handle shall be located at least 3 inches below the top of the gate, and neither the gate nor the barrier shall have any opening greater than 0.5 inch within 18 inches of the latch handle.
- iii. 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.

5. TEMPORARY BARRIERS (FENCES) Summary: (New York State Building Code)

a. Permitted only during installation provided it:

- i. Sufficiently prevents any access to the swimming pool by any person not engaged in the installation or construction of the swimming pool, and sufficiently provide for the safety of any such person. and
- ii. Is not less than four (4) feet high, and
- iii. Shall remain in place throughout the period of installation and thereafter until the installation of a complying permanent enclosure has been completed.

b. A temporary swimming pool enclosure shall be replaced by a complying permanent enclosure. The installation of the complying permanent enclosure must be completed within ninety days after the later of

- i. the date of issuance of the building permit for the installation or construction of the swimming pool, or
- ii. the date of commencement of the installation or construction of the swimming pool;

6. POOL ALARMS Summary: (NYS Building Code)

a. Every swimming pool that is installed, constructed or substantially modified after December 14, 2006 must be equipped with an approved pool alarm which:

- i. is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water; and
- ii. is audible poolside and at another location on the premises where the swimming pool is located; and
- iii. is installed, used and maintained in accordance with manufacturer's instructions, and
- iv. is classified to ASTM F2208, and
- v. 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.

- b. A pool alarm must be capable of detecting entry into the water at any point on the surface of the swimming pool. It may be necessary to install more than one pool alarm.
- c. Pool alarms are not required in a hot tub or spa equipped with a safety cover (ASTM F1346) or any swimming pool, other than a hot tub or spa, equipped with an automatic power safety cover (ASTM F1346).

7. ADDITIONAL INFORMATION

- a. All electric must be inspected by a certified electrical inspection agency.
- b. A final inspection by the Building Department is required prior to use of the pool.**
- c. Decks: A separate building permit is required for all decks constructed. Deck gates for pools must swing away from the pool area. See the deck instruction sheet for additional information. Decks must also comply with the above regulations. Please plan accordingly.
- d. Before digging, call Dig Safely New York excavation notification center at 1-800-962-7962 to locate utilities. All utilities (gas, electric, phone, cable TV, etc) will be located free of charge.

These are general guidelines.