

# TOWN/VILLAGE OF LIMA

## POOL PERMIT APPLICATION

**Type of Permit:** Hot Tub Above ground In Ground **Permit Number:** \_\_\_\_\_ **Permit Fee:** \_\_\_\_\_

**Address of Proposed Work:** \_\_\_\_\_ **Tax Parcel:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Village Zoning district:** (Check one)  S  R  MR  DB  GB  M  LC

**Town Zoning district:** (Check one)  A  R  B  M  PD  Q  LC

**Property Owner:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Workers Compensation Form BP-1 stating Workers Compensation is not required received: YES NO

**Pool Installer:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Proof of valid Workers Compensation & Liability Insurance Policy received: YES NO

### INSURANCE REQUIRED

Workers Compensation Insurance and Disability Benefits Coverage: New York Workers Law 57 requires contractors and certain homeowners listed on the building permit to provide proof that such coverage is issued by an authorized insurance carrier (Form C-105.2 or U-26.3) or provide proof of exemption (Form CE-2000). Any residence that is not a 1, 2, 3, or 4 family **owner occupied** residence is considered a business and must provide proof of insurance.

Affidavit of Exemption Form BP-1 can only be filed if the Owner of the owner occupied residence follows the restrictions defined below:

1. Owner is performing all of the work themselves for which the building permit is issued.
2. Owner is not hiring, paying or compensating in any way the individuals that are performing or helping to perform any or all of the work or which the building permit is issued.
3. Owner has a home owners insurance policy that is currently in effect and covers the property for which the building permit is issued and the owner is hiring or paying individuals a total of less than forty (40) hours per week (aggregate hours for all paid individuals) for the work for which the building permit is issued.

### POOL DESCRIPTION

Size of pool: \_\_\_\_\_ Height above grade: \_\_\_\_\_ Manufacturer: \_\_\_\_\_

Estimated Construction Value: \_\_\_\_\_

## **INSTRUCTIONS FOR POOL PERMIT APPLICATION**

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1. All pools capable of containing water to a depth of 24 inches or greater (regardless of how much water is in pool) installed in, on or above ground and constructed in the Town or Village of Lima requires a Pool Permit.
2. Applicants must submit a tape location map or instrument survey map of the property showing all structures on the premises and location of the proposed pool with setback dimensions from the property line. Setbacks from property lines are required for all pools and hot tubs.
3. Applicant must also supply a description of the pool, including pool size and type of material. These documents must accompany the completed application, which will then be reviewed and approved by the Building Inspector. No pool shall be constructed before approval and issuance of a Pool Permit.
4. In-ground pools require by law, the applicant or pool contractor to contact **Dig Safely New York 800-962-7962** prior to starting any digging. Allow two full working days for response.
5. Upon completion of the pool, the Building Inspector must perform a final inspection and issue a Certificate of Compliance. Applicant is responsible for requesting this inspection. Call Building Inspector at: 624-7911 or Village Office at 624-2210 or Town Office at 582-1130 for inspection. An Electrical Inspection, performed by an approved electrical inspection agency, must be completed prior to the final inspection by the Building Inspector.
6. Submit proof of Contractor's valid Workers Compensation Insurance Policy must be submitted and approved or Form BP-1 stating that Workers Compensation is not required before issuance of any building permit.
7. Associated decks and fences require a separate permit.
8. A permit may be revoked or suspended if it is determined that the work to which it pertains is not in accordance with the information contained in the building permit application; Or is not in conformance with the NYS Building Code; Or if there has been a misrepresentation or falsification of a material fact or condition connected with the application for a permit.

## **DEFINITIONS**

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- **Swimming pool:** Any structure intended for swimming, recreational bathing or wading which contains or which is designed to contain water over 24 inches deep. This includes in-ground, above-ground and on-ground pools; indoor pools; hot tubs; spas; and fixed-in-place wading pools.
- **Residential swimming pool:** A swimming pool which is situated on the premises of one of the following: detached one- or two-family dwelling; a townhouse not more than three stories in height; a one-family dwelling converted to a bed and breakfast; a community residence for 14 or fewer mentally disabled persons, operated by or subject to licensure by the Office of Mental Health or the Office of Mental Retardation and Developmental Disabilities; a one- or two-family dwelling operated for the purpose of providing care to more than two but not more than eight hospice patients, a manufactured home; a mobile home; or a factory manufactured dwelling unit.

## **POOL PLACEMENT**

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1. Pools must be located a minimum of 10 feet away from overhead electric power lines when measured horizontally from edge of pool, spa or hot tub, deck or any platform to wires.
2. Pools are considered accessory structures and shall be placed a minimum 10 feet away from side and rear property boundaries. Pools shall be placed a minimum of 10 feet behind the rear wall of the house in side and rear yards.
3. Pools shall not be placed within any easements.

## **POOL ELECTRICAL REQUIREMENTS**

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1. Ground Fault Circuit Interrupter (GFCI) device is required for all electric circuits serving pool equipment.
2. Pool pumps must be equipped with time clocks to permit the pump to run during off-peak hours and set for the minimum time necessary to maintain the water in a clear and sanitary condition.
3. All electrical work associated with the pool, spa or hot tub must be inspected and receive electrical underwriter approval. This is the responsibility of the Owner or Contractor to arrange for all required electrical inspections. The following are Town/Village of Lima approved electrical inspectors:
  - Commonwealth Electrical Inspection Service Office: 800-437-5799 Cell: 729-2779
  - New York Electrical Inspection Agency Office: 436-4460; Cell: 230-4186
  - Middle Department Inspection Agency Office: 454-5191

## **POOL ENCLOSURE REQUIREMENTS**

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1. An enclosure (fence) shall be provided for outdoor swimming pools which surrounds the pool and accessory equipment. Except:
  - Hot tubs that have locking cover complying with ASTM F 136 are exempt from the enclosure requirements.
  - A pool 24 inches or less in depth is exempt from the enclosure requirements.
2. An enclosure (fence) shall meet the following requirements:
  - Top of fence a minimum of 48 inches above grade or walking surface of other decks, either attached or adjacent to the pool deck with maximum clearance between grade and bottom of fence of 2 inches and have openings in the fence spaced less than 4 inches apart.
  - Gates or doors shall be self-closing and self-latching with latch handle at least 54 inches above grade and swing outward from the pool. When latch mounting height is below 54 inches then latch must be on pool side of the gate and set a minimum of 3 inches below top of gate and the gate shall have no opening greater than 1/2 inch within 18 inches of latch release mechanism.
  - Gates shall be capable of being locked when pool is not in use or supervised. Locking mechanism shall be by key, combination or other child proof lock sufficient to prevent access when pool is not in use or supervised.
  - Chain link fence mesh size shall not be more than 2-1/4 inches square.
  - Enclosure shall be constructed so as not to provide footholds.
  - In ground pools must be enclosed by a temporary barrier (min. 48" in height) during construction of the pool. This temporary enclosure must be replaced by a permanent barrier within 90 days of the date of the permit.
3. Enclosures shall be so located as to prevent adjacent structures, equipment or similar objects from being used to climb the enclosure. However when a structure's wall is used as a part of the enclosure and doors from the structure open into the pool enclosure, then the pool must be equipped with a powered safety cover OR all doors with direct access shall be equipped with an alarm which produces an audible warning when the door and its screen are opened. Alarm shall sound for 30 seconds and be heard throughout the house. The alarm shall automatically reset under all conditions. Alarm shall be equipped with a manual control (switch or touch pad) to temporarily deactivate the alarm for a single opening. Such de-activation shall last for 15 seconds maximum. De-activation control to be located 54 inches above door threshold.
4. Walls of aboveground pool may be used in lieu of enclosure, provided walls are a minimum 48 inches high on all sides and steps or ladder is capable of being secured, locked or removed to prevent access when pool is not in use or

supervised; and when ladder is secured, locked or removed does not create any opening that would allow the passage of a 4 inch diameter sphere.

- 5. When ladder or steps cannot be secured, locked or removed then steps or ladder shall be surrounded by a barrier meeting requirements above.

**POOL ALARM REQUIREMENTS**

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- 1. New York State Uniform Fire Prevention and Building Code requires that all residential or commercial swimming pools constructed after December 14, 2006 be equipped with an approved pool alarm capable of detecting a child entering the water and sounding an audible alarm because: "drowning is the second leading cause of unintentional injury-related deaths in children between the ages of one and fourteen nationwide, and the third leading cause of injury-related deaths of children in New York. Technological advances have produced several different types of pool alarms designed to sound a warning if a child falls into the water. When used in conjunction with access barriers, these alarms provide greater protection against accidental pool drowning."
- 2. An approved pool alarm shall comply with the following requirements:
  - Is capable of detecting a child entering the water and giving an audible alarm when a child enters 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;
  - Is not an alarm device which is located on a person(s) or which is dependent on device(s) located on person(s) for its proper operation.

**CERTIFICATION:**

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Application is hereby made to the Town/Village Lima for the issuance of a Pool Permit. I acknowledge that no construction activities shall be commenced prior to the issuance of a valid permit. I affirm that I have read the instructions and that the application, plans and supporting documentation are true and a complete statement and description of the work proposed and that all work will be performed in accordance with the NYS Building Code, local laws and ordinances and regulations whether specified herein or not. I authorize access to the Building Inspector or designated representative during all phases of construction for the purpose of inspections. I agree to prominently display on the premises the building permit issued and abide by all plan amendments made by the Building Department. I further acknowledge and agree that prior to using the pool I or my agents will obtain a Certificate of Compliance.

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Make checks payable to: Village of Lima or Town of Lima. Mail or deliver to: 7329 East Main Street, Lima, NY 14485

Permit Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

**COMMENTS:**

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