COMMUNITY DEVELOPMENT DIVISION
FREDERICK COUNTY, MARYLAND
Department of Permits and Inspections

30 North Market Street • Frederick, Maryland 21701

Phone (301) 600-2313 • Fax (301) 600-2309

BUILDING PERMIT INFORMATION
SWIMMING POOLS/HOT TUBS

A swimming pool is defined as ***"Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in- ground, aboveground and on- ground pools, hot tubs and spas,"*** *and barriers are required to provide protection against potential drowning and near- drowning by restricting access to swimming pools, spas and hot tubs.*

Submittal Requirements

1. Completed Building Permit Application for Swimming Pools and Hot Tubs, Attachment (A).
2. Plot Plans. Hot Tubs: Plot plans are not required. Swimming Pools: Two copies of plot plan are required. When at all possible, a legal survey should be used. If a survey is not being used, the plot plan can be drawn by hand. It must be legible and drawn to scale. Plot plan must be on letter or legal size paper, and must include the following:
   - All property lines and property line dimensions
   - Square footage or acreage of the property
   - Building Restriction Lines (BRL) and utility easements
   - North direction arrow
   - Scale of drawing
   - Property Owner name(s)
   - Street Address of property
   - Existing dwelling and any other existing structures
   - Existing well if property is served by well.
   - Existing septic area if property is served by septic.
   - Existing driveway
   - Detailed dimensions of the proposed new construction.
   - Proposed new construction location with setbacks from the proposed new construction to property lines and/or the nearest structure IN EACH DIRECTION.
3. Print out of Maryland Assessments Real Property Data www.dat.state.us for property.
4. Two copies of specifications for swimming pool or hot tub, per Attachment (B).
5. Fees. Check or cash is accepted. All fees must be paid for at time of application. Electrical and Plumbing fees are separate fees. Inc. Towns – Contact the Permits Office.

Hot Tub	Above-Ground Pool	Inground Pool
$ 10.00 Automation Fee	$ 10.00 Automation Fee	$ 10.00 Automation Fee
$ 25.00 Filing Fee	$ 25.00 Filing Fee	$ 25.00 Filing Fee
$ 45.00 Building Fee	$ 45.00 Building Fee	$164.00 Building Fee
$ 80.00 Total	$ 40.00 Zoning Review Fee	$ 40.00 Zoning Review Fee
	$ 120.00 Total	$ 60.00 Soil Conservation Fee
		$ 89.00 Minor Grading Fee
		$388.00 Total

and

$50.00 Health Review Fee if property is served by well and/or septic, does not include hot tub.

Notarized Letter of permission – the owner or licensed contractor must apply unless the applicant has a notarized letter of permission. The notarized letter of permission must be from the land owner, unless the permission is for a permit service to act on behalf of the contractor, and then the letter will be from the contractor giving permission to the permit service to act as an agent on their behalf.

Walk-Through Permit Fees -Fees are the same as above, except there is no Health Review Fee.

6. Minor Grading Permit is required for in-ground pools. If movement of 100 cubic yards of earth *or* 5,000 square feet of disturbance is necessary for installation of an aboveground pool, a Minor Grading Permit is required.
7. When property is within an incorporated town, paperwork from the town is required before a permit application may be submitted. Contact the town for details.
8. Electrical and Plumbing Permits must be applied for before the Building Permit will issue. Walk-through Permits Only: Electrical and Plumbing applications are required to be submitted at time of Building Permit application.

Procedures

STEP ONE – APPLY FOR THE PERMIT

Where to apply: Applications are accepted in the Department of Permits and Inspections, at the above address.

When Applications Are Accepted: Applications are accepted Monday through Friday, (excluding County holidays) between 8:00am and 3:30pm. To ensure adequate time to complete your submittal, please apply prior to 3:00 pm. Walk-Through Permit applications are accepted between 8:00am and 3:00 pm, Monday through Friday.

STEP TWO – OBTAIN REVIEW APPROVALS

During processing, the permit application will be reviewed by various agencies for their approval. It is important that you check status of the application and address any concerns or requests for additional information promptly.

Plan Review Timeframes:

- Walk-Through Permits. When the property is not served by individual well or septic, and the property is not within an incorporated town, the application may be processed as a Walk-Through Permit, if the Applicant has the Electrical and Plumbing Permits as well. Walk-Through Permit applications are accepted, reviewed, and issued within the same day, usually within hours.
- Conventional Permits. When an application is not eligible for walk-through processing, the review timeframe of the application by Plan is one week for their initial review comments for this type of application.

Agency Review Status: Review timeframes for agencies outside of the Division of Permitting and Development Review may vary. If additional information is requested by any reviewing agency during processing, a notification is mailed to the applicant. Up-to-date review status may also be obtained via the Frederick County Government website www.FrederickCountyMD.gov/permit.

Conditions of Approval: Before a Building Permit for a swimming pool or hot tub can be issued, an Electrical Permit and a Plumbing Permit must be applied for.

The Electrical Permit is for the inspection of the GFI receptacle, the panel, ensuring the line is underground, and bonding (when applicable). A property owner may take a homeowner exam, and obtain the Electrical Permit if they are going to perform their own electrical work.

The Plumbing Permit is for the inspection of the required back siphonage device. A property owner may apply for the Plumbing Permit without taking a homeowner exam, if installing the ASSE 1011 on the existing outside “hosebib”.

Permit Issuance:

- Walk-Through Permits. When all reviews are completed, the approved permit packet will be prepared and issued when the applicant returns from obtaining approvals. Please note that in order for a swimming pool or hot tub permit to be eligible for a walk-through process, the applicant needs to also submit the Electrical and Plumbing Permits at the same time.
- Conventional Permits. When all reviews have been approved, the issued permit will be mailed out to the applicant usually within 24 hours of issuance. The Electrical and Plumbing Permits will be mailed to the Electrician or Plumber listed. The issued permit may be held for applicant pick-up if requested.

The issued Building Permit packet will contain the permit copy, the permit placard to post on the property, inspection procedures, and additional information.

STEP THREE – OBTAIN INSPECTION APPROVALS

Inspections: The permit packet will contain valuable information regarding the inspection procedures, as well as one set of the reviewed construction plans to be kept onsite. Please read all information included in the packet when you receive it, so your inspection process goes as smoothly as possible.

Certificate of Completion: The end result of the permitting process is the issuance of the Certificate of Completion. The Certificate of Completion is issued when all final inspections have been approved. The swimming pool or hot tub is approved for use. It is mailed to the applicant of the Building Permit.

Other General Information Regarding Building Permit Applications

- ***Payment of Fees:*** All fees must be paid at time of application, by check or cash. Credit or Debit cards cannot be accepted. Permit fees are calculated for each permit application. Each structure, use or permit type require a separate permit application.
- ***Building Fee Calculation:*** Building fee is charged according to the type of installation.
- ***Transfer of Building Permits:*** Building Permits are non-transferable and non-assignable.
- ***Related Trade Permits:*** Electrical and Plumbing Permits are separate permits with separate fees. The licensed person, or a property owner that passes a Homeowner Electrical or Plumbing Exam and is going to do the work applies for these permits.
- ***Time Limitation of Application***: An application for a permit for any proposed work shall be deemed to have been abandoned one year after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant 1 or more extensions of time for additional periods not exceeding 1 year each. The fee to extend a permit application or a building permit is the minimum permit fee of $45.00. Each request to extend a permit shall be made in writing with justification and received *in advance* of expiration date.
- ***Refunds*:** Filing fees are non-refundable and non-transferable. In the case of an abandonment or discontinuance of a project that has been made and, upon cancellation, 50 percent of the fee paid, less the minimum fee may be refunded, provided (1) No construction has occurred, and (2) The request for refund is received prior to the expiration date of the permit. The request must be made on a form provided by the County. Revoked, suspended, expired or invalid permits are not eligible for refunds.

- ***Revisions:***
  - Revisions to a permit or application are $25.00.

Contact Information for Building Permit Applications

General Information 301-600-2313
Customer Service Supervisor, Building Permits (processing or fee questions).....301-600-1089
Plan Reviewer (for hot tubs).....301-600-1086
Plan Reviewer (for swimming pools).....301-600-1086
Zoning Reviewer (plot plans, setbacks, use, flood plain, building height) 301-600-1143
Environmental Health (well and septic information) 301-600-1726
Grading Permits.....301-600-3507
Acting Manager of Permitting Services 301-600-1089

ATTACHMENT (A) - POOL OR HOT TUB

FREDERICK COUNTY COMMUNITY DEVELOPMENT DIVISION
DEPARTMENT OF PERMITS AND INSPECTIONS
30 NORTH MARKET STREET
FREDERICK, MARYLAND 21701
301-600-2313 INFORMATION

A/P #
Process Date:
Application Reviewed By (initials):

Building Permit Application for RESIDENTIAL SWIMMING POOL/HOT TUB

SECTION I: CONTACT INFORMATION

Property Owner

Name(s) of person (s) pool/hot tub is being constructed for:

Current street address for above person(s):

Town: *State:* *Zip:*

Daytime Telephone Number

Permit Service

Name of Permit Service when applicable:

Street (mailing address) :

Town: *State:* *Zip:*

Contact Person for Permit Service (Applicant/Contact)
Phone #

Home Improvement Contractor

Contractor must apply when contracted to do work.

MHIC license number: *Exp Date:*

Current street (mailing) address for Contractor:

Town: *State:* *Zip:*

Contact Person for Contractor:

Contractor Telephone Number: *Fax #*

Contractor e-mail Address:

SECTION II: PROPERTY INFORMATION

Current Property Owner(s):

Eight Digit Property Tax ID (account) #

Acreage or Square Footage of Property:

Water Type:
Well ☐
Community ☐

Sewer Type:
Septic ☐
Community ☐

Property Address of Jobsite:

Town: *State:* *Zip:*

Subdivision Name: *Lot #*

Is Property Within an Incorporated Town?
Yes ☐
No ☐

Is there a roadside tree that will be disturbed or removed due to the proposed construction?(A roadside tree is defined as a plant that has a woody stem or trunk that grows all, or in part, within the right-of-way of a public road.)
Yes ☐ No ☐

Walk-Through Permits

When property is served by public water and sewer, *and* property is not within an incorporated town, application may be eligible to be processed as a walk-through permit, if electrical and plumbing permit applications are submitted at the same time as the Building Permit Application.

If you would like to process this application as a walk-through, please check here: ☐

Cost of Construction _____
includes electrical, plumbing, labor & materials

SWIMMING POOL

Dimensions of Swimming Pool:

_____ **X** _____

Please check one:
Above Ground Pool _____
Inground Pool _____

Setbacks from Pool to Property Lines or Nearest Structure in ALL FOUR DIRECTIONS:

Front _____
Rear _____
Left _____
Right _____

Earth Disturbance (Grading) Details:

Disturbed Area in Square Feet _____

Quantity of Cut and/or Fill in Cubic Yards _____

All inground pools require a grading permit. Above ground pools will require a grading permit when quantity of cut and/or fill exceeds 99 cubic yards OR disturbed area exceeds 4,999 square feet.

HOT TUB

Installation details - check one:
Hot tub to be placed on a wood deck or porch _____
Hot tub to be placed on a slab or on the ground _____
Hot tub to be placed within a room _____

IMPORTANT - PLEASE READ CAREFULLY

The Applicant hereby certifies under the penalties of perjury, and agrees as follows: 1) That he/she is authorized to make this application, 2) that the information is correct, 3) that he/she will comply with all regulations of Frederick County which are applicable hereto, 4) that he/she will perform no work on the referenced property not specifically described in the application: 5) that he/she knows that this permit does not include electrical or plumbing work: electrical and plumbing work requires a separate permit. Any change without approval of the agencies concerned shall constitute sufficient grounds for the disapproval of a permit. The appropriate revision fee shall be charged.

Permit Application Extension **:**
The permit application is valid for 6 months. The fee to extend an application is the minimum fee. The request must be made in writing prior to the expiration date, with justification. Each extension for an application shall not exceed 6 months.

Properties Served by County Water and Sewer **:**
It is the applicant's responsibility to identify and disclose any water and/or sewer utilities or easements, in, on, or near the proposed improvements. Approval of ths permit by DUSWM shall not, on behalf of the BOCC,be construed as a modification or amendment of any water or sewer easement nor constitute permission to encroach thereon. Should an encroachment be found in the future, the cost to remedy said encroachment shall be borne by the property owner.

Barrier Requirement:
Applicant has received the requirements of Section AG105 Barrier Requirements of the Frederick County Building Code requiring an enclosure/barrier. I (We) will accept responsibility for ensuring the placement of the proper enclosure/barrier IMMEDIATELY upon completion of the construction of the swimming pool. I (We) will also be responsible for ensuring that the final inspection is requested when the enclosure/barrier (as allowed in Section AG105) has been installed. When a Contractor applies for the Building Permit, the Contractor is responsible for ensuring that all building inspections, including the final inspection, are requested and approved.

_____ _____
Signature of APPLICANT *Please print name*

_____
Connection with application

ATTACHMENT (A) - Minor Grading

FREDERICK COUNTY COMMUNITY DEVELOPMENT DIVISION
ENVIRONMENTAL COMPLIANCE SECTION
30 NORTH MARKET STREET
FREDERICK, MARYLAND 21701
301-600-2313 GENERAL INFORMATION
301-600-3507 ENVIRONMENTAL COMPLIANCE

A/P #
Process Date:
Application Reviewed By (initials):

Minor Grading /Standard Sediment Control Plan Application

CONTACT INFORMATION

PROPERTY OWNER

Name(s):		
Current street address for above person(s):		
Town:	*State:*	*Zip:*
Daytime Telephone Number:		
E-mail Address:		

APPLICANT/CONTRACTOR

Company name (only complete when Contractor is applying):		
Current street (mailing) address for Contractor:		
Town:	*State:*	*Zip:*
Contact Person for Contractor		
E-mail Address:		
Contractor Telephone Number:		

PROPERTY INFORMATION

Current Property Owner(s):		
Property Address of Jobsite:		
Town:	*State:*	*Zip:*
Acreage or Square Footage of Property:		
Eight Digit Property Tax ID (account) #		
Description of Property Location if no Assigned Address:		
Description of Work:		
Square Footage of overall Property Area		
Number of Lots		

EARTH DISTURBANCE GRADING DETAILS

Disturbed Area: Square Footage	

Defined as surface area (length times width) of any excavating, stockpiling, scraping, grubbing, root mat or top soil disturbance or any combination thereof.

Quantity of Cut and Fill: Cubic Yards	

The measurement of the volume of excavation cut and/or fill as measured by the surface area times depth or height divided by 27.

Cleared Forest Area: Square Feet	

The square footage of a forested area where the proposed removal of trees will result in leaving less than 100 trees per acre, where 50% or more of those trees are 2 inches or greater is caliper. *Forest clearing greater than 20,000 square feet is subject to the Forest Resource Ordinance (FRO) requirements. If applicable a "Declaration of Intent" may be used to provide exemption from FRO requirements.

IMPORTANT PLEASE READ CAREFULLY

Limitations

A. This standard erosion and sediment control plan may be used instead of a detailed plan for earth disturbances where all of the following conditions are met:

1. No more then 15,000 square feet (20,000 if lot exceeds 2 acres) of earth will be disturbed and no more than 500 cubic yards of cut or fill will occur.
2. No slope steeper than 3 horizontal to 1 vertical (3:1) will be disturbed or created.
3. Cuts and/or fills will not exceed 10 feet in depth or height.
4. No earth disturbance shall occur within the limits o the 100-year floodplain of any stream, or 100 feet of any perennial stream.
5. No earth disturbance shall occur within 25 feet of any nontidal wetland or within 100 feet of any nontidal wetland of special State concern.
6. The proposed work does not require a State Waterway or Wetland Permit.
7. There is no contiguous land undergoing development by the same owner, builder, developer.

IMPORTANT PLEASE READ CAREFULLY

Conditions

A. Nothing herein relieves the applicant from complying with any and all federal, State and local requirements (e.g., Stormwater Management, Forest Conservation, Grading, etc.).

B. Duly authorized representatives of Frederick County shall be guaranteed right of entry to the property to inspect site work, materials, and plan conformance.

C. This agreement is subject to revocation by either Frederick County ECS or appropriate SCD whenever determination is made, and notice is given, that the applicant is in violation of County Ordinance and/or the limitations, conditions or requirements specified by this agreement.

D. This Agreement is valid for a period of one (1) year and must be renewed at least 60 days prior to expiration.

Requirements

A. Erosion and sediment control measures shall be installed prior to any earth disturbance except that necessary for installation of the controls.

B. All erosion and sediment control practices shall be installed and maintained according to the criteria contained in the most recent version of the Maryland Standards and specifications for Soil Erosion and Sediment Control.

C. All clearing and grading shall be completed in the following sequence:

1. Limit initial clearing and grubbing for the installation of the construction entrance, perimeter controls, and any remaining controls.
2. Install the stabilized construction entrance, perimeter silt fence, and any other sediment controls.
3. Provide temporary stabilization of any area that will not be actively granted within fourteen (14) days.

D. All erosion and sediment control devices require continual maintenance. Any controls that are damaged or disturbed shall be restored or repaired before the end of each day.

E. Development activities shall not impair any drainage, create an erosion hazard, or create a source of sediment to any adjacent watercourse, wetland or property.

F. Any pumping of water must be filtered and done in accordance of "B" above.

G. Following initial soil disturbance or re-disturbance, permanent or temporary stabilization shall be completed within seven (7) calendar days on the surface areas of all sediment controls, stockpiles, and perimeter slopes: and fourteen (14) days for all other disturbed area on the site, not being actively graded.

CERTIFICATION AND SIGNATURE OF RESPONSIBLE PERSON

I, the undersigned, do hereby declare that the information contained herein and on any accompanying documentation is true, correct and complete to the best of my knowledge, and that I have the authority to make this application. I further certify that duly authorized representative of Frederick County shall be guaranteed right of entry to the property to inspect site work, materials and plan conformance. I understand that international falsification and/or non-compliance with any of the terms and conditions wet forth in this or accompanying documents may result in a Stop Work Oder, Civil Penalty or Criminal Charge depending on the severity, at the County's discretion.

Signature of APPLICANT *Please Print Name*

Soil Conservation District Representative Approval Date

Nothing herein relieves the applicant from complying with any and all Federal, State and Local regulations that may be involved in conjunction with this application.

Grading Quick Calculations

New Dwelling

Disturbed Area

Overall dimensions of house X 2.5	
Driveway length X 10' width	
Septic area (if applicable)	3300
Any other grading area	
Add the above to get total Disturbed Area	

Cut or Fill (calculations need to include both)

Overall dimensions of house X 6 / 27	
Other disturbed area X depth of cut or fill / 27	
Add the above to get total Cut/Fill	

Inground Pools

Disturbed Area

Overall dimensions of pool X 2.5	

Cut or Fill (calculations need to include both)

Overall dimensions of pool X 9 / 27	

Frederick County Department of Permits and Inspections
Required Enclosure/Barrier for Pools

This office has been advised that you are the responsible person(s) for the installation of the required enclosure/barrier to be placed around the pool upon completion. The 2012 Residential Code Section reads as follows:

AG105.1 Application.

The provisions of this appendix 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.

AG105.2 Outdoor swimming pool.

An outdoor swimming pool, including an in-ground, aboveground 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 (1219mm) 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 aboveground 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 (102mm).

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 (1143mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44mm) 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 (102mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44mm) in width.

6.) Maximum mesh size for chain link fences shall be a 2 1/4-inch (57mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1 3/4 inches (44mm).

7.) Where the barrier is composed of diagonal members, such as lattice fence, the maximum opening formed by the diagonal members shall not be more than 1 3/4 inches (44mm).

8.) Access gates shall comply with the requirements of Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches(1372mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76mm) below the top of the gate, and;

8.2. The gate and barrier shall have no opening larger than 1/2 inch (12.7mm) within 18 inches (457mm) of the release mechanism.

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;

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 and *labeled* in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372mm) above the threshold of the door; or

9.3 Other means of protection, such as self-closing doors with self-latching devices, which are *approved* by the governing body, 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 herein.

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 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 (102mm) sphere.

AG105.3 Indoor swimming pool.

Walls surrounding an indoor swimming pool shall comply with Item 9 of Section AG105.2.

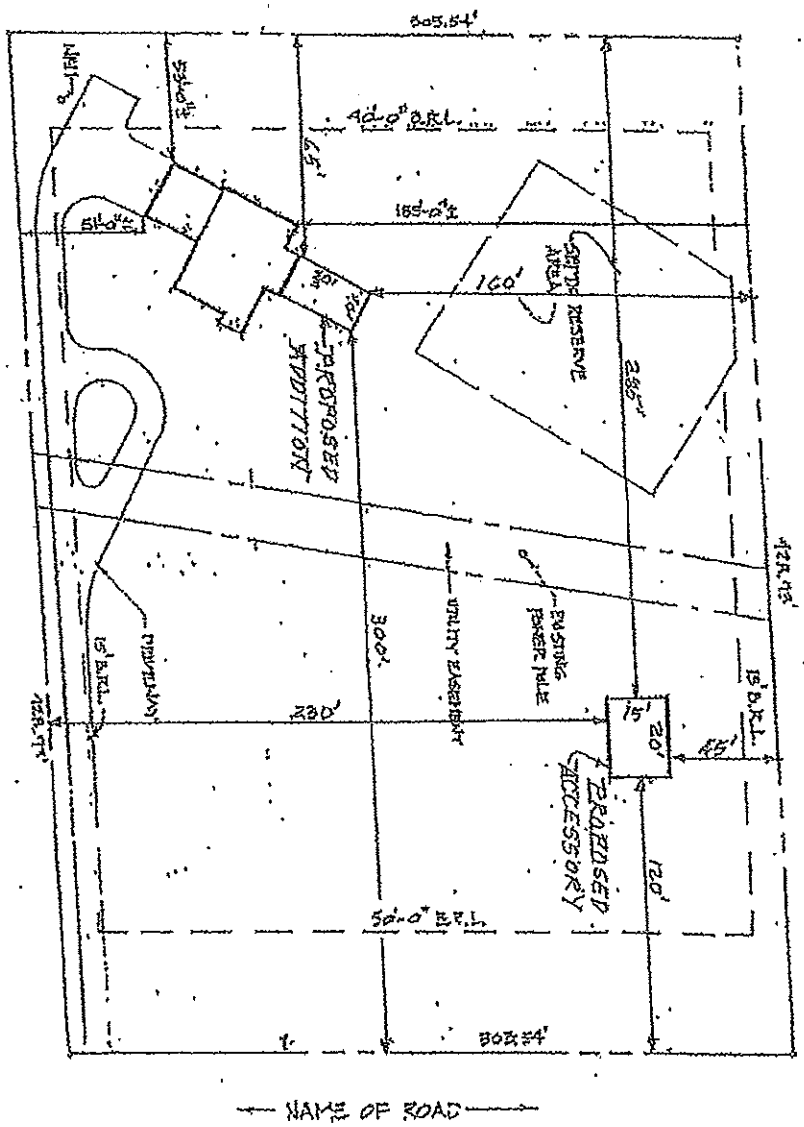
AG105.4 Prohibited locations.

Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

AG105.5 Barrier exceptions.

Spas or hot tubs with a safety cover which comply with ASTM F 1346 shall be exempt from the provisions of this appendix.

SAMPLE PLOT PLAN :



SUBDIVISION NAME:		OWNER/APPLICANT NAME:	DRAWING SCALE:
LOT #:	LOT SIZE:	PROPERTY ADDRESS:	PROPERTY TAX I.D. NO.