



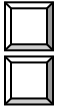
DIVISION OF PLANNING AND PERMITTING
FREDERICK COUNTY, MARYLAND
Department of Permits and Inspections

30 North Market Street • Frederick, Maryland 21701
 Phone (301) 600-2313 • Fax (301) 600-2309

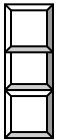
BUILDING PERMIT INFORMATION
SWIMMING POOLS/HOT TUBS

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.maryland.gov for property.
4. Two copies of specifications for swimming pool or hot tub.
5. Fees. Check, cash or credit cards are accepted. There is a service charge for credit card transactions. All fees must be paid for at time of application. Electrical and Plumbing fees are separate fees. Inc. Towns – Contact the Permits Office.

| <u>Hot Tub</u> | <u>Above-Ground Pool</u> | <u>Inground Pool</u> |
|------------------------------|-----------------------------------|-----------------------------------|
| \$ 10.00 Automation Fee | \$ 10.00 Automation Fee | \$ 10.00 Automation Fee |
| \$ 25.00 Filing Fee | \$ 25.00 Filing Fee | \$ 25.00 Filing Fee |
| \$ 46.00 <u>Building Fee</u> | \$ 46.00 Building Fee | \$167.00 Building Fee |
| \$ 81.00 Total | \$ 41.00 <u>Zoning Review Fee</u> | \$ 41.00 Zoning Review Fee |
| | \$ 122.00 Total | \$ 60.00 Soil Conservation Fee |
| | | \$ <u>91.00 Minor Grading Fee</u> |
| | | \$394.00 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 Planning and Permitting 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, cash or credit card. There is a service charge for credit card transactions. 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 \$46.00. 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 |
| Manager of Permitting Services | 301-600-1089 |

DIVISION OF PLANNING AND PERMITTING
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 | | | Home Improvement Contractor | | |
| Name(s) of person (s) pool/hot tub is being constructed for: | | | Contractor must apply when contracted to do work. | | |
| Current street address for above person(s): | | | MHIC license number: | | Exp Date: |
| Town: | State: | Zip: | Current street (mailing) address for Contractor: | | |
| Daytime Telephone Number | | | Town: | | |
| Permit Service | | | State: | | |
| Name of Permit Service when applicable: | | | Zip: | | |
| Street (mailing address) : | | | Contact Person for Contractor: | | |
| Town: | State: | Zip: | Contractor Telephone Number: Fax # | | |
| Contact Person for Permit Service (Applicant/Contact) Phone # | | | Contractor e-mail Address: | | |

SECTION II: PROPERTY INFORMATION

| | | | |
|---|------------------------------------|--|-------------|
| Current Property Owner(s): | | Property Address of Jobsite: | |
| Eight Digit Property Tax ID (account) # | | Town: | State: Zip: |
| Acreage or Square Footage of Property: | | Subdivision Name: Lot # | |
| Water Type: | Sewer Type: | Is Property Within an Incorporated Town? | |
| Well <input type="checkbox"/> | Septic <input type="checkbox"/> | Yes <input type="checkbox"/> | |
| Community <input type="checkbox"/> | Community <input type="checkbox"/> | No <input type="checkbox"/> | |

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 this permit by DUSWM shall not, on behalf of the County Executive, 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



DIVISION OF PLANNING AND PERMITTING

FREDERICK COUNTY, MARYLAND

Department of Permits and Inspections

30 North Market Street • Frederick, MD 21701

Phone (301) 600-3474 • Fax (301) 600-2309

APPLICATION INFORMATION
MINOR GRADING & STORMWATER MANAGEMENT
STANDARD PLAN AGREEMENTS

Submission Requirements

- 1. A completed Minor Grading / Standard Plan Agreement for Sediment Control.
- 2. A completed Minor SWM / Standard Plan Agreement for Stormwater Management.
- 3. One copy of the plot plan. A hand drawn plan may be used, but a legal survey is preferred. In all cases, the plans must be legible and include the following:

- Property Owner name(s) Street Address of property Acreage of the property
- Limits of disturbed area Entrance to the property North direction arrow
- Existing & Proposed drainage paths Existing & Proposed impervious areas
- Shape and size of property, including all property lines (and property line dimensions if possible)
- All natural resources, including; streams, floodplains, ponds, wetlands, etc.

- 4. A printout from the Maryland Department of Assessments and Taxation Real Property Data of the subject property, available at the following website: www.dat.state.md.us

- 5. Fees are due at the time of application. (*Fees are non-refundable*)

| | | |
|--------------------------|---|------------------------|
| <input type="checkbox"/> | Minor Grading / Standard Plan Agreement for Sediment Control | |
| | • Review / Inspection Fee ----- | \$91.00 |
| | • Soil Conservation District Review Fee ----- | \$60.00 |
| | • Total Due WITHOUT SWM ----- | <u><u>\$151.00</u></u> |
| <input type="checkbox"/> | Minor SWM / Standard Plan Agreement for Stormwater ¹ | |
| | • Review Fee ----- | \$56.00 |
| | • Total Due WITH SWM ----- | <u><u>\$207.00</u></u> |

¹ The Standard Plan Agreement for Stormwater Management is ONLY required if the disturbed area is over 5,000 square feet.

MINOR GRADING & STORMWATER MANAGEMENT STANDARD PLAN AGREEMENTS *(Continued)*

PROCEDURES

STEP ONE - APPLY FOR THE MINOR GRADING / SWM PERMIT(S)

Where to apply: Applications are accepted at the Department of Permits and Inspections at 30 North Market Street.

Business Hours: Applications are accepted Monday through Friday (excluding County Holidays) between 8:00 AM and 3:30 PM.*

**To assure adequate time to complete your application, please apply prior to 3:00 PM.*

STEP TWO - OBTAIN REVIEW APPROVALS

The Minor Grading & Stormwater Management Standard Plan Agreement Applications will be reviewed by Environmental Compliance Section (ECS), P&I Engineering, Soil Conservation District (SCD) and Zoning. If there are questions or additional information required, you will receive a HOLD notice in the mail.

ISSUANCE: The Minor Grading Permit package will be mailed to the applicant usually within 24-hours of approval.

STEP THREE - PROVIDE REQUIRED NOTIFICATIONS

----- PRIOR TO START: Notice shall be provided to ECS staff at least 24-hours prior to any earth disturbance.

AT PROJECT COMPLETION: Notice shall be provided to ECS staff within 5 days of completing and stabilizing the earth disturbance. Failure to provide proper notice and receiving a PASSED inspection could result in a permit renewal fee.

CONTACT INFORMATION

Schedule Inspections & General Information ----- (301) 600-3474

Permits & Inspections Engineering Staff ----- (301) 600-1560

Zoning Planner ----- (301) 600-1143

Soil Conservation District ----- (301) 695-2803 x3



| |
|-------------|
| A/P# |
| Date Taken: |
| Taken By: |

GENERAL INFORMATION: (301) 600-3474

MINOR GRADING / STANDARD PLAN AGREEMENT FOR SEDIMENT CONTROL

CONTACT INFORMATION

PROPERTY OWNER

| | | |
|---|--------|------|
| Name(s): | | |
| Current street address for above person(s): | | |
| City: | State: | Zip: |
| Telephone No: | | |
| Mobile Telephone No: | | |
| E-mail Address: | | |

APPLICANT/CONTRACTOR

| | | |
|---|--------|------|
| Name(s): (ONLY Complete if Applicant is different from Owner) | | |
| Current street address for above person or company: | | |
| City: | State: | Zip: |
| Contact Person for Contractor: | | |
| Contact Telephone No: | | |
| E-mail Address: | | |

PROPERTY INFORMATION

| | | |
|--|-------------|------|
| Current Property Owner(s): | | |
| Street Address of Jobsite: | | |
| City: | State: | Zip: |
| Description of Property Location if NO Assigned Address: | | |
| Description of Work: | | |
| Project Name: | | |
| Total Property Area: (SF) | Project No: | |
| 8-Digit Property Tax ID # | | |

EARTH DISTURBANCE GRADING DETAILS

| | |
|---|--|
| Total Disturbed Area: (SF) ¹ | |
| <small>¹ Defined as surface area (length times width) of any excavating, stockpiling, scraping, grubbing, root mat or top soil disturbance or any combination thereof.</small> | |
| Qty of Cut/Fill: (CY) ² | |
| <small>² The measurement of the volume of excavation cut and/or fill as measured by the surface area times depth or height divided by 27.</small> | |
| Cleared Forest Area: (SF) ³ | |
| <small>³ 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 in 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.</small> | |

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 than 30,000 square feet 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 of 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.

MINOR GRADING / STANDARD PLAN AGREEMENT FOR SEDIMENT CONTROL (Continued)

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 graded within seven (7) 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 three (3) calendar days on the surface areas of all sediment controls, stockpiles, and perimeter slopes: and seven (7) 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 representatives of Frederick County shall be guaranteed right of entry to the property to inspect site work, materials and plan conformance. I understand that providing false information or failing to comply with any of the terms and conditions set forth in this or accompanying documents may result in a Stop Work Order, Civil Penalty or Criminal Charges, depending on the severity, at the County's discretion.

Signature of APPLICANT

Date

Please Print Name

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)

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 swimming pools. The 2015 International Residential Code, Section R326, refers to the 2015 International Swimming Pool and Spa Code, under Section 305, and reads as follows:

SECTION 305 BARRIER REQUIREMENTS:

305.1 General. The provisions of this section shall apply to the design of barriers for pools and spas. These design controls are intended to provide protection against the potential drowning and near drowning by restricting access to such pools or spas. These requirements provide an integrated level of protection against potential drowning through the use of physical barriers and warning devices.

Exceptions:

1. Spas and hot tubs with a lockable *safety cover* that complies with ASTM F 1346.
2. Swimming pools with a powered *safety cover* that complies with ASTM F 1346.

305.2 Outdoor swimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7.

305.2.1 Barrier height and clearances. Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

305.2.2 Openings. Openings in the barrier shall not allow passage of a 4 inch-diameter (102 mm) sphere.

305.2.3 Solid barrier surfaces. Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

305.2.4 Mesh fence as a barrier. Mesh fences, other than chain link fences in accordance with Section 305.2.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4 inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not be more than 4 inches (102 mm) from grade or decking.

4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
6. Patio deck sleeves such as vertical posts receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of onground *residential* pools.

305.2.5 Closely spaced horizontal members. 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 pool or spa side of the fence. Spacing between vertical members shall not exceed 1¼ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¼ inches (44 mm) in width.

305.2.6 Widely spaced horizontal members. 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, the interior width of the cutouts shall not exceed 1¼ inches (44 mm).

305.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than 1¼ inches (44 mm). Where the fence is provided with slats fastened at the top and bottom which reduce the openings, such openings shall be not more than 1¼ inches (44 mm).

305.2.8 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not more than 1¼ inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

305.2.9 Clear zone. There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the barrier.

305.2.10 Poolside barrier setbacks. The pool or spa side of the required barrier shall be not less than 20 inches (508 mm) from the water's edge.

305.3 Gates. Access gates shall comply with the requirements of Sections 305.3.1 through 305.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and shall have a self-latching device.

305.3.1 Utility or service gates. Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

305.3.2 Double or multiple gates. Double gates or multiple gates shall have at least one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than ½ inch (12.7 mm) within 18 inches (457 mm) of the latch release mechanism. The self-latching device shall comply with the requirements of Section 305.3.3.

305.3.3 Latches. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate and barrier shall not have openings greater than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

305.4 Structure wall as a barrier. Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A *safety cover* that is *listed* and *labeled* in accordance with ASTM F 1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

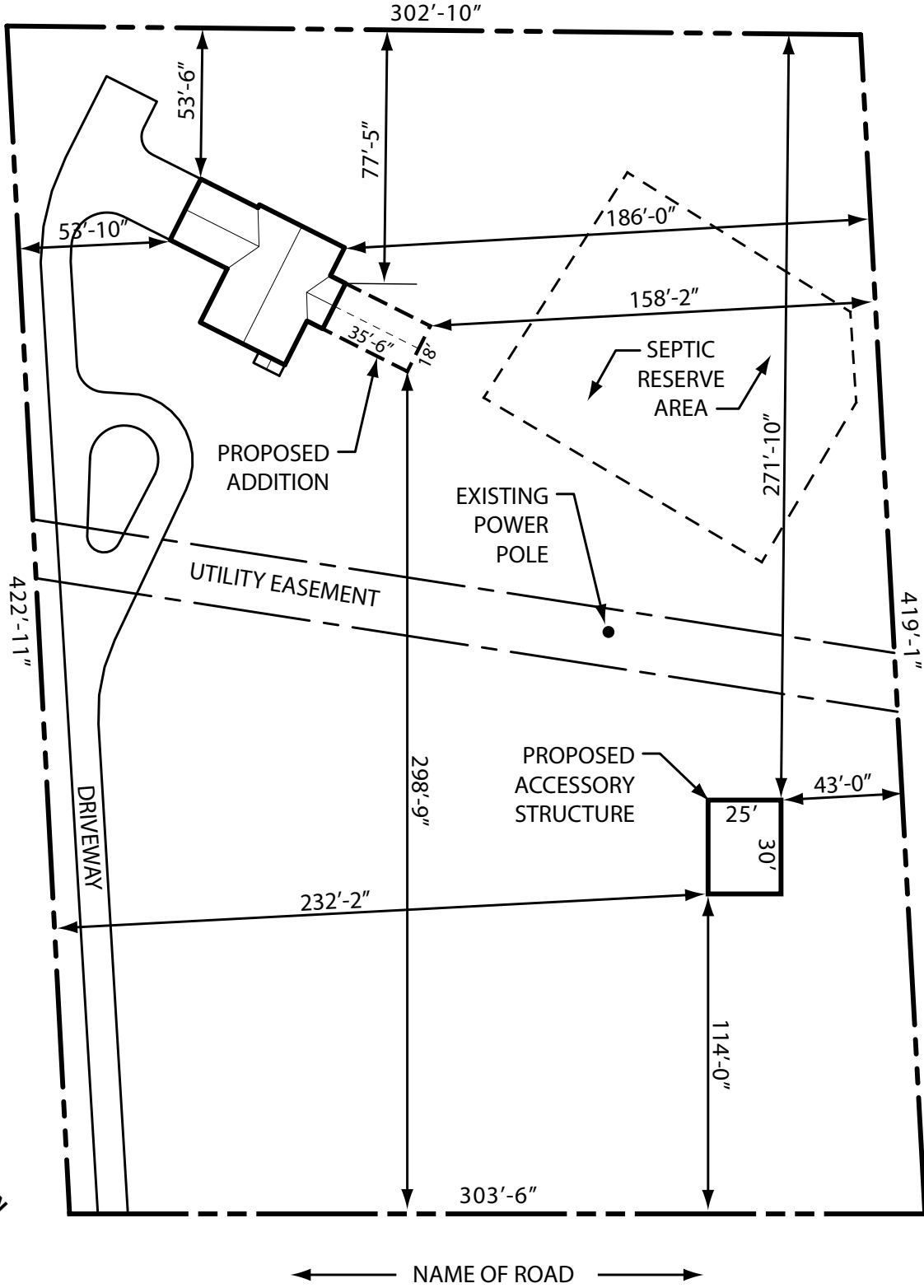
305.5 Onground residential pool structure as a barrier. An onground *residential* pool wall structure or a barrier mounted on top of an onground *residential* pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, the wall complies with the requirements of Section 305.2 and the pool manufacturer allows the wall to serve as a barrier.
2. Where a barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, and the wall and the barrier on top of the wall comply with the requirements of Section 305.2.
3. Ladders or steps used as means of access to the pool are capable of being secured, locked or removed to prevent access except where the ladder or steps are surrounded by a barrier that meets the requirements of Section 305.
4. Openings created by the securing, locking or removal of ladders and steps do not allow the passage of a 4 inch (102 mm) diameter sphere.
5. Barriers that are mounted on top of onground *residential* pool walls are installed in accordance with the pool manufacturer's instructions.

305.6 Natural barriers. In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge not less than 18 inches (457 mm), a barrier is not required between the natural body of water shoreline and the pool or spa.

305.7 Natural topography. Natural topography that prevents direct access to the pool or spa area shall include but not be limited to mountains and natural rock formations. A natural barrier approved by the governing body shall be acceptable provided that the degree of protection is not less than the protection afforded by the requirements of Sections 305.2 through 305.5.

SAMPLE PLOT PLAN



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|-------------------|-----------|-----------------------|--------------------|----------------|--|
| SUBDIVISION NAME: | | OWNER/APPLICANT NAME: | | DRAWING SCALE: | |
| LOT #: | LOT SIZE: | PROPERTY ADDRESS: | PROPERTY TAX ID #: | | |