



**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**

**We have gone paperless!! This application should be submitted electronically via the citizen portal at <https://planningandpermitting.frederickcountymd.gov/>**

*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.*

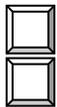
**Submittal Requirements**



1. Plot Plans. Hot Tub: Plot plans are not required. Swimming Pools: One copy of plot plan is 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:

**IMPORTANT:** Please review the Zoning Submittal Requirements for lots under 2 acres in size <https://www.frederickcountymd.gov/DocumentCenter/View/325632/Pool-Permit-Zoning-Requirements-FINAL>

- |   |   |
|---|---|
| <input type="checkbox"/> All property lines and property line dimensions  | <input type="checkbox"/> Existing well if property is served by well.   |
| <input type="checkbox"/> Square footage or acreage of the property  | <input type="checkbox"/> Existing septic area if property is served by septic.  |
| <input type="checkbox"/> Building Restriction Lines (BRL) and utility easements   | <input type="checkbox"/> Existing driveway  |
| <input type="checkbox"/> North direction arrow  | <input type="checkbox"/> Detailed dimensions of the proposed new construction.  |
| <input type="checkbox"/> Scale of drawing   | <input type="checkbox"/> Proposed new construction location with setbacks from the proposed new construction <u>to property lines and/or the nearest structure IN EACH DIRECTION.</u> |
| <input type="checkbox"/> Property Owner name(s)   |   |
| <input type="checkbox"/> Street Address of property   |   |
| <input type="checkbox"/> Existing dwelling and any other existing structures  |   |
| <input type="checkbox"/> Provide a narrative description and map identifying the location of cemeteries and known historic and archaeological resources on the site. <a href="#">Cemetery Protection Policy</a> |   |



2. Copy of specifications for swimming pool or hot tub.
3. 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>
\$ 11.00 Automation Fee	\$ 11.00 Automation Fee	\$ 11.00 Automation Fee
\$ 30.00 Filing Fee	\$ 30.00 Filing Fee	\$ 30.00 Filing Fee
\$ 57.00 Building Fee	\$ 57.00 Building Fee	\$207.00 Building Fee
	\$ 52.00 Zoning Review Fee	\$ 52.00 Zoning Review Fee
		\$ 60.00 Soil Conservation Fee
		\$ 112.00 Minor Grading Fee

and

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

- 4. 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.
- 5. 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.
- 6. 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.

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- Notarized Letter of permission: The owner or licensed contractor must apply unless the applicant has 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.

### **Procedures**

#### **STEP ONE – APPLY FOR THE PERMIT**

Where to apply: Applications should be submitted electronically via the citizen portal at <https://planningandpermitting.frederickcountymd.gov/>.

When Applications Are Accepted: Applications can be submitted electronically 24/7 via the citizen portal.

#### **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 considered for processing as a Walk-Through Permit. 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 <https://planningandpermitting.frederickcountymd.gov/> by using the lookup feature.

##### Permit Issuance:

- When all reviews are completed, the approved permit notifications will be sent via email to the applicant for download of the official issuance documentation, approved placard for posting onsite and approved set of plans.
- Additional information and inspection procedures can be found on our website at <https://www.frederickcountymd.gov/7974/Permits-and-Inspections>.

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.

A Plumbing Permit may be required if the required back siphonage device has not already been installed. 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:**

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- Additional information and inspection procedures can be found on our website at <https://www.frederickcountymd.gov/7974/Permits-and-Inspections>.

**STEP THREE – OBTAIN INSPECTION APPROVALS**

Inspections: Inspections can be requested and tracked via the citizen portal.

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 and the construction has been approved for use. It will be available for download on the portal.

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**Other General Information Regarding Building Permit Applications**

- All fees must be paid at time of application, by check, cash or credit card. There is a service charge for credit card and debit card transactions. Permit fees are calculated for each permit application. Each structure, use or permit type require a separate permit application.
- Building Permits are non-transferable and non-assignable.
- 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 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Administrative Authority is authorized to grant 1 or more extensions of time for additional periods not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.
- Extensions: The fee to extend a permit application or a building permit is the minimum permit fee. Extension requests can be submitted via the citizen portal and must be made in advance of the permit expiration.
- 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: A revision fee will be assessed for resubmissions or amendments to all applications and permits.

**Contact Information for Building Permit Applications**

General Information .....	301-600-2313
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 .....	301-600-6727



**DIVISION OF PLANNING AND PERMITTING**

**FREDERICK COUNTY, MARYLAND**

*Department of Permits and Inspections*

30 North Market Street • Frederick, MD 21701

Phone (301) 600-3507 • Fax (301) 600-2309

**APPLICATION INFORMATION  
MINOR GRADING & STORMWATER MANAGEMENT  
STANDARD PLAN AGREEMENTS**

**We have gone paperless!! This application should be submitted electronically via the citizen portal at <https://planningandpermitting.frederickcountymd.gov/>**

Submission Requirements

- 1. 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.
- Provide a narrative description and map identifying the location of cemeteries and known historic and archaeological resources on the site. [Cemetery Protection Policy](#)

- 2. Fees are due at the time of application. *(Fees are non-refundable)*
  - Minor Grading / Standard Plan Agreement for Sediment Control
    - Review / Inspection Fee ----- \$112.00
    - Soil Conservation District Review Fee ----- \$60.00
    - Total Due **WITHOUT SWM** ----- **\$172.00**
  - Minor SWM / Standard Plan Agreement for Stormwater <sup>1</sup>
    - Review Fee ----- \$69.00
    - Total Due **WITH SWM** ----- **\$241.00**

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

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

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## PROCEDURES

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

Where to apply: Applications should be submitted electronically via the citizen portal at <https://planningandpermitting.frederickcountymd.gov/>.

When Applications Are Accepted: Applications can be submitted electronically 24/7 via the citizen portal.

### 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 via email.

**ISSUANCE:** The Minor Grading Permit package will be emailed 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) 600-3507
Permits & Inspections Engineering Staff -----	(301) 600-1560
Zoning Planner -----	(301) 600-1143
Soil Conservation District -----	(301) 695-2803 x3

## 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 swimming pools. The 2018 International Residential Code, Section R326, refers to the 2018 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 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ 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 1¾ inches (44 mm).

**305.2.7 Chain link dimensions.** The maximum opening formed by a chain link fence shall be not more than 1¾ 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 1¾ 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 1¾ 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.

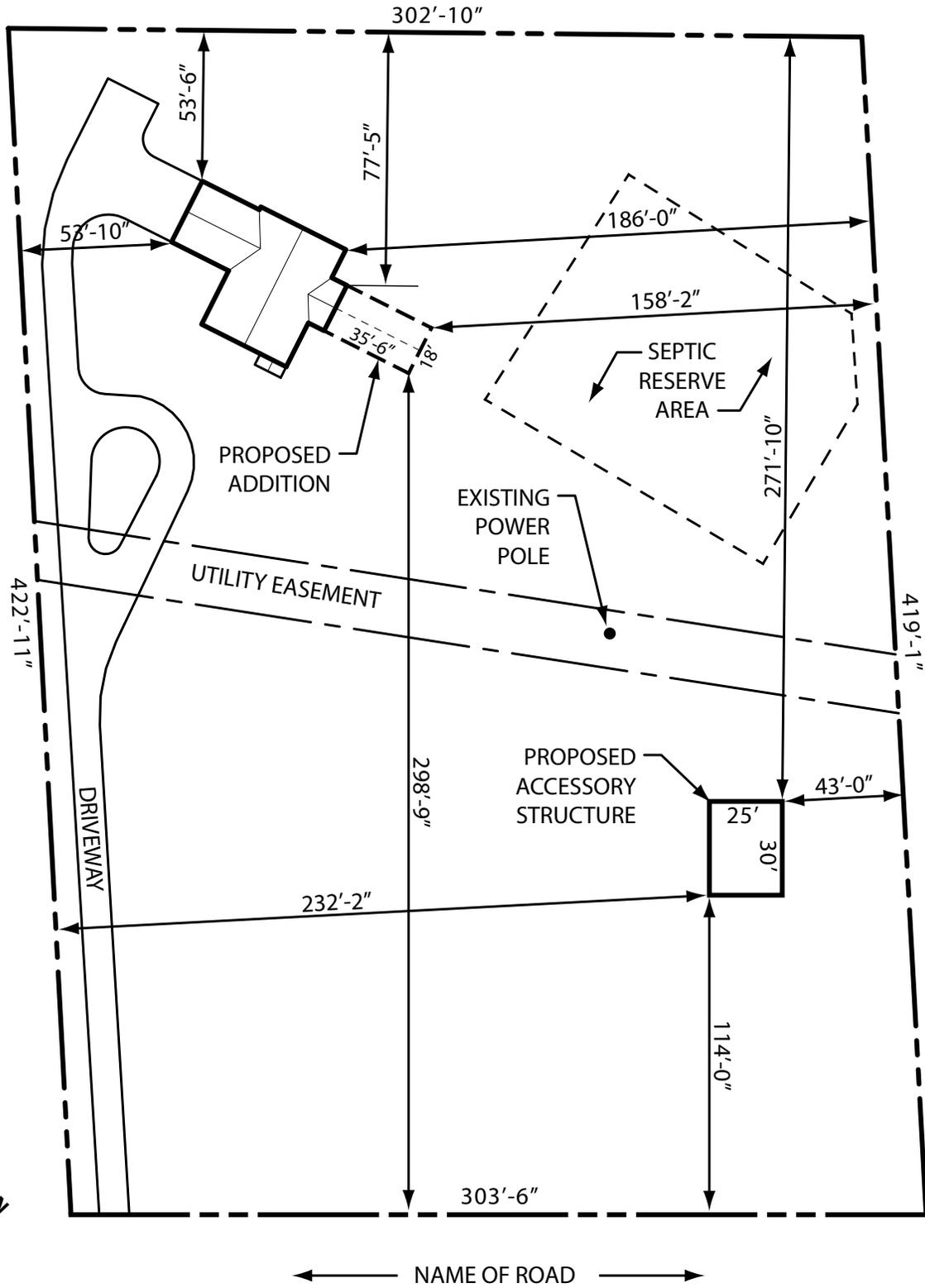
**305.5 Onground residential pool structure as a barrier.** An onground *residential* pool wall structure or a barrier mounted on top of an onground *residential* pool wall structure shall serve as a barrier where all of the following conditions are present:

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



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