

# SWIMMING POOL PERMIT APPLICATION

**BUILDING & PLANNING DEPARTMENT  
TOWN HALL  
2540 Route 9  
Malta, NY 12020  
Telephone (518)899-2685  
Fax (518)899-4719  
www.malta-town.org**

PERMIT # \_\_\_\_\_

Issued: \_\_\_\_\_

Expired: \_\_\_\_\_

**CODE ENFORCEMENT  
OFFICERS:**

WAYNE HOFFMAN  
Building2@malta-town.org

GREG BERG  
gberg@malta-town.org

**APPLICATION MUST BE FILLED OUT COMPLETELY.**  
representative of the pool contractor are required.

Signatures of property owner and an authorized

**Location Information**

JOB SITE ADDRESS \_\_\_\_\_

TAX MAP ID# \_\_\_\_\_

ZONING DISTRICT \_\_\_\_\_

COST OF WORK \$ \_\_\_\_\_

IS JOB SITE IN A FLOOD PLAIN? YES \_\_\_\_\_ NO \_\_\_\_\_

**OWNER INFORMATION**

OWNER'S NAME \_\_\_\_\_

PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL \_\_\_\_\_

OWNER'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

**APPLICANT INFORMATION (IF APPLICABLE)**

APPLICANT \_\_\_\_\_

PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL \_\_\_\_\_

APPLICANT'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

**CONTRACTOR INFORMATION**

POOL CONTRACTOR \_\_\_\_\_

PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL \_\_\_\_\_

CONTRACTOR'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

**POOL INFORMATION**

ABOVE GROUND \_\_\_\_\_ IN GROUND \_\_\_\_\_ DIMENSIONS \_\_\_\_\_ COST \$ \_\_\_\_\_

FENCE TYPE \_\_\_\_\_ FENCE HEIGHT \_\_\_\_\_

HEIGHT OF POOL WALL (IF AN ABOVE GROUND POOL) \_\_\_\_\_

I, \_\_\_\_\_ Code Officer of the Town of Malta do hereby find that the proposed action as described above, and in any attachments hereto, \_\_\_\_\_ IS IN ACCORDANCE \_\_\_\_\_ IS NOT IN ACCORDANCE with chapter 167 of the Malta Town Code that is effective as of this date.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Code Enforcement Officer

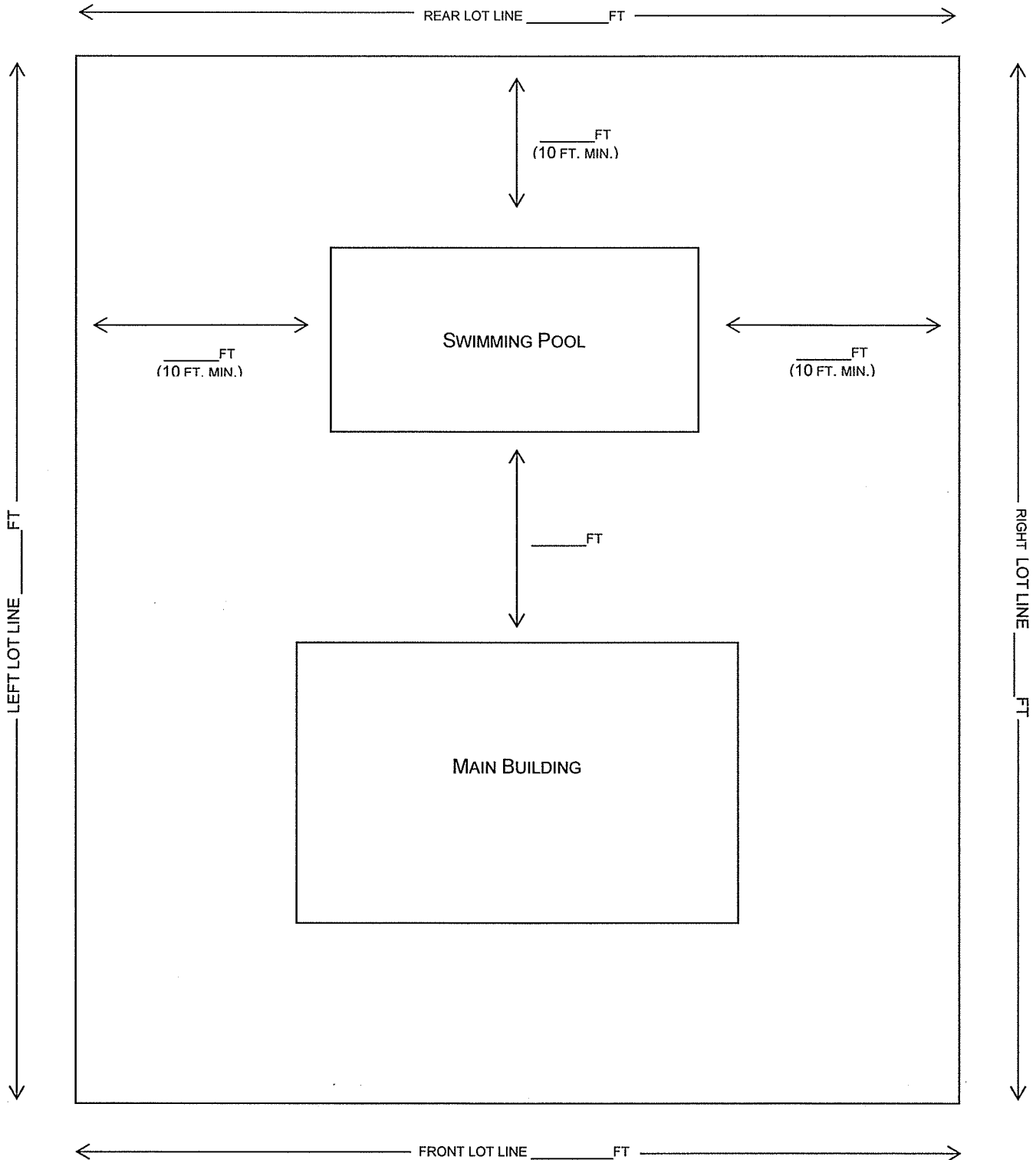
Total fee: \$ \_\_\_\_\_

(This fee is not refundable)

JOB SITE ADDRESS \_\_\_\_\_

Locate pool, fencing and gates, main building (including additions) and any accessory buildings. Give all yard dimensions. All elements of the septic system, if there is one on the property, must be accurately located on the plot plan.

NOTE: No pool wall or related structure shall be located within ten (10) feet of an adjoining lot line.



## SWIMMING POOL PERMIT APPLICATION REQUIREMENTS

### THE FOLLOWING INFORMATION MUST BE PROVIDED:

1. Insurance requirements:  
Contractor must provide: (a) certificate of liability insurance showing a minimum one million dollars per occurrence, with the Town of Malta listed as certificate holder; (b) certificate of workers compensation insurance, on either the State approved **C105.2** form or the **U-26.3** form; (c) certificate of disability insurance, on either the State approved **DB-120.1** or **DB-155** form.
2. The attached plot plan must be filled out completely. Include a survey (if available), showing pool location as well as location of fencing, location of main building (including and additions), any accessory structures, etc. and all yard dimensions.
3. Completed Town of Malta form **“QUESTIONNAIRE REGARDING BARRIER REQUIREMENTS AND ENERGY CONSERVING REQUIREMENTS OF THE CODES OF NEW YORK STATE FOR SWIMMING POOLS, HOT TUBS AND SPAS”**.
4. An approved electrical inspection agency must inspect and provide a certificate of compliance for all electrical work.
5. Residential Code of New York State – appendix G, or the Building Code of New York State – section 3109 must be strictly adhered to, as well as all applicable local or state regulations.
6.
  - (a) Fencing, gate, and other specifications and dimensioned drawings to address barrier requirements of the code shall accompany this application.
  - (b) Information on any ladder or steps accessing an above ground pool shall accompany this application.
  - (c) If a wall of a dwelling serves as part of the barrier, specify the compliance alternative as set forth in section AG105.2.9.

# QUESTIONNAIRE REGARDING BARRIER REQUIREMENTS AND ENERGY CONSERVING REQUIREMENTS OF THE CODES OF NEW YORK STATE FOR SWIMMING POOLS, HOT TUBS AND SPAS

AT THE FOLLOWING ADDRESS: \_\_\_\_\_

REQUIRED FOR SUBMISSION WITH THIS QUESTIONNAIRE	RCVD
<ul style="list-style-type: none"> <li>• PLOT PLAN SHOWING PROPERTY LINES, ALL EXISTING STRUCTURES AND PLACEMENT OF POOL/TUB/SPA</li> <li>• CONTRACTOR/HOMEOWNER PROOF OF LIABILITY INSURANCE, WORKERS COMPENSATION AND DISABILITY OR EXEMPTION</li> <li>• PERMIT FEE: CHECKS TO BE MADE OUT TO THE TOWN OF MALTA</li> </ul>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

THIS APPLICATION RELATES TO INSTALLATION OF THE FOLLOWING (CHECK ONLY ONE):

IN-GROUND POOL \_\_\_\_\_ ABOVE-GROUND POOL \_\_\_\_\_ ON-GROUND POOL \_\_\_\_\_ HOT TUB \_\_\_\_\_ SPA \_\_\_\_\_

APPENDIX G OF THE RESIDENTIAL CODE AND SECTION 3109 OF THE BUILDING CODE OF NEW YORK STATE REQUIRE THAT A SWIMMING POOL SHALL BE PROVIDED WITH SAFETY FEATURES IN COMPLIANCE WITH STATE REGULATIONS IN REGARD TO BARRIERS, ENTRAPMENT PROTECTION & ALARMS, AND SECTION 504.3 OF THE ENERGY CONSERVATION CONSTRUCTION CODE OF NEW YORK STATE REQUIRES CERTAIN ENERGY CONSERVING MEASURES BE TAKEN IN THE INSTALLATION.

PLEASE CHECK YES OR NO TO ALL APPLICABLE QUESTIONS, AND N/A TO ANY THAT DO NOT APPLY TO YOUR INSTALLATION.

## QUESTIONS RELATING TO SAFETY FEATURES

	YES	NO	N/A
1. Will the top of the barrier be at least 48 inches above grade?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Will the bottom of the barrier be more than 2 inches above grade (measured on the side of the barrier facing away from the swimming pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will openings in the barrier allow passage of a 4-inch diameter sphere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. If a solid barrier, such as masonry or stone wall, will there be any indentations or protrusions except for normal construction tolerances and tooled masonry joints?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. If the barrier is composed of horizontal and vertical members:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. Is the distance between the tops of the horizontal members less than 45 inches?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• If yes, are the horizontal members located on the swimming pool side of the fence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• If yes, is the spacing between vertical members greater than 1.75 inches?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• If there are decorative cutouts within the vertical members, does spacing within the cutouts exceed 1.75 inches in width?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. If the barrier is composed of horizontal and vertical members:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. Is the distance between the tops of the horizontal members 45 inches or more?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• If yes, will openings in the barrier allow passage of a 4-inch diameter sphere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• If there are decorative cutouts within the vertical members, does spacing within the cutouts exceed 1.75 inches in width?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**QUESTIONS RELATING TO SAFETY FEATURES (CONTINUED)**

	YES	NO	N/A
6. If a chain link fence, does the mesh size exceed a 1.25-inch square? a. If yes, are slats provided which reduce the openings to not more than 1.75 inches?			
7. If the barrier is composed of diagonal members, such as a lattice fence, is the maximum opening formed by the diagonal members more than 1.75 inches?			
8. Will access gates be securely locked with a key, combination or other child-proof lock sufficient to prevent access to the swimming pool through such gate when the swimming pool is not in use or supervised? a. Do pedestrian access gates open outward, away from the pool? b. Will all access gates be self-closing and have self-latching devices? c. Will the release mechanism of the self-latching device be located less than 54 inches from the bottom of the gate? • If yes, will the release mechanism be located on the pool side of the gate and at least 3 inches below the top of the gate? And... • Will the gate and barrier have any opening greater than 0.5 inches within 18 inches of the release mechanism?			
9. Will the wall of the dwelling serve as part of the barrier? a. If yes, will the pool be equipped with a powered safety cover, in compliance with ASTM F 1346? Or... b. Will all doors with direct access to the pool through that wall be equipped with an alarm, which produces an audible warning when the door and its screen, if present, are opened? <i>(See code for additional specifications for this alarm if you answered yes to this question!)</i>			
10. The maximum vertical clearance between the pool structure and the barrier shall be 4". Is an above-ground pool structure used as a barrier? Is the barrier mounted on top of the pool structure? a. If yes to either, are the ladder or steps capable of being secured, locked, or removed to prevent access? Or... b. Are the steps or ladder surrounded by a barrier which meets the requirements of Section G105.3, items 1-9? (Section 3109.3 of the Building Code) c. With the ladder or steps secured, locked, or removed, does any opening created allow passage of a 4-inch diameter sphere?			
11. Will there be a temporary swimming pool enclosure, as required by Section G105.2? (Section 3109.5 of the Building Code)			
12. Are suction outlets and fittings protected against user entrapment in accordance with Section G106 of the Residential Code of NYS? (Section 3109.6 of the Building Code)			
13. Will there be swimming pool alarms provided, as required by Section G107? (Section 3109.7 of the Building Code)			

I HAVE READ THESE CODE REQUIREMENTS INSOFAR AS THEY MAY APPLY TO MY APPLICATION FOR A SWIMMING POOL PERMIT AND QUESTIONS HAVE BEEN ANSWERED TRUTHFULLY AND TO THE BEST OF MY KNOWLEDGE.

\_\_\_\_\_  
OWNER'S SIGNATURE

\_\_\_\_\_  
DATE SIGNED



## RESIDENTIAL SWIMMING POOL PERMIT SUBMISSION CHECKLIST

PROJECT SITE ADDRESS \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

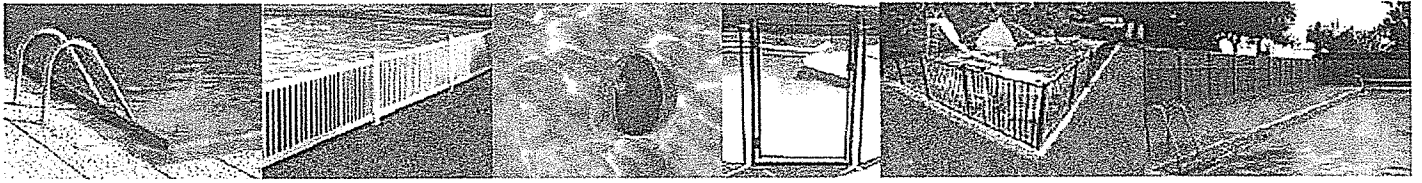
CHECKLIST PREPARED BY: \_\_\_\_\_ PREPARER'S PHONE No.: \_\_\_\_\_

**ALL ITEMS BELOW MUST BE CHECKED EITHER "YES", "NO" or "N/A".** A separate checklist, must accompany each application for any permit. All items checked "YES" shall accompany the application form at the time of submission to the building department.

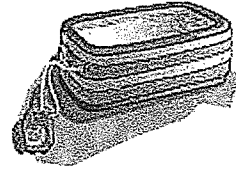
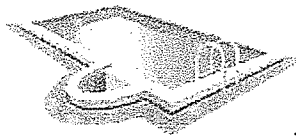
Until the application is deemed complete it may be rejected by the building department and returned to the applicant. Acceptance of a permit submission as complete does not imply or guarantee that a permit will be issued.

	YES	NO	N/A
1. Swimming Pool application form completed and with required signatures from the property owner and applicant.			
2. Completed "Questionnaire Regarding Barrier Requirements and Energy Conserving Requirements of the Codes of NYS for Swimming Pools, Hot Tubs and Spas"			
3. Contractor information: <ul style="list-style-type: none"> <li>• Certificate of Liability or Homeowners Policy w/Town of Malta as Certificate Holder</li> <li>• Workers Compensation(C-105.2)</li> <li>• Disability(DB-120)</li> <li>• Or WC/DB Exemption(CE-200)- Site specific</li> </ul> <i>If Homeowner is acting as the general contractor:</i> <ul style="list-style-type: none"> <li>• Homeowners insurance policy &amp; WCB form BP-1(12/08)</li> </ul>			
4. Property survey/plot plan with the proposed project located in compliance with the zoning and NYS Residential Code. <ul style="list-style-type: none"> <li>• Setbacks from property lines and all structures</li> <li>• Location of fences and other barriers</li> <li>• Location of any access points in fences, house or other structures requiring self-closing devices or alarms</li> </ul> The seal and signature of a N.Y.S. licensed land surveyor may be required.			
5. Other			

<b>FOR STAFF USE ONLY:</b>		
SUBMISSION ACCEPTED FOR REVIEW	DATE _____	TIME _____
RECEIVED BY(SIGNATURE) _____		



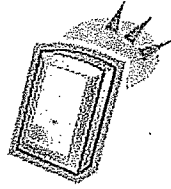
**New York State Department of State  
Swimming Pool Rules and Regulations  
found in the Uniform Fire Prevention and Building Code  
(The "Uniform Code")**



The term **"Swimming Pool"** means 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.

A Detailed Summary of Swimming Pool Safety Requirements can be found in the DOS document titled [Current Requirements for Swimming Pools contained in the Uniform Fire Prevention and Building Code \(The "Uniform Code"\)](#) (htm) ([click here for PDF version](#))

**Please contact your local municipality for additional Code and Zoning Requirements. Local laws regarding fencing and other safety requirements for swimming pools may be more restrictive than requirements for swimming pools contained in the Uniform Code.**



## Pool Alarms

### Brief Summary of Alarm Requirements for Residential Swimming Pools:

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

is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;

is audible poolside and at another location on the premises where the swimming pool is located;

is **not** an alarm device which is located on person(s) or which is dependent on device(s) located on person(s) for its proper operation.

A pool alarm must be capable of detecting entry into the water at any point on the surface of the swimming pool. If necessary to provide detection capability at every point on the surface of the swimming pool, more than one pool alarm must be installed.

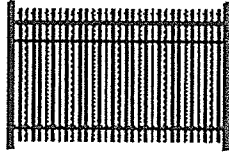
Pool alarms are not required in:

a hot tub or spa equipped with a safety cover or

any swimming pool (other than a hot tub or spa) equipped with an automatic power safety cover

Specific Swimming Pool Alarm Requirements can be found in 19NYCRR Part 1228 or in the DOS document titled "Current Requirements for Swimming Pools contained in the Uniform Fire Prevention and Building Code (The "Uniform Code")"





## Pool Barriers (Fences)

### Brief summary of Barrier Requirements for Outdoor Residential Swimming Pools:

The barrier must completely surround the swimming pool and must obstruct access to the swimming pool.

The barrier must be at least 4 feet (48 inches) high.

In the case of an above-ground pool; the barrier may be at ground level or mounted on top of the pool structure; however, if the barrier is mounted on top of the pool structure, the space between the top of the pool structure and the bottom of the barrier cannot exceed 4 inches.

A building wall can form part of the required barrier. However, where a wall of a dwelling serves as part of the barrier, at least one of the following requirements must be satisfied:

the pool must be equipped with a powered safety cover

all doors with direct access to the pool through that wall must be equipped with an alarm

other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body

In the case of an above-ground pool, the pool structure itself can serve as a part of the required barrier, provided that the pool structure is sufficiently rigid to obstruct access to the pool. However, where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then:

the ladder or steps shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier

when the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter sphere.

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

Specific Barrier requirements can be found in the DOS document titled " <u>Current Requirements for Swimming Pools contained in the Uniform Fire Prevention and Building Code (The "Uniform Code")</u> "
Barrier requirements for One-and Two-Family Dwelling Swimming Pools can be found in Appendix G, Residential Code of New York State
Barrier requirements for Residential Swimming Pools can be found in Chapter 31, Section 3109, Building Code of New York State
Barriers requirements for Public Swimming Pools can be found in Chapter 31, Section 3109, Building Code of New York State

New York State Department of State  
Swimming Pool Rules and Regulations found in the Uniform Fire Prevention and Building Code (The "Uniform Code")

## Additional Pool Requirements

Additional pool requirements such as anti-entrapment devices (suction fittings), safety glazing, backflow prevention, pool heaters and other requirements may be found in the Uniform Fire Prevention and Building Code and the Energy Conservation Construction Code of New York State or by contacting your local municipality or the Department of State Codes Division at (518)-474-4073.

Please contact your local municipality for additional Code and Zoning Requirements. Local laws regarding fencing and other safety requirements for swimming pools may be more restrictive than requirements for swimming pools contained in the Uniform Code.

## New York State Department of Health


Additional Pool requirements can be found at the NYS Department of Health Website at <http://www.health.state.ny.us/nysdoh/phforum/nycrr10.htm> (click on *Table of Contents* then *NEXT* till SUBPART 6-1 SWIMMING POOLS.) Subpart 6-1 does not apply to swimming pools, or other bathing facility, owned and/or maintained by an individual for the use of family and friends.

## Helpful Pool Safety Links


  
NYS Department of Health  
Website  
<http://www.health.state.ny.us>

  
US Consumer Product Safety Commission (CPSC)  
(Swimming Pool Safety Tips)  
[www.cpsc.gov/CPSCPUB/PREREL/prhtml74/74056.html](http://www.cpsc.gov/CPSCPUB/PREREL/prhtml74/74056.html)

  
CPSC Pool and Spa Safety Publications  
[www.cpsc.gov/CPSCPUB/PUBS/chdown.html](http://www.cpsc.gov/CPSCPUB/PUBS/chdown.html)

  
American  
Red Cross  
The American Red Cross  
[www.redcross.org](http://www.redcross.org)

  
National Safe Kids Campaign  
[www.safekids.org](http://www.safekids.org)

  
Centers for Disease Control  
<http://www.cdc.gov>

  
NSF International  
<http://www.nsf.org>

  
Underwriters  
Laboratories  
Underwriters Laboratories  
<http://www.ul.com>

  
APSP The Association of  
Pool & Spa Professionals  
National Spa and Pool Institute  
<http://www.nspi.org>