

VILLAGE OF SHOREHAM

Instructions for Obtaining a Building Permit for Construction of a Swimming Pool and/or Installation of a Hot Tub (with required forms)

This Building Permit Application Package is online at:

www.shorehamvillage.org

Please read / review / print documents herein. Thank you in advance. You will need:

1. Application for a Building Permit filled out, signed and dated.
2. Swimming Pool Affidavit filled out, signed and dated.
3. Inspection(s) Affidavit, filled out, signed and dated.
4. Six (6) current **signed** and **stamped** surveys by a licensed land surveyor. **All surveys/site plans must provide the following:**
 - Property owner's name, Suffolk County Tax Map #: District-Section-Block-Lot.
 - All existing improvements on the property including dwelling(s), structure(s) deck(s), fences, etc., with existing set back distances shown.
 - The proposed swimming pool with required fence, (detail height of fence) pool heater, all pool equipment, any proposed additional structures, decks, accessory building(s) with setback distances shown.
 - When a retaining wall is proposed, topographical elevations throughout parcel must be shown in two (2) foot graduations and include the height of proposed retaining wall. A separate permit may be required.
 - Location and type of proposed subterraneous containment system for disposal of pool water when pool is backwashed and/or drained. Minimum requirement is 4' x 8' drywell. Location of all pool components.
 - All trees which are twelve inches (12) or more in diameter on the site.
 - Owners of adjacent property.
5. Six (6) sets of construction plans signed and sealed by licensed Architect or Engineer for in-ground pools. When a pool heater is to be used, show type and heating source. Good working drawing and specifications for above ground pools. All pools are required to have an alarm system.
6. Copy of Certificate of Occupancy or Certificate of Existing Use for structures on the property.
7. Board of Appeals approval where application does not indicate conformity with the Zoning Ordinance, including proof that any declarations and/or covenants as may be applicable have been properly filed.
8. Transaction Disclosure signed and dated.
9. Proof of Workers Compensation & Disability Insurance & Liability Insurance.
10. Excavation Affidavit for in-ground or semi in-ground pools.
11. Fee: To be determined by the Building Department.

Incorporated Village of Shoreham
80 Woodville Rd. Box 389
Shoreham NY 11786
www.shorehamvillage.org

VS-27 (08/14)

VILLAGE OF SHOREHAM

POOL INSPECTIONS*

Metal Wall Pools:

Inspection of the drywell containment unit for water disposal, prior to backfilling.

Inspection of the pool installed, including heater, pump and filter in working condition.

Inspection of the alarm, fence and gates.

Gunite – Concrete – Block Wall Pools

Inspection of the drywell containment unit for water disposal, prior to backfilling.

Inspection of rebar (if required).

Inspection of final pool installed, including heater, pump and filter.

Inspection of the alarm, fence and gates.

CERTIFICATE of COMPLIANCE

Upon completion, the following are required for issuance of a Certificate of Compliance:

Underwriters Electrical Certificate

An “as built” survey of the property showing all existing buildings, structures, fencing and pool.

Fee payable to Incorporated Village of Shoreham for issuance of Certificate of Compliance

NOTE: NYS Residential Building Code: You and your contractor are required to comply with NYS Building Code for pool construction and for the installation of fencing around the pool. A temporary fence is required around the pool construction site while work is progressing.

APPENDIX G - of the 2010 RESIDENTIAL CODE OF NEW YORK STATE is annexed hereto for reference.

***A failed inspection will require a re-inspection. A charge an additional inspection fee of \$100.00 shall be applicable for a re-inspection.**

Incorporated Village of Shoreham
80 Woodville Rd. Box 389
Shoreham NY 11786
www.shorehamvillage.org

VS-31 (08/14)

VILLAGE OF SHOREHAM
Building Department
Suffolk County, NY
Building Permit Application

OFFICIAL USE ONLY:

Planning Department: (Required) Yes _____ No _____ Date: _____
Building Department: (Required) Yes _____ No _____ Date: _____
Design Review Board: (Required) Yes _____ No _____ Date: _____
Dept. of Public Wks: (Required) Yes _____ No _____ Date: _____
Coastal Erosion: (Required) Yes _____ No _____ Date: _____
Bd. of Zoning Appeals: (Required) Yes _____ No _____ Date: _____
SCDH: (Required) Yes _____ No _____ Date: _____
Other: _____ (Required) Yes _____ No _____ Date: _____
Other: _____ (Required) Yes _____ No _____ Date: _____

APPLICANT USE: This application must be typewritten or printed. Applicable information must be supplied.

APPLICATION - is hereby made for a permit to do the following work, to be done in accordance with the description, survey/site plan, and building plans submitted pursuant to Section 57 of Worker's Compensation Law, Zoning Ordinances, Building Codes and all other applicable ordinances and laws.

Nature of proposed work: New Home ____ Addition ____ Renovation ____ Dormer ____
Accessory Structure ____ Deck ____ Pool ____ Solar ____ Other _____ (specify)

Property - Ownership:

Suffolk County Tax Map Number: District 0207 Section _____ Block _____ Lot(s) _____

Address: _____

Owner Name: _____ Phone _____ E-mail _____

Owner Mailing Address: _____

Authorized Agent/Attorney Name _____ Phone _____ E-mail _____

Authorized Agent/Attorney Address: _____

Applicant is: Owner ____ Lessee ____ Agent ____ Architect ____ Contractor ____ Other ____

Applicant Mailing Address: _____

Architect: Name _____ Address _____

Phone number: _____ Fax #: _____ E-Mail _____

Contractor: Name _____ Address _____

Phone number: _____ E-Mail _____ HI License Number _____

Plumber: Name _____ Address _____

Phone number: _____ E-Mail _____ Registration Number _____

Electrician: Name _____ Address _____

Phone number: _____ E-Mail _____ Registration Number _____

Description/request/use/size of proposed work: _____

Estimated Cost: _____ Date: _____

-----**Owner Certification**-----

STATE OF NEW YORK)

)SS :

COUNTY OF SUFFOLK)

_____, being duly sworn deposes and says that he/she/they is (are) the Owner of the property described in the within application and declares under the penalty of perjury that he/she/they personally filled in the above information and certifies its accuracy. (For corporate ownership please state corporate title)

Owner Name (Printed) _____ Signature _____ Title _____

Owner Name (Printed) _____ Signature _____ Title _____

Sworn to before me this ____ day of _____, 20 ____

Notary Public

-----**OR**-----

-----**Agent Authorization**-----

_____, being duly sworn deposes and says that he/she/they is (are) the Owner of the property described in the within application and hereby authorizes _____, to act as agent(s) to apply for, sign and file the documents necessary to obtain a Building Permit for the project, as described above.

STATE OF NEW YORK)

)SS:

COUNTY OF SUFFOLK)

Owner Name (Printed) _____ Signature _____ Title _____

Sworn to before me this ____ day of _____, 20 ____

Notary Public

VILLAGE OF SHOREHAM
Building Department
Suffolk County, NY

SWIMMING POOL AFFIDAVIT

PROPERTY DESCRIPTION: SCTM

DISTRICT _____ SECTION _____ BLOCK _____ LOT _____

TYPE OF APPLICATION _____

OWNER _____ AGENT FOR OWNER _____

ADDRESS OF PROPERTY _____

STATE OF NEW YORK)
)ss
COUNTY OF SUFFOLK)

_____, being duly sworn deposes and says that he/she/they is (are) the Owner or Agent for the Owner of the property described above and on the application for a building permit to erect a swimming pool and declares under the penalty of perjury that the Owner will comply with all State and local laws pertaining to the construction of a swimming pool and including but not necessarily limited too, NYS Maintenance Code 303.3, NYS Energy Code E504.3, and NYS Uniform Fire Prevention and Building Code 1220.5 and any similar or successor enactment and;

1. All soil excavated during the construction of a swimming pool will be properly disposed of off-site. Excess fill generated from the construction of a swimming pool will not be used on the property unless a "Grading and Drainage Plan" is submitted with the building permit application and the plan has been reviewed and approved by the Village Building Department.
2. Retaining walls with an exposed height of more than thirty (30) inches require the submission of a separate building permit application. A temporary fence is required around the construction site while work progresses.
3. The contractor will provide erosion and sediment control measures throughout the duration of construction.
4. All water disposed of from a swimming pool will be contained on the property and provisions for such shall be shown on the plans. Water disposal from the swimming pool may not flow onto adjoining properties or abutting streets.
5. In the event that groundwater is located less than ten (10) feet from the surface elevation, the pool be provided with a hydrostatic relief valve, well point sub-drain system, or other means to alleviate hydrostatic pressure from the groundwater when the pool is empty.

Owner Name (Printed) _____ Signature _____

Agent (Printed) _____ Signature _____

Sworn to before me this ____ day of _____, 20____

Notary Public

VS-10 (08/14)

VILLAGE OF SHOREHAM
Building Department
Suffolk County, NY

INSPECTION(S) AFFIDAVIT

PROPERTY DESCRIPTION: SCTM

DISTRICT _____ SECTION _____ BLOCK _____ LOT _____

TYPE OF APPLICATION _____

OWNER _____ AGENT FOR OWNER _____

ADDRESS OF PROPERTY _____

STATE OF NEW YORK)

) s s:

COUNTY OF SUFFOLK)

_____, being duly sworn deposes and says that he/she/they is (are) the Owner or Agent for the Owner of the property described within and declares under the penalty of perjury that the Owner will allow, permit and consents to the Village Building Commissioner, and/or Building Inspector and/or any officer or employee of the Village Building Department to enter upon the subject premises without a search warrant for the purpose of inspecting the work being performed under a building permit issued by the Village.

Owner Name (Printed) _____ Signature _____

Agent (Printed) _____ Signature _____

Sworn to before me this ____ day of _____, 20 ____

Notary Public

VILLAGE OF SHOREHAM
Building Department
Suffolk County, NY

EXCAVATION AFFIDAVIT

Article 36 of the New York State General Business Law requires that no excavator shall commence or engage in any excavation or demolition unless and until he has served timely notice as provided in the law to operators who maintain underground facilities in the Village of Shoreham. Such notice shall be served in accordance with the Rules and Regulations promulgated by the Board of Standards & Appeals pursuant to section twenty-eight (28) of the Labor Law.

UNDERGROUND OPERATORS

A ONE (1) CALL CENTER FOR ALL UNDERGROUND OPERATORS

NOTE: CONTRACTOR TO PHONE NOT HOMEOWNER

1-800-272-4480

N.Y.S.D.O.U
PSEGLI - LIP A - KEYSpan
SUFFOLK COUNTY HEALTH SERVICES

TELEPHONE
CABLEVISION
SUFFOLK COUNTY WATER AUTHORITY

PROPERTY DESCRIPTION: SCTM

DISTRICT _____ SECTION _____ BLOCK _____ LOT _____

TYPE OF APPLICATION _____

OWNER OF PROPERTY _____ AGENT FOR OWNER _____

ADDRESS OF PROPERTY _____

AFFIDAVIT OF EXCAVATION

STATE OF NEW YORK)

)s

COUNTY OF SUFFOLK)

_____, being duly sworn deposes and says that he/she is the Owner or Agent for the Owner of the property described within and declares under the penalty of perjury that the Owner will comply with Article 36 of the New York General Business Law and any other law regarding underground facilities.

Owner Name (Printed) _____ Signature _____

Agent (Printed) _____ Signature _____

Sworn to before me this ____ day of _____, 20 ____

Notary Public

VS-13 (08/14)

VILLAGE OF SHOREHAM

RE: SECTION 125 OF NEW YORK STATE GENERAL MUNICIPAL LAW ...

For all building permits in the Village of Shoreham, an applicant is required to either:

1. PROVIDE PROOF DULY SUBSCRIBED THAT WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS COVERAGE ISSUED BY AN INSURANCE CARRIER IN A FORM SATISFACTORY TO THE CHAIR OF THE WORKERS' COMPENSATION BOARD AS PROVIDED FOR IN SECTION FIFTY-SEVEN OF THE WORKERS' COMPENSATION LAW IS EFFECTIVE; OR

2. PROVIDE AN AFFIDAVIT THAT SUCH BUILDING PERMIT APPLICANT HAS NOT ENGAGED AN EMPLOYER OR ANY EMPLOYEES AS THOSE TERMS ARE DEFINED IN SECTION TWO OF THE WORKERS' COMPENSATION LAW TO PERFORM WORK RELATING TO SUCH BUILDING PERMIT.

Implementation of Section 125 of the General Municipal Law

1. General Contractors and Business Owners: For businesses listed as the general contractors on building permits, proof that they are in compliance with Section 57 of the Workers' Compensation Law (WCL) is **ONE** of the following forms that indicate that they are:

- ◆ insured (C-105.2 or U-26.3),
- ◆ self-insured (SI-12), or
- ◆ are exempt (WC/DB-100 or WC/DB-101),

under the mandatory provisions of the WCL. Any residence that is not a **1, 2, 3 or 4 Family, owner-occupied residence** is considered a business (income or potential income property) and must prove compliance by filing one of the above forms.

2. Owner-Occupied Residences: For homeowners of a **Single Family, owner-occupied residence**, proof of their exemption from the mandatory coverage provisions of the Workers' Compensation Law when applying for a building permit is to file form VS-2 (07/14).

- ◆ Form VS-1 (07/14) shall be filed if the homeowner of a **Single Family, owner-occupied residence** is listed as the general contractor on the building permit, and the homeowner
 - * is performing all the work for which the building permit was issued him/herself,
 - * is not hiring, paying or compensating in any way, the individual(s) that is(are) performing all work for which a building permit was issued or helping the homeowner perform such work, or,
 - * has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued.
- ◆ If the homeowner of a **Single Family, owner-occupied residence** is hiring or paying individuals a total of **40 hours or MORE** in any week (aggregate hours of all paid individuals on the jobsite) for work performed under the permit, then the homeowner may not file the "Affidavit of Exemption" but shall either:
 - * acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit (the C-105.2 or U-26.3 form) or, if appropriate, file a WC/DB-100 exemption form, **OR**
 - * have the general contractor, (performing the work on a single family, **owner-occupied residence**, listed on the building permit) provide appropriate proof of workers' compensation coverage, or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit.

VS-01(07/14)

VILLAGE OF SHOREHAM

Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage
And Disability Benefits for a Single Family, Owner-occupied Residence.

NOTE: This form cannot be used to waive the workers' compensation rights or obligations of any party.

STATE OF NEW YORK

COUNTY OF SUFFOLK ss:

_____ *being duly sworn, deposes and says as follows:*

Under penalty of perjury, I certify that I am the owner of the single family, **owner-occupied** residence listed on the building permit application that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- () I am performing all the work for which the building permit was issued.
- () I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- () I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ◆ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a WC/DB-100 exemption form; OR
- ◆ have the general contractor, performing the work on the single family, **owner-occupied** residence listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

Hold Harmless: I also agree to hold the Incorporated Village of Shoreham harmless for any claim and/or cause of action that may arise from the work performed by any individual(s) under a building permit issued by the Village of Shoreham to which this Affidavit of Exemption is applicable.

Property Address: _____

Signature _____ Date _____

Sworn to before me this _____ day of _____ 20_____

NOTARY PUBLIC

VS-02 (07/14)

VILLAGE OF SHOREHAM

LIABILITY INSURANCE REQUIREMENTS FOR BUILDING PERMIT

In addition to requirements of New York State General Municipal Law Section 125 regarding workers' compensation and disability insurance coverage the Village of Shoreham requires that an applicant provide proof of liability insurance, prior to the issuance of a building permit.

When a general contractor is performing all the work under a building permit, an insurance certificate evidencing general liability insurance coverage from the general contractor's insurance carrier MUST be provided to the Village of Shoreham. The certificate of insurance MUST:

- a) state the location of where work is being performed
- b) name the Incorporated Village of Shoreham as "Certificate Holder"
- c) name the Incorporated Village of Shoreham as "Additional Insured"
- d) state the time frame for notice of cancellation.

When an applicant submits an Affidavit of Exemption from the requirements of GML Section 125, the applicant must provide the Village of Shoreham with proof of homeowner's insurance for the address where work is being performed under a building permit. An insurance certificate evidencing homeowner's liability insurance must be submitted to the Village of Shoreham and must name the Incorporated Village of Shoreham as "Certificate Holder".

Note - Demolition Permit: For issuance of a Demolition Permit by the Village of Shoreham, the compensation and liability insurance certificate **must not** disclaim "demolition" from coverage under the insurance policy.

Incorporated Village of Shoreham
80 Woodville Road, Box 389
Shoreham NY 11786
www.shorehamvillage.org

VS-03 (07/14)

VILLAGE OF SHOREHAM
TRANSACTIONAL DISCLOSURE FORM
(Conflict of Interest Disclosure)

This Transactional Disclosure form is required to be submitted by an applicant for certain applications submitted to the Village of Shoreham. The purpose of the disclosure is to alert the Village if a party of influence has an interest in this application, or if someone within the Village who will participate in any decision making process has an interest in the application.

Name _____

Address _____

Phone _____ Fax _____ Email _____

This form is for: () An Individual () A Corporation () A Partnership () Other

Nature of Application:

() Building Permit () Demolition () Variance () Tax Grievance () Change of Zoning

() Platt Approval () C of EU () Amendment () Exemption () Bidding

Affected parcel (address) _____

Does any elected officer, appointed official or employee of the Village of Shoreham or his/her spouse, brother, sister, parent, child, grandchild or spouse of any of them, have an interest in this application by virtue of being the actual applicant, being the owner of the actual property or having an interest in the corporation, partnership or association making such application?

Yes () No ()

If NO, Please go to Section 4, sign and date.

If YES, Please complete the appropriate section below.

Section 1- For an Individual:

Interested Party:

Name _____

Address _____

Section 2 - For a Corporation:

Interested Party:

Name _____

Address _____

Title _____ Department _____

Relationship to elected officer, appointed official or employee, if other than Self: _____

Yes () No () Is the owner of greater than five percent (5%) of the corporate stock of the application when the applicant is a corporation whose stock is publicly traded?

Yes () No () The actual applicant,

Yes () No () An Officer, Director, Partner, or Employee of the applicant, or

Yes () No () Legally or beneficially owns or controls any stock of a non-publicly traded corporate applicant or is a member of a partnership or association of the applicant.

Section 3 - For a Partnership or Association:

Interested Party:

Name _____

Address _____

Title _____ Department _____

Relationship to elected officer, appointed official or employee, if other than Self: _____

Yes () No () Does the owner hold five percent (5%) interest of publicly traded shares?

Yes () No () The actual applicant,

Yes () No () An Officer, Director, Partner, or Employee of the applicant, or

Yes () No () Legally or beneficially owns or controls any stock of a non-publicly traded corporate applicant or is a member of a partnership or association of the applicant.

SECTION 4 - ALL APPLICANTS, PLEASE FILL OUT BELOW, SIGN AND DATE:

Name (print) _____ Date _____

Signature _____

Incorporated Village of Shoreham
80 Woodville Road, Box 389
Shoreham NY 11786
www.shorehamvillage.org

SWIMMING POOLS, SPAS AND HOT TUBS

APPENDIX G - 2010 RESIDENTIAL CODE OF NEW YORK STATE

SECTION G101-GENERAL

G 101.1 General The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- or two-family dwelling.

SECTION G102 -DEFINITIONS

G102.1 General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool."

BARRIER PERMANENT. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

BARRIER TEMPORARY. An approved temporary fence, permanent fence, the wall of a permanent structure, any other structure, or any combination thereof that prevents access to the swimming pool by any person not engaged in the installation or construction of the swimming pool during its installation or construction.

HOT TUB. See "Swimming pool."

IN-GROUND POOL. See "Swimming pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SUBSTANTIAL DAMAGE. For the purpose of determining compliance with the pool alarm provisions of this appendix, damage of any origin sustained by a swimming pool whereby the cost of restoring the swimming pool to its before-damaged condition would equal or exceed 50 percent of the market value of the swimming pool before the damage occurred.

SUBSTANTIAL MODIFICATION. For the purpose of determining compliance with the pool alarm provisions of this appendix, any repair, alteration, addition or improvement ... of a swimming pool, the cost of which equals or exceeds 50 percent of the market value of the swimming pool before the

improvement or repair is started. If a swimming pool has sustained substantial damage, any repairs are considered substantial modification regardless of the actual repair work performed.

SWIMMING POOL. Any structure, basin, chamber or tank which is intended for swimming, diving, recreational bathing or wading and which contains, is designed to contain, or is capable of containing water more than 24 inches (610 mm) deep at any point. This includes in-ground, above-ground and on-ground pools; indoor pools; hot tubs; spas; and fixed-in-place wading pools.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

SECTION G103 – SWIMMING POOLS

G 103.1 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPU5 as listed in Section AG 108.

G 103.2 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG 108.

SECTION G104 - SPAS AND HOT TUBS

G 104.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG 108.

- **G 104.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG 108.

SECTION G105 BARRIER - REQUIREMENTS

G105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drowning and near-drownings by restricting access to swimming pools, spas and hot tubs.

G 105.2 Temporary Barriers. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a temporary barrier during installation or construction and shall remain in place until a permanent barrier in compliance with Section AG 105 is provided.

Exceptions:

1. Above-ground or on-ground pools where the pool structure is in compliance with Section AC 105.3.
2. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG 107, provided that such safety cover is in place during the period of installation or construction of such hot tub or spa. The temporary removal of a safety cover as required to facilitate the installation or construction of a hot tub or spa during periods when at least one person engaged in the installation or construction is present is permitted.*

G 105.2.1 Height. The top of the temporary barrier shall be at least 48 inches (1219 mm,) above grade measured on the side of the barrier which faces away from the swimming pool.

G105.2.2 Replacement by a permanent barrier. A temporary barrier shall be replaced by a complying permanent barrier within either of the following periods:

1. 90 days of the date of issuance of the building permit for the installation or construction of the swimming pool: or ~"
2. 90 days of the date of commencement of the installation or construction of the swimming pool.

G 105.2.2.1 Replacement extension. Subject to the approval of the code enforcement official, the time period for completion of the permanent barrier may be extended for good cause including, but not limited to, adverse weather conditions delaying construction.

G 105.3 Outdoor swimming pool. An outdoor swimming

pool, including an in-ground, above-ground 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 (1219 mm) 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 above-ground 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 (102 mm).
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 (1,143mm) 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 (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4, inches (44 mm) 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 (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) 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 no more than 1 3/4 inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1 3/4 inches (44 mm).
8. Gates shall comply with the requirements of Section AG 105.2. Items 1 through 7. and with the following requirements:
 - 8.1. All gates shall be self-closing. In addition, if the gate is a pedestrian access gate, the gate shall open outward, away from the pool.
 - 8.2. All gates shall be self latching, with the latch handle located within the enclosure (i.e. on the pool side of the enclosure) and at least 40 inches (1016 mm) above grade. In addition, if the latch handle is located less than 54 inches (1372 mm) from the bottom of the gate, the latch handle shall be located at least 3 inches (76 mm) below the top of the gate, and neither the gate nor the barrier shall have any opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the latch handle.
 - 8.3. All gates shall 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.
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: or
 - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which

APPENDIX G - 2010 RESIDENTIAL CODE OF NEW YORK STATE

produces an audible warning when the door and/ or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within 7 seconds and sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touch pad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

9.3. Other means of protection, such as self-closing doors with self-latching devices, 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 above.

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 Section AG I05.2. 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 (102 mm) sphere.

G 105.4 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Section AG 105.i Item 9.

G 105.5 Prohibited locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.

G105.6 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG 107, shall be exempt from the provisions of this appendix.

SECTION G106

ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

G106.1 General. Suction outlets shall be designed to produce circulation throughout the pool or spa. Single-outlet systems, such as automatic vacuum cleaner systems, or multiple suction outlets, whether isolated by valves or otherwise, shall be protected against user entrapment.

G 106.1.1 Compliance alternative. Suction outlets may be designed and installed in accordance with ANSI/APSP-7.

G106.2 Suction fittings. Pool and spa suction outlets shall have a cover conforming to ANSI/ASME A112.19.8, or an

18 inch x 23 inch (457mm by 584 mm) drain grate or larger, or an approved channel drain system.

Exception: Surface skimmers

G 106.3 Atmospheric vacuum relief system required. Pool and spa single or multiple-outlet circulation systems shall be equipped with atmospheric vacuum relief should grate covers located therein become missing or broken. This vacuum relief system shall include at least one approved or engineered method of the type specified herein, as follows:

1. Safety vacuum release system conforming to ASME A112.19.17; or
2. An approved gravity drainage system.

G 106.4 Dual drain separation. Single or multiple pump circulation systems have a minimum of two suction outlets of the approved type. A minimum horizontal or vertical distance of 3 feet (914 mm) shall separate the outlets. These suction outlets shall be piped so that water is drawn through them simultaneously through a vacuum-relief-protected line to the pump or pumps.

G 106.5 Pool cleaner fittings. Where provided, vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least 6 inches (152 mm) and not more than 12 inches (305 mm) below the minimum operational water level or as an attachment to the skimmer(s).

SECTION G107 - SWIMMING POOL AND SPA ALARMS

G 107.1 Applicability. A swimming pool or spa installed, constructed or substantially modified after December 14, 2006, shall be equipped with an approved pool alarm.

Exceptions:

1. A hot tub or spa equipped with a safety cover which complies with ASTM F1346, as listed in Section AG109.
2. A swimming pool (other than a hot tub or spa) equipped with an automatic power safety cover which complies with ASTM F 1346, as listed in Section AG109.

Pool alarms shall comply with ASTM F2208, as listed in Section AG109, and shall be installed, used and maintained in accordance with the manufacturer's instructions and this section.

G 107.2 Multiple alarms. 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 shall be provided.

G 107.3 Alarm activation. Pool alarms shall activate upon detecting entry into the water and shall sound poolside and inside the dwelling.

G 107.4 Prohibited alarms. The use of personal immersion alarms shall not be construed as compliance with this section.

APPENDIX G - 2010 RESIDENTIAL CODE OF NEW YORK STATE

SECTION G 108 ABBREVIATIONS

G108.1 General.

ANSI—American National Standards Institute 11 West 42nd Street, New York, NY 10036

APSP—Association of Pool and Spa Professionals 2111 Eisenhower Avenue, Suite 500 Alexandria, VA 22314-4695

ASME—American Society of Mechanical Engineers Three Park Avenue, New York, NY 10016-5990

ASTM—ASTM International 100 Barr Harbor Drive, West Conshohocken, PA 19428

NSPI—National Spa and Pool Institute 2111 Eisenhower Avenue, Alexandria, VA 22314

UL—Underwriters Laboratories, Inc. 333 Pfingsten Road Northbrook, Illinois 60062-2096

ASME

ANSI/ASME A112.19.8 – 07 Suction fittings for use in Spas, Hot Tubs, Whirlpool, Swimming pools, Bathing AppliancesAG106.2

ASME A112.19.17—02 Manufacturers Safety Vacuum Release Systems (SVRS) for Residential and Commercial Swimming Pool, Spa, Hot Tub and Wading Pool AG106.3

ASTM

ASTM F 1346—91 (1996) Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs AGI05.2. AG 105.3. AG 105.6. AG107.1

ASTM F2208—2008 Standard Specification for Pool Alarms AG107.1

UL

UL2017 – 2000 Standard for general purpose signaling devices and systems – with revisions through June 2004.....AG105.3

SECTION G109 STANDARDS

G109.1 General

ANSI/APSP .

ANSI/APSP 7—06 American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins AGI06.I. 1

ANSI/NSPI

ANSI/NSPI-3—99 Standard for Permanently Installed Residential Spas G104.1

ANSI/NSPI-4—99 Standard for Above-ground/On-ground Residential Swimming PoolsAGI03.2

ANSI/NSPI-5—03 Standard for Residential In-ground Swimming Pools..... AG 103.1

ANSI/NSPI-6—99 Standard for Residential Portable Spas AG104.2