



Planning & Code Enforcement

2 York Street
Westbrook, Maine 04092
Phone: 207-854-0638
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SWIMMING POOL PERMIT APPLICATION

Date Received: _____

A swimming pool permit is required when installing a swimming pool or wading pool with standing water exceeding 24" in depth, regardless if it is a permanent installation or seasonal/temporary style pool.

Maine State Law MSRA §1632. Enclosure of swimming pool required

In-ground pools require fencing; some above-ground pools may require fencing or guarding also, depending on the location and any adjacent structures such as decks or porches. All gates or doors opening through this enclosure shall be capable of being securely fastened at all times when not in actual use. (See attached Barrier Requirements from the building code)

POOL COST: \$ _____

Type of Pool (Check One)

____ **ABOVE-GROUND** ____ **IN-GROUND (Surface Drainage Permit Required First)**

Pool Information Required

____ **Plot plan showing:**

Pool size dimensions, Location of the pool and istance to the property lines. Swimming pools must meet the required yard setbacks for the zoning district in which they are located.

-Pools with non-rigid side walls such as inflatable or PVC (metal framed) may go 5' to the property line-

____ **Electrical permit required for the installation of hard-wired pool filter systems, pump motors, heat/lighting.**

-Plug-in ready pumps and filters do not require an electrical permit when utilizing an existing code complaint outlet-

Property Owner Information

Installer Information

Property Owner: _____ Installer: _____

Mailing Address: _____ Mailing Address: _____

Office Phone: _____ Office Phone: _____

Cell Phone: _____ Cell Phone: _____

Email: _____ Email: _____

ATTENTION

Periodic Inspections are required. See the Inspection Schedule Form. Failure to schedule inspections and/or receive final approval by the Inspector will constitute Occupancy without a Certificate. Fines will be imposed at a rate not less than One Hundred (\$100.00) per day, nor more than Twenty-Five Hundred Dollars (\$2,500.00) per day.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City Ordinances and State laws regulating building construction. Work will not begin until building permit card is posted.

Signature of Applicant: _____ **Date:** _____

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 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-drowning by restricting access to swimming pools, spas and hot tubs.

AG105.2 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 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 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.
2. Openings in the barrier shall not allow passage of a 4-inch-diameter 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, 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 in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches 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 or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches in width.
6. Maximum mesh size for chain link fences shall be a 2 1/4-inch square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1 3/4 inches.
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.
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate; and
 - 8.2. The gate and barrier shall have no opening larger than 1/2 inch within 18 inches of the release mechanism.
9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:
 - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or
 - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches above the threshold of the door; or
 - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as 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 AG105.2, 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 sphere.

AG105.3 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.