

TOWN OF TOPSHAM
SWIMMING POOL
APPLICATION

(Not applicable for pools with a water depth of 24" or less)

Date: _____

Site Address: _____

Property Use: _____

Zone: _____ Map: _____ Lot: _____ Lot Area: _____

Type of Pool

- Above Ground: List the pool wall height in feet _____
- In-Ground

Shape

- Round
- Oval
- Rectangular
- Other _____

Pool area in square feet: _____ SQFT

Property Owner: _____

Property Owner Mailing Address: _____ Phone Number: _____

Applicant: _____

Applicant Mailing Address: _____ Phone Number: _____

Estimated Cost of Construction: \$ _____

Sketch below or provide a separate Site Plan containing the following:

- North arrow
- Show enclosure fencing/enclosure including location of gates and other access to the pool area
- Distance to pool measured perpendicular to property lines
- Location of septic field, tank and well if applicable
- Driveway location
- Street names
- Water courses and water bodies, easements, rights of way and areas restricted by covenant

I HERBY CERTIFY THAT: THE INFORMATION IN THIS APPLICATION IS COMPLETE AND CORRECT AND I AGREE TO COMPLY WITH ALL TOWN ORDINANCES AND LAWS APPLICABLE TO THIS PROJECT; I AM OR LEGALLY REPRESENT THE OWNER OF THE SUBJECT PROPERTY FOR THE PURPOSE OF OBTAINING THIS PERMIT; I HAVE READ AND UNDERSTAND THE ATTACHED HANDOUT "Building Permit Standard Conditions"

Applicant Signature: _____ **Printed Name:** _____

FOR OFFICE USE ONLY

FEE: Area of pool _____ X .15cents = _____ OR \$30 minimum FEE: _____

APPROVED / DISAPPROVED; CEO SIGNATURE: _____ DATE: _____

Permit Conditions / Comments

Swimming Pool Enclosure

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

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

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 drownings and near-drownings 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 (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 (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed $1\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ 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 $1\frac{3}{4}$ inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a $2\frac{1}{4}$ -inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than $1\frac{3}{4}$ 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 $1\frac{3}{4}$ inches (44 mm).

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 (1372 mm) 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 (76 mm) below the top of the gate; and

8.2. The gate and barrier shall have no opening larger than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) 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 (1372 mm) 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 (102 mm) 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.

SECTION AG106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

AG106.1 General. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7

ANSI/APSP-7-06 Standard for Suction Entrapment avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs and Catch Basins

Building Permit Standard Conditions

The permit to which this is attached is the building permit. Separate permits are required for plumbing, heating and electrical work. Building permits are subject to appeal for a period of 30 days from issuance. A building permit expires if there is no substantial start on the project within a period of 6 months. All work must meet applicable codes and ordinances.

We ascertain the code compliance of your project to the best of our ability with the data provided by you, many building code related topics are posted on our web site, www.topshammaine.com . Follow tabs; Town Departments – Code Enforcement – Building Code Information. Code requirements supersede information submitted on a permit application. Please take a look at any topics applicable to your project and if you have any questions, please ask.

Inspections; we will need to inspect the foundation after drainage and damproofing are installed and before it is backfilled; framing, rough electrical and plumbing before insulation or sheetrock; air sealing and insulation per energy code requirements before they are covered; fire rated construction if applicable; any special inspections noted; the final building before it is occupied and any other inspections noted on the permit.

Setbacks; you are responsible for knowing where your applicable property lines are and for meeting the zoning requirements as to setbacks and similar criteria. We will assist you as best as we can in meeting the various criteria, but the burden of compliance is on you. Setbacks are measured from the property line to the nearest point on the structure (this is often not the wall). The edge of the road or sidewalk is usually not the property line, the Town usually owns beyond these features. If you are not sure where your property lines are, we recommend that you have the land surveyed by a licensed surveyor.

Deed and/or Other Restrictions; there may be restrictions in your deed such as easements, covenants, prior approvals, etc. that could affect your project. You are responsible for making sure your project meets any deed restrictions. There can be legal issues with the properties that can affect the feasibility of a project that are not readily apparent. If there are issues/questions about things such as boundary locations, subdivision, merger, etc., we recommend you consult a surveyor or attorney.

Utilities; there may be features that affect your project such as public or private sewer lines, water lines, power lines, phone lines, etc. that can affect the code compliance of your project. The burden of ascertaining the existence of and making us aware of these is yours. The Codes Officer can help you with the code aspects of these. Call DIG SAFE at 1-800-DIG-SAFE (1-800-344-7233) prior to excavating, they will assist you in locating buried features on your site and it's the law!

Engineering; if you use trusses, engineered lumber, steel, etc., we will need written certification from a licensed architect or engineer that the product is suitable for the intended use. Many of these products have been pre-engineered and the suppliers of these products can usually supply engineered installation standards upon request.

Carbon Monoxide and Smoke Detectors; If your project is for work in a new or existing single family home, two family home or townhouse, carbon monoxide and smoke detectors must be installed per code requirements. Please ask if you have questions.