

<b>This Box For Official Use Only</b>					
Date Rec'd	Date permit Issued	Building Inspector	Permit Fee	Date Fee Paid & Rec'd By:	<b>PERMIT #</b>
					<b>BP-</b>
<b>TAX MAP I.D. No.</b>			<b>ZONE:</b>		
CLERK NOTES: Original to Building Inspector, Copy to Applicant if desired					
BLDG INSPECTOR NOTES: Copy to Assessor by Building Inspector					

(PRINT LEGIBLY and complete all)

**\*FOR PROPERTY LOCATED AT:** \_\_\_\_\_ Scotia, N.Y.

**\*APPLICANT (circle one: Owner, Contractor, Architect, Engineer)**

Name \_\_\_\_\_ Phones: Home \_\_\_\_\_  
 Address \_\_\_\_\_ Business \_\_\_\_\_ must  
 \_\_\_\_\_ Cell \_\_\_\_\_ must

**\*OWNER:** Name \_\_\_\_\_ Phones: Home \_\_\_\_\_  
 Address \_\_\_\_\_ Business \_\_\_\_\_ optional  
 \_\_\_\_\_ Cell \_\_\_\_\_ optional

Definition from NYS Residential Code.

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

1. What type of pool are you erecting? (Check Box)

Aboveground swimming pool	<input type="checkbox"/>	In-ground swimming pool	<input type="checkbox"/>
Aboveground hot tub	<input type="checkbox"/>	In-ground hot tub	<input type="checkbox"/>
Aboveground spa	<input type="checkbox"/>	In-ground spa	<input type="checkbox"/>

2. Where will the pool be located? \_\_\_\_ in-doors; \_\_\_\_ outdoors

3. For aboveground swimming pools, hot tubs and spas answer the following:

- A. side wall height? \_\_\_\_\_
- B. pool alarm? \_\_\_\_\_ Per ASTM F2208
- C. safety cover? \_\_\_\_\_ Per ASTM F1346

**\* Full Construction Cost \$** \_\_\_\_\_ **(Round to nearest \$100).**

**\* Is Plumbing work involved?** \_\_\_\_ YES \_\_\_\_ NO **(If YES, a Plumbing Permit is required)**

Required Submittals: Plot plan (if outdoors)  
 Proof of insurance  
 Pool Manufacturer literature

By signing below, I Certify that all work authorized by a Building Permit will be in conformance with the New York State Uniform Fire Prevention and Building Code and the Energy Conservation Construction Code and/or the Code of The Village of Scotia New York. Also, I will not occupy and/or use the building or structure or pool prior to the issuance of a Certificate of Occupancy or Compliance. I will comply with the directives as shown on the Building Permit. I am aware that building permits expire after one year and a renewal fee must be paid at such times as shown on the Building Permit and Building Permit Renewal Record until a Final Certificate of Occupancy or Compliance is issued. One set of Building Department approved plans will be kept on the construction site for use by Inspectors.

<b>Applicant signature (Required)</b>		Date:
Property Owners signature (Required) <small>If other than applicant</small>		Date:

## The following must be submitted when applying for a Permit for Swimming pools, Spas and Hot tubs.

Visit the Village of Scotia website [www.villageofscotia.org](http://www.villageofscotia.org). Click on the left of the page “Building Inspector” and start scrolling down to:

- Download a Building Permit Application for POOLS
- See the Plot Plan Instructions and a sample plot plan
- Manufacturer literature
- See the details for the required forms for Workers Compensation and Disability Benefits Insurance and to download the Insurance form BP-1.
- See the Village and NY State Residential Code sections relating to Swimming pools, Spas and Hot tubs.

AND/OR

- Or contact the Building Inspector for the information at (518) 377-8741 bet. 9am – 10:30am and 2:30pm – 4: pm Monday – Friday.

AND/OR

Need and fill-out completely:

- Building Permit Application
- Plot Plan (not required for locations inside an existing building).
- Detailed plans showing dimensions and describing each different type and part of a **Temporary Swimming Pool Enclosure** from grade level to the top of the barrier you will be using to comply with Part 1228 of Title 19 NYCRR Section 1228.4 Temporary swimming pool enclosures.
- Detailed plans showing dimensions and describing each different type of Permanent Barrier from grade level to the top of the barrier that you will be using to comply with the NY State Residential Code Section AG105 Barrier Requirements. (Include details of gates, adjacent decks and pool ladders with enough information to show that they will comply i.e. barrier dimensions, dimensions of openings including from grade to bottom of barrier, self latching devices, release mechanism, locks, opening direction, pool wall height 4 ft or more, etc.).

When applicable for an exemption to the Barrier requirements for spas or hot tubs under Code Section AG105.5, submit the manufacturers literature showing that the hot tub or spa safety cover is classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F1346 entitled “Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs,”

When applicable for an exception to the Temporary Swimming Pool Enclosure requirements for an above-ground hot tub or spa under Part 1228 of Title 19 NYCRR Section 1228.4, submit the manufacturers literature showing that the hot tub or spa safety cover is classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F1346 entitled “Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs”. The safety cover must be in place during the period of installation or construction of such hot tub or spa.

- **Manufacturer literature** showing that the **Swimming Pool Alarm** is classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F2208, entitled “Standard Specification for Pool Alarms,”

When applicable for an exemption to the Alarm requirements, submit the manufacturer's literature showing that the hot tub or spa safety cover or swimming pool automatic safety cover is classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F1346 entitled "Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs,"

- Provide information to show that Suction Outlets comply with the requirements of the NY State Residential Code Section AG106 Entrapment Protection For Swimming Pool and Spa Suction Outlets by submitting:

Manufacturer literature showing that the suction outlet covers are classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ANSI/ASME A112.19.8M,

or

Written statement that the suction outlet covers will have a 12" x 12" drain grate or larger,

or

Written statement that an approved channel drain system will be used.

- Provide information to show that the circulation system complies with the requirements of the NY State Residential Code Section **AG106.3 Atmospheric Vacuum Relief System** requirements by submitting:

Manufacturer literature showing that a safety vacuum release system is classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASME A112.19.17

or

Written statement that an approved gravity drainage system will be used.

Is equipped with an Atmospheric Vacuum Relief System.

**-Completed forms showing proof of Workers Compensation and Disability Benefits Insurance for the contractor or the form(s) proving the contractor is not required to have these insurance coverage's or the Form BP-1 for certain owner occupied residences when that owner is doing the work.**

**VILLAGE OF SCOTIA CODE      250-57.1. Swimming pools. [Added 3-8-2000 by L.L. No. 1-2000]**

A. Definitions. As used in this chapter, the following terms shall have the meanings indicated:  
SWIMMING POOL, PRIVATE -- Any pool constructed primarily for the enjoyment of the members of a single family.

SWIMMING POOL, PUBLIC -- Any swimming area, pond or pool designed for use by more than one family, including membership club pools and pools constructed at motels and hotels.

B. Construction standards. The construction of a swimming or wading pool for either public or private use shall be subject to all applicable provisions of Chapter 125, Electrical Standards; Chapter 150, Fire Prevention and Building Construction; and Chapter 188, Plumbing, and shall conform to all requirements of the New York State Uniform Fire Prevention and Building Code and this chapter.

NOTE: All pools must have special electrical installations to comply with the Code and must be inspected by a qualified Electrical Inspector. The pool must not be placed under or too close to overhead wires or above underground wires. Ask National Grid, your Electrician or Electrical Inspector for details. Below is a list of Qualified Electrical Inspectors:

**THE Inspector, LLC.-363-0181**

**Middle Department Inspection Agency, Inc.-273-0861**

**Commonwealth Electrical Inspection Service, Inc-384-2546**

A copy of the Electrical Inspectors' Certificate of Compliance must be provided to the Building Inspector prior to the Final Inspection and issuance of a Certificate of Compliance for the pool installation by the Building Inspector.

C. **Permit required. “Before” construction work** and Before You begin any work for the pool, permits shall be obtained from the Village Building Inspector.

D. Permit fees. The required fees as established by the Board of Trustees shall be paid at the time application for a permit is made.

E. Location.

(1) No public or private swimming pool shall be located in any required front yard, nor shall such pool be located closer, in reference to a side or rear yard lot line, than as in Subsection E(1)(a), (b) or (c) below:

- (a) Lot width 50 feet or more: 10 feet required.
- (b) Lot width over 40 feet but less than 50 feet: five feet required.
- (c) Lot width less than 40 feet: four feet required.

NOTE: For lot width equal to 40 feet: four feet required.

(2) Such minimum side and rear yard setbacks shall be measured from whichever point is nearest to the property line on its pool wall, aboveground decks or other related structure.

NOTE: When applying for a permit you must supply a Plot Plan. See the Plot Plan instruction pages later.

F. Safety provisions. Every in-ground or aboveground swimming pool, wading pool, reflecting pool, fish pool or other man-made body of water containing water 18 inches or more in depth at any point shall comply with the following safety provisions:

(1) Every pool shall have an enclosure erected and maintained surrounding the property or the pool area equipped with self-latching gates and sufficient to make such body of water inaccessible from the outside to small children.

(2) The enclosure for an in-ground swimming pool shall be a minimum of four feet.

(3) In the case of aboveground swimming pools four feet or higher, no enclosure is necessary if the only access to the pool is by portable ladder and such ladder is unattached when the pool is not in use.

(4) Any deck or similar structure attached to or part of an aboveground pool shall be constructed in such a manner that will maintain the pool's inaccessibility to small children, or a separate enclosure of four feet or higher shall be provided.

(5) All gates and doors opening into the pool enclosure shall be kept closed and locked at all times when the pool is not under the immediate attendance of an adult person.

NOTE: See the pages with NYS Residential Code requirements for Barriers and Alarms later.

G. Loudspeaking devices. No loudspeaking device which can be heard beyond the property lines of the premises on which any swimming pool has been installed may be operated in connection therewith.

H. Lighting. Any lighting installed for or with a swimming pool shall be installed in a manner that minimizes direct light and glare beyond the premises' property lines.

Title 19 NYCRR is amended by adding a new Part 1228 to read as follows:

Part 1228. Additional Uniform Code Provisions.

Section 1228.1. Additional Uniform Code Provisions. The provisions set forth in this Part 1228 are part of the New York State Fire Prevention and Building Code (the “Uniform Code”). The provisions set forth in this Part 1228 are in addition to, and not in limitation of, the provisions set forth in Parts 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, and 1227 of this Title and in the publications referred to in Parts 1220, 1221, 1222, 1223, 1224, 1225, 1226, and 1227 of this Title.

**Section 1228.2. Swimming pool alarms.**

(a) Purpose. This section is intended to implement the provisions of Executive Law section 378(14)(b), as added by Chapter 450 of the Laws of 2006, and Executive Law section 378(14)(c), as added by Chapter 75 of the Laws of 2007.

(b) Definitions. For the purposes of this section, the following words and terms shall have the following meanings:

(1) The word “approved” means approved by the code enforcement official responsible for enforcement and administration of the Uniform Code as complying with and satisfying the purposes of this section.

(2) The term “commercial swimming pool” means any swimming pool (as defined in paragraph (4) of this subdivision) that is not a residential swimming pool (as defined in paragraph (3) of this subdivision).

(3) The term “residential swimming pool” means a swimming pool (as defined in paragraph (4) of this subdivision) which is situated on the premises of a detached one- or two-family dwelling not more than three stories in height with separate means of egress; a multiple single-family dwelling (townhouse) not more than three stories in height with separate means of egress; a one-family dwelling converted to a bed and breakfast; a community residence for 14 or fewer mentally disabled persons, operated by or subject to licensure by the Office of Mental Health or the Office of Mental Retardation and Developmental Disabilities; a one- or two-family dwelling operated for the purpose of providing care to more than two but not more than eight hospice patients, created pursuant to Article 40 of the Public Health Law, and defined as a hospice residence in section 4002 of said Law; a manufactured home; a mobile home; or a factory manufactured dwelling unit.

(4) The term “swimming pool” means 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 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.

(5) The term “substantial damage” means 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.

(6) The term “substantial modification” means any repair reconstruction, rehabilitation, 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 repair, rehabilitation, addition, or improvement is started. If a swimming pool has sustained substantial damage, any repairs are considered to be a substantial modification regardless of the actual repair work performed.

(c) Pool alarms. Except as otherwise provided in subdivision (e) of this section, each residential swimming pool installed, constructed or substantially modified after December 14, 2006 and each commercial swimming pool installed, constructed or substantially modified after December 14, 2006 shall be equipped with an approved pool alarm which:

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

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

(3) is installed, used and maintained in accordance with the manufacturer’s instructions;

(4) is classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to:

(i) reference standard ASTM F2208, entitled “Standard Specification for Pool Alarms,” as adopted in 2002 and editorially corrected in June 2005, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or

(ii) reference standard ASTM F2208, entitled “Standard Specification for Pool Alarms,” as adopted in 2007, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428; and

(5) 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.

(d) Multiple pool alarms. A pool alarm installed pursuant to subdivision (c) of this section 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 installed.

(e) Exemptions.

(1) A hot tub or spa equipped with a safety cover classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F1346 (2003), entitled “Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs,” published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, shall be exempt from the requirements of subdivisions (c) and (d) of this section.

(2) Any swimming pool (other than a hot tub or spa) equipped with an automatic power safety cover classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F1346 (2003), entitled “Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs,” published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, shall be exempt from the requirements of subdivisions (c) and (d) of this section.

Part 1228 of Title 19 NYCRR is amended by adding a new section 1228.4 to read as follows:

**Section 1228.4. Temporary swimming pool enclosures.**

(a) Purpose. This section is intended to implement the provisions of Executive Law sections 378(14)(c) and 378(16), as added by Chapter 234 of the Laws of 2007. (The provisions of Executive Law section 378(14)(c), as added by Chapter 75 of the Laws of 2007, as well as the provisions of Executive Law section 378(14)(b), are implemented by section 1228.2 (Pool alarms) of this Part.)

(b) Definitions. For the purposes of this section, the following words and terms shall have the following meanings:

(1) The word “approved” means approved (1) by the code enforcement official responsible for enforcement and administration of the Uniform Code as complying with and satisfying the purposes of this section.

(2) The term “complying permanent enclosure” means an enclosure which surrounds a swimming pool and which complies with (i) all provisions of the Uniform Code (other than the provisions of subdivision (c) of this section) applicable to swimming pool enclosures, (ii) the provisions of any and all other New York State codes or regulations applicable to swimming pool enclosures, and (iii) any and all local laws applicable to swimming pool enclosures and in effect in the location where the swimming pool shall have been installed or constructed.

(3) The term “swimming pool” means 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.

(c) **Temporary enclosures.** During the installation or construction of a swimming pool, such swimming pool shall be enclosed by a temporary enclosure which shall sufficiently prevent any access to the swimming pool by any person not engaged in the installation or construction of the swimming pool, and sufficiently provide for the safety of any such person. Such temporary enclosure may consist of a temporary fence, a permanent fence, the wall of a permanent structure, any other structure, or any combination of the foregoing, provided all portions of the temporary enclosure shall be not less than four (4) feet high, and provided further that all components of the temporary enclosure shall have been approved as sufficiently preventing access to the swimming pool by any person not engaged in the installation or construction of the swimming pool, and as sufficiently providing for the safety of all such persons. Such temporary enclosure shall remain in place throughout the period of installation or construction of the swimming pool, and thereafter until the installation or construction of a complying permanent enclosure shall have been completed.

(d) **Permanent enclosures.** A temporary swimming pool enclosure described in subdivision (c) of this section shall be replaced by a complying permanent enclosure. The installation or construction of the complying permanent enclosure must be completed within ninety days after the later of

(1) the date of issuance of the building permit for the installation or construction of the swimming pool or

(2) the date of commencement of the installation or construction of the swimming pool; provided, however, that if swimming pool is installed or constructed without the issuance of a building permit, the installation or construction of the complying permanent enclosure must be completed within ninety days after the date of commencement of the installation or construction of the swimming pool. Nothing in this subdivision shall be construed as permitting the installation or construction of a swimming pool without the issuance of a building permit if such a building permit is required by any statute, rule, regulation, local law or ordinance relating to the administration and enforcement of the Uniform Code with respect to such swimming pool.

(e) **Extensions.** Upon application of the owner of a swimming pool, the governmental entity responsible for administration and enforcement of the Uniform Code with respect to such swimming pool may extend the time period provided in subdivision (d) of this section for completion of the installation or construction of the complying permanent enclosure for good cause, including, but not limited to, adverse weather conditions delaying construction.

(f) **Exceptions.** An **above-ground hot tub or spa** equipped with a safety cover classified by Underwriters Laboratory, Inc. (or other approved independent testing laboratory) to reference standard **ASTM F1346 (2003)**, entitled “Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs,” published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, shall be exempt from the requirements of subdivisions (c) and (d) of this section, 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 of the hot tub or spa is present shall not invalidate the exception provided in this subdivision.