

PLEASE SUBMIT WITH A COPY OF SURVEY, SHOWING POOL LOCATION AND THAT POOL IS AT LEAST 5' FROM ALL PROPERTY LINES.



Incorporated Village of Massapequa Park

VILLAGE HALL, 151 FRONT STREET, MASSAPEQUA PARK, NEW YORK 11762-2794

WEBSITE: www.masspk.com

BUILDING DEPARTMENT

ABOVE GROUND SWIMMING POOL REGISTRATION

FEE: \$55.00

REGISTRATION NO.: _____

SECTION: _____ BLOCK: _____ LOT: _____ DATE: _____

NAME: _____

ADDRESS: _____ TELEPHONE NO.: _____

Do any overhead electrical wires run over or along your property lines: Yes: _____ No: _____

Depth of Pool: _____ Distance from side lines: _____ Manufacturer: _____

Enclosure (fence) type: _____ Height: _____ (Depict on Survey)

Protective Device – describe: _____

Requirements:

- Requires a backflow preventer on hose bibb fill pipe
- If the above ground pool is going to be sunk into the ground, we require a letter from the manufacturer stating this does not cause a problem to the pool
- A Fire Underwriter's Certificate is required for all electrical work

I, the undersigned, do hereby certify that the statements made on this form are true and correct to the best of my knowledge and belief. I further certify that I have received, read and understand Village and New York State Residential Codes concerning pool alarms.

I hereby authorize the Building Inspector to enter the premises in the performance of his duties.

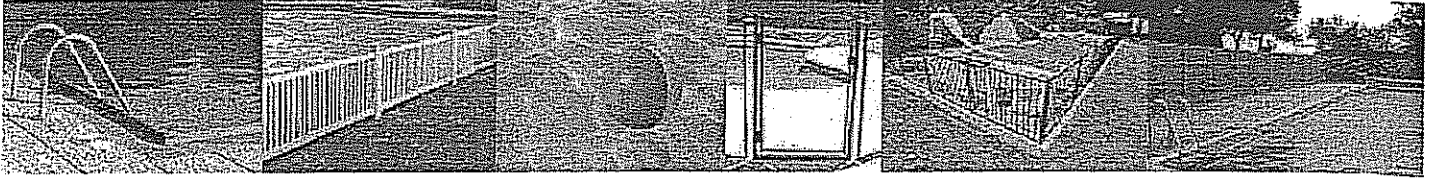
Signature of Owner

Approved: _____

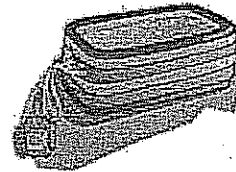
Rejected: _____

Building Inspector

Attachments: Massapequa Park Village Ordinance
New York State Residential Codes



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.

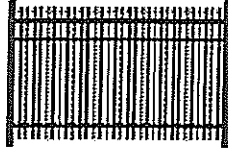
Pool alarms are not required in:

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")"

New York State Department of State
Swimming Pool Rules and Regulations found 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 "[Current Requirements for Swimming Pools contained in the Uniform Fire Prevention and Building Code \(The "Uniform Code"\)](#)"

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



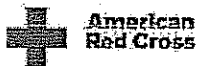
NYS Department of Health
Website
<http://www.health.state.ny.us>



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



CPSC Pool and Spa Safety Publications
www.cpsc.gov/CPSCPUB/PUBS/chdrown.html



The American Red Cross
www.redcross.org



National Safe Kids Campaign
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>

**NEW YORK STATE
FIRE PREVENTION AND BUILDING CODE
(THE "UNIFORM CODE")**

SECTION 1228.2 SWIMMING POOL ALARMS

Pool Alarms

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.

Definitions

For purposes of this section, the following words and terms shall have the following meanings:

1. 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 in-ground pools; indoor pools; hot tubs; spas; and fixed-in-place wading pools.
2. 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.

**CODE OF THE VILLAGE OF MASSAPEQUA PARK NEW YORK, v122 Updated:
12-01-2008 / PART II GENERAL LEGISLATION / Chapter 345, ZONING / ARTICLE
VI, Special Use Regulations / § 345-41. Pools. [Amended 11-8-1967]**

§ 345-41. Pools. [Amended 11-8-1967]

- A. It shall be unlawful to construct, maintain, install or alter any pool in the Village except in compliance with all the provisions of this section and upon issuance of a permit or registration as applicable for same by the Village of Massapequa Park. [Amended 12-22-1997 by L.L. No. 18-1997]
- B. The term "pool" is hereby defined as a receptacle for water, including all accessory equipment, having a depth at any point above or below ground of more than 18 inches and having a surface area of water greater than 50 square feet or having a capacity of over 500 gallons of water, intended for the purpose of ornamentation or for the immersion or partial immersion therein of human beings. [Amended 12-22-1997 by L.L. No. 18-1997]
- C. The Village Building Inspector shall approve any swimming pool which conforms to the provisions of this section, provided that the public health, safety and general welfare of the neighborhood will be secure and that such use will not be detrimental to the general character of the neighborhood or to the orderly development of the Village. [Amended 12-22-1997 by L.L. No. 18-1997]
- D. Permit. [Amended 4-11-1983 by L.L. No. 3-1983; 1-13-1986 by L.L. No. 1-1986; 1-7-1991 by L.L. No. 1-1991]
 - (1) At the time of filing the application for registration of portable aboveground pools, there shall be paid a onetime fee as provided in Chapter A350, Fees.
 - (2) In-ground pools shall require the filing of an application for a building permit, accompanied by a fee as provided in Chapter A350, Fees.
- E. Conformance to plans and specifications for below-ground and deck-type pools. All work performed under a permit issued by the building official under this section shall conform to the approved application and plans. It shall be unlawful to revise the area or the construction of work provided for in an application hereunder.
- F. Materials of construction. No pool shall be built, constructed or maintained except of materials having adequate strength to retain the water designed to be contained therein. Each pool shall be designed in accordance with sound engineering practice.

G. Drawings and plans for below-ground and deck-type pools.

- (1) All drawings and plans for the construction, installation or alteration of any below-ground pool and aboveground deck-type and/or accessories shall be countersigned by a registered architect or professional engineer and be filed with the Village Building Inspector for examination and approval as to the proper location and construction.
- (2) All distances and dimensions shall be accurately figured and drawings made explicit and complete, showing the lot line and including information pertaining to the pool, walk and fence construction, water supply system, drainage and water disposal systems and all accessories pertaining to the swimming pool. Detailed plans and vertical elevation shall also be provided.
- (3) The Building Inspector may revoke a permit issued under the provisions of this section in the event that he finds there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit was based. (See Subsection E.)

H. Walkway. Unobstructed walk areas not less than 24 inches wide shall be provided to extend entirely around pools below ground. The walk area of below-ground pools and the deck area of aboveground pools shall be constructed of durable material and the surfaces shall be of such material as to be easily cleaned and of nonslip construction.

I. Ladders. For all below-ground swimming pools, a means of access through the use of steps or ladders shall be provided. At least one such means of access, entrance or exit, shall be located in the water at the deep end of the pool. All aboveground-type pools shall be provided with a removable or retractable-type ladder or steps for entering or leaving the pool, which shall be removed or retracted at all times when the pool is not in use.

J. Distances. No portion of a pool, including walkways, and pump, filters, showers, accessories or pool water disinfectants shall be located at a distance less than five feet from any side or rear property line or building setback line.

K. Fences. [Amended 4-9-1984 by L.L. No. 1-1984]

- (1) All outdoor pools shall be completely surrounded by an impregnable enclosure fence or as hereafter provided. A dwelling or house shall be construed as part of the enclosure or fence and at no point be less than the height of the fence or impregnable enclosure. Such fence must be erected in a structurally sound manner so as to completely enclose the pool itself or the particular rear yard in which the pool is situated.
- (2) Said fence or enclosure is to remain on the property only as long as the pool remains on said real property. If for any reason said pool is removed from said real property, then

the owner or owners of the real property must make proper application to the Village of Massapequa Park or to the Zoning Board of Appeals, as the case may be, for said fence to remain on said real property, or, in the alternative, said fence must be removed from said real property. If after the pool is removed from the real property, proper application is not made by the owner or owners of the real property to the Village of Massapequa Park or to the Zoning Board of Appeals, as the case may be, then within 60 days after the pool has been removed from the property or the pool has been filled in, the owner must remove the fence erected or constructed or installed on said real property.

- (3) All fence openings or points of entry into the pool area shall be equipped with gates. All gates shall be constructed with a self-closing device and shall have self-acting devices placed at the top of the gate, except for the door of the dwelling that forms a part of the enclosure.
- (4) Fences shall be decay- or corrosion-resistant and shall be permanently installed. To be considered impregnable, an enclosure shall be constructed to not have openings, holes or gaps larger than four inches in any dimension except for door and gaps, and except if a picket fence is erected and maintained, the horizontal dimension of the holes or gaps shall not exceed four inches. [Amended 1-14-2008 by L.L. No. 1-2008]
- (5) The fence and gate shall not be less than four feet nor more than six feet in height above the grade level.

L. Water supply.

- (1) When municipal water is piped directly into the pool, a check valve shall be installed on the supply line used to supply water to the pool.
- (2) When municipal water is used to fill a pool from a hose, the discharge end of the hose shall be above the surface of the pool water.
- (3) When private water is used to supply pool water, such supply shall not be cross-connected to a municipal waterline.

M. Water disposal.

- (1) Water overflowing from the pool and, when the pool is emptied, the water therefrom shall be disposed of on the owner's land and shall be prevented from flowing over or into the land of any adjoining property owner or over or into any abutting street.
- (2) When it is impossible to comply with this section, special permission to drain pool water into the municipal storm sewer system may be granted upon written request. In cases of extenuating circumstances, a verbal request followed with a written request to the

Superintendent of Public Works will be satisfactory.

N. Noise nuisance.

- (1) It is hereby declared to be the policy of the Village Board to prevent any unreasonably loud, disturbing and unnecessary noise. Noise of such character, intensity and duration as to be detrimental to the life and health of any individual or contrary to the public welfare is prohibited.
- (2) The operation of any radio or phonograph or the use of any musical instrument or any loud, riotous, vociferous, social exchange by or between persons in such a manner or with such volume, particularly between 11:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any dwelling pertinent or adjacent to or near said premises is prohibited.
- (3) The provisions of Chapters 218, 222 and 236 of the Code of the Village of Massapequa Park and any amendments thereto shall apply.

O. Electrical apparatus and wiring.

- (1) Electric lights used within the pool proper or on the premises where a pool is located shall be shielded in such a manner as not to reflect light rays upon adjoining premises.
- (2) Electrical apparatus, lights, conduit, cable or wire located or used in conjunction with the operation of such pools shall be properly grounded by a licensed electrician or in a manner acceptable to the Building Inspector or the New York Board of Fire Underwriters or by any other company, corporation or legal entity of licensed electrical inspectors who have been officially approved or accepted by the Town of Oyster Bay and comply with provisions of Chapter 128 of the Code of the Incorporated Village of Massapequa Park. [Amended 7-14-2003 by L.L. No. 6-2003]

P. Abandonment.

- (1) Any discontinuance of the use of a below-ground pool or abandonment of the same by the owner shall require the filling in of said pool and/or the removal of the same for the purpose of returning the ground surface to its original grade and condition as existed prior.
- (2) The Building Inspector shall be notified of said intention to abandon the use of said pool and that inspection of the site be made by the Building Department Inspector prior to and upon completion of said work.
- (3) Aboveground pools, when abandoned, shall be emptied of water and dismantled.