



TOWN OF OSSINING BUILDING DEPARTMENT

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Swimming Pool Q&A

Do I Need A Building Permit To Install A Temporary Or Permanent Swimming Pool?

Yes. A Building Permit is needed if a swimming pool exceeds 24" in depth, *even if it is a temporary, portable unit that you put up and take down each year.* This includes above and in-ground pools, hot tubs, spas, and fixed in place wading pools.

What Information Do I Need To Obtain A Building Permit?

- Completed Building Permit application
- Copy of your property survey showing the location of the proposed pool (may not be closer than 10' to your property line and may only be in the rear or side yard)
- Manufacturers specifications and drawings for the pool
- A copy of the Declarations Page of your homeowner's insurance policy showing you have Liability coverage on the property
- Copy of your General Contractor's *Westchester County Home Improvement Contractors'* License along with a copy of his Workman's Compensation Insurance policy
- Name of your Westchester County licensed Electrician (this can also be supplied after permit is issued and before electrical work begins). Your Electrician must file for a separate permit with this office before electrical work commences.
- Code 53 number if required (for underground digging – Tel #1-800-962-7962)
- Building Permit fee

Do I Need To Install A Fence or Barrier (Enclosure) Around the Pool?

Yes. Pools greater than 24" and less than 48" in height require an enclosure. Enclosures must be 48" above grade measured on the side of the enclosure that faces away from the pool. The maximum gap from the enclosure to the ground cannot be greater than 2", and if you put the enclosure on top of the pool the bottom of the enclosure cannot be greater than 4" from the top of the pool. Openings (spaces between pickets e.g.) cannot allow the passage of a 4" diameter sphere. Chain link fences used as an enclosure require a maximum mesh size of 2.25" squares.

Gates installed in the enclosure need a self closing and self-latching system and must open outward (away) from the pool. If the self-latching device is located less than 54" from the bottom of the fence it must be installed on the pool side of the gate at least 3" below the top of the gate, and there can be no openings (slats etc.) greater than 1/2" within 18" of the latching device.

Can I Use A Wall of My House As Part of the Enclosure?

Yes, but, if you use the house as one part of the fence or enclosure the following applies:

- Doors that provide direct access to the pool through that wall must be equipped with an alarm that produces an audible warning when the door and its screen are opened. The alarm must sound for a minimum of 30 seconds immediately after the door is opened and must be capable of being heard in all parts of the house during normal household activities. The alarm must have a manual deactivation switch to temporarily deactivate the alarm for a single opening and the deactivation cannot last longer than 15 seconds. The deactivation switch must be at least 54" above the threshold of the door.
- The pool must be equipped with a power safety cover.

The above conditions may be waived if other satisfactory means of protection are used that satisfy the intent of the Building Code.

Do I Need To Install A Fence or Barrier (Enclosure) Around the Pool During Construction?

Yes. 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. NOTE: You have ninety days from the date of the building permit being issued to install the permanent enclosure, **whether or not the pool itself is completed.**

What About Pool Ladders?

Pool ladders or steps must be locked or secured to prevent access. When the ladder or steps are locked, secured, or removed, any opening created shall not allow the passage of a 4" diameter sphere.

What About Alarms For The Pool?

All new swimming pools must have a pool alarm that sounds an alarm poolside and at another location on the premises where the swimming pool is located. It must be capable of detecting a child entering the water and give an audible alarm when it detects a child entering the water. The alarm must be installed and maintained per the manufacturer's instructions and is classified by Underwriters Laboratory or another approved independent testing agency.

Note: The above rules are subject to change. Please contact our office for additional information as needed.