



Town of Van Buren
Code Enforcement Office
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Swimming Pools, Spas and Hot Tub Permit Requirements

All pools, spas, and hot tubs capable of holding twenty-four (24) inches of water require a building permit.

Each building permit application shall be accompanied by the following:

- A completed building permit application with the applicable fee due.
- A survey showing the location of the proposed pool, spa or hot tub, along with the associated setbacks to all property lines. From the rear and side property lines and the setback must be four (4) feet or greater. Also, all buildings, easements, powerlines and other utilities shall be shown on the map along with their respective distances to the proposed pool, spa, or hot tub.
- Installers Certificate of liability, disability and Workmen's Compensation insurance.
- Estimated cost of the pool, spa, or hot tub.
- Manufactures information relating to size and design of the pool, as well as the number of gallons of water needed to fill the pool, spa, or hot tub.

Electrical Requirements:

- The electrical portion of an installation of a pool, spa or hot tub must be inspected by a Town of Van Buren approved third party electrical agency prior to the final inspection by the Code Enforcement Officer. Those approved by the Town of Van Buren are:
 - Commonwealth Electrical Inspection Services Inc.
 - Upstate Electrical Inspection Agencies
 - The Inspector
 - New York Atlantic-Inland Inc.

Barrier Requirements:

- Barriers, such as fences, are required around swimming pools, hot tubs and spas. With the intended purpose of providing protection against potential drowning and near drowning by restricting access the swimming pools, spas, and hot tubs. This includes both fixed and portable units, including pre-formed or inflatable pools. The only exception is when a swimming pool is not able to contain more than twenty-four (24) inches of water. Hot tubs and spas are exempt from the barrier if equipped with a safety cover complying with the ASTM F1346 safety standard.
 - All gates shall be self-closing. In addition, if the gate is pedestrian access gate, the gate shall open outward, away from the swimming pool
 - All gates shall be self-latching, and 54" from the ground

- All gates shall be securely locked with a key, combination or other child-proof lock sufficient
- The Residential and Building Code of New York State regulates the construction parameters of barriers. The options are the following:
 - A 48-inch barrier shall surround the pool, spa, or hot tub area. This barrier can be made using various methods including masonry, wood, or metal. Whatever method is used, it must not allow passage of children through the barrier and should also be constructed to prevent climbing. All barriers must meet the requirements of Section AG105 of the Residential Code of New York State.
 - For above ground pools, spas and hot tubs, the side wall can be used as part of the barrier as long as the walls are 48 inches above the ground and the access ladder is secured. A barrier can be placed on top of the pool, spa or hot tub if it does not quite meet the 48-inch requirement itself.
 - When the wall of a building serves as the barrier, or a portion thereof, a power operated top can be used, or alarms can be placed on the doors leading to the pool, spa, or hot tub area.

A temporary barrier must be in place during installation or construction and shall remain in place until a permanent barrier in compliance with Section 3109.3.2 is provided.

Pool Alarm Requirements:

- 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, must be equipped with an approved pool alarm which:
 - 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.
 - It is installed, used and maintained in accordance with the manufacturer's instructions.
 - it must **not** be an alarm device located on person(s) or which is dependent on device(s) located on person(s) for its proper operation

If access to the pool area can be gained via a walk-out basement, said door must have an alarm.