

# Swimming Pool Guidelines

## **{1. SWIMMING POOL PERMIT INSTRUCTIONS}**

Be advised that the Town of Clay strictly enforces the Building Code of New York State, Section 3109, The Residential Code of N.Y. State Appendix G, and the Town of Clay Zoning Ordinance 230-50 (B) 2 for swimming pools.

Fill out a Building Permit Application including a survey showing where the swimming pool will be placed.

Please be advised that setbacks on inground pools shall be measured to the concrete pad.

Depositing of excess soil into the drainage swales will not be tolerated. Excess dirt must be removed from the property. Using the excess dirt to build up the grade of property should not be done. Filling of drainage swales will cause drainage problems for you and for your neighbors.

Before we we will take in a permit application for your swimming pool, you will need to supply us with a copy of the electrical work order from one of the following agencies:  
Commonwealth Electrical Inspection Service, I;c., Larry Kinne; 633-0027,  
Middle Department Inspection Agency; Jerry Bellows; 452-5304, or  
The Inspector; Tim Willsey; 1-800-487-0535 or 247-9162.

Please ask the agency at what part of electrical installation will they need to inspect, and how many inspections are required.

The perimeter enclosure (fence) around your pool must be complete before you fill your pool with water. Temporary construction fencing is not allowed when water is in the pool.

Once your pool and fencing is completed, and the electric has been certified safe, please call us to perform a final inspection so that we may issue a certificate of compliance to allow you to use your pool.

Thank you for your cooperation and enjoy a safe swimming season.

## **{2. SWIMMING POOL CODE REGULATIONS}**

*30.98 TOWN OF CLAY ZONING ORDINANCE*

### **B. BUILDING PERMITS**

2. Building Permits for swimming pools. No building permit for the erection or maintenance of a swimming pool shall be issued except upon compliance with the following provisions:

a. *Map or Survey.* The application shall be accompanied by a map or survey showing the exact location of the pool with references to lot side lines, existing buildings, water mains, electric lines, gas lines and sewer lines. The application shall show the manner and method of disposal of waste water.

c. *Lighting.* No lighting shall be permitted in, on or about a swimming pool except such lighting that shall shine into or upon the pool which shall cast no light or reflections onto abutting properties.

- d. *Overhead Wires.* No overhead electric lines shall be maintained within twenty (20') feet of the nearest portion of a pool or appurtenances.
- e. *Perimeter.* A perimeter of at least four (4') feet around all edges of the pool shall be maintained between the edges of the pool and fence erected around the pool.
- f. *Disposal of Waste Water.* Waste water shall not be discharged into any public sewer of the Town of Clay. Waste water shall be prevented from flowing over or into the land of any adjoining property owner or over any abutting street.
- g. *Filling.* No pool having water capacity in excess of one hundred (100) gallons shall be filled or added to between the hours of 7:00 A.M. and 10:00 P.M. No pool shall be filled or added to at any time during the effectiveness of emergency water orders or measures.
- h. *Existing Pools.* Existing pools shall conform to all provisions of this subdivision.
- i. *Abandonment.* Should the owner abandon the pool, he shall arrange to remove the depression and return the surface of the ground to its original grade and approximately in the same condition as before the pool was constructed and the Enforcement Officer shall be notified therefore.

### **{3.REGULATIONS FOR INSTALLATION OF FENCES}**

*To: Fence Contractors and Interested Residents in the Town of Clay*

*Town of Clay Zoning Ordinance Chapter 230*

*230.20 General Supplementary Regulations*

#### 2. Fences.

- a. No wall or fence, other than a wire fence, shall be erected, replaced or maintained on any residential lot having a height in excess of seven (7) feet.
- b. No fence or hedge having a height in excess of two and one-half (2 ½) feet shall be erected, replaced or maintained in the front yard or side yard between the street line and the setback line.
- c. Fences cannot be erected across a drainage easement per section 185.20, Stormwater Drainage.
- d. Fences in Flood Zones must comply with Chapter 112-Flood Damage Prevention.
- e. Fences surrounding swimming pools must comply with section 230.20B(3).

#### § 185.20 Discharge of stormwater and unpolluted drainage.

B. No person shall obstruct, interfere with or divert the natural flow of any storm water, surface water, ground water, roof runoff, outside footing drains, subsurface drainage or other unpolluted waters, or the flow of any such waters into and by means of drainage facilities created by the Town or created by others with Town approval.

New York State Building Code

Fences involving swimming pools must comply with Section 3109 of the New York State Residential Code.

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