

# POOLS, HOT TUBS, and SPAS

## When is a Permit Required?

A building permit is required for all swimming pools, hot tubs, spas and similar structures capable of reaching a depth of 24 inches of water or more.

## Applying for a pool permit requires the following:

1. A completed Building/zoning Permit application is required to obtain a permit. An application form is available at City Hall, 214 N Main Street or on-line at [www.tuscola.org](http://www.tuscola.org)
2. A Site Plan with dimensions showing the following is required:
  - Property lines,
  - Existing and proposed structures,
  - Driveways, sidewalks, streets, easements, and overhead power lines.
  - Proposed barrier (i.e. fence, wall, building)
  - Pool/Hot Tub Specifications from the manufacturer or installer, including the size and depth/height of the pool
3. Pool Safe Filling Methods Affidavit.

## Zoning Ordinance Requirements

The Zoning Ordinance impacts the allowed placement of a pool, spa, or hot tub. Pools are required to be setback 10 feet from the rear and alley property lines, and 6 feet from the side property lines, and at least 5 feet from the main structure.

Exception – if 400 square feet or less and 10 ft. or less in height, may be 3 feet from rear and side property lines and 10 feet from alley property lines.

## Building Permit Fees

The building permit fee for above ground pools is typically a \$25 fee. This includes the electric for the pool installation as well. (may need a separate permit for the barrier)

Inground pools fees are \$5.00 per 100 square feet and require a separate electrical permit.

## Inspections

Once a permit is issued, construction may begin. As the project progresses, the Building Inspections Office will need to inspect the work being performed. It is the permit applicant's responsibility to contact the inspector for all inspections. The following inspections are required for most above ground pools, spas & hot tubs:

After all electrical equipment, switches, plugs, covers, and fixtures are installed and operational and final grading is complete.

### Inspections for In-Ground Pools:

1. Building Inspection- A form inspection is required prior to the pouring of concrete.
2. Electrical Bonding Inspection- When re-rod, wire mesh, equipotential, pool side, coping, lighting, ladder, etc. are bonded together with a #8 solid copper prior to concrete pour.
3. Rough Plumbing Inspection- After all piping to be concealed has been installed
4. Final Inspection -After all fixtures are installed and operational and final grading is complete.

In addition to the above inspections, the inspector may require other inspections to ensure compliance with the Code.

Please call the building inspector listed on the permit to request inspections. Every effort is made to perform an inspection within one to two business days following a request. Work schedules fill up quickly at certain times of the year. Calling more than a day in advance can help to avoid potential delays in the progress of your project.

### **General Information**

The permit must be posted in a front window so it is visible from the street.

Before you dig, call JULIE at (800) 892-0123

### **FAQ**

Q1. I want to install a swimming pool in my backyard. Do I need a permit?

A1. Yes. A building permit, and for some types an electrical permit, is required for swimming pools, hot tubs, spas and similar structures if the depth of water is capable of reaching 24 inches or more.

Q2. Are there barrier requirements for swimming pools?

A2. YES! Barriers around swimming pools are a very important safety feature. Please see the Barrier information for specifics.

Q3. Will I need to get an electrical permit?

A3. Above ground pools, Hot tubs, and Spas do not require a separate electrical permit. In ground pools DO require an electrical permit.

Q4. Are there any zoning restrictions on the location of the swimming pool or hot tub?

A4. Yes. Interior Lot: a swimming pool, hot tub or similar structure may be located in the rear yard only, and must be at least 7 feet from the rear and side property lines within the rear yard.

Corner Lot: A corner lot is considered to have 2 front yards and 2 side yards, with no rear yard. Therefore, a swimming pool, hot tub, or similar structure may be located in a side yard, provided it is at least 7 feet from the side yard property line. It cannot be located in a front yard nor placed closer to a street than the house.

NOTE: Setbacks for patios and decks also apply.

Q5. How do I find out where my property line is?

A5. The City knows the dimensions of all lots, but not precisely where the lot lines are located. You may have received an ALTA or mortgage survey when you purchased your home. If not, a private land surveyor can conduct a survey and provide you with a scaled map of your property showing the location of lot lines, buildings and other site features.

Q6. How long will it take to get a swimming pool, hot tub or Spa permit?

A6. If all the required information is provided, the review can usually be done 24-48 hours.

## Barriers for Residential Swimming Pools, Spas, and Hot Tubs

All outdoor swimming pools, including inground, above ground, or on ground pools, hot tubs, or spas, should have a barrier which complies with the following:

1. The top of the barrier should be at least 48 inches above the surface measured on the side of the barrier which faces away from the swimming pool.
2. The maximum vertical clearance between the surface and the bottom of the barrier should be 4 inches measured on the side of the barrier which faces away from the swimming pool. In the case of a non-solid surface, grass or pebbles, the distance should be reduced to 2 inches, and 1 inch for removable mesh fences.
3. Where the top of the pool structure is above grade or surface, such as an above ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier should be 4 inches.
4. Openings in the barrier should not allow passage of a 4-inch diameter sphere.
5. Solid barriers, which do not have openings, such as a masonry or stone wall, should not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
6. Where the barrier is composed of horizontal and vertical members and the distance between the bottom and top horizontal members is less than 45 inches, the horizontal members should be located on the swimming pool side of the fence.
7. Spacing between vertical members should not exceed  $1\frac{3}{4}$  inches in width. Where there are decorative cutouts, spacing within the cutouts should not exceed  $1\frac{3}{4}$  inches in width.
8. Maximum mesh size for chain link fences should not exceed  $1\frac{1}{4}$  inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than  $1\frac{3}{4}$  inches.
9. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members should be no more than  $1\frac{3}{4}$  inches.
10. Access gates to the pool should be equipped with a locking device. Pedestrian access gates should open outward, away from the pool, and should be self-closing and have a self-latching device.  
  
Gates other than pedestrian access gates should have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism should be located on the pool side of the gate at least 3 inches below the top of the gate and the gate and barrier should have no opening greater than  $\frac{1}{2}$  inch within 18 inches of the release mechanism.
11. Where a wall of a dwelling serves as part of the barrier, one of the following should apply:
  - (a) All doors with direct access to the pool through that wall should be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. Alarms should meet the requirements of UL 2017 General-Purpose Signaling Devices and Systems, Section 77.
  - (b) The pool should be equipped with a power safety cover which complies with ASTM F1346-91.
  - (c) Other means of protection, such as self-closing doors with self-latching devices, are acceptable so long as the degree of protection afforded is not less than the protection afforded by (a) or (b) described above.
12. 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 to the pool or steps should be capable of being secured, locked or removed to prevent access, or the ladder or steps should be surrounded by a barrier. When the ladder or steps are secured, locked, or removed, any opening created should not allow the passage of a 4-inch diameter sphere.

