



TOWN OF SHERBORN

Building Department
19 Washington Street
Sherborn, MA 01770
774-270-5643 phone

Chris Canney
Building Commissioner
Zoning Code Enforcement
inspector@sherbornma.org

SWIMMING POOL APPLICATION

SECTION 1: SITE INFORMATION

Applicable to all permit applications:

PROPERTY ADDRESS: _____

Applicable to new construction and additions:

ZONING DISTRICT: _____ PROPOSED USE: _____

LOT AREA (square feet): _____ FRONTAGE (feet): _____

BUILDING SETBACKS (feet): Front yard: _____ Side yards: _____ Rear yard: _____

Applicable to new construction only:

ASSESSORS MAP AND PARCEL NUMBERS: Map: _____ Parcel: _____

WATER SUPPLY (check one): ☐ Public ☐ Private FLOOD ZONE: Zone: _____ If outside, check here ☐

SECTION 2: PROPERTY OWNERSHIP

OWNER NAME (PRINT): _____

OWNER ADDRESS: _____
No. and Street City, State, ZIP

OWNER CONTACT _____
Telephone Number Email Address

SECTION 3: DESCRIPTION OF PROPOSED WORK *(check all that apply)*

New Construction <input type="checkbox"/>	Existing Building <input type="checkbox"/>	Owner-Occupied <input type="checkbox"/>	Repair(s) <input type="checkbox"/>	Alteration(s) <input type="checkbox"/>	Addition <input type="checkbox"/>
Demolition <input type="checkbox"/>	Accessory Building <input type="checkbox"/>	Number of Units: _____	Other <input type="checkbox"/>	Specify: _____	

DESCRIPTION OF PROPOSED WORK: _____

¹ All sections must be completed for all permit applications, with the exception of those listed in Section 1.

SECTION 4: ESTIMATED CONSTRUCTION COSTS

Item	Estimated Costs: (Labor and Materials)	OFFICIAL USE ONLY
1. Building	\$	Building Permit Fee: \$ _____ Indicate how fee is determined: <input type="checkbox"/> Standard City/Town Application Fee/Minimum Fee (see fee sched.) <input type="checkbox"/> Total Project Cost (Item 6) x multiplier _____ x \$0.010 Other Fees: \$ _____ List: _____ Total All Fees: \$ _____ <i>All payments to be submitted through the <u>Town of Sherborn's</u> <u>Collector's office. Please attach a receipt with the application package</u></i>
2. Electrical	\$	
3. Plumbing	\$	
4. Mechanical (HVAC)	\$	
5. Mechanical (Fire Suppression)	\$	
6. TOTAL PROJECT COST	\$	

SECTION 5: CONSTRUCTION SERVICES

Construction Supervisor License (CSL) Information	
Name of CSL Holder _____	License Number _____ Expiration Date _____
No. and Street Name _____	CSL Designation (check all that apply): <input type="checkbox"/> CS (unrestricted) <input type="checkbox"/> CSFA (one- and two-family) <input type="checkbox"/> 1A (masonry) <input type="checkbox"/> RF (roofing) <input type="checkbox"/> SF (solid fuel) <input type="checkbox"/> WS (windows, siding, doors) <input type="checkbox"/> demolition <input type="checkbox"/> IS (insulation) <i>Please attach a photocopy of a current, valid, Construction Supervisor's License to this application</i>
City / Town, State, ZIP _____	
Telephone Number _____ Email Address _____	

Home Improvement Contractor (HIC) Information (if applicable)		
HIC Company Name or HIC Registrant Name _____	HIC Registration Number _____	Expiration Date _____
No. and Street Name _____	City / Town, State, ZIP _____	
Telephone Number _____ Email Address _____	<i>Please attach a photocopy of a current, valid HIC registration certificate to this application</i>	

SECTION 6: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152 § 25C(6))

A Workers' Compensation Insurance Affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of a building permit for the project described in Section 3 of this application.

SECTION 7: OWNER AUTHORIZATIONS AND PERMISSIONS

I, as Owner of the subject property, hereby authorize _____ to act on my behalf in all matters relative to work authorized by this building permit application.

Printed Owner's Name _____ Owner's Signature _____ Date _____

By entering my name below, I hereby attest, under the pains and penalties of perjury, that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

Printed Owner's Name _____ Owner's Signature _____ Date _____

This Section is for official use only

Building Permit Number _____

Issued: _____

Applicant: _____

Project: _____



The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
600 Washington Street
Boston, MA 02111
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers
Applicant Information **Please Print Legibly**

Name (Business/Organization/Individual): _____

Address: _____

City/State/Zip: _____

Phone #: _____

Are you an employer? Check the appropriate box:

1. ☐ I am a employer with _____ employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]
3. ☐ I am a homeowner doing all work myself. [No workers' comp. insurance required.] †

4. ☐ I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance.‡
5. ☐ We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]

Type of project (required):

6. ☐ New construction
7. ☐ Remodeling
8. ☐ Demolition
9. ☐ Building addition
10. ☐ Electrical repairs or additions
11. ☐ Plumbing repairs or additions
12. ☐ Roof repairs
13. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attached an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: _____

Policy # or Self-ins. Lic. #: _____ Expiration Date: _____

Job Site Address: _____ City/State/Zip: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date). Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector
6. Other _____

Contact Person: _____ Phone #: _____

**TOWN OF SHERBORN
BUILDING DEPARTMENT**

PERMIT NUMBER _____

**Office of Consumer Affairs and Business Regulations
AFFIDAVIT
Home Improvement Contractor Registration Law**

M.G.L., CHAPTER 142A SECTION 2 REQUIRES the reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition or construction of an addition to any pre-existing owner occupied building of one and two family dwelling units, or to structures which are adjacent to such residences or building be done by home improvement registered contractors with certain exceptions, along with other requirements.

Type of work: _____

Address of work: _____

Total Cost of Contract: _____

Owners Name: _____

Contractor: (Print) _____

I hereby certify that registration is not required for the following reason;

- ☐ Work excluded by law ☐ Work under \$1,000. ☐ Building not owner occupied
☐ Owner pulling own permit. Other _____

SIGNED UNDER PENALTIES OF PERJURY:

I hereby apply for a permit as the agent of the owner. I have provided the home owner with all the Home Improvement Contractor Registration information and the Required Contract Terms per M.G.L. Chapter 142A.

Contractor _____ Date _____ Reg. No. _____

Notice is hereby given that: if the homeowner obtains their own permit they will be excluded from the Guaranty Fund.

Notwithstanding the above notice I hereby apply for a permit as the owner of above property.

Homeowner _____ Date _____

SUPPLEMENTAL APPLICATION FOR POOL PERMIT TO ERECT BARRIER (fence)

**Application to Erect Barrier (fence) In Compliance With The
Massachusetts State Building Code, 780 CMR 421.10
"Enclosures For Private Swimming Pools, Spas And Hot Tubs"**

PROPERTY OWNERSHIP

Name (print) _____

Address _____ Telephone _____

Signature _____ Date _____

AUTHORIZED CONTRACTOR (if fence contractor is different than pool installer)

Name (print) _____

Address _____ Telephone _____

Signature _____ Date _____

WORKERS COMPENSATION AFFIDAVIT AND INSURANCE DECLARATION SHEET MUST
BE COMPLETED AND SUBMITTED WITH THIS APPLICATION IF CONTRACTOR IS
DIFFERENT THAN POOL INSTALLER. Signed Affidavit Attached: Yes____ No____

PROVIDE A PLOT PLAN OF POOL LOCATION SHOWING APPROXIMATE LOCATION OF
BARRIER TO BE INSTALLED ALONG WITH A BRIEF DESCRIPTION OF FENCE STYLE,
HEIGHT AND MATERIALS. BE SURE TO SHOW LOCATION OF ALL GATES, DIRECTION
OF SWING, TYPE, AND LOCKS.

I, _____, AS OWNER OR
AUTHORIZED CONTRACTOR OF THE SUBJECT PROPERTY HEREBY DECLARE THAT
THE STATEMENTS AND INFORMATION ON THE FOREGOING APPLICATION AS TRUE
AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
SIGNED UNDER THE PAINS OF PENALTY OF PERJURY.

Print Name _____

Signature _____ Date _____

Affidavit of Acknowledgement
State Building Code Compliant Enclosures (barrier/fence)
Swimming Pools, Spas and Hot Tubs.

TOWN OF SHERBORN BUILDING DEPARTMENT

Address of pool installation _____

Owners Name _____

This affidavit is to acknowledge that an enclosure for the pool in the way of a barrier or fence is required by law under the State of Massachusetts Building Code Regulations and that the Town of Sherborn Building Department requires the enclosure to be inspected and approved prior to the pool being filled or used.

I further acknowledge and understand that a temporary fence may be erected for a period not to exceed thirty (30) days should a conflict exist between the pool and fence contractors schedules and that the temporary fence is subject to inspection and approval before the pool is filled or used.

A temporary Use and Occupancy will expire within the thirty (30) day period. A permanent Use and Occupancy will not be issued without the approved code compliant barrier being in place and no use of the pool will be allowed until that time.

No permit for a pool will be issued without a signed contract with a fencing company listing specifications, location, and date of installation of the fence.

I (print) _____, as owner of the subject property have read and acknowledge my responsibility for the afore mentioned requirements for the issuance of a pool permit.

Sworn to and subscribed under the penalties of perjury.

Homeowner

Date

**OWNER'S CERTIFICATION of NEGATIVE IMPACT of MINOR CONSTRUCTION
of
WELLS AND SEPTIC SYSTEMS**

For **minor building projects** noted in "Board of Health Regulations – Appendix A" which do not require certification of proper operation nor upgrading of the existing septic system, the option is provided, via this form, for the applicant to provide signed certification that the proposed project has no impact on any existing well or septic system.

Property address: _____
Type or Print

Project description: _____
Type or Print

Property Owner(s): _____
Type or Print

- (1.) I know the true and accurate location of all wells on the property and location of all water piping from the well(s) to the building(s) served by the well(s)

AND

No part of the proposed project is closer than 10' (ten feet) to the well nor is it over any part of the piping.

OR

This project has NO impact outside the existing building foundation(s).

- (2.) I know the true and accurate location of all parts of the septic system(s) on the property

AND

No part of the proposed project foundation is within 20' (twenty feet) of the leaching field or cesspool, closer than 10' (ten feet) to the septic tank, nor over any other part of the septic system.

OR

This project has NO impact outside the existing building(s) foundation.

- (3.) This project does not include the installation of an ejector pump, a garbage grinder, a water treatment system, nor any new or additional equipment discharging water to the sanitary drain.

- (4.) The construction activity of this project will not involve any vehicular traffic over any part of the well(s) and/or septic system(s).

I do hereby state that I know that the above statements #1 - #4 are true and accurate

AND

Should the truth and accuracy of the above information be in error as regards this project, I do hereby take complete responsibility for any consequences of such errors.

Owner's signature: _____ Date: _____

Witness' signature: _____ Date: _____

[The Owner's signature must be witnessed by a Board of Health member, Board of Health Administrator, Clerk, or Agent, the Town Building Inspector, or a member of the Selectmen's regular office staff. A Contractor MAY NEITHER SUBMIT NOR SIGN this form on behalf of the owner.]

Submit completed form to the Board of Health

TOWN OF SHERBORN

ENVIRONMENTAL PROTECTION and CONTROL FORM

This form must be completed for new or addition building permit applications.

Address of project: _____

Type of work: _____

Agent or Homeowner: _____ Date: _____

1. Stormwater discharge from disturbances of an acre or more are regulated by the U. S. Environmental Protection Agency under the National Pollution Discharge Elimination System (NPDES, Phase II). This includes disturbances that occur in stages and encompass an acre or more in aggregate area. Projects of this scope must receive a permit from U.S. EPA to allow storm water discharge. If the proposed work exceed this limit a plan showing control measures must be filed.

ESTIMATED SIZE OF AREA TO BE DISTRUBED _____

(If 1 acre or greater speak with Conservation Agent or Building Inspector.)

2. Priority Habitat areas are regulated under the Massachusetts Endangered Species Act and require filing if applicable. Applicant should check with the Conservation Agent for determination according to the Massachusetts Natural Heritage Atlas. (MESA filing is required even if no work is proposed within a wetland or buffer zone.)

IS THE PROJECT LOCATED IN A PRIORITY HABITAT AREA? YES [] NO []
(If YES or unsure speak with the Conservation Agent about filing requirements.)

3. Sherborn Zoning By-Law prohibits construction in a flood hazard zone. The Zoning Board of Appeals may grant a special permit in accordance with the provisions of Section 6.2.3. of the Town Zoning By-Laws.
Flood hazard areas require flood-resistance construction under the Massachusetts State Building Code 780 CMR 120G, Flood-Resistance Construction. Applicant should check with the Building Inspector for determination according to the Flood Insurance Rate Map.

IS THE BUILDING LOCATED IN A FLOOD HAZARD AREA? YES [] NO []
(If YES or unsure check with Building Inspector for permit requirements.)

For Official Use Below

PERMIT NUMBER _____ DATE _____

Approved: _____
Conservation Agent

Building Official

54 inches (1372 mm) from the bottom of the gate: (a) the release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate; and (b) the gate and barrier shall not have an opening greater than ½ inch (13 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

9.1. All doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The audible warning shall commence not more than seven seconds after the door and screen door, if present, are opened and shall sound continuously for a minimum of 30 seconds. The alarm shall have a minimum sound pressure rating of 85 dBA at ten feet (3048 mm) and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones and door bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to deactivate temporarily the alarm for a single opening from either direction. Such deactivation shall last for not more than 15 seconds. The deactivation touchpads or switches shall be located at least 54 inches (1372 mm) above the threshold of the door.

9.2. The pool shall be equipped with an approved power safety cover.

10. 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 fixed or removable ladder or steps, the ladder or steps shall be surrounded by a barrier which meets the requirements of 780 CMR 421.10.1 items 1 through 9. A removable ladder shall not constitute an acceptable alternative to enclosure requirements.

421.10.2 Indoor private swimming pool: All walls surrounding an indoor private swimming pool shall comply with 780 CMR 421.10.1, item 9.

421.10.3 Prohibited locations: Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

421.10.4 Exemptions: The following shall be exempt from the provisions of 780 CMR 421.0.

1. A spa or hot tub with an approved safety cover.
2. Fixtures which are drained after each use.

421.11 Diving boards: Minimum water depths and distances for diving hoppers for pools, based on board height above water, shall comply with Table 421.11(1) for public pools and Table 421.11 (2) for

private pools.

The maximum slope permitted between point D₂ and the transition point shall not exceed one unit vertical to three units horizontal (1:3) in private and public pools. D₁ is the point directly under the end of the diving boards. D₂ is the point at which the floor begins to slope upwards to the transition point. See Figure 421.11.

Figure 421.11
MINIMUM WATER DEPTHS AND
DISTANCES BASED ON BOARD HEIGHT
FOR ALL PUBLIC, SEMI PUBLIC AND
PRIVATE POOLS

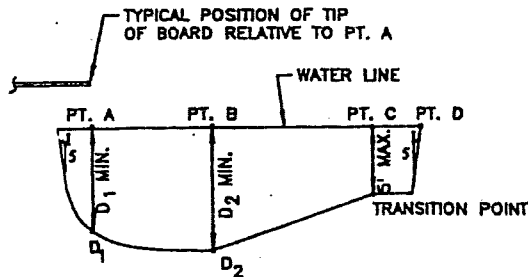


Table 421.1 1(1)
MINIMUM WATER DEPTHS AND
DISTANCES BASED ON BOARD
HEIGHT FOR ALL PUBLIC POOLS

Board height	Minimum depth ^a at D ₁ directly under end of board	Distance ^a between D ₁ and D ₂	Minimum depth ^a at D ₂
2'2" (¾ meter)	7'0"	8'0"	8'6"
2'6" (¾ meter)	7'6"	9'0"	9'0"
1 meter	8'6"	10'0"	10'0"
3 meter	11'0"	10'0"	12'0"

Note a. 1 foot = 304.8 mm.

Table 421.11(2)
MINIMUM WATER DEPTHS AND
DISTANCES BASED ON BOARD HEIGHT
FOR PRIVATE POOLS

Board height	Minimum depth ^a at D ₁ directly under end of board	Distance ^a between D ₁ and D ₂	Minimum depth ^a at D ₂
1'8" (½ meter)	6'0"	7'0"	7'6"
2'2" (¾ meter)	6'10"	7'6"	8'0"
2'6" (¾ meter)	7'5"	8'0"	8'0"
3'4" (1 meter)	8'6"	9'0"	9'0"

Note a. 1 foot = 304.8 mm.

780 CMR 422.0 EXISTING BUILDINGS
422.1 Existing Buildings: See 780 CMR 34.
422.2 Places of assembly
422.2.1 Change of use: An existing building or structure or part thereof shall not be altered or

421.9 Enclosures for outdoor, inground public and semi-public swimming pools: *Outdoor, inground public and semi-public swimming pools shall be provided with an enclosure in accordance with M.G.L. c. 140, § 206.*

421.9.1 Enclosure for public and semi-public outdoor, inground swimming pools: *Every public and semi-public outdoor, inground swimming pool shall be enclosed by a fence six feet in height and firmly secured at ground level provided that any board or stockade fence or structure shall be at least five feet in height, but if over five feet in height, the fence shall be chain link. Such enclosure, including gates therein, shall not be less than six feet above the ground, and any gate shall be self-latching with latches placed four feet above the ground or otherwise made inaccessible from the outside to children up to eight years of age. Such enclosure shall be constructed of such material and maintained so as not to permit any opening in said enclosure, other than a gate, wider than three inches at any point along the enclosure. Any such pool shall be equipped with at least one life ring and rescue hook.*

421.9.1.1 Enclosure for all other public and semi-public swimming pools: *The enclosure shall extend not less than four feet (1219 mm) above the ground. All gates shall be self-closing and self-latching with latches placed at least four feet (1219 mm) above the ground.*

421.9.2 Construction of enclosure for all other public and semi-public swimming pools: *Enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than four inches (102 mm) in diameter through any opening or under the fence. Fences shall be designed to withstand a horizontal concentrated load of 200 pounds (91 kg) applied on a one-square-foot (0.093 m²) area at any point of the fence.*

421.10 Enclosures for private swimming pools, spas and hot tubs: *In lieu of any zoning laws or ordinances to the contrary, private swimming pools, spas and hot tubs shall be enclosed in accordance with 780 CMR 421.10.1 through 421.10.4 or by other approved barriers.*

421.10.1 Outdoor private swimming pool: *An outdoor private swimming pool, including an inground, above ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following.*

1. The top of the barrier shall be at least 48 inches (1219 mm) above finished ground level

measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between finished ground level and the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above finished ground level, such as an above-ground pool, the barrier shall be at finished ground level, such as the pool structure, or shall be 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 shall be four inches (102 mm).

2. Openings in the barrier shall not allow passage of a four-inch (102 mm) diameter sphere.

3. Solid barriers shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44 mm) in width. Decorative cutouts shall not exceed 1 3/4 inches (44 mm) in width.

5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed four inches (102 mm). Decorative cutouts shall not exceed 1 3/4 inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 1 1/4-inch (32 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1 3/4-inches (44 mm).

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be not more than 1 3/4 inches (44 mm).

8. Access gates shall comply with the requirements of 780 CMR 421.10.1 items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than

THE MASSACHUSETTS STATE BUILDING CODE

421.4 Locations: Private swimming pools shall not encroach on any front or side yard required by ~~780 CMR or by the governing zoning law, unless in accordance with specific rules of the jurisdiction in which the pool is located.~~ A wall of a swimming pool shall not be located less than six feet (1829 mm) from any rear or side property line or ten feet (3048 mm) from any street property line, ~~unless in accordance with specific rules of the jurisdiction in which the pool is located.~~

421.5 Structural design: The pool structure shall be engineered and designed to withstand the expected forces to which the pool will be subjected.

421.5.1 Wall slopes: To a depth up to two feet nine inches (838 mm) from the top, the wall slope shall not be more than one unit horizontal in five units vertical (1:5).

421.5.2 Floor slopes: The slope of the floor on the shallow side of the transition point shall not exceed one unit vertical to seven units horizontal (1:7). For public pools greater than 1,200 square feet (111.6 m²), the slope of the floor on the shallow side of the transition point shall not exceed one unit vertical to ten units horizontal (1:10). The transition point between shallow and deep water shall not be more than five feet (1524 mm) deep.

421.5.3 Surface cleaning: All swimming pools shall be provided with a recirculating skimming device or overflow gutters to remove scum and foreign matter from the surface of the water. Where skimmers are used for private pools, there shall be at least one skimming device for each 1,000 square feet (93 m²) of surface area or fraction thereof. For public pools where water skimmers are used, there shall be at least one skimming device for each 500 square feet (55.8 m²) of surface area or fraction thereof. Overflow gutters shall not be less than three inches (76 mm) deep and shall be pitched to a slope of one unit vertical to 48 units horizontal (1:48) toward drains, and constructed so that such gutters are safe, cleanable and that matter entering the gutters will not be washed out by a sudden surge of entering water.

~~**421.5.4 Walkways:** All public and semi-public swimming pools shall have walkways not less than four feet (1219 mm) in width extending entirely around the pool. Curbs or sidewalks around any swimming pool shall have a slip-resistant surface for a width of not less than four foot (305 mm) at the edge of the pool, and shall be so arranged as to prevent return of surface water to the pool.~~

421.5.5 Steps and ladders: At least one means of egress shall be provided from private pools. ~~All public and semi-public pools shall provide ladders to other means of egress at both sides of the diving section and at least one means of egress at the shallow section, or at least one means of egress in the deep section and the shallow section if diving boards are not provided.~~ Treads of steps and ladders shall have slip-resistant surfaces and handrails on both sides, except that handrails are not required where there are not more than four steps or where the steps extend the full width of the side or end of the pool. ~~(Refer to 527 CMR 12.00, the Architectural Access Board's rules and regulations, for requirements pertaining to the accessibility of all public and semi-public swimming pools.)~~

421.6 Water supply: All swimming pools shall be provided with a potable water supply, free of cross connections with the pool or its equipment.

421.6.1 Water treatment: See 105 CMR 935.000 Minimum Standards for Swimming Pools.

421.6.2 Drainage systems: The swimming pool and equipment shall be equipped to be emptied completely of water and the discharged water shall be disposed of in an approved manner that will not create a nuisance to adjoining property.

421.7 Appurtenant structures: All appurtenant structures, installations and equipment, such as showers, dressing rooms, equipment houses or other buildings and structures, including plumbing, heating and air conditioning systems, shall comply with all applicable requirements of 780 CMR, applicable zoning laws and requirements, 105CMR 435.000: Minimum Standards for Swimming Pools (State Sanitary Code: Chapter V), 248 CMR 2.00 : the State Plumbing Code, and 527 CMR 12.00: the State Electrical Code.

421.7.1 Accessories: All swimming pool accessories shall be designed, constructed and installed so as not to be a safety hazard. Installations or structures for diving purposes shall be properly anchored to insure stability.

~~**421.8 Equipment installations:** Pumps, filters and other mechanical and electrical equipment for public swimming pools shall be enclosed in such a manner as to provide access only to authorized persons and not to bathers. Construction and drainage shall be arranged to avoid the entrance and accumulation of water in the vicinity of electrical equipment.~~

421.1 General: Swimming and bathing pools shall conform to the requirements of 780 CMR 421.0 provided that 780 CMR 421.0 shall not be applicable to any such pool less than 24 inches (610 mm) deep or having a surface area less than 250 square feet (23.25 m²), except where such pools are permanently equipped with a water-recirculating system or involve structural materials. For the purposes of 780 CMR, pools are classified as private swimming pools, public swimming pools or semi-public swimming pools, as defined in 780 CMR 421.2. Materials and constructions used in swimming pools shall comply with the applicable requirements of 780 CMR.

421.2 Definitions: The following words and terms shall, for the purposes of 780 CMR 421.0 and as used elsewhere in 780 CMR, have the meanings shown herein.

Pools, swimming, hot tubs and spas

Above-ground/on-ground pool: See definition of private swimming pool.

Barrier: A fence, a wall, a building wall or a combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool. (Refer to M.G.L. c. 140, § 206 for required enclosure of public or semi-public, outdoor, inground swimming pools.)

Hot tub (special purpose pool): A unit designed for recreational and therapeutic use which is shallow in depth and not meant for swimming or diving. These pools are not drained, cleaned or refilled for each user. It may include, but not be limited to hydrojet circulation, hot water, cold water mineral baths, air induction bubbles, or any combination thereof. Industry terminology for such a pool includes but is not limited to, therapeutic pool, hydrotherapy pool, whirlpool, hot spa, hot tubs, float tanks, etc. This standard excludes residential units and facilities used or under the direct supervision and control of licensed medical personnel.

In-ground pool: See definition of private swimming pool.

Private swimming pool: Any structure that contains water over 24 inches (610 mm) in depth and which is used, or intended to be used, for swimming or recreational bathing in connection with an occupancy in Use Group R-3 or R-4 and which is available only to the family and guests of the householder. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

Private swimming pool, indoor: Any private swimming pool that is totally contained within a private structure and surrounded on all four sides by walls of said structure.

Private swimming pool, outdoor: Any private swimming pool that is not an indoor pool.

Public outdoor, inground swimming pool: Any swimming pool which is used, or intended to be used, for swimming or recreational bathing by the general public. Refer to M.G.L. c. 140, § 206 for requirements pertaining to public or semi-public, outdoor, inground swimming pool enclosures, safety equipment, inspection, and penalties for violations.

Public swimming pool, outdoor: Any public swimming pool that is not defined as an outdoor, inground swimming pool.

Semi-public outdoor, inground swimming pool: (as defined by M.G.L. c. 140, § 206) any swimming or wading pool on the premises of, or used in connection with, a hotel, motel, trailer court, apartment house, country club, youth club, school, camp, or similar establishment where the primary purpose of the establishment is not the operation of the swimming facilities. Semi-public outdoor, inground swimming pool shall also mean a pool constructed and maintained by groups for the purposes of providing bathing facilities for members and guests only. Refer to M.G.L. c. 140, § 206 for requirements pertaining to public or semi-public, outdoor, inground swimming pool enclosures, safety equipment, inspection, and penalties for violations.

Semi-public swimming pool, outdoor: Any semi-public swimming pool that is not defined as a semi-public outdoor, inground swimming pool.

Spa: See definition of private swimming pool.

Wading Pool: A pool of water in a basin having a maximum depth of less than two feet intended chiefly as a wading place for children. It does not include any residential pool as herein defined.

421.3 Permits and construction documents: A swimming pool or appurtenances thereto shall not be constructed, installed, enlarged or altered until construction documents have been submitted and a permit has been obtained from the code official. ~~The approval of all city, county and state authorities having jurisdiction over swimming pools shall be obtained before applying to the code official for a permit. Certified copies of these approvals shall be filed as part of the supporting data for the permit application.~~

421.3.1 Construction documents: Construction documents shall accurately show dimensions and construction of the pool and appurtenances and properly established distances to lot lines, buildings, walks and fences, as well as details of the water supply system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool. Detailed construction documents of structures, vertical elevations and sections through the pool showing depth shall be included.