



St. Mary's County  
Department Land Use and Growth Management  
**Customer Assistance Guide**

**5**

## **Building Permits for Swimming Pools & Spas**

These guidelines apply to the construction and installation of residential swimming pools, spas and hot-tubs intended for human use and designed to contain more than 24” in depth of water. This bulletin is for information only and may not apply to every pool permit application on every property in St. Mary’s County. Detailed code standards from the International Residential Code (IRC) 2009 are attached.

### **Step 1: See Customer Assistance Guide (CAG) #3**

The “On Demand” Process for obtaining a Building Permit for Minor Residential Construction.

### **Step 2: Permit Issued**

Upon issuance of your pool permit you will be provided a Building Permit Placard for you to post on your property to identify the location of the pool construction. You will also be provided with CAG #22 and an inspection application form. Please follow the CAG #22 instructions as they pertain to “staking and flagging the lot,” filling out the inspection application form and paying the inspection fee. The fee and completed form must be on file with the inspection agency prior to requesting your pool inspection.

### **Step 3: Inspections – Safety Barrier and Electrical Service**

**Safety Barrier** – To pass inspection your pool must be surrounded by a minimum 48” high enclosure. An aboveground pool may serve, as its own enclosure providing the pool is equipped with a fold-up or removable steps or ladder. If a fence or deck rail is used to provide the minimum 48” high enclosure it must comply with the dimensional criteria described in the St. Mary’s County Building Code (IRC 2009) Appendix G, *Swimming Pools, Spas and Hot Tubs* (Attached).

**Electrical Service** – To pass inspection your pool pump and filter must be provided with appropriate electrical service installed by a St. Mary’s County Licensed Master Electrician in accordance with the St. Mary’s County Electrical Code. If, you, as the homeowner wish to install this electrical service yourself you must first apply for and pass the “homeowner’s examination” which is administered by the St. Mary’s County Board of Electrical Examiners.

# APPENDIX G

## SWIMMING POOLS, SPAS AND HOT TUBS

### SECTION AG101 GENERAL

**AG101.1 General.** The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- and two-family dwelling.

### SECTION AG102 DEFINITIONS

**AG102.1 General.** For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

**ABOVE-GROUND/ON-GROUND POOL.** See “Swimming pool.”

**BARRIER.** A fence, wall, building wall or combination there-of which completely surrounds the swimming pool and obstructs access to the swimming pool.

**HOT TUB.** See “Swimming pool.”

**IN-GROUND POOL.** See “Swimming pool.”

**RESIDENTIAL.** That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

**SPA, NONPORTABLE.** See “Swimming pool.”

**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs and spas.

**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

### SECTION AG103 SWIMMING POOLS

**AG103.1 In-ground pools.** In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG107.

**AG103.2 Above-ground and on-ground pools.** Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG107.

### SECTION AG104 SPAS AND HOT TUBS

**AG104.1 Permanently installed spas and hot tubs.** Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG107.

**AG104.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG107.

### SECTION AG105 BARRIER REQUIREMENTS

**AG105.1 Application.** The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

**AG105.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, aboveground 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 grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 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 grade, such as an aboveground 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 shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stonewall, 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 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the

cutouts shall not exceed 1.75 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 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a 2.25-inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 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 not be more than 1.75 inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward 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 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
  - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and
  - 8.2. The gate and barrier shall have no opening greater than 0.5 inch (12.7 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 conditions shall be met:
  - 9.1. The pool shall be equipped with a power safety cover in compliance with ASTM F1346; or
  - 9.2. 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 alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal house-hold activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

10. Where an aboveground 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:
  - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access, or
  - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

#### **AG105.3 Deleted Text per Ordinance 2010-11**

**AG105.4 Prohibited locations.** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

**AG105.5 Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

### **SECTION AG106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS**

**AG106.1 General.** Suction outlets shall be designed to produce circulation throughout the pool or spa. Single outlet systems, such as automatic vacuum cleaner systems, or other such multiple suction outlets whether isolated by valves or otherwise shall be protected against user entrapment.

**AG106.2 Suction fittings.** All Pool and Spa suction outlets shall be provided with a cover that conforms with ANSI/ASME A112.19.8M, or a 12" x 12" drain grate or larger, or an approved channel drain system.

**Exception:** Surface skimmers

**AG106.3 Atmospheric vacuum relief system required.** All pool and spa single or multiple outlet circulation systems shall be equipped with atmospheric vacuum relief should grate covers located therein become missing or broken. Such vacuum relief systems shall include at least one approved or engineered method of the type specified herein, as follows:

1. Safety vacuum release system conforming to ASME A112.19.17, or
2. An approved gravity drainage system

**AG106.4 Dual drain separation.** Single or multiple pump circulation systems shall be provided with a minimum of two (2) suction outlets of the approved type. A minimum horizontal or vertical distance of three (3) feet shall separate such outlets. These suction outlets shall be piped so that water is drawn through them simultaneously through a vacuum relief-protected line to the pump or pumps.

ASME A112.19.17 Manufacturers Safety Vacuum Release Systems (SVRS) for Residential and Commercial Swimming Pool, Spa, Hot Tub and Wading Pool .....AG106.3

**AG106.5 Pool cleaner fittings.** Where provided, vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least (6) inches and not greater than twelve (12) inches below the minimum operational water level or as an attachment to the skimmer(s).

**SECTION AG107  
ABBREVIATIONS**

**AG107.1 General.**

- ANSI. American National Standards Institute  
11 West 42nd Street, New York, NY 10036
- ASTM. American Society for Testing and Materials  
1916 Race Street, Philadelphia, PA 19103
- NSPI. National Spa and Pool Institute  
2111 Eisenhower Avenue, Alexandria, VA 22314

**SECTION AG108  
STANDARDS**

**AG108.1 General.**

**ANSI/NSPI**

- ANSI/NSPI-3-99 Standard for Permanently Installed Residential Spas.....AG104.1
- ANSI/NSPI-4-99 Standard for Above-ground/On-ground Residential Swimming Pools . . . . . AG103.2
- ANSI/NSPI-5-99 Standard for Residential In-ground Swimming Pools.....AG103.1
- ANSI/NSPI-6-99 Standard for Residential Portable Spas.....AG104.2
- ANSI/ASME A112.19.8M-1987 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs and Whirlpool Bathing Appliances .....AG106.2

**ASTM**

- ASTM F 1346-91 (1996) Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs .....AG105.2, AG105.5

**ASME**