

**This form is to be attached to a main permit application  
All items must be fill out and/or supplied before a permit will be issued.**

# POOL

The Commonwealth of Massachusetts  
Town of Athol  
**APPLICATION FOR PERMIT TO BUILD**

**To the Inspector of Buildings:**

The undersigned hereby applies for a permit to install a pool/hot tub according to the following specifications:

Location of Pool

No. \_\_\_\_\_ Street \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_

1. Owner's Name: \_\_\_\_\_ Estimated cost \_\_\_\_\_

2. The Pool is; Public \_\_\_\_\_ Semi-public \_\_\_\_\_ Private \_\_\_\_\_

Above ground \_\_\_\_\_ In ground \_\_\_\_\_ Size \_\_\_\_\_

3. Material of the pool \_\_\_\_\_ foundation \_\_\_\_\_

4. Type and location of fence/barrier \_\_\_\_\_

5. A Plot Plan must show:

Size of lot \_\_\_\_\_ Location of pool \_\_\_\_\_

Distances to lot lines; Front (street) \_\_\_\_\_ Right \_\_\_\_\_ Left \_\_\_\_\_ Rear \_\_\_\_\_

Location and distances to all buildings on the lot in feet

Location of safety fence/barrier \_\_\_\_\_

6. Will the pool be erected on filled land? Y/N \_\_\_\_\_

7. Will the pool be heated? Y/N \_\_\_\_\_ (if Yes show Energy Compliance)

8. What is, or will be the water supply for the pool? \_\_\_\_\_

9. Will a deck or building be constructed with the pool? Y/N \_\_\_\_\_

10. Supply plans for all construction.

11. Is a sewage disposal system installed or is a reserve area in proximity to the pool? Y/N \_\_\_\_\_

If there is a on site sewage disposal system and/or a private water supply a signature sign-off must be obtained from the Board of Health 978-249-7934 before application is submitted to the Department.

\_\_\_\_\_ BOH Agent \_\_\_\_\_ Date

The pool will conform to the requirements of the Massachusetts State Building Code 780 CMR and the Massachusetts Electrical Code. A electrical permit may be necessary, please check with your electrician

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

## 780 CMR: STATE BOARD OF BUILDING REGULATIONS AND STANDARDS

**120.M105.2421.10.1 Outdoor Swimming Pools:** An outdoor private swimming pool, including an in-ground 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 (1219mm) 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 ¾ inches (44 mm) in width. Decorative cutouts shall not exceed 1 ¾ 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 the vertical members shall not exceed four inches (102 mm). Decorative cutouts shall not exceed 1 ¾ inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a 2 ¼ 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 ¾ 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 ¾ inches (44mm).
8. Access gates shall comply with the requirements of 780 CMR 120.M105.2 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 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 The pool shall be equipped with an approved 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 shall be equipped with manual means, such as touch pads or switches, to temporarily deactivate the alarm for a single opening from either direction. Such deactivation shall last for not more than 15 seconds. The deactivation touch pads or switches 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, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by 780 CMR 120.M105.2., Item 9.1 or 9.2.
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 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 780 CMR 120.M105.2, Items 1 through 9. When the ladder or steps is secured, locked, or removed, any opening created shall not allow the passage of a 4 inch sphere.

*Note that for private, above ground pools: 1. the pool wall that is at least 48 inches above grade shall substitute for a fence or other barrier except for the ladder area. 2. A retractable, lockable ladder which retracts by sliding mechanism or hinge to 48 inches above grade and cannot be removed shall be considered an acceptable alternative to the applicable required enclosure. 3. The retractable ladder locking/release device must be at least 54 inches above grade level in the immediate vicinity of the ladder, or be located on the pool side of the ladder and located at least 3 inches below the top and the ladder shall not have an opening greater than ½ inch within 18 inches of the locking device.*

**120.M105.3 Indoor Swimming Pools.** All walls surrounding indoor swimming pools shall comply with 780 CMR 120.M105.2, Item 9.

**120.M105.4 Prohibited locations:** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

**120.M105.5 Barrier Exemptions:** Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in 780 CMR 120.M107, shall be exempt from the provisions of 780 CMR 120.M