



TOWN OF MARBLEHEAD

BUILDING INSPECTION DEPARTMENT

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SWIMMING POOL AND HOT TUB-SPA PERMITS

REQUIREMENTS

All pools whether above ground, in ground, temporary or permanent as well as hot tubs and spas which are 24" or greater in depth, require a building permit in compliance with the following items:

Accessory structures, pool houses, sheds, equipment buildings etc. are subject to standard zoning by-laws:

https://www.marblehead.org/sites/g/files/vyhlif4661/f/uploads/ma1991-200b_table_2_dimensional_regulations.pdf

Old and Historic District Properties in the district require approval (COA) by that commission prior to permit application.

Plot plan, tape survey, mortgage survey, or other such site plan indicating the proposed location for the swimming pool not closer than 6 feet to a side or rear property line, nor closer than 10 feet to a residential building. Pools may not be located in a required front yard setback. Hot tubs are not subject to the required setbacks for pools provided they have a lockable safety cover that complies with ASTM F1346. It is the owner's responsibility to verify lot lines.

Pool Enclosures are intended to provide protection against the potential for drowning or near drowning by restricting access to pools, hot tubs and spas through the use of physical barriers and warning devices.

Pools, hot tubs or spas are required to be surrounded by a barrier or fence not less than 48 inches in height as measured on the exterior, and shall include a self-closing self-latching 36" wide gate which opens away from the pool area.

The vertical clearance between grade and the bottom of the barrier shall not exceed; 2 inches for grade surfaces such as grass or gravel; or 4 inches for a solid surface, such as concrete.

A dwelling house or accessory building may be used as part of such enclosure provided that any entrance door to the pool area is equipped with an alarm in compliance with required codes.

Enclosure Exceptions:

1. Spas and hot tubs with a lockable safety cover that complies with ASTM F 1346.
2. Swimming pools with a powered safety cover that complies with ASTM F 1346.

APPLICATION

Permit applications are made online at Marblehead.org and shall include the following items:

1. Online standard building permit application – type of work is "accessory structure".
2. Copy of HIC registration card.
3. Commonwealth of Massachusetts Workers' Compensation affidavit.
4. General Liability insurance (Acord form).
5. Workers' Compensation Insurance (Acord form).
6. Recent Plot Plan showing:
 - Proposed location of pool/spa and fence/barrier indicating setbacks to pool and pool equipment and buildings/structures/decks.

- Adherence to minimum 6-foot side and rear property line setbacks for all swimming pools and their mechanicals on all sides. Pools may not be located in the required front yard setback.
 - 100-foot buffer to wetlands on plan or wetlands letter/Minor Activity report.
7. Manufacturer's specifications and installation guide for pool/spa with dimensions.
 8. Signed contract for installation including total costs.
 9. Homeowner release form if applicable.

Note: A licensed electrician must obtain a permit before the pool permit can be issued. If gas is used, a plumbing permit must also be obtained before the pool permit can be issued.

INSPECTIONS

The following inspections are required for pool installations/permits:

1. Excavation (bottom of hole) prior to stone base or steel
2. Electrical rough – bonding
3. Gas rough – for underground pipes if included
4. Building formwork, dry well and rough – steel re-bar
5. Gas final- for gas pool heater if included
6. Electrical final
7. Fire Final if using liquid propane
8. Final building inspection for pool/spa and fence

ADDITIONAL INFORMATION

- Building permit fee \$15 per \$1,000 total cost of work.
- Post permit card in front of house in a window clearly visible from the street.
- A temporary 48-inch-high construction fence shall be erected and maintained during construction.
- A minimum of six (6'-0") wide pathway is required around the perimeter of swimming pools.
- Pool pumps, filters, heaters or other mechanicals must not exceed 60 decibels at 20 feet in any direction, or the distance to the nearest building having a residential use, whichever is the lesser.
- Every outdoor swimming pool shall be equipped to be completely emptied of water in a manner that will not create a nuisance or hazard to adjoining property.
- No water in the pool until permanent enclosure/fence has been installed.

Code references

- The 2015 International Swimming Pool Spa Code (ISPSC) <https://codes.iccsafe.org/content/ISPSC2015>
- MA BUILDING CODES ON SWIMMING POOLS SECTION 780 CMR 120.M

NO USE OF POOL UNTIL ALL FINAL INSPECTIONS ARE APPROVED