



Town of Reading
16 Lowell Street
Reading, MA 01867

PUBLIC SERVICES DEPARTMENT
Building Division
Mon - Wed - Thu 7:00 AM – 5:30 PM
Tues 7:00 AM – 7:00 PM ~ Fri Closed
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APPLICATION FOR INGROUND POOLS MUST COMPLY WITH:

- 780 CMR 120.M 105 Pool Barrier Requirements
- Construction documents prepared by:
 - Design Professional
 - Drawn to scale
 - Statement such as “All swimming pool and spa work will comply with 2015 ISPSC” on the construction document
 - Pool **NOT** to be filled without an acceptable pool barrier in place

Date: _____

Property Location: _____

Description of work: _____

Owner of Record Signature: _____

Contractor Signature: _____

**This document must be uploaded with the building permit application to install an inground pool*

is placed in service to verify that it is free from leaks or other defects.

[A] 104.12 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested, placed in good and proper working condition and *approved*.

- ❖ The code criteria for materials and equipment have changed over the years. Evaluation of testing and materials technology has permitted the development of new criteria, which the old materials may not satisfy. As a result, used materials must be evaluated in the same manner as new materials. Used (previously installed) equipment must be equivalent to that required by the code if it is to be used in a new installation.

SECTION 105 PERMITS

[A] 105.1 When required. Any owner, or owner's authorized agent who desires to construct, enlarge, alter, repair, move, or demolish a pool or spa or to erect, install, enlarge, alter, repair, remove, convert or replace any system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for the work.

- ❖ This section contains the administrative rules governing the issuance, suspension, revocation or modification of swimming pool and spa permits. It also establishes how and by whom the application for a pool or spa permit is to be made, how it is to be processed and what information it must contain or have attached to it. In general, a permit is required for all activities that are regulated by the code, and these activities cannot begin until the permit is issued.

A swimming pool or spa permit is required for the installation, replacement, alteration or modification of all pools, spas and components that are in the scope of applicability of the code. Replacement of an existing component, piece of equipment or related piping is treated no differently than a new installation in new swimming pool or spa construction. The purpose of a permit is to cause the work to be inspected to determine compliance with the intent of the code.

[A] 105.2 Application for permit. Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or the owner's authorized agent. The permit application shall contain such other information required by the code official.

- ❖ This section limits persons who may apply for a permit to the building owner or an authorized agent. An owner's authorized agent could be anyone who is given written permission to act in the owner's interest for the purpose of obtaining a permit, such as an architect, an engineer, a contractor, a tenant or other. Permit forms generally have sufficient space to write a very brief description of the work to be accom-

plished, which is acceptable for small jobs. For larger projects, the description will be augmented by construction documents.

[A] 105.3 Construction documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code.

- ❖ A detailed description of the work for which application is made must be submitted. When the work is of a "minor nature," either in scope or needed description, the code official may use judgment in determining the need for a detailed description of the work. For example, the construction documents for an on-ground storable pool could be in the form of the manufacturer's installation instructions.

These provisions are intended to reflect the minimum scope of information needed to determine code compliance. A statement such as, "All swimming pool and spa work will comply with the 2015 ISPSA," on the construction document is not an acceptable substitute for showing the required information.

This section also requires the code official to determine compliance with any state professional registration laws as they apply to the preparation of construction documents.

[A] 105.4 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- ❖ Once an application for a permit has been submitted for proposed work, a time limit of 180 days is established for issuance of the permit. This prevents the code official from having to hold on to incomplete or delayed applications for an indefinite amount of time. The code official can grant extensions for this time period if provided with a written request with justifiable reasons for the extension request.

[A] 105.5 Permit issuance. The application, construction documents and other data filed by an applicant for permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, and that the fees specified in Section 105.6 have been paid, a permit shall be issued to the applicant.

- ❖ This section requires the code official to review all submittals for a permit for compliance with the code and to verify that the project will be carried out in accordance with any other applicable laws. This may

780 CMR 120.M 105 Pool Barrier Requirements

120.M105.2 Outdoors private swimming pool: An outdoors private swimming pool, including and 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" (1219 mm) above finish 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 2" (51mm) 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 4" (102mm).
2. Opening in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, 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" (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). 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" (1143mm) or more, spacing between vertical members shall not exceed 4 inches (102mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44mm) 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 dimensional members shall be not more than 1.75 inches (44 mm).
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 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 three 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 shall be met: **9.1.** The pool shall be equipped with a powered 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 780 CMR 120.M105.2, Item 9.1 or 9.2.
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 780 CMR 120.M105.2, **Items 1 through 9**. When the ladder or steps are secured, locked or removed, any opening created shall not allow the pass 120.Me of a four-inch-diameter (102 mm) sphere.

Note that for private, above ground pools:

1. *The pool wall of an outdoor, above ground pool (with pool walls extending at least 48 inches above grade at all points along the pool), substitutes for a fence or other barrier around the pool with the exception of the ladder area of the pool.*
2. *A retractable, lockable ladder, that cannot be removed (without tools or special knowledge available to a small child), which retracts, by hinge or sliding mechanism, to 48 inches or more above the finished grade level and has provision for securing in the retracted mode with a locking device, shall be considered an acceptable alternative to the applicable required enclosure (fence or other gate barrier) of the 780 CMR 421 (6th Edition Building Code), or 780 CMR 120.M (7th Edition Building Code for One- and Two-Family Dwellings).*
3. *The retractable ladder locking/release device must be located at least 54 inches above the finished grade level in immediate vicinity of the retractable ladder or such locking/release mechanism shall be located on the pool side of the ladder (forcing "reach around") and located at least three inches below the top of the ladder and the ladder shall not have an opening greater than ½ inch within 18 inches of the locking/release mechanism. Exception: Public and semi-public outdoor in-ground swimming pool enclosures shall conform to the requirements of M.G.L. c.140, § 206.*