



*Inc. Village of Hewlett Bay Park*  
30 Piermont Ave · Hewlett · NY · 11557  
Tel: (516) 295-1400 · Fax: (516) 295-1406

## Pool Application Requirements

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All applications and plans must be submitted by hard copy and PDF  
to Buildingdepartment@hewlettbayparkny.gov

- ❖ Completed pool permit application form, signed & notarized.
- ❖ Fees:
  - \$500 Application Fee
  - \$2,500 Permit Fee
  - \$250 Certificate of Completion Fee
- ❖ Two (2) sets of signed and sealed plans by a NYS licensed Architect or Engineer

**Plans must include:**

All plans are to be architectural drawings of a scale at least  $\frac{1}{4}$  inch to a foot, including the structural plans for the pool and drainage system.

1. Plot plan indicating all setbacks from existing structures and proposed pool, pool equipment, pool fencing and accessory structures.
2. Zoning calculations of existing and proposed lot coverage, impervious coverage, setbacks, etc.
3. Drainage calculations (5-inch rainfall), with location of drainage structure(s) and piping.
4. Soil Boring Test **must** be submitted.
5. Base Flood Elevation and Water Table **must** be shown on plans.
6. Construction details of the pool, drainage and paving **must** be shown on plans.

**Required by Village Code:**

1. Setbacks: Pool & Equipment must be 35 feet from the rear and 30 feet from the side property lines.
2. Location: Pool & Equipment are required to be in a rear yard only.
3. Fencing: Sides & Rear. A fence may be installed no closer than six inches from a side and rear lot line, to the rear wall of the building, which fencing shall not exceed five feet in height, on either side. Landscaping must be planted along the interior side of the fence; evergreen landscaping must be half of the height of the fence and four feet or less on center.
4. Pool cannot occupy more than 25% of the rear yard.

- ❖ Copy of the most up to date **topographical** survey
- ❖ Separate applications are required for any gas work.
- ❖ All contractors must submit a copy of their **Nassau County Consumer's Affairs** license and **General liability insurance** with the Village of Hewlett Bay Park as the certificate holder as well as additionally insured and **Worker's compensation**.
- ❖ Applications will be reviewed upon the submission of all required items; **an incomplete application will be returned.**

**\*NO WORK SHALL BEGIN UNTIL A PERMIT HAS BEEN ISSUED\***



## Inc. Village of Hewlett Bay Park

30 Piermont Ave Hewlett, NY 11557

Tel: 516-295-1400 • Fax: 516-295-1406

Buildingdepartment@hewlettbayparkny.gov

Office Use Only

Application #:

Permit #:

Issue Date:

Fees: \$500 Application Fee;  
\$2,500 Permit Fee;  
\$250 Certificate of Completion Fee

Property Address:

Section, Block, Lot:

Owner(s) Name:

Mailing Address (if different from property):

Email:

Tel #:

Type of Swimming Pool:  Gunite  Vinyl  Concrete  Steel Wall  Plaster  Other

Pool Heater: Y or N Heater Type: Gas or Oil

Size of Pool from Coping: Length \_\_\_\_\_ Width \_\_\_\_\_ Depth \_\_\_\_\_

# of Drainage Systems (i.e. Drywell) \_\_\_\_\_ Size of Drywell(s): \_\_\_\_\_ x \_\_\_\_\_ Type: \_\_\_\_\_

Estimated Cost of Construction: \$ \_\_\_\_\_

Scope of Work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Architect / Engineer's name:

Address:

Email:

Tel #:

Pool Contractor

Address:

Email:

Tel #:

Nassau County Consumer Affairs License #:

Expiration Date:

### Affidavit of Owner / Applicant

State of NY  
County of Nassau SS:

I \_\_\_\_\_ being duly sworn, deposes and says; that all work being done on the premises in accordance with the statement in writing, and the plans of such proposed work is duly authorized by \_\_\_\_\_.

Signature

Sworn To before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Notary Signature

### Approval

Permission as required by the Building Code of Hewlett Bay Park to perform the work as described in the within statement and the attached plans and specifications, which are part hereof, is granted.

Examined & recommended for approval on \_\_\_\_\_, 20 \_\_\_\_\_

Building Inspector



## Inc Village of Hewlett Bay Park

### OWNERS ACKNOWLEDGEMENT AFFIDAVIT

I, \_\_\_\_\_ being duly sworn, depose and say that I am the owner of \_\_\_\_\_, and that I have authorized the work to be performed at my property by \_\_\_\_\_ (Contractor).

I have read and understand the responsibilities stated below as the homeowner and person responsible while work is being performed on my property. I have familiarized myself with the conditions set forth for the issuance of the building permit as well as the Code of the Village of Hewlett Bay Park including but not limited to:

1. The Building Permit is valid for one (1) year from the date of issuance stated on the permit. If for any reason the work is not completed before the expiration date, you must obtain a six (6) month extension by submitting a request along with the fee that is due prior to the expiration date to be heard before the Board of Trustees for approval.
2. In order to obtain a Certificate of Occupancy or Completion the required documents must be submitted. (Electrical Certificate, Final Survey, any related documents required by the Building Inspector) and ALL inspections must be completed. The **homeowner** is responsible for all open permits.
3. Hours work can be done:
  - a. Monday through Friday - 8:00am to 6:00pm
  - b. Saturday- 9:00am to 5:00pm No loud construction equipment shall be used.
  - c. Sundays and Legal holidays - NO WORK
4. The property must be kept clean and in safe condition at all times during construction.
5. Any and all changes to the approved plans must be submitted to the Building Department and approved by the Inspector.
6. No parking anytime on any street within the Village. Make sure your contractors park their vehicles on your property.

I make this affidavit with the full knowledge that the Building Department relies upon the truth of the statements herein contained and in relying thereon will issue a permit called for in the application.

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(Property Owner's Signature)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Stamp:

(Notary's Signature)



**BUILDING PERMIT  
RESIDENTIAL PROPERTY  
DEPARTMENT OF ASSESSMENT  
NASSAU COUNTY**

240 Old Country Road, Mineola, NY 11501

TOWN - CITY - VILLAGE OF: \_\_\_\_\_

SECTION	BLOCK	LOT (S)	SCH DIST #	PERMIT #	SPECIFIC ZONING DESIGNATION

Location of Building	N.E.S.W. SIDE OF (OR CORNER OF)	N.E.S.W. SIDE OF
----------------------	---------------------------------	------------------

ADDRESS OF PROPERTY	Check one	NAME OF BUSINESS
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CITY, TOWN, VILLAGE	ZIP	<input type="checkbox"/> OWNER OR <input type="checkbox"/> LESSEE	CONTACT PERSON/OWNER
ESTIMATED COST OF CONSTRUCTION:			ADDRESS
			CITY, STATE, ZIP

WORK MUST BEGIN BY	PRINCIPLE TYPE OF CONSTRUCTION	<input type="checkbox"/> STEEL  <input type="checkbox"/> MASONRY  <input type="checkbox"/> FRAME	PHONE
PERMIT EXP DATE			EMAIL
LOT SIZE S.F.			IF YOU WISH TO GROUP OR APPORTION LOTS
# BLDGS ON LOT			PLEASE CALL 516-571-1500 FOR FURTHER INFORMATION

**DETAILED DESCRIPTION OF WORK (PLEASE PRINT CLEARLY)**

\*INCLUDING, BUT NOT LIMITED TO: LOCATION, TYPE AND DIMENSIONS OF IMPROVEMENT

PERMIT TYPE - CHECK ALL ITEMS THAT APPLY		DOES RESIDENCE HAVE THE FOLLOWING	
<input type="checkbox"/> NEW BUILDING	<input type="checkbox"/> FIRE DAMAGE	CENTRAL AIR	YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> ADDITION (CHANGE IN S.F.)	<input type="checkbox"/> GARAGE/ OUT BUILDING	FINISHED ATTIC	YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> DEMOLITION	<input type="checkbox"/> HVAC	<b>BASEMENT FINISH</b>	
<input type="checkbox"/> ALTERATION (NO CHANGE IN S.F.)	<input type="checkbox"/> PLUMBING	1/4 <input type="checkbox"/>	1/2 <input type="checkbox"/>
<input type="checkbox"/> MAINTAIN (PRE-EXISTING)	<input type="checkbox"/> RELOCATION	3/4 <input type="checkbox"/>	FULL <input type="checkbox"/>
<input type="checkbox"/> RECONSTRUCTION	<input type="checkbox"/> REPLACEMENT		
<input type="checkbox"/> DECK, TERRACE, PORCH, CARPORT	<input type="checkbox"/> SWIMMING POOL		
<input type="checkbox"/> DORMERS	<input type="checkbox"/> TENNIS COURT		
<input type="checkbox"/> OTHER _____	<input type="checkbox"/> CHANGE IN USE		

**PROPOSED TOTAL PLUMBING FIXTURES**

FLOOR/FIXTURE	BASEMENT	1ST FLOOR	2ND FLOOR	3RD FLOOR
BATHROOM SINK				
TOILET				
BATHTUB				
STALL SHOWER				
BIDET				
KITCHEN SINK				
WET BAR				

**NUMBER OF EXISTING AND PROPOSED BATHS**

NUMBER OF EXISTING FULL BATHS		NUMBER OF PROPOSED FULL BATHS	
NUMBER OF EXISTING HALF BATHS		NUMBER OF PROPOSED HALF BATHS	

HALF BATH EQUALS TWO FIXTURES, FULL BATH EQUALS THREE OR MORE FIXTURES

NEW C/O NEEDED	YES <input type="checkbox"/>	NO <input type="checkbox"/>
VARIANCE OBTAINED	YES <input type="checkbox"/>	NO <input type="checkbox"/>
CONSTRUCTION/RENOVATION IN EXCESS OF 50%	YES <input type="checkbox"/>	NO <input type="checkbox"/>
SURVEY ENCLOSED	YES <input type="checkbox"/>	NO <input type="checkbox"/>

**PLEASE ATTACH ALL PERMITS & SURVEY IF AVAILABLE**

DATE OF GRANTING OF PERMIT \_\_\_\_\_ Signature of Applicant/Contact Person - Sign & Print

**SEPARATE APPLICATION SHALL BE  
MADE FOR EACH BUILDING**

**FIELD REPORT ON REVERSE**

Address of Applicant/Contact Person

Telephone



Date: \_\_\_\_\_

## Village of Hewlett Bay Park

### PERMEABLE PAVER OWNER & CONTRACTOR CONSENT

Property: \_\_\_\_\_

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

- Gap/Openings must be a minimum of 3/8 inch
- 13% of Surface shall be pervious
- Pavers must be **Interlocking** & approved by the Village

**\*NOTE: STEPPINGSTONES AND SLABS WILL NOT BE CONSIDERED AS PERMEABLE.**

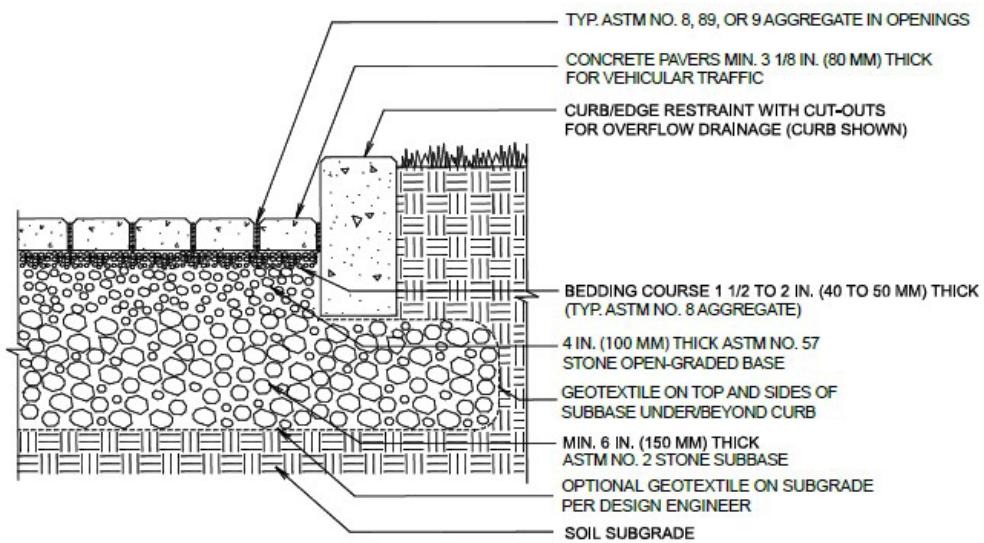


Figure 4. Full infiltration cross section allows storage and infiltration. Overflows are to swales, bioretention areas or storm sewer inlets.

#### **Required Inspections by the Building Department:**

1. Excavation and permeability substrate soil condition.
2. Installation of gravel base to required depth & size.
3. Final installation of pavers.

We, the undersigned understand and agree to the requirements of the installation of permeable interlocking paver system and will contact the Building Department for the required inspections. We understand that if the pavers are not the approved type and/or are not installed properly, both paver and substrate will have to be removed and the correct paver and installation will be required.

Owner: \_\_\_\_\_  
(PRINT NAME)

Contractor: \_\_\_\_\_  
(PRINT NAME)

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

## SECTION R328—SWIMMING POOLS, SPAS AND HOT TUBS

**[NY] R328.1 General.** The provisions of this section shall control the design and construction as well as substantial modification of *swimming pools, spas and hot tubs* installed in or on the lot of *dwellings* regulated under this code, and detached one- and two-family *dwellings* classified as Group R-3 and constructed under the *Building Code of New York State*.

**Exception:** Communal *swimming pools* for the shared use of multiple *townhouse units* shall be regulated by the *Building Code of New York State*.

**[NY] R328.1.1 Compliance with other sections.** *Swimming pools, spas and hot tubs* shall comply with this section and other applicable sections of this code. The requirements of this section and of the other applicable sections of this code shall be in addition to, and not in replacement of or substitution for, the requirements of other applicable federal, state and local laws and regulations, including, but not necessarily limited to the requirements of CPSC 15 USC 8003, where applicable.

**[NY] R328.2 Definitions.** For the purpose of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

**BARRIER, PERMANENT.** A fence, the walls of a permanent structure, any other structure or combination thereof which completely surrounds the *swimming pool* and sufficiently obstructs access to the *swimming pool*.

**BARRIER, TEMPORARY.** An approved temporary fence, permanent fence, the walls of a permanent structure, any other structure, or any combination thereof that sufficiently prevents access to the *swimming pool* by any person not engaged in the installation or construction of the *swimming pool* during its installation or construction.

**HOT TUB.** See "Spa."

**RESIDENTIAL.** That which is situated on the premises of *dwellings* regulated under this code, and also detached *dwellings* classified as R-3 and constructed under the *Building Code of New York State*.

**SPA.** A portable or nonportable structure intended for recreational or therapeutic bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product. *Spas* are shallow in depth and are not designed for swimming or diving.

**SUBSTANTIAL DAMAGE.** For the purpose of determining compliance with the pool alarm provisions of this section, damage of any origin sustained by a *swimming pool*, whereby the cost of restoring the *swimming pool* to its before-damaged condition would equal or exceed 50 percent of the market value of the *swimming pool* before the damage occurred.

**SUBSTANTIAL MODIFICATION.** For the purpose of determining compliance with the pool alarm provisions of this section, any *repair, alteration, addition* or improvement of a *swimming pool*, the cost of which equals or exceeds 50 percent of the market value of the *swimming pool* before the improvement or *repair* is started. If a *swimming pool* has sustained substantial damage, any repairs are considered substantial modification regardless of the actual repair work performed.

**SUCTION FITTINGS.** All components, including the sump and/or body cover/grate and hardware.

**SUCTION OUTLET.** A submerged fitting, fitting assembly, cover/grate and related components that provide localized low-pressure area for the transfer of water from a *swimming pool, spa* or *hot tub*. Submerged suction outlets have been referred to as main drains.

**SWIMMING POOL.** Any structure, basin, chamber or tank which is intended for swimming, diving, recreational bathing or wading and which contains, is designed to contain, or is capable of containing water more than 24 inches (610 mm) deep at any point. This includes in-ground, above-ground and on-ground pools, indoor pools, *hot tubs, spas*, and wading pools.

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

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

**[NY] R328.3 Compliance with other standards.** *Swimming pools, hot tubs, and spas* shall comply with other standards as specified in Sections R328.3.1 through R328.3.4.

**[NY] R328.3.1 In-ground pools.** In-ground *swimming pools* shall be designed and constructed in conformance with ANSI/APSP/ICC 5.

**[NY] R328.3.2 Above-ground and on-ground pools.** Above-ground and on-ground *swimming pools* shall be designed and constructed in conformance with ANSI/APSP/ICC 4.

**[NY] R328.3.3 Permanently installed spas and hot tubs.** Permanently installed *spas* and *hot tubs* shall be designed and constructed in conformance with ANSI/APSP/ICC 3.

**[NY] R328.3.4 Portable spas and hot tubs.** Portable *spas* and *hot tubs* shall be designed and constructed in conformance with ANSI/APSP/ICC 6.

**[NY] R328.4 Barriers, application.** The provisions of this section shall control the design of barriers for *swimming pools, spas* and *hot tubs*. These design controls are intended to provide protection against potential drowning and near-drowning by sufficiently preventing access to *swimming pools, spas* and *hot tubs* by persons outside the property, persons within *buildings* on the property, and persons in other parts of the property not contained within the *swimming pool* enclosure.

**[NY] R328.4.1 Temporary barriers.** An outdoor *swimming pool* shall be surrounded by a *temporary barrier* during installation or construction that shall remain in place until a *permanent barrier* in compliance with Section R328.4.2 is provided.

### Exceptions:

1. Above-ground or on-ground *swimming pools* where the pool structure constitutes a barrier in compliance with Section R328.4.2.9.
2. *Spas* or *hot tubs* with a safety cover which complies with ASTM F1346, provided that such safety cover is in place during the period of installation or construction of such *hot tub* or *spa*. The temporary removal of a safety cover as required to facilitate the installation or construction of a *hot tub* or *spa* during periods when at least one person engaged in the installation or construction is present is permitted.

**[NY] R328.4.1.1 Height.** The top of the *temporary 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*.

**[NY] R328.4.1.2 Replacement by a permanent barrier.** A *temporary barrier* shall be replaced by a complying *permanent barrier* within either of the following periods:

1. Within 90 days of the date of issuance of the *permit* for the installation or construction of the *swimming pool*.
2. Within 90 days of the date of commencement of the installation or construction of the *swimming pool*.

**[NY] R328.4.1.2.1 Replacement extension.** Subject to the approval of the *building official*, the time period for completion of the *permanent barrier* may be extended for good cause, including, but not limited to, adverse weather conditions delaying construction.

**[NY] R328.4.2 Permanent barriers.** *Swimming pools*, *spas*, and *hot tubs* shall be completely enclosed by a *permanent barrier* complying with Sections R328.4.2.1 through R328.4.2.9.

**Exception:** A *hot tub* or *spa* with a safety cover which complies with ASTM F1346 shall not be required to comply with Section R328.4.2.

**[NY] R328.4.2.1 Barrier height and clearances.** The top of the barrier shall be no less than 48 inches (1219 mm) above *grade* measured on the side of the barrier that faces away from the *swimming pool*. The vertical clearance between *grade* and the bottom of the barrier shall be not greater than 2 inches (51 mm) measured on the side of the barrier that faces away from the *swimming pool*. Where the top of the pool structure is above *grade*, the barrier may be at ground level, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the barrier shall comply with Sections R328.4.2.2 and R328.4.2.3.

**[NY] R328.4.2.2 Solid barrier surfaces.** Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

**[NY] R328.4.2.3 Closely spaced horizontal members.** 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  $1\frac{3}{4}$  inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than  $1\frac{3}{4}$  inches (44 mm) in width.

**[NY] R328.4.2.4 Widely spaced horizontal members.** 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 be not greater than 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than  $1\frac{3}{4}$  inches (44 mm) in width.

**[NY] R328.4.2.5 Chain link dimensions.** Maximum mesh size for chain link fences shall be a  $1\frac{3}{4}$  inch (57 mm) square, unless the fence has vertical slats fastened at the top or the bottom which reduce the openings to not more than  $1\frac{3}{4}$  inches (44 mm).

**[NY] R328.4.2.6 Diagonal members.** Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than  $1\frac{3}{4}$  inches (44 mm).

**[NY] R328.4.2.7 Gates.** Gates shall comply with the requirements of Sections R328.4.2.1 through R328.4.2.6 and Sections R328.4.2.7.1 through R328.4.2.7.3.

**[NY] R328.4.2.7.1 Self-closing and opening configuration.** All gates shall be self-closing. In addition, if the gate is a pedestrian access gate, the gate shall open outward, away from the *swimming pool*.

**[NY] R328.4.2.7.2 Latching.** All gates shall be self-latching. For doors and gates in barriers, the door and gate latch release mechanisms shall be in accordance with the following:

1. Where door and gate latch release mechanisms are accessed from the outside of the barrier and are not of the self-locking type, such mechanism shall be located not less than 54 inches (1372 mm) above the finished floor or ground surface.
2. Where door and gate latch release mechanisms are of the self-locking type such as where the lock is operated by means of a key, an electronic opener or the entry of a combination into an integral combination lock, the lock operation control and the latch release mechanism shall be located not greater than 54 inches (1372 mm) above the finished floor or ground surface.
3. At private pools, where the only latch release mechanism of a self-latching device for a gate is located on the pool and spa side of the barrier, the release mechanism shall be located at a point that is at least 3 inches (76 mm) below the top of the gate.

**[NY] R328.4.2.7.3 Locking.** All gates shall be securely locked with a key, combination or other child-proof lock sufficient to prevent access to the *swimming pool* through such gate when the *swimming pool* is not in use or supervised.

**[NY] R328.4.2.8 Dwelling wall as barrier.** A wall or walls of a *dwelling* and its *accessory structures* may serve as part of the barrier, provided that the wall or walls meet the applicable barrier requirements of Sections R328.4.2.1 through R328.4.2.6, and one of the following conditions shall be met:

1. All of the following:
  - 1.1. Doors with direct access to the *swimming pool* through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be *listed* and *labeled* in accordance with UL 2017. The audible alarm shall activate within 7 seconds; sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are opened; and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as touch pad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds.
  - 1.2. Operable windows providing direct access to the *swimming pool*, having a sill height of less than 48 inches above the indoor finished floor in the wall and a sill height of less than 72 inches (1829 mm) above the adjacent exterior surface, in the wall or walls used as a barrier, shall have a latching device located no less than 48 inches (1219 mm) above the floor. Openings in operable windows which provide direct access to the *swimming pool* shall not allow a 4-inch-diameter (102 mm) sphere to pass through the opening when the window is in its largest opened position.
  - 1.3. Where the *dwelling* or *accessory structure* is wholly contained within the pool barrier or enclosure, alarms shall be provided at every door with direct access to the *swimming pool*.
2. Other approved means of protection, such as self-closing with self-latching devices, so long as the degree of protection afforded is not less than the protection afforded by Item 1 described above.

**[NY] R328.4.2.8.1 Alarm deactivation switch location.** Where an alarm is provided, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible units, Type A units, or Type B units, the deactivation switch shall be located 48 inches (1219 mm) above the threshold of the door.

**[NY] R328.4.2.8.2 Multiple dwelling wall as a barrier.** A wall or walls of a multiple dwelling may serve as part of the barrier, provided there is no direct access from the dwelling to the pool.

**[NY] R328.4.2.9 Pool structure as barrier.** Where an above-ground *swimming pool* structure is used as a barrier, or where the barrier is mounted on top of the pool structure, the structure shall be designed and constructed in compliance with ANSI/APSP/ICC 4 and meet the applicable barrier requirements of Sections R328.4.2.1 through R328.4.2.8. Where the means of access is a ladder or steps, one of the following conditions shall be met:

1. The ladder or steps shall be capable of being secured, locked or removed to prevent access. 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.
2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Sections R328.4.2.1 through R328.4.2.8.

**[NY] R328.4.3 Indoor swimming pool.** Walls surrounding an indoor *swimming pool* shall comply with Section R328.4.2.8.

**[NY] R328.4.4 Prohibited locations.** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

**[NY] R328.5 Suction entrapment avoidance.** *Suction outlets* shall be designed and installed in accordance with the requirements of CPSC 15 USC 8003 and ANSI/APSP/ICC 7, where applicable.

**[NY] R328.5.1 Suction Fittings.** *Swimming pool* and *spa* *suction outlets* shall have a cover that conforms to ANSI/APSP/ICC 16.

**Exception:** Surface skimmers.

**[NY] R328.6 Swimming pool and spa alarms, applicability.** A *swimming pool* or *spa* installed, constructed or substantially modified after December 14, 2006, shall be equipped with an approved pool alarm. Pool alarms shall comply with ASTM F2208, and shall be installed, used and maintained in accordance with the manufacturer's instructions and this section.

**Exceptions:**

1. A *hot tub* or *spa* equipped with a safety cover which complies with ASTM F1346.
2. A *swimming pool* (other than a *hot tub* or *spa*) equipped with an automatic power safety cover which complies with ASTM F1346.

**[NY] R328.6.1 Multiple alarms.** A pool alarm must be capable of detecting entry into the water at any point on the surface of the *swimming pool*. If necessary to provide detection capability at every point on the surface of the *swimming pool*, more than one pool alarm shall be provided.

**[NY] R328.6.2 Alarm activation.** Pool alarms shall activate upon detecting entry into the water and shall sound poolside and inside the *dwelling* where it is monitored.

**[NY] R328.6.3 Prohibited alarms.** The use of personal immersion alarms shall not be construed as compliance with this section.