



The Commonwealth of Massachusetts  
Board of Building Regulations and Standards  
Massachusetts State Building Code, 780 CMR

Building Permit Application To Construct, Repair, Renovate Or Demolish a *One- or Two-Family Dwelling*

**SWIMMING POOLS**

FOR MUNICIPALITY USE  
Revised Mar 2011

**This Section For Official Use Only**

Building Permit Number: \_\_\_\_\_ Date Applied: \_\_\_\_\_

Building Official (Print Name) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**SECTION 1: SITE INFORMATION**

**1.1 Property Address:** \_\_\_\_\_ **1.2 Assessors Map & Parcel Numbers**

1.1a Is this an accepted street? yes \_\_\_\_\_ no \_\_\_\_\_ Map Number \_\_\_\_\_ Parcel Number \_\_\_\_\_

**1.3 Zoning Information:** \_\_\_\_\_ **1.4 Property Dimensions:**

Zoning District \_\_\_\_\_ Proposed Use \_\_\_\_\_ Lot Area (sq ft) \_\_\_\_\_ Frontage (ft) \_\_\_\_\_

**1.5 Building Setbacks (ft)**

Front Yard		Side Yards		Rear Yard	
Required	Provided	Required	Provided	Required	Provided

**1.6 Water Supply:** (M.G.L.c. 40, § 54) Public  Private  **1.7 Flood Zone Information:** Zone: \_\_\_\_\_ Outside Flood Zone? Check if yes  **1.8 Sewage Disposal System:** Municipal  On site disposal system

**SECTION 2: PROPERTY OWNERSHIP<sup>1</sup>**

**2.1 Owner<sup>1</sup> of Record:**  
Name (Print) \_\_\_\_\_ City, State, ZIP \_\_\_\_\_  
No. and Street \_\_\_\_\_ Telephone \_\_\_\_\_ Email Address \_\_\_\_\_

**SECTION 3: DESCRIPTION OF PROPOSED WORK<sup>2</sup> (check all that apply)**

New Construction  Existing Building  Owner-Occupied  Repairs(s)  Alteration(s)  Addition   
Demolition  Accessory Bldg.  Number of Units \_\_\_\_\_ Other  Specify: \_\_\_\_\_

Brief Description of Proposed Work<sup>2</sup>: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 4: ESTIMATED CONSTRUCTION COSTS**

Item	Estimated Costs: (Labor and Materials)	Official Use Only
1. Building	\$ _____	1. Building Permit Fee: \$ _____ Indicate how fee is determined: <input type="checkbox"/> Standard City/Town Application Fee <input type="checkbox"/> Total Project Cost <sup>3</sup> (Item 6) x multiplier _____ x _____ 2. Other Fees: \$ _____ List: _____ _____ Total All Fees: \$ _____ Check No. _____ Check Amount: _____ Cash Amount: _____ <input type="checkbox"/> Paid in Full <input type="checkbox"/> Outstanding Balance Due: _____
2. Electrical	\$ _____	
3. Plumbing	\$ _____	
4. Mechanical (HVAC)	\$ _____	
5. Mechanical (Fire Suppression)	\$ _____	
6. Total Project Cost:	\$ _____	

**SECTION 5: CONSTRUCTION SERVICES**

**5.1 Construction Supervisor License (CSL)**

Name of CSL Holder \_\_\_\_\_

No. and Street \_\_\_\_\_

City/Town, State, ZIP \_\_\_\_\_

Telephone \_\_\_\_\_ Email address \_\_\_\_\_

License Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

List CSL Type (see below) \_\_\_\_\_

Type	Description
U	Unrestricted (Buildings up to 35,000 cu. ft.)
R	Restricted 1&2 Family Dwelling
M	Masonry
RC	Roofing Covering
WS	Window and Siding
SF	Solid Fuel Burning Appliances
I	Insulation
D	Demolition

**5.2 Registered Home Improvement Contractor (HIC)**

HIC Company Name or HIC Registrant Name \_\_\_\_\_

No. and Street \_\_\_\_\_

City/Town, State, ZIP \_\_\_\_\_ Telephone \_\_\_\_\_

HIC Registration Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

Email address \_\_\_\_\_

**SECTION 6: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152. § 25C(6))**

Workers Compensation Insurance affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the Issuance of the building permit.

Signed Affidavit Attached? Yes .....  No .....

**SECTION 7a: OWNER AUTHORIZATION TO BE COMPLETED WHEN OWNER'S AGENT OR CONTRACTOR APPLIES FOR BUILDING PERMIT**

I, as Owner of the subject property, hereby authorize \_\_\_\_\_ to act on my behalf, in all matters relative to work authorized by this building permit application.

Print Owner's Name (Electronic Signature) \_\_\_\_\_ Date \_\_\_\_\_

**SECTION 7b: OWNER<sup>1</sup> OR AUTHORIZED AGENT DECLARATION**

By entering my name below, I hereby attest under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

Print Owner's or Authorized Agent's Name (Electronic Signature) \_\_\_\_\_ Date \_\_\_\_\_

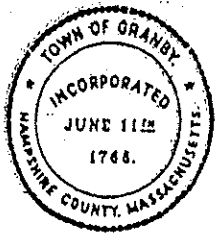
**NOTES:**

1. An Owner who obtains a building permit to do his/her own work, or an owner who hires an unregistered contractor (not registered in the Home Improvement Contractor (HIC) Program), will **not** have access to the arbitration program or guaranty fund under M.G.L. c. 142A. Other important information on the HIC Program can be found at [www.mass.gov/oca](http://www.mass.gov/oca) Information on the Construction Supervisor License can be found at [www.mass.gov/dps](http://www.mass.gov/dps)

2. When substantial work is planned, provide the information below:

Total floor area (sq. ft.) _____	(including garage, finished basement/attics, decks or porch)
Gross living area (sq. ft.) _____	Habitable room count _____
Number of fireplaces _____	Number of bedrooms _____
Number of bathrooms _____	Number of half/baths _____
Type of heating system _____	Number of decks/ porches _____
Type of cooling system _____	Enclosed _____ Open _____

3. "Total Project Square Footage" may be substituted for "Total Project Cost"



# TOWN OF GRANBY

MASSACHUSETTS 01033

BUILDING DEPARTMENT  
(413) 467-7179

NAME	PERMIT #	DATE
LOCATION	MAP	PARCEL
TYPE CONSTRUCTION	ZONING DISTRICT	
SANITARY DISPOSAL SYSTEM	Y N	PERMIT FEE PAID Y N
WELL PERMIT	Y N	TAXES PAID Y N
WELL DRILLING REPORT	Y N	PLOT PLAN Y N
WATER TEST	Y N	AS-BUILT NEEDED Y N
3 SETS BUILDING PLANS	Y N	LANDFILL AFFIDAVIT Y N
COPY DEED	Y N	BUILDING IN FLOOD PLAIN Y N
MARKED SMOKE DETECTORS	Y N	BUILDING IN WETLANDS Y N
CONSTRUCTION SUPERVISOR'S LICENSE	Y N	LOCATED ON SCENIC ROAD Y N
HOME IMPROVEMENT CONTRACTOR'S LICENSE	Y N	ANY STONE WALLS Y N
HOMEOWNER LICENSE EXEMPTION	Y N	BUILDING IN WATER SUPPLY DISTRICT Y N
WORKMEN'S COMPENSATION AFFIDAVIT	Y N	ENERGY AUDIT Y N

## SIGNATURES REQUIRED BY BUILDING DEPARTMENT:

Board of Health:	Sewer Commissioner _____
Well: _____	Chief, Police Department _____
Septic: _____	Historical Commission
Chief, Fire Department	Conservation Commission
Planning Board	Tree Warden
Supervisor, Highway Department	

*NOTE: A Building permit will not be issued unless this form is filled out properly and signatures for checked boxes have been obtained.*

Inspectors of Buildings, Zoning Enforcement Officer

PLOT PLAN

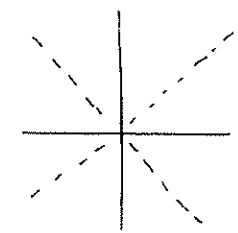
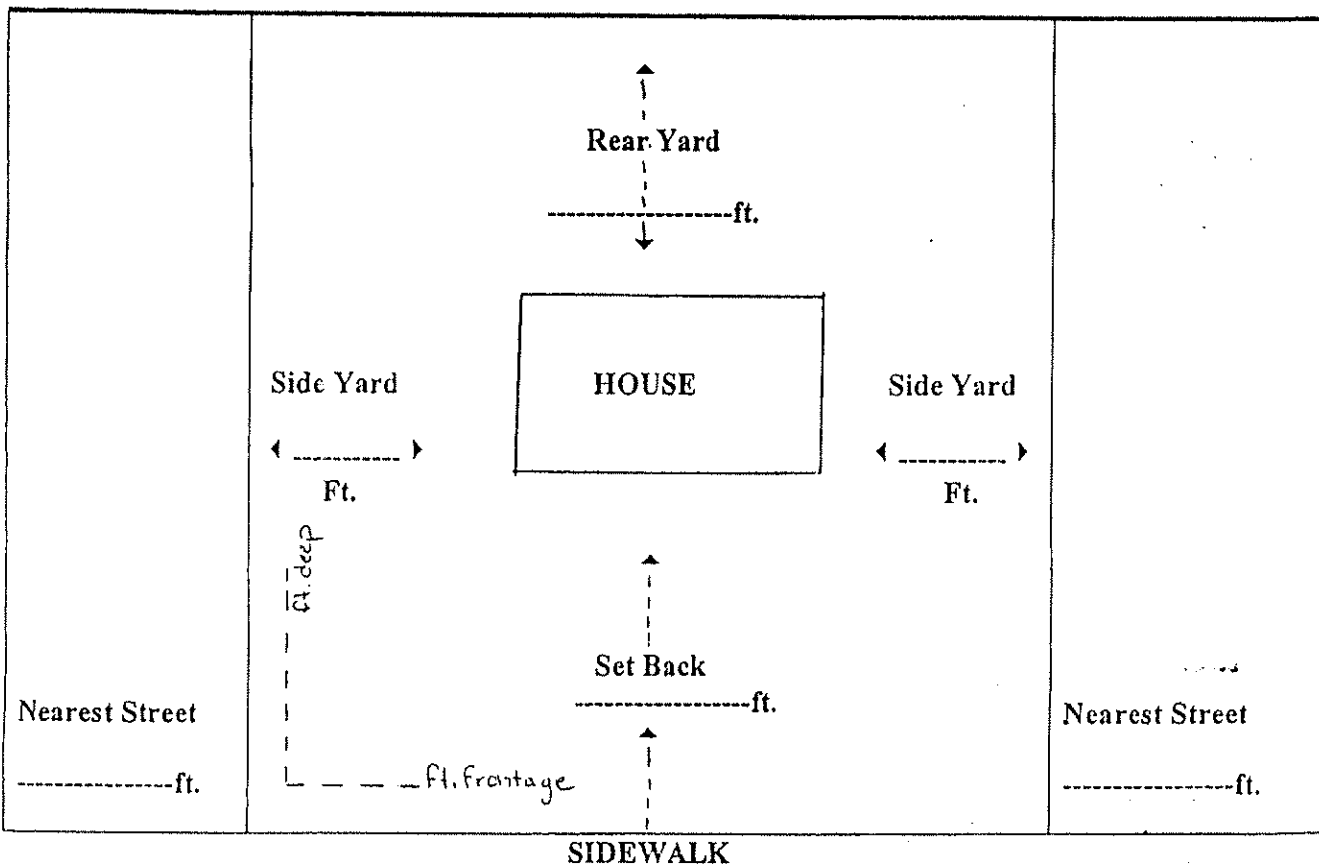
DATE: \_\_\_\_\_

HOUSE NUMBER \_\_\_\_\_

LOT NUMBER \_\_\_\_\_

OWNER OF LAND \_\_\_\_\_

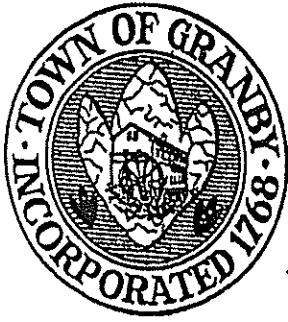
ZONE \_\_\_\_\_



Mark North Point

\_\_\_\_\_ Street/Avenue/Road

Signature \_\_\_\_\_



Russell A. Ducharme, Jr.  
Inspector of Buildings

## TOWN OF GRANBY

### Building Inspector

10B West State Street  
Granby, MA 01033  
(413) 467-717 Tel.  
(413) 467-2080 Fax

## Construction Debris Affidavit

(for all demolition and renovation work)

In accordance with the provisions of MGL c40, S54, a condition of Building Permit Number \_\_\_\_\_ is that the debris resulting from this work shall be disposed of in a properly licensed waste disposal facility as defined by MGL c 111, S150A.

The debris will be disposed of in:

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LOCATION OF FACILITY

The debris will be transported by:

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NAME OF HAULER

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SIGNATURE OF APPLICANT

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DATE



Department of Industrial Accidents  
Office of Investigations  
600 Washington Street  
Boston, MA 02111  
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers

Applicant Information

Please Print Legibly

Name (Business/Organization/Individual): \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone #: \_\_\_\_\_

Are you an employer? Check the appropriate box:

- 1.  I am an employer with \_\_\_\_\_ employees (full and/or part-time).\*
- 2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]
- 3.  I am a homeowner doing all work myself. [No workers' comp. insurance required.] †

- 4.  I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡
- 5.  We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]

Type of project (required):

- 6.  New construction
- 7.  Remodeling
- 8.  Demolition
- 9.  Building addition
- 10.  Electrical repairs or additions
- 11.  Plumbing repairs or additions
- 12.  Roof repairs
- 13.  Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attach an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

*I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.*

Insurance Company Name: \_\_\_\_\_

Policy # or Self-ins. Lic. #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Job Site Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

*I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.*

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

Phone #: \_\_\_\_\_

Official use only. Do not write in this area, to be completed by city or town official

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Electrical Inspector
- 5. Plumbing Inspector
- 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

# Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required." Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

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## Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply sub-contractor(s) name(s), address(es) and phone number(s) along with their certificate(s) of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. Also be sure to sign and date the affidavit. The affidavit should be returned to the city or town that the application for the permit or license is being requested, not the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

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## City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary) and under "Job Site Address" the applicant should write "all locations in \_\_\_\_\_ (city or town)." A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

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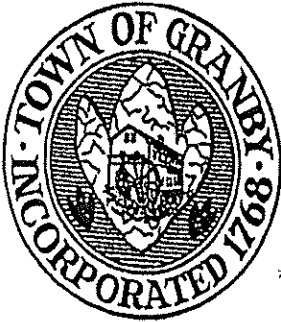
The Department's address, telephone and fax number:

The Commonwealth of Massachusetts  
Department of Industrial Accidents  
Office of Investigations  
600 Washington Street  
Boston, MA 02111

Tel. # 617-727-4900 ext 406 or 1-877-MASSAFE

Fax # 617-727-7749

[www.mass.gov/dia](http://www.mass.gov/dia)



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## TOWN OF GRANBY

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10B West State Street

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### HOMEOWNER LICENSE EXEMPTION

HOMEOWNER

ADDRESS

The undersigned **HOMEOWNER** requests permission to act as a Supervisor to undertake a construction related project at the above referenced address without the benefit of a properly licensed contractor under the following terms and conditions:

1. According to the Massachusetts State Building Code, Section 5108.3.5, the current exemption for "**HOMEOWNERS**" was extended to include owner occupied dwellings of two units or less and to allow such homeowners to engage an individual for hire who does not possess a license provided that the owner acts as supervisor.
2. By definition, a person who owns a parcel of land on which he or she resides or intends to reside, on which there is, or is intended to be a one to two family dwelling, attached or detached structure accessory to such use and/or farm structures, but not manufactured/modular structure, shall be considered a **HOMEOWNER**. A person who constructs more than one home in a two-year period shall not be considered a homeowner.
3. The **HOMEOWNER** will be fully responsible for submission of a complete permit application, site plans, building plans, and any other documentation required by the Building Department to understand the scope and complexity of the work proposed.
4. The **HOMEOWNER** certifies that he or she fully understands the requirements of the Massachusetts State Building Code, 7<sup>th</sup> Edition, and the City of Easthampton Code as they relate to the particular project being undertaken by permit, and that the **HOMEOWNER ASSUMES FULL RESPONSIBILITY** for compliance with all applicable codes, ordinances, and inspection procedures.

This agreement is executed as part of the building permit application.

Homeowner's signature \_\_\_\_\_ Date: \_\_\_\_\_

Approved by Building Inspector \_\_\_\_\_



BRING TO TAX COLLECTOR TO BE FILLED OUT

**TOWN OF GRANBY  
BUILDING DEPARTMENT**

**REQUEST TO COLLECTOR'S OFFICE FOR  
VERIFICATION OF PAYMENTS**

PROPERTY LOCATION: \_\_\_\_\_

PARCEL ID: \_\_\_\_\_

OWNER'S NAME: \_\_\_\_\_

PLEASE CHECK ONE:

BUILDING     SIGN PERMIT     ELECTRICAL     PLUMBING

COLLECTOR'S OFFICE ENTRY

REMARKS: \_\_\_\_\_

REPORTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**TOWN OF GRANBY  
RESIDENTIAL POOL REGISTRATION**

Name: \_\_\_\_\_

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

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Contractor: \_\_\_\_\_

Phone: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

Above Ground Pool       In-Ground Pool       Town Sewer       Septic System

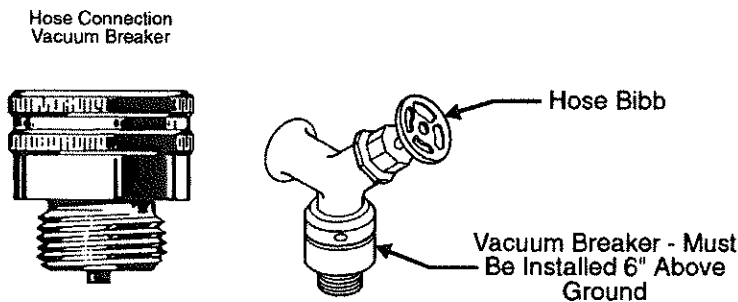
If your home is served by a **SEPTIC TANK LEACHING SYSTEM**, you must meet the following conditions:

In-ground Pools:      Must be at least 10' (ten feet) from the septic tank and 20' (twenty feet) from the leaching facility. A sanitarian or an engineer must be hired to submit measurements of the disposal system and proposed pool placement to the **HEALTH DEPARTMENT**.

Above Ground Pools: Shall not be located over a septic tank in a position that prevents servicing and cleaning.

**BACK FLOW PREVENTOR:** No pool will be approved unless a back flow preventor service is installed at the source of the water supply. This is usually where the hose is connected.

**BACK-SIPHONAGE BACKFLOW PREVENTOR  
FOR HOSE BIBB INSTALLATIONS**



Homeowners commonly use garden hoses connected to the municipal water supply for a variety of purposes, including irrigation of lawns and flower beds, washing cars, filling swimming pools, bathing pets, applying liquid fertilizers and applying pesticides. Often hose-end sprayers are used, directly connecting reservoirs of chemicals to the garden hose. In each of these cases, the potential exists for backflow of polluted or contaminated water to the municipal water supply, possibly causing a health hazard. Hose connection vacuum breakers are simple, low-cost devices that should be used to help prevent backflow of water and possible pollutants or contaminants to the water supply.

Hose bibbs or faucets that are connected to a municipal water supply or other drinking water supply should be equipped with hose connection vacuum breakers to prevent water in the hose from moving back into the water supply. Backward movement of water is called backflow, and it can occur either by siphoning or back pressure. Backflow can occur due to back pressure if the pressure in a garden hose exceeds that in the supply pipeline. This can occur if pumps such as chemical injectors are connected to the garden hose.

APPROVED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**SWIMMING POOL REGULATIONS**  
Per 780 CMR MASSACHUSETTS STATE BUILDING CODE 8<sup>th</sup> EDITION  
Effective 08/04/2011

Section AG101 – AG108  
Swimming Pools, Spas and Hot Tubs  
(containing 24" of water or more)

An outdoor private swimming pool (in-ground, above-ground, on-ground, hot tub or spa) containing more than 24 inches of water shall be provided with a protective barrier, which shall comply with the following:

**FENCES:**

1. The top of the barrier shall be at least 48 inches above finished ground level (side opposite the pool)
2. 2 inch space between the barrier and ground (side opposite the pool)
3. 4 inch space between the top of the pool and barrier (maximum)
4. A 4 inch sphere cannot pass through any openings in the barrier
5. Maximum mesh size for chain link fences shall be 2 ¼ inch square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1 ¾ inches.
6. Fencing consisting of diagonal members, such as lattice fence, the maximum opening formed by the diagonal members shall not be more than 1 ¾ inches.

**GATES:**

1. Must be self closing
2. Must be self latching
3. Must open outwards, away from the pool
4. Must accommodate a lock
5. 54 inch minimum for a self-latching release mechanism **OR**;
6. If the release mechanism of the self-latching device is less than 54 inches from the bottom of the gate, then:
  - (a) it shall be located on the pool side of the gate at least 3 inches below the top of the gate; and
  - (b) the gate and barrier shall not have an opening of greater than ½ inch within 18 inches of the release mechanism

**THE HOUSE AS PART OF THE BARRIER:**

Where a wall of a dwelling serves as part of the pool barrier, one of the following conditions must be met:

1. The pool shall be equipped with a power safety cover in compliance with ASTM F 1346 **OR**;
2. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switches shall be located a minimum of 54 inches above the threshold of the door.

**ABOVE GROUND POOL AS PART OF THE BARRIER**

Where an above ground pool is used as part of the barrier (the pool is 48 inches above grade all the way around the pool) or where the barrier is mounted to the top of the pool:

1. A retractable, lockable ladder that cannot be removed and 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. **OR**
2. The ladder area shall be surrounded by a barrier which meets the requirements listed for fences and gates (i.e. the barrier must be a minimum of 48 inches high, must have a gate that is self closing and self latching, ect.)

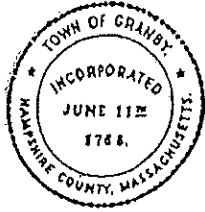
**I, as the homeowner, have read and agree to comply with the above fence requirements necessary for final inspection as well as occupancy of the newly installed pool.**

Name: \_\_\_\_\_

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

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

Address: \_\_\_\_\_



# TOWN OF GRANBY

MASSACHUSETTS 01033

BUILDING DEPARTMENT  
(413) 467-7179

## BARRIER CODE COMPLIANCE AFFIDAVIT

Pool is being purchased from: \_\_\_\_\_

Address for new pool: \_\_\_\_\_

Property Owner's name: \_\_\_\_\_

### OWNERS: PLEASE INITIAL APPROPRIATE ITEMS BELOW

I/We have been made aware of, and will meet, the pool barrier requirements.

\_\_\_\_\_ I/We will meet the pool barrier requirements by using one of the following barrier alternatives:

\_\_\_\_\_ There will be a minimum 4' high fence with self-closing/self-latching gates, with gate latch operating mechanism minimum 54" above grade, between the pool and the residence.

\_\_\_\_\_ There will be a fence with gates as above between adjacent properties and I/We will be using the residence wall as a barrier and will meet all safety requirements for doors and windows in the residence wall.

\_\_\_\_\_ There will be a fence with gates as above between the pool and adjacent properties and I/We will be placing a key-operated, motorized safety cover on the pool, which complies with ASTMES F-1346.

\_\_\_\_\_ I/We have been made aware that we will not be able to have a "pre-Plaster" Building Safety inspection (i.e., The inspection that would allow the filling of the pool with water) until all pool barriers are in place and all Zoning Ordinance requirements and Building Safety Code requirements have been met.

\_\_\_\_\_ If required by local authorities, I/We agree to have our fence contractor erect a temporary fence immediately after pool excavation.

Signature of Property Owner(s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

421.9 Enclosures for *outdoor, inground public and semi-public* swimming pools: *Outdoor, inground public semi-public* swimming pools shall be provided with an enclosure in accordance with M.G.L. c. 140, § 206.

421.9.1 Enclosure for *public and semi-public outdoor, inground swimming pools*: Every public and semi-public outdoor, inground swimming pool shall be enclosed by a fence six feet in height and firmly secured at ground level provided that any board or stockade fence or structure shall be at least five feet in height, but if over five feet in height, the fence shall be chain link. Such enclosure, including gates therein, shall not be less than six feet above the ground, and any gate shall be self-latching with latches placed four feet above the ground or otherwise made inaccessible from the outside to children up to eight years of age. Such enclosure shall be constructed of such material and maintained so as not to permit any opening in said enclosure, other than a gate, wider than three inches at any point along the enclosure. Any such pool shall be equipped with at least one life ring and rescue hook.

421.9.1.1 Enclosure for all other public and semi-public swimming pools: The enclosure shall extend not less than four feet (1219 mm) above the ground. All gates shall be self-closing and self-latching with latches placed at least four feet (1219 mm) above the ground.

421.9.2 Construction of enclosure for all other public and semi-public swimming pools: Enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than four inches (102 mm) in diameter through any opening or under the fence. Fences shall be designed to withstand a horizontal concentrated load of 200 pounds (91 kg) applied on a one-square-foot (0.093 m<sup>2</sup>) area at any point of the fence.

421.9.3 Alternative devices: A natural barrier, pool cover or other protective device approved by the governing body shall be an acceptable enclosure as long as the degree of protection afforded by the substituted device or structure is not less than the protection afforded by the enclosure, gate and latch described herein.

421.10 Enclosures for private swimming pools, spas and hot tubs. *In lieu of any zoning laws or ordinances to the contrary*, private swimming pools, spas and hot tubs shall be enclosed in accordance with 780 CMR 421.10.1 through 421.10.4 or by other approved barriers.

421.10.1 Outdoor private swimming pool. An outdoor private swimming pool, including an inground, 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 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 1½ inches (44 mm) in width. Decorative cutouts shall not exceed 1½ 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 four inches (102 mm). Decorative cutouts shall not exceed 1½ inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 1½-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 1½-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 1½ inches (44 mm).

8. Access gates shall comply with the requirements of 780 CMR 421.10.1 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

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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 1/2 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. 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. The alarm shall have a minimum sound pressure rating of 85 dBA at ten feet (3048 mm) and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones and door bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to deactivate temporarily the alarm for a single opening from either direction. Such deactivation shall last for not more than 15 seconds. The deactivation touchpads or switches shall be located at least 54 inches (1372 mm) above the threshold of the door.

9.2. The pool shall be equipped with an approved power safety cover.

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 fixed or removable ladder or steps, the ladder or steps shall be surrounded by a barrier which meets the requirements of 780 CMR 421.10.1 items 1 through 9. A removable ladder shall not constitute an acceptable alternative to enclosure requirements.

421.10.2 Indoor private swimming pool: All walls surrounding an indoor private swimming pool shall comply with 780 CMR 421.10.1, item 9.

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

421.10.4 Exemptions: The following shall be exempt from the provisions of 780 CMR 421.0.

1. A spa or hot tub with an approved safety cover.
2. Fixtures which are drained after each use.

421.11 Diving boards: Minimum water depths and distances for diving hoppers for pools, based on board height above water, shall comply with Table

421.11(1) for public pools and Table 421.11 (2) for private pools.

The maximum slope permitted between point D<sub>2</sub> and the transition point shall not exceed one unit vertical to three units horizontal (1:3) in private and public pools. D<sub>1</sub> is the point directly under the end of the diving boards. D<sub>2</sub> is the point at which the floor begins to slope upwards to the transition point. See Figure 421.11.

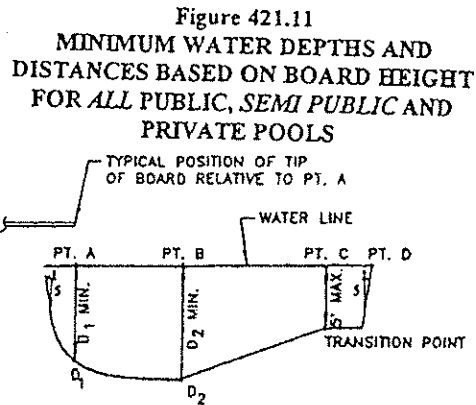


Table 421.1 1(1)  
MINIMUM WATER DEPTHS AND  
DISTANCES BASED ON BOARD  
HEIGHT FOR ALL PUBLIC POOLS

Board height	Minimum depth <sup>a</sup> at D <sub>1</sub> directly under end of board	Distance <sup>a</sup> between D <sub>1</sub> and D <sub>2</sub>	Minimum depth <sup>a</sup> at D <sub>2</sub>
2'2" (2/3 meter)	7'0"	8'0"	8'6"
2'6" (2/4 meter)	7'6"	9'0"	9'0"
1 meter	8'6"	10'0"	10'0"
3 meter	11'0"	10'0"	12'0"

Note a. 1 foot = 304.8 mm.

Table 421.11(2)  
MINIMUM WATER DEPTHS AND  
DISTANCES BASED ON BOARD HEIGHT  
FOR PRIVATE POOLS

Board height	Minimum depth <sup>a</sup> at D <sub>1</sub> directly under end of board	Distance <sup>a</sup> between D <sub>1</sub> and D <sub>2</sub>	Minimum depth <sup>a</sup> at D <sub>2</sub>
1'8" (1/2 meter)	6'0"	7'0"	7'6"
2'2" (2/3 meter)	6'10"	7'6"	8'0"
2'6" (2/4 meter)	7'5"	8'0"	8'0"
3'4" (1 meter)	8'6"	9'0"	9'0"

Note a. 1 foot = 304.8 mm.

780 CMR 422.0 EXISTING BUILDINGS

422.1 Existing Buildings: See 780 CMR 34.

422.2 Places of assembly

422.2.1 Change of use: An existing building or structure or part thereof shall not be altered or