

CITY OF ONEIDA  
DEPARTMENT OF CODE ENFORCEMENT

PATRICK J. BARON  
Code Enforcement Officer  
City Building Inspector



109 North Main Street  
Oneida, New York 13421  
Tel.: 315-363-8460  
Fax: 315-363-9558  
pjbaron@oneidacity.com

APPLICATION FOR SEASONAL SWIMMING POOL

Above Ground \_\_\_\_\_ Date \_\_\_\_\_

INSTRUCTIONS:

- A) This application must be fully completed by typewriter or ink and submitted to the Code Enforcement Officer for approval.
- B) The work covered by this application may not be commenced before the issuance of a Building Permit (Pool Permit).
- C) Upon approval of this application, the City Clerk will issue the Building Permit (pool permit) to the applicant. Such permit shall be kept on the premises throughout the progress of the work.
- D) Notify the office of Code Enforcement (363-8460) when work is ready for inspection, after completion of the pool.

**NO SWIMMING POOL SHALL BE OCCUPIED OR USED IN WHOLE OR PART FOR ANY PURPOSE UNTIL A CERTIFICATION OF ZONING COMPLIANCE IS ISSUED BY THE CODE ENFORCEMENT OFFICER. PRIOR TO ISSUANCE, AN ELECTRICAL INSPECTION IS REQUIRED. \*\*IF PLUGGED INTO GFI UNIT, AN ELECTRICAL INSPECTION IS NOT NECESSARY.**

APPLICATION IS HEREBY MADE to the Code Enforcement Office for the issuance of a Swimming Pool Building Permit pursuant to the City of Oneida's Ordinance relating to Swimming Pools for the construction of a swimming pool. The applicant agrees to comply with all applicable laws, ordinances, and regulations.

Please Print:

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_ Tax ID# \_\_\_\_\_

State whether applicant is the Owner, Lessee, Architect, Engineer or Builder \_\_\_\_\_

Name of Owner of Premises: \_\_\_\_\_

Location where proposed work will be done, Street & Number: \_\_\_\_\_

Zone \_\_\_\_\_ Ward \_\_\_\_\_ Estimated Cost of Pool \_\_\_\_\_ FEE: \$5.00  
C/O: \$5.00  
TOTAL FEE: \$10.00

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Location on lot: Feet from Street Line \_\_\_\_\_ Distance from Right Side \_\_\_\_\_ Left side \_\_\_\_\_

Distance from rear line \_\_\_\_\_ Dimensions of Pool \_\_\_\_\_ Height \_\_\_\_\_

Distance from principal structure \_\_\_\_\_ Distance from Accessory Structures \_\_\_\_\_

Name of Pool Installer \_\_\_\_\_ Address \_\_\_\_\_

LATE FEES WERE ESTABLISHED AND ADOPTED BY THE CITY OF ONEIDA COMMON COUNCIL AS FOLLOWS:

REGULATIONS & LATE CHARGE FEE SCHEDULE  
Adopted by Common Council 12/4/12 Resolution 12-319

**Obtaining the proper permits shall be the sole responsibility of the property owner or general or primary contractor and are required before beginning any work. Failure to obtain a proper permit will result in the following late charge fees added to the cost of the permit:**

1. Failure to obtain a permit minimum late charge fee shall be \$100.00 for permits up to \$50.00.
2. Failure to obtain permit for any permits over \$50.01, the late charge fee shall DOUBLE the amount of the permit.
3. Failure to pick up and pay for permit within 10 days after issuance, a late charge fee of \$100.00 will be assessed.

Above Late Charge Fees Adopted by Common Council 12/4/12 Resolution 12-319 effective 1/1/13.

Date: \_\_\_\_\_ Applicant's Signature: \_\_\_\_\_

Applicant's Phone Number: \_\_\_\_\_

FOR OFFICIAL USE ONLY:	
Examined: _____	Building Permit No. _____
Approved: _____	Permit Fee: _____
Disapproved A/C _____	
	_____ <i>Code Enforcement Officer</i>

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## NOTICE

Swimming Pool Permits will only be issued after the application has been reviewed and approved by the Code Enforcement Officer (CEO).

In accordance with Section 34-10 of the Buildings and Building Regulation Ordinance, the CEO is permitted a reasonable period of time to approve or disapprove the Swimming Pool Permit Applications.

At this time, it is estimated that your swimming pool permit can be issued by the City Clerk on or after this date and time: \_\_\_\_\_ . Please call 363-8460 to confirm the status of your application.

**NO Swimming Pool Permit will be issued on the same day that the application is received by the CEO.**

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Code Enforcement Officer

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**ELECTRICAL INSPECTORS FOR THE CITY OF ONEIDA**  
**PER RESOLUTION OF THE COMMON COUNCIL, JUNE 19, 2012**

Independent Consolidated Electrical Inspection Service, Inc.  
PO Box 4178  
Utica NY 13504-4178  
Tomas Morosco 315-798-9270

The Inspector, LLC  
PO Box 171  
Brewerton NY 13029  
Main Office: 518-497-9918  
Allen Ackley, Inspector 315-676-3827 800-487-0535

Middle Department Inspection Agency, Inc.  
District Office  
424 Erie Blvd. W.  
Rome NY 13440  
315-337-3480 800-547-6342  
New York State Office 800-USE-MEDIA

Commonwealth Electrical Inspection Service, Inc.  
212 E. Thomas St.  
Rome NY 13440  
Main Office: 585-624-2380  
Keith Townsend, Inspector 315-337-2098

Atlantic Inland, Inc. (New York)  
Main Office: 997 McLean Rd.  
Cortland NY 13045  
Mark Peters, Inspector 315-363-0670

Central New York Electrical Inspection Services, LLC  
7910 Rinaldo Blvd. W.  
Bridgeport NY 13030  
315-633-0027

- **The issuance of a Certificate of Occupancy applies to the New York State Building Construction Code only and is required prior to occupancy when a building permit has been issued.**

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

Permit No. \_\_\_\_\_ Expiration Date: \_\_\_\_\_

THIS NOTICE MUST BE PROMINENTLY DISPLAYED ON THE PREMISES TO WHICH IT PERTAINS

**BUILDING PERMIT INSPECTION SCHEDULE**

Issued to: \_\_\_\_\_

Permitting: \_\_\_\_\_

At: \_\_\_\_\_

All work shall be executed in strict compliance with the permit application, approved plans, the Uniform Fire Prevention Code, and all other laws, rules and regulations which apply. The building permit does not constitute authority to build in violation of any federal, state or local law or other rule or regulation.

Special Notes (if any): ALL NEW ELECTRICAL INSTALLATIONS OR UPGRADES SHALL BE INSPECTED AND A FINAL ELECTRICAL CERTIFICATE SHALL BE SUBMITTED TO THE CODE ENFORCEMENT OFFICE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

DO NOT PROCEED BEYOND THESE POINTS UNTIL COUNTERSIGNED BELOW BY THE INSPECTOR

	Initial	Date		Initial	Date
Footer before pouring concrete :	_____	___/___/___	Foundation before backfill	_____	___/___/___
Framing before enclosing:	_____	___/___/___	Electrical before enclosing	_____	___/___/___
Plumbing before enclosing:	_____	___/___/___	Electrical, heating, air-conditioning before enclosing:	_____	___/___/___
Insulation inspection	_____	___/___/___	FINAL INSPECTION:	_____	___/___/___

PERMISSION IS HEREBY GRANTED TO PROCEED WITH THE WORK AS SET FORTH IN THE PLANS AND SPECS ON FILE IN THE CITY OF ONEIDA CODES OFFICE. ANY AMENDMENTS MADE TO THE ORIGINAL PLANS AND SPECS MUST BE FIRST SUBMITTED TO THE OFFICE FOR APPROVAL.

**THIS NOTICE MUST BE PROMINENTLY POSTED.**

**DIG SAFELY NEW YORK**  
**800-962-7962**  
www.digsafelyny.com

\_\_\_\_\_  
Code Enforcement Officer

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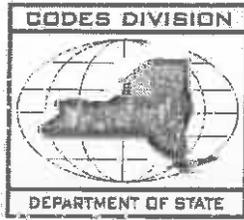
APPLICATION FOR CERTIFICATE OF OCCUPANCY

I, \_\_\_\_\_ request an inspection of  
\_\_\_\_\_ Oneida NY 13421 for the  
purpose of the issuance of a CERTIFICATE OF OCCUPANCY.

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature

**NOTE:** Upon Completion of your project, please submit this form to the  
Codes Enforcement Office.



**NEW YORK STATE DEPARTMENT OF STATE**  
Division of Code Enforcement and Administration

Phone : (518) 474-4073  
[www.dos.state.ny.us](http://www.dos.state.ny.us)

Fax : (518) 486-4487  
E-mail: [info@dos.state.ny.us](mailto:info@dos.state.ny.us)

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**TECHNICAL BULLETIN**

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**Effective Date:** January 1, 2003

**Source Document:** 19NYCRR 1220 - *Residential Code of New York State (RCNYS)*

**Topic:** Self-set swimming pool with 48 inch wall height

This document is to answer the question whether a self-set or quick-set swimming pool (not rigid metal walls) with 48 inch or more wall height meets the requirements of section AG105.2 of Appendix G of the *Residential Code of New York State (RCNYS)* as a barrier.

NO. Section AG105.2 states in part:

*An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier ...*

The term "barrier" is defined as "A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool."

Although the self-set pool has a 48 inch wall, it does not obstruct access because it is not rigid. The wall can easily be deflected by a child who grabs the top inflated ring.

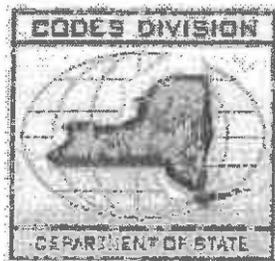
**Ronald E. Piester, R.A., Director**  
**Division of Code Enforcement and Administration**



DEPARTMENT OF STATE  
DIVISION OF CODE ENFORCEMENT AND ADMINISTRATION

TITLE 19

[General Code Facts](#), [Laws & Regulations](#), [Code Development](#)



This information is not the official version of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR). No representation is made as to its accuracy, nor may it be read into evidence in New York State courts. To ensure accuracy and for evidentiary purposes, reference should be made to the official NYCRR. The official NYCRR is published by West, 610 Opperman Drive, Eagan, MN 55123, 1-800-344-5009.

This document is made possible through the courtesy of the Secretary of State of the State of New York.

Up

TITLE 19 (NYCRR)

CHAPTER XXXIII - STATE FIRE PREVENTION & BUILDING CODE COUNCIL  
SUBCHAPTER A - UNIFORM FIRE PREVENTION & BUILDING CODE

POOL ALARM REQUIRED

1220.5. Swimming pool alarms. [amended text 12/14/2006]

(a) Purpose. Paragraph (b) of subdivision (14) of section 378 of the Executive Law, as added by Chapter 450 of the Laws of 2006, requires that the New York State Uniform Fire Prevention and Building Code (the Uniform Code) provide that any "residential or commercial swimming pool constructed or substantially modified after the effective date of this paragraph (December 14, 2006) shall be equipped

with an acceptable pool alarm capable of detecting a child entering the water and of giving an audible alarm." The Introducer's Memorandum in Support of Chapter 450 states, in pertinent part, that "drowning is the second leading cause of unintentional injury-related deaths in children between the ages of one and fourteen nation wide, and the third leading cause of injury-related deaths of children in New York. . . . (T)echnological advances have produced several different types of pool alarms designed to sound a warning if a child falls into the water. When used in conjunction with access barriers, these alarms provide greater protection against accidental pool drownings." This section and section 1221.3 of Part 1221 of this Title are intended to implement the provisions of Executive Law section 378(14)(b).

**(b) Definitions.** The terms "approved," "commercial swimming pool," "residential swimming pool," "swimming pool," "substantial damage," and "substantial modification" shall, for the purposes of this section, have the meanings ascribed in subdivision (b) of section 1221.3 of Part 1221 of this Title.

**(c) Pool alarms.** Each residential swimming pool installed, constructed or substantially modified after December 14, 2006 and each commercial swimming pool installed, constructed or substantially modified after December 14, 2006 shall be equipped with an approved pool alarm which:

(1) is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;

(2) is audible poolside and at another location on the premises where the swimming pool is located;

(3) is installed, used and maintained in accordance with the manufacturer's instructions;

(4) is classified by Underwriter's Laboratory, Inc. (or other approved independent testing laboratory) to reference standard ASTM F2208, entitled "Standard Specification for Pool Alarms," as adopted in 2002 and editorially corrected in June 2005, published by ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428; and

(5) is not an alarm device which is located on

person(s) or which is dependent on device(s)  
located on person(s) for its proper operation.

**(d) Multiple pool alarms.** A pool alarm installed pursuant to subdivision (c) of this section 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 installed.

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*Ronald Piester RA, Director*  
New York State Department of State  
Division of Code Enforcement and Administration  
41 State Street  
Albany, NY 12231  
*E-mail:* [codes@dos.state.ny.us](mailto:codes@dos.state.ny.us)  
*Telephone:* (518) 474-4073  
*Fax:* (518) 486-4487

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# POOL FENCE

## AN INVESTMENT WORTH MAKING ...

### AND A REQUIREMENT OF THE CODE !

*Swimming pools, spas, and hot tubs are becoming more frequent in the back yards of homes across the State. While very enjoyable to the users, these places of comfort are very alluring to young children. Protection against unsupervised children is paramount in avoiding a household disaster.*



Barriers like pool fences are working! In 1985, New York State started requiring pool fences when the rate of child deaths (newborn to 4 years old) soared to 17 drownings per million. By 1999, that number dropped by 95%.

#### **When do I need a barrier?**

Barriers, such as fences, are required around swimming pools, hot tubs and spas. This includes both fixed and portable units, including pre-formed or inflatable pools. The only exception is when a swimming pool is not able to contain more than 24" of water.

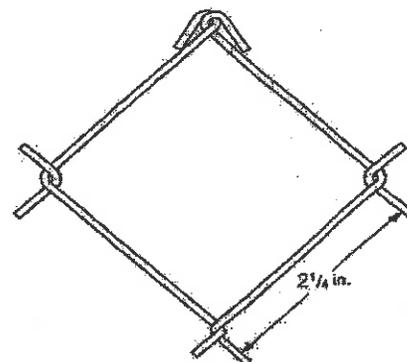
#### **Are existing swimming pools exempt from barrier requirements?**

No. All swimming pools, no matter how old, are required to have a barrier around them. The Property Maintenance Code of New York State requires an approved barrier around all swimming pools, regardless of their age.

#### **What are the requirements for barriers?**

The *Residential Code of New York State* and the *Building Code of New York State* regulate the construction parameters of barriers. Several options are available.

1. A 48" barrier shall surround the pool area. The barrier can be made using various methods including masonry, wood, or metal. Whatever method is used, it must not allow passage of children through the barrier as well as be constructed to prevent climbing.
2. For above ground pools, the side wall can be used as part of the barrier as long as the walls are 48" above the ground and the access ladder is secured. A barrier can be placed on top of the pool if it doesn't quite make the 48" by itself.
3. When the wall of a building serves as the barrier, or a portion thereof, a power operated top can be used or alarms can be placed on the doors leading to the pool area.

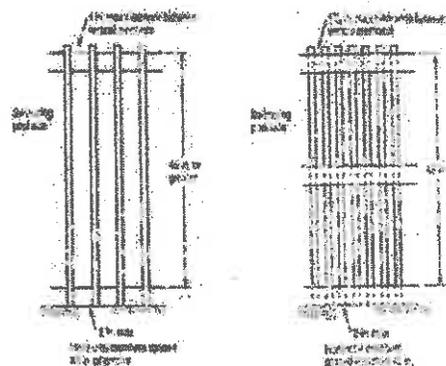


#### **Do I need to put a barrier up to protect my hot tub or spa?**

No. Hot tubs and spas are exempt from the barrier if equipped with a safety cover complying with the ASTM F1346 safety standard.

#### **Do fences, gates and folding ladders need to be locked?**

Yes. Pool gates and folding ladders do need to be locked when unsupervised. This needs to be achieved by a key, combination, or child-proof lock.



For more information, contact the Department of State Codes Division and Administration 41 State St. Albany, NY 12231  
Phone: (518)-474-4073  
Fax: (518)-486-4487  
<http://www.dos.state.ny.us>



Specifics on fence construction and permitted gates are found in the *Residential Code of New York State* and the *Building Code of New York State*



# SWIMMING POOL BARRIER REQUIREMENTS

REGULAR  
POOL INFO  
"AG" & "IG"



The New York State Uniform Fire Prevention and Building Code:  
The Residential Code of New York

## SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, 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 grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 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 grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or 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 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-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 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. 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 inches (1143 mm) or more, spacing

between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) 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 diagonal members shall not be more than 1.75 inches (44 mm).

N  
Y  
N  
Y  
N  
Y  
N  
Y

8. Access gates shall comply with the requirements of Section AG105.2. Items 1 through 7, and 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. 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 3 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 conditions 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 household 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 Item 9.1 or 9.2 described above.

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 Section AG105.2, Items 1 through 9. 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.

**PRIOR TO USING THE POOL, AN ELECTRICAL INSPECTION**