

**Chapter 156**

**SWIMMING POOLS**

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**[HISTORY: Adopted by the Town Board of the Town of Shawangunk 10-13-77 as L.L. No. 9-1977. Sections 156-3B, 156-4A and B and 156-6 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]**

**GENERAL REFERENCES**

Building construction administration — See Ch. 66.  
Water - See Ch. 172.

**§ 156-1. Purpose.**

The purpose of this chapter will be to preserve and protect the health and well being of persons and property within the Town of Shawangunk by enforcing certain regulations and restrictions on the construction and maintenance of private swimming pools located within the Town of Shawangunk.

**§ 156-2. Applicability.**

These regulations shall apply to all private swimming pools intended for use by a single family, whether permanent or portable, in-ground or aboveground, except that these regulations shall not apply to aboveground swimming pools when they are not more than three (3) feet in height nor more than fifteen (15) feet in length.

**§ 156-3. Permit required; necessary information; additional regulations.**

- A. No person, firm or corporation shall commence the erection, construction, enlargement, alteration or improvement of a swimming pool without first obtaining a building permit from the Town of Shawangunk Building Inspector for the work. Application for such permit shall contain the following information:
- (1) Description of the land on which the proposed work is to be done.
  - (2) A statement of the use or occupancy of all parts of the land.
  - (3) The valuation of the proposed work.
  - (4) Full name and address of the owner and of the applicant and names and addresses of their responsible officers if any of them are corporations.
  - (5) A brief description of the nature of the proposed work.
  - (6) A duplicate set of plans and specifications.
  - (7) Such other information as may be reasonably required by the Building Inspector to establish compliance with the requirements of the applicable building laws, ordinances and regulations of the proposed work.
- B. Additional regulations regarding performance of work under the permit, revocation of the permit, issuance of a certificate of occupancy and penalties for violation shall be in accordance with Chapter 66, Building Construction Administration, of this Code.<sup>1</sup>

<sup>1</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

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**§ 156-4. Electrical inspection; certificate of compliance.**

- A. The Chief Inspector and each of the duly appointed inspectors of the New York Board of Fire Underwriters, or any qualified and licensed engineer of the owner's choice, are hereby authorized and deputized as agents of the Town of Shawangunk to make inspections and reinspections as required or requested by the Town of Shawangunk Building Inspector of all electrical installations of swimming pools hereinafter described and to approve or disapprove the same. In no event, however, will the cost or expense of such inspections and reinspections be a charge against the Town of Shawangunk.<sup>2</sup>
- B. It shall be the duty of the Electrical Inspector to report in writing to the Building Inspector, whose duty it shall be to enforce all provisions of the New York State Uniform Fire Prevention and Building Code in regard to swimming pools, all violations or deviations from or omissions of the electrical provisions of the New York State Uniform Fire Prevention and Building Code applicable to the Town of Shawangunk and of this chapter. The Electrical Inspector shall make inspections and reinspections of electrical installations in and on properties in the Town of Shawangunk upon which a

building permit for a swimming pool has been issued and is currently in force or as herein provided. The Inspector is authorized to make inspections and reinspections of electrical wiring, installations, devices, appliances and equipment in or on properties within the Town of Shawangunk where an application has been filed with the New York Board of Fire Underwriters. In the event of an emergency, it is the duty of the Electrical Inspector to make electrical inspections upon the written request of the Building Inspector of the Town of Shawangunk.<sup>3</sup>

- C. It shall be the duty of the Electrical Inspector to furnish written reports to the proper officials of the Town of Shawangunk and owners and/or lessees of property where defective electrical installations and equipment are found upon inspection. He shall authorize issuance of a certificate of compliance

<sup>2</sup> Editor's Note: Amended at time of adoption of Code: see Ch. 1, General Provisions, Art. I.

<sup>3</sup> Editor's Note: Amended at time of adoption of Code: see Ch. 1, General Provisions, Art. I.

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when electrical installations and equipment are in conformity with this chapter. He shall direct that a copy of the certificate of compliance be sent to the Town of Shawangunk to the attention of the Building Inspector.

**§ 156-5. Fences and enclosures.**

Outdoor swimming pools shall be protected by a fence, wall, building, enclosure of durable material of which the pool itself may be constructed or any combination thereof. Such enclosure shall be an artificial barrier of material which is impenetrable by toddlers and shall be at least four (4) feet in height and equipped with a positive self-latching closure mechanism at a height above the reach of toddlers and provided with hardware for permanent locking.

**§ 156-6. Certificate of occupancy.<sup>4</sup>**

A swimming pool may not be used or occupied until an inspection by the Building Inspector has been made to ensure conformity with this chapter and a certificate of occupancy has been issued in accordance with Chapter 66, Building Construction Administration, of this Code.

<sup>4</sup> Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

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