

Borough of Allendale
Construction/Zoning Department
500 W Crescent Avenue, Allendale NJ 07401
201-818-4400 x201

Pool Packet

PRIOR APPROVALS

- **You must obtain prior approvals before construction permits can be issued**
 - **Zoning** – A Zoning Review Application must be completely filled out and with a \$100.00 fee
 - **Engineering** – Plans and Soil Movement application and all fees (fees vary)
 - **Tree Permit** – Plans showing trees clearly marked that you are requesting to take down - \$20 fee

ENGINEERING REVIEW

- A Soil Movement Application must be submitted if you are moving 50 cubic yards of soil or more
- 3 sealed Plot plan prepared by a Licensed Engineer or Land Surveyor (Section 196-1.A of Code) showing proposed pool location and sanitary sewer location
- Signed and Sealed copy of Survey, if referenced on Plot Plan
- Soil Log or percolation test results, certified by a Licensed Professional Engineer
- Pool location must be behind the front setback line, 20 feet from either side line setback, 10 feet from rear setback line, 10 feet from any building or accessory structure
- Surface area of water must not exceed 50% of the rear yard area. The highest surface-water level shall not be higher than 12 inches above the average rear yard grade, except above ground pools

PLAN REVIEW

- Submit construction permit jacket along with (2) sets of pool plans/structure and pool specs
- The permit must include all Sub Code Tech Sheets – Size of Pool and Type of Pool
- All pools must have a minimum of 2 drains
- If installing a gas fired pool heater – a Fire Tech sheet must be submitted for (1) Gas Fire Appliance to be filled out by Plumber
- A copy of your Home Improvement License must be submitted and all other tech sheets must be sealed

INSPECTIONS

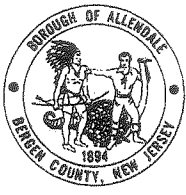
- It is the property owner's responsibility to ensure that all required inspections are scheduled throughout construction and upon completion of the work.
- New Jersey Uniform Construction Code requires a stamped, approved set of plans be on site at all times for use during inspections. NJAC 5:23-2.16(e)

POOL FENCE

- If there is no pool compliant fence on the property, then a pool compliant fence permit must be submitted either from the pool company or a fence company. (Fence height minimum is 4ft)

CERTIFICATE OF OCCUPANCY

- An As-Built must be submitted to the Construction & Engineering Departments at the end of construction before a Certificate of Occupancy can be issued
- All Final inspections must pass



REQUIRED POOL INSPECTIONS

It is the joint responsibility of the Homeowner and Contractor to ensure all the required inspections are scheduled throughout construction and upon completion of work.

- The Uniform Construction Code states, “Upon completion of the building or structure and before issuance of a certificate of use and occupancy required herein, a *final inspection shall be made.*” NJAC 5:23-2.18(d)
- A Building or structure hereafter erected shall not be used or occupied in whole or in part until a form of certificate of occupancy shall be issued by the Construction Official. NJAC 5:23-2.23(a)

Noncompliance of the able provisions of the UCC is a violation, and pursuant to NJAC 5:23-2.31(b)4, a monetary penalty shall be issued immediately

Therefore, please take note that if final inspections are not called for within a reasonable length of time after completion of the work, and prior to occupancy of new dwelling or addition, **a violation will be issued along with a penalty of up to \$2,000.00.**

BUILDING: - Dependent on the type of pool being installed, you may need the following:

1. Footing
2. Sub-Grade Preparation
3. Steel
4. Pre-Collar
5. Barrier
6. Final

ELECTRIC:

1. Trench
2. Bonding
3. Equipotential Bonding
4. Final

PLUMBING:

1. Bottom drain rough and final
2. Pool Heaters: Gas pipe rough
3. Final

FIRE:

1. Finals for pools with gas heaters

Borough of Allendale, NJ
Tuesday, March 12, 2019

Chapter 270. Zoning

Article IV. General Provisions

§ 270-32. Swimming pools.

[Added 9-25-1986]

- A. A swimming pool shall be considered a customary accessory use in residential districts and shall be suitably designed and located so as not to become a nuisance or hazard to adjacent property owners or the public.
- B. A swimming pool shall be constructed behind the front setback line and not closer than 20 feet to either side line or 10 feet to the rear property line or 10 feet to any building or accessory structure. It must also be at least 20 feet from any portion of any sanitary sewage disposal system. Notwithstanding the above, for properties located in either the A or B Zones, the side line restriction shall be reduced from 20 feet to 15 feet.
[Amended 5-22-2008; 10-23-2008]
- C. Surface area of the water must not exceed 50% of the rear yard area. The highest surface-water level shall not be higher than 12 inches above the average rear yard grade, except for aboveground pools.
- D. The pool area shall be completely enclosed with a chain-link fence or secure enclosure, or equal, of durable construction with self-closing gates, of the minimum height required by the Uniform Construction Code. Every gate of such fence shall be kept securely locked at all times when the pool is not in use.
- E. The use of the pool shall be for a single, private family and the owner's social guests.
- F. The pool must be of permanent-type construction. Uncovered sand or earth bottoms shall not be permitted. This section does not govern nor regulate a portable wading pool; provided, however, that all the parts for such pool are portable and no part of it is permanently installed and that the pool can hold no more than 1,500 gallons of water.
- G. The immediate area surrounding the pool shall be designed to slope away from the pool so that all surface water will drain away from the pool.
- H. Filters shall be located below ground or in an enclosure not to exceed eight feet zero inches in height, suitably screened from adjacent property, and not closer than four feet to a property line.
- I. Provisions shall be made for drainage of the pool and for backwash water disposal. Effluent may be used upon or in lawns, fields, woods or dry wells, provided that the same does not overflow onto property belonging to others. Water emptied into brooks must have a minimum chlorine residual of 0.1 part per million. Permission for the use of storm sewers or sanitary sewers may be obtained from the Borough upon written application and approval, provided that the applicant agrees to regulations and recurring charges established by the Public Works Department.

J.

Water tests. Pool water shall be tested daily for residual chlorine by the orthotolidine test for chlorine and use of color comparator, which has a set of standards for various chlorine residuals. The residual chlorine content shall range from a minimum of 0.2 to 0.6 part per million at any time the pool is in use. The pH of the pool water shall range from neutral 7.0 to slightly alkaline 7.6.

- K. A cross-connection between the pool and public water system shall not be permitted. A fill pipe, if used, must be a minimum of two pipe diameters above the rim of the pool. A fill line is not required, and the pool may be filled with a hose. Any permanent pipe connection must be inspected by the Plumbing Subcode Official and be in compliance with the Uniform Construction Code.
- L. A permit shall be required to fill a pool as provided in § **262-27** of Chapter **262**, Article **II**, Water Supply System.
- M. A bathhouse is not required. Any such construction, including screened enclosure, must conform to accessory building construction defined and governed by this chapter and Chapter **100**, Building Construction.
- N. Inspection. Inspection and enforcement as provided for by the terms of this chapter shall be vested in the Subcode Official and the Health Officer of the Board of Health.
- O. Light. No floodlights or lights shall be maintained in such a manner that the source of light is visible from a public street or neighboring property.

Borough of Allendale
Engineering Department Requirements

In-Ground Pool

For a proposed in-ground pool, please submit 1 copy each of the following to the Borough of Allendale Engineering Department for review:

- Plot Plan prepared by a licensed Professional Engineer or Land Surveyor (Section 196-1.A of the Code).
- Signed and Sealed copy of survey, if referenced on the Plot Plan.
- Proposed drainage details, including calculations prepared by a licensed Professional Engineer.
- Soil log or percolation test results, certified by a licensed Professional Engineer.
- Borough of Allendale Soil Movement Permit Application (Section 225 of the Code), if applicable.
- Soil Movement Permit Application Fee, in accordance with Section 225-12 of the Code, if applicable.
- Initial Soil Movement Escrow Deposit (balance to be returned to owner upon issuance of CO) in accordance with Section 225-12 of the Code. Account to be replenished by applicant if exhausted.
- Soil Movement Performance Guaranty, in accordance with Section 225-9 of the Code. Bond shall be returned upon issuance of the CO.



BOROUGH OF ALLENDALE
Zoning Office
500 W. Crescent Ave
Allendale, NJ 07401
201-818-4400 x201
FAX: 201-825-1913

Borough of Allendale Zoning Review Application

Zoning Permit# _____

Approval Signature _____ Date: _____

Denial Signature _____ Date: _____

Applicant Name: _____

Property Address: _____

Block: _____ Lot: _____ Zone Designation: _____

Brief description of the proposed work: _____

Is this a corner property?: _____

Applicant's Phone: _____ Fax: _____

Architect's Name: _____

Architect's Phone: _____ Fax: _____

The zoning review fee is \$100.00 payable upon submission of the zoning review request

Date fee received/paid: _____ Check # _____

The following must be furnished as part of this review request:

- Property survey that clearly shows *existing* and *proposed* new structure locations
- Completely filled out zoning review data table
- Drawings for the structure must show plan and elevation views with dimensions
- All applications for permits to install a tennis court or basketball court shall be made to the Construction Code Official and shall include a detailed plot plan of the entire property showing existing buildings and the proposed court, drawn to scale, with pertinent dimensions and grade elevations shown in figures at the court, building and property lines.
- **All plans shall be signed** by the owner or his agent or a duly licensed engineer, registered architect or land surveyor of New Jersey. Prior to the issuance of any building permit for installation of a tennis court, the Construction Code Official shall be satisfied that there has been full compliance with all of the requirements pertaining to building permits. A topographical map (two-foot contours) before & after the proposed work showing storm drainage provisions for the site *may* be required if substantial soil movement is involved in

the project. (Any soil movement in excess of 50 cubic yards requires soil movement permits and engineering plans before construction permits are issued.) Existing and proposed contours, referred to United States Coast and Geodetic Survey datum, with a contour interval of two feet for slopes of less than 10% and an interval of five feet for slopes of more than 10%. Existing contours are to be indicated by dashed lines and proposed contours are to be indicated by solid lines.

*****Please Note: If your application is denied, you have 20 days from date of denial to submit to the Board of Adjustments.**

Some definitions for zoning review data

Article XII, Impervious Surface Coverage, Side Yard Setbacks and Building Coverage {Added 5-13-1999}

§ 270-61. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

ALLOWABLE COVERAGE -- The percentage of the lot area that may be covered by building structures or impervious surfaces.

BUILDING COVERAGE -- Land areas covered by buildings or other structures. These areas shall include residences, garage, sheds, porches, decks, cabanas and buildings or other structures with roofed areas.

FLOOR AREA RATIO -- The percentage of the lot area that limits the overall gross building floor area.

GROSS BUILDING AREA -- Is defined as the gross building floor area (GBA) of the building on the property. The gross building area shall include all enclosed floor areas on all floors for residences, accessory buildings or garages. The gross building area shall not include porches, unfinished attics, basements, decks or patios.

IMPERVIOUS COVERAGE -- Land surface areas that do not allow rainwater to be directly absorbed by the ground. These surfaces shall include:

A. Building coverage B. Driveways or other paved areas C. Patios and walkways D. Tennis courts E. Water surface area of swimming pools F. Decks which do not allow free drainage of rainwater through to the ground underneath.

LOT AREA -- The actual land area of the property, including easements or rights-of-way.

NONIMPERVIOUS COVERAGE -- Includes:

A. Gravel or loose areas that allow water to pass through to the ground below.

B. Fences, playground equipment, arbors or outdoor furniture.

SIDE YARD SETBACK -- The minimum dimension between a building or structure and the side property line. Refer to the Setback Data Table for details on how to determine the required minimum setback distances.

§ 270-62. Impervious surfaces -- The maximum allowable coverage for the combined building and impervious surface area for single-family residential lots shall be determined as follows:

A. For lots less than 10,000 square feet in area, the maximum allowable impervious coverage shall be 55% of the lot area.

B. For lots over 40,000 square feet in area, the maximum allowable impervious coverage shall be 27.5% of the lot area.

C. For lots with areas between 10,000 and 40,000 square feet, the maximum percentage of allowable impervious coverage shall be equal to 55 divided by the square root of the lot area.

§ 270-63. Floor Area Ratio

A. The floor area ratio (FAR) is determined as follows:

(1) For lots with less than 10,000 square feet, the FAR shall be 25% of the lot area.

(2) For lots with more than 40,000 square feet, the FAR shall be 19% of lot area.

(3) For lots between 10,000 and 40,000 square feet, the FAR percentage shall be computed as follows: FAR=25-.0002 time (lot area - 10,000).

B. The gross building area of a residential lot shall not exceed the percentage of the lot area which is equal to the floor area ratio (FAR) as determined herein.

NOTE: The information presented in this document has been excerpted from the Allendale Borough Ordinance, Section 270, and is believed to be accurate. This digested information is not a legal document and is provided only as a summary guide to interested to interested parties. This information is subject to change. For specific details and additional information please refer to the official code. You can access the code at www.generalcode.com and follow the E-code links to the Allendale, NJ ordinances.

Borough of Allendale Zoning Review Data Table

Proper zoning review requires the completion of the data sheet as well as drawings showing the layout on the site and the elevation view of any proposed structure.

Name & Phone number of person filling out the below table: _____

Is this a corner property: _____

	PARAMETER	EXISTING		APPLICABLE MAX/MIN.REQ' D OR ALLOWED		PROPOSED	
		Right	Left	Right	Left	Right	Left
(A)	Lot Area (sq Feet)						
(B)	Building Coverage (Sq Feet)						
(C)	Other Impervious Coverage (Sq Feet)						
(D)	Total Coverage (B+C) (Sq Feet)						
(E)	Gross Building Floor Area (sq Feet)(GBA)						
(F)	Floor Area Ratio (%)						
(G)	Minimum Side Yard Setbacks (Consult Table)***						
(H)	Minimum Rear Yard Setbacks (ft)						
(I)	Minimum Front Yard Setbacks (ft)						
(J)	Minimum Lot Width (ft)						
(K)	Height of proposed structure (ft)						

(All three columns are to be completed---areas in square feet, setbacks in feet, F.A.R)

*** You must use the values as determined from the Residential Zone Side Yard Setback Table

(A) **Lot Area** -- This is the actual square footage of the lot.

(B) **Building Coverage** -- This is square footage of the land area covered by buildings or other structures with roofed areas.

- Residences
- Garages, Sheds, Porches
- Decks, Cabanas, etc.

(C) **Other Impervious Coverage** -- This is the square footage of all other impervious surfaces other than that created by Building Coverage.

- Driveways and other paved areas
- Patios & walkways, tennis * basketball courts, areas with interlocking "paver" stones, etc.
- Surface area of swimming pools, decks which do not allow free drainage of rainwater through to the ground underneath.

(D) **Total Coverage** -- The sum of B and C is, in fact, the total impervious surface area. The maximum is determined using the formulas under 270-62. This value should be inserted into the center column of row D in the above chart.

(E) **Gross Building Floor Area** -- The square footage of all enclosed floor areas of buildings on the property.

- Residences - all floors *excluding* open porches, unfinished attics, basements, decks or patios

- Garages and accessory buildings (sheds, etc.)

(F) Floor Area Ratio (F.A.R.) -- Allowable F.A.R. is defined by the Code. Calculate existing and proposed by dividing existing and proposed gross building floor area, respectively, by lot size.

Residential Zone Side Yard Setbacks Table

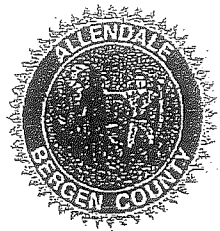
Gross building area (GBA) is the square footage of all enclosed floor areas for all buildings on the property -- residences, accessory buildings and garages. It does not include open porches, unfinished attics, basements, decks or patios. Use this table, which summarizes the information in the Borough zoning ordinance (270-64) to determine the setback requirements that will result from any proposed work on your property.

Gross Building Area (GBA)	Zone AAA	Zone AA	Zone A	Zone B
GBA ≤ 3000 Sq Ft	25 ft			
3000 < GBA < 5000 Sq ft	.008 x GBA			
GBA ≥ 5000 Sq ft	40 ft			
GBA ≤ 2800 Sq Ft		20 ft		
2800 < GBA < 5600 Sq ft		.007 x GBA		
GBA ≥ 5600 Sq ft		40 ft		
GBA ≤ 2400 Sq Ft			15 ft	
2400 < GBA < 6600 Sq ft			.006 x GBA	
GBA ≥ 6600 Sq ft			40 ft	
GBA ≤ 2000 Sq Ft				10 ft
2000 < GBA < 7800 Sq ft				.005 x GBA
GBA ≥ 7800 Sq ft				40 ft

Note: The expression "GBA ≥ X" is read "GBA is greater than or equal to X". Similarly, "GBA ≤ X" is read "GBA less than or equal to X". GBA > X is read "GBA greater than X". GBA < X is read "GBA less than X". X < GBA < Y is read "GBA greater than X and less Than Y."

Lot Size and Building Line Setback Requirements				
	Zone AAA	Zone AA	Zone A	1 Family B-1 2 Family B-2
• MIN Lot Size (sf)	40000	26000	20000	10000 12500
• WIDTH in feet	120	130	115	B-1 100 B-2 115
• FRONT SETBACK	50	40	35	30
• SIDE YARDS	See GBA table	See GBA table	See GBA table	See GBA table
• REAR YARD	50	50	50	25

NOTE: The information presented in this document has been excerpted from the Allendale Borough Ordinance, Section 270 and is believed to be accurate. In all cases, the Allendale Ordinances prevail.



BOROUGH OF ALLENDALE
Office of the Property Maintenance Officer
500 West Crescent Ave.
Allendale, NJ 07401
201-818-4400
FAX: 201-825-1913

SOIL MOVEMENT PERMIT APPLICATION

REFER TO SECTION 225 OF THE CODE FOR SOIL MOVEMENT PERMIT APPLICATION REQUIREMENTS.

A.1 APPLICANT NAME AND ADDRESS:	TELEPHONE NO.:
	CELL NO.:
	EMAIL ADDRESS:
A.2 BLOCK:	LOT:
A.3 PROPERTY OWNER NAME AND ADDRESS:	TELEPHONE NO.:
	CELL NO.:
	EMAIL ADDRESS:
A.4 NAME OF CONTRACTOR MOVING SOIL:	CONTACT NAME:
	TELEPHONE NO.:
A.5 PURPOSE OF SOIL MOVEMENT:	
A.6 AMOUNT OF SOIL TO BE MOVED (CUBIC YARDS):	
A.7 IN THE CASE OF SOIL REMOVAL, THE PLACE TO WHERE IT IS TO BE MOVED AND THE QUANTITY:	
A.8 IN THE CASE OF SOIL IMPORTATION, THE OWNER, ADDRESS AND LOCATION FROM WHICH SOIL IS TO BE OBTAINED AND A BRIEF HISTORY OF THE SITE WHICH IS THE SOURCE OF THE SOIL:	
A.9 IN THE CASE OF SOIL IMPORTATION, ATTACH CERTIFICATION FROM THE SOIL SUPPLIER THAT THE SOIL IS CLEAN FILL AS DEFINED BY SECTION 225-1 OF THE BOROUGH CODE (ATTACHED)	
A.10 APPROXIMATE DURATION OF SOIL DISTURBANCE ACTIVITIES:	
A.11 TRUCK ROUTE FOR IMPORTING OF EXPORTING SOIL IN EXCESS OF 200 CUBIC YARDS:	
A.12 OTHER INFORMATION:	

THE APPLICANT SHALL FOLLOW THE PROVISIONS OUTLINED IN CHAPTER 225: SOIL MOVEMENT (COPY ATTACHED).

ALL SOIL MOVEMENT RELATED FEES, ESCROW AMOUNTS AND BIDS ARE TO BE PAID AT THE BOROUGH TAX COLLECTOR'S OFFICE.

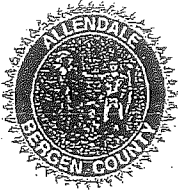
THE UNDERSIGNED HAS READ AND UNDERSTANDS CHAPTER 225 OF THE BOROUGH OF ALLENDALE CODE REGARDING SOIL MOVEMENT ACTIVITIES, AND AGREES TO ABIDE BY THOSE PROVISIONS, AND IS RESPONSIBLE FOR THE ACTION AND WORK OF CONTRACTORS OR THOSE EMPLOYED TO UNDERTAKE SOIL MOVEMENT ACTIVITIES.

PROPERTY OWNER'S SIGNATURE & DATE

APPLICANT'S SIGNATURE & DATE

(BOROUGH USE ONLY)

APPLICATION NUMBER:	DATE APPLICATION RECEIVED:
FILING FEE:	CHECK NUMBER:
SOIL MOVEMENT ENGINEERING ESCROW:	CHECK NUMBER:
PERFORMANCE GUARANTY (IF APPLICABLE):	CHECK NUMBER:



BOROUGH OF ALLENDALE
500 W. Crescent Ave
Allendale, NJ 07401
201-818-4410 x201
FAX: 201-818-5062

Chapter 225. SOIL MOVEMENT

[HISTORY: Adopted by the Governing Body of the Borough of Allendale 12-28-1967 as CH. 59 of the 1967 Code; amended in its entirety 8-28-2008. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 100.
Floodplain management — See Ch. 132.
Stormwater control — See Ch. 231.

Licenses and permits — See Ch. 155.
Land subdivision and site plan review — See Ch. 147.

Chapter 225. SOIL MOVEMENT

§ 225-1. Definitions.

NOTE: The grant of general police powers to municipalities under N.J.S.A. 40:48-2 authorizes the adoption of ordinances to license and regulate the removal of soil. See Fred v. Mayor and Council, Old Tappan Borough, 10 N.J. 515, 92A: 2d 473 (1952).

As used in this chapter, the following terms shall have the meanings indicated:

<u>APPLICANT</u>	A legal or beneficial owner or owners of land or their prescribed agents who propose to move, are moving or have moved soil under the provisions of this chapter.
<u>CLEAN FILL</u>	An uncontaminated, non-water-soluble, nondecomposable, inert solid, such as rock, soil or gravel. Clean fill shall not mean mixed construction and demolition debris, including but not limited to wallboard, plastic, wood or metal. The non-water-soluble, nondecomposable inert products generated from an approved State of New Jersey Class B recycling facility are considered clean fill.
<u>MOVE</u>	To dig, excavate, remove, deposit, place, fill, grade, regrade, level or otherwise alter or change the location or contour; transport or supply. This term shall not be construed to include plowing, spading, cultivating, harrowing or discing of soil, or any other operation usually and ordinarily associated with the tilling of soil for agricultural or horticultural purposes.
<u>SOIL</u>	Any earth, sand, clay, loam, gravel, humus, rock, dirt, mulch, wood chips, grass clippings, tree stumps or any mixture thereof without regard to the presence or absence therein of organic matter.
<u>TOPSOIL</u>	Soil that, in its natural state, constitutes the top layer of earth, and is composed of 2% or more, by weight, of organic matter and has the ability to support vegetation.

§ 225-2. Permit required.

A. No person shall move, or cause, allow, permit or suffer to be moved, any soil on, to or from any lot within the boundaries of the Borough in an amount greater than 50 cubic yards, unless and until a soil removal permit therefor shall have first been issued, as hereinafter provided.

B. Persons engaged in soil movement activities working directly for the Borough of Allendale are exempt from the provisions of this chapter.

C. Any person who, within a period of 12 consecutive months, moves 50 or more cubic yards of soil shall be subject to these regulations.

§ 225-3. Filing of application for permit.

All applications for soil removal permits shall be filed with the Property Maintenance Officer who shall refer same to the Borough Engineer. The Property Maintenance Officer shall administer the applications and permits and act as liaison between applicants and the Borough Engineer. The Borough Engineer may confer with Applicant's professionals during the course of the permit process.

§ 225-4. Review of application; determination; appeals; conditions.

A. Within 30 days after receipt of a complete application, the Borough Engineer shall review and consider the application and render a report to the Property Maintenance Officer which shall state the Engineer's approval, conditional approval or denial of the application. The Property Maintenance Officer shall review the report and determination of the Borough Engineer and concur or disagree with the Engineer's ruling. Should the Property Maintenance Officer concur with the Engineer's determination, the Engineer's determination shall stand. Should the Property Maintenance Officer disagree with the Engineer's determination, the matter will be referred to the Mayor and Council for a determination. The determination shall be made within 45 days after receipt of a complete application.

B. Appeal. In the event of a disagreement with the determination, the applicant may, not later than 30 days after such determination, appeal to the Borough Council in writing. The Borough Council may sustain or overrule the determination.

C. Permit form and conditions. The soil removal permit shall contain any special conditions set forth by the Borough Engineer.

§ 225-5. Application procedure.

The procedure for applying for and issuance of a soil removal permit shall be as follows:

A. Form of application. On forms prescribed and supplied by the Borough, the applicant shall set forth, in duplicate:

- (1) The name, address and telephone contact information of the applicant.
- (2) The block and lot number(s) of lands in question.
- (3) The name, address and telephone contact information of the owner of the lands; if the owner is a person other than the applicant, the owner shall signify his or her consent to the application by signing it along with the applicant.
- (4) The name, address and telephone contact information of the contractor moving the soil.
- (5) The purpose or reason for moving the soil.
- (6) The quantity in cubic yards of soil to be moved.
- (7) In the case of removal, the place to where the soil is to be removed, and the quantity of soil to be removed.
- (8) In the case of importation of soil, the owner, address and location from which soil is to be obtained and a brief history of the site which is the source of the soil.
- (9) In the case of importation of soil, a certification from the soil supplier that the soil being imported is clean fill as defined in this chapter.
- (10) The anticipated duration of the work being done pursuant to this chapter.
- (11) Truck route for importing or exporting soil in excess of 200 cubic yards.
- (12) Such other pertinent data as the Borough Engineer may require.

B. Topographical map. Accompanying the application shall be a topographical map, prepared by a licensed civil engineer, landscape architect or land surveyor, in duplicate, showing:

- (1) Title block, North arrow, scale, and date of map.
- (2) The dimensions of the lot and the lot and block number of the lot and each abutting lot.
- (3) The present grades, through contour lines and published spot grades.
- (4) The proposed grades, through contour lines and published spot grades.
- (5) The quantity, in cubic yards, of soil involved in the work, as computed from cross sections which shall be shown on the map.

- (6) The grades of all abutting streets and lots.
- (7) Present and proposed surface water drainage and any existing or proposed appurtenances therefor.
- (8) Proposed slope grades, lateral supports and retaining walls.
- (9) The location of all trees having a diameter of four inches, or more, at 4 1/2 inches above the ground.
- (10) Such other pertinent data as the Borough Engineer may require.
- (11) Soil erosion and sediment control measures in accordance with the most current Standards for Soil Erosion and Sediment Control in New Jersey, pursuant to the Soil Erosion and Sediment Control Act of 1975.
- (12) The location of filter equipment and pool backwash disposal for all applications associated with swimming pool construction.
- (13) The location of existing and proposed structures with dimensions.
- (14) The location of delineated floodways, floodplains, regulated wetlands and wetland buffers.
- (15) The location of existing easements and their purpose.

C. Permit fee and deposits for costs.

- (1) The application shall be submitted to the Property Maintenance Officer with a fee and escrow deposit for costs in an amount computed as provided herein.
- (2) Deposits for costs shall be used for the costs associated with the review of the application and for field monitoring inspections and reports to the Mayor and Council or Property Maintenance Officer during soil movement activities. Unused portions of the engineering escrow deposit shall be refunded to the applicant upon approval of completion of activities by the Borough Engineer.
- (3) If, prior to completion of the permit requirements, the engineering escrow account should be depleted, the applicant shall deposit additional funds in the escrow account as estimated by the Borough Engineer to bring the project to completion.
- (4) The Borough may require the applicant to submit an escrow deposit for street cleaning for applications which require extended periods of soil movement. The escrow deposit will be determined by the Borough Engineer on a case-by-case basis. If, during the course of construction, the applicant fails to clean streets following proper notice by the Borough Engineer or Property Maintenance Officer, the Borough may use funds from the street cleaning escrow account to accomplish same.

D. Drainage calculations and observations.

- (1) Drainage calculations, signed and sealed by a licensed professional civil engineer, shall be submitted for applications which, in the opinion of the Borough Engineer, may alter the preexisting stormwater discharge pattern which exits from the site in question. The stormwater discharge rate and total volume to neighboring properties must be maintained or reduced during or following soil movement. The drainage calculations shall demonstrate compliance with this section of the Code and be prepared using the criteria set forth in the latest edition of the New Jersey Residential Site Improvement Standards (NJSIS) Section 5:21, Subchapter 7 or Chapter 231 of the Borough Code as applicable.
- (2) Applications which propose the use of groundwater infiltration shall be accompanied by a soil log with the site's seasonal high groundwater elevation, certified by a licensed professional civil engineer. In lieu of a soil log, the applicant's engineer may perform a percolation test.
- (3) Percolation tests and the installation of the groundwater infiltration system must be witnessed by the Borough Engineer or his representative. The applicant's engineer shall contact the Borough Engineer a minimum of 48 hours prior to the test and construction of the infiltration system to schedule an inspection.

E. Soil testing. Prior to or during the course of soil importation, the Borough Engineer shall determine if testing of the soil is required to protect public health and safety. If testing is required, the applicant shall provide soil testing results from a certified soil testing laboratory that the material is classified as clean fill. The sole expense of soil testing shall be borne by the applicant. If the results of the testing indicate the presence of material which is harmful, dangerous, toxic or hazardous to the public, all soil importation activities shall cease, and the soil in question shall be removed in accordance with direction by the Borough Engineer or Property Maintenance Officer.

F. Soil erosion control. The applicant is required to comply with the State of New Jersey's Soil Erosion and Sediment Control Act and is required to obtain certification from the Bergen County Soil Conservation District for those applications required to do so.

§ 225-6. Factors to be considered in reviewing application.

In considering and reviewing the application, the Borough Engineer shall be guided by the general purpose of municipal planning and shall take into consideration the following factors:

- A. Prior development approvals;
- B. Soil erosion by water and wind;
- C. Surface and subsurface water drainage;
- D. Soil fertility;
- E. Lateral support of abutting streets and lands;
- F. Public health and safety;
- G. Land values and uses;
- H. Preservation of trees and shrubbery;
- I. Prevention of sharp declivities, pits and depressions;
- J. Such other factors as may bear upon or relate to the coordinated, adjusted and harmonious physical development of the Borough;
- K. Consistency with the Bergen County Soil Conservation District standards;
- L. The route that soil-moving vehicles will use, and the adequacy of the public streets to accommodate the same;
- M. Proximity to wetlands, riparian and flood hazard areas; and
- N. Retention of topsoil.

§ 225-7. Topsoil restrictions.

A. Whenever any person moves topsoil in or upon any lot, provision shall be made for the storage of said topsoil within the boundary lines of said lot.

B. Except as hereinafter provided, all of the topsoil so stored shall be uniformly replaced over the entire area or surface of the lot on or before the completion date set forth in the soil removal permit, so that the final grade or grades of said replaced topsoil shall be in accordance with the proposed final grades shown on the topographical map.

C. No person shall remove beyond the boundary lines of any lot any topsoil unless and until topsoil not inferior in quality to that to be removed shall first have been replaced as shown on the topographical map. In no event shall any person remove from any lot more topsoil than that comprising the surplus or excess remaining after the replacement of the topsoil as aforesaid.

§ 225-8. Prohibited deposits: vehicle spillage.

A. No person shall deposit, cause to be deposited or create any condition which causes soil to be deposited on any street, sidewalk or other public place of the Borough. The prohibition in this subsection shall not apply to the Borough or its authorized agents, employees or representatives.

B. No person shall drive a vehicle carrying soil unless such truck or other vehicle is so constructed or loaded as to prevent any soil from being deposited on any street, sidewalk or other public place or upon private property.

§ 225-9. Performance guaranty.

A. When greater than 100 cubic yards of soil are to be moved, no permit shall be issued unless the applicant posts with the Borough a performance guaranty in form and with the surety acceptable to the Borough, in such amount of guaranty determined at the rate of \$8 per cubic yard of the amount of soil to be moved, conditioned upon full and faithful performance by the principal, within the time specified in the application, of all the proposed work in accordance with the provisions of this chapter and of the soil removal permit issued pursuant hereto. No soil movement permit shall be issued unless and until the applicant shall have posted an acceptable performance bond. A cash equivalent sum may be deposited in lieu of a performance bond.

B. When other performance guaranties are posted for development applications which include soil movement, no separate performance guaranty is required.

§ 225-10. Approved farm plan exemption.

Nothing in this chapter shall be construed to affect or apply to any person engaged in the moving of soil in and upon lands enrolled in the soil conservation program of the Northeastern Jersey Soil Conservation District of the United States Department of Agriculture Natural Resources Conservation Service, and for which lands an approved farm plan has been established by said agency, provided that all soil-moving operations in and upon such lands are performed in accordance with said approved farm plan.

§ 225-11. Authorized inspections.

For the purpose of administering and enforcing this chapter, any duly authorized officer, agent or employee of the Borough, including the Borough Engineer, shall have the right to enter into and upon any lands in or upon which soil-moving operations are being conducted, to examine and inspect such lands.

§ 225-12. Filing fees and engineering escrows.

The following fee schedule shall be applicable to soil movement:

Volume of Soil to be Moved (cubic yards)	Filing Fee	Engineering Escrow
50 to 200	\$50	\$600
Over 200	\$75	\$750
Over 500	\$100	\$1000
Over 1,000	\$125	\$1250
Over 5,000	\$150	\$1750
Over 10,000	\$150	\$2,500

§ 225-13. Violations and penalties.

A. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished as provided in § 1-18, General penalty, of the Code of the Borough of Allendale. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

B. Any person, firm or corporation who has been found to violate any provisions of this chapter shall, in addition to the payment of penalties, comply with all regulations herein.

C. The Property Maintenance Officer shall enforce this chapter.

§ 225-14. Severability.

If any section, subsection, paragraph, sentence, clause, phrase, or word contained in this chapter shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter, which shall remain in full force and effect, and to this end, the provisions of this chapter are hereby declared to be severable.

§ 225-15. Repealer.

All other ordinances of the Borough, or parts thereof, which are in conflict with this chapter are hereby repealed to the extent of such conflict.

§ 225-16. When effective.

This chapter shall take effect upon passage and publication as required by law.



BOROUGH OF ALLENDALE
 Zoning Office
 500 W. Crescent Ave
 Allendale, NJ 07401
 201-818-4400 x201
 FAX: 201-825-1913

TREE REMOVAL PERMIT APPLICATION \$20 Permit Application Fee

Date: _____

Property Owner: _____ Phone: _____

Address: _____ Block: _____ Lot: _____

Contractor: _____

Address: _____ Phone: _____

If application approved, work will begin: _____

The applicant or contractor shall prepare a detailed sketch with this application identifying the locations of the tree(s) sought to be cut, removed or destroyed herein. Prepare this sketch on the reverse side of this application showing principal buildings and structures relative to the location of each tree to be removed. All streams, ponds and other wetlands areas within 100 feet of the closest tree to these areas must be shown on the sketch. ***If the trees appear to be too close to these areas or a neighboring property line, a current property survey prepared by a NJ licensed surveyor in the last 5 years will be required prior to approval.***

Please provide either a survey noting where the trees are located or draw a sketch on the back of this application where the trees being taken down are located and if they are dead or alive.

Recommended by Shade Tree Commission: Yes _____ No _____

Comments or Conditions: _____

+++++

Permit No: _____

Paid \$20 _____ Check# _____

A permit to remove _____ live trees, _____ dead trees

 Construction Code Official

 Date

Chapter 244. TREES

Article II. Protection of Trees

§ 244-16. Requirement for permit; exceptions.

[Amended 3-8-2001; 4-11-2002; 11-8-2005]

Except as provided for herein, no person, firm, corporation, or board shall cut, remove, injure or damage up to six trees per year (defined as a twelve-month period, not January to December calendar year) with a diameter in excess of six inches measured on said tree at a height of four feet above the level of the ground upon any property within the Borough of Allendale, unless he has first obtained a permit therefor, in accordance with the regulations and provisions of this article. If a person, firm, corporation, or board cuts, removes or damages six trees per year, he may not cut or remove any additional trees for a period of 12 months from the date of last tree cut or removed. The provisions of this section shall be retroactive for a period of 12 months immediately prior to the effective date of this article. Excepted from this shall be:

A. All land-clearing operations as authorized in accordance with a site plan approval or subdivision approval and conditions imposed with respect to tree removal and planting granted by the Planning Board or Board of Adjustment of the Borough of Allendale in accordance with the provisions of N.J.S.A. 40:55D-20 (exclusive authority of Planning Board and Board of Adjustment). Under no circumstances shall clear-cutting be permitted on any property.

B. Trees located on a commercial nursery or orchard.

C. Any tree cut or removed for purposes of logging or tree farming in accordance with a management plan of the New Jersey Department of Environmental Protection, reviewed and approved by the Planning Board and Shade Tree Commission and filed on record in the office of the Borough Clerk.

D. The cutting, pruning or trimming of trees in a manner which is not harmful to the health of the tree.

E. The cutting, destruction or removal of trees which are diseased or dead or which endanger public safety, to be determined by the Property Maintenance Officer, following advice from the Shade Tree Commission. Alternatively, the homeowner may cut up to an additional 4 trees, for a total of 10 per year, only after obtaining the written opinion from a NJ Certified Tree Expert Arborist which confirms said trees are diseased or dead or endanger public safety, and the written opinion is presented to Borough prior to the start of any tree work. In that event, the homeowner shall bear all the costs associated with same.

F. The cutting, removal or destruction of a tree as necessary to construct any structure for which a building permit has been issued by the Borough Construction Official.

G. The cutting, removal or destruction of any tree pursuant to an order or directive of any municipal, county or state agency or court.

H. Activities involving trees within the paved area of the public highways and public rights-of-way. The Shade Tree Commission shall review and approve the trees that are to be removed in the public right-of-way, public highway or publicly owned properties in areas that are not to be paved.

§ 244-17. Application for permit.

A. Any person, firm, corporation or board desiring to destroy, cut or remove any such tree(s) up to the aforesaid numbers and size(s) shall apply to the Borough of Allendale Property Maintenance Officer for a permit to remove such tree(s). The applicant shall state on the application:

[Amended 3-8-2001; 11-8-2005]

- (1) Identify, by street, block and lot number, the land upon which the tree(s) is located.
- (2) Provide the name, address and telephone number of the owner or duly authorized agent of said owner, where applicable.
- (3) Identify and place on the site plan application the location of said tree(s) sought to be cut, removed or destroyed.
- (4) Mark said tree(s) on site by visible, weatherproof and reasonably tamperproof means, said tree(s) not to be sprayed with paint or chemicals or otherwise permanently marked, damaged or defaced.

Chapter 120. FEES

Article III. Zoning Fees

§ 120-23. Category: fees.

[Amended 2-9-2006; 3-12-2009; 7-23-2009]

The fees for various zoning activities and/or permits shall be as follows:

Category	Fee
Tree permits, pursuant to Chapter <u>244</u> (Articles I and II)	\$20.00



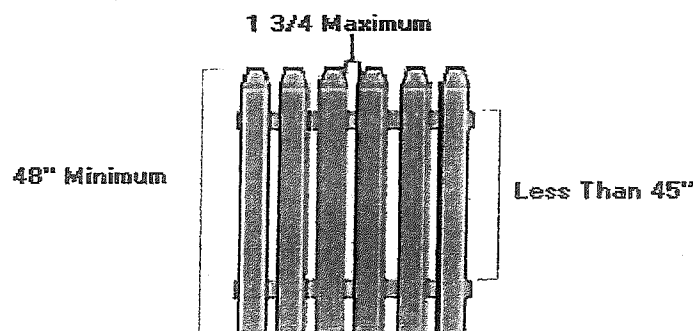
Pool Fence Requirements

Private swimming pools must be surrounded by a barrier, such as a fence or wall. The barrier must meet the following requirements.

- The top of the barrier shall be at least 48 inches 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 bottom of the barrier shall be 2 inches measured on the side of the barrier, which faces away from the swimming pool.
- Solid barriers shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

Fences with horizontal rails less than 45" apart

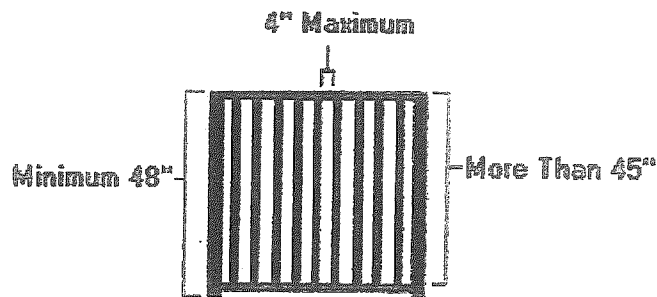
Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1- $\frac{3}{4}$ inches in width. Decorative cutouts shall not exceed 1- $\frac{3}{4}$ inches in width.



If horizontal planks are less than 45" apart the vertical spacing cannot be more than 1-3/4"

Fences with horizontal rails more than 45" apart

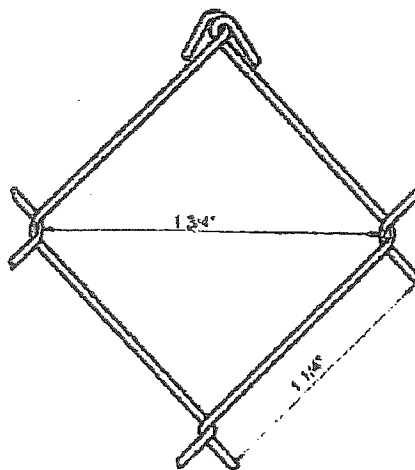
Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Decorative cutouts shall not exceed 1- $\frac{3}{4}$ inches in width.



If horizontal rails are more than 45" apart
the vertical spaces cannot be more than
4" apart

Chain link Fence Mesh Size Limit

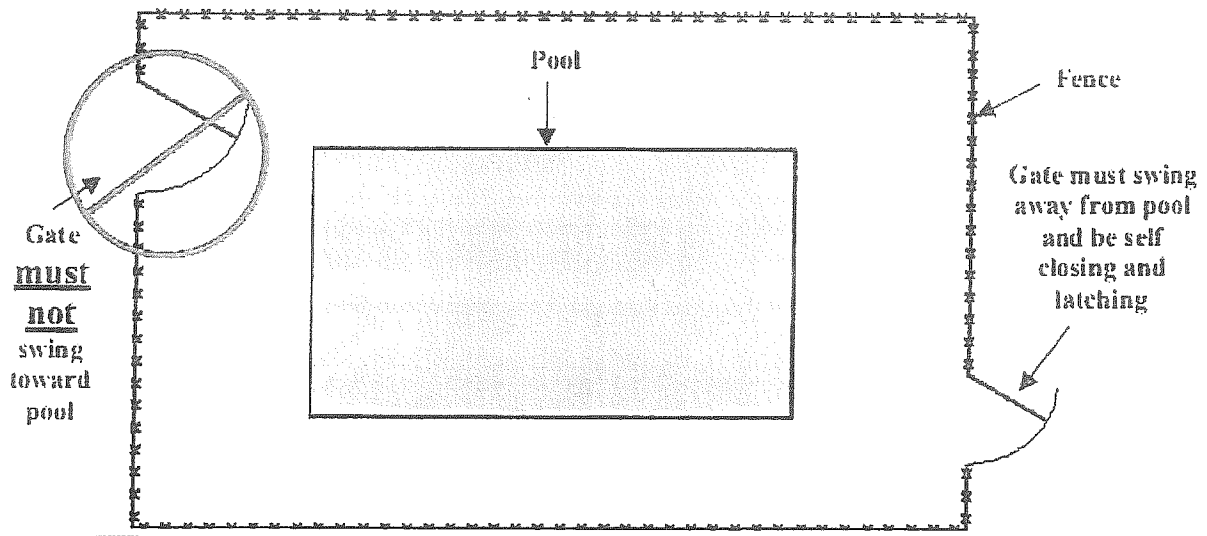
Maximum mesh size for chain link fences shall be a 1 $\frac{1}{4}$ -inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1 $\frac{3}{4}$ -inches. (Figure 3)



Important: The maximum mesh size for a pool fence is smaller than the standard chain link mesh

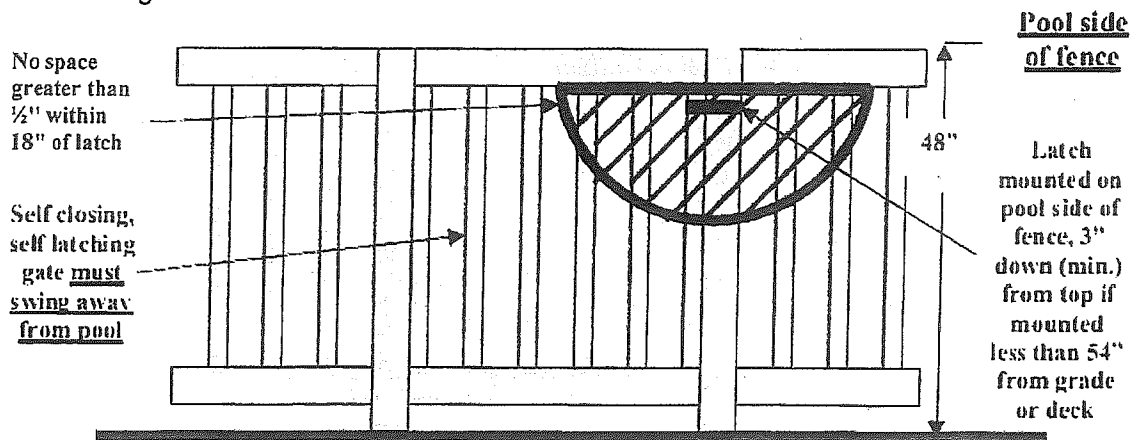
Gate Swing

Gates shall comply with the requirements of a fence for height, picket spacing or chain link mesh size 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 must swing out only so that even if the gate is not completely latched, a young child pushing on the gate in order to enter the pool area will at least close the gate and may actually engage the latch.



48" high gates with latches mounted less than 54" from the ground

If the latch is mounted less than 54" from grade, it must be mounted on the pool side of the gate, a minimum of 3" down from the top of the gate so you must reach over the fence to unlatch and have no space greater than 1/2" within 18" of the latch so a child can not reach through the fence to unlatch it.



48" high gates with the latch mounted above the top of the gate.

Several manufacturers make latches that can be mounted on a 48" high gate and have the operating mechanism above the top of the gate. The operating mechanism must be mounted at least 54" above the bottom of the gate.



ADJUSTABLE STRIKER BODY

Adjusts for wide gaps and allows double-face fixing for extra installation strength.

HORIZONTAL ADJUSTMENT
3/8" to 1.7/16"
(9mm to 37mm)

VERTICAL ADJUSTMENT
up to 1.1/2"
(38mm)

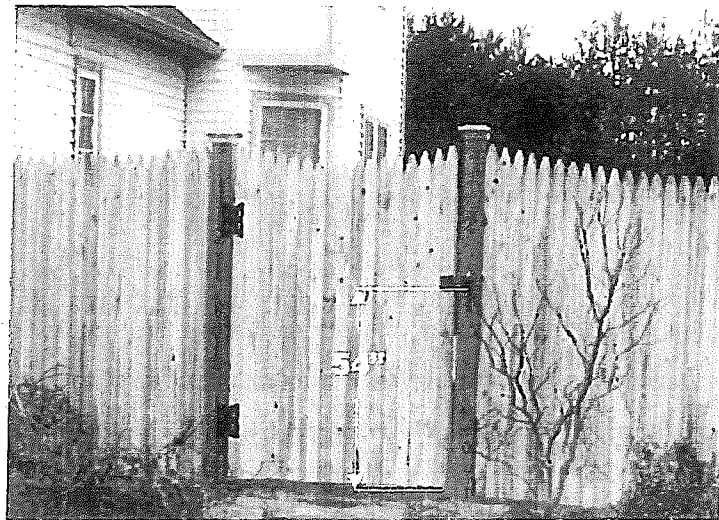
Also screwdriver to adjust the Striker Body horizontally.

HORIZONTAL ADJUSTMENT

VERTICAL ADJUSTMENT

Gates more than 48" high

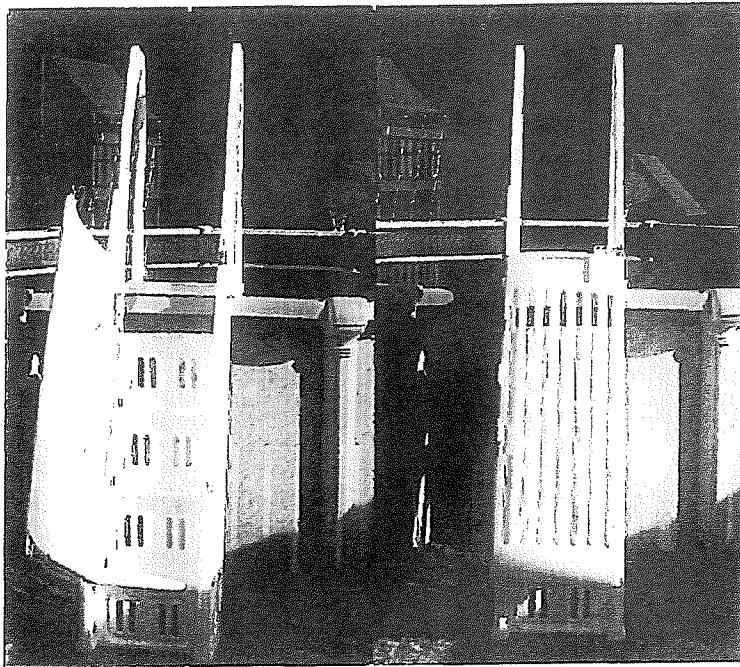
Gates that are more than 48" high must have the latch mounted at least 54" above the bottom of the gate.



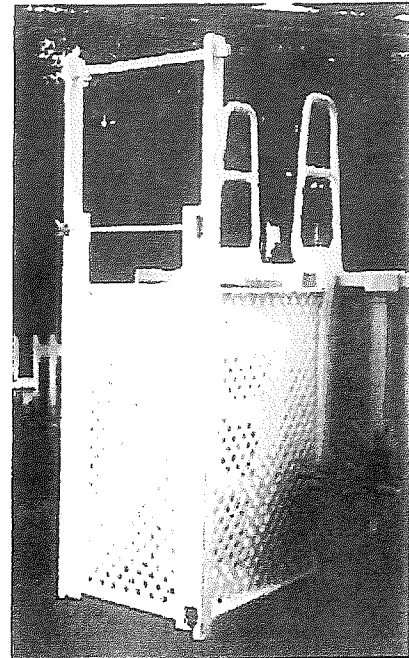
Above ground pools

Barriers are required for above ground pools. A removable ladder is not an acceptable barrier for an above ground pool. The barrier may be a compliant fence that surrounds the entire pool or yard. Pools that have a wall that is at least 48" do not require a fence around the entire pool and may have a fence just around the ladder area or a ladder with a built-in self-closing latching gate.

Above ground pools with walls at least 48" above grade



Ladder with built-in gate



Fence around ladder area

Above ground pools on sloped site

Where the walls of an above-ground pool are used as the barrier, are on a sloped site, which will make a portion of the top of the pool structure to be less than 48" to grade, a minimum of 3-foot level surface around the portion of the pool structure that is less than 48" to grade should be provided. The level surface should be measured away from the pool wall to the excavation edge and should be tapered away from the pool at a minimum of 45-degree angle for a distance of one half the level surface.

Above ground pools on sloped site where the pool wall is used as the barrier

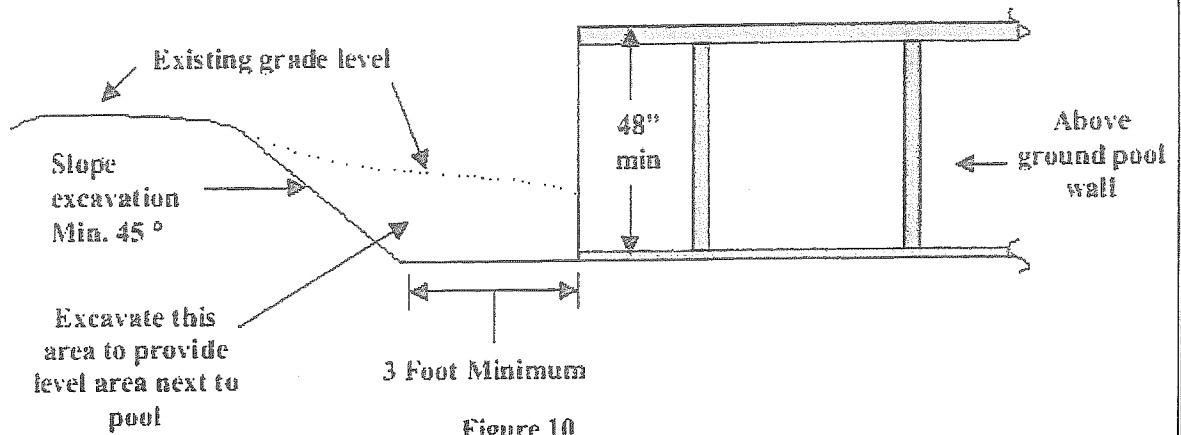


Figure 10

Signature _____ Date: _____

APPENDIX G

SWIMMING POOLS, SPAS AND HOT TUBS

SECTION AG101 GENERAL

AG101.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the *lot* of a one- or two-family dwelling.

AG101.2 Pools in flood hazard areas. Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Sections AG101.2.1 or AG101.2.2.

Exception: Pools located in riverine flood hazard areas which are outside of designated floodways.

AG101.2.1 Pools located in designated floodways. Where pools are located in designated floodways, documentation shall be submitted to the *building official*, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the *jurisdiction*.

AG101.2.2 Pools located where floodways have not been designated. Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the *jurisdiction*.

SECTION AG102 DEFINITIONS

AG102.1 General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming Pool."

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming Pool."

IN-GROUND POOL. See "Swimming Pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See "Swimming Pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 24 inches (610mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

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.

SECTION AG103 SWIMMING POOLS

AG103.1 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

AG103.2 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

AG103.3 Pools in flood hazard areas. In flood hazard areas established by Table R301.2(1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

SECTION AG104 SPAS AND HOT TUBS

AG104.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

AG104.2 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

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 subject to this code. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs subject to this code.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by 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 above-ground 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 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ 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 1¾ inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 2¼-inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1¾ 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 1¾ inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. 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 larger than ½ inch (13 mm) within 18 inches (457 mm) of the release mechanism.
9. Deleted.
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 ladder or steps:
 - 10.1. Deleted.
 - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9.

AG105.3 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

SECTION AG106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLET

AG106.1 General. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.



4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of onground residential pools.

305.2.5 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 pool or spa 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 not exceed $1\frac{3}{4}$ inches (44 mm) in width.

305.2.6 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 not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm).

305.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than $1\frac{3}{4}$ inches (44 mm). Where the fence is provided with slats fastened at the top and bottom which reduce the openings, such openings shall be not more than $1\frac{3}{4}$ inches (44 mm).

305.2.8 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not more than $1\frac{3}{4}$ inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

305.2.9 Clear zone. There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the barrier.

305.2.10 Poolside barrier setbacks. The pool or spa side of the required barrier shall be not less than 20 inches (508 mm) from the water's edge.

305.3 Gates. Access gates shall comply with the requirements of Sections 305.3.1 through 305.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and shall have a self-latching device.

305.3.1 Utility or service gates. Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

305.3.2 Double or multiple gates. Double gates or multiple gates shall have at least one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the latch release mechanism. The self-latching device shall comply with the requirements of Section 305.3.3.

305.3.3 Latches. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate and barrier shall not have openings greater than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

305.4 Structure wall as a barrier. Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be *listed* and *labeled* as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A *safety cover* that is *listed* and *labeled* in accordance with ASTM F 1346 is installed for the pools and spas.
3. An *approved* means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

305.5 Onground residential pool structure as a barrier.

An onground residential pool wall structure or a barrier mounted on top of an onground residential pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, the wall complies with the requirements of Section 305.2 and the pool manufacturer allows the wall to serve as a barrier.

2. Where a barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, and the wall and the barrier on top of the wall comply with the requirements of Section 305.2.
3. Ladders or steps used as means of access to the pool are capable of being secured, locked or removed to prevent access except where the ladder or steps are surrounded by a barrier that meets the requirements of Section 305.
4. Openings created by the securing, locking or removal of ladders and steps do not allow the passage of a 4-inch (102 mm) diameter sphere.
5. Barriers that are mounted on top of onground residential pool walls are installed in accordance with the pool manufacturer's instructions.

305.6 Natural barriers. In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge not less than 18 inches (457 mm), a barrier is not required between the natural body of water shoreline and the pool or spa.

305.7 Natural topography. Natural topography that prevents direct access to the pool or spa area shall include but not be limited to mountains and natural rock formations. A natural barrier approved by the governing body shall be acceptable provided that the degree of protection is not less than the protection afforded by the requirements of Sections 305.2 through 305.5.

SECTION 306 DECKS

306.1 General. Decks shall be designed and installed in accordance with the *International Residential Code* or the *International Building Code*, as applicable in accordance with Section 102.7.1, except as provided in this section.

306.2 Slip resistant. Decks, ramps, coping, and similar step surfaces shall be slip resistant and cleanable. Special features in or on decks such as markers, brand insignias, and similar materials shall be slip resistant.

306.3 Step risers and treads. Step risers for decks of public pools and spas shall be uniform and have a height not less

than 3³/₄ inches (95 mm) and not greater than 7¹/₂ inches (191 mm). The tread distance from front to back shall be not less than 11 inches (279 mm). Step risers for decks of residential pools and spas shall be uniform and shall have a height not exceeding 7¹/₂ inches (191 mm). The tread distance from front to back shall be not less than 10 inches (254 mm).

306.4 Deck steps handrail required. Public pool and spa deck steps having three or more risers shall be provided with a handrail.

306.5 Slope. The minimum slope of decks shall be in accordance with Table 306.5 except where an alternative drainage method is provided that prevents the accumulation or pooling of water. The slope for decks, other than wood decks, shall be not greater than 1/2 inch per foot (1 mm per 24 mm) except for ramps. The slope for wood and wood/plastic composite decks shall be not greater than 1/4 inch per 1 foot (1 mm per 48 mm). Decks shall be sloped so that standing water will not be deeper than 1/8 inch (3.2 mm), 20 minutes after the cessation of the addition of water to the deck.

306.6 Gaps. Gaps shall be provided between deck boards in wood and wood/plastic composite decks. Gaps shall be consistent with approved engineering methods with respect to the type of wood used and shall not cause a tripping hazard.

306.6.1 Maximum gap. The open gap between pool decks and adjoining decks or walkways, including joint material, shall be not greater than 3/4 inch (19.1 mm). The difference in vertical elevation between the pool deck and the adjoining sidewalk shall be not greater than 1/4 inch (6.4 mm).

306.7 Concrete joints. Isolation joints that occur where the pool coping meets the concrete deck shall be water tight.

306.7.1 Joints at coping. Joints that occur where the pool coping meets the concrete deck shall be installed to protect the coping and its mortar bed from damage as a result of the anticipated movement of adjoining deck.

306.7.2 Crack control. Joints in a deck shall be provided to minimize visible cracks outside of the control joints caused by imposed stresses or movement of the slab.

306.7.3 Movement control. Areas where decks join existing concrete work shall be provided with a joint to protect the pool from damage caused by relative movement.

306.8 Deck edges. The edges of decks shall be radiused, tapered, or otherwise designed to eliminate sharp corners.

**TABLE 306.5
MINIMUM DRAINAGE SLOPES FOR DECK SURFACES**

SURFACE	MINIMUM DRAINAGE SLOPE (INCH PER FOOT)
Carpet	1/2
Exposed aggregate	1/4
Textured, hand-finished concrete	1/8
Travertine/brick-set pavers, public pools or spas	3/8
Travertine/brick-set pavers, residential pools or spas	1/8
Wood	1/8
Wood/plastic composite	1/8

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.