

Property located at:

Street Num

Street Name

Town of  
**AMHERST  
BUILDING  
DEPARTMENT**  
"Building Safety is No Accident"

Building Permit Application Check Sheet  
**Residential Swimming Pool**

**TOWN OF AMHERST RESIDENTIAL SWIMMING POOL REGULATIONS AND INFORMATION**

Swimming pools shall comply with the 2020 New York State Residential Code: Section R326

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

**PERMITS:** A pool which is moved, erected, constructed or excavated, either above, below or partly above or below grade level requires a Building permit, an Electrical permit for all electrical work in connection therewith, and a Plumbing permit for all plumbing and drainage in connection therewith.

The following items must be submitted in order to obtain a Building Permit for a pool:  
(Occasionally if there are unusual circumstances additional information may be requires)

- Completed "BUILDING PERMIT APPLICATION INFORMATION" form.
- Letter from National Grid indicating they have no objection to the proposed pool installation. Call National Grid (800-642-4272) and request "Planner Review for Pool Clearance".
- Three (3) copies of the property survey indicating the proposed location of the pool and pool equipment.
  - In-ground pool: Provide grade (Benchmark, Existing & Proposed) and drainage plan on the survey.
- Three (3) sets of construction plans of the pool.
  - Above ground: Pool brochure is acceptable.
  - In-ground (or partly in the ground pool): Plans sealed by a licensed NYS Professional Engineer or Architect.
- "Pool Regulation Letter" signed by the property owner.
- Pool Alarm brochure (alarm shall comply with ASTM F2208).
- Heated pools: Documentation of equipment indicating compliance with 2020 Energy Conservation Construction Code of New York State: Section R403.10.
- General Contractor name listed. (Contractor insurances must be on file with our office)
  - If Property Owner is acting as the General Contractor, a Certificate of Attestation of Exemption (CE-200 form) issued by NYS Workers Compensation Board must be submitted.*
- Electrical Contractor name listed.
  - Electrical Subcontractor Statement, filled out by a licensed Town of Amherst Electrical Contractor must be submitted. (Contractor insurances must be on file with our office)
  - If Property Owner is acting as the Electrical Contractor, they must reside at the property and, a Certificate of Attestation of Exemption (CE-200 form) issued by NYS Workers Compensation Board must be submitted.*
- Plumbing Contractor name listed (if plumbing work required).
  - A separate Plumbing permit shall be obtained through the Town of Amherst Plumbing Division.

**\*\*An onsite inspection is required prior to issuance of permit\*\***  
**After application is submitted call Amherst Building (716-631-7097)**  
**and request "Swimming pool pre-permit inspection"**

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# Residential Swimming Pool

## LOCATION

- Location of the swimming pool & equipment shall comply with Town of Amherst Zoning: Chapter 203.
- A swimming pool may be located within the rear yard or side yard. Generally, for most residential properties, the location shall be no less than 3 feet to any lot line and no less than 5 feet to any structure. (Note: In certain residential zoning districts, the separation from lot lines and structures may be greater).
- A private swimming pool may be erected or installed only as an accessory to a dwelling and for the private use of the owner or occupant, and his or her family and guests. All other pools are classified as public pools and must comply with State and County regulations governing such pools.

## BARRIER

- All swimming pools accessory to one and two-family dwellings, shall comply with the Barrier requirements in accordance with the 2020 New York State Residential Code: Section R326.4.
- During installation or construction of the pool, the pool shall be surrounded by a temporary barrier that shall remain in place until a permanent barrier is installed. The temporary barrier shall be a minimum of 48" in height. Within 90 days the temporary barrier shall be replaced by a permanent barrier.

### Above ground pool:

- If top of the pool is less than 48" in height from grade, it shall have a permanent barrier around it. NOTE: This barrier/fencing can be mounted to the pool itself.
- If pool is 48" in height and there is no deck, the ladder or steps shall be capable of being secured, locked or removed. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4" diameter sphere.
- A pool deck requires a building permit, and shall comply with barrier requirements.

### In-ground pool:

- Shall have a permanent barrier around it.
- When using the house wall as part of the barrier:
  - **Doors** that open into the pool area require a door alarm. The door alarm shall be listed in accordance with UL2017.
  - **Windows** that open into the pool area shall have a latching device at least 48" above the floor and the operable window openings shall be limited to less than 4".

### Fences & Gates:

- Fences & gates shall be at least 48" above grade measured on the side of the fence which faces away from the pool.
- The clearance between the bottom of the fence and the ground shall not be greater than 2".
- **Chain link fence:** The maximum mesh size shall be 2 ¼" square.
- **Picket style fence:** If the tops of the horizontal members is less than 45" apart, the horizontal members shall be on the swimming pool side. Spacing between the vertical members shall not have openings greater than 1 ¾".
- **All Gates** shall be self-closing & self-latching and open outward, away from the pool. The latch handle shall be on the pool side of the gate and at least 40" above the ground. If the latch handle is less than 54" above the ground, the latch handle shall be at least 3" below the top of the gate and, there shall not be any openings in the fence or gate greater than ½" within 18 inches of the latch handle.

# Residential Swimming Pool

## ELECTRICAL

- An electrical permit is required for all such work. Upon the issuance of an electrical permit, appropriate inspections will be conducted by a Town of Amherst Electrical inspector from the Building Department.
- All electrical work performed by a hired Electrical Contractor must have a valid Town of Amherst license.
- All electrical equipment, wiring and appurtenances must be installed in compliance with the National Electrical Code, the Residential Code of NYS, and the Building Code of NYS.

Additionally:

- (a) National Grid (Customer Service Assistance: 800-642-4272) shall have no objection to proposed pool installation and shall comply with any additional clearance requirements from service wires (per National Grid letter).
- (b) Pool wiring must comply with the National Electrical Code: Article 680.
- (c) A bonding inspection is required before the copper bond wire is covered.

## PLUMBING

- A plumbing permit is required for all such work. Upon the issuance of a plumbing permit, appropriate inspections will be conducted by a Town of Amherst Plumbing inspector from the Building Department.
- All plumbing work performed by a hired Plumbing Contractor must have a valid Town of Amherst license.
- All plumbing and drainage work associated with the installation of a swimming pool must comply with the Plumbing Code of NYS.

Additionally:

- (a) No person shall discharge, or cause to be discharged, any water from a swimming pool over a public sidewalk, into a public street or onto adjacent properties.
- (b) If an outside faucet is used for filling the pool, a vacuum breaker must be installed on the hose thread of the outside faucet closest to the pool and any other faucet used to fill the pool.

<u>FEES</u>	<u>Above ground</u>	<u>In-ground</u>
Building Permit:	\$250.00	\$450.00
Electric Permit:	\$75.00	\$150.00

## PENALTIES

Violations of any of the above regulations may be prosecuted as provided for in the Town of Amherst Building Construction Administration Ordinance: Chapter 83, Part I, Section 5

## 2017 NEC - Permanently Installed Swimming Pool Guide

PERMANENTLY INSTALLED SWIMMING POOLS ARE THOSE THAT ARE CONSTRUCTED IN THE GROUND OR PARTIALLY IN THE GROUND, AND ALL OTHERS CAPABLE OF HOLDING WATER WITH A DEPTH GREATER THAN 42 INCHES (1067 MM)

### 1. Pool Pump Receptacle (Outlet) and Wiring Method

- a. a. Swimming pool pump motor receptacle must be located at least 6' from the inside pool wall, must be grounded, and Ground Fault Circuit Interrupter (GFCI) protected.
- b. b. Receptacle must have an extra-duty, in-use, weatherproof cover that can be closed when the cord is plugged in.
- c. c. Depending on the horsepower of the pump motor, the circuit line for the pump motor may need to be a continuous line going directly to the panel box, and isolated from all other receptacles and loads. (see NEC Table 430.248)
- d. d. Grounding Conductor (ground wire) for the pump motor cannot be less than #12 AWG insulated copper grounded wire, and must be in conduit. (Exception: When entering a building the wire can change to NM) (Cannot use NM wire in conduit).
- e. e. Conduit i. PVC -- All PVC conduit\* must be buried at least 18" deep (12" if GFCI protected prior to entering the ground). ii. Metal -- All Rigid Metal Conduit\* must be at least 6" deep. \* Wires used in conduit must be single strand wires (ex: THWN, etc - NO NM or UF CABLE in Conduit).

### 2. Convenience Receptacle (Outlet) and Wiring Method

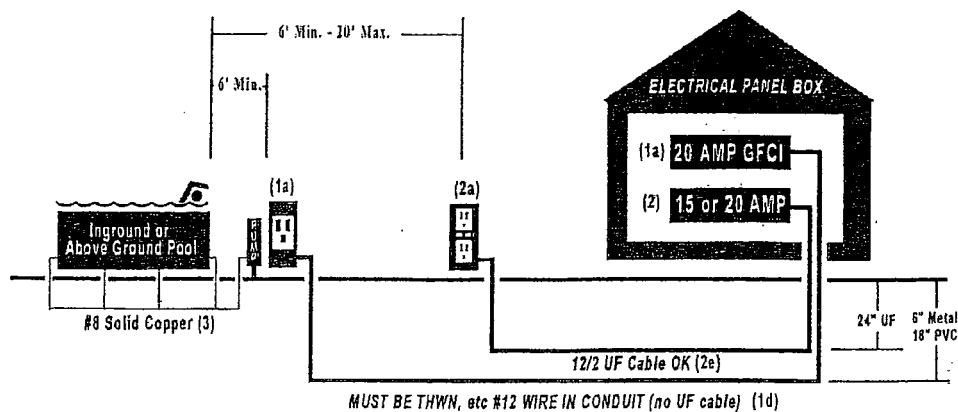
- a. a. At least one (1) 15- or 20-ampere convenience receptacle must be located no closer than 6' and no further than 20' from the inside pool wall (Can be existing and/or wired with any approved wiring method). This receptacle cannot be located more than 6 1/2' above the grade level, deck, or platform serving the swimming pool.
- b. b. Convenience receptacle must be Ground Fault Circuit Interrupter (GFCI) protected, Tamper Resistant (TR), and Weather Resistant (WR) type receptacle.
- c. c. Must have an extra-duty, in-use, weatherproof cover that can be closed when in use (for all wet locations).
- d. d. May need to be separate from the pool pump receptacle wiring.
- e. e. Wiring
  - i. i. UF cable if buried must be at least 24" deep (12" if GFCI protected prior to entering the ground).
  - ii. ii. PVC -- All PVC conduits\* must be buried at least 18" deep (12" if GFCI protected prior to entering the ground).
  - iii. iii. Metal -- All Rigid Metal Conduits\* must be at least 6" deep \* Wires used in conduit must be single strand wires (ex: THWN, etc. - NO NM or UF CABLE in Conduit).

### 3. Bonding The Pool

- a. a. All metal parts must be bonded together using a #8 (or larger) solid copper wire.
- b. b. Must use non-corrosive clamps that are listed for direct burial use.
- c. c. Conductive pool shells must be bonded in a minimum of four (4) equal points uniformly spaced around the pool
- d. d. Nonconductive pool shells must have a #8 (or larger) solid, bare copper wire 18"-24" from the inside pool wall under the perimeter surface 4"-6" below the final grade.
- e. e. A minimum of nine (9) square inches of corrosion resistant metal must be in the water to bond the water.

### 4. Other

- a. a. Building Permits are required. Secure a Building Permit from your municipality prior to beginning work.
- b. b. Pool Alarms are required. (Check with your local Building Department for additional information).
- c. c. Pool Pump Timers: (Check with your local Building Department for additional information).



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OFFICE USE

Address: \_\_\_\_\_ APPL. #: \_\_\_\_\_

Type: \_\_\_\_\_ Date Rec'd: \_\_\_\_\_

Rolled Plans

Town of

**AMHERST  
BUILDING  
DEPARTMENT**

"Building Safety is No Accident"

# 2024 - BUILDING PERMIT APPLICATION INFORMATION

<b>Job Address:</b>	
Property Owner Name:	
Property Owner Address:	
Owner Phone:	
Owner Email:	
<b>Applicant</b> (PETITIONER):	
Address (No. & Street):	
(City & Zip Code):	
<b>Applicant Phone:</b>	
<b>Applicant Email:</b>	

**NATURE OF CONSTRUCTION:** \_\_\_\_\_

**ESTIMATED VALUE OF THE WORK** (Exclusive of Land) \$ \_\_\_\_\_

### CONTRACTORS

WORKERS COMPENSATION INSURANCE CERTIFICATE ON FILE? YES  NO

GENERAL CONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

PLUMBING CONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

ELECTRICAL CONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

HEATING, VENTILATING & AC CONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

FIRE PROTECTION CONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

**PLUMBING** – If any Plumbing work is planned a separate Plumbing Permit is required (see reverse)

**ELECTRICAL INFORMATION** Power Co:  National Grid  NYSEG ESR# \_\_\_\_\_

ELEC SUBCONTRACTOR STATEMENT SUBMITTED  SERVICE SIZE \_\_\_\_\_ # of METERS \_\_\_\_\_

### PROPERTY INFORMATION:

BUILDING ADDRESS \_\_\_\_\_ SBL \_\_\_\_\_

SUBDIVISION \_\_\_\_\_ M.C. NO. \_\_\_\_\_ LOT NO. \_\_\_\_\_

### TOWN CLERK - RECEIPT OF FILING FEE:

BP Fee: \_\_\_\_\_ BP Filing Fee: \_\_\_\_\_

FEE:

Elec Fee: \_\_\_\_\_ Elec Filing Fee: \_\_\_\_\_

Submit information to: Commissioner of Building, Municipal Building  
5583 Main St., Williamsville NY 14221 - Telephone (716) 631-7080 Fax (716) 631-7192

**EACH APPLICATION MUST BE ACCOMPANIED WITH THE FOLLOWING:**

**RESIDENTIAL BUILDINGS:**

- 1) Three complete sets of working plans drawn to scale (preferably 1/4" to 1')  
Additions must show abutting rooms with window sizes.
- 2) Three plot plans including building location on property showing front, rear and side yards;  
building dimensions, parking area and sidewalks, and flood plain information.  
Note: a property survey may be required for an irregular shaped lot.
- 3) Two sets of complete specifications (May be incorporated onto plans).
- 4) Energy Code calculations.
- 5) Geotechnical Analysis (which includes a Soil Bearing test)
- 6) Curb cut permit and initial cut approval from Highway Department.
- 7) Filing Fee equal to 1/2 the Building Permit fee

**OTHER THAN RESIDENTIAL:**

- 1) Three sets of plans as stated above.
- 2) One copy of complete specifications.
- 3) One copy of energy code calculations, structural calculations, etc. (depending on circumstances).
- 4) Statement of Special Inspections in accordance with Section 1704.1 of the Building Code of New York State.
- 5) Filing Fee equal to 1/2 the Building Permit fee

**NOTE:** All plans and specifications must be imprinted with the seal and signature of an Architect or Professional Engineer, registered and licensed in the State of New York, in accordance with NYS Education Law. Submit one set with original seal; others may be copies.

**PLUMBING:** All plumbing performed within the Town of Amherst must have a plumbing permit and must be inspected, regardless of who performs the work.  
Homeowners may perform plumbing on a one or two family residence owned and occupied by him/her provided that the plumbing and drainage board grants permission and files appropriate plans and pays applicable fees.  
Plumbers working in the Town must be licensed by the Town of Amherst. For information contact the Plumbing Division at (716) 631-7090.

**PLANS MUST BE FILED, APPROVED AND THE PERMIT ISSUED PRIOR TO THE START OF ANY WORK, INCLUDING EXCAVATION.**

**WORK COMMENCED WITHOUT A PERMIT WILL BE PROSECUTED AS PROVIDED BY LAW**

**CURB CUTS & DRIVEWAY CULVERTS:**

Town Highways	Superintendent of Highways, 1042 North Forest Rd. 631-7117
County Highways	759-8328 - for areas north of Main St. 683-4272 - for areas south of Main St.
State Highways	847-3272 - Regional Permit Eng, NYSDOT, General Donovan Bldg.

**ZONING:** Check with Building Department for proper zoning

**CONSTRUCTION SITE:** Must have sign bearing building number, builder's name and phone number.

**APPLICABLE CODES:** Town of Amherst Zoning Ordinance  
Town of Amherst Building Construction Administration Ordinance

New York State Building Code  
New York State Energy Conservation Code  
New York State Existing Building Code  
New York State Fire Code  
New York State Fuel Gas Code  
New York State Mechanical Code  
New York State Plumbing Code  
New York State Property Maintenance Code  
New York State Residential Code

New York State Highway Law

Note: Other Federal, State and Local Laws or Ordinances may be applicable.





# TOWN OF AMHERST

BUILDING DEPARTMENT

**ERIE COUNTY, NEW YORK**

5583 MAIN STREET

WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080  
FAX: (716) 631-7192

Mark S Berke, P.E.  
Commissioner of Building

## POOL REGULATIONS LETTER

I, \_\_\_\_\_, as the owner of the premises at \_\_\_\_\_, do hereby state that, having read the general requirements for swimming pool enclosures (attached), I will comply with said requirements prior to completion of the pool. Barriers shall comply with the 2020 New York State Residential Code: Section R326.4. I acknowledge my responsibility to contact the Building Department immediately to schedule all required building, electrical, and plumbing inspections upon completion of and prior to the use of the pool. I agree to install drainage as necessary or otherwise grade around the pool so that no surface water will drain onto adjacent properties.

I understand that no permits regarding pools or associated equipment will be issued until this letter is signed and returned to the Town of Amherst Building Department.

**PRE-PERMIT INSPECTION REQUIRED PRIOR TO ISSUANCE OF THE PERMIT.**

**THIS INSPECTION SHALL INCLUDE THE HOMEOWNER, CONTRACTOR AND INSPECTOR.**

**I FURTHER UNDERSTAND THAT THE POOL IS NOT DEEMED SAFE AND WILL NOT BE USED UNTIL ALL FINAL INSPECTIONS HAVE BEEN COMPLETED AND APPROVED.**

SIGNED: \_\_\_\_\_  
(Property Owner)

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

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**TOWN OF AMHERST**

BUILDING DEPARTMENT  
5583 MAIN STREET  
WILLIAMSVILLE, NEW YORK 14221  
(716) 631-7080

**Electrical Subcontractor  
Statement**

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

**I,** \_\_\_\_\_ **attest that:**  
(licensee)

\_\_\_\_\_,  
(electrical contractor name)

**will be the electrical contractor responsible for the electrical**

**work to be performed at:**

\_\_\_\_\_  
(address of the work)

\_\_\_\_\_  
(nature of work)

**My Town of Amherst license number is** \_\_\_\_\_ - \_\_\_\_\_  
License Type License #

**Signature** \_\_\_\_\_

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