

Village of Fayetteville Code for Swimming Pools

Note: A Pool Permit is also required for inflated pools, and any entity that is capable of containing over 24” of water.

§ 154-6. Lot coverage.

Swimming pools shall be considered in the calculation of lot coverage to the extent to which their gross area exceeds 15% of the total area of the lot; provided, however, that for swimming pools the water levels of which are at or below the surface of the ground, the gross area occupied by all appurtenances which are situated beyond a point four feet from the perimeter of the water shall be subject to the lot coverage requirement as set forth in zoning regulations for the municipality in which the lot is located. (Ch. 187)

§ 154-7. Location of pools and appurtenances.

All swimming pools and the appurtenances thereto shall be constructed and located so as to have a yard not less than 10 feet in width on all sides except where the pool is attached to or part of a principal structure .

§ 154-8. Setbacks for corner lots.

All swimming pools constructed on corner lots shall conform to the setback required for a principal residential structure on the secondary or side street.

§ 154-9. Fencing requirements.

A. Generally. For the protection of the general public, all swimming pools as defined in this chapter shall be effectively fenced by an artificial enclosure not less than four feet in height surrounding either the property or the pool area, strong enough to make the pool inaccessible to small children. The fencing shall be opaque or made so by plantings such as bushes or trees.

B. Aboveground pools. For pools projecting above the ground and which are self-enclosed by the exterior projections thereof, said enclosures shall be constructed to satisfy the requirements of this section, provided that they are not less than four feet in height above the ground.

§ 154-10. Use of artificial lighting.

No person may use a floodlight to illuminate a swimming pool if the floodlight casts light directly on adjoining property. No person may use another kind of light to illuminate a swimming pool if it unreasonably annoys the occupants of adjoining property.

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§ 154-11. Maintenance equipment.

A. Location. Pool heating, filtering, disinfecting and recirculating equipment shall not be located at any point within five feet of adjacent property lines.

B. Screened and enclosed. All pool maintenance equipment shall be effectively screened and enclosed so as not to adversely affect the character of surrounding properties.

C. Restrictions. No equipment shall be permitted the use of which by reason of the emission of noise, vibrations, dust or odors would be considered obnoxious or dangerous to the health and safety of the public.

D. Filtration. No swimming pool, whether of permanent or plastic construction, shall have a water capacity in excess of 7,500 gallons without a recirculating and filtering system of sufficient capacity to meet good public health and engineering practice.

Pool heaters: All pool heaters shall be equipped with readily accessible on-off switch to allow shutting off the heater without adjusting the thermostat setting. Pool heaters fired by natural gas or LPG shall not have continuously burning pilot lights.

Time switches: Time switches that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on swimming pool heaters and pumps.

Pool Covers: Heated pools shall be equipped with a vapor-retardant pool cover on or at the water surface. Pools heated to more than 90°F (32°C) shall have a pool cover with a minimum insulation value of R-12.

Please contact codes enforcement office with any questions you might have:

(315) 637-9864
425 East Genesee St.
Fayetteville, NY 13066



Summary of Rules and Regulations For:

In-Ground
Above Ground
On-Ground ponds
Indoor Pools
Hot Tubs
Spas
Fixed in Place Wading Pools



The term "swimming pool" means a chamber or tank capable of containing water more than 24 inches (610 mm) deep at any point. This includes in-ground, above-ground and on-ground pools; indoor pools; hot tubs; spas; and fixed-in-place wading pools.



As mentioned above, the definition of "swimming pool" includes hot tubs and spas. However, a hot tub or spa with a safety cover that complies with reference standard ASTM F 1346, entitled *Standard Performance Specification for Safety Covers and Labeling Requirements for all Covers for Swimming Pools, Spas and Hot Tubs*, is exempt from the barrier requirements discussed here. Installation or replacements require permits.



Pool Alarms



Every swimming pool that is installed, constructed or substantially modified after December 14, 2006 must be equipped with an approved pool alarm which:

- Is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;
- Is audible poolside and at another location on the premises where the swimming pool is located;
- Is not an alarm device which is located on person(s) or which is dependent on device(s) located on person(s) for its proper operation.

A pool alarm must be capable of detecting entry into the water at any point on the surface of the swimming pool. If necessary to provide detection capability at every point on the surface of the swimming pool, more than one pool alarm must be installed.

Pool alarms are not required in:

- A hot tub or spa equipped with a safety cover; or
- Any swimming pool (other than a hot tub or spa) equipped with an automatic power safety cover.



Pool Barriers



The barrier must completely surround the swimming pool and must obstruct access to the swimming pool and must be at least 4 feet (48 inches) high.

A temporary fence may be used during construction and shall be replaced by a permanent barrier no later than 90 days after commencement of construction.

Where a wall of a dwelling serves as part of the barrier, at least one of the following requirements must be satisfied:

- The pool shall be equipped with a powered safety cover in compliance with ASTM F1346;

or

- Doors with direct access to the pool through that wall shall be equipped with an alarm.

In the case of an above-ground pool, the barrier may be at ground level or mounted on top of the pool structure; however, if the barrier is mounted on top of the pool structure, the space between the top of the pool structure and the bottom of the barrier cannot exceed 4 inches.

In the case of an above-ground pool, the pool structure itself can serve as a part of the required barrier, provided that the pool structure is sufficiently rigid to obstruct access to the pool structure, and the means of access is a ladder or steps, then:

- The ladder or steps shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier.
- When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4 inch-diameter sphere.

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

Gates shall be self closing, self latching, and securely locked with a key combination or other child proof lock.