

TO: ALL BUILDING DIVISION PERSONNEL

**FROM: DOUG WISE
BUILDING DIVISION DIRECTOR**

PREPARED BY: BUILDING DIVISION

**SUBJECT: PERMITTING FOR RESIDENTIAL IN-GROUND SWIMMING
POOLS AND SPA**

PPM #: PB-O-104

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ISSUE DATE
January 14, 2020
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EFFECTIVE DATE
January 14, 2020
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PURPOSE:

To outline the permitting requirements for in-ground swimming pools and spas.

UPDATES:

Future updates to this PPM are the responsibility of the Director of the Building Division, Deputy Building Official, Assistant Deputy Building Official, or Codes Product & Training Supervisor, under the authority of the Director of the Building Division.

AUTHORITY:

Sections 105.1, 110.1 and 111.1, Palm Beach County Amendments to the Florida Building Code, Chapter 1, Administration; Sections 424.1 and 424.2, Florida Building Code, Building Volume; and Chapter 41, Florida Building Code, Residential Volume.

POLICY:

All pools/spas shall be primary permits. Sub-permit applications may be accepted concurrently with the pool permit application. Pool sub-permits may be issued anytime (except for decks, which must be simultaneous) after the pool primary permit has been issued.

PROCEDURE:

A. Application Process

All permitted pools/spas will be issued as a “primary” permit with sub-permits for a barrier, electric, and any other appropriate sub-trade. If a fence or wall exists, the barrier permit will still be required, which will allow inspections to determine if any additional work is needed to convert the fence/wall to a code-compliant pool/spa barrier.

The following Building Division forms are required to be submitted prior to permit completion, as appropriate:

1. Affidavit of Understanding. This form shall be submitted at time of pool application and signed by both the property owner and contractor indicating they understand that a 360-degree barrier is required around a pool, spa or hot tub.
2. Affidavit of Compliance. This form shall be submitted at time of pool barrier sub-permit and signed by the property owner indicating which method has been utilized to create the required barrier around a pool, spa or hot tub.
3. Pool Barrier Agreement. The property owner shall sign this agreement and have it recorded in the Official Records of Palm Beach County in order to allow a neighbor's wall or fence to be utilized as part of the required barrier around a pool, spa or hot tub. A copy of the recorded agreement shall be submitted with the Affidavit of Compliance, after all of the required inspections for the pool barrier have been finished.

B. Drawings & Specifications

The construction drawings submitted with the application shall indicate the name and address of the pool/spa designer, who is required to be a registered engineer, licensed in the State of Florida. The engineer's signature and seal shall be affixed to the drawings. The drawings and specifications submitted for evaluation shall be specific to the pool or spa permit being sought, and shall include:

1. *Survey (unaltered), including but not limited to:*
 - a. Property lines, recorded easements, rights-of-way of record, and overhead utilities;
 - b. All existing constructed objects; and
 - c. Flood Hazard Areas.
2. *Survey/Site Plan, including but not limited to:*
 - a. Proposed location and elevation of pool/spa;
 - b. Pool/spa deck with proposed slopes, deck and pool/spa equipment;
 - c. Pool/spa barrier layout and type; and
 - d. Anticipated overall drainage of the pool site.
3. *Pool/Spa Plan Design Drawings, including but not limited to the following:*
 - a. Pool, spa & deck plan views with all dimensions and locations of entry/exit features specified, including steps, ladders, swim outs/benches, beach entries, ladders, sun shelves, etc, which constitute the total pool

- design.
- b. Pool & spa profile/cross-sectional views showing the pool, spa, and other pool features, forming shell dimensions, water level depths, wall & floor slopes, wall & floor slope changes, wall & floor thicknesses, reinforcing steel requirements, etc.
 - c. Typical details for standard step, bench, ladder, sun shelf, beach entry, vanishing edge, etc., and pool features usually associated with more-standardized pool designs.
 - d. Complete site specific piping layout plan and piping sizes for the pool & spa hydraulic circulation system, showing all locations for main drains, skimmers, vacuum lines, return/supply lines, pool & spa jets, air vent/vacuum release lines (when used), control valves, by-pass valves, bubblers, etc. (also include typical piping schematic showing piping circulation system through the pool equipment network).
 - e. Anti-vortex/anti-entrapment main drain and cover details & specifications; main drain sump, well point, gravel pit, hydrostatic valve information.
 - f. Pool/spa coping, collar, hand-hold details, etc., with associated deck-to-coping/collar connections, with thicknesses and reinforcing requirements.
 - g. Documentation of pool equipment & pad location information.
 - h. Manufactured diving equipment specifications and related information on construction features associated with code specified “diving pool” types “I” through “V.”
 - i. Details and specifications for all other miscellaneous pool & spa appurtenances including slides, grottos, seating pits, underwater tables and stools, step-stones, fountains, waterfalls, rock features, etc.
 - j. Engineered temporary, or permanent in-place, wall shoring details, as required.
 - k. Complete pool & equipment electrical wiring specifications, schematics and details pursuant to National Electrical Code Article 680.
4. *Pool & Spa Specifications, including but not limited to:*
- a. Total pool & spa volume (gallons),
 - b. Surface area, and total linear perimeter dimensions,
 - c. Minimum design default turn-over rate (six hour per APSP-15), and maximum auxiliary flow turn-over rate,
 - d. Suction & return line maximum velocity flow rates complying with APSP-7 (anti-entrapment) and APSP-

- e. 15 (hydraulic efficiency),
 - e. Listing of number of skimmers, return inlets, light niches, water jets, etc., and
 - f. Skimmer type and detail, and vacuum line detail.
5. *Pool/Spa Cross Section, Per ANSI/NSPI Section 5.*
 6. *Electric schematic including bonding, grounding and electric light niche with proposed dimension from water surface to top of light.*

C. Inspections

All in-ground swimming pool and spa installations regulated by the Florida Building Code and Amendments shall be subject to visual inspections to ascertain compliance with the code. The following minimum inspections and tests may vary depending on the type of primary structure, swimming pool, or spa:

1. *Underground Electric (bonding of commercial pool, shell steel).*
2. *Steel or structural framework (includes bonding, main drain, on private/residential pools).*
3. *Perimeter and Anti-Entrapment piping (pressure test required).*
4. *Underground Electric (for Equipotential Bond).*
5. *Deck (soil reports, if required).*
6. *Final permanent Barrier (before filling of pool/spa).*
7. *Final Electric (prior to filling of pool/spa; and may require replacement of existing light fixtures).*
8. *Final Structural.*
9. *Final Gas (if applicable).*
10. *An “as-built” special purpose pool location survey may be required on pools dimensioned from “proposed” home locations without a tie-in or final survey.*

D. Prohibition on Unsafe Use

To ensure safety of swimmers, all required pool/spa inspections shall pass prior to any use of the pool/spa. Pool/spa use before issuance of a Certificate of Completion (CC) will be considered a Willful Code Violation, and the Building Division will instigate Willful Code Violation charges (seeking suspension or revocation of permit pulling privileges in Unincorporated Palm Beach County) against all involved contractors. Code Enforcement cases shall be instigated against owners who use a pool/spa before the CC is issued. Owners of new homes and/or pool builders shall each bear full and separate responsibility to ensure pool/spa safety by preventing pool/spa use prior to the CC.

E. Existing Wall/Fences as Barriers

and/or pool builders shall each bear full and separate responsibility to ensure pool/spa safety by preventing pool/spa use prior to the CC.

E. Existing Wall/Fences as Barriers

Barrier requirements on homes with existing barrier walls or fences may be satisfied by the party responsible for the barrier (either the Owner or the Pool/Spa Contractor) by obtaining a barrier sub-permit and promptly requesting a barrier final inspection. This inspection will be for the specific purpose of determining if the height, openings, type of closures, electric bonding and all other barrier requirements are satisfied by the existing walls, fences or natural features. Any needed work to reconfigure the existing wall or fence to obtain code compliance must be completed and approved by re-inspection prior to filling the pool/spa with water.

F. Neighbor's Wall or Fence

A neighbor's wall or fence may be utilized for all or part of a required pool barrier fence provided a Pool Barrier Agreement is executed and recorded in the Official Records of Palm Beach County. A copy of the recorded agreement shall be submitted to the Permit Center for inclusion with the permit for the pool barrier before the permit is completed.

G. Natural Barriers

A natural barrier may be utilized as a required pool barrier, provided it meets the requirements of the Florida Building Code.



DOUG WISE
BUILDING DIVISION DIRECTOR

Supersession History

1. PPM# PB-O-104, issued 04/01/97
2. PPM# PB-O-104, effective 04/01/97
3. PPM# PB-O-104, issued 06/01/01
4. PPM# PB-O-104, issued 07/02/01
5. PPM# PB-O-104, issued 08/14/01
6. PPM# PB-O-104, issued 08/24/01
7. PPM# PB-O-104, issued 08/28/01
8. PPM# PB-O-104, issued 10/01/01
9. PPM# PB-O-104, issued 04/19/12
10. PPM# PB-O-104, issued 7/27/16
11. PPM# PB-O-104, issued 1/14/20



**AFFIDAVIT OF COMPLIANCE
IDENTIFYING POOL BARRIER**

Permit Request (PR) Number: _____ Address: _____

Section R4501.17 of the 2017 Florida Building Code – Residential Volume (FBC-R), and Chapter 515, Florida Statutes (F.S.), requires pool barriers to be installed around the entire perimeter of a pool, spa or hot tub. In addition to this executed affidavit, all provisions for the required pool barrier shall be shown on the plans.

I/we acknowledge that a swimming pool, spa or hot tub exists or will be constructed or installed at the above address, and hereby affirm that one or more of the following methods will be used to meet the requirements of the Section R4501.17 of the 2017 FBC-R and Chapter 515, F.S.

Please check applicable method used to create a 360-degree barrier around pool, spa or hot tub:

- A. The pool will be equipped with an approved safety pool cover that complies with ASTM F1346-91(2010), Standard Performance Specifications for Safety Covers for Swimming Pools, Spas and Hot Tubs.
- B. A new, continuous barrier, such as a fence, wall or screen enclosure, will be placed completely around the pool perimeter to provide the required 360-degree protection. Identify method below and on site plan or pool layout:
 - *Please check only one
 - Four foot or higher perimeter fence (wood, chain link, aluminum, PVC or other).
 - Aluminum screen enclosure with self-closing, self-latching door with a latching device that is a minimum of 54 inches above the threshold.
 - Child safety barrier meeting Section R4501.17.1.15 of the 2017 FBC-R.
 - Other (specify) _____
- C. A combination system such as a perimeter (partial) barrier used in conjunction with a child safety barrier between house and pool meeting Section R4501.17.1.15 of the 2017 FBC-R, window/door alarms meeting UL 2017 and Section R4501.17.1.9 of the 2017 FBC-R, or window alarms with doors meeting self-closing, self-latching requirements of Section R4501.17.1.9 of the 2017 FBC-R *or certified swimming pool alarms meeting the requirements of Section R4501.17.1.9 2017 FBC-R*. Identify proposed combination below AND identify on site plan or pool layout.
 - Screen enclosure with (choose one):
 - Child safety barrier between house and pool; or
 - Window and door alarms (or complying doors) at required locations (indicate type of alarm and who is installing); or
 - Swimming pool alarm independently certified to ASTM Standard F2208 , which includes surface motion, pressure, sonar, laser, and infrared alarms

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- Perimeter fence with (choose one):
 - Child safety barrier between house and pool; or
 - Window and door alarms (or complying doors) at required locations (indicate type of alarm and who is installing); or
 - Swimming pool alarm independently certified to ASTM Standard F2208, which includes surface motion, pressure, sonar, laser, and infrared alarms
- Existing four foot or higher perimeter privacy fence converted (with permit) to pool barrier fence with:
 - Child safety barrier between house and pool; or
 - Window and door alarms (or complying doors) at required locations (indicate type of alarm and who is installing); or
 - Swimming pool alarm independently certified to ASTM Standard F2208 , which includes surface motion, pressure, sonar, laser, and infrared alarms
 - Some or my neighbor's entire fence is used as the required barrier. I understand there are additional requirements associated with this option because the barrier is located on adjacent property. **A POOL BARRIER AGREEMENT IS REQUIRED**
 - Other (please specify)

I understand that not having, and not maintaining, a complete barrier around the perimeter of the pool is a violation of Section R4502.17.1 of the 2017 FBC-R, which may be prosecuted through the Palm Beach County Code Enforcement Division.

I further understand that filling a pool with water before passing a final electric inspection and final barrier inspection by Palm Beach County is a violation of Section 109.3.A.6 of the Florida Building Code, as amended by Palm Beach County. The Building Division will consider these violations willful and will commence the appropriate disciplinary actions against those responsible.

Owner's Signature and Date

Owner's Name (Please Print)

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20_____

by _____, whom do I personally know or who has
Name of Person Acknowledging

produced _____ as identification and who did/did not take an oath.
Type of I.D.

SEAL

(Signature of person taking acknowledgement)

(Name of officer taking acknowledgement typed, printed or stamped)



AFFIDAVIT OF UNDERSTANDING
MUST ACCOMPANY POOL PERMIT APPLICATION

Permit Request (PR) Number: _____ Address: _____

Section R4501.17.1.1, 2017 Florida Building Code, Residential Volume (FBC-R), and Chapter 515, Florida Statutes (F.S.), require pool barriers to be installed around the entire perimeter of a pool, spa or hot tub. In addition to this executed affidavit, all provisions for the required pool barrier shall be shown on the plans.

I acknowledge that a new swimming pool, spa or hot tub will be constructed or installed at the above address, and hereby affirm my understanding that one of the following methods shall be used to meet the requirements of Section R4501.17, 2017 FBC-R, and Chapter 515, F.S.

Options available to create a 360-degree barrier around pool, spa or hot tub:

1. The pool will be equipped with an approved safety pool cover that complies with ASTM F1346-91(2010), Standard Performance Specifications for Safety Covers for Swimming Pools, Spas and Hot Tubs.
2. A new, continuous barrier, such as a fence, wall or screen enclosure, will be placed completely around the pool perimeter to provide the required 360-degree protection. Identify method(s) below and on site plan or pool layout:
 - Four foot or higher perimeter fence (wood, chain link, aluminum, PVC or other).
 - Aluminum screen enclosure with self-closing, self-latching door with a latching device that is a minimum 54 inches above the threshold.
 - Child-safety barrier that is compliant with Section R4501.17.1.15, 2017 FBC-R.
 - Other barriers compliant with Chapter 553, F.S., and Section R4501.17, 2017 FBC-R.
3. A combination system such as a perimeter (partial) barrier used in conjunction with a child-safety barrier between house and pool meeting Section R4501.17.1.15, 2017 FBC-R, window/door alarms meeting UL 2017 and Section R4501.17.1.9, 2017 FBC-R, or window alarms with doors meeting self-closing, self-latching requirements of Section R4501.17.1.9, 2017 FBC-R. Identify proposed combination below and on site plan or pool layout:
 - Screen enclosure with child safety barrier between house and pool.
 - Screen enclosure with window & door alarms (or complying doors) at required locations (indicate type of alarm and who is installing).
 - Perimeter fence with child safety barrier between house and pool.

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- Perimeter fence with window & door alarms (or complying doors) at required locations (indicate type of alarm and who is installing).
- Existing four foot or higher perimeter privacy fence converted (with permit) to pool barrier fence with child safety barrier between house and pool.
- Existing four foot or higher perimeter privacy fence converted (with permit) to pool barrier fence with window & door alarms (or complying doors) at required locations.

I understand that not having a complete barrier around the perimeter of the pool is a violation of Section R4502.17.1, 2017 FBC-R.

I further understand that filling a pool with water before passing a final electric inspection and a final barrier inspection by Palm Beach County is a violation of Section 109.3.A.6, 2017 FBC, as amended by Palm Beach County. The Building Division will consider these violations willful and will commence the appropriate disciplinary actions against those responsible.

Owner's Name (Please Print)

Owner's Signature and Date

Pool Company's Name

Qualifier's Name (Please Print)

Qualifier's Signature and Date



POOL BARRIER AGREEMENT

This document to be recorded prior to submitting to the Building Division.

Permit Request (PR/B) Number: _____

Address: _____

Date: _____

Section R4501.17.1.1 of the 2017 Florida Building Code – Residential Volume (FBC-R), and Chapter 515, Florida Statutes, requires pool barriers to be installed around the entire perimeter of a pool, spa or hot tub. In addition to this Pool Barrier Agreement (Agreement), all provisions for the required pool barrier shall be shown on the plans.

I acknowledge that I am aware that all swimming pools, spas or hot tubs must be provided with a compliant barrier which satisfies the applicable criteria contained in Section R4501.17 of the FBCR) and Chapter 515, Florida Statutes.

I am requesting to be allowed to utilize a portion of the existing fence on the adjacent property located at _____ as part of the required pool barrier for my pool or spa which is not on my property or within my control.

I understand and agree that my neighbor's existing fence must meet the applicable code criteria and must remain code compliant in order to be accepted as a pool barrier. I further understand that if the barrier should become non-compliant or the neighbor should elect to remove the fence in the future, I am responsible to immediately install a new barrier with appropriate permits.

In the event Palm Beach County is challenged with the respect to the use of my neighbor's existing fence being used a pool barrier, or a claim for damages are made as a result of such fence barrier being used as a pool barrier, I agree to protect, defend, reimburse, indemnify and hold Palm Beach County, its agents, employees and elected officers harmless from and against all claims, liability, expense, loss, cost damages or causes of action of every kind or character, including attorney's fees and costs, whether at trial or appellate levels or otherwise from said challenge.

I understand that not having, and not maintaining, a complete barrier around the perimeter of the pool is a violation of Section R4502.17.1 of the 2017 FBC-R, which may be prosecuted through the Palm Beach County Code Enforcement Division.

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I agree that this Agreement shall be recorded at my expense in the official Records of Palm Beach County, Florida, within ten (10) days of the date listed above, and that this Agreement shall be a covenant running with the land and be binding upon my heirs, personal representatives, grantees, assigns and successors in interest.

Upon the removal of the pool or spa that is the subject of this Agreement, or upon permitted installation and inspection of a complaint barrier on my property, this Agreement shall immediately and automatically terminate and be of no further force and effect.

Owner's Signature and Date

Owner's Name (Please Print)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 20_____

by _____, whom do I personally know or who has
Name of Person Acknowledging

produced _____ as identification and who did/did not take an oath.
Type of I.D.

SEAL

(Signature of person taking acknowledgement)

(Name of officer taking acknowledgement typed, printed or stamped)