



COUNTY OF ACCOMACK

BUILDING, PLANNING & ECONOMIC DEVELOPMENT

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Building & Code Enforcement
Planning & Zoning
Geographic Information & Mapping

Floodplain Management
Economic Development
Wallops Research Park

SWIMMING POOL & FENCE AFFIDAVIT

I (name), _____

Address: _____
Street Town State ZIP

County Tax Map #: _____

Affirm that I own or am an authorized applicant of the tract or parcel of land located at:

Same as Above; or the following address

Address: _____
Street Town State ZIP

County Tax Map #: _____

I/We am/are aware of, and have received a copy of the requirements, for the enclosure of a pool in accordance with Section 111.1 Exception #4 of the Virginia Uniform Statewide Building Code (VUSBC).

Any pool site, new or existing, that is not protected by a fence approved by this Department is subject to immediate legal action.

The use of a pool is prohibited until Final Approval has been issued by the Building Official or Code Enforcement Officer.

I certify that my property has an existing fence which meets the requirements of the VUSBC as it relates to a swimming pool.

OR

I take full responsibility, as the property owner, for ensuring that the building permit for the pool fence enclosure is obtained and that the pool/spa shall be protected by a properly constructed fence or barrier during and after construction.

Owner Name: _____ Owner Signature: _____

Applicant Name (if different from above): _____ Date: _____

SWIMMING POOL INSTALLATION AFFIDAVIT

I, _____ of (address) _____ affirm that I am the owner of a certain parcel of land located at: _____ and I have applied for a building permit. I affirm that I am familiar with the prerequisites of the Virginia Uniform Statewide Building Code, as it pertains to the installation of swimming pools and swimming pool safety devices.

Owner Name: _____ Owner Signature: _____

Applicant Name (if different from above): _____ Date: _____

(Affiant)

Signed and acknowledged by _____ in the City or County of _____, Virginia. On the ____ day of _____, 20____, in the presence of the undersigned witness _____ (Witness).

VA BUILDING CODE – SECTIONS RELATIVE TO SWIMMING POOLS AND FENCES

Swimming Pool - Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs and spas.

Outdoor swimming pool: An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub, or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches 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 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.
2. Openings in the barrier shall not allow passage of a 4-inch diameter 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. The horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches 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 or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches in width.

6. Maximum mesh size for chain link fences shall be a 1 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 3/4 inches.
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 1 3/4 inches.
8. Access gates shall comply with the requirements of 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. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following: a) the release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate; and b) the gate and barrier shall have no opening greater than 1/2 inch within 18 inches of the release mechanism.
9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met: a) the pool shall be equipped with a powered safety cover in compliance with AS1M ES13-89; or b) all doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch. To temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch(es) shall be located at least 54 inches above the threshold of the door, or c) other means of protection, such as self-closing doors with self-latching devices. Which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by (a) or (b) above.
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, then: a) the ladder or steps shall be capable of being secured, locked or removed to prevent access; or b) the ladder or steps shall be surrounded by a barrier which meets the requirements of items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter sphere.

Indoor swimming pool: All walls surrounding an indoor swimming pool shall comply with Item 9, as listed above.