



Swimming Pools & Hot Tubs

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IT IS THE HOMEOWNER'S RESPONSIBILITY TO VERIFY SPECIFIC ZONING REQUIREMENTS OR NEIGHBORHOOD COVENANTS, WHICH COULD IMPACT THEIR PROPOSED PROJECT.

The requirements of this handout refer to Article IX - Swimming Pools – in the Blaine Code of Ordinances

Private swimming pool: Any swimming pool, located on private residential property under the control of the property owner, the use of which is limited to swimming or bathing by members of such owner's family, tenants, or their invited guests.

Swimming pool: Any structure, chamber, or tank containing an artificial body of water for swimming, diving, relaxation, or recreational use. **Hot tubs, spas, and Inflatable pools are considered pools.**

Supervision: Every swimming pool shall be under the supervision of a capable individual who shall assume the responsibility for compliance with all parts of this article relating to pool operation, maintenance, and safety of the occupants of the pool.

IMPORTANT: FOR ALL POOLS & HOT TUBS. PLEASE VISIT POOLSAFETY.GOV

Building Permit Required

- A building permit is required for the installation of any swimming pool except private residential prefabricated pools entirely above ground which do not exceed both 5,000 gallons and 24" in depth (to determine gallons, search "pool gallon calculator" online). This permit will include the required barrier/fencing.
- If the fence/barrier is being constructed in conjunction with a swimming pool or hot tub, the fence fee is included in the permit for the pool/tub.

Plans

- Plans and sectional views with all necessary dimensions and details of the pool, barrier, and surrounding areas shall be submitted which includes:
 1. Type, size, and gallon capacity of the pool.
 2. Site Plan indicating the following:
 - a. location of pool details (see Location section)
 - b. barrier/fencing & gate details (see Barrier/Fencing & Gate section)
 - c. pool deck surround & adjacent patio/apron details (see Location section)
 - d. location of filter/pump/heater, and back-flush & drainage outlet
 - e. house, garage, & other buildings
 - f. other improvements such as landscaping & finished elevations
 - g. location of existing overhead or underground wiring, utility easements
 - h. grading plan with finished elevations
 3. An engineer's soils report, to verify the soils can support the manufacturer's design, is required for in-ground pools & and pools with designed footings.

Fees

\$61 – Above Ground Pools (includes the inspection of required barrier/fencing)

\$101 – In-Ground Pools (includes the inspection of required barrier/fencing)

After plan review and possible site inspections of any proposed swimming pool, a permit fee shall be paid for prior to issuance of the building permit and any work starting.

Location

- Pools shall not be located within ten feet of any side or any rear lot line, nor within six feet of any principal structure or frost footing, unless part of the principal structure. Pools shall not be located within the required front yard, but are permitted in the corner side yard provided the pool meets the required corner side yard setback for that zoning district.
- All at grade pool deck surrounds, adjacent patio/aprons, or similar areas or other similar areas used in conjunction with the swimming pool, shall be located not closer than five (5) feet to any adjacent property owner's lot line.
- Raised pool platforms around an above ground pool shall be located not closer than ten (10) feet to any adjacent property owner's lot line. Any pool platform greater than ten feet from edge of the pool must meet the deck setback.
- The filter unit, pump, heating unit, and other noise-making mechanical equipment shall be located no closer than ten (10) feet to any lot line, and located in the rear yard.
- The location of all pools in relation to all electrical wiring shall comply with the current addition of the National Electric Code.
- Pools shall not be located within any private or public utility, walkway, drainage, or other easement.
- Restrictions in all districts in which pools and fences are permitted - refer to the resolution and/or zoning ordinance of the proposed site, for detailed requirements.

Barriers/Fences - No person owning or operating an outdoor swimming pool, that requires a permit, shall use, operate, or allow the use of such swimming pool unless such pool complies with the provisions of this section. The required safety fencing shall be completely installed with installation of the pool.

- All private residential outdoor swimming pools and pool barriers, existing (subject to any variance heretofore granted by the council), modified, and hereafter constructed, shall meet the requirements of these standards. Exceptions: Existing pools and equipment that complied with the City of Blaine requirements at the time they were constructed permitted or approved by the City of Blaine.
- Barrier/Fencing and post materials shall be of substantial construction, decay or corrosion resistant, and capable of resisting a 200 pound lateral load applied in any direction at any point along the top. All fence posts shall be set in concrete bases or other suitable protection. Alternative barrier construction materials, climbing protection, and design must be approved by the building official.
- All private residential outdoor swimming pools shall be made inaccessible when not in use by a non-climbable barrier. It must also be positioned far enough away from permanent structures so that they do not provide climbing assistance. Exceptions: 1. Spas and hot tubs with a lockable safety cover that complies with ASTM F 1346-91.
- Installed pool barriers should be at least 48 inches high from finished ground level, as measured along the outside of the barrier, and should have no more than a 2 inch gap from the bottom of the barrier to the ground. Such height shall exist around the entire perimeter for a distance of 3 feet where measured horizontally from the required barrier. Openings in the barrier shall not allow passage of a 4 inch diameter sphere.
- A pool structure wall, itself, can serve as a barrier if the wall is at least four feet above grade. If a barrier is mounted to the top of the pool structure, the barrier must be installed in accordance with the manufacturer's instructions. The ladder or steps shall be surrounded by a barrier.
 - Note: There are products available that would help you meet this requirement without having to build a fence. Search for "Pool Entry System" online. These "systems" must have a gate and a barrier that meet all of the requirements listed in this handout.

- **Pedestrian Access Gates** must be self-closing and must have a self-latching device and shall be equipped to accommodate a locking device. **Utility/Service Gates** that are not meant for pedestrian use must have a self-latching device and shall be equipped to accommodate a locking device. **Double or Multiple Gates** shall have at least one leaf secured in place and the adjacent leaf shall be secured with a self-latching device and shall be equipped to accommodate a locking 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 shall be located on the poolside of the gate at least three inches below the top of the gate, and the gate and barrier shall not have openings greater than ½ inch within 18 inches of the release mechanism.
- Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than 2-inches.
- When fences are comprised of diagonal members, the maximum opening formed by the diagonal members shall not be more than 1-3/4 inches. The angle of the diagonal members shall not be greater than 45 degrees from the vertical.
- The pool side of the barrier shall not be less than 20 inches from the water's edge.
- Structures can serve as a barrier as approved by the Building Official.
- Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal tolerances and tooled masonry joints.

Protection of Other Property and Occupants Thereof

- In the case of underground pools, due precautions shall be taken during the construction period to:
 - ✓ Avoid damage, hazards, or inconvenience to adjacent or nearby property.
 - ✓ Assure that proper care shall be taken in stockpiling excavated material to avoid erosion, dust, or other infringement on adjacent property.
- All access for construction shall be via the owner's land and due care shall be taken to avoid damage to public streets and adjacent private or public property.
- Back-flush or discharge water or water from pool drainage shall be on the owner's property and may NOT be discharged directly to a gutter or storm sewer. This discharge must be allowed to flow over a vegetated area to allow filtering of pollutants, evaporation of chemicals, and infiltration of water consistent with the stormwater requirements of the City of Blaine. Water shall not drain onto adjacent or nearby private land.
- Lighting for the pool shall be directed into or onto the pool and not onto adjacent property and shall measure no more than one foot candle power at any point on the boundary line of any adjacent property owner.
- Nuisances such as undue noise, lighting onto adjacent property, health and safety hazards, damage to nearby vegetation and the like, shall not be permitted.

Additional Inspections & Enforcement

The Building Official is authorized to conduct such inspection as it deems necessary to insure compliance with all provisions of this article, and shall have the right of entry at any reasonable hour to a swimming pool for this purpose. All wiring, installation of heating units, grading, and installation of pipes and all other installations and construction shall be subject to inspection.

In ground or pools with Footing Demolition

Pool demolition requires a permit

- See how to apply at <https://www.blainemn.gov/535/Swimming-Pools>
- City Contractor License – Demolition (see <https://www.blainemn.gov/510> for details)
- Footing and Final Inspection