

- ❖ A building permit shall be required for all in-ground swimming pools, and for all above-ground swimming pools designed to hold more than 5,000 gallons of water.
- ❖ Permit fees shall be based on valuation.

The following must be submitted for a complete application:

- Completed Building Permit Application form with signature.
 - Application fee as set forth in Eureka Township Ordinance 7.
 - Proof of ownership: Parcel ID will be verified by the Town Clerk; conflicts must be resolved with a proper deed.
 - Two (2) copies of plans showing the proposed design and materials, including:
 - Type and size of pool.
 - Safety fencing.
 - Additional information may be required by the plan reviewer.
 - Two (2) copies of site plans illustrating:
 - Lot Lines.
 - Location of pool.
 - Location of house, garage, fencing and other features on the lot.
 - Location of structures on all adjacent lots.
 - Location of filter unit, pump and wiring (involving type).
 - Location of back-flush and drainage outlet.
 - Grading plan, finished elevations and final treatment (decking, landscaping, etc) around pool.
 - Location of existing overhead or underground wiring, utility easements, trees and similar fixtures.
 - Watershed permit or letter of exemption if located in the Dakota County Shoreland Zoning District or the Vermillion River Watershed District.
- All materials and the installation of all materials must comply with the Minnesota State Building Code and the manufacturer's installation specifications for each product.

Safety Fence Requirement:

- Safety fencing must be a barrier a minimum of 48 inches in height (walls of an above-ground pool are considered barriers provided they are at least 48 inches in height).
- The maximum clearance between grade and the bottom of the barrier shall be 2 inches.
- The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches when the grade is a solid surface such as concrete, or where the barrier is mounted on top of the pool structure.
- Openings in the barrier shall not allow passage of a 4-inch sphere.
- For fencing composed of vertical and horizontal members, if the tops of the horizontal members are less than 45 inches apart, the spacing between vertical members shall be no greater than 1 $\frac{3}{4}$ inches.
- Access gates, if used, shall be self-closing and have a self-latching device. Access gates shall open outward, away from the pool. 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 pool side of the barrier at least 3 inches below the top of the gate, and the barrier shall have no openings greater than $\frac{1}{2}$ inch within 18 inches of the release mechanism.
- Self-contained hot tubs or spas equipped with a locking cover do not need a separate safety fence.
- A wall of a dwelling may serve as part of the barrier provided one of the following conditions is met:
 - The pool shall be equipped with a powered safety cover; or
 - Doors with direct access to the pool shall be equipped with an alarm which produces an audible warning when the door and/or screen are opened. The alarm must be capable of being heard throughout the house during normal household activities, and shall automatically reset. The alarm system may have a means of temporarily disabling the alarm, provided that the deactivation lasts no longer than 30 seconds and the switch, touch pad or other device that disables the alarm is located at least 54 inches above the threshold of the door; or
 - Doors with direct access to the pool area must have a lockable device located at least 54 inches above the threshold of the door; or
 - Upon request, the Town Board may approve an alternative safety measure that it finds to be as effective or more effective than the measures specified above.
- Where the structure of an above-ground pool is used as a barrier, or the barrier is mounted on top of a pool structure, and the pool is accessed by means of a ladder or steps, the ladder/steps shall be capable of being secured, locked or removed to prevent access; or the ladder/steps shall be surrounded by a barrier that complies with the requirements.
- Barriers shall be located to prevent any permanent structures, equipment or similar objects from being used to climb barriers.

Performance Standards:

- A swimming pool shall not be located within ten (10) feet of any side or rear lot lines, nor any principal building or accessory structure. (attached and detached decks shall not be considered part of a principal building or accessory structure).
- The filter unit, pump, heating unit and any other noise-making mechanical equipment shall be located at least twenty (20) feet from any adjacent or nearby residential structure, and not closer than ten (10) feet to any lot line.
- All wiring, lighting, installation of heating unit, grading, installation of pipes and all other installations and construction shall require inspection in accordance with respective Minnesota State codes.
- Pools shall not be located beneath overhead utility lines, nor over underground utility lines of any type.
- Pools shall not be located within any private or public utility, walkway, drainage or other easement.
- In the case of in-ground pools, due precautions shall be taken during the construction period to avoid damage, hazards or inconvenience to adjacent or nearby property, and to assure that proper care shall be taken in stockpiling excavated material to avoid erosion, dust or other infringement onto adjacent property.
- To the extent feasible, back-flush water or water from pool drainage shall be on the owner's property or into approved public drainage ways. Water shall not drain onto adjacent or nearby private land. Owners shall check for any best practices published by the Minnesota Pollution Control Agency before draining.
- Lighting for the pool shall be directed into or onto the pool, and not onto adjacent property.
- Water in the pool shall be maintained in a suitable manner to avoid health hazards of any type.
- The required safety fencing shall be completely installed within three (3) weeks following installation of the pool and prior to the pool being filled, unless the pool installation cannot be completed without first filling the pool due to the way the pool is designed, in which case the fence must be completed within seven (7) days of filling the pool.
- Any proposed deviation from these standards shall require a variance in accordance with normal zoning procedures.