RESIDENTIAL SWIMMING POOLS, SPAS, AND HOT TUBS CUSTOMER ASSISTANCE GUIDE

Charles County Government

Department of Planning & Growth Management

P.O. Box 2150

La Plata, MD 20646

(301) 645-0692 / (301) 870-3935

Fax: (301) 645-0575

Web Site: www.charlescountymd.gov

CHARLES COUNTY MARYLAND
Where Eagles Fly™

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CHARLES COUNTY GOVERNMENT
P.O. BOX 2150
LA PLATA, MARYLAND 20646

July 1, 2014

WHEN IS A BUILDING PERMIT REQUIRED FOR THE CONSTRUCTION OF A RESIDENTIAL SWIMMING POOL OR THE INSTALLATION OF A SPA OR HOT TUB?

In accordance with Section AG105 of the 2012 International Residential Code and Section 3109 of the International Building Code, a permit is required for any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground, and on-ground pools, hot tubs, and spas.

PROCEDURE TO OBTAIN A BUILDING PERMIT FOR A SWIMMING POOL, SPA, OR HOT TUB:

1. This type of structure qualifies as a "Same Day" permit on Thursday (except property located in the critical area). Applications are accepted Monday through Friday; however, they will not be processed until Thursday. Applications received after 2:30 p.m. on Thursday will be reviewed on the following Thursday.

2. Application: Complete the attached building permit application (Attachment 1).

3. Forest Conservation Ordinance: As of August 27, 2004, compliance with the Forest Conservation Ordinance is required; however, projects on tracts of land less than 40,000 square feet are automatically exempt from the requirements of the Ordinance. If the subject tract of land is 40,000 square feet or larger, forest conservation requirements must be addressed with your project. If there is a pending or approved forest conservation plan already on file in the Charles County Planning Office, please provide documentation. For more information, contact the Planning Department at 301-645-0540 (See Attachment 2).

4. Construction Drawings:

   (a) **Above-ground pools** – Submit two sets of the manufacturer's literature, including assembly instructions.
   (b) **In-ground pools** – Submit two sets of dimensioned construction drawings consisting of plan view, profile, wall section, and diving board details signed and sealed by a Maryland Registered Professional Engineer.
   (c) **Spas and Hot Tubs** – Submit two sets of the manufacturer's literature, including assembly instructions.

   Note: All drawings must be complete, legible, and drawn to scale of at least ¼" = 1'0". After review, one set will be returned to the applicant with notations and conditions. Reference the attached drawing checklist (See Attachment 3).

5. Site Plan: Submit four copies of the site plan showing lot lines, existing and proposed structures, setback dimensions from the proposed structure to lot lines, existing and proposed tree lines, and well and/or septic location. These drawings shall indicate the proposed location and type of required pool barrier, as applicable. Please reference Section AG102 of the International Residential Code and Section 3109 of the International Building Code for required barrier designs.

In addition, the following information shall be provided for specific areas in Charles County:

1. Chesapeake Bay Critical Area and Resource Protection Zone: Property located in the above areas (1,000 feet from mean high water level) may require additional information. Contact the Planning Department at 301-645-0540 for specific submittal requirements and delineation of the CBCA and RPZ. See Attachment 4.

2. Well/Septic: If the property is served by individual well and/or on-site sewage disposal system, you must obtain approval from the Environmental Health Department prior to applying for a permit. Submit a site plan and a $65.00 review fee to the Health Department. Review time may take more than one day. It is recommended that a request for pre-approval be made at least five working days prior to applying for a "Same Day" building permit. For more information, contact the Health Department at 301-609-6900.

Zoning

1. Specify the intended use of your structure on the permit application. All proposed structures must meet zoning requirements.

2. If your property is located within the neighborhoods of the Smallwood Village PUD – Huntington (including Sentry Woods), Bannister, Sheffield, and Wakefield – you must obtain the Planning Design Review Board (PDRB). You may contact them at:

   SMALLWOOD VILLAGE – PDRB, 14 Irongate Drive, Waldorf
   Telephone Number: 301-843-8111

3. If your property is located within the neighborhoods of the Westlake PUD – Hampshire, Lancaster, Dorchester, Fairway Village, and any future neighborhoods – you must obtain approval from the Westlake Village PDRB. You may contact them at:

   WESTLAKE VILLAGE – PDRB, 236 Smallwood Village Center, Waldorf
   Telephone Number: 301-870-4304

4. If your property is located in Potomac Heights, you must submit the Review Committee approval letter. You may contact them at:

   POTOMAC HEIGHTS – 200 Cedar Lane, Indian Head
   Telephone Number: 301-753-9148

5. If your property is located in Swan Point, you must submit the Architectural Review Committee (ARC) approval letter and two copies of the stamped architectural drawings approved by the committee. You may contact them at:

   SWAN POINT – 15550 Swan Point Boulevard, Issue
   Telephone Number: 301-259-0054

Fees **Fees are subject to change every July 1.**

Please make checks payable to Charles County Commissioners.

Application Fee:	$20.00
Plan Review Fee:	$42.00
Final Inspection Fee:	$79.00

A 4% Technology Fee surcharge will be added to all permits issued after July 1, 2014.

Note: Fees may be paid at permit issuance for same day permits.

Codes, Regulations, and Standards

See Attachment 5 for code listing.

See Attachment 6 for Standard R7 Conditions for Residential Swimming Pools, Spas, and Hot Tubs.

Contractor License Requirement

Maryland Home Improvement Commission (MHIC)

Use and Occupancy Certificate

This certificate shall be obtained from Codes, Permits, and Inspection Services **prior** to using or occupying a building or structure. When requesting a Use and Occupancy Certificate, submit the final inspection report signed by the building inspector from the inspection agency.

The following is a list of commonly requested telephone numbers for State and County agencies:

Health Department 301-609-6900
Web Site ..... www.charlescountyhealth.org

Inspection Agency 301-645-3302
Building, Electrical, Plumbing, & Mechanical Inspections 301-870-8710
Web Site ..... www.planchekinc.com

Planning & Growth Management
Codes, Permits, & Inspection Services.....301-645-0692 or 301-870-3935
Planning & Zoning.....301-645-0540 or 301-870-3896
Engineering .....301-645-0618 or 301-870-3937
Fax..... 301-645-0575
Web Site..... www.charlescountymd.gov/pgm

Soil Conservation.....301-934-9588, Ext 3 or 301-870-3555
Web Site.....www.charlesscd.com

State Highway Administration..... 1-800-876-4742 or 410-333-1350
Web Site..... www.marylandroads.com

State Fire Marshal 443-550-6820
Web Site..... www.firemarshal.state.md.us

Mission Statement

The mission statement of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient, and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long – and short – term planning, and have an appropriate managerial organization tempered by fiscal responsibility.

Vision Statement

Charles County is a place where all people thrive and businesses grow and prosper;
where the preservation of our heritage and environment is paramount;
where government services to its citizens are provided at the highest level of excellence;
and where the quality of life is the best in the nation.

Charles County Government
Department of Planning and Growth Management
200 Baltimore Street, P.O. Box 2150, La Plata, MD 20646
(301) 645-0692 or (301) 870-3935 Fax: (301) 645-0575
www.charlescounty.org
Inspections: (301) 870-8710 or (301) 645-3302

BUILDING AND ZONING PERMIT APPLICATION

FOR OFFICE USE ONLY
Date Received: _____
Permit Number: _____
Revision To: _____
Plans on File #: _____
Same Day: Y or N
Time Received: _____

Property Tax Number **OR** **Tax Map** **Parcel** **Grid**

Property Owner(s) Name **Address/E-Mail Address** **City, State** **Zip** **Phone No.**

Applicant(s) Name **Address/E-Mail Address** **City, State** **Zip** **Phone No.**

Contractor's Name **Address/E-Mail Address** **City, State** **Zip** **Phone No.**

MD Homebuilders Registration No. **MD Home Improvement No.** **MD State License No.**

Job Address (ADC Map #, House #, Street, City, etc.)

Subdivision Name **Lot No.** **Section** **Block** **Acreage**

General Description of Work and Intended Use:

Total Disturbed Area	**Flood Plain Elevation**	**Front Yard Setback**	**Rear Yard Setback**	**Right Yard Setback**	**Left Yard Setback**

State Road: ❑ Yes ❑ No
County Road: ❑ Yes ❑ No
PDRB Approval: ❑ Yes ❑ No

Chesapeake Bay Critical Area: ❑ Yes ❑ No
Resource Protection Zone: ❑ Yes ❑ No
Development District: ❑ Yes ❑ No

Stormwater Management:
❑ Provided ❑ Exempt ❑ Waived

Total Floor Area: _____
No. of Stories: _____
No. of Bedrooms: _____

No. of Full Bathrooms: _____
No. of ½ Bathrooms: _____
Rough-In Only: _____

Public: ❑ Water ❑ Sewer
Private: ❑ Well ❑ Septic
Food/Drink: ❑ Yes ❑ No

Related Permits Required:
Electrical: ❑ Yes ❑ No
Plumbing: ❑ Yes ❑ No

Estimated Construction Cost (Building Cost Only):

Application Fee: _____
Plan Review Fee: _____
Soil Conservation Fee: _____
Inspections: _____
_____
_____
Total: $ _____

Name on Check: _____

Commercial Business Trading As:

Treasurer's Validation

CAUTION: I/we have carefully examined and read this application and know the same is true and correct. I/we are also aware that whoever is indicated as the OWNER assumes full responsibility for this application and for the construction and will comply with all provisions of the Charles County ordinances and State laws whether herein specified or not. I/we further understand that to start construction before a building permit is issued and to use and occupy the premises before a Use and Occupancy Certificate is obtained is in violation of the law.

Signature of ❑ Owner or ❑ Authorized Agent _____ Printed Name _____ Date _____ Permit Specialist Initials _____

CHARLES COUNTY FOREST CONSERVATION ORDINANCE
DECLARATION OF INTENT
SINGLE LOT EXEMPTION

Tax Account Number _____ Tax Map _____ Parcel Number _____ Lot No._____

Name(s) of Property Owner(s) _____

Address and/or location of property _____

I (We), _____, the Owner(s) of the real property located at _____ as described as _____ hereby declare my (our) intention to meet the requirements for an exemption under the *Single Lot Exemption* of the Charles County Forest Conservation Ordinance (§298-4.H of the Charles County Code) for five (5) years.

Under this Declaration of Intent, I (we) propose to disturb _____ square feet of forest. I (We) have included a sketch map or site plan showing approximate existing forest cover and the forest area to be cleared.

Is the property for which this Declaration of Intent being filed subject to either (please indicate yes or no):

_____ A previously approved Forest Conservation Plan; or
_____ A previous Declaration of Intent

This declaration grants an exemption for (name of activity) _____ conducted on an existing single lot based on the *Single Lot Exemption* of the Charles County Forest Conservation Program. If the Owner makes application for an additional activity regulated under the Forest Conservation Ordinance on all or part of the lot within a five (5) year period, the County Commissioners of Charles County shall require the Owner to satisfy requirements established in the Charles County Forest Conservation Ordinance. If the owner cumulatively clears more than 20,000 square feet of forest without an approved Forest Conservation Plan, or violates the requirements of a previous Forest Conservation Plan on all or part of the lot within the five (5) year period, the County Commissioners of Charles County shall require the Owner to satisfy requirements established in the Charles County Forest Conservation Ordinance, and may also assess a non-compliance fee of $0.30 per square foot for forested areas disturbed in violation of this exemption.

I (We) declare under the penalties of perjury, that I (we) have examined this declaration, including any accompanying forms and statements, and the information contained herein, to the best of my (our) knowledge, information, or belief, is true, correct, and complete.

Property Owner(s) Signature(s)	Date
_____	_____
_____	_____

Checklist for Residential Swimming Pool Drawings

The provided checklist should be utilized as a tool to complete the required construction drawings for each permit type. The checklist should be used as a reference as to local Charles County Ordinance requirements and also as a reference to insure each component of the structure to be built has been shown on the submitted designs. Not all items indicated on the checklist will pertain to your specific project. Please reference only those items you intend to utilize for your project. **Example;** Referring to the drawing checklist for a single family dwelling. Where the floor framing information is requested, and the dwelling will be constructed with a wood framed floor system, the items listed there must appear on the drawings submitted at the time of permit application. These checklists pertain only to the actual structure and do not represent what information will be required on the associated site plans as applicable.

- Minimum scale of ¼" to 1' for all drawings
- Indicated type of pool?
  - ☐ Above ground pool
  - ☐ In-ground pool
- An electrical permit is required for all swimming pools; electrical installation shall comply with the current edition of the National Electrical Code.
- A gas permit is required for all swimming pools that have a gas supplied heater. This installation shall comply with the current edition of the International Fuel Gas Code.
- In-ground swimming pools require the designs to be signed and sealed by a MD registered engineer.

- **LOCATION ON LOT**
  - ☐ Indicate distances to other structures on the lot within 10' shown where applicable?
  - ☐ Indicated the location and type of required safety barrier?

- **CONSTRUCTION PLANS**
- <u>Provide information for the required pool barrier</u>
  - ☐ Type of barrier, ex; chain link, wooden privacy fence, etc., is shown on the site plan?
  - ☐ Height of proposed barrier provided?
  - ☐ Spacing of the vertical members indicated? (as applicable)
  - ☐ Spacing of the horizontal members shown? (as applicable)
  - ☐ Indicated if the dwelling to be used as part of the barrier?
  - ☐ Indicated the location of the required entry alarms from the dwelling?
  - ☐ Indicated the location and number of doors that access the pool area?
  - ☐ Indicated the location and number of access gates in the barrier?
  - ☐ Indicated the height of release mechanism for gate latch?
- <u>Above ground pools require the installation instructions.</u>
  - ☐ Provided specific details for the access ladder? (as applicable)
  - ☐ Provided the actual water depth?
  - ☐ Provided the exact height of the pool walls?

Guidelines for Preparing Critical Area Site Plans

All land areas within 1000' of the landward boundary of tidal waters are designated to be in the Chesapeake Bay Critical Area. Site plans for development in these areas should contain the following:

1. **Tax Map, Grid, Parcel, and Lot Number**

2. **Boundary survey plat or detailed drawing of the entire site showing:**

- existing topography, including any slopes in excess of 15%
- location of all existing and proposed structures (or improvements)
- limits of construction disturbance, including a calculation of disturbance
- location of sediment and erosion controls
- location of the 1000' Critical Area boundary
- location of 100' Critical Area Buffer (expanded for steep slopes and sensitive soils[1])
- location of tidal and non-tidal wetlands on site
- location of hydric and highly-erodible soils on site
- location of isolated and/or specimen trees (indicate if remaining or removed)
- forested areas on site and contiguous adjacent forested areas
- location of any Habitat Protection Areas[2]

3. **Computations of**:

- total lot area and acreage inside the Critical Area
- area of existing and proposed lot coverage by type (building, driveway, deck, etc.)
- percentage of post-development lot coverage[3]
- total area of existing developed woodland/forest cover
- total area of developed woodland/forest to be cleared
- amount of replacement planting required for developed woodland/forest clearing (requires planting plan)
- amount of planting required for offsetting lot coverage (requires planting plan)
- amount of planting required to meet 15% minimum developed woodland/forest cover (requires planting plan)
- amount of clearing

4. **Planting Plan[4] (if required) showing:**

- exact location of required plantings and those being removed
- plant species sizes and mitigation value (in square feet)
- minimum 2-year maintenance agreement on all plant materials

5. **Buffer Management Plant - if Buffer located on your property**

Any questions about the items listed above may be directed to the Charles County Department of Planning and Growth Management, Environmental Section at (301) 645-0540.

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[1] Article IX, Section 131 of the Charles County Zoning Ordinance

[2] Chapter 8 of the Charles County Critical Area Program

[3] Article IX, Section 132 of the Charles County Zoning Ordinance

[4] Article IX, Section 132 of the Charles County Zoning Ordinance

CHARLES COUNTY GOVERNMENT
DEPARTMENT OF PLANNING AND GROWTH MANAGEMENT
P.O. BOX 2150, LA PLATA, MARYLAND 20646

CODES, REGULATIONS AND STANDARDS
FOR CONSTRUCTION IN CHARLES COUNTY

November 30, 2012

1. International Building Code/2012, International Mechanical Code/2012 and the International Energy Conservation Code/2012 as amended by periodic supplements and Charles County Bill No. 2012-09.

2. International Residential Code/2012 as amended by periodic supplements and Charles County Bill No. 2012-09.

3. National Electrical Code/2011

4. International Existing Building Code/2012 **(existing structures more than one year old)**

5. 2012 International Plumbing Code

6. 2012 International Fuel Gas Code

7. Code of Maryland Regulations 05.02.02 -Maryland Accessibility Code

8. Code of Maryland Regulations 05.02.06.02B - Maryland Safety Glazing Law

9. Code of Maryland Regulation 29.06.01 State Fire Prevention Code Incorporated by reference: NFPA 101 Life Safety Code/2012 and NFPA 1 Fire Code/2012

10. Code of Maryland Regulations 10.15.03 - Food Service Facilities

11. Code of Maryland Regulations 26.04.02 - On-Site Water Supply and Sewage Disposal

12. 2012 International Property Maintenance Code

Charles County Government

Standard R7 Conditions for Residential Swimming Pools, Spas and Hot Tubs

July 1, 2014

The following conditions are not conclusive. For additional information and requirements, refer to the appropriate sections of the approved Charles County Building Code Amendments and the adopted building code.

1. Swimming pools, spas and hot tubs that are capable of containing over 24 inches of water, require building permits and shall be provided with a barrier which shall comply with the following, reference IRC section AG105.2. **This includes storable/inflatable pools that are capable of holding over 24 inches of water.**

    a. The top of the barrier shall be at least 48 inches above the finished ground level measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between the finished ground level and barrier shall be 2 inches.

    b. Openings in the barrier shall not allow the passage of a 4 inch diameter sphere.

    c. Solid barriers which do not have openings, such as masonry or stone walls, shall not contain indentations or protrusions.

    d. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or less, the horizontal member shall be located on the pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches in width.

    e. Maximum mesh size for chain link fences, with a minimum gauge of #11.5 AWG, shall be 2.25 inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1.75 inches.

    f. Where the barrier is comprised of diagonal members spacing shall be no more than 1.75 inches.

    g. Access gates shall comply with the above requirements and open outward away from the pool and be self-closing and self-latching. 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 gate at least 3 inches below the top of the gate, and the gate and barrier shall have no opening greater than 0.5 inch within 18 inches of the release mechanism.

    h. Where the wall of a dwelling serves as part of the barrier, the following shall apply;

        i. 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 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 be automatically reset under all conditions. The alarm shall be equipped with a manual means to temporarily deactivate the alarm for a single opening. Such deactivation shall last no more than

15 seconds. The deactivation switch shall be located at least 54 inches above the threshold of the door.

i. 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 the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a code compliant 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.

j. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7. Reference IRC section AG106.1. See the attached internet link for additional information;

http://www.wvdhhr.org/phs/pools/virginia%20graeme%20baker%20act/ansi-apsp-7%202006%20suction%20entrapment%20pdf%20with%20covers.pdf

k. Please note that an automatic pool cover does not satisfy the code requirements for a proper safety barrier. This device maybe used to compensate for the referenced door alarms, but does not exclude the requirement for the proper barrier as outlined above. This power safety cover must be identified as complaint with listing ASTM F 1346.

l. Pools and in-ground permanently installed spas shall comply with IRC sections N1103.9.1 through N1103.9.3. All heaters shall be equipped with a readily *accessible* on-off switch that is mounted outside of the heater to allow shutting off the heater without adjusting the thermostat setting. Gas-fired heaters shall not be equipped with constant burning pilot lights. Time switches or other control method that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on all heaters and pumps. Heaters, pumps and motors that have built in timers shall be deemed in compliance with this requirement. Heated pools and in-ground permanently installed spas shall be provided with a vapor-retardant cover. Reference IRC section N1103.9.3 for adjustments to the cover requirement.

2. Prior to placing water in the swimming pool, an approved barrier must be provided.

3. Overhead wiring shall be installed in accordance with the required clearances indicated in Table 680.8 of the National Electrical Code or NEC.

4. Extension cords shall meet the requirements of section 680.30 of the NEC for storable pools as defined in section 680.2 of the NEC. The proposed extension cord shall be constructed as required under section 400.4 of the NEC for flexible cord usage. An extension cord shall not be utilized to convey electrical power to a permanently installed swimming pool. A Charles County licensed Master Electrician must obtain the required permit, prior to the installation of the power supply for a permanent swimming pool, spa or hot tub.

5. The terrain under an above ground swimming pool shall be graded flat; this area shall extend 3’ beyond the pool assembly, including the pool barrier/fence/deck perimeter, and/or the outermost point of the pool assembly. The measurement shall be taken perpendicular to the outermost point of the pool barrier/fence/deck, around the entire pool assembly. Any decking that is integrated to the pool assembly shall be considered part of the pool assembly when calculating this condition. Reference IRC section AG 105.6 and the Charles County Amendments.

6. Inspections shall include the following;

    a. Call to schedule electrical inspections at 301 870-8710 or 301 645-3302. Electrical permits must be obtained by a Charles County licensed Master Electrician.

    b. Call to schedule building inspections at 301 870-8710 or 301 645-3302.

    c. Pre-gunite inspections – Bonding and grounding of steel reinforcement bars (electrical inspector)

    d. Concrete walkway preparation (prior to placement of concrete) – Concrete reinforcement, diving board and ladder anchors must be bonded and grounded and approved by the electrical inspector.

    e. Final inspection – All required electrical inspections approved by the electrical inspector, pool and deck installation complete and ready for use, all grading and stabilization complete, and fence or other approved barrier in place (building inspector).

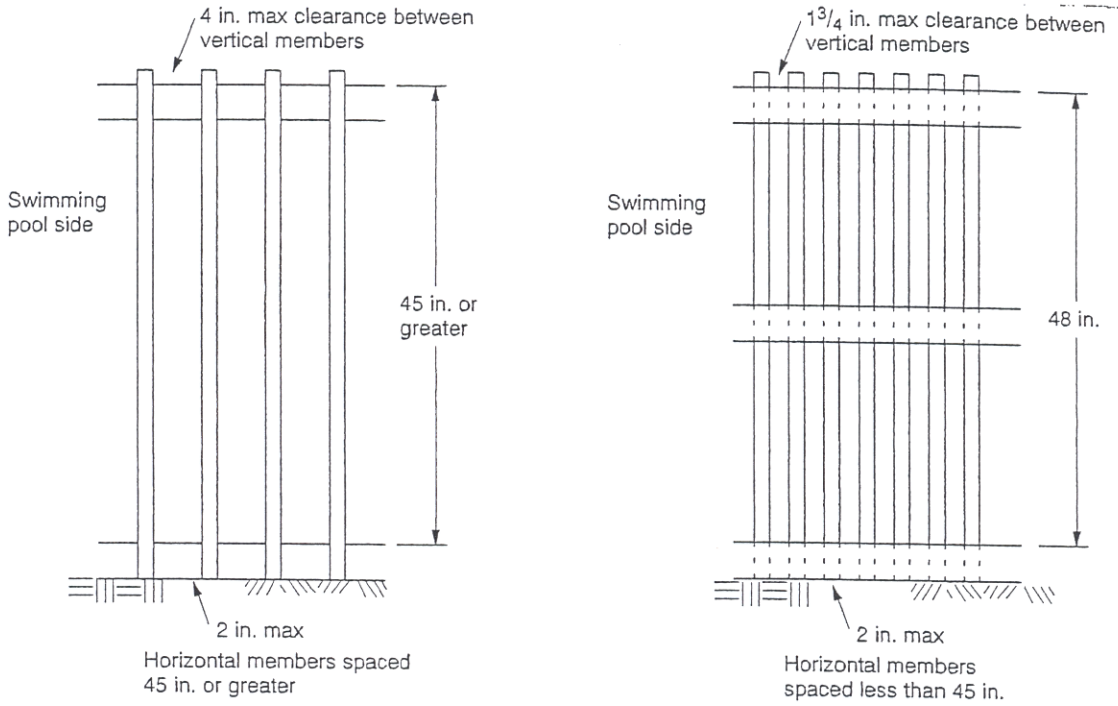
7. Any revisions to the building permit shall be submitted to and approved by Codes, Permits and Inspection Services.

8. Call "Miss Utility" at 1-800-257-7777 prior to excavation. If there is a conflict between the location of the gas service, if applicable, and the proposed structure, call the Washington Gas Light Company 703-750-1000. Do not place the structure over the gas service piping.

9. Once you have obtained your final inspection from the inspection agency, please submit the approval form to Codes, Permits and Inspection Services to obtain the required Use and Occupancy Certificate for your swimming pool, spa and/or hot tub. This form may be mailed in to 200 Baltimore Street La Plata MD 20646 or hand delivered to the Permits Center located on the second floor of this same address. **The structure cannot be used or occupied until this step is completed. Failure to complete this step could result in a violation with associated penalty fees.**

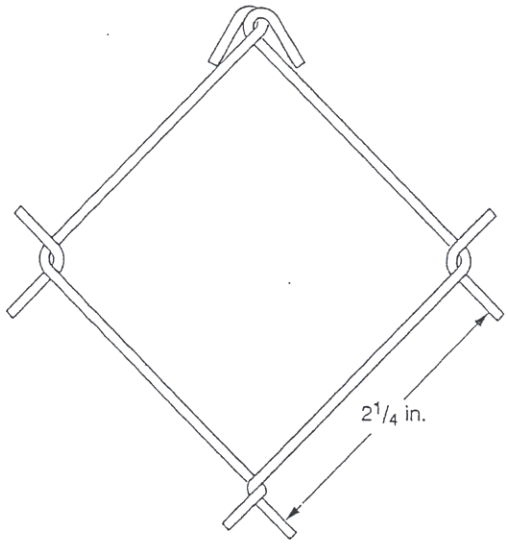
GUIDELINES FOR FILLING YOUR POOL

Filling your pool could requite anywhere from 15,000 to 30,000 gallons of water. Using the family garden hose for this purpose is not recommended because of the extreme stress it would place on the County water system which serves your subdivision. The County recommends using a tanker truck. Check the yellow pages for pool filling service nearest you.



For SI: 1 inch = 25.4 mm.

Figure AG105.2(2)
PRIVATE SWIMMING POOL BARRIER CONSTRUCTION



For SI: 1 inch = 25.4 mm.

Figure AG105.2(3)
CHAIN-LINK FENCE MESH FOR PRIVATE SWIMMING POOLS