

# 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.charlescounty.org](http://www.charlescounty.org)



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

February 1, 2012

**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 2009 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 1/4" = 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 (4) 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 the 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 building permit. Submit a site plan and \$65.00 review fee to the Health Department. Review time may take more than one (1) day. It is recommended that a request for pre-approval be made at least five (5) 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) approval from the Smallwood Village PDRB. You may contact them at:

SMALLWOOD VILLAGE - PDRB, 14G 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 stamped architectural drawings approved by the committee. You may contact them at:

SWAN POINT - 11550 Swan Point Boulevard, Issue  
Telephone Number: 301-259-0054

### **Fees**

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

Please make checks payable to the Charles County Commissioners

Application Fee - \$19.00

Plan Review Fee - \$40.00

Final Inspection Fee - \$76.00

(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 Permit Administration **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 .....	<a href="http://www.charlescountyhealth.org">www.charlescountyhealth.org</a>
Inspection Agency .....	301-645-3302
Electrical, Building, Plumbing Inspections .....	301-870-8710
Web Site .....	<a href="http://www.planchekinc.com">www.planchekinc.com</a>
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
Web Site .....	<a href="http://www.charlescounty.org">www.charlescounty.org</a>
Fax .....	301-645-0575
Soil Conservation and Sediment Control .....	300-934-9588 ext 3 or 301-870-3555
Web Site .....	<a href="http://www.charlesscd.com">www.charlesscd.com</a>
State Highway Administration .....	1-800-876-4742 or 410-333-1350
Web Site .....	<a href="http://www.marylandroads.com">www.marylandroads.com</a>
State Fire Marshal .....	(443) 550-6820
Web Site .....	<a href="http://www.firemarshal.state.md.us">www.firemarshal.state.md.us</a>

### **Mission Statement**

The mission 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](http://www.charlescounty.org)  
 Inspections: (301) 870-8710 or (301) 645-3302

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

**BUILDING AND ZONING PERMIT APPLICATION**

Property Tax Number	OR	Tax Map	Parcel	Grid
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Property Owner(s) Name	Address/E-Mail Address	City, State	Zip	Phone No.
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Applicant(s) Name	Address/E-Mail Address	City, State	Zip	Phone No.
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Contractor's Name	Address/E-Mail Address	City, State	Zip	Phone No.
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MD Homebuilders Registration No.	MD Home Improvement No.	MD State License No.
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Job Address (ADC Map #, House #, Street, City, etc.) \_\_\_\_\_

Subdivision Name	Lot No.	Section	Block	Acreage
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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
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State Road: <input type="checkbox"/> Yes <input type="checkbox"/> No	Chesapeake Bay Critical Area: <input type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater Management:
County Road: <input type="checkbox"/> Yes <input type="checkbox"/> No	Resource Protection Zone: <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Provided <input type="checkbox"/> Exempt <input type="checkbox"/> Waived
PDRB Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No	Development District: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Total Floor Area: _____	No. of Full Bathrooms: _____	Public: <input type="checkbox"/> Water <input type="checkbox"/> Sewer	Related Permits Required:
No. of Stories: _____	No. of 1/2 Bathrooms: _____	Private: <input type="checkbox"/> Well <input type="checkbox"/> Septic	Electrical: <input type="checkbox"/> Yes <input type="checkbox"/> No
No. of Bedrooms: _____	Rough-In Only: _____	Food/Drink: <input type="checkbox"/> Yes <input type="checkbox"/> No	Plumbing: <input type="checkbox"/> Yes <input type="checkbox"/> No

<p><b>Estimated Construction Cost (Building Cost Only):</b></p> <p>Application Fee: _____</p> <p>Plan Review Fee: _____</p> <p>Soil Conservation Fee: _____</p> <p>Inspections: _____</p> <p>_____</p> <p>Total: \$ _____</p> <p>Name on Check: _____</p>	<p><b>Commercial Business Trading As:</b></p> <p style="text-align: center;"><b>Treasurer's Validation</b></p>
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**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 <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized Agent	Printed Name	Date	Permit Specialist Initials
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**CHARLES COUNTY FOREST CONSERVATION ORDINANCE  
DECLARATION OF INTENT  
SINGLE LOT EXEMPTION**

Tax Account Number \_\_\_\_\_ Tax Map \_\_\_\_\_ Parcel Number \_\_\_\_\_  
Lot Number \_\_\_\_\_ 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 (section 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 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 activity regulated under the Forest Conservation Program, cumulatively clears more than 40,000 square feet of forest, 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 may require the Owner to meet the forest conservation threshold established in the Charles County Forest Conservation Ordinance, and may also assess a noncompliance 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

(Be sure the following information is provided on both sets of permit drawings.)

- A. **DESIGN CRITERIA** - Minimum scale of 1/4" to 1' for all drawings
- \* Indicate 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.
- B. **LOCATION ON LOT**
- \* Indicate distances to other structures on the lot within 10'
- C. **PLANS**
- \* In-ground pools require the designs to be sealed by a structural engineer registered in the state of Maryland.
  - \* Provide information for the required pool barrier
    - Type of barrier - ex; chain link, wooden privacy fence, etc.
    - Height of proposed barrier
    - Spacing of the vertical members
    - Spacing of the horizontal members
    - Indicate if dwelling to be used as part of the barrier
    - Indicate location and number of doors that access the pool area
    - Indicate location and number of access gates in the barrier
    - Indicate height of release mechanism for gate latch
  - \* Above ground pools require the installation instructions.
    - Provide specific details for the access ladder
    - Provide the actual water depth
    - Provide 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<sup>1</sup>)
- 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<sup>2</sup>

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<sup>3</sup>
- 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<sup>4</sup> (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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<sup>1</sup> Article IX, Section 131 of the Charles County Zoning Ordinance

<sup>2</sup> Chapter 8 of the Charles County Critical Area Program

<sup>3</sup> Article IX, Section 132 of the Charles County Zoning Ordinance

<sup>4</sup> 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

June 1, 2010

1. International Building Code/2009, International Mechanical Code/2009 and the International Energy Conservation Code/2009 as amended by periodic supplements and Charles County Bill No. 2010-08.
2. International Residential Code/2009 as amended by periodic supplements and Charles County Bill No. 2010-08.
3. National Electrical Code/2008
4. International Existing Building Code/2009 (**existing structures more than one year old**)
5. 2009 International Plumbing Code
6. 2009 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/2009 and NFPA 1 Fire Code/2009
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

Charles County Government

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

June 4, 2010

The following conditions are not conclusive. For additional requirements, refer to the appropriate section of the adopted code.

1. Swimming pools, spas, and hot tubs over 24 inches deep shall be provided with a barrier which shall comply with the following:

**Exception:** A swimming pool with a power safety cover or a spa with a safety cover which complies with ASTM F 1346. This standard must be referenced on the pool cover and in the manufacturer's literature.

- 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 wall, 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 members shall be located on the pool side of the fence. Spacing between vertical members 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 a 2.25 inch square (57 mm 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 (44 mm).
- f. Where the barrier is composed of diagonal members spacing shall be no more than 1.75 inches (44 mm).
- g. Access gates shall comply with the above barrier 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 (1372 mm) from the bottom of the gate, the release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and the gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
- h. Where a wall of a dwelling serves as part of the barrier, the following shall apply:

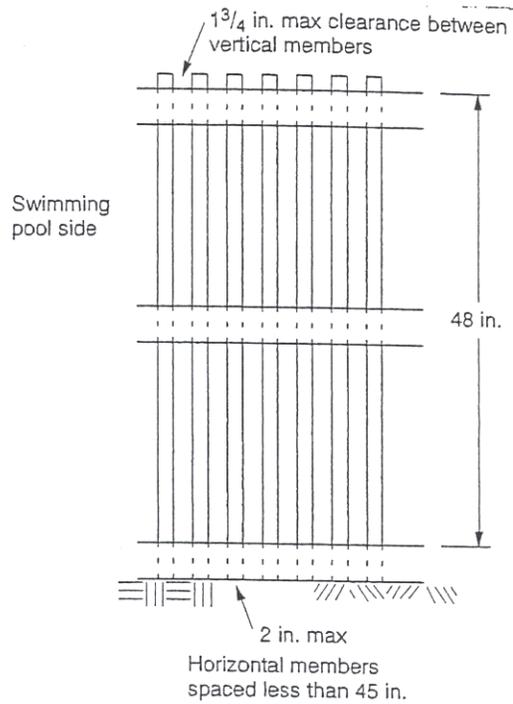
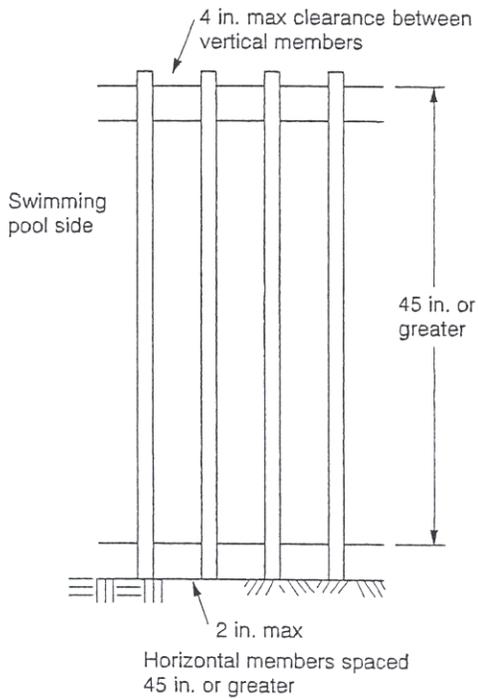
Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard throughout 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 barrier. When the ladder or steps are secured, locked, or removed; any opening created shall not allow the passage of a 4 inch (102 mm) diameter.
  - j. Where the suction inlet system, such as an automatic cleaning system, is a vacuum cleaner which has a single suction inlet or multiple suction inlets which can be isolated by valves, each suction inlet shall protect against user entrapment by an approved antivortex cover, a 12-inch by 12-inch or larger grate, or other approved means. All pools and spas shall be equipped with an alternative backup system which shall provide vacuum relief, should grate covers be missing.
2. Prior to placing water in the swimming pool, an approved barrier must be provided.
  3. Overhead wiring shall not be located over the pool or the area extending out 10 feet horizontally from the inside of the pool's walls.
  4. Extension cords shall not be used as a means of conveying electrical power to pool equipment.
  5. 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 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).
  6. Any revisions to the building permit shall be submitted to and approved by Codes, Permits, and Inspection Services.
  7. 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.

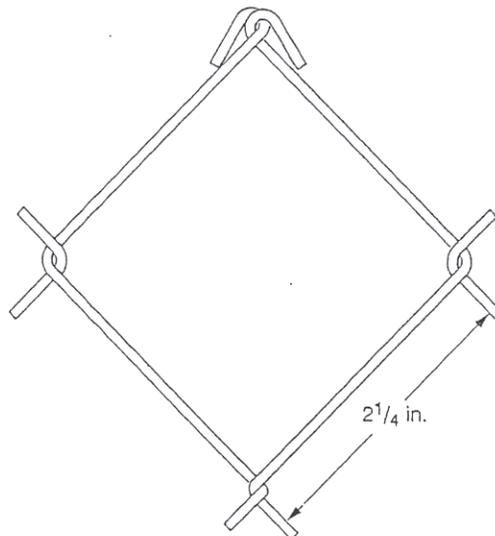
## **GUIDELINES FOR FILLING YOUR POOL**

Filling your pool could require 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 the 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