



ABOVE-GROUND SWIMMING POOL PERMIT APPLICATION

Office Use Only:

Application Date: _____ Zoning District: _____ Permit #: _____ Permit Fee: \$ 25.00

Property Address: _____

Property Owner(s) Name: _____

Phone: _____ Cell Phone: _____

Owner's E-Mail Address: _____

Contractor/Company Name: _____

Phone: _____ Cell Phone: _____

Contractor's E-Mail Address: _____

Provide a Site Plan of the pool structure's location and related improvements on the property:

Type of Pool (i.e. above-ground, exercise/lap; hot-tub/spa): _____

Pool Dimensions: (Round) Diameter = _____ ft. / (Rectangular)= Length _____ ft. x Width _____ ft.

Height (from base to top of pool edge): _____ ft. **Height** (with Integral Fence – if included): _____ ft.

Setbacks: Side Yard: _____ ft. Rear Yard: _____ ft. From Principal Structure: _____ ft.

Filter Pump, Heater, or other Mechanicals Setbacks:

Side Yard: _____ ft. Rear Yard: _____ ft. From Principal Structure: _____ ft.

From Adjacent Residential Structure: _____ ft.

Fence: (please provide accurate description of existing fence on the property or how the pool will meet the fencing requirements of the City Code Section 9-2-1 Swimming Pools- attached):

The undersigned hereby represents upon all of the penalties of law, for the purpose of inducing the City of Mendota Heights to take the action herein requested, that all statements herein are true and that work herein mentioned will be done in accordance with the Ordinances of the City of Mendota Heights, the State of Minnesota, and rules of Building and Planning Departments.

Owner's Signature

Date

Contractor's Signature

Date

Conditions of Approval (if any): _____

Planning/Zoning Approval: _____

Date: _____

Chapter 2 SWIMMING POOLS

9-2-1: PURPOSE:

The purpose of this chapter is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all swimming pools within the city, and certain equipment specifically regulated herein. (Ord. 283, 5-19-1992)

9-2-2: DEFINITIONS:

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

FENCE HEIGHT: "Fence height" shall be measured at a point six inches (6") below the top of the supporting posts or the top of the material between the supporting posts, whichever is greater.

SWIMMING POOL: Any structure, chamber, or tank containing an artificial body of water for swimming, diving, relaxation, or recreational use including special purpose pools and wading pools, having a water surface area exceeding one hundred (100) square feet and a water depth greater than eighteen inches (18") at any point. (Ord. 283, 5-19-1992; amd. Ord. 382, 6-3-2003)

9-2-3: PERMIT REQUIREMENTS:

A. Permit Required: No swimming pool shall be constructed, excavated or erected within the city without first obtaining a building permit.

B. Application for Permit: The application for a building permit shall include:

1. The type and size of pool.
2. A site plan indicating the following: location of pool; location of house, garage, fencing and other improvements on the lot; location of filter unit, pump, and wiring indicating the type of such units; location of structures on adjacent lots; location of backflush and drainage outlets; grading plan; finished elevations and final treatment (decking, landscaping, etc.) around pool; location of existing overhead or underground wiring, utility easements, trees and similar features; location of any water heating unit. (Ord. 283, 5-19-1992)

9-2-4: REQUIREMENTS IN ALL ZONING DISTRICTS:

A. Precautions During Construction:

1. In the case of underground pools, precautions shall be taken during construction to:
 - a. Avoid damage, hazards or inconvenience to adjacent or nearby property.
 - b. Assure that proper care shall be taken in stockpiling excavated material to avoid erosion, dust or other infringements upon adjacent property.
2. All access for construction shall be over the owner's land, and due care shall be taken to avoid damage to public streets and adjacent private or public property. The owner shall be liable for damages caused to any public or private property.

B. Location of Pools:

1. Pools shall not be located within ten feet (10'), measured horizontally, from overhead or underground utility lines of any type.
2. Pools shall not be located within any private or public utility, walkway, drainage or other easement.

C. Fences, Gates and Screening:

1. The pool area shall be enclosed with fencing to effectively prevent the entrance of children and be without handholds or footholds that would enable a child to climb over it or pass through it. The fence shall be at least five feet (5') in height, but not exceeding six feet (6'), to prevent uncontrolled access from the street or adjacent property. Where horizontal fence members are less than forty-five inches (45") apart, vertical spacing shall not exceed one and three-quarter inches (1³/₄"). Where horizontal members are equal to or more than forty-five inches (45") apart, vertical spacing shall not exceed four inches (4"), spaced so that a four inch (4") sphere cannot pass through. The spacing between the bottom of the fence and grade shall not exceed four inches (4").
2. Fences shall have self-closing and self-latching gates with provisions for locking and shall be completely installed prior to the filling of the pool. Spacing between the bottom of fence gates and grade shall not exceed four inches (4"). The gate release mechanism shall be placed a minimum of fifty-four inches (54") above the bottom of the gate.
3. Where the fence encloses only the swimming pool area, adequate screening, including, but not limited to, landscaping, shall be placed between the pool area and adjacent single-family district lot lines.

D. Retaining Walls: Retaining walls shall be designed to resist the lateral pressure of the retained material in accordance with accepted engineering practice. Walls retaining drained earth may be designed for pressure equivalent to that exerted by a fluid weighing not less than thirty (30) pounds per cubic foot and having a depth equal to that of the retained earth.

E. Lighting of Pool Area: Pool lighting shall be directed toward the pool and not toward adjacent property. (Ord. 283, 5-19-1992)

F. Quality of Pool Water: Pool water shall be maintained in a suitable manner to avoid health hazards of any type. (Ord. 283, 5-19-1992; amd. 2003 Code)

G. Drainage of Water: To the extent feasible, backflush water or water from pool drainage shall be directed onto the owner's property or into approved public drainageways and shall not drain onto adjacent private land. Drainage onto public streets or other public drainageways shall require permission of the appropriate local city officials.

H. Nuisances Prohibited: Nuisances such as undue noise, lighting of adjacent property, health and safety hazards, damage to nearby vegetation and the like shall not be permitted.

I. Inspections: All wiring, installation of heating units, grading, installation of pipes and all other installations and construction shall be subject to inspection.

J. Variances: Any proposed deviation from these standards and requirements shall require a variance in accordance with normal zoning procedures. (Ord. 283, 5-19-1992)

9-2-5: REQUIREMENTS IN SINGLE-FAMILY RESIDENTIAL DISTRICTS:

Private swimming pools in single-family residential districts shall adhere to the following regulations:

A. Location:

1. Pools shall not be located within ten feet (10') of any rear lot line or within ten feet (10') of any side lot line nor within ten feet (10') of any principal structure or of any frost footing.
2. Pools shall not be located within any required front yard.

B. Noise Control: The filter unit, pump, heating unit and any other noisemaking mechanical equipment shall be located at least twenty-five feet (25') from any adjacent or nearby residential structure and not closer than eight feet (8') to any lot line. (Ord. 283, 5-19-1992)

9-2-6: REQUIREMENTS FOR MULTIPLE-FAMILY DWELLINGS:

Private swimming pools which are intended for and used by the occupants of a multiple-family dwelling and the guests of the occupants of such dwelling shall adhere to the following regulations:

A. Location: No part of the water surface of the swimming pool shall be closer than fifty feet (50') to any lot line.

B. Noise Control: No pumps, filter or other apparatus used in connection with or to service a swimming pool shall be located closer than forty feet (40') to any lot line.

C. Decks and Patios: All deck areas, adjacent patios or other similar areas used in conjunction with the swimming pool shall be located at least forty feet (40') from any lot line in an adjacent single-family district. (Ord. 283, 5-19-1992)

9-2-7: ENFORCEMENT OF PROVISIONS:

A. Enforcement Official; Citations: The city code enforcement officer shall be charged with the enforcement of this chapter, and is hereby authorized to issue citations for violations of or refusal to comply with the provisions of this chapter. (Ord. 283, 5-19-1992)

B. Penalty: Any person, firm or corporation violating any of the provisions of this chapter shall, upon conviction thereof, be punishable as provided in section [1-4-1](#) of this code. (Ord. 283, 5-19-1992; amd. 2003 Code)