



TOWN OF AMHERST

BUILDING DEPARTMENT

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark Berke, P.E.
Commissioner of Building

TOWN OF AMHERST SWIMMING POOL REGULATIONS AND INFORMATION

PERMITS

Any private swimming pool, defined as “a structure intended for bathing, swimming or diving purposes, made of concrete, masonry, metal or other impervious materials, and provided with a recirculating and/or controlled water supply”, which is moved, erected, constructed or excavated, either above, below or partly above or below grade level, requires a building permit, a plumbing permit for all plumbing and drainage in connection therewith, and an electrical permit for all electrical work in connection therewith. **Pre-Permit Inspection Required Prior To Issuance Of The Permit. This Inspection Shall Include The Homeowner, Contractor And Inspector.**

The building permit application shall be made to the Building Department, accompanied by:

1. Three (3) plot plans detailing the location of the pool. (A copy of the survey of the premises showing all building and structures and locating the pool will be acceptable.)
2. Three (3) sets of construction plans of the pool. Private swimming pools, in the ground or partly in the ground, require plans sealed by a licensed New York State Professional Engineer or Architect. (For aboveground pools, the installation brochure from the pool company will be acceptable.) **Grade and Drainage plans required for in-ground pools.**
3. A statement indicating if the pool is heated or not heated. If heated, equipment and control specifications must be submitted to indicate compliance with Sec. 403.9 or 504.7 of the Energy Conservation Construction Code of New York State.
4. For premises served by overhead electric lines provide a letter from National Grid indicating that the proposed location of the pool conforms to the requirements for vertical and horizontal clearance distances to electric lines. (Call National Grid Customer Service Assistance @ 1-800-642-4272 and request a “Planner Review for Pool Clearance”).
5. The application must indicate an Electrical Contractor that has a valid Town of Amherst license.
6. If plumbing work is required the application must indicate a Plumbing Contractor that has a valid Town of Amherst license.

FEES

Building permit fees:	(a) Accessory to a one- or two-family dwelling	\$100.00
	(b) All other swimming pools	\$300.00
Electrical permit fee:	(a) Above ground swimming pool	\$40.00
	(b) In-ground pool	\$85.00

LOCATION

A swimming pool may be located within the rear yard or side yard, but no less than three feet (five feet in SA districts) to any lot line for any part of the pool. It shall not be located in a front yard or within five feet of any structure (Note: This distance separation may be higher in certain multi-family residential districts).

A private swimming pool may be erected or installed only as an accessory to a dwelling and for the private use of the owner or occupant and his or her family and guests. All other pools are classified as public pools and must comply with State and County regulations governing such pools.

PLUMBING

All plumbing work must be installed by individuals with a valid Town of Amherst license.

All plumbing and drainage work associated with the installation of a swimming pool must comply with the International Plumbing Code.

Furthermore, a plumbing permit is required for all such work. Upon the issuance of a plumbing permit, appropriate inspections will be conducted by a Town of Amherst plumbing inspector from the Building Department.

No person shall discharge, or cause to be discharged, any water from a swimming pool over a public sidewalk, into a public street or onto adjacent properties.

If an outside faucet is used for filling the pool, a vacuum breaker must be installed on the hose thread of the outside faucet closest to the pool and any other faucet used to fill the pool.

ELECTRICAL

All Electrical work must be installed by a contractor with a valid Town of Amherst license.

All electrical equipment, wiring and appurtenances must be installed in compliance with the National Electrical Code, the International Residential Code, International Building Code and the International Plumbing Code.

Furthermore, an electrical permit is required for all such work. Upon the issuance of an electrical permit, appropriate inspections will be conducted by a Town of Amherst electrical inspector from the Building Department.

NOTE:

- (a) National Grid Customer Service Assistance will provide a review of the location for the required clearance of overhead conductors.
- (b) Pool wiring must comply with section 680 of the National Electrical Code.
- (c) A bonding inspection is required before the copper bond wire is covered.

FENCING

(a) All swimming pools accessory to one and two-family dwellings must be enclosed in accordance with Section R326 of the 2020 New York State Building Code.

(b) All swimming pools accessory to other uses must be enclosed in accordance with Section 3109 of the 2020 New York State Building Code.

(c) Temporary enclosure is required during installation shall comply with Section 3109.5 of the 2020 of New York State Building Code.

PENALTIES

Violations of any of the above regulations may be prosecuted as provided for in Part I, Sec. 5 of the Town of Amherst Building Construction Administration Ordinance.



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BRIAN P. ANDRZEJEWSKI, P.E.
Commissioner of Building

POOL REGULATIONS LETTER

I, _____, as the owner of the premises at _____ do hereby state that, having read the general requirements for swimming pool enclosures (attached), I will comply with said requirements prior to completion of the pool. Barriers shall comply with NYS 2016 Supplement SECTION R326.5 and IBC SECTION 3109. I acknowledge my responsibility to contact the Building Department immediately to schedule all required building, electrical, and plumbing inspections upon completion of and prior to the use of the pool. I agree to install drainage as necessary or otherwise grade around the pool so that no surface water will drain onto adjacent properties.

I understand that no permits regarding pools or associated equipment will be issued until this letter is signed and returned to the Town of Amherst Building Department.

PRE-PERMIT INSPECTION REQUIRED PRIOR TO ISSUANCE OF THE PERMIT.

THIS INSPECTION SHALL INCLUDE THE HOMEOWNER, CONTRACTOR AND INSPECTOR.

I FURTHER UNDERSTAND THAT THE POOL IS NOT DEEMED SAFE AND WILL NOT BE USED UNTIL ALL FINAL INSPECTIONS HAVE BEEN COMPLETED AND APPROVED.

SIGNED: _____
(Property Owner)

DATE: _____