



## TOWN OF PERINTON

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### SWIMMING POOL PERMIT REGULATIONS AND INSTRUCTIONS

The below regulations apply to above-ground and in-ground swimming pools on residential properties. Commercial swimming pools are subject to site plan review. Temporary swimming pools with the ability to hold 24 inches or water or more are also subject to these regulations.

#### General regulations:

1. Swimming pools must be located in the rear yard with the water's edge at least 15 feet from the side and rear property lines.
2. No overhead wires may be present within 10 feet horizontally of the swimming pool.
3. Above-ground pools must have rigid vertical walls that are at least 48 inches in height and be equipped with a removable or lockable ladder. Soft-sided pools or pools with walls less than 48 inches must be protected by a fence or barrier in accordance with the NYS Residential Code. (See attached info sheets)
4. In-ground pools must be protected by a fence or barrier in accordance with the NYS Residential Code. (See attached info sheets)
5. All pools must be equipped with a water-entry/pool alarm meeting ASTM F2208 standards.
6. Prior to application, stake-out or paint the pool location in the yard. Shortly after applying, representatives from the Building & Codes Department and the Public Works Department will visit the property to view the proposed pool location.
7. If access to the work area requires encroaching on a neighboring property, a "Property Access Agreement Form" must be signed by both parties. (See attached form)
8. Contact 811 to have the underground utilities in your yard staked-out prior to digging. This is a free service and could prevent serious injury, utility disruption and substantial repair costs due to damaged infrastructure.
9. Permit required- Prior to commencement of work, a building permit must be obtained from the Building & Codes Department.
10. A certificate of compliance must be issued by the town upon completion of the project and prior to beginning normal use of the swimming pool.

#### Submission documents include:

1. A property survey map with the pool location noted. Please include distance to property lines.
2. Water entry/pool alarm details.
3. Fence specifications including fence type, location on the property, gates, latches and door alarms, if applicable.
4. If a contractor is being used, they must be registered through our online portal and supply the Town with proof of insurance (general liability, worker's comp and disability).

**Apply for and manage your permit online here:** <https://app.govwell.com/perinton>

Web portal link is also available via the Building & Codes webpage at [www.perinton.org](http://www.perinton.org)  
Applicants that do not wish to apply online may submit their information to the Building & Codes Dept. in person or via email to [building@perinton.org](mailto:building@perinton.org)

## Pool Barriers

### Minimum Barrier Height (R328.4.2.1)

- **48 inches minimum**
- Openings shall not allow passage of a **4-inch diameter sphere**
- The vertical clearance between grade and the bottom of the barrier shall be **not greater than 2 inches** measured on the side of the barrier that faces away from the swimming pool.
- If the pool is cut into a sloped yard, the earth cut needs to be a minimum of 4ft from the edge of the pool **OR**, a code-compliant pool barrier must be installed on top of the pool. Any earth cut 3ft or taller needs a retaining wall designed by a licensed design professional.

### Closely spaced horizontal members (R328.4.2.3)

- Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1-3/4 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1-3/4 inches in width.

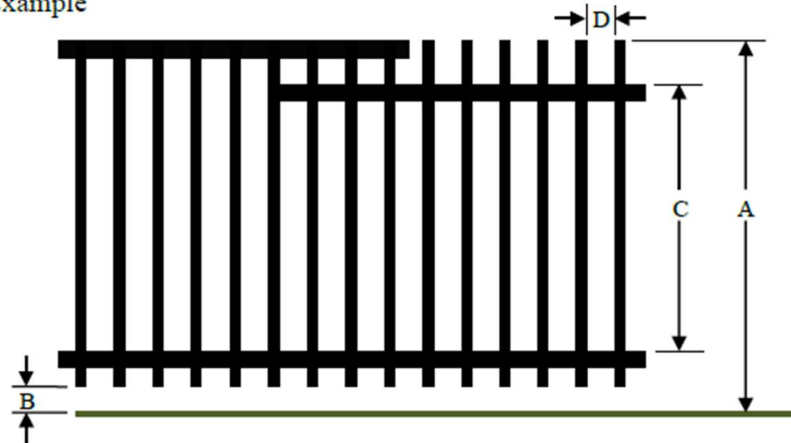
### Widely spaced horizontal members (R328.4.2.4)

- Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall be not greater than 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1-3/4 inches in width.

### Chain link dimensions (R328.4.2.5)

- Maximum mesh size for chain link fences shall be a 1-3/4-inch square, unless the fence has vertical slats fastened at the top or the bottom which reduce the openings to not more than 1-3/4 inches.

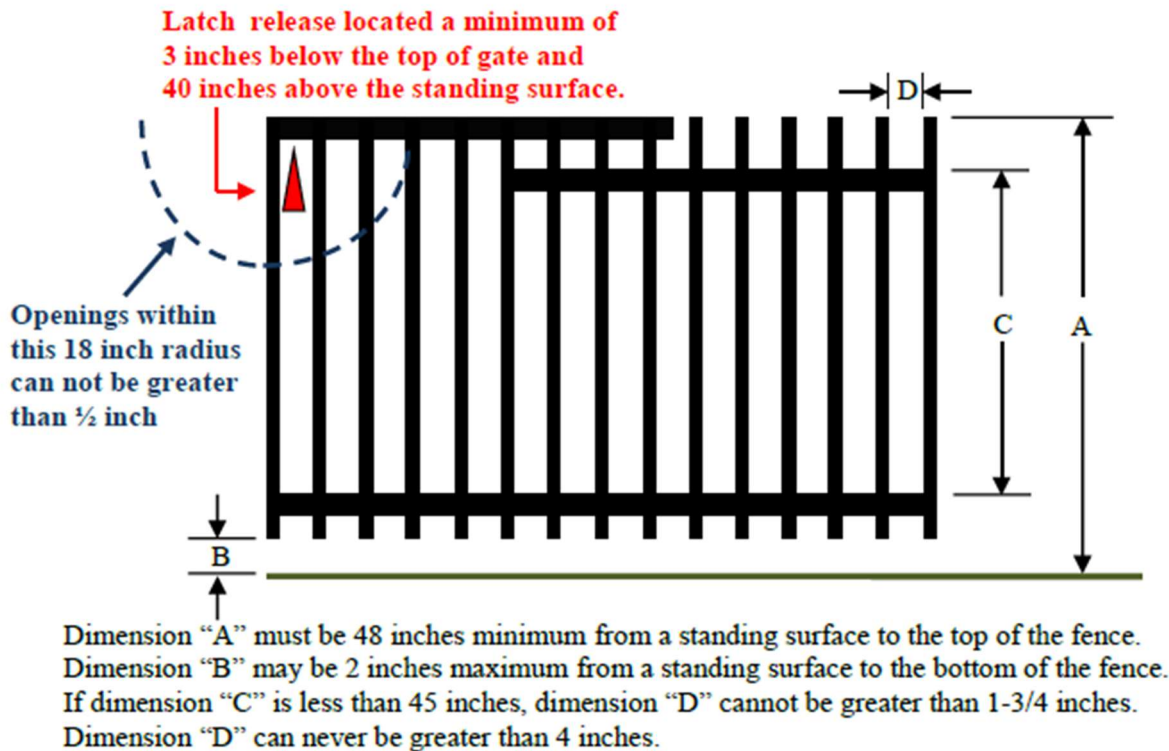
Pool Barrier / Fence Example



Dimension "A" must be 48 inches minimum from a standing surface to the top of the fence.  
Dimension "B" may be 2 inches maximum from a standing surface to the bottom of the fence.  
If dimension "C" is less than 45 inches, dimension "D" cannot be greater than 1-3/4 inches.  
Dimension "D" can never be greater than 4 inches.

### Gates (R328.4.2.7)

- Must be **self-closing and self-latching**
- Latch located **at least 54 inches above deck**, or
- Latch on pool side with no opening greater than **½ inch within 18 inches**



### Dwelling wall as a barrier (R328.4.2.8)

- A wall or walls of a *dwelling* and its *accessory structures* may serve as part of the barrier, provided that the wall or walls meet the applicable barrier requirements of Sections R328.4.2.1 through R328.4.2.6, and one of the following conditions shall be met:
  - All of the following:
    - All doors with direct access to the pool must be equipped with an alarm which produces an audible warning when the door is opened. The alarm must meet the UL-2017 standard.
    - 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 automatically reset under all conditions.
    - The alarm system shall be equipped with a manual means, such as touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. The deactivation switch shall be located at least 54 inches above the threshold of the door.
    - Operable windows providing direct access to the *swimming pool*, having a sill height of less than 48 inches above the indoor finished floor in the wall and a sill height of less than 72 inches above the adjacent exterior surface, in the wall or walls used as a barrier, shall have a latching device located no less than 48 inches above the floor. Openings in operable windows which provide direct access to the *swimming pool* shall not allow a 4-inch-diameter sphere to pass through the opening when the window is in its largest open position.
  - Other approved means of protection, such as self-closing with self-latching devices, so long as the degree of protection afforded is not less than the protection afforded by Item 1 described above.

## Electrical

### Bonding (Required)

- All **metal components** within **5 feet of the pool** must be bonded:
  - Handrails
  - Guardrails
  - Ladders
  - Metal deck framing
- Bonding must comply with **NEC Article 680**

### Lighting

- Low-voltage and wet-location rated fixtures required
- No overhead conductors permitted above pools or spas, must be a minimum of 10ft away

### GFCI Protection

- Pool equipment rooms must have at least one GFCI protected 15- or 20-amp general purpose receptacle
- GFCI protection is required on all new and replacement pool pumps

### GENERAL

- Romex wire is not permitted in enclosed spaces with pool equipment.
    - Receptacles that provide power for water-pump motors or other loads directly related to the circulation and sanitation system shall be located at least 6 feet from the inside walls of pools, outdoor spas and hot tubs. These receptacles shall have GFCI protection and be of the grounding type.
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## Required Inspections

1. Building & Codes site visit (after permit is applied for and before permit is issued)
  2. Public Works site visit (after permit is applied for and before permit is issued)
  3. Bonding Inspection
    1. Before concrete is poured around pool for IG pools
    2. Before gravel/dirt backfill around pool for AG pools
  4. Rough Electrical Inspection
  5. Final Inspection
    1. Electrical
    2. Pool alarm
    3. Pool barrier
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## Common Reasons for Failed Final Inspections

- Barrier height less than 48 inches
  - Guard openings exceeding 4 inches
  - Improper or missing self-closing gate hardware
  - Gate latch release incorrect height
  - Unbonded metal railings
  - Missing pump timer
  - Missing convenience outlet
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## Final Note

This guide summarizes **Section R328 of the 2025 NYS Residential Building Code** and related residential provisions. It is not a substitute for approved construction documents or professional design when required.