

TOWN OF NEWBURGH

Crossroads of the Northeast

BUILDING PERMIT APPLICATION

POOL, HOT TUB, & SPA

21 Hudson Valley Professional Plaza

Newburgh, NY 12550

Ph: (845)564-7801 Fax: (845)564-7802

(Please Print & Read All Items Carefully)

Application #:
Permit Fee: \$
Paid via:
Check #:
Receipt #:
\*\* OFFICE USE ONLY \*\*

Job Location:

S.B.L. (section, block & lot) if known: Construction Cost: \$

Property Owner: Applicant? Yes / No

Name:

Address:

Phone: Email:

Contractor: Applicant? Yes / No

Name:

Address:

Phone: Email:

Describe the work to be performed (see examples below):
Pool: Above-ground or In-ground Hot Tub or Spa: On Ground or Slab



Permit Fees (for INSTALL): \$10 per every \$1,000 of the construction cost = \$ .00
Certificate of Compliance fee = \$ 25.00
\* IF Work was done before a permit was issued\* = \$ 50.00
Total = \$ .00

Permit Fees (for DEMO): Residential Demo = \$ 50.00
Certificate of Compliance fee = \$ 25.00
\* IF Work was done before a permit was issued\* = \$ 50.00
Total = \$ .00

The undersigned certifies that the plans and specifications as filed are in accordance with the regulations of the Town Zoning ordinance and agrees that all work and material shall be in strict conformity with codes governing building in this Town and the state of New York. The person signing this application agrees to notify the building inspector as needed for the required building inspections. Failure to do so may result in legal action and possible fines. Occupying a new building or addition before issuance of a certificate of occupancy is a violation of the code of the Town of Newburgh and punishable by fine and or imprisonment.

Applicant's Name (please print):

Applicant's Signature: Date:

**Please submit the following for a complete Pool / Hot Tub / Spa Permit Application:**

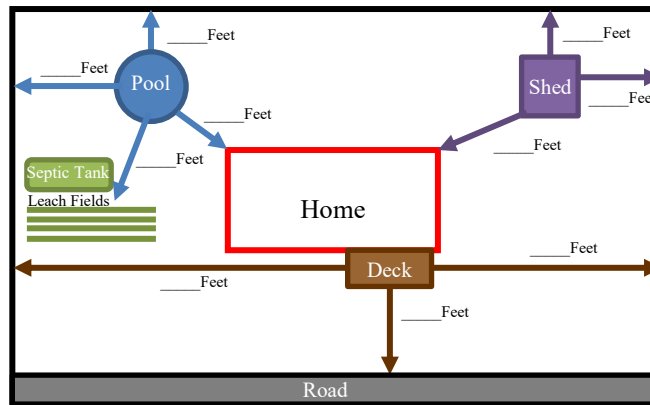
1. Fill in the first page of the **Pool / Hot Tub / Spa Permit Application**, then **Sign and Date**.
2. The **Permit Application Fee**. See pg. 1
3. NYS requires the Town of Newburgh take in insurances with each application ***either from the Contractor, or the Homeowner*** (not both or a combination of both):

- The **Contractor's** Liability Insurance on the Acord 25 form.
- The **Contractor's** Workers Comp. Insurance on the C-105.2 form OR, for contractors with no employees, the Workers Comp. Exemption Form CE-200 (go to [businessexpress.ny.gov](http://businessexpress.ny.gov) ).

**OR**

- For **Homeowners** doing the work, a Copy of the Declaration page of the Homeowners Insurance.
  - For **Homeowners** doing the work, to waive the NYS worker's comp. requirement, submit the Workers Comp. Exemption Form CE-200 (go to [businessexpress.ny.gov](http://businessexpress.ny.gov)).
4. Copy of your Deed as proof of property ownership - for New Homeowners (less than a year).
  5. A Plot Plan or Survey of your Parcel showing where the Pool, Hot Tub, or Spa would be placed.

Example of a Plot Plan:



6. A copy of an Orange County Electricians License - who will be installing the pool electric.  
***Please note a homeowner may not install electric for a pool, hot tub, or spa.***
  7. For a **Pool Demo Permit**, submit the first 6 items above.
  8. For an **Above-Ground Pool, Hot Tub, or Spa**, submit manufacturer's information regarding the product. \*\*
  9. For an **In-Ground Pool**, submit product information and / or construction details. \*\*
- \*\* If the cost of the job is more than \$20,000, or outside the scope of the code, then the plans need to be from a design professional (architect or engineer). Any construction plans submitted must bear the original seal & signature of the design professional. The Town of Newburgh will not accept digital or copied stamps and signatures
10. For **Pools**, see the **"Swimming Pool Requirements" on pg. 3**. The inspector will check to see if you have submitted those items in your application. (The Pool Construction details, Orange County Electricians License & Plot Plan are listed there as well.) ***If you have a locking ladder that you will be purchasing for an above-ground pool, then you can disregard the last six items as it will satisfy the requirement for the pool barrier.***

**PLEASE NOTE:**

- No work is to be started without a building permit.
- The Town of Newburgh has officially adopted the NYS uniform fire prevention and building code and therefore all work must conform to the latest edition.
- The review inspector has up to 20 business days to review any permit application submissions. Once the inspector reviews the permit application, he may determine more information is needed, in which case he will send out a review letter, or he may issue the permit directly after review.
- Any changes to the original plans must be reviewed & approved by the building inspector.

# Swimming Pool Requirements

2025 Residential Code of New York State  
2025 Energy Conservation Code of New York State  
[dos.ny.gov/building-standards-and-codes](https://dos.ny.gov/building-standards-and-codes)

1. Submit pool construction details. **R328.3**
2. Submit alarm details. **R328.6 / F-2208-14**
3. Submit timer details. **2025 ECCCNY 403.10.2**
4. Submit the ladder details. **R328.4.2.9**
5. Show the pump and equipment separation distance from pool barrier. **R328.4.4**
6. Submit a copy of the electricians Orange County electrical license. **OC Law 11 of 2013**
7. Show the septic tank location
8. Show the leach field location
9. Submit a true and accurate plot plan
10. Show pool barrier design and location. **R3268.4.2**
11. Show gate details. Include latch information and gate swing. **R328.4.2.7**
12. Show all doors within the dwelling and their proposed alarm. **R328.4.2.8 (UL-2017)**
13. Show all windows and latching device. **R328.4.2.8 (ASTM F-2090)**
14. Show entrapment protection details. **R328.5**
15. Show heated pool (R-value) cover details. **2025 ECCCNY 403.10.3**

## Reference – Code Descriptions

**R328.4.2 Permanent barriers.** *Swimming pools, spas, and hot tubs* shall be completely enclosed by a *permanent barrier* complying with Sections R328.4.2.1 through R328.4.2.9.

**Exception:** A *hot tub* or *spa* with a safety cover which complies with ASTM F1346 shall not be required to comply with Section R328.4.2.

**R328.4.2.1 Barrier height and clearances.** The top of the barrier shall be no less than **48** inches (1219 mm) above *grade* measured on the side of the barrier that faces away from the *swimming pool*. The vertical clearance between *grade* and the bottom of the barrier shall be not greater than **2** inches (51 mm) measured on the side of the barrier that faces away from the *swimming pool*. Where the top of the pool structure is above *grade*, the barrier may be at ground level, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the barrier shall comply with Sections **R328.4.2.2 and R328.4.2.3**.

**R328.4.2.3 Closely spaced horizontal members.** 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 (1143 mm), the horizontal members shall be located on the *swimming pool* side of the fence. Spacing between vertical members shall not exceed 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1¾ inches (44 mm) in width.

**R328.4.2.4 Widely spaced horizontal members.** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall be not greater than 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1¾ inches (44 mm) in width.

**R328.4.2.5 Chain link dimensions.** Maximum mesh size for chain link fences shall be a 1¾ inch (57 mm) square, unless the fence has vertical slats fastened at the top or the bottom which reduce the openings to not more than 1¾ inches (44 mm).

**R328.4.2.6 Diagonal members.** Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than 1¾ inches (44 mm).

**R328.4.2.7 Gates.** Gates shall comply with the requirements of Sections R328.4.2.1 through R328.4.2.6 and Sections R328.4.2.7.1 through R328.4.2.7.3.

**R328.4.2.7.1 Self-closing and opening configuration.** All gates shall be self-closing. In addition, if the gate is a pedestrian access gate, the gate shall open outward, away from the *swimming pool*.

**R328.4.2.7.2 Latching.** All gates shall be self-latching, with the latch handle located within the enclosure (i.e., on the pool side of the enclosure) and at least 40 inches (1016 mm) above grade. In addition, if the latch handle is located less than 54 inches (1372 mm) from grade, the latch handle shall be located at least 3 inches (76 mm) below the top of the gate, and neither the gate nor the barrier shall have any opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the latch handle.

**R328.4.2.7.3 Locking.** All gates shall be securely locked with a key, combination or other child-proof lock sufficient to prevent access to the *swimming pool* through such gate when the *swimming pool* is not in use or supervised.

**R328.4.2.8 Dwelling wall as barrier.** 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:

1. All of the following:

- 1.1. Doors with direct access to the *swimming pool* through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be *listed* and *labeled* in accordance with **UL 2017**. The audible alarm shall activate within 7 seconds; sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are 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 touch pad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds.
- 1.2. 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 (1829 mm) 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 (1219 mm) above the floor. Openings in operable windows which provide direct access to the *swimming pool* shall not allow a 4-inch-diameter (102 mm) sphere to pass through the opening when the window is in its largest opened position. **R326.4.2.8-1b (ASTM F-2090)**
- 1.3. Where the *dwelling* or *accessory structure* is wholly contained within the pool barrier or enclosure, alarms shall be provided at every door with direct access to the *swimming pool*.

2. 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.

**R328.4.2.8.1 Alarm deactivation switch location.** Where an alarm is provided, the deactivation switch shall be located 54 in. (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible units, Type A units, or Type B units, the deactivation switch shall be located 48 in. (1219 mm) above the threshold of the door.

**R328.6 Swimming pool and spa alarms, applicability.** A *swimming pool* or *spa* installed, constructed or substantially modified after December 14, 2006, shall be equipped with an approved pool alarm. Pool alarms shall comply with ASTM F2208, and shall be installed, used and maintained in accordance with the manufacturer's instructions and this section.

**Exceptions:**

1. A *hot tub* or *spa* equipped with a safety cover which complies with ASTM F1346.
2. A *swimming pool* (other than a *hot tub* or *spa*) equipped with an automatic power safety cover which complies with ASTM F1346.

**R328.4.4 Prohibited locations.** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barrier.

**2025 ECCCN Y R403.10.2 Time switches.** Time switches or other control methods that can automatically turn heaters and pump motors off and on according to a preset schedule shall be installed for heaters and pump motors. Heaters and pump motors that have built-in time switches shall be in compliance with this section.

## Town of Newburgh Municipal Code

### 185-43. Garden houses, toolsheds, wading and [swimming pools](#) and tennis courts.

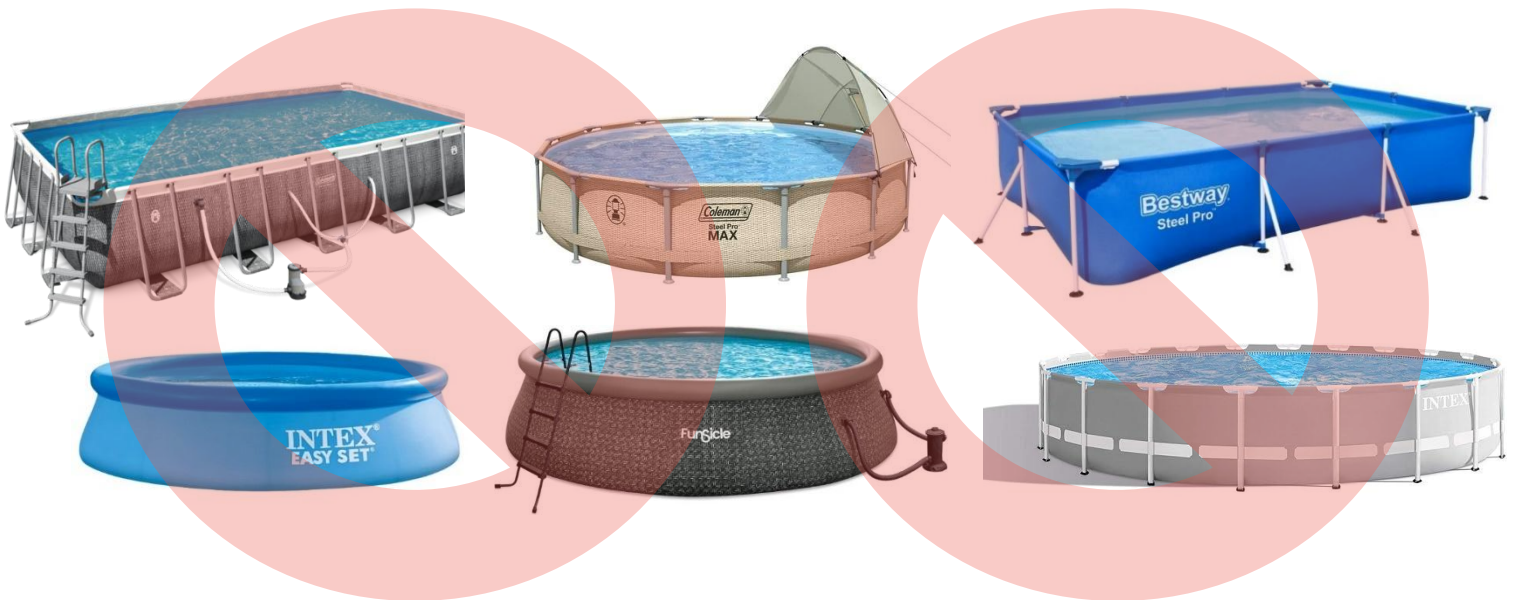
Garden houses, toolsheds, wading and [swimming pools](#) and tennis courts shall be permitted in all districts. Such uses shall be accessory to a principal use, provided that:

- a. No such [pool](#) shall be operated for private gain.
- b. [Pools](#) in excess of 200 square feet shall be located at least 10 feet from any lot line.
- c. [Pools](#) shall be enclosed in accordance with the requirements of the New York State Uniform Fire Prevention and Building Code. Editor's Note: See Chapters. 71, Building Construction, and 107, Fire Prevention.
- f. No garden house, toolshed, [pool](#) or tennis court shall be located in a front yard. This regulation shall not apply to yards on which the right-of-way of Interstate Route 87 or Interstate Route 84 is the fronting street. [Added 9-23-1998 by L.L. No. 10-1998]

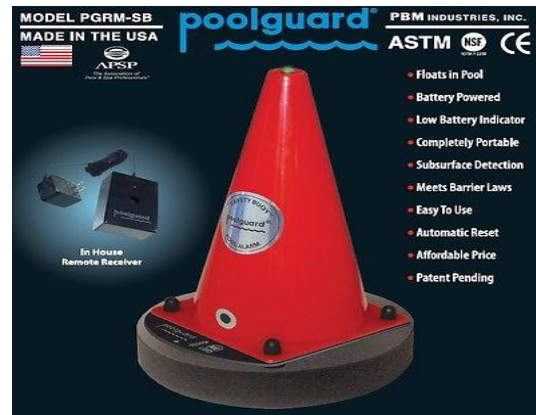
### Swimming Pool and Septic Components Separation Requirements

- [Above-Ground Swimming Pools](#). Swimming pool cannot be constructed over any portion of the septic system.
- [In-Ground Pools](#). Septic Tank - 20 Feet, Absorption Fields - 35 Feet, Seepage Pits - 50 Feet

## These Pools Do Not Meet Code, Unless Surrounded by a 48-Inch-Tall Barrier (Fencing)



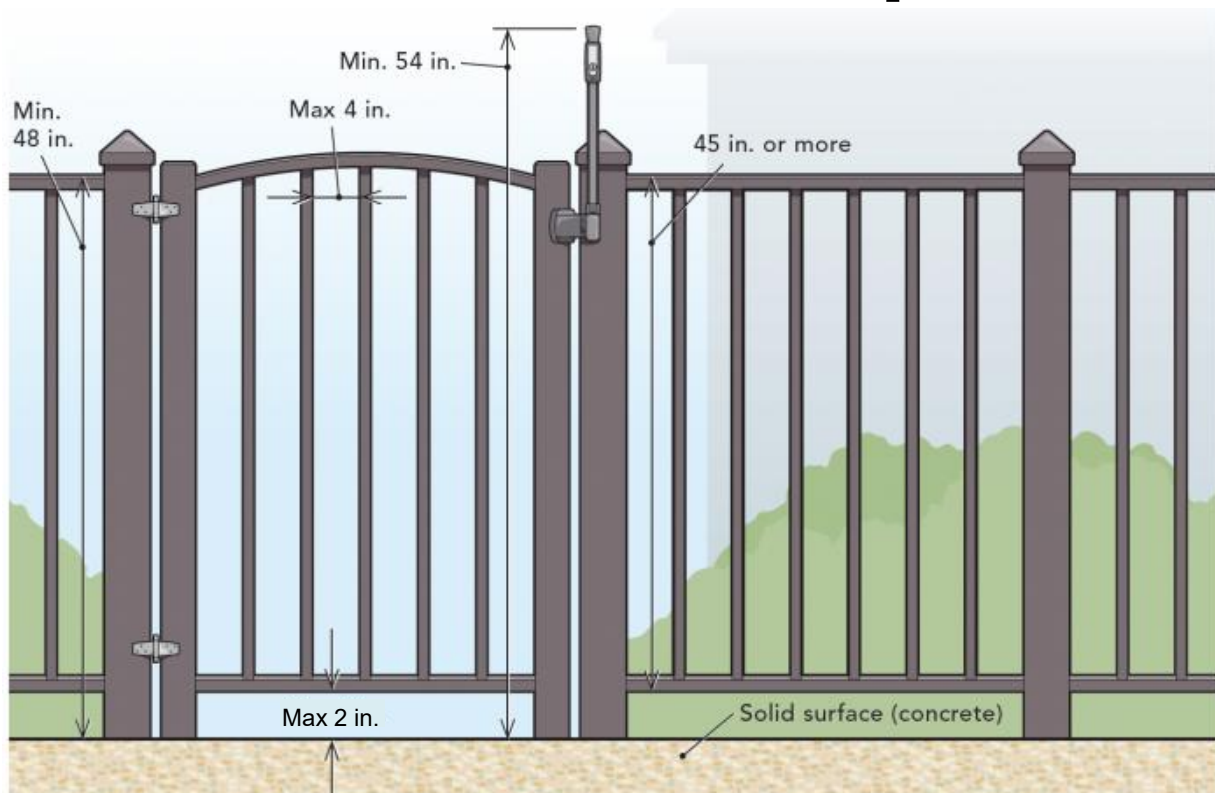
# Pool Alarm Examples



## Example of Pump Timer and Locking Ladders



## Pool Gate and Latch Example



## Town of Newburgh Approved Electrical Inspectors

*(Independent Contractors, not covered by building permit fee) Revised 1/26*

<b>Company Name</b>	<b>Electrical Inspector</b>	<b>Phone</b>	<b>Email</b>
<b>Commonwealth Electrical Inspection Service</b>	Ron Henry	845-562-8429 845-541-1871	<a href="mailto:jfclou1@yahoo.com">jfclou1@yahoo.com</a>
	Jim Cocks	845-325-0158	
<b>Electrical Underwriters of New York, LLC</b>	Ernest Bello	845-569-1759 845-220-7634	<a href="mailto:ernie@eu-ny.com">ernie@eu-ny.com</a>
<b>New York Certified Electrical Inspectors</b>	Jerry Caliendo	845-294-7695	<a href="mailto:nybei1@live.com">nybei1@live.com</a>
<b>Z3 Consultants, Inc.</b>	Gary Beck, Jr.	845-471-9370	<a href="mailto:garybeck@z3consultants.com">garybeck@z3consultants.com</a>
<b>Swanson Consulting, Inc.</b>	Office	845-496-4443	<a href="mailto:michelle@swansonconsulting.biz">michelle@swansonconsulting.biz</a>
	John M. Hamilton	845-549-0708	<a href="mailto:jmh118@live.com">jmh118@live.com</a>
	Adam Frank	845-494-6255	<a href="mailto:asf6255@aol.com">asf6255@aol.com</a>
<b>Tri-State Inspection Agency</b>	Vinny Ambrosio	845-544-2180	<a href="mailto:theoffice@tristateinspec.com">theoffice@tristateinspec.com</a>
<b>New York Electrical Inspections</b>	Greg Murad	845-586-2430	<a href="mailto:newyorkelectricalinspections@gmail.com">newyorkelectricalinspections@gmail.com</a>
<b>Middle Department Inspection Agency</b>	Pete Jennings	518-610-8133	<a href="mailto:davmac78@aol.com">davmac78@aol.com</a>
<b>NY Electrical Inspections &amp; Consulting, LLC</b>	John Wierl	845-551-8466 845-343-6934	<a href="mailto:jwierlnyeic@gmail.com">jwierlnyeic@gmail.com</a>
<b>Inspections on Time</b>	Office	845-233-6711	<a href="mailto:info@inspectionsontime.com">info@inspectionsontime.com</a>
	Alfred Shauger	845-800-6038	<a href="mailto:alfred@inspectionsontime.com">alfred@inspectionsontime.com</a>
	Maria Mendez	845-233-6711	<a href="mailto:maria@inspectionsontime.com">maria@inspectionsontime.com</a>
	Jordy Zervakis	845-233-6711	<a href="mailto:jordyzervakis@inspectionsontime.com">jordyzervakis@inspectionsontime.com</a>
<b>SAS Electrical Inspection</b>	Yuri Badovich	845-801-2172	<a href="mailto:info@saselectricalinspection.com">info@saselectricalinspection.com</a>