



City of
BURNSVILLE **ZONING CODE BULLETIN**

STORABLE SWIMMING POOLS AND HOT TUBS

This handout does not include the pool ordinance in its entirety. The entire ordinance can be viewed on the city's website, www.burnsville.org; then click, on City Code.

4-6-1; DEFINITIONS:

SWIMMING POOL: Any indoor or outdoor structure intended for swimming, wading or recreational bathing. The structure may be constructed, installed or located in-ground, partially in-ground or above ground and may include permanent or storable swimming pools, hot tubs and spas.

SWIMMING POOL BARRIER: A fence, wall, building wall or combination thereof, which completely surrounds and obstructs access to the pool and which is not readily climbable.

PRIVATE RESIDENTIAL POOL: A pool connected with a single family residence or owner occupied duplex, located on private property under the control of the property owner the use of which is limited to family members or the family's invited guests. A private residential pool is not part of a business.

STORABLE OR TEMPORARY POOL: A pool capable of holding water to a maximum depth of forty two inches (42") or a pool with non-metallic, molded polymeric or fabric walls supported on a rigid framework or by an inflatable ring and constructed entirely on or above ground, and is designed and constructed to be readily disassembled for storage and re-assembled to its original integrity.

4-6-3; PERMITS REQUIRED:

1. A building permit shall be required for all swimming pools where a building permit is required under the Minnesota State Building Code chapter 1300.0120.
2. A zoning permit shall be required for storable swimming pools, capable of holding a water depth of more than twenty four inches (24") at any point, and in which the pool walls are entirely above the adjacent grade and the capacity does not exceed five thousand (5,000) gallons.
3. All other required plumbing, mechanical and electrical equipment shall be installed meeting the requirements of their respective codes including obtaining the required permits and inspections.
4. Each application for a permit to construct or erect a swimming pool shall be accompanied by the following:
 - a. All pools requiring the excavation or addition of soil in any amount, or a pool requiring a building permit, shall be required to submit a current certificate of survey showing the existing and proposed changes to the site's grading and drainage plan,...

- b. All pools for which a zoning permit is required, shall submit a site plan showing the size of the pool, the proposed location of the pool and its relationship to the principal building on the lot, property boundaries, fencing and other structures, including utility location and trees, the location, size, and types of equipment to be used in connection with the pool, including, but not limited to, filter unit, pump, heaters or other related equipment.
- c. A copy of the manufacturer's installation instructions for the pool and all equipment associated with the pool installation. All pools and related equipment are required to be installed, following the requirements of this code, the adopted building code and the manufacturer's printed installation instructions.

4-6-4; BARRIER REQUIREMENTS:

All swimming pools for which a permit is required and granted shall be provided with safeguards to prevent children from gaining uncontrolled access. All barriers shall be at least four feet (4') in height. The bottoms of barriers shall not be more than four inches (4") from the ground nor shall any open space in a barrier be more than four inches (4"). Barriers shall be of a non-corrosive material and shall be constructed as to be not easily climbable. All barrier openings or exterior points of entry into the pool enclosure shall be equipped with gates or doors. All gates and exterior doors to swimming pools shall be equipped with self-closing and self-latching devices, placed at a sufficient height so as to be inaccessible to small children. When gates and doors are required to be self-closing and self-latching in accordance with this code they shall be maintained such that the gate will positively close and latch when released from a still position of six inches (6") from the gatepost. Where the barrier is attached to the top of the pool structure on above-ground pools, the maximum opening between the barrier and the pool structure shall be four inches (4"). Prior to filling the pool, an approved pool barrier must be completely in place, inspected and approved by the city building official or his or her agent.

Exceptions:

1. Hot tubs or spas with approved locking safety covers, meeting ASTM standard F 1346-91, shall be exempt from the fencing requirements, provided the cover is locked at all times during periods of non-use.
2. Storable pools are exempt from the fencing requirements, provided the pool is four feet (4') or greater in height and all means of access are removed from the pool during periods of non-use.
3. Above ground pools or pool related decks, which have walls four feet (4') high and which are not readily climbable need only have fencing around the means of access.

4-6-5; LOCATION ON LOT:

In all districts, swimming pools and any attached or functionally related deck shall comply with the required yard setbacks for the relevant zoning district. No pool shall be located within a drainage or utility easement or required buffer yard. Swimming pools shall not be permitted in a front yard or in the area between the street right of way and the minimum required building side yard setback line.

The filter pumping unit and heaters on any swimming pool shall comply with the required yard setbacks. When the filter pumping unit or other objects are less than ten feet (10') from the pool water edge on above ground pools, they shall be considered as a means of access for determining barrier requirements.

All 125 volt receptacles located within twenty five feet (25') of the inside wall of a swimming pool, without penetrating a wall, floor or other solid barrier, shall be protected by a ground fault circuit interrupter. The filter pumping unit for a storable pool shall be plugged into an outlet protected by a ground fault circuit interrupter.

No pool shall be located on any buried underground utility or sewage treatment system or below any overhead electrical line less than twenty two feet (22') high.

4-6-6; WATER REGULATIONS:

Pool water quality shall comply with the Minnesota Department of Health, as set forth under Minnesota Rules, Chapter 4717.

All water discharged from any pool must not be discharged into any sanitary sewer system. Water may be discharged into the storm water system and can not drain onto or across any adjoining property.

The filling of any pool from a fire hydrant is strictly prohibited.

4-6-8; POOL OPERATION REQUIREMENTS:

All pools must be maintained in a proper state of repair and operated following the manufacturer's printed operating instructions. During the period a pool is not in operation, it must be closed and maintained in compliance with the manufacturer's printed operating instructions...

Exception:

Storable pools shall be disassembled and stored inside for the period from October 1 through May 1. Their filtration systems must be operating and water quality must be maintained at all times during the periods in which they are assembled. If water quality or filtration can not be maintained during these periods, the pool must be disassembled and properly stored as per this code.



100 Civic Center Parkway
Burnsville, MN 55337-3817

CITY OF BURNSVILLE
Application for a
Zoning Permit for the installation of a
Storable Swimming Pool

(952) 895-4444
FAX: (952) 895-4437

Date _____

Site Address _____

Owner: Name _____

Address _____

City _____ St. _____

Zip _____ Tel. _____

Fax: _____ E-mail: _____

FOR CITY USE ONLY	
Permit No.	_____
Permit Fee	\$ _____
Plan Check Fee	\$ _____
State Surcharge	\$ _____
TOTAL FEES:	\$ _____

Included with this application are the following;

- A site plan showing the location of all utilities, structures, trees, property boundaries, filter units and the pool itself.
- A copy of the manufacture's printed installation instructions.

If the installation of the pool will require the addition, grading or excavation of soils in any amount, a building permit is required, the application for which will need to include a current certificate of survey showing the existing and proposed drainage plans for the lot. The permit will not be issued without the grading plans first being reviewed and approved by the city engineering department.

Dimensions: Diameter **X Depth** **= TOTAL gallons contained**

NOTE: The pool barrier must be in place, inspected and approved before filling the pool.

I hereby certify that the above information is correct and agree to comply with Burnsville ordinances and State of Minnesota laws regulating building construction.

Signature _____

- Owner Contractor Architect