



TOWN OF FOXBOROUGH

Inspections Department

40 South Street

Foxborough, MA 02035

Telephone: (508) 543-1206 / Facsimile: (508) 543-6278

APPLICATION TO INSTALL SWIMMING POOL/HOT TUB/SPA

Permit Fee: Above Ground - \$40.00, In-ground - \$60.00

Directions: Fill out the application completely. Include a **certified plot plan** showing the location of the proposed pool* with distances to the property lines clearly marked. The plan should show locations of fences, structures pertaining to the pool, septic system and walkways.

***Note:** The pool apron cannot be located any closer than 15 feet from the side and rear property lines and cannot be located in the front yard.

PROPERTY OWNER: _____

ADDRESS: _____ TEL. #: _____

LOCATION OF INSTALLATION: _____

NAME OF INSTALLER: _____ H.I.C. Reg: _____
C.S.L: _____

ADDRESS: _____ TEL. #: _____

TYPE OF POOL: _____

LENGTH: _____ WIDTH: _____ DEPTH (MAX.): _____

WATER SOURCE: _____ DOES THE POOL HAVE A FILTER SYSTEM: _____

TYPE OF POOL ENCLOSURE: _____ HEIGHT: _____

APPLICANT/AUTHORIZED AGENT SIGNATURE: _____

Estimated Cost _____ DATE: _____

Note: Electric Permit is required for any electrical work performed.

OFFICE USE ONLY

Board of Health Approval: _____
Health Agent Date

Inspections Dept. Approval: _____
Building Commissioner Date



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Name (Business/Organization/Individual): _____

Address: _____

City/State/Zip: _____ Phone #: _____

| | |
|--|--|
| <p>Are you an employer? Check the appropriate box:</p> <p>1. <input type="checkbox"/> I am an employer with _____ employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]</p> <p>3. <input type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.]†</p> <p>4. <input type="checkbox"/> I am a homeowner and will be hiring contractors to conduct all work on my property. I will ensure that all contractors either have workers' compensation insurance or are sole proprietors with no employees.</p> <p>5. <input type="checkbox"/> I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance.‡</p> <p>6. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]</p> | <p>Type of project (required):</p> <p>7. <input type="checkbox"/> New construction</p> <p>8. <input type="checkbox"/> Remodeling</p> <p>9. <input type="checkbox"/> Demolition</p> <p>10. <input type="checkbox"/> Building addition</p> <p>11. <input type="checkbox"/> Electrical repairs or additions</p> <p>12. <input type="checkbox"/> Plumbing repairs or additions</p> <p>13. <input type="checkbox"/> Roof repairs</p> <p>14. <input type="checkbox"/> Other _____</p> |
|--|--|

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
 † Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.
 ‡ Contractors that check this box must attached an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: _____

Policy # or Self-ins. Lic. #: _____ Expiration Date: _____

Job Site Address: _____ City/State/Zip: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under MGL c. 152, §25A is a criminal violation punishable by a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. A copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

| | |
|---|-------------------------------|
| <p>Official use only. Do not write in this area, to be completed by city or town official.</p> | |
| <p>City or Town: _____</p> | <p>Permit/License # _____</p> |
| <p>Issuing Authority (circle one):</p> <p>1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector</p> <p>6. Other _____</p> | |
| <p>Contact Person: _____</p> | <p>Phone #: _____</p> |

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required." Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply sub-contractor(s) name(s), address(es) and phone number(s) along with their certificate(s) of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary) and under "Job Site Address" the applicant should write "all locations in _____ (city or town)." A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
1 Congress Street, Suite 100
Boston, MA 02114-2017

Tel. # 617-727-4900 ext. 7406 or 1-877-MASSAFE
Fax # 617-727-7749
www.mass.gov/dia

Suggested Affidavit for Home Improvement Contractor Permit Application

For Office Use Only
Permit No. _____
Date _____

TOWN OF FOXBOROUGH

AFFIDAVIT

**Home Improvement Contractor Law
Supplement to Permit Application**

MGLc.142A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units...or to structures which are adjacent to such residence or building" be done by registered contractors, with certain exceptions along with other requirements

Type of Work: _____ Estimated Cost: _____

Address of Work: _____

Owner Name: _____

Date of Permit Application: _____

Registration is not required for the following reason(s)

- | | |
|-----------------------------------|--------------------------------|
| _____ Work excluded by law | _____ Job under \$1,000 |
| _____ Building not owner-occupied | _____ Owner pulling own permit |
| _____ Other (specify _____) | |

Notice is hereby given that:

OWNER PULLING THEIR OWN PERMIT OR DEALING WITH UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OR GUARANTY FUND UNDER MGLc.142A.

Signed under penalties of perjury:

I hereby apply for a permit as the agent of the owner:

| | | |
|-------|-----------------|------------------|
| _____ | _____ | _____ |
| Date | Contractor Name | Registration No. |

OR:

Notwithstanding the above notice, I hereby apply for a permit as the owner of the above property:

| | |
|-------|------------|
| _____ | _____ |
| Date | Owner Name |

APPENDIX G

SWIMMING POOLS, SPAS AND HOT TUBS

(The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.)

SECTION AG101 GENERAL

AG101.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the *lot* of a one- or two-family dwelling.

AG101.2 Pools in flood hazard areas. Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Sections AG101.2.1 or AG101.2.2.

Exception: Pools located in riverine flood hazard areas which are outside of designated floodways.

AG101.2.1 Pools located in designated floodways. Where pools are located in designated floodways, documentation shall be submitted to the *building official*, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the *jurisdiction*.

AG101.2.2 Pools located where floodways have not been designated. Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the *jurisdiction*.

SECTION AG102 DEFINITIONS

AG102.1 General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool."

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming pool."

IN-GROUND POOL. See "Swimming pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family *townhouse* not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating *equipment* are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 24 inches (610

mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

SECTION AG103 SWIMMING POOLS

AG103.1 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

AG103.2 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

AG103.3 Pools in flood hazard areas. In flood hazard areas established by Table R301.2(1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

SECTION AG104 SPAS AND HOT TUBS

AG104.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

AG104.2 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of

- the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
 3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
 4. 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 $1\frac{3}{4}$ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.
 5. 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 not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.
 6. Maximum mesh size for chain link fences shall be a $2\frac{1}{4}$ -inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than $1\frac{3}{4}$ inches (44 mm).
 7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than $1\frac{3}{4}$ inches (44 mm).
 8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and
 - 8.2. The gate and barrier shall have no opening larger than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
 9. Where a wall of a *dwelling* serves as part of the barrier, one of the following conditions shall be met:
 - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or
 - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which 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 deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
 - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved* by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
 10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
 - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
 - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

AG105.3 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.



TOWN OF FOXBOROUGH

Board of Health

40 South Street
Foxborough, Massachusetts 02035
Tel. (508) 543-1207 / Fax. (508) 543-6278

REGULATION No. 4 – RESIDENTIAL SWIMMING POOL. Every person who owns a residential swimming pool shall provide and maintain adequate safety devices, the intent of which is to prevent accidental drowning of small children and to secure the safety of all users.

- A. **Definition:** "Swimming Pool." A swimming pool used or intended to be used solely by an owner or tenant thereof and his family, and by friends invited to use it without payment of any fee.
- B. **Enclosure:** Every outdoor residential swimming pool, capable of containing a depth of water exceeding twenty-four inches at one point, shall be completely surrounded by a barrier not less than four feet in height, or by other means of rendering the pool inaccessible. The barrier shall be so located to surround the entire pool, contiguous walks, and any diving structure or platform. A building may be used as part of such enclosure. A fence surrounding the entire property shall meet the intent of this section. Maximum mesh size for chain link fences shall be 1 ¼ inches. Each wall shall be so constructed as not to have openings, holes or gaps larger than four inches in any dimension except for doors and gates and except for pickets shall not exceed four inches. All fences shall be constructed of wood, chain link or other material which meets the intent of this article. Every fence shall be substantially anchored to posts set into the ground. All gates or doors opening through such enclosure shall not be less than the same height as the fence or wall and shall be equipped with a self-closing and self-latching device located not less than 54" above ground for keeping the gate or door securely closed at all times when not in actual use. All doors of any dwelling which form a part of the enclosure shall be equipped with an alarm which produces an audible warning when the door is opened.

Portable swimming pools incapable of containing a depth of water exceeding twenty-four inches at one point must be protected with a safety cover when unattended.

Addendum to Private Swimming Pool Regulations

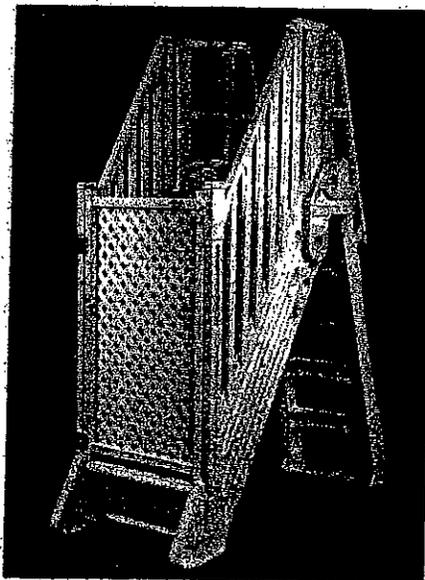
The owner of any outdoor special purpose pool (e.g., whirlpool, hot tub, jacuzzi, spa) shall keep such pool covered at all times when it is not being occupied.

The cover shall be made of a hard durable material and fitted with a locking device.

Model 2003S Stair Ladder Combo

Product Features

- Reversible - choose whether you want the ladder or the stair on the inside / outside of the pool
- Designed for use with both 48" or 52" pools
- Double handrails on the stair and extended handrails on the ladder for easy entry and exit
- All resin design with stainless hardware for years of worry-free use
- Easy "J" hook brackets to secure Combo to pool top rail for greater stability (no drilling required)
- Optional gate and picket package available for stair portion for greater security (sold separately). Gate is spring-loaded, self-closing, self-latching and lockable
- Unit can be used with our resin Pool Fencing to totally enclose and protect pool
- *Slide-Lock* ladder protects entry to your pool when using ladder portion on the out side of the pool
- 350lbs. capacity



Shown with Model 2003OG Optional Gate
& Picket package (sold separately)

Take the ordinary and make it extraordinary

QUALITY BY DESIGN

VINYL WORKS CANADA

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www.vinylworkscanada.com

781-278-3000
certified