BUILDING PERMIT – MISC.
Pool-Above Ground ☐
Pool-In Ground ☐
Hot Tub ☐ Dry Sauna ☐

Application Date:_____

Expiration Date: _____

Permit#_____

Application_____

Zone: _____

Permit Fee: _____

Town of Newfane

Building Inspector/Code Enforcement
2737 Main Street
Newfane, NY 14108
(716)778-5947 ext. 106
www.townofnewfaneny.gov

INSTRUCTIONS

The undersigned herby makes application for the work indicated on this form and required documentation. This application is to be reviewed by the code enforcement official, whose review will be based on the supplied documentation. The permit will be issued when:

- *All the following notes are addressed.*
- *Contractors' insurances are on file.*
- *Permit fees are paid.*

Incomplete applications will not be accepted

COMPLETE PERMIT PACKAGE CHECKLIST

☐ Completed Application ☐ Brochure of unit or package to be installed ☐ Contractor Insurance Certificate
☐ Plan showing work & grading changes ☐ Details of fence to be installed ☐ Pool Alarm info

APPLICATION INFORMATION

Address of Job Site _____ Work Start Date _____

SBL# _____ Estimated Value of Work _____

Construction or installation information:

In-ground Pool Size: _____ Type: ☐ Poured Concrete ☐ Steel/Vinyl ☐ Fiberglass ☐ Gunite ☐ Other

Above ground: Pool size: _____ Hot Tub size: _____ Sauna Size: _____

OWNER'S NAME _____

OWNER'S MAILING ADDRESS_____ **Phone#** _____

CITY/STATE/ZIP_____ **Email** _____

CONTRACTOR_____ **Phone #**_____

CONTRACTOR ADDRESS_____ **Email**_____

The building permit information is hereby made to the building department for the issuance of a building permit pursuant to the Building Codes of New York State for the construction of buildings, additions or alterations as described. **The applicant agrees to comply with all applicable laws, ordinances, regulations and will call for inspections as stated on the back of the Building Permit Poster. The building shall not be occupied in whole or in part for any purpose whatsoever until a CERTIFICATE OF OCCUPANCY has been issued by the building inspector.** The building permit is valid for one year from the date on the building permit.

BUILDING OWNER CERTIFICATION

To be signed by owner (if not applicant) submit by signed letter

I, _____, hereby certify that I have full knowledge of the proposed work as described herein and take no exception to such activity. I understand I cannot occupy or use area of work until completed and final certificates are issued by the Town of Newfane. I further understand it is ultimately my responsibility that the project meets the NYS Uniform and Building Codes and the local Zoning code.

Signature of Owner/title: _____

🏊 Swimming Pools & Hot Tubs

Yard Placement & Setbacks

- **Location Constraints:** Swimming pools can only be installed in residential districts as an accessory to a dwelling. They must be restricted to the **rear or side yard** of the property and are strictly prohibited in the front yard.
- **Property Line Setbacks:** A swimming pool cannot be erected closer than **four feet** to the rear and side property lines of your premises. [1, 2]

Barriers and Fencing

- **Fencing Requirement:** Outdoor swimming pools must be fully enclosed by a protective barrier or fence at least **four feet (48 inches) tall** to prevent unauthorized access by children. [1, 2]
- **Above-Ground Pool Exception:** If an above-ground pool has outer side walls extending 4 feet or more above the ground, it does not require a surrounding fence. However, the ladder or access steps must be capable of being secured, locked, or completely removed when the pool is not in use. [1, 2]
- **Gate Security:** All gates or openings leading into the pool enclosure must be equipped with lockable hardware and kept locked whenever the owner or occupant is not present. [1]
- **Hot Tub Alternative:** For outdoor hot tubs and spas, a safety cover that complies with NYS standards (such as an approved locking cover) can often serve as an alternative to a full 4-foot fence perimeter, provided it is kept locked when not in use. [1]

Additional Mandates

- **Alarms:** New York State requires all residential swimming pools (installed or modified) to have an approved pool alarm capable of detecting entry into the water and sounding an audible alert poolside and inside the home. [1]
- **Electrical:** Strict compliance with National Electrical Code (NEC) standards is enforced, including requirements for grounding, GFCI protection, and locating wall switches at least 5 feet from the water wall. [1, 2]

🪵 Dry Saunas

Saunas are not explicitly categorized under Newfane's Chapter 228 swimming pool ordinances, but they are governed under **Chapter 270 (Zoning)** as accessory structures. [1]

- **Zoning Clearances:** An outdoor, standalone dry sauna must comply with the general dimensional regulations for accessory buildings in your specific zoning district (e.g., standard rear/side setbacks and total lot coverage limits). [1, 2]
- **Permit Requirements:** An indoor or outdoor sauna requires a standard **building permit**. Because saunas pull high electrical currents or utilize alternative heating units (such as wood-burning or infrared stoves), they must pass strict NYS Uniform Fire Prevention and Building Code reviews for electrical safety and proper ventilation clearances. [1, 2]

📋 Next Steps for Property Owners

Before making any purchases or beginning excavations, you should submit a formal plan to the local building department to ensure compliance with localized setbacks, utility easements, and power line clear zones: [1]

- **Town Office:** Review the complete local ordinances via the Town of Newfane eCode 360 portal.
- **Permit Filings:** Contact the **Town of Newfane Building and Code Enforcement Department** to grab physical building permit applications, verify current fee schedules, and schedule necessary safety inspections before using your new