

**CHAPTER 14A**  
**BOARD OF HEALTH, NATICK, MASSACHUSETTS**

**RULES AND REGULATIONS GOVERNING RESIDENTIAL SWIMMING POOLS**

**SECTION 1    DEFINITIONS**

- 1.1    LOCATE: means to designate the site of the swimming pool on a plot plan drawn to scale showing all required setbacks.
  
- 1.2    CONSTRUCT: means to build or install a new swimming pool or upgrade an existing swimming pool or any of its appurtenant facilities.
  
- 1.3    ALTER: means to replace or modify any portion of an existing swimming pool.
  
- 1.4    RESIDENTIAL SWIMMING POOL: means any type of outdoor or indoor pool, which is constructed to provide recreational facilities for swimming, bathing or wading; including appurtenant buildings and equipment, established or maintained by an individual for his own family's use or use by guests of his household.
  
- 1.5    SPECIALTY PURPOSE POOL: means a unit designed for recreational or therapeutic purposes and not meant for swimming. These pools include, but are not limited to, therapeutic pool, hot tub, hot spa, jacuzzi, whirlpool, hydrotherapy pool, etc. These pools are not drained or refilled for each use.
  
- 1.6    PERMITS: Permits to construct or alter residential swimming pools shall be obtained as described in Sections 2.1 through 2.4 of these regulations.
  
- 1.7    ENCLOSURES: A permanent fence of chain link, stockade or equivalent, with a minimum height of 5 feet must completely surround the swimming pool. Gates must be provided with a locking device. (See Sections 3.3 & 3.4)

- 1.8 PROTECTION OF PUBLIC WATER SUPPLY: Physical connections between potable water systems and swimming pools or swimming pool circulation systems shall not be permitted. An air gap of 6 inches must be provided.
- 1.9 MAINTENANCE: Pool and pool enclosure shall be maintained as intended and the pool and the pool surroundings shall be kept clean at all times.

## **SECTION 2 PERMITS**

- 2.1 APPROVAL TO CONSTRUCT OR ALTER: Swimming pools shall not be constructed or altered until the Board of Health has given formal approval thereof by issuance of a permit.
- 2.2 PROCEDURE TO OBTAIN A PERMIT TO CONSTRUCT OR ALTER: A permit to construct or alter a swimming pool shall not be issued until the Board of Health has received and approved an application thereof, accompanied by such plans, specifications and information as may be required by the Board of Health.
- 2.3 EXISTING SWIMMING POOLS: Construction provisions of these regulations shall not apply to legally installed swimming pools in existence at the time of adoption, except that alterations to any portion of such swimming pool shall be made in accordance with the applicable provisions of these regulations.
- 2.4 INSTALLERS PERMIT: Swimming pools shall be installed by a company or person(s) that has been approved by and obtained a swimming pool installer's license from the Board of Health. All permits are subject to annual renewal and shall expire on December 31 of each year. Above ground pools may be installed by the homeowner provided all conditions set forth in these rules and regulations are satisfied.

### **SECTION 3 GENERAL DESIGN AND LAYOUT**

- 3.1 **LOCATION:** Swimming Pools shall be located on a certified plot plan drawn to scale showing the setbacks in relation to the following: the pool must be a minimum of 10 feet from side and rear lot lines, foundations and permanent structures; the pool must be a minimum of 20 feet from any component of a private septic system.
- 3.2 **MATERIALS OF CONSTRUCTION:** All materials used shall be durable, waterproof, easily cleanable, designed and installed according to its intended use. Pool sides and bottoms shall be smooth and free from cracks or open joints. All materials are subject to approval by the Board of Health.
- 3.3 **ENCLOSURES:** A permanent fence shall be constructed no more than 30 days after the pool is installed. The fence shall be chain link, stockade or equivalent and have a minimum height of 5 feet. Gates must be self-closing, self-latching, and provided with a locking device. The gates must be locked at all times when the pool is not in use. The fence can have no opening greater than 3 inches top to bottom except the gate. All fencing is subject to approval by the Board of Health. Four (4) foot fencing approved by the Board of Health prior to the adoption of these regulations and maintained in good condition may be continued in use. Any replacement of such fencing shall comply with these new regulations.
- 3.4 **ABOVE GROUND POOL EXCEPTION:** If the pool is an above ground pool, a sturdy, permanent 2 foot-extended fence installed at the top of pool with a locking fold-up ladder will satisfy the Board of Health enclosure requirements provided the top of the extension is a minimum of 5 feet above the surface of the ground. Ladders must be locked in the fold-up position at all times the pool is not in use.

## **SECTION 4 FILTERS AND CIRCULATION**

- 4.1 **FILTERS AND PUMP:** All swimming pool filters and pumps must be approved by either the National Sanitation Foundation (NSF), Underwriters Laboratory (UL) or both, and be approved by the Board of Health. Filters must be designed and installed for their intended use.
- 4.2 **FILTER AND PUMP CAPACITY:** Swimming pool filters and pumps must have the capacity and horsepower to re-circulate the entire contents of the pool in 8 hours or less. Specialty purpose pool filters must have the capacity to re-circulate the entire contents of the pool within 30 minutes.
- 4.3 **SUMPS:** A sump shall be provided to receive swimming pool filter backwash water. The sump must have a minimum depth of 3 feet and a minimum inside diameter of 2 feet. All sumps must be approved by the Board of Health. Exemption from this requirement may be granted if the filter technology is approved by the Board of Health.

## **SECTION 5 WATER QUALITY**

- 5.1 **WATER QUALITY:** Maintaining water quality shall be the responsibility of the individual(s) owning the pool. The Board of Health recommends the following guidelines for swimming pool water:

<b>Clarity</b>	a black 6 inch disc should be clearly visible at the deepest end of the pool
<b>pH</b>	maintained between 7.2 – 7.8
<b>Free Chlorine</b>	maintained between 1.0 - 3.0 ppm
<b>Total Chlorine</b>	maintained between 0.0 - 0.2 ppm
<b>Total Alkalinity</b>	maintained between 50 - 150 ppm

## **SECTION 6 FINAL INSPECTION**

- 6.1 FINAL INSPECTION: After the pool and enclosure are complete a satisfactory final inspection must be performed by the 1.) Electrical Inspector, 2.) Building Inspector, then the Board of Health must be called in for a final inspection to enforce compliance with these regulations.
- 6.2 FILLING THE POOL: The pool may not be filled with water until such time that all final inspections have been satisfactorily completed.

## **SECTION 7 PENALTY**

- (a) Criminal Complaint – Whoever violates any provisions of these rules and regulations may be penalized by indictment or on complaint brought in the District Court. Except as may otherwise be provided by law, and as the District Court may see fit to impose, the maximum penalty for any violation of these provisions shall be \$300.00 for each offense.
- (b) Non-Criminal Disposition – Whoever violates any provisions of these rules and regulations may, in the discretion of the Health Agent, be penalized by a non-criminal complaint in the District Court pursuant to the provisions of the Massachusetts General Laws, Chapter 40, Section 21D. For the purpose of this provision the penalty to apply in the event of a violation shall be as follows: \$25.00 for the first offense; \$50.00 for the second offense; \$100.00 for the third offense; and \$200.00 for the fourth and each subsequent offense. Each day on which a violation exists shall be deemed to be a separate offense.

Adopted March 2, 1998.

Summary published in The MetroWest Daily News on March 7, 2000.

### **NATICK BOARD OF HEALTH**

Donald J. Breda, P.E., Chairman  
Peter A. Delli Colli, D.M.D., Vice Chairman  
Arthur C. Taddeo, M.Ed., Clerk  
Anthony G. Capobianco, M.D., Physician to the Board

Amended February 25, 2003  
Summary published March 14, 2003

BOARD OF HEALTH  
Natick, Mass

Peter A. Delli Colli, DMD, Chairman  
Donald J. Breda, PE, Vice Chairman  
Michael D. Bliss, JD, Clerk