



Community Development

Building Codes

RESIDENTIAL POOL, SPA & HOT TUB PERMIT GUIDELINES

A permit is required for any swimming pools, spa or hot tubs which are **twenty-four (24") inches or more** in depth.

- (1) Provide plot plan to scale, showing location of existing buildings and proposed location of pool and setbacks from property lines and house, and also type and location of barriers enclosing the pool or hot tub.
- (2) A completed and signed Permit Application form (attached).
- (3) Please **read and sign in the presence of a notary**, the compliance form "Barriers for Swimming Pools and Hot Tubs". (See attached form).
- (4) Provide manufacturer's specifications, drawings, and installation instructions. Only UL listed and approved materials will be approved for use. Indicate provisions for filling and draining the pool.
- (5) **In-Ground pools:** A Low Impact Land Disturbance Permit (LDP) is required. An application must be completed and the fee for the LDP permit is \$75.00. The LDP requires a separate \$5,000 Low Impact Performance Bond for each pool location, however, for single family dwellings under construction the pool contractor may use the builders bond with permission from the general contractor. An Erosion Control Plan must be submitted depicting the construction entrance and the erosion control measures taken to ensure that the soil will not be impacting other properties from the construction site.
- (6) Permits can be issued to the owner-occupant for a single family dwelling pool. For other pools a Johnson County Contractors License is required – Class A, B, C or DS.

General requirements:

- Pool and hot tubs shall be located in the rear yard and must maintain a minimum of 10 feet from all property lines.
- Locate pools within platted setback lines and not within
- Maintain minimum 10 foot lateral clearance from septic systems.
- Maintain Minimum 10 foot horizontal clearance to any overhead electrical conductors.
- Pool access barrier required by Chapter 45 of the 2018 IRC, as modified by Shawnee Municipal Code (see attached). **Barrier must be installed before the pool is filled.**
- Pool and hot tub construction is governed by the 2018 International Residential Code, ANSI/NSPI-5 (In-ground) and ANSI/NSPI-4 (above ground and on-ground) as listed in Section AG108 and the 2017 National Electric Code.
- **Permit fees: \$20.00 for a private pool, spas or hot tub; \$30 for public and semi-private (subdivision pool) pool, spa or hot tub. Separate LDP fee if required - \$75.**
- Call Kansas One Call before you dig – just dial 811.
- Semi-Public and Public pools require Johnson County Environmental plan approval. Submit plan approval letter prior to obtaining building permit through City of Shawnee. Contact Johnson County Environmental at (913)715-6900

Required Inspections:

- Electrical underground wiring – prior to covering trench
- Pool bonding – prior to covering any metal parts
- New gas line for pool heater – gas pressure test
- Final: verify pool wiring, grounding, GFCI protection, disconnects, pool barrier, equipment, verification of Johnson County Environmental final approval.



Community Development Building Codes Residential Permit Application

For residential type work other than new residential structures

Project Information

Project Address: _____

Type of Project (check type of permits being sought)

Basement Finish (Sq Ft) _____ Retaining Wall (height of wall) _____

Uncovered Deck (Sq Ft) _____ Remodel Existing Interior

New Roofed Addition (Sq Ft) _____ Swimming Pool or Spa

Accessory Building (Sq Ft) _____ Electric service or upgrade

Other: _____

Description of work: _____

Project Value \$ _____

Applicant Information

Name of Applicant (print): _____

Street Address, State, Zip: _____

Phone: () _____ Fax: () _____ E-Mail: _____

Contact Name if different from above: _____ Phone: () _____

Home Owners Name if Contractor is Applicant: _____ Phone: () _____

The information contained in this application is true and correct.

Check as Applicable: Contractor Owner Agent of Owner

Signature of Applicant: _____ Date: _____

Submittal Information

Permit applications and design documents shall be submitted to the Building Codes Division, located in the lower level of the west wing of City Hall, 11110 Johnson Dr, Shawnee, KS 66203. Contact the Building Codes Division at (913)742-6010 or by email at codes@cityofshawnee.org with questions or to request additional information.



Community Development Building Codes

BARRIERS FOR SWIMMING POOLS AND HOT TUBS

Barriers for swimming pools and hot tubs must comply with the attached Section 4505 "BARRIER REQUIREMENTS", as found in the Shawnee Municipal Code 15.06.020, Section II, and must comply with all other applicable fence regulations within the City, including that the finished side of all fences must face away from the property they are on.

I have read and agree to comply with the above described regulations on swimming pool, hot tub, and spa barriers.

HOME OWNER: _____

ADDRESS: _____

SUBSCRIBED AND SWORN to before me by _____

This _____ day of _____, 20 _____.

NOTARY SIGNATURE

My Commission Expires:

Chapter 45
SWIMMING POOLS, SPAS AND HOT TUBS

SECTION 4501
GENERAL

4501.1 General. The provisions of this Chapter 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.

4501.2 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 Section 4501.2.1 or 4501.2.2.

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

4501.2.1 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.

4501.2.2 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 4502
DEFINITIONS

4502.1 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 town house 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 more than 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 4503 SWIMMING POOLS

4503.1 In-Ground Pools. In-ground pools shall be designed and constructed in compliance with ANSI/NSPI-5.

4503.2 Above-Ground and On-Ground Pools. Above ground and on-ground pools shall be designed and constructed in compliance with ANSI/NSPI-4.

4503.3 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 compliance with ASCE 24.

SECTION 4504 SPAS AND HOT TUBS

4504.1 Permanently Installed Spas and Hot Tubs. Permanently installed spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-3.

4504.2 Portable Spas and Hot Tubs. Portable spas and hot tubs shall be designed and constructed in compliance with ANSI/NSPI-6.

SECTION 4505 BARRIER REQUIREMENTS

4505.1 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.

4505.2 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 the 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.
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).
6. Maximum mesh size for chain link fence shall be 2 $\frac{1}{4}$ inches (57 mm) square, unless the fence has slats fastened at the top of 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 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 openings larger than $\frac{1}{2}$ inches (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;

- 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 scree, 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 herein.
10. Where 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 Item 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.

4505.3 Indoor Swimming Pool. Walls surrounding an indoor swimming pool shall comply with Item 9 of Section 4505.2.

4505.4 Prohibited Locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.

4505.5 Barrier Exceptions. Spas or hot tubs with a safety cover which comply with ASTM F 1346 shall be exempt from the provisions of this chapter.

SECTION 4506 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

4506.1 General. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

Table 680.9 (A) Overhead Conductor Clearances

Clearance Parameters	Insulated Cables, 0-750 Volts to Ground, Supported on and Cabled Together with a Solidly Grounded Bare Messenger or Solidly Grounded Neutral Conductor		All Other Conductors Voltage to Ground			
	m	ft	0 through 15 kV		Over 15 through 50 kV	
			m	ft	m	ft
A. Clearance in any direction to the water level, edge of water surface, base of diving platform, or permanently anchored raft	6.9	22.5	7.5	25	8.0	27
B. Clearance in any direction to the observation stand, tower, or diving platform	4.4	14.5	5.2	17	5.5	18
C. Horizontal limit of clearance measured from inside wall of the pool	This limit shall extend to the outer edge of the structures listed in A and B of this table but not to less than 3 m (10 ft).					

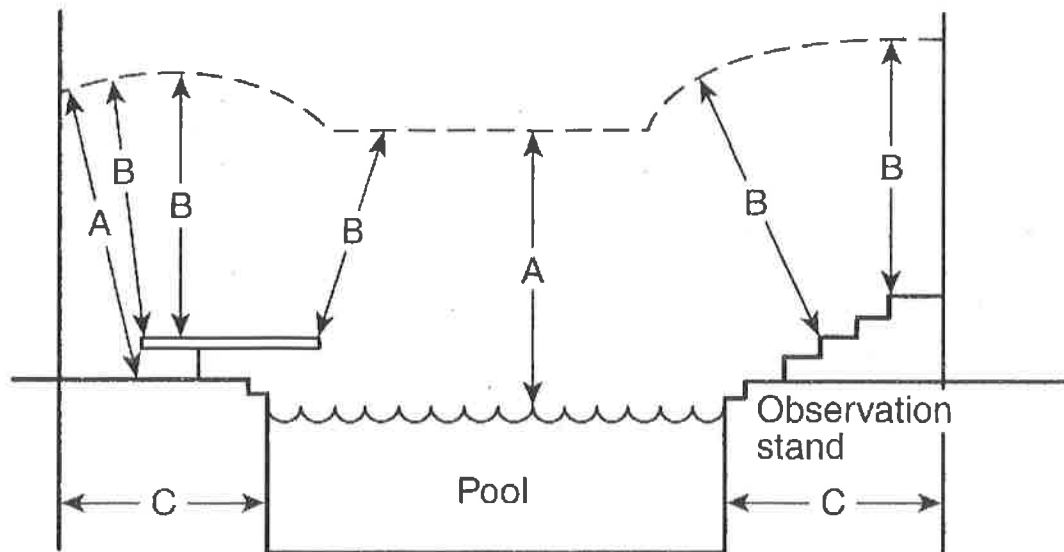


Figure 680.9 (A) Clearances from Pool Structures.



Community Development Building Codes

LOW IMPACT LAND DISTURBANCE PERMIT APPLICATION GUIDELINES

A **Low Impact Land Disturbance Permit** must be obtained for any of the following activities:

- Any land disturbance activity that occurs within 50' of a natural or improved channel or drainage way where the cumulative area of land disturbance is less than one acre.
- Any land disturbance activity that would involve more than 50 cubic yards of fill or cut, where the cumulative area of land disturbance is less than one acre.
- Any land disturbance activity that involves the construction of a new roofed structure, when that structure has a projected roof area of more than 1000 square feet, and where the cumulative area of land disturbance is less than one acre.

Note: A Standard Land Disturbance Permit is required for land disturbance activities that have a cumulative area of land disturbance of one acre or more. "Land Disturbance" by definition, means any activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation. Such activities include, but are not limited to clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging and storing of materials.

The Shawnee City Council adopted the new **land disturbance ordinance** (http://gsh.cityofshawnee.org/pdf/swm/ord_land_disturbance.pdf) in October of 2007, which affects most construction projects in the City of Shawnee. The new ordinance fulfills the City's compliance activity objectives to meet the EPA's National Pollutant Discharge Elimination System (NPDES) Phase II requirements.

The following is a summary of the permit application submittal requirements for a **Low Impact Land Disturbance Permit**:

- A completed **Low Impact Land Disturbance Permit Application** (attached) must be submitted.
- A \$5000.00 **Low Impact Land Disturbance Permit** bond will be required. The bond form is attached, and the bond principal must be the same name as the permit applicant.
- A site grading and land disturbance plan that shows the complete details of all work to be done under the **Low Impact Land Disturbance Permit**.
- A site specific "Erosion and Sediment Control Plan" is required as part of the **Low Impact Land Disturbance Permit**. All erosion and sediment control measures, including a gravel construction entrance, must be in place prior to land disturbance work.
- The **Low Impact Land Disturbance Permit** fee is \$75.00, and is payable at the time the permit is obtained.

Please note that dirt, mud, or debris in the street or right of way near your site must be cleaned up within 4 hours of notification, or the City will clean up and bill the **Low Impact Land Disturbance Permit** holder. The **Low Impact Land Disturbance Permit** holder is responsible to install, inspect, and maintain the construction site sediment and erosion control measures.

SHOULD YOU NEED ANY REASONABLE ACCOMMODATION TO ASSIST IN MAKING PERMIT APPLICATION, PLEASE CONTACT THE CODES ADMINISTRATION DIVISION AT 913-742-6010



Community Development Building Codes

Low Impact Land Disturbance Permit Application

This form shall be completed and a land disturbance permit shall be obtained prior to beginning any project involving a land disturbance less than one acre, having construction of a roofed structure of greater than 1000 square feet, having greater than 50 cubic yards of cut or fill or involving land disturbed within 50 feet of a natural or improved drainage channel. Land disturbances for construction of new single family residences shall complete this form. Submit application along with site plan showing grading and erosion and sediment control design.

Project Information

Project Address: _____

Owner Name: _____

Owner Address: _____ State: _____ Zip: _____

Check type of permit below:

For New Single Family Residential Permit Projects:

Description of Land disturbance Activities: Grade and excavate for the construction of a new roofed structure over 1,000 square feet in size and grade and excavate within the right-of-way for utility connections and public improvements.

Note: This Land Disturbance Permit shall expire no later than two (2) years and six (6) months from the date the building permit is issued for the construction of the new roofed structure, or at the issuance of a certificate of occupancy for the structure, whichever occurs first. The area of land disturbed is assumed to be the entire project lot unless the submitted plan shows the specific area of disturbance.

Other Low Impact Land Disturbance Permits please complete the following:

Description of land disturbance activity: _____

Project time limit: Project to be completed _____ Months from date of issuance of permit

Quantity of cut/fill (cubic yards) whichever is the larger: _____

If any work is to occur within a public right of way a permit may be required through Public Works Department (913)741-6012

Note that any site work, filling or construction in the FEMA regulated Flood plain may require that a floodplain development permit be obtained. Contact Development Engineering Department (913) 742-6012

Applicant Information

Name of applicant (owner/developer) _____

Address _____ State _____ Zip _____

Phone: () _____ Fax: () _____ E-Mail: _____

Contact Name: _____ Phone: () _____

Signature of Applicant: _____ Date: _____

Permit issue date: _____ Permit No. _____

CITY OF SHAWNEE, KANSAS

LOW IMPACT LAND DISTURBANCE PERMIT BOND

BOND NO. _____

_____, as surety ("Surety"), and _____, as principal ("Principal"), enter into and execute this Bond ("Performance Bond"), and bind themselves in favor of the City of Shawnee, as obligee ("Beneficiary"), in the initial amount of Five Thousand and No Hundredths Dollars, (\$5,000.00), (the "Penal Sum"). This bond shall become effective on _____ and expire sixty (60) days after the permit expires.

WHEREAS, the condition of the above obligation is such that the Principal has obtained a Permit or Permits from the City for land disturbance(s) of less than one (1) acre to construct _____ (hereinafter "the Project"); a copy of said Permit(s) is made a part hereof by reference as if fully set out herein; and

WHEREAS, the Principal has submitted an Erosion and Sediment Control Plan in compliance with the Shawnee Design Manual and incorporated herein; and

WHEREAS, the Beneficiary has further required the Principal to guarantee the timely restoration of the public right-of-way and of any public or private improvements damaged, disturbed, or harmed by the Project, including restoration of improved or unimproved surfaces to a neat and presentable condition, and removal of debris, excess dirt, or materials, in such a manner that the same shall endure without defects in materials and workmanship, all as required by the Erosion and Sediment Control Plan and/or Shawnee Municipal Code, (hereinafter collectively referred to and known as the "Required Restoration").

The Surety and the Principal, both jointly and severally, and for themselves, their heirs, administrators, executors, successors and assigns agree:

- 1) If Principal shall in all particulars promptly and faithfully perform each and every covenant, condition, and part of the Project in accordance with the terms of the Erosion and Sediment Control Plan and/or Shawnee Municipal Code, then this obligation shall be and become null and void; otherwise it shall remain in full force and effect.
- 2) If Principal fails to perform and abide by any such obligations hereunder in any respect or if the Project requires repairs or maintenance then the Surety shall either promptly remedy such failure to the satisfaction of the City or shall within fourteen (14) days from the date of written notice from the City pay to City sufficient funds to pay the cost of such compliance and other costs and damages for which the Surety may be liable hereunder, including but not limited to the costs of consultants and/or engineering investigations, testing, analysis and any other costs incurred to determine the cause of defect and/or the necessary repair and maintenance and attorney fees incurred in the collection of this Bond.
- 3) All notices to the Surety, the Principal or the Beneficiary must be delivered in person or otherwise given in writing to such party at the following address set forth below:

SURETY

Name: _____
Attention: _____
Street: _____
City, State, ZIP: _____ Fax _____

PRINCIPAL

Name: _____
Attention: _____
Street: _____
City, State, ZIP: _____ Fax _____

BENEFICIARY

City of Shawnee, Kansas
City Hall
Attn: _____
11110 Johnson Drive
Shawnee, Kansas 66203

5) This bond may be terminated at any time by the Surety upon sending notice in writing to the Principal and Beneficiary and at the expiration of thirty (30) days from the mailing of said notice, this bond shall terminate and the Surety shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to that date.

6) This Low Impact Land Disturbance Permit Bond shall be governed by, and construed solely in accordance with, the laws of the State of Kansas without regard to its conflict of law's provisions.

7) In the event any legal action shall be filed upon this Low Impact Land Disturbance Permit Bond, venue shall lie exclusively in the District Court of Johnson County, Kansas.

IN TESTIMONY WHEREOF, said Principal has hereunto set his/her hand, and said Surety has caused these presents to be executed in its name; and its corporate seal to be hereunto affixed by its attorney-in-fact duly authorized thereunto so to do at

_____ ,

on this, the _____ day of _____, 20__.

Principal

Surety

(Typed Firm Name)

(Typed Firm Name)

(Seal)

By:

(Signature)

(Printed Name)

(Title)

(Address)

(Phone Number)

(Date of Execution)

(Seal)

By:

(Signature)

(Printed Name)

(Title)

(Address)

(Phone Number)

(Date of Execution)

(Accompany this bond with Attorney-in-Fact's authority from the Surety Company certified to include the date of the bond.)