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Town of Hempstead
Department of Buildings
1 Washington Street, Hempstead, N.Y. 11550-4923
(516) 538-8500

INSTRUCTIONS FOR FILING FOR AN IN-GROUND POOL

1. [An Affidavit of Property Owner Form.](#)
2. A Copy of a (unaltered) survey by a licensed land surveyor, showing the plot and all existing buildings.
3. [A Copy of a recent tax](#) bill showing section, block and lot.
4. [A Copy of a Pool Requirement Affidavit](#)
5. A Copy of a plot plan indicating fence height and location, pool size, shape, location and all remaining dimensions from pool to property lines.
6. Plumbing applications for vacuum breaker. Must be signed by Master Plumber licensed in the Town of Hempstead.
7. A copy of plans with seal and signature of architect or engineer showing depth and size of pool and how constructed.
8. A copy of a letter from a professional engineer stating that the drainage of the pool on the subject property is adequate, and will not interfere with the public water supply system., with existing sanitary facilities or with the public highways.
9. Certificate of Workers Compensation (Accepted forms: C105.2, U26.3 or CE-200 Exemption Form)
10. [Design Professionals Certificate of Compliance Affidavit](#) signed and sealed by the licensed professional.
11. [Plot Site Plan Affidavit](#) (**Only required if the survey is older than 6 months**).

- Photographs of documents will not be accepted. All documents must be scanned and uploaded as a PDF

Requirements for Swimming Pools:

- A. Pool must be located in the rear yard.
- B. A four (4) foot setback or more is required to the property line.
- C. Pool equipment is also required to maintain at least a four (4) foot setback to the property line.
- D. A setback of a minimum of ten (10) feet horizontally is required from all overhead wires.
- E. 50% or more of the overall depth must be built below grade level.

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- F. Standing towers, platforms, or freestanding decks are required to be within the four (4) foot setback.
- G. In the case of a corner lot, the pool must be no closer than ten (10) feet from any line along an abutting street.
- H. All pools are required to maintain an enclosure by means of a railing, fencing or in the case of a hot tub, a locked safety cover.
- I. Fencing is required to be a minimum of five (5) and a maximum of six (6) feet, with self-latching and self-closing gates. Fencing is required to adhere to all regulations as stated in the Town Of Hempstead Building Zone Ordinance according to zone.
- J. Fencing in Residence A, AA, A1, A2, B, BB, BA, and C zones may not for further than the rear of their neighbor's house toward the street.
- K. Fencing in a Residence LPRD zone may not go further than the front building line toward the street.
- L. In all Residence zones, fencing when used, as a pool enclosure must be non-climbable, Stockade or PVC fencing shall have all horizontal members facing the pool. Chain link fencing may not have mesh larger than 2.25 square inches or may have privacy slats.
- M. In the case of a dwelling wall used as part of the enclosure, any door opening into the pool area shall be equipped with an alarm with an audible warning, which shall sound continuously for a minimum of thirty (30) second when the door is open.
- N. ANY LOT WHICH IS LOCATED ON A CORNER SHOULD CONSULT WITH THE DEPARTMENT OF BUILDINGS PLAN EXAMINER'S OFFICE IN REGARDS TO THE PROPER LOCATION OF A POOL AND/OR FENCE. CONTACT (516) 489-5000, EXT. 3073.
- O. The New York State Uniform Fire Prevention and Building Code require that all swimming pools be equipped with an approved pool alarm. ([See requirements in Splash Alarms](#))

Notes:

The applicant must carefully follow all instructions on the application form and answer every applicable question thereon.

No person will be permitted to alter any application except the applicant.

The affidavit is a sworn statement. Anyone knowingly entering false information thereon may be guilty of a criminal offense.

Pool must be in rear yard, not closer than four feet from the side and rear of property lines and must be protected by a non-climbable fence of not less than five feet in height surrounding the pool and accessory equipment only. [See New York State Uniform Fire Prevention and Building Code, Appendix G.](#)

Except that in the case of corner lots pools must be four feet from side and rear property lines and not closer than 10 feet from any property line along an abutting street and must be protected by a non-climbable fence of not less than five feet in height surrounding the pool and accessory equipment only.