



City of White Bear Lake
Building Department
4701 Highway 61 N.
White Bear Lake, Minnesota 55110
651-429-8518 | www.whitebearlake.org
buildingdepartment@whitebearlake.org

SWIMMING POOLS - RESIDENTIAL

Information in this handout pertains to Aboveground and In-Ground Swimming Pools, Portable Pools, Wading Pools and Hot Tubs for single and two-family residential properties. Regulations for multi-family apartments may vary.

This handout is a summary of the permit & inspection process as well as standard requirements based on State Building Code and White Bear Lake City Zoning Ordinance (Section 302.030, Subd. 20) regarding Swimming Pools. Information contained herein does not contain all of the specific codes for construction, and shall only be used as a guide.

Permit Submission Requirements:

- Completed building permit application form, including valuation (materials & labor)
- Site plan showing the following information:
 - ✓ Type and size of pool (typically manufacturer's specs or brochure is attached)
 - ✓ Location of pool and setbacks from property lines and buildings
 - ✓ Location of house, garage, fencing and other lot improvements
 - ✓ Location and setbacks of structures on adjacent properties
 - ✓ Location of filter units and pump
 - ✓ Information in writing pertaining to the type of pump and filter unit
 - ✓ Location of back flush and drainage outlets
 - ✓ Grading plan
 - ✓ Finished elevations
 - ✓ Final treatment around pool (i.e. decking)
 - ✓ Location of utility lines (overhead and in-ground) and easements
 - ✓ Location of water heating unit
 - ✓ Style and location of fencing if required
 - ✓ Impervious area calculations if located within the shoreland overlay district

Residential Building Permit Fees: See the White Bear Lake Fee Schedule at www.whitebearlake.org

Licensing Requirements:

- Contractors must be licensed in the State of Minnesota if performing more than one single trade. Minnesota State license number must be provided on permit application.
- Property owners may perform building related trades on property they own. Property owners may perform mechanical trades, such as plumbing, heating & electrical on property they own and occupy, otherwise a licensed contractor is required. Property owners doing their own work will be required to sign the Property Owner Waiver acknowledging their responsibilities to the Minnesota State Building Code, to Zoning Ordinances and to other applicable rules and regulation when they are acting as general contractor.

Inspection Requirements: The inspection card and approved plans must be on site upon the start of work until the final inspection has been performed and passed. All construction work shall remain accessible and exposed for inspection until approved by the Building Inspection Department.

All required inspections will be listed on the permit card. A final inspection is required upon completion of project and approvals for all other inspections have been complete; please call 651-429-8518 to schedule an inspection. A 24-hour notice is required for all inspections (period is subject change during busy times).

Information and Guidelines:

ABOVE-GROUND SWIMMING POOL: All swimming pools that are constructed so that the edge of the pool is greater than 3 feet above the mean ground grade.

- The enclosure for aboveground pools may utilize the wall(s) of the pool itself, or with a barrier extension mounted to the pool edge to achieve an overall height of four (4) feet above grade.
- If the wall of the pool is not 4 feet tall, then the pool shall be completely enclosed by a fence at least four (4) feet in height and with the bottom being no more than four (4) inches above grade. The fence shall be constructed as to not have openings, holes, or gaps in which a four (4) inch sphere may pass. When a fence has horizontal members spaced less than forty-five (45) inches apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the pool, such as protrusions, indentations, or cutouts, which render the barrier easily climbable, is prohibited. If chain link fence is utilized, the mesh must be not greater than one-and-three-fourths (1-3/4) inch. All fence openings or points of entry into the pool area shall be equipped with self-closing and self-latching devices located on the pool side of the fence placed at least three (3) inches from the top of the gate or otherwise inaccessible to small children. The gate and fence shall have no opening greater than one-half (1/2) inch within eighteen (18) inches of the self-latching device.
- Pools shall not be located within twenty (20) feet of any side or rear lot line nor within six (6) feet of any principle structure or frost footing. Pools shall not be located within any required front yard. On corner lots in residential districts, a pool may be permitted within a front yard that qualifies as a side yard abutting a public right-of-way provided that it is setback twenty (20) feet from the front property line. Depth of water shall be plainly marked at or above the deck or walk of the pool at points of change or slope between the deep and shallow portions and at intermediate increments of depth spaced at no more than twenty-five (25) foot intervals.

IN-GROUND SWIMMING POOL: All swimming pools that are constructed so that the pool edge is level with ground grade.

- Pools shall not be located within twenty (20) feet of any side or rear lot line nor within six (6) feet of any principle structure or frost footing. Pools shall not be located within any required front yard. On corner lots in residential districts, a pool may be permitted within a front yard that qualifies as a side yard abutting a public right-of-way provided that it is setback twenty (20) feet from the front property line. Such pools shall be completely enclosed by a fence at least six (6) feet in height and with the bottom being no more than four (4) inches above grade. The fence shall be constructed as to not have openings, holes, or gaps in which a four (4) inch sphere may pass. When a fence has horizontal members spaced less than forty-five (45) inches apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the pool, such as protrusions, indentations, or cutouts, which render the barrier easily climbable, is prohibited. If chain link fence is utilized, the mesh must be not greater than one and three fourths (1 ¾) inch. All fence openings or points of entry into the pool area shall be equipped with self-closing

and self-latching devices located on the pool side of the fence placed no more than one(1) foot from the top of the gate or otherwise inaccessible to small children. The gate and fence shall have no opening greater than one-half (1/2) inch within eighteen (18) inches of the self-latching device)

- In the case of in-ground pools, the necessary precautions shall be taken during the construction:
a) Avoid damage, hazards or inconvenience to adjacent or nearby property; b) Assure that proper care shall be taken in stockpiling excavated material to avoid erosion, dust or other infringements upon adjacent property.
- Depth of water shall be plainly marked at or above the deck or walk of the pool at points of change or slope between the deep and shallow portions and at intermediate increments of depth spaced at no more than twenty-five (25) foot intervals.
- A deck at least three (3) feet wide, measured from the pool's water edge shall be provided which extends completely around the pool. Such decking shall be subject to approval by the City Building Official.

PORTABLE SWIMMING POOL/WADING POOL: Temporary Pool designed for easy construction with a maximum height of three (3) feet above mean grade, including inflatable pools or any wading pool used and designed for wading, bathing and having the maximum depth of one (1) foot. *These types of pools do not require a permit, but must still comply with the following:*

- Safety fencing is not required, however, all above ground portable pools that are constructed or erected to be accessible by means of ladder are required that such ladder be detachable and so placed that no child can use them to gain entrance without the owner's consent.
- Wading pools may be placed in any yard, but shall not site within five (5) feet of lot line. Portable pools are not permitted in front yards. On corner lots in residential districts, a portable pool may be permitted within a front yard that qualifies as a side yard abutting a public right-of-way provided that it is set back twenty (20) feet from the property line. In rear and side yards, a portable pool must be setback five (5) feet from the side and rear lot lines.
- Such pools shall not be in place longer than six (6) months in a calendar year.

HOT TUB (ZONING PERMIT APPLICATION): All pools that are intended for hydro-therapeutic massage and relaxation purposes that have a capacity of 900 gallons or less, including such pools generally constructed with a filter unit(s), pump(s), water jet(s), molded seating and a heating unit(s). Any hot tubs greater than 900 gallons of water shall be considered an above ground pool for regulatory purposes.

- Hot tubs shall not be located within ten (10) feet of any side or rear lot line provided that in no case shall a hot tub be located closer than twenty-five (25) feet from the living area of an adjacent residential structure. Hot tubs shall not be located within any required front yard. On corner lots in residential districts, a hot tub may be permitted within a front yard that qualifies as a side yard abutting a public right-of-way, provided that it is set back 20.5 feet from the property line.
- Such pools shall be equipped with a child-resistant cover.
- Hot tubs are permitted on attached or detached decks if it can be proven that the deck is engineered to be structurally sound enough to support the bearing load of the hot tub.

GENERAL REQUIREMENTS (APPLIES TO ALL POOL TYPES):

- Pools shall not be located beneath overhead utility lines nor over underground utility lines of any type.
- Pools shall not be located within any private or public utility, walkway, drainage or other easement.
- All access for construction shall be over the owner's land. Due care shall be taken to avoid damage to public streets and adjacent private or public property.

- To the extent feasible, back-flush water or water from pool drainage shall be directed onto the owner's property or into approved public drainage ways. Water shall not drain onto adjacent or nearby private land or sanitary sewers.
- The filter unit, pump, heating unit, and any other noise-making mechanical equipment associated with above-ground, in-ground, and portable pools shall be located a minimum of fifty (50) feet from any adjacent or nearby residential structure and not closer than ten (10) feet to any lot line. The filter unit, pump, and heating unit for a hot tub apparatus shall be located a minimum of ten (10) feet from any lot line.
- Lighting for the pool shall be directed toward the pool and not toward the adjacent property.
- Water in the pool shall be maintained in a suitable manner to avoid health hazards of any type. Such water shall be subject to periodic inspection by the local Health Officer.
- All wiring, installation of heating units, grading, and installation of pipes and all other installation and construction shall be subject to inspection.
- Required structure or safety fencing shall be completely installed prior to filling the pool.
- Drainage of pools into public drainage ways shall require written permission of the City Engineer.
- Any proposed variation from these standards and requirements shall require a variance in accordance with normal zoning procedures.

This document is for informational purposes only and not intended to address every situation for the permitting and plan review process.

2022