

Just Before Counsel
Right off Wash
Wash

City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

PERMIT ISSUED

Permit No: 01-0697	Issue Date: JUN 19 2001	CBL: 387 A020001
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Location of Construction: 111 Longview Dr	Owner Name: Hawkes Debora L &	Owner Address: 111 Longview Dr Portland, ME	Phone: 207-878-7422
Business Name: n/a	Contractor Name: Sebago Lake Pools	Contractor Address: 629 Lower Main St. Gorham	Phone: 2078561000
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Swimming Pools	Zone: R-3

Past Use: Single Family	Proposed Use: Same: Install a 24' Round Above Ground Swimming Pool. Call Gina at 879-8214 when ready.	Permit Fee: \$48.00	Cost of Work: \$3,800.00	CEO District: 2
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Proposed Project Description:
Install a 24' Round Above Ground Swimming Pool

FIRE DEPT: Approved Denied

INSPECTION: *Swimming pool*
Use Group: *U* Type:

PERMIT ISSUED 10/20/00 WITH REQUIREMENTS

Signature: *[Signature]*

PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)

Action: Approved Approved w/Conditions Denied

Signature: _____ Date: _____

Permit Taken By: cjh	Date Applied For: 06/14/2001	Zoning Approval	
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p>Date: _____</p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p>Date: _____</p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p><i>[Signature]</i></p> <p>Date: _____</p>
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PERMIT ISSUED WITH REQUIREMENTS

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

ELECTRICAL PERMIT

City of Portland, Me.



To the Chief Electrical Inspector, Portland Maine:
 The undersigned hereby applies for a permit to make electrical installations
 in accordance with the laws of Maine, the City of Portland Electrical Ordinance,
 National Electrical Code and the following specifications:

Date 6-28-09
 Permit # 1650
 CBL# 387 A 020

LOCATION: 111 Long View Dr. METER MAKE & # _____
 CMP ACCOUNT # _____ OWNER DIBIASE
 TENANT _____ PHONE # _____

OUTLETS	Receptacles	Switches	Smoke Detector	TOTAL EACH FEE
FIXTURES	<u>WIRE for</u> Incandescent	<u>Above</u> Fluorescent	<u>Ground Rod</u> Strips	.20
SERVICES	Overhead	Underground	TTL AMPS <800	15.00
	Overhead	Underground	>800	25.00
Temporary Service	Overhead	Underground	TTL AMPS	25.00
METERS	(number of)			25.00
MOTORS	(number of)			1.00
RESID/COM	Electric units			2.00
HEATING	oil/gas units	Interior	Exterior	1.00
APPLIANCES	Ranges	Cook Tops	Wall Ovens	5.00
	Insta-Hot	Water heaters	Fans	2.00
	Dryers	Disposals	Dishwasher	2.00
	Compactors	Spa	Washing Machine	2.00
	Others (denote)			2.00
MISC. (number of)	Air Cond/win			3.00
	Air Cond/cent			10.00
	HVAC	EMS	Pools	5.00
	Signs		Thermostat	10.00
	Alarms/res			5.00
	Alarms/com			15.00
	Heavy Duty(CRKT)			2.00
	Circus/Carnv			25.00
	Alterations			5.00
	Fire Repairs			15.00
	E Lights			1.00
	E Generators			20.00
PANELS	Service	Remote	Main	4.00
TRANSFORMER	0-25 Kva			5.00
	25-200 Kva			8.00
	Over 200 Kva			10.00
	TOTAL AMOUNT DUE			
	MINIMUM FEE/COMMERCIAL 45.00			35.00

INSPECTION: Will be ready _____ or will call _____ 35.00

CONTRACTORS NAME JRC Electric MASTER LIC. # MS60013660
 ADDRESS 595 River Rd Windham LIMITED LIC. # _____
 TELEPHONE 671-9074

SIGNATURE OF CONTRACTOR [Signature]

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

All Purpose Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: 111 Longview Drive Pt'd. Me. 01103		
Total Square Footage of Proposed Structure 24 1/2 ft.	Square Footage of Lot 20,700	
Tax Assessor's Chart, Block & Lot Number Chart# 387 Block# A Lot# 020	Owner: Richard & Gina DiBisce 111 Longview Dr. Pt'd. Me. 01103	Telephone#: 207-878-7422
Lessee/Buyer's Name (If Applicable)	Owner's/Purchaser/Lessee Address:	Cost Of Work: \$ 3800.00 Fee: \$ 48.00
Current use: vacant lawn		
If the location is currently vacant, what was prior use: Approximately how long has it been vacant:		
Proposed use: private swimming pool 24' Round		
Project description: 24 ft. swimming pool with enclosed wooden locking fence surrounding ladder.		
Contractor's Name, Address & Telephone: 207-856-7000	Seberg Lake Pools 629 Lower Main St. (RT 25) Gorham, Me. 04038	
Applicants Name, Address & Telephone: 207-878-7422	Richard & Gina DiBisce 111 Longview Dr. Pt'd. Me. 01103	
Who should we contact when the permit is ready: Telephone: 879-8214 (Daytime M-F)	Gina DiBisce After 3pm 878-7422	
If you would like the permit mailed, what mailing address should we use:		

6/11
Rec'd By: CH

7/12/01 Inspected with Mike C. & Tom M. Pool needs to be grounded ^{OK} Mike will check pump distance. It is currently at plug in 14' from pool. ^{Change to 10'}

Ladder Barrier not in place JB - still

7/12/01 called owner (msg) about Pool Ladder Barrier - plan shows 42" high Barrier - Need 48" min. JB

8/11/02

Deck Permit?? 107.1 - Permit #01-0874 10'x14' deck

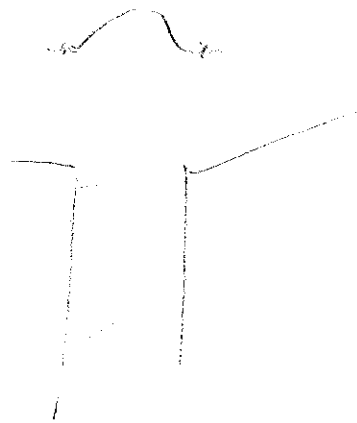
① No Handrail (17 Rise) 4022.2

~~② 4" gap under gate~~

③ Gate only 46" at sides (exterior side) 421.10

④ Reach over 5" of 46" height } OK

4/26/ N.O.V. sent 4/29/02 ~~OK~~ - Re: 5/29/10



THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

PLOT PLAN INCLUDES THE FOLLOWING:

- The shape and dimension of the lot, all existing buildings (if any), the proposed structure and the distance from the actual property lines. Structures include decks porches; a bow windows cantilever sections and roof overhangs, as well as, sheds, pools, garages and any other accessory structures.
- Scale and North arrow; Zoning District & Setbacks
- First Floor sill elevation (based on mean sea level datum);
- Location and dimensions of parking areas and driveways;
- Location and size of both existing utilities in the street and the proposed utilities serving the building;
- Location of areas on the site that will be used to dispose of surface water.
- Existing and proposed grade contours

A COMPLETE SET OF CONSTRUCTION DRAWINGS INCLUDES THE FOLLOWING:

- Cross Sections w/Framing details (including porches, decks w/ railings, and accessory structures)
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and damp proofing
- Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

SEPARATE PERMITS ARE REQUIRED FOR INTERNAL & EXTERNAL PLUMBING, HVAC AND ELECTRICAL INSTALLATIONS

- All construction must be conducted in compliance with the 1999 B.O.C.A. Building Code as amended by Section 6-Art II.
- All plumbing must be conducted in compliance with the State of Maine Plumbing Code.
- All Electrical Installation must comply with the 1999 National Electrical Code as amended by Section 6-Art III.
- HVAC (Heating, Ventilation and Air Conditioning) installation must comply with the 1993 BOCA Mechanical Code.

Minor/Minor Site Review Fee for New Single Family homes: \$300.00/Building Permit Fee: \$30.00 for the 1st \$1000.cost plus \$6.00 per \$1,000.00 construction cost thereafter.

ONE SET OF SUBMISSIONS INCLUDING CONSTRUCTION AND SITE PLAN DRAWINGS MUST BE SUBMITTED ON PAPER NO LARGER THAN 11" x 17" BEFORE ANY BUILDING PERMIT WILL BE ISSUED

Certification

I hereby certify that I am the Owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant:

Lma M DuBease

Date:

6/14/01

BUILDING PERMIT REPORT

DATE: 15 June 2001 ADDRESS: 111 Longview DR. CBL: 387-A-020

REASON FOR PERMIT: To install a 24' Above ground pool

BUILDING OWNER: Debora L. Hawkes

PERMIT APPLICANT: _____ CONTRACTOR Sebago Lake Pools

USE GROUP: U CONSTRUCTION TYPE: _____ CONSTRUCTION COST: \$3800.00 PERMIT FEES: \$48.00

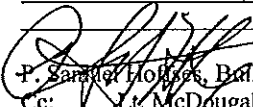
The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: *1/

1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) **"ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."**
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts. Section 2305.17
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete and masonry. Concrete Sections 1908.9-19.8.10/ Masonry Sections 2111.3-2111.4.
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42". In occupancies in Use Group A, B, H-4, I-1, I-2, M, R, public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. Handrails shall be a minimum of 34" but not more than 38". Exception: Handrails that form part of a guard shall have a height not less than 36 inches (914 mm) and not more than 42 inches (1067 mm). Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/4" and not greater than 2". (Sections 1021 & 1022.0). Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 3/4" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. The Minimum required width of a corridor shall be determined by the most restrictive of the criteria under section 1011.3 but not less than 36".
16. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
17. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. (Section 1010.1)
18. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
19. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

20. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
 - In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements
21. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
22. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.
23. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.
24. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
25. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
26. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
27. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).
- *28. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.
29. All requirements must be met before a final Certificate of Occupancy is issued.
30. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).
31. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)
32. Please read and implement the attached Land Use Zoning report requirements.
33. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
34. Bridging shall comply with Section 2305.16.
35. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
36. All flashing shall comply with Section 1406.3.10.
37. All signage shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).
- *38. *Before erecting pool, call this office for setback inspections.*
- *39. *Swimming pools shall comply with section 421.0 of the bldg. code. (see attached)*


 P. Sander, Building Inspector
 Cc: Lt. McDougall, PFD
 Marge Schmuckal, Zoning Administrator
 Michael Nugent, Inspection Service Manager

PSH 10/1/00

****This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.**

*****THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD. (You Shall Call for Inspections)**

******ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.**

*******CERTIFICATE OF OCCUPANCY FEE \$50.00**

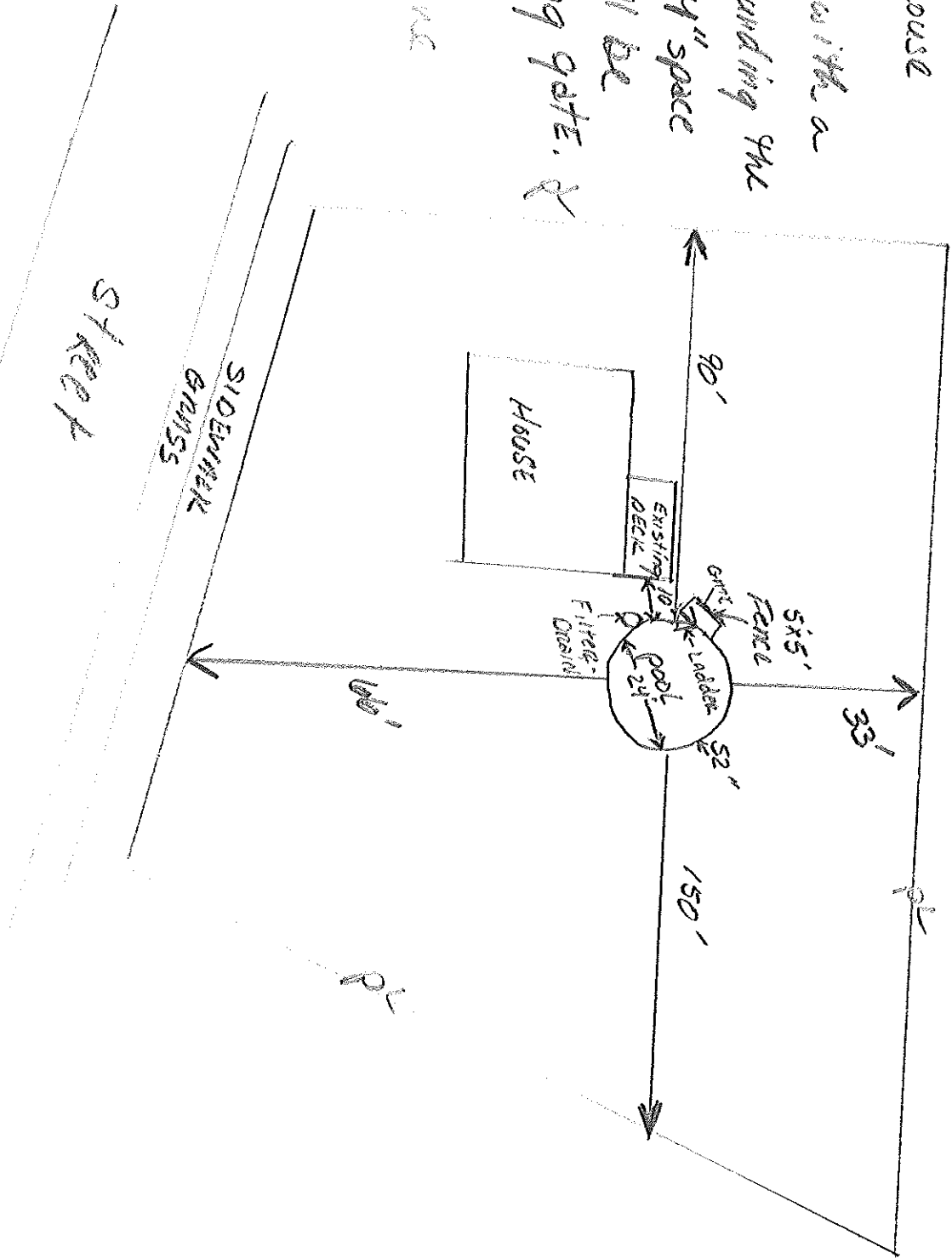
- Pool 24' around with a height of 52"

- Pool is 10' from house

- Ladder removable with a 5' by 5' fence surrounding the ladder, 42" high. 4" space on rails, fence will be wooden with locking gate.

PL = property line

Pool requires 10' from rear & side property lines
 Richard + Anna D'Biase
 111 Langmuir Dr.
 Portland, ME, 04103
 shall be 10' from the principal structure



421.10 Enclosures for private swimming pools, spas and hot tubs: Private swimming pools, spas and hot tubs shall be enclosed in accordance with Sections 421.10.1 through 421.10.4 or by other approved barriers.

421.10.1 Outdoor private swimming pool: An outdoor private swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following.

1. The top of the barrier shall be at least 48 inches (1219 mm) above finished ground level measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between finished ground level and 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 finished ground level, such as an above-ground pool, the barrier shall be at finished ground level, such as the pool structure, or shall be mounted on top of the pool structure. Where the barrier is mounted on the pool structure, the opening between the top surface of the pool frame and the bottom of the barrier shall not allow passage of a 4-inch (102 mm) diameter sphere.
2. Openings in the barrier shall not allow passage of a 4-inch (102 mm) diameter sphere.
3. Solid barriers 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. Decorative cutouts 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). Decorative cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a $1\frac{1}{4}$ -inch (32 mm) square unless the fence is provided with slats fastened at the top or the 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 be not more than $1\frac{3}{4}$ inches (44 mm).
8. Access gates shall comply with the requirements of items 1 through 7 of Section 421.10.1, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards 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: (a) 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 (b) the gate and barrier shall not have an opening greater than $\frac{1}{2}$ inch (13 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a *dwelling unit* serves as part of the barrier and contains a door that provides direct access to the pool, one of the following shall apply:

- 9.1. All 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 its screen, if present, are opened. The audible warning shall commence not more than 7 seconds after the door and door screen, if present, are opened and shall sound continuously for a minimum of 30 seconds. The alarm shall have a minimum sound pressure rating of 85 dBA at 10 feet (3048 mm) and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones and door bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to deactivate temporarily the alarm for a single opening from either direction. Such deactivation shall last for not more than 15 seconds. The deactivation touchpads or switches shall be located at least 54 inches (1372 mm) above the threshold of the door.
 - 9.2. All doors with direct access to the pool through that wall shall be equipped with a self-closing and self-latching device with the release mechanism located a minimum of 54 inches (1372 mm) above the floor. Swinging doors shall open away from the pool area.
 - 9.3. The pool shall be equipped with a power safety cover. Where in a closed position, the cover shall be capable of holding a weight of 485 pounds (2157 N), shall not have any openings that allow passage of a $4\frac{1}{2}$ -inch (114 mm) sphere and shall incorporate a system to drain standing water that collects on the cover. The cover control switch shall be permanently installed in accordance with NFPA 70 listed in Chapter 35, and be key-operated and of a spring-loaded or momentary-contact type. Where the switch is released, the operation of the cover shall stop instantly and be capable of reversing direction immediately. The switch shall be in the line of sight of the complete pool cover.
10. Where an 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 fixed or removable ladder or steps, the ladder or steps shall be surrounded by a barrier which meets the requirements of items 1 through 9 of Section 421.10.1. A removable ladder shall not constitute an acceptable alternative to enclosure requirements.

421.10 Enclosures for private swimming pools, spas and hot tubs: Private swimming pools, spas and hot tubs shall be enclosed in accordance with Sections 421.10.1 through 421.10.4 or by other approved barriers.

421.10.1 Outdoor private swimming pool: An outdoor private swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following.

1. The top of the barrier shall be at least 48 inches (1219 mm) above finished ground level measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between finished ground level and 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 finished ground level, such as an above-ground pool, the barrier shall be at finished ground level, such as the pool structure, or shall be mounted on top of the pool structure. Where the barrier is mounted on the pool structure, the opening between the top surface of the pool frame and the bottom of the barrier shall not allow passage of a 4-inch (102 mm) diameter sphere.
2. Openings in the barrier shall not allow passage of a 4-inch (102 mm) diameter sphere.
3. Solid barriers 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. Decorative cutouts 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). Decorative cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a $1\frac{1}{4}$ -inch (32 mm) square unless the fence is provided with slats fastened at the top or the 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 be not more than $1\frac{3}{4}$ inches (44 mm).
8. Access gates shall comply with the requirements of items 1 through 7 of Section 421.10.1, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards 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: (a) 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 (b) the gate and barrier shall not have an opening greater than $\frac{1}{2}$ inch (13 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling unit serves as part of the barrier and contains a door that provides direct access to the pool, one of the following shall apply:

- 9.1. All 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 its screen, if present, are opened. The audible warning shall commence not more than 7 seconds after the door and door screen, if present, are opened and shall sound continuously for a minimum of 30 seconds. The alarm shall have a minimum sound pressure rating of 85 dBA at 10 feet (3048 mm) and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones and door bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to deactivate temporarily the alarm for a single opening from either direction. Such deactivation shall last for not more than 15 seconds. The deactivation touchpads or switches shall be located at least 54 inches (1372 mm) above the threshold of the door.
 - 9.2. All doors with direct access to the pool through that wall shall be equipped with a self-closing and self-latching device with the release mechanism located a minimum of 54 inches (1372 mm) above the floor. Swinging doors shall open away from the pool area.
 - 9.3. The pool shall be equipped with a power safety cover. Where in a closed position, the cover shall be capable of holding a weight of 485 pounds (2157 N), shall not have any openings that allow passage of a $4\frac{1}{2}$ -inch (114 mm) sphere and shall incorporate a system to drain standing water that collects on the cover. The cover control switch shall be permanently installed in accordance with NFPA 70 listed in Chapter 35, and be key-operated and of a spring-loaded or momentary-contact type. Where the switch is released, the operation of the cover shall stop instantly and be capable of reversing direction immediately. The switch shall be in the line of sight of the complete pool cover.
10. Where an 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 fixed or removable ladder or steps, the ladder or steps shall be surrounded by a barrier which meets the requirements of items 1 through 9 of Section 421.10.1. A removable ladder shall not constitute an acceptable alternative to enclosure requirements.

SECTION 107.0 APPLICATION FOR PERMIT

107.1 Permit application: An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 108.0.

1. Construct or alter a structure.
2. Construct an *addition*.
3. Demolish or move a structure.
4. Make a *change of occupancy*.
5. Install or alter any equipment which is regulated by this code.
6. Move a *lot line* which affects an existing structure.

107.1.1 Repairs: Application or notice to the code official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or loadbearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety*.

107.2 Form of application: The application for a permit shall be submitted in such *written* form as the code official prescribes and shall be accompanied by the required fee as prescribed in Section 112.0.

107.3 By whom application is made: Application for a permit shall be made by the *owner* or lessee of the building or structure, or agent of either, or by the *registered design professional* employed in connection with the proposed work. If the application is made by a person other than the *owner* in fee, it shall be accompanied by an affidavit of the *owner* or the qualified applicant or a signed statement of the qualified applicant witnessed by the code official or his designee to the effect that the proposed work is authorized by the *owner* in fee and that the applicant is authorized to make such application. The full names and addresses of the *owner, lessee, applicant* and the responsible officers, if the *owner* or lessee is a corporate body, shall be stated in the application.

107.4 Description of work: The application shall contain a general description of the proposed work, the location of the proposed work, the occupancy of all parts of the building or structure and of all portions of the site or *lot* not covered by the building or structure, provisions for *special inspections* required by Section 1705.0, and such additional information as required by the code official.

107.5 Construction documents: The application for permit shall be accompanied by not less than two sets of *construction documents*. The code official is permitted to waive the requirements for filing *construction documents* when the scope of the work is of a minor nature. When the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent used as a substitute for specific information.

107.6 Site plan: The application for permit shall be accompanied by a site plan showing to scale the size and location of all new construction and all existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot.

107.6.1 Private sewage disposal system: The site plan shall indicate the location of a private sewage disposal system where a public sewer is not available. All technical data and soil data required by the private sewage disposal code listed in Chapter 35 shall be submitted with the site plan.

107.7 Engineering details: The code official shall require to be filed adequate details of structural, mechanical and electrical work, including computations, stress diagrams and other essential technical data. All construction documents and engineering computations shall bear the date issued as well as the signature and seal of the registered design professional responsible for the design as required by Section 114.1.

107.8 Amendments to application: Subject to the limitations of Section 107.9, amendments to a plan, application or other records accompanying the same shall be filed at any time before completion of the work for which the permit is sought or issued. Such amendments shall be deemed part of the original application and shall be filed therewith.

107.9 Time limitation of application: An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the code official shall grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

SECTION 108.0 PERMITS

108.1 Action on application: The code official shall examine or cause to be examined all applications for permits and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of all pertinent laws, the code official shall reject such application in *writing*, stating the reasons therefor. If the code official is satisfied that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, the code official shall issue a permit therefor as soon as practicable.

108.2 Suspension of permit: Any permit issued shall become invalid if the authorized work is not commenced within six months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.

108.3 Previous approvals: This code shall not require changes in the *construction documents*, construction or designated use group of a building for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been actively prosecuted within 90 days after the effective date of this code and is completed with dispatch.

SECTION 420.0 MOBILE UNITS

420.1 General: A mobile unit is a structure of vehicular, portable design, built on a chassis and designed to be moved from one site to another, and to be used with or without a permanent foundation. Mobile units shall be designed, constructed and maintained to be transported from one location to another and not mounted on a permanent foundation. A mobile unit placed on a permanent foundation or on foundation piers shall be designed and constructed to comply with all of the requirements of this code for on-site and prefabricated construction.

420.2 Construction: Residential mobile units shall be of an approved design and shall be constructed in accordance with the applicable ordinances and statutes. All other mobile units shall be designed and constructed in accordance with the requirements of this code. All mobile units on a permanent foundation shall be evaluated, inspected and *labeled* in plant in accordance with Section 1703.3.

420.3 Location: Mobile units shall be located in approved spaces. The provisions of this code shall not be construed to repeal, modify or constitute an alternative to any lawful zoning regulations. In case of conflict between this code and any other ordinance or statute, the most rigid requirements shall apply.

420.3.1 Anchorage and tie-down: Every parking space for mobile units shall be provided with devices for anchoring the unit to prevent overturning or uplift. The *owner* of the parking space shall anchor or cause to be anchored all mobile units located on the parking space. Where concrete *platforms* are provided for the parking of mobile units, anchorage shall be provided by eyelets embedded in the concrete with adequate anchor plates or hooks, or other suitable means. The anchorage shall be adequate to withstand wind forces and uplift as required in Chapter 16 for buildings and structures, based upon the size and weight of the units.

SECTION 421.0 SWIMMING POOLS

421.1 General: Swimming and bathing pools shall conform to the requirements of this section, provided that these regulations shall not be applicable to any such pool less than 24 inches (610 mm) deep or having a surface area less than 250 square feet (23.25 m²), except where such pools are permanently equipped with a water-recirculating system or involve structural materials. For the purposes of this code, pools are classified as private swimming pools or public swimming pools, as defined in Section 421.2. Materials and constructions used in swimming pools shall comply with the applicable requirements of this code.

421.2 Definitions: The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

Pools, swimming, hot tubs and spas

Above-ground/on-ground pool: See definition of private swimming pool.

Barrier: A fence, a wall, a building wall, the wall of an above-ground swimming pool or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool.

Hot tub: See definition of private swimming pool.

In-ground pool: See definition of private swimming pool.

Power safety cover: A pool cover which is placed over the water area, and is opened and closed with a motorized mechanism activated by a control switch.

Private swimming pool: Any structure that contains water over 24 inches (610 mm) in depth and which is used, or intended to be used, for swimming or recreational bathing in connection with an occupancy in Use Group R-3 and which is available only to the family and guests of the householder. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

Private swimming pool, indoor: Any private swimming pool that is totally contained within a private structure and surrounded on all four sides by walls of said structure.

Private swimming pool, outdoor: Any private swimming pool that is not an indoor pool.

Public swimming pool: Any swimming pool other than a private swimming pool.

Spa: See definition of private swimming pool.

421.3 Permits and construction documents: A swimming pool or appurtenances thereto shall not be constructed, installed, enlarged or *altered* until *construction documents* have been submitted and a permit has been obtained from the code official. The approval of all city, county and state authorities having jurisdiction over swimming pools shall be obtained before applying to the code official for a permit. Certified copies of these approvals shall be filed as part of the supporting data for the permit application.

421.3.1 Construction documents: *Construction documents* shall accurately show dimensions and construction of the pool and appurtenances and properly established distances to *lot lines*, buildings, walks and fences, as well as details of the *water supply* system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool. Detailed *construction documents* of structures, vertical elevations and sections through the pool showing depth shall be included.

421.4 Locations: Private swimming pools shall not encroach on any front or side yard required by this code or by the governing zoning law, unless in accordance with specific rules of the jurisdiction in which the pool is located. A wall of a swimming pool shall not be located less than 6 feet (1829 mm) from any rear or side property line or 10 feet (3048 mm) from any street property line, unless in accordance with specific rules of the jurisdiction in which the pool is located.

421.5 Structural design: The pool structure shall be engineered and designed to withstand the expected forces to which the pool will be subjected.

421.5.1 Wall slopes: To a depth up to 2 feet 9 inches (838 mm) from the top, the wall slope shall not be more than one unit horizontal in five units vertical (1:5).

421.5.2 Floor slopes: The slope of the floor on the shallow side of the transition point shall not exceed one unit vertical to seven units horizontal (1:7). For public pools greater than 1,200 square feet (111.6 m²), the slope of the floor on the shallow side of the transition point shall not exceed one unit vertical to ten units horizontal (1:10). The transition point between shallow and deep water shall not be more than 5 feet



CITY OF PORTLAND
NOTICE OF VIOLATION

April 30, 2002

Debora L. Hawkes
111 Longview Drive
Portland, ME 04103

RE: 111 Longview Drive
CBL: 387-A-020

Certified Mail Receipt: # 7001 1940 0004 2778 1333

Dear Mr. Hawkes:

An evaluation of your property at 111 Longview Drive on April 11, 2002 revealed that the structure fails to comply with Section 107.1 and 421.10 (1 through 10) of the 1999 BOCA Code of the City of Portland.

Attached is a list of the violations and copies of the referenced Code Sections

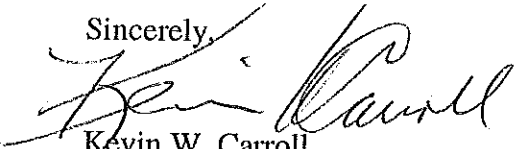
1. This office has no evidence of a building permit for pool deck
2. Pool gate does not meet height / latch requirements BOCA 1999 Section 421.10(1 through 10).
3. Missing graspable handrail @ deck stairs BOCA 1999 1022.2

This is a notice of violation pursuant to Section 116.2 of the Code. All referenced violations shall be corrected within 30 days of the date of this notice. A re-inspection of the premises on May 30, 2002 at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. ss 4452.

This constitutes an appealable decision pursuant to Section 121.1 of the Code. Please feel free to contact me at 874-8708, if you wish to discuss the matter or have any questions.

Please be advised that the Portland City Council has amended the Building regulations to include a \$75.00 re-inspection fee. This violation will automatically cause a re-inspection at no charge. If there are any subsequent inspections, however, the \$75.00 fee will be assessed for each inspection.

Sincerely,


Kevin W. Carroll

Code Enforcement Officer

Attachment: Copy of BOCA 1999 Section 421.10(1) through (10)

/gg

SECTION 107.0 APPLICATION FOR PERMIT

107.1 Permit application: An application shall be submitted to the code official for the following activities, and these activities shall not commence without a permit being issued in accordance with Section 108.0.

1. Construct or alter a structure.
2. Construct an *addition*.
3. Demolish or move a structure.
4. Make a *change of occupancy*.
5. Install or alter any equipment which is regulated by this code.
6. Move a *lot line* which affects an existing structure.

107.1.1 Repairs: Application or notice to the code official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or loadbearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any *standpipe*, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

107.2 Form of application: The application for a permit shall be submitted in such *written* form as the code official prescribes and shall be accompanied by the required fee as prescribed in Section 112.0.

107.3 By whom application is made: Application for a permit shall be made by the *owner* or lessee of the building or structure, or agent of either, or by the *registered design professional* employed in connection with the proposed work. If the application is made by a person other than the *owner* in fee, it shall be accompanied by an affidavit of the *owner* or the qualified applicant or a signed statement of the qualified applicant witnessed by the code official or his designee to the effect that the proposed work is authorized by the *owner* in fee and that the applicant is authorized to make such application. The full names and addresses of the *owner*, lessee, applicant and the responsible officers, if the *owner* or lessee is a corporate body, shall be stated in the application.

107.4 Description of work: The application shall contain a general description of the proposed work, the location of the proposed work, the occupancy of all parts of the building or structure and of all portions of the site or *lot* not covered by the building or structure, provisions for *special inspections* required by Section 1705.0, and such additional information as required by the code official.

107.5 Construction documents: The application for permit shall be accompanied by not less than two sets of *construction documents*. The code official is permitted to waive the requirements for filing *construction documents* when the scope of the work is of a minor nature. When the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent used as a substitute for specific information.

107.6 Site plan: The application for permit shall be accompanied by a site plan showing to scale the size and location of all new construction and all existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot.

107.6.1 Private sewage disposal system: The site plan shall indicate the location of a private sewage disposal system where a public sewer is not available. All technical data and soil data required by the private sewage disposal code listed in Chapter 35 shall be submitted with the site plan.

107.7 Engineering details: The code official shall require to be filed adequate details of structural, mechanical and electrical work, including computations, stress diagrams and other essential technical data. All construction documents and engineering computations shall bear the date issued as well as the signature and seal of the registered design professional responsible for the design as required by Section 114.1.

107.8 Amendments to application: Subject to the limitations of Section 107.9, amendments to a plan, application or other records accompanying the same shall be filed at any time before completion of the work for which the permit is sought or issued. Such amendments shall be deemed part of the original application and shall be filed therewith.

107.9 Time limitation of application: An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the code official shall grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

SECTION 108.0 PERMITS

108.1 Action on application: The code official shall examine or cause to be examined all applications for permits and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of all pertinent laws, the code official shall reject such application in *writing*, stating the reasons therefor. If the code official is satisfied that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, the code official shall issue a permit therefor as soon as practicable.

108.2 Suspension of permit: Any permit issued shall become invalid if the authorized work is not commenced within six months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.

108.3 Previous approvals: This code shall not require changes in the *construction documents*, construction or designated use group of a building for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been actively prosecuted within 90 days after the effective date of this code and is completed with dispatch.

421.10 Enclosures for private swimming pools, spas and hot tubs: Private swimming pools, spas and hot tubs shall be enclosed in accordance with Sections 421.10.1 through 421.10.4 or by other approved barriers.

421.10.1 Outdoor private swimming pool: An outdoor private swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following.

1. The top of the barrier shall be at least 48 inches (1219 mm) above finished ground level measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between finished ground level and 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 finished ground level, such as an above-ground pool, the barrier shall be at finished ground level, such as the pool structure, or shall be mounted on top of the pool structure. Where the barrier is mounted on the pool structure, the opening between the top surface of the pool frame and the bottom of the barrier shall not allow passage of a 4-inch (102 mm) diameter sphere.
2. Openings in the barrier shall not allow passage of a 4-inch (102 mm) diameter sphere.
3. Solid barriers 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. Decorative cutouts 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). Decorative cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a $1\frac{1}{4}$ -inch (32 mm) square unless the fence is provided with slats fastened at the top or the 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 be not more than $1\frac{3}{4}$ inches (44 mm).
8. Access gates shall comply with the requirements of items 1 through 7 of Section 421.10.1, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards 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: (a) 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 (b) the gate and barrier shall not have an opening greater than $\frac{1}{2}$ inch (13 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling unit serves as part of the barrier and contains a door that provides direct access to the pool, one of the following shall apply:

- 9.1. All 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 its screen, if present, are opened. The audible warning shall commence not more than 7 seconds after the door and door screen, if present, are opened and shall sound continuously for a minimum of 30 seconds. The alarm shall have a minimum sound pressure rating of 85 dBA at 10 feet (3048 mm) and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones and door bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to deactivate temporarily the alarm for a single opening from either direction. Such deactivation shall last for not more than 15 seconds. The deactivation touchpads or switches shall be located at least 54 inches (1372 mm) above the threshold of the door.
 - 9.2. All doors with direct access to the pool through that wall shall be equipped with a self-closing and self-latching device with the release mechanism located a minimum of 54 inches (1372 mm) above the floor. Swinging doors shall open away from the pool area.
 - 9.3. The pool shall be equipped with a power safety cover. Where in a closed position, the cover shall be capable of holding a weight of 485 pounds (2157 N), shall not have any openings that allow passage of a $4\frac{1}{2}$ -inch (114 mm) sphere and shall incorporate a system to drain standing water that collects on the cover. The cover control switch shall be permanently installed in accordance with NFPA 70 listed in Chapter 35, and be key-operated and of a spring-loaded or momentary-contact type. Where the switch is released, the operation of the cover shall stop instantly and be capable of reversing direction immediately. The switch shall be in the line of sight of the complete pool cover.
10. Where an 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 fixed or removable ladder or steps, the ladder or steps shall be surrounded by a barrier which meets the requirements of items 1 through 9 of Section 421.10.1. A removable ladder shall not constitute an acceptable alternative to enclosure requirements.

self-closing doors and the equivalent of 1/4-inch-thick wired glass in steel frames.

1020.4 Exit discharge lobby: Where an *exit stairway* discharges into an interior exit discharge lobby located at the level of exit discharge, the story containing the exit discharge lobby shall be equipped throughout with an automatic sprinkler system installed in accordance with Section 906.2.1 or 906.2.2. Opening protectives shall be required in accordance with Table 717.1 where an enclosed *exit stairway* discharges into an exit discharge lobby.

Exception: An automatic sprinkler system is not required in portions of the story that are separated from the exit discharge lobby by fire separation assemblies (see Section 709.0) having a fire resistance rating of not less than that required for the *exit stairways* that discharge into the exit discharge lobby.

1020.5 Width and height: The clear width of exit passageways, exit discharge vestibules and exit discharge lobbies shall not be less than the width required for the capacity of the *exit stairway* leading thereto and all required *exit* doorways opening into the exit passageway, exit discharge vestibule or exit discharge lobby. Exit passageways, exit discharge vestibules, and exit discharge lobbies shall have a minimum width of 44 inches (1118 mm) and a minimum clear ceiling height of 8 feet (2438 mm).

1020.6 Limitations: Not more than 50 percent of the required number of *exits*, nor more than 50 percent of the required exit capacity, shall discharge through areas on the level of exit discharge.

SECTION 1021.0 GUARDS

1021.1 Design and construction: Where required by the provisions of Sections 406.5, 408.3.2, 1005.5, 1014.7, 1016.5 and 1825.5, guards shall be designed and constructed in accordance with the requirements of this section and Section 1606.4.

1021.2 Height: The guards shall be at least ^{Req - 36} 42 inches (1067 mm) in height measured vertically above the leading edge of the tread or adjacent walking surface.

Exception: Guards along open-sided floor areas and along stairs located less than 30 inches (762 mm) above the floor or grade below shall not be less than 36 inches (914 mm) in height.

1021.3 Opening limitations: In occupancies in Use Groups A, B, E, H-4, I-1, I-2, M and R, and in *public garages* and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4 inches (102 mm) cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect.

Exceptions

1. The triangular openings formed by the riser, tread and bottom rail at the open side of a *stairway* shall be of a maximum size such that a sphere 6 inches (152 mm) in diameter cannot pass through the opening.
2. At elevated walking surfaces for access to and utilization of electrical, mechanical, or plumbing systems or equipment, guards shall have balusters or be of solid

materials such that a sphere with a diameter of 21 inches (533 mm) cannot pass through any opening.

In occupancies in Use Groups I-3, F, H-1, H-2, H-3, S (other than *public garages* and open parking structures), and along open-sided floor areas located less than 30 inches (762 mm) above the floor or grade below, balusters, horizontal intermediate rails or other construction shall not permit a sphere with a diameter of 21 inches (533 mm) to pass through any opening.

1021.4 Railings: Metal or other approved noncombustible railings shall be provided on balconies and galleries as prescribed in Sections 1021.4.1 through 1021.4.3.

1021.4.1 At fascia: Railings shall be provided at the fascia of boxes, balconies and galleries and shall not be less than 26 inches (660 mm) in height; at the end of aisles extending to the fascia for the full width of the aisle and shall not be less than 36 inches (914 mm) in height; and at the foot of steps for the full width of the steps and shall not be less than 42 inches (1067 mm) in height.

1021.4.2 At cross aisles: Railings shall be provided along cross aisles, and shall not be less than 26 inches (660 mm) in height except that railings are not required where the backs of the seats along the front of the aisles project 24 inches (610 mm) or more above the floor of the aisle.

1021.4.3 Successive tiers: Where seatings are arranged in successive tiers, and where the height of rise between *platforms* exceeds 18 inches (457 mm), railings not less than 26 inches (660 mm) in height shall be provided along the entire row of seats at the edge of the *platform*.

SECTION 1022.0 HANDRAILS

1022.1 General: Where required by the provisions of Sections 1012.5, 1013.0, 1014.6.6.1, 1014.7 and 1016.5, handrails shall be designed and constructed in accordance with this section and Section 1606.4.

1022.2 Handrail details: Handrails shall be continuous, without interruption by newel posts, other structure elements or obstructions. A handrail and any wall or other surface adjacent to the handrail shall be free of any sharp or abrasive elements. The clear space between the handrail and the adjacent wall or surface shall not be less than 1 1/2 inches (38 mm), except that the clear space shall not be less than 2 1/4 inches (57 mm) for *stairways*. Edges shall have a minimum radius of 1/8 inch (3 mm).

Exception: Handrail brackets or balusters attached to the bottom surface of the handrail and which do not project horizontally beyond the sides of the handrail within 1 inch (25 mm) of the bottom of the handrail shall not be considered to be obstructions.

1022.2.1 Projection: Handrails shall not project more than 3 1/2 inches (89 mm) into the required passageway, aisle, *corridor* or ramp width, and not more than 4 1/2 inches (114 mm) into the required *stairway* width. Handrails shall not reduce the clear width of a ramp to less than 36 inches (914 mm).