



LOWER NAZARETH TOWNSHIP PLANNING & ZONING OFFICE

623 MUNICIPAL DRIVE, SUITE 200

NAZARETH, PA 18064

TELEPHONE: 610-759-7434

FAX: 610-746-3317

Above Ground Swimming Pool Submission Checklist

- 1 cc of Permit Application, signed the Property Owner and Applicant, if not the Property Owner
- 4 cc of plot plan of location of pool on property, showing dimensions to property lines, septic system, and house
- 2 cc of Pool specifications, including dimensions and type of pool construction
- 2 cc of Electrical information, i.e. heaters, pumps, filters, etc.
- 2 cc of Ladder information
- 1 cc of signed Barrier System Acknowledgement Form
- 1 cc of current Insurance Certificate for contractor installing the pool, **showing proof of Worker's Compensation insurance**
- 1 check for \$360.00 for Building Permit, payable to "Lower Nazareth Township"
- 1 check for \$50.00 for Zoning Permit, payable to "Lower Nazareth Township"

If the pool wall is less than 48" or the distance from the top of pool wall to ground level is less than 48" at any point, you must also provide:

- 2 cc of Fence Specifications including style, finished height, gate system, hinge system, and latch mechanisms, along with a plan showing the proposed location of the fence on the property.

Please Note!

Once a complete application has been received, the Township has, by law, up to 15 business days to approve/deny your application. Please account for this timeframe when planning your project. If your permit is approved in advance of the 15th day or additional information is required to process the permit, we will contact you accordingly.

Resubmissions:

* Building Permit – \$75 (minimum)



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623 Municipal Drive, Suite 200
Nazareth, PA 18064
Ph. 610-759-7434/Fax 610-746-3317

TOWNSHIP USE ONLY

Permit # _____

Approve/Deny By _____

Received Stamp

POOL/HOT TUB PERMIT APPLICATION

LOCATION OF PROPOSED WORK OR IMPROVEMENT

Address _____ Tax Map Id# (If Known) _____

RESPONSIBLE PARTIES

Is This Application Being Made By The Property Owner? Yes No → If Not, Then By Whom? Tenant Contractor Other

Applicant _____ Email Address: _____

Address _____

Phone #: (_____) _____ Alternate Phone #: (_____) _____ Fax #: (_____) _____

Property Owner: _____ Email Address: _____

Same as Applicant

Address: _____

Phone #: (_____) _____ Alternate Phone #: (_____) _____ Fax #: (_____) _____

Contractor: _____ Email Address: _____

Not Applicable Property Owner

Address: _____

Phone #: (_____) _____ Alternate Phone #: (_____) _____ Fax #: (_____) _____

Worker's Compensation Certificate Required Attached Yes No (Permit will not be released without proof of Worker's Compensation Insurance)

Architect or Engineer: _____ Email Address: _____

Not Applicable

Address: _____

Phone #: (_____) _____ Alternate Phone #: (_____) _____ Fax #: (_____) _____

Complete Items A Thru E as they apply to this permit and the property in question:

A. BUILDING PERMIT is requested for:

- Above Ground Pool In-Ground Pool w/fence
- Hot Tub Accessory Building +500 s.f.
- Other _____

B. ZONING/GRADING PERMIT is requested for:

- In-Ground Pool Above Ground Pool Fence
- Pool Deck Accessory Building
- Other _____

C. PROPOSED IMPROVEMENTS:

Pools: Above Ground Pool Diameter (Ft) _____ Depth Of Pool _____ (Ft)
In Ground Length (Ft) _____ X Width (Ft) _____ = **Total Area of Pool** _____ Depth Of Pool _____ (Ft)
 Type of Construction: Concrete Liner Fiberglass Metal Other _____

Barrier Protection: Fence Height: _____ Number of Gates: _____ Door Alarm System Yes No

Patios, Decks, & Walkways: Not Applicable Height above Grade _____ Material _____
Length _____ x Width _____ Total Sq. Ft. _____

Accessory Structures: Not Applicable

Structure Length (Ft) _____ X Width (Ft) _____ = **TOTAL AREA OF THE STRUCTURE** _____ s.f.

Height: Structure Height _____ (Ft) Number Of Stories _____


D. PROPOSED SETBACKS & LOT COVERAGE:

New Impervious Coverage _____ s.f. Existing Building/Impervious Coverage _____ s.f. Total Impervious Coverage _____ s.f.

Pool Setback from Property Line: Rear Yard (Ft) _____ Left Side Yard (Ft) _____ Right Yard _____ (Ft)
 From Septic (Ft) _____ From Rear of Dwelling (Ft) _____

Fence Setback from Property Line: Rear Yard (Ft) _____ Left Side Yard (Ft) _____ Right Yard _____ (Ft)

E. ESTIMATED COST OF CONSTRUCTION \$ _____ (To The Nearest Dollar)

SITE OR PLOT PLAN <i>(For Applicant Use)</i> <input type="checkbox"/> <i>Check here if separate document(s) attached</i>


The Applicant certifies that all information on this application is correct and the work will be completed in accordance with the “approved” construction documents, PA Act 45 (Uniform Construction Code) and any additional building code requirements adopted by Lower Nazareth Township. The property owner and Applicant assume the responsibility of located all property lines, setback lines, easements, rights-of-way, flood areas, etc. Issuance of a permit and approval of construction documents shall not be construed as authority to violate, cancel or set aside any provisions of the codes or ordinances of Lower Nazareth Township or any other governing body. The Applicant certifies he/she understands all the applicable codes, ordinances, and regulations. The application, together with plans and attachments, are made part of this application by the undersigned. The Applicant and owner also agree they are responsible for the replacement of any township road to township standards, which are damaged during the building of the permitted structure or improvement.

Per Sections 403.43(a) and 403.63(a) of Act 45, the Applicant agrees to extend the required action period for 5 business days for any Building Permits that require Zoning/Grading Permit issuance.

Per Section 403.43(m) and 403.63(k) of Act 45, the Applicant shall submit all required fees of the permit, or the permit will be deemed invalid and the application denied.

By signing this application, authorization is granted to any municipal representative of Lower Nazareth Township to access the above property as stated within this application at any reasonable hour; to inspect and verify that any proposed use and/or structure contained within this application and/or that exists on the above property complies with all Lower Nazareth Township ordinances; and states that the information provided on this application by the Applicant(s) and owner(s) is true and correct to the best of their knowledge or belief. The Applicant hereby acknowledges that Lower Nazareth Township and their assigns are the sole producer of construction inspection services for Lower Nazareth Township.

The Applicant also understands that occupancy of the structure will not take place until both building construction and grading construction are completed as per the permit application and approved plan.

SIGNATURE OF APPLICANT(S) _____ **DATE** _____

SIGNATURE OF PROPERTY OWNER(S) _____ **DATE** _____

DO NOT WRITE BELOW THIS LINE

OFFICE USE ONLY

DATE APPLICATION RECEIVED _____

ISSUED BY: _____ ZONING ADMINISTRATOR and/or BUILDING CODE OFFICIAL

PERMIT FEES		
Bldg Permit Fee	\$	<input type="checkbox"/> Cash <input type="checkbox"/> Check _____ Receipt # _____
Twp Admin & Education Fee	\$	
TOTAL BUILDING PERMIT FEES	\$	
Zoning/Grading Permit Fee	\$	<input type="checkbox"/> Cash <input type="checkbox"/> Check _____ Receipt # _____

FEE CALCULATION: _____



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PENNSYLVANIA WORKERS COMPENSATION INSURANCE COVERAGE INFORMATION AFFIDAVIT

PLEASE READ DIRECTIONS CAREFULLY BEFORE FILLING OUT THIS FORM.

A Building or Zoning Permit will not be issued by Lower Nazareth Township until this form is completed properly.

Please complete all sections. All blank spaces must be completed with the requested information and boxes must be checked as they pertain to Contractor status with the Pennsylvania Workman's Compensation Insurance Law.

If you are SELF-EMPLOYED or claiming a religious exemption, this form must be signed in front of a NOTARY PUBLIC.

NOTE: This form will only be maintained in the Lower Nazareth Township records for one (1) YEAR after the Building/Zoning Permit is issued. It is the responsibility of the contractor to renew this permit yearly. If the contractor wishes to provide a certificate of insurance, the contractor must notify their insurance company that Lower Nazareth Township is to be named as the policy certificate holder on the certificate.



CONTRACTOR WORKER'S COMPENSATION AFFIDAVIT

Property Owner performing own work. I own this property and will perform all work myself. If I do hire contractors or employees to perform any work under the building permit issued in connection herewith, I, or my contractor will provide proof of worker's compensation insurance immediately. **(NO Notary Required)**

Contractor will perform work.

Name of Contractor _____

Title of Company _____

Address _____

City _____ State _____ Zip Code _____

Phone# (____) _____ Fax # (____) _____ Federal ID Number: _____

Choose only one of the following:

Contractor Certificate of Insurance. Attached hereto is my Certificate of Insurance or self-insurance evidence compliant with Pennsylvania's Worker's Compensation Law, which insurance or self-insurance remains in full force and effect. **(NO Notary Required)**

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Contractor is self-employed and has no employees. As contractor, I will perform all work required in connection with this permit myself. I have no employees and will use no subcontractors. I understand that I am prohibited by law from employing any individual to perform work under the permit issued in connection herewith, unless I provide proof of insurance to Lower Nazareth Township. After receipt of the permit, if I employ any other persons, I agree to notify Lower Nazareth Township and immediately provide proof of workers compensation coverage (NOTARY REQUIRED).

Contractor is self-employed and uses subcontractors. I have no employees and will use only subcontractors in performing the work under the permit issued in connection herewith. Prior to commencement of the work I have been provided with evidence or workers' compensation insurance coverage for each subcontractor I will use in performing the work. Alternately, I have been provided with evidence that non-covered subcontractors have no employees and I will not allow them to use employees on the job unless further evidence or worker's compensation coverage is provided to me **(NOTARY REQUIRED)**.

Religious Exemption. All of my employees who will perform work under the permit issued in connection herewith are exempt on religious grounds under Section 304.2 of the Worker's Compensation Act. By way of further explanation, I state the following: _____ **(NOTARY REQUIRED)**

I agree that my failure to comply with the matters set forth in this Affidavit will result in a STOP WORK ORDER and it may not be lifted until proper Worker's Compensation coverage is obtained, or until further proof or exemption is submitted. I further agree that should any required Worker's Compensation coverage terminate during the progress of the work, that I will immediately notify Lower Nazareth Township and understand a STOP WORK ORDER will be issued until coverage is reinstated. My signature on this form constitutes my verification that the statements contained here are true, and that I am subject to the penalty of 18 Pa. C.S.A. 94904 relating to unsworn falsifications to Lower Nazareth Township Municipal representatives or authorities.

Contractor
Signature _____

Name (Please Print) _____

Date _____

NOTARY REQUIRED

Subscribed and sworn to before me this

_____ day of 20____ seal

(Signature of Notary Public)

My Commission expires: _____



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SWIMMING POOL OR SPA APPLICATION BARRIER SYSTEM ACKNOWLEDGEMENT AND WAIVER OF DAMAGES

- A. Please indicate the style of barrier system to be used with the proposed pool.
- The fence or barrier system will completely surround the pool on all four sides. Check this box and go to B.
 - A wall of the dwelling will serve as a part of the barrier system. I will be installing the necessary UL 2017 listed window and door alarms and will be including the necessary specification sheet with the permit submittal. I understand that this equipment must be installed and operational for the required final inspection.
- B. I, (we) acknowledge that I have read and understand the 2015 International Swimming Pool and Spa Code. I, (we) the owner of record, shall maintain all safety standards associated with this pool to include any and all fences, barriers, locking covers, audible alarms, locking doors, gates and the like, as required by recognized codes, standards, and the Use and Occupancy Certification; and hereby hold Lower Nazareth Township and their agents harmless for any and all damages or responsibilities that may occur as a result of or associated with this pool.

We agree that we **will not** fill the pool/hot tub with more than 24" of water until the proper barriers have been installed for the pool/hot tub **and** it has been inspected by Lower Nazareth Township's third party inspection agency. Furthermore, we agree that we will not use the pool/hot tub until final inspections have been received.

Signature of Owner of Record

Date

Address:

Parcel #:

SWIMMING POOL, HOUSEHOLD

Excerpted from the *2001 Lower Nazareth Township Zoning Ordinance, Article XV, ADDITIONAL REQUIREMENTS FOR SPECIFIC USES, Section 1503, Additional Requirements for Accessory Uses*

Section 1503.F.20., Swimming Pool, Household. (referred hereafter as "pool")

- a. A building permit shall be required to locate or construct a noncommercial swimming pool.
- b. The pool shall not involve any commercial use.
- c. Enclosure Around In-Ground Pools. A new or existing in-ground pool shall be completely surrounded by a secure fence, wall, portion of a building and/or similar enclosure not less than 4 feet in height above the surrounding the existing ground level. This enclosure shall be constructed to make it impenetrable for small children to climb up or slip through the enclosure. All gates or door openings through such enclosure (other than a door to a building) shall be self-closing and include a self-latching device on the pool side for keeping the gate or door securely closed times when not in use.
- d. Enclosure Around Above Ground Pool. Any existing or new above ground pool shall include a secure fence, wall or other enclosure a minimum of 4 feet high above the surrounding ground level. This enclosure may include the walls of the pool itself. Such pools shall be equipped with an access ladder that can be raised and locked in a position so that it is a minimum of 4 feet above the surrounding ground level or otherwise completely inaccessible to children when the pool is unattended. All decks attached to an above ground pool shall be required to be 4' in height above the existing ground level and shall have a ladder that can be raised and locked in a position so that it is a minimum of 4 feet above the surrounding ground level or otherwise completely inaccessible to children when the pool is unattended.
- e. Location. A pool and any deck or shelter that is elevated above the surrounding ground level shall meet the applicable setback requirement for an accessory building. Patios around pools that are level with the average surrounding ground level are not required to meet setbacks. Where practical, a pool shall be located to the rear of a dwelling. A pool is not permitted within a required front yard. The water surface of a pool shall be setback a minimum of 15 feet from all lot lines and shall not be located under or within 20 feet of overhead electrical lines or over a water or sewer easement or within 10 feet of a septic tank or primary or alternate septic drain field.
- f. Drainage. A proper method shall be provided for drainage of the water from the pool that will not overload or flood any: a) on-lot septic system or b) portion of a building or property not owned by the owner of the pool. A pool shall not be located so as to interfere with the operation of a well or on-lot septic system.
- g. The Township may establish an inspection fee to assure compliance with this Ordinance and shall require that the applicant call for a final inspection of the pool by the Township

prior to use. The Township does not assume responsibility for guaranteeing to the public that all new and existing pools fully comply with these provisions.

- h. Water Service. Any inlet from a central water system shall be above the overflow level of the pool. If the water for a pool is supplied by a private water system, there shall be no crossed connection with the central water system.
- i. Nuisances. A pool shall not include illumination of adjacent residential properties beyond what is customary in a residential neighborhood. A pool shall also not include the playing of a radio or recorded music at a volume louder than is necessary for the convenient hearing of persons at the pool.
- j. All in-ground pools must comply with the current Township Building Code ordinance as amended for construction of the pool.

ARTICLE II, DEFINITION

Swimming Pool, Private. A man-made area with walls of man-made materials intended to enclose water at least 48 inches deep for bathing or swimming and that is intended to serve the residents of only 1 dwelling unit and their occasional guests.

Note: Any swimming pool with at least 24” inches of water shall comply with the PA Uniform Construction Code, and therefore all permitting requirements of Lower Nazareth Township.

FENCES AND WALLS

Excerpted from the *2001 Lower Nazareth Township Zoning Ordinance, Article XV, ADDITIONAL REQUIREMENTS FOR SPECIFIC USES, Section 1503.F.5, Additional Requirements for Accessory Uses, Fences and Walls*

5. Fences and Walls.

- a. Unless otherwise stated, these uses shall be allowed in all Districts.
- b. Sight Distance. No fence or wall shall obstruct the sight distance requirements of Section 1404.C., nor obstruct safe sight distance within an alley.
- c. Fences
 - (1) Any fence located in the front yard of a use in the residential districts shall have a minimum ratio of 3:1 of open to structural areas, shall not exceed 5 feet in height and shall be constructed entirely of wood (and any required fasteners).
 - (2) Fences shall not be required to comply with the rear and side yard setbacks for accessory structures, unless the fence would abut a public street.
 - (3) A fence located in a residential district in a location other than a front yard shall have a maximum height of 6 feet. This restriction shall not apply to a fence of up to 10 feet which may be used to enclose a tennis or racquet sport court provided that such fence is not within a required setback area for an accessory structure.
 - (4) A fence shall not be required to comply with accessory structure setbacks, except that no fence shall be built within 10 feet of the future right-of-way line of a street and a fence in a residential district shall be setback from the property line the following distances:
 - i. Single Family Dwelling – 1.5 feet
 - ii. Townhouses, common side lot line – no setback
Townhouses, other side yard – 1.5 feet
 - iii. Semi-detached dwellings, common side lot line – no setback
Semi-detached dwellings, other side yard – 1.5 feet
 - (5) No fence shall be located within the paved area setback required under Section 1703.
 - (6) Any fence that has one side that is smoother and/or more finished than a second side shall place that smoother and/or more finished side so that it faces away from the area that is enclosed.

- (7) No fence shall be located in an access, drainage or utility easement unless approved by the Board of Supervisors. The permittee must agree to be responsible for all legal costs incurred by the creation and approval of an Easement Agreement with the Township and recorded in the Office for the Recording of Deeds in and for Northampton County, if approved.
 - (8) No part of this Ordinance shall prohibit a developer from establishing Deed restrictions or homeowner association regulations that further restrict the height, location and material of fences in addition to those set forth herein.
- d. Walls -
- (1) Engineering retaining walls necessary to hold back slopes are exempted from setback regulations and the regulations of this section and are permitted by right as needed in all Districts.
 - (2) No wall shall be located in the required front yard in a residential district, except as a backing for a permitted sign at an entrance to a development and except for a decorative wall with a maximum height of 3 feet.
 - (3) A wall in a residential district shall have a maximum height of 1 foot for every 2 feet if it is setback from a lot line, up to a maximum height of 6 feet.
 - (4) Walls that are attached to a building shall be regulated as a part of that building, and the regulations of this Section shall not apply.
- e. Gates. All fences, walls or continuous hedges more than 4 feet in height shall be equipped with gates or other suitable passageways at intervals of not more than 250 feet.

Article II, DEFINITIONS

Fence. A man-made barrier placed or arranged as a line of demarcation, an enclosure or a visual barrier and that is constructed of wood, chain-link metal or aluminum and/or plastic inserts. Man-made barriers constructed principally of brick, concrete, cinder block or similar materials shall be considered "walls." The term "wall" does not include engineering retaining walls, which are permitted uses as needed in all Districts. The terms "fence" and "wall" do not include barriers of trees or shrubs. Fences shall not contain materials such as barbed wire or have potentially dangerous features such as spikes.

Wall. See "Fence".

ARTICLE V

LDR LOW DENSITY RESIDENTIAL DISTRICT

501. PURPOSE. To provide for the orderly expansion of areas that offer neighborhoods of single family detached houses at a low density. To carefully protect these areas from uses that may not be fully compatible.

502. PERMITTED BY RIGHT USES. Only the following uses are permitted by right in the LDR District, provided that the requirements for specific uses in Article XV are met:

A. The following principal uses:

1. Single Family Detached Dwelling (includes Mobile/manufactured home*)
2. Crop Farming
3. Swimming Pool, Public or Semi-Public*
4. Publicly-owned Recreation
5. Wildlife Sanctuary
6. Commercial Forestry*
7. Township-owned Use

*See additional requirements in Section 1502.

B. The following accessory uses, within the requirements of Section 1503:

1. Home Office**
2. Accessory Use or Structure clearly customary and incidental to a permitted by right, approved special exception or conditional use.
3. Swimming Pool, Private**
4. Recreational Facilities limited to use by residents of a development and their occasional guests.
5. Essential Services**
6. Accessory Use or Structure permitted under Section 1503.C.**

503. SPECIAL EXCEPTION USES. Only the following uses are permitted by special exception in the LDR District, provided that the requirements for specific uses in Article XV are met:

A. Home Occupation**

**See additional requirements in Section 1503.

504. CONDITIONAL USES. Only the following uses are permitted conditional uses in the LDR District, provided that the requirements for specific uses in Article XV are met:

- A. Public or Private Primary or Secondary School* (with an expansion of an existing school permitted by right)
- B. Emergency Service Station* (with expansion of an existing station permitted by right)
- C. Golf Course*
- D. Place of Worship*
- E. Cemetery*
- F. Cluster Development***

*See additional requirements in Section 1502.

**See additional requirements in Section 1503.

***See additional requirements in Article XX.

505. LOT AND SETBACK REGULATIONS. Lot and setback regulations for uses in the LDR District shall be as follows; unless a more restrictive requirement is stated in Article XV for a particular use or elsewhere in this Ordinance. See definitions of these terms in Article II.

A. Minimum Lot Area

- Residential with both public water & sewer – 22,000 square feet
- Non- residential with both public water & public sewer – 43,560 square feet
- Any use with public water & no public sewer – 43,560 square feet
- Any use with public sewer & no public water – 43,560 square feet
- Any use with neither public water & nor public sewer – 65,340 square feet

	<u>Residential Use with both public water and public sewer</u>	<u>Any Use without both public water and public sewer</u>
B. <u>Minimum Lot Depth</u>	150 feet	180 feet
C. <u>Minimum Lot Width</u>		
1. at minimum front yard setback line	100 feet	150 feet
2. at future street right-of-way line	40 feet	40 feet
3. except: for any newly created lot with a new driveway entering directly onto an arterial street	150 feet	300 feet

- D. Maximum Building Coverage. 30%
- E. Maximum Impervious Coverage. 45%
- F. Minimum Front Yard Building Setbacks. 30 feet, for principal and accessory structures, except:
Variation. Up to 50 percent of the principal residential buildings may be located up to 5 feet forward of the front yard building setback line, provided that an equal or greater number of principal residential buildings in the same stage of construction will be 5 feet or greater behind the front yard building setback line. This variation shall only be permitted if approved at the time of approval of the subdivision plan.
- G. Minimum Side Yard Setback. 15 feet for principal structures, (each of 2 side yards) 10 feet for accessory structures and uses. Corner lots - See Section 1404.B.
- H. Minimum Rear Yard Setback . 40 feet for principal structures, 10 feet for accessory structures or uses.
- I. Maximum Height. 2-1/2 stories or 35 feet, whichever is less
- J. Minimum Setback from Industrial District Boundary or Existing Industrial/Commercial Use. 150 feet for any new principal residential building
- K. Setback from Arterial Streets. 40 feet, for all principal buildings from the future right-of-way line.
- L. Minimum Width and Length of Dwellings. 16 feet
- M. One Use. No lot shall include more than one principal use

506. ADDITIONAL REQUIREMENTS.

- A. Parking. See Article XVII.
- B. Signs. See Article XVIII.
- C. Site Plan Review. See Section 1411.A. Site Plan review by the Planning Commission is required for nonresidential building expansions and parking lots.
- D. Condominium Ownership. See Section 1419.