

# **BERNALILLO COUNTY**

Planning & Development Services  
111 Union Square SE, Suite 100  
Albuquerque, NM 87102  
(505) 314-0350 Fax: (505) 314-0480  
[www.bernco.gov](http://www.bernco.gov)



## **SWIMMING POOL PACKET**

*This packet contains:*

- Building Permit Application
- Plans & Detail Requirements
- Building Permit for Swimming Pools (Public Works)
- Pool Barrier Responsibility Statement
- Natural Resources Services Pool Permit Application Review





# Bernalillo County Planning & Development Services

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## Building Permit Application

### Site Information

Site Address: \_\_\_\_\_  
UPC No.: \_\_\_\_\_ Lot No.: \_\_\_\_\_ Block: \_\_\_\_\_  
Tract: \_\_\_\_\_ Parcel: \_\_\_\_\_  
Subdivision: \_\_\_\_\_ Unit No.: \_\_\_\_\_  
Owner: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Owner Address: \_\_\_\_\_

**Type of Application** Type of Permit: \_\_\_\_\_ (Official Use Only)

**Homeowner Permit**   
(Must have Homeowner Responsibility Form)

**General Contractor**   
(Provide "Contractor Information" Below)

New Construction  Addition  Modular  Alteration/Repair  Demolition

Wall (over 6')  Sign (over 6')  Solar Array  Swimming Pool

Proposed Project and use: \_\_\_\_\_  
\_\_\_\_\_

### Contractor Information

Business Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Qualifying Party: \_\_\_\_\_ NM License No.: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ NM License Type: \_\_\_\_\_  
Contact Mobile No.: \_\_\_\_\_ Email: \_\_\_\_\_

### Construction Data

No. of Stories: \_\_\_\_\_ Area of Footprint: \_\_\_\_\_

Valuation of Work: \_\_\_\_\_  
(Final valuation to be set by Building Official, 2015 IBC, Sec 109.3)

Area Calculations: (For Structures Proposed Under IRC)\*

Heated Area: \_\_\_\_\_

Garage Area: \_\_\_\_\_

Carport, Porches, Patios: \_\_\_\_\_

Total Area: \_\_\_\_\_

**\*For structures proposed under the IBC provide information on reverse side**

**Project Architect**

Firm: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Contact Phone No.: \_\_\_\_\_

**Project Engineers**

Civil: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Structural: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Electrical: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Mechanical: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Plumbing: \_\_\_\_\_ Phone No.: \_\_\_\_\_

**Structure Design Information**

Occupancy Group: \_\_\_\_\_ Type of Construction: \_\_\_\_\_

(If mixed occupancy, indicate each occupancy group proposed)

Area Calculations: \_\_\_\_\_

(If mixed occupancy, indicate total area of each occupancy group proposed)

Total Area of Proposed: \_\_\_\_\_

Proposed Occupant Load: \_\_\_\_\_

(If mixed occupancy, indicate proposed occupant load for each occupancy group proposed)

Total Occupant Load of Proposed: \_\_\_\_\_

**Owner Acknowledgment:**

***By signing I acknowledge that I am the owner of record for the above mentioned property, and authorize the contractor or agent listed above to make application for permit as well as to handle all things in regards to the proposed project on my property as proposed herein, and I authorize Bernalillo County staff to conduct necessary inspections on my property as related to this permit application.***

***Signature:*** \_\_\_\_\_ ***Date:*** \_\_\_\_\_

**Permit Holder:**

***I agree and I understand that the issuance of this and any subsequent permits does not prevent the Bernalillo County Public Works Division, Environmental Health Department, Fire Marshall or the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) from requiring additional compliance with the provisions of the respective codes and/or ordinances.***

***Signature:*** \_\_\_\_\_ ***Date:*** \_\_\_\_\_



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## BERNALILLO COUNTY POOL PERMIT REQUIREMENTS

### 1. PLANS & SPECIFICATIONS

Plans and Specifications shall be drawn to scale and prepared upon suitable paper (minimum of 11x17) and shall be of sufficient clarity to indicate in detail the location, nature and extent of the work proposed. Plans must bear NM licensed architect or engineers stamp signed & date. The Applicant shall provide all information listed below, as is applicable to the proposed project, and submit one (1) copy of the plot plan and one (1) copy of all other drawings and an electronic copy of plans.

#### A. **PLOT PLAN:**

This plan shall provide the owners name, site address, legal description (subdivision, lot and block numbers), Uniform Property Code (UPC), distance from property lines and any existing structures to proposed construction, location of water supply and liquid waste disposal.

#### B. **PUBLIC WORKS FORM** (see attached)

#### C. **HOLD HARMLESS AFFIDAVIT** (see attached)

#### D. **POOL BARRIER RESPONSIBILITY STATEMENT** (see attached)

### 2. PLAN CORRECTIONS & AUTHORIZATION

Corrections on Architect or Engineer (A/E) certified plans shall be made only by the individual or his agent, having written authorization from the A/E. Authorization is required in written form whenever the plans are to be submitted or picked up by anyone other than the owner, contractor, architect or engineer.

### 3. AGENCY ADDRESSES & OFFICE HOURS

Bernalillo County Planning & Development Services  
111 Union Square St. SE Suite 100  
Albuquerque New Mexico 87102  
Phone: 314-0350

Bernalillo County Public Works Department  
2400 Broadway SE  
Albuquerque New Mexico 87102  
Phone: 848-1500

Bernalillo County  
Natural Resource Services  
111 Union Square SE, Suite 100 Albuquerque,  
NM 87102 Phone (505) 314-0375  
Fax (505) 462-9833

Bernalillo County Floodplain Administrator  
2400 Broadway SE  
Albuquerque New Mexico 87102  
Phone: 848-1514





# BUILDING PERMIT FOR SWIMMING POOLS

**BERNALILLO COUNTY  
PUBLIC WORKS DIVISION  
Permit Section  
2400 Broadway SE  
Albuquerque, NM 87102  
505-848-1500  
FAX 505-848-1510**

Building Permit # \_\_\_\_\_ Public Works Permit # \_\_\_\_\_  
Contractor \_\_\_\_\_  
Homeowner Name \_\_\_\_\_ Contact Person \_\_\_\_\_  
Homeowner No. \_\_\_\_\_ Phone No. \_\_\_\_\_  
Site address, owner name, phone number for placement of excavated material \_\_\_\_\_

Pool Site Address \_\_\_\_\_  
Legal Description: Lot \_\_\_\_\_, Block \_\_\_\_\_ Subdivision \_\_\_\_\_

### **Procedure to obtain a Building Permit for a Swimming Pool.**

1. Contact Bernalillo County Public Works Division Development Review Section at 848-1500 to arrange a site visit with a Development Review Inspector at the site of the proposed swimming pool AND attach a Site Plan with this form.  
Site plan requirements are as follows:
  - general site plan indicating the location of the pool
  - property line and structure setbacks from the proposed pool
2. If the Inspector determines that a Grading and Drainage Plan will not be required. Complete the "HOLD HARMLESS AFFIDAVIT AND VARIANCE REQUEST FOR SWIMMING POOL" and return this form together with the affidavit to the Bernalillo County Planning and Development Services.
3. If the Inspector determines that a Grading and Drainage Plan is required. Contact a registered Professional Engineer to prepare a Grading and Drainage Plan and submit to the Development Review Section for review and comment. The Development Review Section is located at 2400 Broadway S.E.

NOTE: In some cases, it may be necessary for the Inspector to confer with a supervisor or other County personnel prior to completing this form. In this case, you will be contacted by phone as to the results on the field inspection.

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### **THIS AREA TO BE FILLED IN BY DEVELOPMENT REVIEW SECTION**

- \_\_\_\_\_ This site does not need a Grading and Drainage Plan. A Hold Harmless Affidavit is required - OK TO ISSUE PERMIT
- \_\_\_\_\_ This site has an approved Grading and Drainage Plan that includes the proposed swimming pool. A Hold Harmless Affidavit is not required - OK TO ISSUE PERMIT
- \_\_\_\_\_ This site REQUIRES a Grading and Drainage Plan. A Hold Harmless Affidavit is not required - DO NOT ISSUE PERMIT
- \_\_\_\_\_ This site has an approved Grading and Drainage Plan that needs to be amended. A Hold Harmless Affidavit is not required - DO NOT ISSUE PERMIT

By: \_\_\_\_\_ Date: \_\_\_\_\_





# HOLD HARMLESS AFFIDAVIT

**BERNALILLO COUNTY  
PUBLIC WORKS DIVISION  
Permit Section  
2400 Broadway SE  
Albuquerque, NM 87102  
505-848-1500  
FAX 505-848-1510**

\_\_\_\_\_ (include marital status)  
affiant(s) and owner(s) of real estate described as Lot \_\_\_\_\_ in \_\_\_\_\_  
\_\_\_\_\_ (Subdivision) Bernalillo County, New Mexico and  
may be confirmed by the document filed for public record in Bernalillo County, New Mexico on  
the \_\_\_ day of \_\_\_\_\_, 20\_\_\_ under document number \_\_\_\_\_ hereby request a variance  
from the Bernalillo County Storm Drainage Ordinance No. 96-5 and the Albuquerque  
Metropolitan Arroyo Flood Control Authority (AMAFCA) Drainage Policy (Resolutions 1980-  
15 and 1901-8) for release of the Building Permit for swimming pool construction on the above  
referenced property. The undersigned owner agrees to save Bernalillo County and AMAFCA,  
and their agents (the agencies) harmless from any and all liability arising from the Agencies  
release of the Building Permit without benefit of a grading and drainage plan.

The Owner fully understands that there maybe flood hazards in the area of this lot, even though a  
brief review may have been made by Bernalillo County or AMAFCA staff or their Agents to  
determine if known flood hazards exist. The Agencies strongly recommend that the property  
owner obtain an updated drainage plan for the property, even though there may be no legal  
requirement to provide such a plan.

The Owner fully understands that a grant of variance by Bernalillo County and AMAFCA does  
not include any provision to construct in an existing floodplain or drainage easement, or in a 100  
year flood zone as shown on an existing National Flood Insurance Program Map. The Owner  
hereby states that no drainage damage to adjacent property will be created by the proposed  
swimming pool construction.

The agreements and obligations of the Affidavit of the Owner as set forth herein shall be binding  
on the Owner, his heirs, assigns and successors and on the Owner's property and constitute  
covenants running with Owner's property until released by the Agencies as shall be evidenced by  
a document filed for public record.

Witness \_\_\_\_\_ (our/my) hand (s) and seal (s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Owner (s):

\_\_\_\_\_  
Owner

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_  
\_\_\_\_\_  
(Include Marital Status)

My Commission expires: \_\_\_\_\_ Notary Public: \_\_\_\_\_



## **EFFECTIVE JANUARY 1, 2009**

All pool, spa, hot tub and jacuzzi designs shall bear the seal of a NM Registered Design Professional unless otherwise approved by the Building Official.

Uncovered swimming pools, spas, hot tubs, jacuzzis, etc within the unincorporated area of Bernalillo County must be surrounded by a wall or fence at least 6' in height.

Section 22.D.2.c. of the Comprehensive Zoning Ordinance of Bernalillo County



**IF AN APPROVED POOL COVER IS INSTALLED THEN THE BARRIER NEED ONLY BE 4'-0" IN HEIGHT, THE APPROVED POOL COVER IS ALSO A SUBSTITUTE FOR ALARMS IF DWELLING IS USED AS A PORTION OF THE POOL BARRIER.**

POOL BARRIERS WILL NEED TO BE SHOWN ON THE PROVIDED SITE PLAN WITH A BRIEF DESCRIPTION OF THE METHOD OF CONSTRUCTION

A STATEMENT OF RESPONSIBILITY FOR THE REQUIRED POOL BARRIER WILL NEED TO BE COMPLETED BY THE REGISTERED PROPERTY OWNER PRIOR TO ISSUANCE OF THE CORRESPONDING BUILDING PERMIT FOR THE POOL





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# POOL BARRIER RESPONSIBILITY STATEMENT

SITE ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

UNIFORM PROPERTY CODE: \_\_\_\_\_

I, \_\_\_\_\_, the home owner of the above referenced property, understand that I am solely responsible for compliance with all Bernalillo County and 2015 New Mexico Residential Building Code Chapter 42 requirements related to the placement and use of a swimming pool and/or spa (hot tub, Jacuzzi, etc.) on my property –including but not limited to- construction permits, inspections, and barrier placement as required by the building code and zoning ordinance.

**YES**, I will be using a New Mexico licensed contractor to construct the proposed pool/spa and to act as my dedicated agent for the duration of the construction project.

Pool Contractor Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

License Number: \_\_\_\_\_

**NO**, I will not be using a contractor for this pool/spa project and will be applying for a “home owners” construction permit for the proposed pool/spa.

Property Owner Information

Name: \_\_\_\_\_

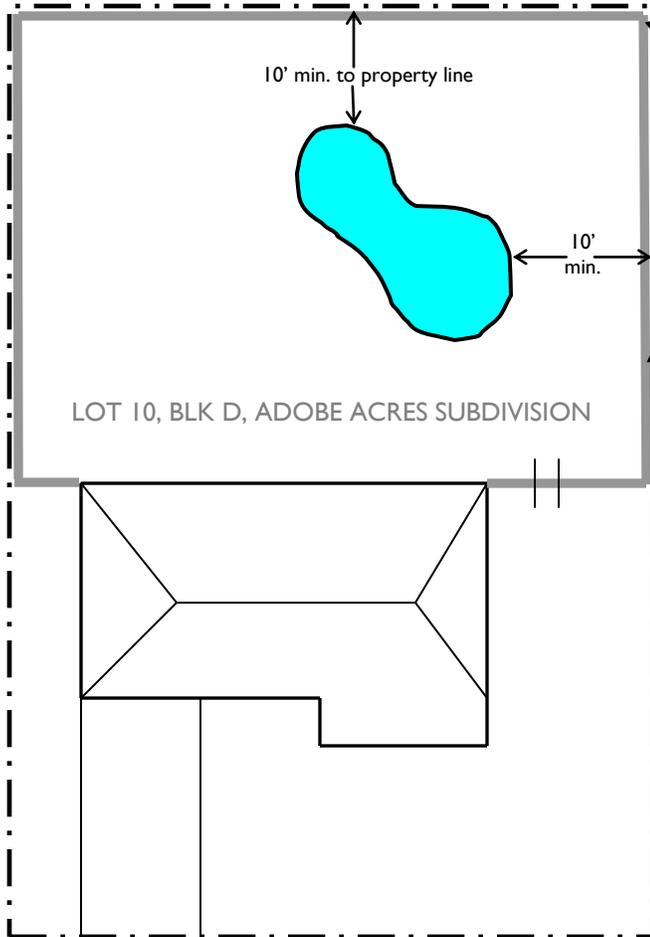
Address: \_\_\_\_\_

Phone: \_\_\_\_\_

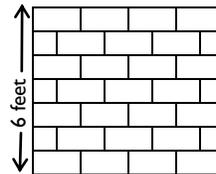
HOMEOWNER  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



# SITE PLAN



6-ft. high CMU wall, including gate opening; see elevation details



CMU wall to be placed on property lines surrounding proposed pool; 6-ft. height minimum, including the access gate

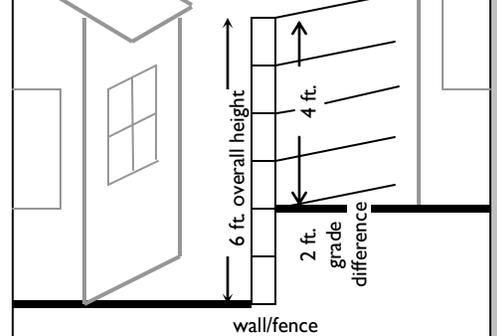
## 1234 BIG SPLASH AVE. NW

In a residential zone, swimming pools (including spas, hot tubs, Jacuzzis, etc.) may be located in the rear yard of the property, provided:

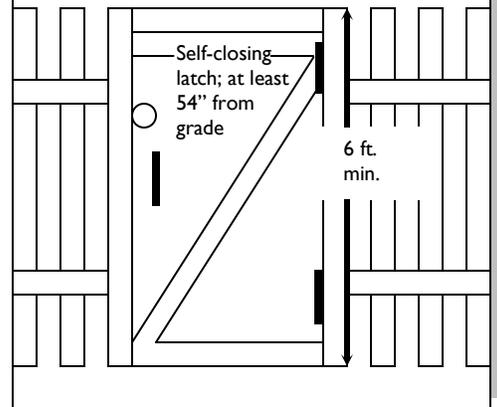
- They are not located closer than ten (10) feet to the rear or side lot line, and
- They are surrounded by a duly approved wall or fence at least six (6) feet high.

(Sec. 22.D.2.c. of the Comprehensive Zoning Ordinance of Bernalillo County)

The overall height of the required wall or fence is measured from lowest grade.



Gates on a required wall/fence must be a minimum of six (6) feet in height and must provide a self-closing latch at least 4½ feet from the ground.



### RELATED PERMITS FOR POOL PLACEMENT

- ☑ A county-issued building permit, including reviews and inspections for structural, mechanical, plumbing and/or electrical standards

AND

- ☑ A zoning permit for the proposed or future wall/fence to be completed in connection with the pool project if the barrier is no greater than 6 feet in height

OR

- ☑ A building permit for the proposed wall or fence to be completed in connection with the pool project if the barrier is greater than 6 feet but not greater than 8 feet in height

OR

- ☑ Representation on the provided site plan for the pool permit of an existing wall or fence at least 6 feet in height that encompasses the designated area of the property.







Bernalillo County  
Natural Resource Services  
111 Union Square SE, Suite 100  
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Phone (505) 314-0375  
Fax (505) 462-9833

**NATURAL RESOURCE SERVICES  
POOL PERMIT  
APPLICATION REVIEW**

**WASTEWATER**

- Wastewater Setbacks
  - 10 ft Treatment Unit
  - 15 ft Disposal field
  - 15 ft Seepage Pit
- Wastewater System Permit Valid
  - Under Current Owner
  - 30yr System Evaluation
  - Valid Maintenance Agreement

**WELL**

- Well Setbacks
- Well Permit
  - Valid Well Permit

**ABCWUA # WASTEWATER AND WATER**

- ABCWUA Account
  - Wastewater
  - Water
- ABCWUA Setbacks
  - 5 ft ABCWUA Wastewater

NATURAL RESOURCE SERVICE STAFF: \_\_\_\_\_

DATE: \_\_\_\_\_