



# The Town of Surf City

214 N. New River Dr. Surf City, N.C. 28445  
Phone: (910) 328-4131 • Fax: (910) 328-4132

[www.townofsurfcity.com](http://www.townofsurfcity.com) [comdev@townofsurfcity.com](mailto:comdev@townofsurfcity.com)



**Permit Number:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

Property Owner: \_\_\_\_\_

Property Owner Mailing Address: \_\_\_\_\_

Property Owner Telephone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

## Project Information

**Dwelling Type:**  One/Two Family  Town Homes  Manufactured Home

**Bedrooms # of:** \_\_\_\_\_ **Lawn Irrigation**  Yes  No

**Description of Project:** \_\_\_\_\_

## Building Contractor

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

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

NC License#: \_\_\_\_\_ Contact/Agent: \_\_\_\_\_ Cell: \_\_\_\_\_

**Email Address:** \_\_\_\_\_ (where inspection results will be emailed to)

**Project Cost Including Subcontractors: \$** \_\_\_\_\_

## Lien Agent-Required for Projects that Value \$30,000.00 and Above.

Lien Agent Company: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

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

**Electrical Contractor**

Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ NC License#: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Plumbing Contractor**

Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ NC License#: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Mechanical Contractor**

Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ NC License#: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Gas Contractor**

Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ NC License#: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Insulation Contractor**

Contractor: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ NC License#: \_\_\_\_\_ Email Address: \_\_\_\_\_

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

**Signature of Applicant/Agent:** \_\_\_\_\_

**Printed Name of Applicant/Agent:** \_\_\_\_\_

*To be calculated by Community Development Department:*

<u>Area</u>	<u>Square Footage</u>		
Heated Space:	_____	Elevator	<input type="checkbox"/> Yes <input type="checkbox"/> No
Unheated Space: (Garage, Storage, Deck, Etc)	_____	Fireplace/Gas	<input type="checkbox"/> Yes <input type="checkbox"/> No
Total Square Footage of Structure:	_____	Lawn/Irrigation Sprinkler	
Habitable Impact Fees: \$ _____			<input type="checkbox"/> Yes <input type="checkbox"/> No



P.O. Box 2475, Surf City, NC 28445  
 Phone (910) 328-4131 Fax (910) 328-4132  
[www.townofsurfcity.com](http://www.townofsurfcity.com) [comdev@townofsurfcity.com](mailto:comdev@townofsurfcity.com)

## APPLICATION TO DEVELOP IN FLOOD HAZARD AREA

The undersigned hereby makes application for a permit to develop in a designated flood hazard area. The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work should be done in accordance with the requirements of the Flood Damage Prevention Ordinance for the Town of Surf City and with all other applicable local, state and federal regulations. The necessary required permits/certifications are attached.

Owner's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

A. Description of Work: \_\_\_\_\_

1. Location of proposed development: \_\_\_\_\_
2. Is the proposed development in an identified floodway? \_\_\_\_Yes \_\_\_X\_\_\_ No
3. As identified on the (FIRM, FHBM, etc.) what is the zone and panel number in the area of the proposed development? \_\_\_\_\_ Zone \_\_\_\_\_ Panel #
4. Base flood elevation at site? \_\_\_\_\_ Feet M.S.L.

**If ground level enclosure is below base flood and...**

**Located in Zone AE, flood vents are required (2 minimum / 1 sq. in. for every sq. ft.)**

**Located in Zone VE, breakaway walls are required (Must submit a V-Zone Certificate)**

5. Required lowest floor/horizontal structural member elevation (including basement)? \_\_\_\_\_ Feet M.S.L.
6. Elevation to which all attendant utilities, including all heating and electrical equipment will be installed or flood proofed. \_\_\_\_\_ Feet M.S.L.
7. Will proposed development require alteration of any water course? \_\_\_\_Yes \_\_\_X\_\_\_ No

### B. Alterations, addition or improvements to an existing structure.

1. What is the estimated tax value of the existing structure? \$ \_\_\_\_\_
2. What is the cost of the proposed construction? \$ \_\_\_\_\_
3. If the cost of the proposed construction equals 50% of the market value of the structure then the substantial improvement requirements shall apply.



**Applicant Signature** \_\_\_\_\_

**Administrator** \_\_\_\_\_ **Date:** \_\_\_\_\_

*Swimming pool.* A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen (18) inches below the level of the surrounding land, or an above ground pool having a depth of more than thirty (30) inches designed, used, and maintained for swimming and bathing. This includes in-ground, above ground and on ground swimming pools, hot tubs and spas.

📖 5.17 Swimming pool.

*5.17.1 Compliance.* Swimming pools, spas and hot tubs shall be permitted provided that they meet all state, federal and the following local requirements:

*5.17.2 Permit required.* A swimming pool, spa or hot tub shall not be constructed, installed, enlarged or altered until a zoning permit has been issued. (Exception: Pools, hot tubs and spas located within the foot print of the principal structure are exempt from obtaining a zoning permit.)

*5.17.3 Location.* *Swimming* pools shall be setback a minimum distance of five (5) feet from all property lines. In no case shall a swimming pool be placed seaward of the toe of a primary or frontal dune.

*5.17.4 Swimming pools located in Coastal Forest Overlay District (CFOD).* A maximum four (4) foot concrete border is permitted around an in ground swimming pool only. Larger borders may be allowed if required by the Pender or Onslow County Health Department.

## APPENDIX G

# SWIMMING POOLS, SPAS AND HOT TUBS

*(The provisions contained in this appendix are adopted as part of this code.)*

### SECTION AG101 GENERAL

**AG101.1 General.** The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the *lot* of a one- or two-family dwelling.

**AG101.2 Pools in flood hazard areas.** Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Sections AG101.2.1 or AG101.2.2.

**Exception:** Pools located in riverine flood hazard areas which are outside of designated floodways.

**AG101.2.1 Pools located in designated floodways.** Where pools are located in designated floodways, documentation shall be submitted to the *building official*, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the *jurisdiction*.

**AG101.2.2 Pools located where floodways have not been designated.** Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the *jurisdiction*.

### SECTION AG102 DEFINITIONS

**AG102.1 General.** For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

**ABOVE-GROUND/ON-GROUND POOL.** See “Swimming pool.”

**BARRIER.** A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

**HOT TUB.** See “Swimming pool.”

**IN-GROUND POOL.** See “Swimming pool.”

**RESIDENTIAL.** That which is situated on the premises of a detached one- or two-family dwelling or a one-family *townhouse* not more than three stories in height.

**SPA, NONPORTABLE.** See “Swimming pool.”

**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating *equipment* are an integral part of the product.

**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 24 inches (610

mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

### SECTION AG103 SWIMMING POOLS

**AG103.1 In-ground pools.** In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

**AG103.2 Above-ground and on-ground pools.** Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

**AG103.3 Pools in flood hazard areas.** In flood hazard areas established by Table R301.2(1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

### SECTION AG104 SPAS AND HOT TUBS

**AG104.1 Permanently installed spas and hot tubs.** Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

**AG104.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

### SECTION AG105 BARRIER REQUIREMENTS

**AG105.1 Application.** The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

**AG105.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of

- 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 grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
  3. Solid barriers which do not have openings, such as a masonry or stone wall, 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. Where there are decorative cutouts within vertical members, spacing within the 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). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.
  6. Maximum mesh size for chain link fences shall be a  $2\frac{1}{4}$ -inch (57 mm) square unless the fence has 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 not be more than  $1\frac{3}{4}$  inches (44 mm).
  8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward 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, the release mechanism and openings shall comply with the following:
    - 8.1. 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
    - 8.2. The gate and barrier shall have no opening larger than  $\frac{1}{2}$  inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
  9. Where a wall of a *dwelling* serves as part of the barrier, one of the following conditions shall be met:
    - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or
    - 9.2. 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/or its screen, if present, are opened. The alarm shall be listed and *labeled* in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
    - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved* by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
  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 ladder or steps:
    - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
    - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

**AG105.3 Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

**AG105.4 Prohibited locations.** Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

**AG105.5 Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

## SECTION AG106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

**AG106.1 General.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

## SECTION AG107 ABBREVIATIONS

### AG107.1 General.

ANSI—American National Standards Institute  
11 West 42nd Street  
New York, NY 10036

APSP—Association of Pool and Spa Professionals  
NSPI—National Spa and Pool Institute  
2111 Eisenhower Avenue  
Alexandria, VA 22314

ASCE—American Society of Civil Engineers  
1801 Alexander Bell Drive  
Reston, VA 98411-0700

ASTM—ASTM International  
100 Barr Harbor Drive,  
West Conshohocken, PA 19428

UL—Underwriters Laboratories, Inc.  
333 Pfingsten Road  
Northbrook, IL 60062-2096

## SECTION AG108 STANDARDS

### AG108.1 General.

#### ANSI/NSPI

ANSI/NSPI-3-99 Standard for  
Permanently Installed Residential Spas . . . . . AG104.1

ANSI/NSPI-4-07 Standard for Above-ground/  
On-ground Residential Swimming Pools . . . . . AG103.2

ANSI/NSPI-5-2003 Standard for  
Residential In-ground Swimming Pools . . . . . AG103.1

ANSI/NSPI-6-99 Standard for  
Residential Portable Spas . . . . . AG104.2

#### ANSI/APSP

ANSI/APSP-7-06 Standard for Suction Entrapment  
avoidance in Swimming Pools, Wading Pools, Spas,  
Hot Tubs and Catch Basins . . . . . AG106.1

#### ASCE

ASCE/SEI-24-05 Flood Resistant  
Design and Construction . . . . . AG103.3

#### ASTM

ASTM F 1346-91 (2003) Performance  
Specification for Safety Covers and Labeling  
Requirements for All Covers for Swimming Pools,  
Spas and Hot Tubs . . . . . AG105.2, AG105.5

#### UL

UL 2017-2000 Standard for General-purpose  
Signaling Devices and Systems—with Revisions  
through June 2004 . . . . . AG105.2

## INSTRUCTIONS TO PERMITTING OFFICES

(PER N.C. GEN. STAT. §§44A-11.1, 44A-11.2, 160A-417, 153A-357, and 87-14)

Effective April 1, 2013, North Carolina law will require that an owner (or, as typical with permit applications, the contractor on their behalf) appoint a lien agent when they first contract for improvements to real property. A lien agent is a title insurer or agent also registered as a lien agent with the NC Department of Insurance.

However, the appointment is *not* required for improvements:

- (1) for which the costs of the undertaking are less than \$30,000, either at the time that the original building permit is issued or, in cases in which no building permit is required, at the time the contract for the improvements is entered into with the owner,
- (2) to an existing single-family residential dwelling unit as defined in G.S. 87-15.5(7) that is used by the owner as a residence; or
- (3) for which first furnishing of labor or materials at the site is prior to April 1, 2013.

The identification and contact information for the lien agent must be in 3 places:

- (1) "conspicuously set forth in the permit or in an attachment thereto"
- (2) Maintained in the inspection department "in the same manner and in the same location in which it maintains its record of building permits issued" and
- (3) "conspicuously and continuously posted on the property for which the permit is issued until the completion of all construction"

A website created specifically and solely for purposes of facilitating the filings of appointments of lien agents, the filing of notices to lien agents by potential lien claimants, and searching for these filings will be available April 1, 2013, at [www.liensnc.com](http://www.liensnc.com). So when the owner (or contractor on their behalf) appoints a lien agent through the LiensNC system, it will generate an Appointment of Lien Agent document or form for the property and project, which will include the following information:

- Designated Lien Agent and contact information (c/o LiensNC)
- Unique Entry or Identifying number for the Project
- Owner and contact information
- Contractor (if one)
- Instructions for the owner and/or contractor to post at the property and provide to the permitting office
- "QR Code" for easy access to the property information in the LiensNC system

The lien agent information form or document printed from the LiensNC website can be attached to the building permit application and building permit, for it will include the required information the permit office will need.

For further information regarding the LiensNC website, feel free to contact LiensNC, LLC, c/o Nancy Ferguson, President, at Chicago Title Company, LLC, 800-445-9983 or [Nancy.Ferguson@ctt.com](mailto:Nancy.Ferguson@ctt.com).

## LIEN AGENT INFORMATION

Effective April 1, 2013

In accordance with North Carolina General Assembly Session Law 2012-158, Inspection Departments are not allowed to issue any permit where the project cost is \$30,000 or more unless the application is for improvements to an existing dwelling that the applicant uses as a residence **OR** the property owner has designated a lien agent and provided the inspections office with the information below:

Name of Lien Agent \_\_\_\_\_

Mailing address of Agent \_\_\_\_\_

Physical address of Agent \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

The information will be attached to the permit record and a copy provided to the applicant. The applicant is required to post a copy on the construction site.

Excerpt from North Carolina G.S. 160A-417:

“(Effective April 1, 2013) No permit shall be issued pursuant to subdivision (1) of subsection (a) of this section where the cost of the work is thirty thousand dollars (\$30,000) or more, other than for improvements to an existing single-family residential dwelling unit as defined in G.S. 87-15.5(7) that the applicant uses as a residence, unless the name, physical and mailing address, telephone number, facsimile number, and electronic mail address of the lien agent designated by the owner pursuant to G.S. 44A-11.1(a) is conspicuously set forth in the permit or in an attachment thereto. The building permit may contain the lien agent's electronic mail address. The lien agent information for each permit issued pursuant to this subsection shall be maintained by the inspection department in the same manner and in the same location in which it maintains its record of building permits issued.”



North Carolina Department of Crime Control and Public Safety  
Division of Emergency Management  
Office of Geospatial and Technology Management  
Floodplain Management Branch

Michael F. Easley, Governor

Bryan E. Beatty, Secretary

## Swimming Pools in VE Zones

When a pool or other similar development is placed within a VE zone, it does not have to meet the elevation requirement of BFE because it is not an insurable structure by definition under the NFIP. But it must show no adverse effects during the times of flooding and that it will not impact neighboring properties. Utilities must meet BFE requirements, and all utilities servicing the pool must meet the standards of the community's flood ordinance. [NC Model ordinance, Article 5, Section A - items 1-4 reference different aspects of utility protection but item 4 is the primary one for the utilities.] Pool construction must also meet these standards but this shouldn't be a problem except for item #1.

FEMA's Technical Bulletin 5-93, *Free-of-Obstruction Requirements*, addresses swimming pools in VE zones. An excerpt from this TB follows for easy reference. FEMA technical bulletins are FEMA's official interpretation of the federal codes and are to be used by local officials for enforcing these codes. [This TB and many others can be found at <http://www.fema.gov/fima/techbul.shtml>]

**Swimming Pools** *A swimming pool maybe placed beneath a coastal building only if the top of the pool and accompanying pool deck or walkway are flush with the existing grade and only if the lower area (below the lowest floor) remains unenclosed. Lower-area enclosures around pools constitute a recreational use and are therefore not allowed, even if constructed to breakaway standards. Lattice and insect screening are allowed as they do not create an enclosed area.*

*Pools, either at-grade or elevated, are allowed adjacent to coastal buildings only if the pools will not act as obstructions that will result in damage to nearby buildings. Community officials must be assured by the design professional that a pool beneath or near a V-zone building will not be subject to breaking up or floating out of the ground during a coastal flood and will therefore not increase the damage potential to the foundation and elevated portion of any nearby buildings. In addition, the design professional must design and site the pool so that any increased wave or debris impact forces will not affect any nearby buildings. Pools, pool decks, walkways, and associated accessory buildings placed under or adjacent to coastal buildings must be structurally independent of the building and its foundation.*

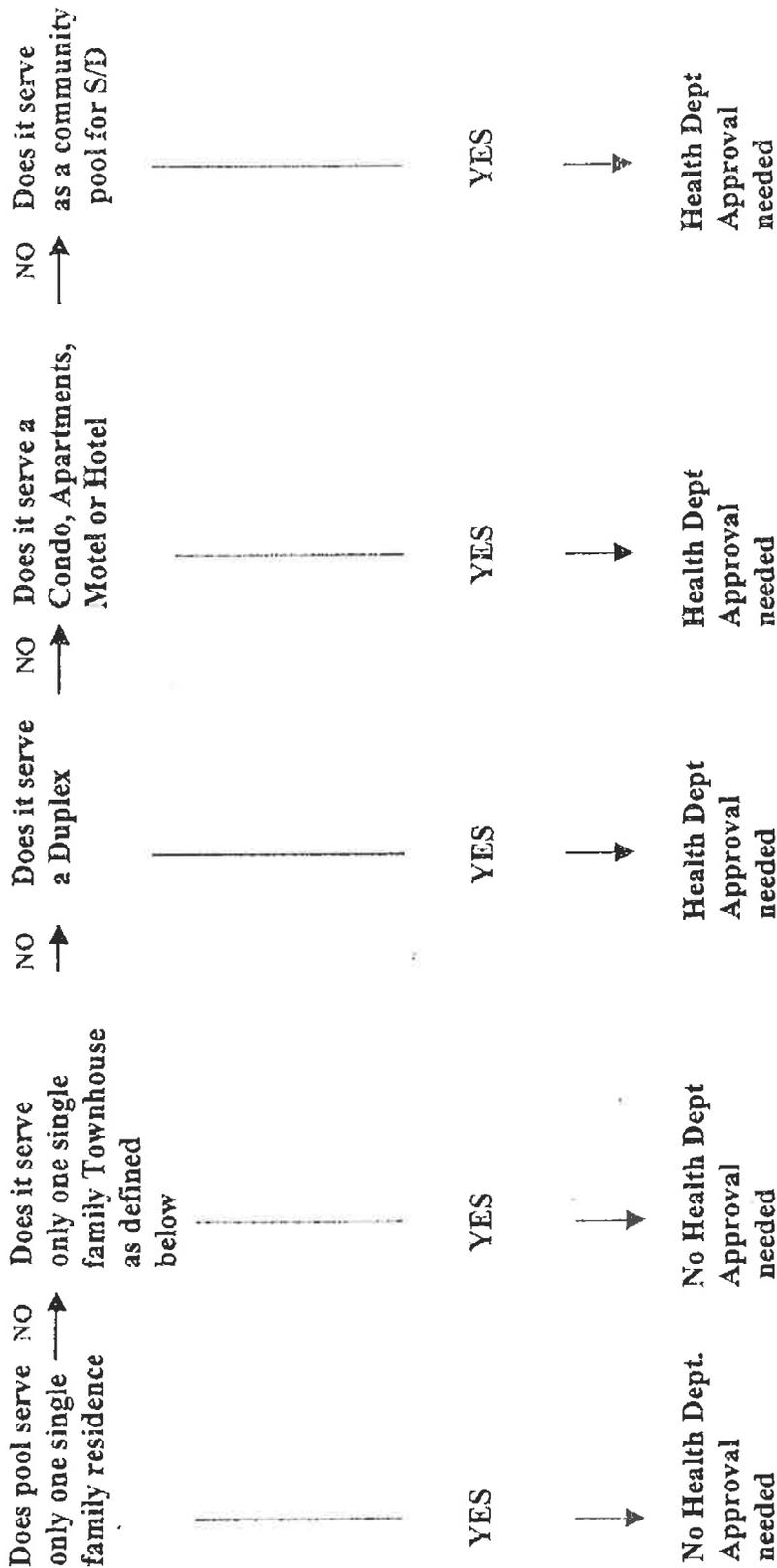
The *Coastal Construction Manual*, FEMA 55, has additional guidance but this guidance often meets higher design criteria than minimum NFIP but it is very good design information.

The Division of Coastal Management, North Carolina Department of Environment and Natural Resources, may also have regulations applicable to pools in V zones.



# Pool Review Flow Chart

Includes Whirlpool, Hot Tub, Spa



Townhouse is defined as a semi-detached single family dwelling that does not share a common wall with a similar single family dwelling, has a deeded property line between the units and sits on it's own deeded property, has it's own Tax ID# and does not have a Homeowners Association to care for the grounds and appurtenances such as a pool.