



City of
minnetonka

COMMUNITY DEVELOPMENT-LIC
14600 MINNETONKA BLVD.
MINNETONKA, MN 55345

vnorthway@eminnetonka.com

Phone: 952/939-8274

Fax: 952/939-8244

Email:

TO: APPLICANT FOR SWIMMING POOL LICENSE
FROM: VALERIE NORTHWAY, LICENSING COORDINATOR
SUBJECT: SWIMMING POOL, SPA, WHIRLPOOL, ETC. LICENSE APPLICATION

Attached are the license application forms for your swimming pool, spa, whirlpool, etc. and a copy of Minnetonka City Code 805 regarding this type of license.

The application forms and other items you must provide are the following:

1. Minnetonka's Application form
2. [ASME/ANSI Drain Cover Rule form](#)
3. Minnesota Business Tax Identification Law form
4. Minnesota Workers' Compensation Insurance form
5. Certificate of General Liability form – your agent should follow the required limits shown on the attached form, and supply proof of insurance using their form, listing the City of Minnetonka, Licensing, 14600 Minnetonka Blvd, Minnetonka, MN 55345 as the certificate holder and additional insured.
6. For license fee, follow this link to the [License Fee Schedule](#) for the current year – look under Swimming Pools and Spas – Public. Make check payable to “City of Minnetonka”.

Complete the forms (#1 & 5). Mail the completed forms together with the total fee (#6) to the address above. If you need assistance to determine the total fee, please call me.

The application will be processed within seven days. However, Environmental Health staff will determine if the license is returned to you by mail or must be delivered by their staff when they give final approval at the final inspection.

The licensing year is January 1 through December 31 and the fee may not be pro-rated. An annual renewal notice will be sent approximately 30 days prior to expiration (to the address you designate on the application). However, if the renewal forms do not reach you, it is your responsibility to contact the city to renew your license every year by December 31.

If you have any questions or need my assistance, please call or contact me (see top of page).



COMMUNITY DEVELOPMENT-LIC
 14600 MINNETONKA BLVD.
 MINNETONKA, MN 55345
 (952) 939-8274
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Application for Swimming Pool/Spa

INSTRUCTIONS: The information you provide is critical; an incomplete application or any incorrect information is a violation of the City Ordinance and can result in denial of licensing and/or prosecution.

1. You must fill it in every line (even if your response is Not Applicable = "N/A"). Please print.
2. Be sure three telephone numbers are entered – one in each division below.
3. Signature must be that of an owner/officer.

ESTABLISHMENT INFORMATION:

Name: _____

Manager or agent of owner: _____

Address: _____

City, State, Zip: _____

Establishment telephone #: () _____

LICENSEE INFORMATION (this must be a corporation, partnership, or individual who owns):

Name: _____

Owner Telephone #: _____

Officer: _____

() _____

Address: _____

City, State, Zip: _____

BILLING INFORMATION – send all notices, renewals, & licenses to the following:

Name: _____

Licensing agent

Attn: _____

telephone #: _____

Address: _____

City, State, Zip: _____

FEE (Checks payable to " City of Minnetonka"):

Type of license: #1	_____	\$	_____
#2	_____	\$	_____
#3	_____	\$	_____
#4	_____	\$	_____
#5	_____	\$	_____

Grand Total Enclosed: \$ _____

I, THE UNDERSIGNED, AGREE TO COMPLY WITH ALL REQUIREMENTS OF THE CITY CODE OF THE CITY OF MINNETONKA NECESSARY FOR OBTAINING THIS LICENSE. NOW, THEREFORE, I HEREBY MAKE APPLICATION TO OPERATE THE ABOVE NAMED ESTABLISHMENT SUBJECT TO ALL CONDITIONS AND PROVISIONS OF THESE ORDINANCES.

Authorized Signature _____ Print name: _____

Date _____ Print title: _____



Dear swimming pool/spa license applicant:

This form must be completed and signed by you every year.

By signing within, I certify that the information provided on this application is accurate and complete; that all outlets except for unblockable drains are equipped with covers that have been stamped by the manufacturer that they are in compliance with ASME/ANSI standards; and that all covers and grates, including mounting rings, have been inspected to ensure that they have been properly installed and are not broken or loose.

Establishment Name: _____

License # (to be assigned):: _____

include every swimming pool/spa and its location separately

#1 Pool/Spa (circle one)

Location _____

Signature _____

Date _____

Print name & title: _____

#2 Pool/Spa (circle one)

Location _____

Signature _____

Date _____

Print name & title: _____

#3 Pool/Spa (circle one)

Location _____

Signature _____

Date _____

Print name & title: _____

#4 Pool/Spa (circle one)

Location _____

Signature _____

Date _____

Print name & title: _____

#5 Pool/Spa (circle one)

Location _____

Signature _____

Date _____

Print name & title: _____

MINNESOTA BUSINESS TAX IDENTIFICATION LAW

Pursuant to Minnesota Statute 270C.72 (Tax Clearance; Issuance of Licenses), Subd.4, the licensing authority is required to provide, upon request of the Minnesota Commissioner of Revenue, either the applicant's Minnesota business tax identification number with the business name and address – or the social security number of the primary officer, along with their complete name, home address, and home phone number.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales, employer's withholding, or motor vehicle excise taxes.
2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service.
3. Failure to supply this information may jeopardize or delay the processing of your license issuance or renewal application.

NAME UNDER WHICH THE MN TAX ID IS FILED (<u>licensee</u> name)				Type of license applying for:	
Licensee: Address		L City	L State	L Zip	L Phone
Establishment: Name				Minnetonka License Number (completed by Minnetonka)	
Establishment: Address		E City	E State	E Zip	E Phone
Minnesota Tax Identification Number			Federal Tax Identification Number		

Be sure to sign and date at bottom of form.

INSTRUCTIONS FOR BOXES BELOW:

1. **If all boxes above are completed**, including **both** the Minnesota and Federal Tax numbers, **no additional information is required** by the MN Department of Revenue below.
2. **However, if all boxes above are not completed**, Minnesota law requires personal information about the primary owner or primary officer. In this case **you must complete all boxes below**, including the owner or primary officer's social security number, home address, and home phone. (NOTE: If the business and home address are the same, please check the box indicating this.)

Applicant's (person's) name (LAST, first, middle initial)		Social Security Number	
Home address		Home City, State, Zip code	Home Phone number
<input type="checkbox"/> Check if address is for both home & business			

Signature: _____ Date: _____

Certificate of Compliance Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
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DBA (doing business as name – local establishment name – only if different than above)

DBA/LOCAL BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
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**YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION.
You must complete number 1, 2 or 3 below.**

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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NUMBER 2 COMPLETE THIS PORTION IF YOU ARE SELF-INSURED:

I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF YOU ARE EXEMPT:

I am not required to have workers' compensation insurance coverage because:

- I have no employees.
- I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____.
- Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

INSURANCE AGENT: LIST AS ADDITIONAL INSURED - CERTIFICATE HOLDER:

City of Minnetonka
Community Development
14600 Minnetonka Blvd
Minnetonka, MN 55345

IMPORTANT: ALL LIABILITY POLICIES SHALL NAME AS AN ADDITIONAL-INSURED PARTY:

*CITY OF MINNETONKA
COMMUNITY DEVELOPMENT
14600 Minnetonka Boulevard
Minnetonka, MN 55345*

(Please do not address certificates to an employee's name or title.)

REQUIREMENT FOR

PUBLIC SWIMMING POOLS/WHIRLPOOL AND SPAS:

Bodily Injury	\$500,000	each claim
	\$500,000	each occurrence
Property Damage	\$100,000	

SECTION 805. SWIMMING POOLS AND SPAS.

805.005. Short Title.

This ordinance will be known as the swimming pool ordinance of the city of Minnetonka.

805.010. Definitions.

Unless the context clearly indicates otherwise, certain words are defined for the purpose of this section as follows.

1. "Swimming pool" means a permanent structure, basin, chamber, or tank containing an artificial body of water for swimming, diving or recreational bathing, more than 75 square feet in area or over 24 inches in depth.
2. "Public swimming pool" means a swimming pool other than a private single family residential swimming pool, intended to be used collectively by numbers of people for swimming or bathing, regardless of whether a fee is charged for use. Included in this definition are swimming pools located in or adjacent to apartment buildings, condominiums, townhouses and other multiple dwelling residential complexes, public and/or private schools, public and/or private recreational sports facilities, and commercial property unless used for sales and/or display purposes only.
3. "Private single family residential swimming pool" means a swimming pool that is located on private property zoned and being used for single family residential use and that is being used for swimming or bathing only by the residents of the property or their invited guests.

805.015. Permit; Plans and Specifications.

1. A person must not construct, alter or reconstruct a swimming pool without first obtaining a permit from the city to do so. The application for a permit must be on forms prescribed by the city. The application must be accompanied by the permit fee established in chapter 710, two sets of plans and specifications prepared by a registered architect or engineer, and other supporting data that may be required for proper review of the plans.
2. The plans must be drawn to scale, accompanied by sufficient specifications to permit a comprehensive review of the plans, and must include:
 - a. plan and sectional views with all necessary dimensions of both the pool and surrounding area;
 - b. a piping diagram showing pertinent elevation data and all appurtenances including treatment facilities in sufficient detail to permit a hydraulic analysis of the system; and
 - c. details on all treatment equipment, including catalog identification of pumps, chlorinators, and related equipment.
3. A permit is valid only for the work and location specified in the permit. A permit authorizes construction of appurtenances to the pool, with the exception of the electrical and gas piping work, which require additional permits.
4. A person must obtain a permit required by this chapter either before or during the day that work starts, or on the next succeeding business day when work starts on a Saturday, Sunday, or holiday. If the person fails to do so, he/she will be required to pay double the fee specified in chapter 710 and will be subject to the penalty provisions of this code.
5. A permit issued expires upon completion of the work or one year from the date of issuance, whichever is sooner. If a permit has expired, it may be renewed for an additional one-year period as long as no changes have been or will be made to the original plans for the work. The fee for renewal is 50 percent of the original permit fee applicable to the work uncompleted.
6. A permit may be revoked or worked stopped following the procedure in the city building code.

805.020. Construction Requirements.

1. New and existing outdoor swimming pools must be completely enclosed by a fence or wall. Openings or points of entry into the pool area enclosure must be equipped with gates. The wall or fence and gates must be at least 5 feet in height. A fence must be constructed of at least a number eleven gauge woven wire mesh corrosion-resistant material or other materials approved by the building inspector. Gates must be equipped with self-closing and self-latching devices capable of being locked, placed on top of the gate or another place inaccessible to small children. Fence posts must be decay- or corrosion-resistant and must be set in concrete bases or other suitable material. The opening between the bottom of the fence and the ground or other surface may not be more than three inches.
2. Swimming pools must be located on the premises in compliance with the zoning ordinance requirements.
3. A swimming pool and its appurtenances must be located at least 10 feet from an existing portion of a sewage

system. The water supply line for a swimming pool must be at least 15 feet from an existing portion of a sewage system.

4. The pool and related facilities must be built in accordance with plans approved by the city, except as otherwise approved by the city. The pool may not be placed in operation until city inspections show compliance with the requirements of this section and a license has been issued to its operator under this section if required.

805.025. Inspection.

A person who does or causes to be done any of the work covered by this section must notify the city at specific predetermined stages of construction and at the time of completion to permit adequate inspection of the pool and related equipment. The city must be notified before any portion of the work is connected with a building, and must be given reasonable time and opportunity to inspect the work before it progresses to a point where it can no longer be inspected. No work may be covered until it has been inspected and accepted by the city inspector. This includes all underground piping conduits, grounding of electrical materials, grounding of mesh in concrete and grounding of pool structure.

805.030. Public Swimming Pools - Licenses.

1. A person must not operate or maintain a public swimming pool unless he/she has obtained a city license to operate it. A license issued expires on December 31 of each year unless otherwise revoked for cause. A license applicant and licensee must comply with this section and applicable Minnesota department of health rules in order to receive and retain a license. A license is valid only for the person to whom it is issued, and no licensee may transfer or attempt to transfer its license to another person.

2. The fee for a license to operate and maintain a public swimming pool is specified in chapter 710. No fee is required for the operation of a public swimming pool by the city, schools, YMCA, YWCA, or another non-profit organization, except those operating pools at multiple dwelling facilities.

3. A license is subject to the requirements of section 700 of this code, except section 700.015(2).

805.035. Public Swimming Pools - Health and Safety.

1. A person having a communicable disease must not be employed or work at a public swimming pool. A person suspected of having an infectious disease must be excluded from the swimming pool and its immediate area including locker or changing rooms.

2. Appropriate facilities must be provided for the safety of bathers as may be required by the city. These include lifesaving equipment, safety devices, lifebuoys, lifehooks, first aid kits, and telephone.

3. A public swimming pool must be under the supervision of the licensee who is responsible for compliance with this section.

4. When the swimming pool is not open for use, access to the pool must be prohibited.

5. No more than the maximum designed bather load may be permitted in a public swimming pool at any time.

805.040. Public Swimming Pools - Operation.

1. The licensee of each public swimming pool must keep a daily record of operational information including disinfectant residuals, pH, maintenance procedures, recirculation, and other data as may be required by the city. This data must be kept on file by the licensee for six months and must be made available for review by the city upon request.

2. The pumps, filter, disinfectant and chemical feeders, and related appurtenances must be kept in operation whenever the public swimming pool is in use and for such additional periods as needed to keep the pool water clear and of satisfactory bacterial quality. For swimming pools having a capacity of 200,000 gallons or more, this equipment must be continually operated during periods of regular use.

3. When any of the following conditions are found, a public swimming pool must be immediately closed when ordered by the city and placarded to indicate that it has been closed:

- a. the proper number of safety equipment units are not provided;
- b. the water clarity is such that a black disc, 6 inches in diameter, is not readily visible when placed on a white field at the deepest point of the pool;
- c. the disinfectant residual is found to be below the acceptable levels established in the Minnesota department of health rules; or
- d. another condition which endangers the health, safety, or welfare of the public.

The pool must remain closed until the conditions are corrected and this has been verified by the city.

805.045. Public Swimming Pools - Inspections.

The city has the right of entry at any reasonable hour to inspect the swimming pool, its related equipment, and the adjacent areas to ensure compliance with all provisions of this section.

805.050. Installer's License Required.

1. A person must not engage in the business of installing, altering, repairing, or extending a swimming pool, whirlpool, hot tub, or similar recreational or health facilities without first obtaining an installer's license from the city and paying the fee required in section 710.
2. Each license application and license is subject to the requirements of section 700 of this code.

805.055. Drainage.

A person who drains, allows or causes the drainage of water from a public or private swimming pool, including an accumulation of precipitation or runoff, must do so only across the person's own property to the edge of the public street pavement immediately adjacent to the property or to the nearest storm sewer inlet, unless otherwise required or approved by the city engineer. The person who drains a swimming pool must regulate the volume and rate of the discharge to prevent damage to public or private property.

805.060. Enforcement.

The community development director and his/her agents are authorized to enforce the provisions of this chapter.