



Community Development – Licensing
14600 Minnetonka Blvd.
Minnetonka, MN 55345
Phone: (952) 939-8274
Email: fgolden@minnetonkamn.gov

To: Application for Swimming Pool License
From: Fiona Golden, Community Development Coordinator
Subject: Swimming Pool, Spa, Whirlpool, Etc. License Application

Attached are the license application forms for a swimming pool, spa, or whirlpool license.

Please complete the following attached forms and return to the above address:

1. Minnetonka Application form
2. Minnesota Business Tax Identification Law form
3. Workers' Compensation Insurance form
4. Proof of general liability insurance
5. ASME/ANSI Drain Cover Rule form
6. License fee. Make check payable to the City of Minnetonka.

The fee for swimming pools is listed below.

| Swimming Pools and Spas | |
|--|----------|
| Indoor Pool | \$460.00 |
| Outdoor Pool | \$460.00 |
| Each Additional Pool after 1 st | \$290.00 |

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. 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 please call me at (952) 939-8274.



CITY OF
MINNETONKA
 COMMUNITY DEVELOPMENT-LIC
 14600 MINNETONKA BLVD.
 MINNETONKA, MN 55345
 952-939-8274

Swimming Pool/Spa Application

ESTABLISHMENT INFORMATION

| | |
|---------------------------|----------------|
| Name | |
| Address | |
| City, State, Zip | |
| Establishment telephone # | Email address: |
| Manager or agent of owner | |

LICENSEE INFORMATION (corporation, partnership, or individual who owns)

| | |
|--------------------|----------------|
| Name | |
| Officer | |
| Address | |
| City, State, Zip | |
| Owner Telephone #: | Email address: |

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

| | |
|------------------|----------------|
| Name | |
| Attention | |
| Address | |
| City, State, Zip | |
| Telephone # | Email address: |

FEE

| | | |
|--------------------|--|----|
| Type of license: | | |
| #1 | | \$ |
| #2 | | \$ |
| #3 | | \$ |
| #4 | | \$ |
| Grand Total | | \$ |

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: _____

#6 Pool/Spa (circle one)

Location _____

Signature _____ Date _____

Print name & title: _____



City of Minnetonka - Environmental Health Division
14600 Minnetonka Blvd
Minnetonka, MN 55345
PublicHealth@minnetonkamn.gov
Office: 952-939-8280

ASME/ANSI Drain Cover Rule Compliance Letter

November 2022

Dear Public Pool Operator:

You are receiving this notice because you have a swimming pool/spa licensed with the City of Minnetonka. This form must be signed annually for every swimming pool.

I certify that the information provided on this application is accurate and complete; that all outlets, except for verified unblockable drains, are equipped with compliant ASME/ANSI drain covers and have been inspected to ensure proper installation, warranty duration and lifespan, and are in good repair. Swimming pools with equalizer lines must have compliant ASME/ANSI VGB covers that are inspected to ensure proper installation, warranty duration and lifespan, and are in good repair.

Please include every indoor and outdoor swimming pool and spa location separately.
Attach or submit copies of drain cover specifications with warranty duration and date of install:

Pool Location: _____

Number of Drain Cover(s) and Location(s): _____

Date of Drain Cover Installation(s): _____

Drain Cover Warranty Duration(s): _____

Signature: _____ Date: _____

Pool Location: _____

Number of Drain Cover(s) and Location(s): _____

Date of Drain Cover Installation(s): _____

Drain Cover Warranty Duration(s): _____

Signature: _____ Date: _____

Pool Location: _____

Number of Drain Cover(s) and Location(s): _____

Date of Drain Cover Installation(s): _____

Drain Cover Warranty Duration(s): _____

Signature: _____ Date: _____

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: | | |
| | | | Swimming Pool (public) | | |
| 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 | | | |

Signature: _____ Date: _____

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

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) |
|--|--------------------------------------|

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 |
|---|------|-------|----------|

**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 |
|--|----------------|-----------------|

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 |
|---------------------------------|-------|------|

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.

City of Minnetonka - Environmental Health Division

Signs Required for All Pools

- A. When a lifeguard is not on duty at a public pool open for use, a warning sign must be placed in plain view. The sign must state in clear, legible letters, at least 4 inches high: "Warning - No lifeguard on duty." The sign must also state in clear, legible letters, at least 1-inch high: "Children must not use the pool without an adult in attendance."
- B. The capacity of the pool must be posted in the pool enclosure area.
- C. Instructions regarding emergency calls must be prominently posted.
- D. Lifesaving equipment must be mounted in a conspicuous location and be plainly marked "For emergency use only."
- E. Placards and pictorial representations, where appropriate, embodying the requirements in this part must be posted in plain view in the pool room or enclosure and in the dressing rooms of all public pools. Lettering must be clear, legible, and at least 1/4-inch high.
 - (1) No person with or suspected of having a communicable disease which could be transmitted through use of the pool shall work at or use any public pool.
 - (2) A person with any considerable area of exposed subepidermal tissue, open blisters, or cuts must be warned that these may become infected and should be advised not to use the public pool.
 - (3) Any person using a public pool must take a cleansing shower using warm water and soap, and thoroughly rinse off all soap before entering the pool enclosure. A user leaving the pool to use the toilet must take a second cleansing shower before returning to the pool enclosure. A person who exercises, applies lotion, or uses a sauna or steam room must shower before using the pool.
 - (4) Spitting, spouting water from the mouth, and blowing the nose in the pool is prohibited.
 - (5) No running, or boisterous or rough play, except supervised water sports, is permitted in the pool, in dressing rooms or shower rooms, on runways, on the diving board, or platforms.
 - (6) Glassware and similar material with a tendency to shatter on impact is not allowed in the pool enclosure area.
 - (7) Diving is not permitted except in areas that comply with Minnesota Rules, part 4717.3750.
 - (8) Domestic animals are not permitted in the pool enclosure, showers, or dressing rooms.

Additional signage covering the following is required for all spa pools.

- A. Pregnant women, small children, or persons with heart disease, diabetes, high blood pressure, or low blood pressure should not enter the spa except under advice of a physician.
- B. Avoid use while under the influence of alcohol or drugs.
- C. Exposure may result in nausea, dizziness, or fainting. Observe a reasonable time limit.

City of Minnetonka
Environmental Health Division
14600 Minnetonka Blvd
Minnetonka, MN 55345
Office: 952-939-8280
PublicHealth@minnetonkamn.gov

[Public Swimming Pools](https://www.health.state.mn.us/communities/environment/recreation/pools/index.html)
([https://www.health.state.mn.us/communities/
environment/recreation/pools/index.html](https://www.health.state.mn.us/communities/environment/recreation/pools/index.html))

*To obtain this information in a different format, call:
651-201-4503.*

SECTION 805. POOLS AND SPAS.

805.005. Short Title.

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

(Ord. 2022-07, effective August 14, 2022)

805.010. Definitions.

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

1. "Pool" means any structure, chamber, or tank containing an artificial body of water for swimming, diving, relaxation, or recreational use including special purpose pools and wading pools
2. "Public pool" means any pool other than a private residential pool, that is: (1) open to the public generally, whether for a fee or free of charge; (2) open exclusively to members of an organization and their guests; (3) open to residents of a multiunit apartment building, apartment complex, residential real estate development, or other multifamily residential area; (4) open to patrons of a hotel or lodging or other public accommodation facility; or (5) operated by a person in a park, school, licensed child care facility, group home, motel, camp, resort, club, condominium, manufactured home park, or political subdivision with the exception of swimming pools at family day care homes licensed under section 245A.14, subdivision 11, paragraph (a).
3. "Private residential pool" means a pool connected with a single-family residence or owner-occupied duplex, located on private property under the control of the homeowner, the use of which is limited to family members or the family's invited guests. A private residential pool is not a pool used as part of a business.

(Ord. 2022-07, effective August 14, 2022)

805.015. Permit; Plans and Specifications for Private Residential and Public Pools.

1. Private residential pools.

a. A person must not construct, alter or reconstruct a private residential 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 with plans and other supporting data that may be required for proper review of the plans.

b. The plans must be drawn to scale, accompanied by sufficient specifications to permit a comprehensive review of the plans, and must include:

(1). The construction site plan must be provided on a survey, showing size and location of new pool, existing structures onsite, and distances from lot lines and according to the state building code.

(2). 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

(3). details on all treatment equipment, including catalog identification of pumps, chlorinators, and related equipment.

c. 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.

d. If work for which a permit is required by the code has commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work according to the state building code.

e. Any permit issued becomes invalid if the work authorized by the permit is suspended or abandoned for more than 180 days. The 180 days commences the first day the work was suspended or abandoned according to the state building code.

f. A permit may be revoked or worked stopped following the procedure in the state building code.

2. Public Pools.

a. Plans for public pools must be submitted to and approved by the Minnesota Department of Health as specified in Minnesota Rules part 4717.0450 and amendments thereto.

(1) The plans and specifications for public pools must be approved by the Minnetonka zoning and building officials. A survey showing proper setbacks, easements, pool placement, equipment placement, fence location, deck location, impervious surface coverage of the lot, and location of overhead electrical wires;

(2) The proposed equipment types, manufacturers, model numbers, dimensions, performance capabilities and installation specifications; and

(3) Fencing plan including type, material, height, gate location and latching mechanism, as defined in Minnesota Rules 4717.

(Ord. 2022-07, effective August 14, 2022)

805.020. Construction Requirements.

1. Private residential pools.

a. New and existing outdoor private residential pools, containing water more than 24 inches in depth, must be completely enclosed by

a fence or barrier that complies with Section 303.2 of the International Property Maintenance Code. 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. As an alternative, the building official may approve an alternative latching system for spas, hot tubs, whirlpools, or other covered pools that comply with ASTM Standard F1346 for safety.

b. Pools must be located on the premises in compliance with the zoning ordinance requirements.

c. A 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 pool must be at least 15 feet from an existing portion of a sewage system.

d. 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.

(Ord. 2022-07, effective August 14, 2022)

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 in addition to any additional requirements listed in the state building code.

(Ord. 2022-07, effective August 14, 2022)

805.030. Public Pools - Licenses.

1. A person wishing to operate a public pool must obtain approval from the Minnesota Department of Health for plan review. Submit the license, application, required fee, and receive approval from the city for a license to operate. A license issued expires on December 31 of each year unless otherwise revoked for cause. A license must be applied for annually. 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 or entity to whom it is issued, and no licensee may transfer or attempt to transfer its license to another person or entity.

2. The fee for a license to operate and maintain a public pool is specified in section 710. No fee is required for the operation of a public pool by the city, schools, or non-profit organizations, 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).

4. A separate license must be obtained for each pool and water recirculation system as defined in Minnesota Rules part 4717.2550 and amendments thereto.

(Ord. 2022-07, effective August 14, 2022)

805.040. Public Pools - Operation.

1. When any of the following conditions are found, a public pool must be immediately closed and access restricted:

- a. closure criteria per Minnesota Rules 7417.3970 or amendments thereto;
- b. failure to possess a license as required by this section 805; or
- c. another condition which endangers the health, safety, or welfare of the public, as determined by the health authority.

The pool must remain closed and access restricted until the conditions are corrected and this has been verified by the health authority.

(Ord. 2022-07, effective August 14, 2022)

805.045. Public Pools - Inspections.

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

(Ord. 2022-07, effective August 14, 2022)

805.046. Additional Provisions.

1. The provisions contained in Minn. Stat. section 144.1222, and the provisions contained in Minnesota Rules parts 4717.0150 through 4717.3970, except 4717.0450, including all future revisions of them, are adopted by reference as part of this ordinance.

2. The provisions of Minn. Stat. section 157.20, including all future revisions of them, are adopted by reference as part of this ordinance.

(Ord. 2022-07, effective August 14, 2022)

805.055. Drainage.

A person who drains, allows or causes the drainage of water from a public or private 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 pool must regulate the volume and rate of the discharge to prevent damage to public or private property. Swimming pools operated on a year-round basis may be drained to the public sanitary sewer system if approved by the public works director.

(Ord. 2022-07, effective August 14, 2022)

805.060. Enforcement.

The community development director and delegate(s) are authorized to enforce the provisions of this section.

(Ord. 2022-07, effective August 14, 2022)