



CITY OF MILPITAS

Office of Building Safety
455 E. Calaveras Blvd.
Milpitas, CA 95035
408-586-3240
www.milpitas.gov

BACKFILLING OF SWIMMING POOL OR SPA

Policy:**BDP-BLG27**

Effective Date:

5/24/2010

Proposed by:

KI

Last Reviewed/
Revised:

8/5/2024

Reviewed/
Revised by:

BYC

Approved By:

Building Official

The purpose of this policy is to establish the minimum requirements for the backfilling of existing residential or commercial swimming pools or spas. The method of backfilling approved by the Office of Building Safety (herein noted as "The Office") depends on the intended future use of the filled area. Please see the following two options to backfill an existing swimming pool or spa. In both options, a **permit is required**.

I. BACKFILLING WITH STRUCTURAL COMPACTED FILL

A. Requirements for Placement of Structural Compacted Fill:

Preparation of ground surface prior to backfilling, specifications of fill materials, and backfill procedures for placement and compaction requirements shall be per a soils report (See Item 5 below).

1. A permit shall be obtained with the total cubic yards of fill specified.
2. Swimming pool or spa water must not be drained into a storm drain. Instead, it must be drained into the sanitary sewer system. This is usually done using a cleanout located in front or in the rear of the residence.
3. Existing gas/plumbing line shall be properly capped; electrical and related equipment shall be removed back to the panel.
4. The pool or spa shell must be removed.
5. A licensed soils engineer must prepare a soils report containing recommendations for the backfilling (including temporary excavation, grading specifications) and allowable bearing pressure for foundation design and submit it to the Office for review and approval.
6. The bottom of the excavation shall be inspected and approved by the Office and the soils engineer prior to placing of compacted fill.
7. The soils engineer shall supervise the backfilling work and provide a final report to the Office stating that the site is ready for future construction of structure.
8. A compaction report shall be submitted to the Office for review and approval.
9. No foundation, if proposed, shall be constructed before the compaction report is approved.

B. Inspections:

In accordance with this policy, inspections shall be requested when the site is ready for each of the following:

1. All equipment disconnected, equipment removed, plumbing/electrical connections removed and properly terminated, pool removed bottom/excavation inspection.
2. Engineered backfilling is complete.
3. Final inspection after all work is complete, provide final soils report.

II. BACKFILLING WITH UNCERTIFIED FILL AND LEAVING THE POOL OR SPA SHELL IN PLACE

A. Conditions of Approval:

Leaving the pool or spa shell in-place and backfilling with uncertified fill may be allowed in self-contained areas where the uncertified fill is not to be used to support buildings or structures and no hazard will be created as determined by the Office.

1. A permit shall be obtained with the total cubic yards of fill specified. The permit shall indicate that the fill is uncertified.
2. Swimming pool or spa water must not be drained into a storm drain. Instead, it must be drained into the sanitary sewer system. This is usually done using a cleanout located in front or in the rear of the residence.
3. Existing gas/plumbing line shall be properly capped; electrical and related equipment shall be removed back to the panel.
4. A plot plan showing the pool or spa location and distances to all buildings and property lines shall be required at application for permit (see page 3 for example).
5. The plot plan shall have the following notes:
 - Six drainage holes (pool) and four drainage holes (spa), a minimum of 12 inches in diameter, shall be provided through the bottom of pool shells and spas. Two holes in the shallow end and four in the deep end of the pool or four holes through the spa bottom at a maximum of 6 feet apart to facilitate drainage. One hole shall be in the deepest section of the pool or spa shell.
 - Backfill shall consist of clean soil or gravel and shall be moistened and tractor rolled or tamped with a whacker into place.
6. The backfilled area shall be used for landscaping purpose only.
7. A [Covenant and Agreement Regarding the Maintenance of Uncertified Fill](#) form with this Policy must be completed. The Office's approval of the document must be obtained prior to filing the agreement with the County Recorder. A **certified copy** of the recorded document must be provided to the Office prior to the issuance of the permit. Refer to [Recordation of Documents](#) for more detail.
8. Prior to placing any fill, obtain inspection approval from the Office for the required drainage holes and removal of the gas, plumbing, electrical and related equipment.
9. If bond beam is demolished, the concrete debris from the bond beam may be placed in the bottom of the pool to facilitate drainage; provided, however, no concrete debris less than 6" in diameter is used, including coping, and is not placed within the drainage holes.

B. Inspections:

In accordance with this policy, inspections shall be requested when the site is ready for each of the following:

1. Bottom inspection after required drainage holes have been made and prior to placing any fill.
2. Inspection of backfilling and final inspection after all work is complete.

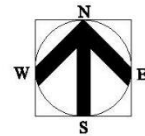
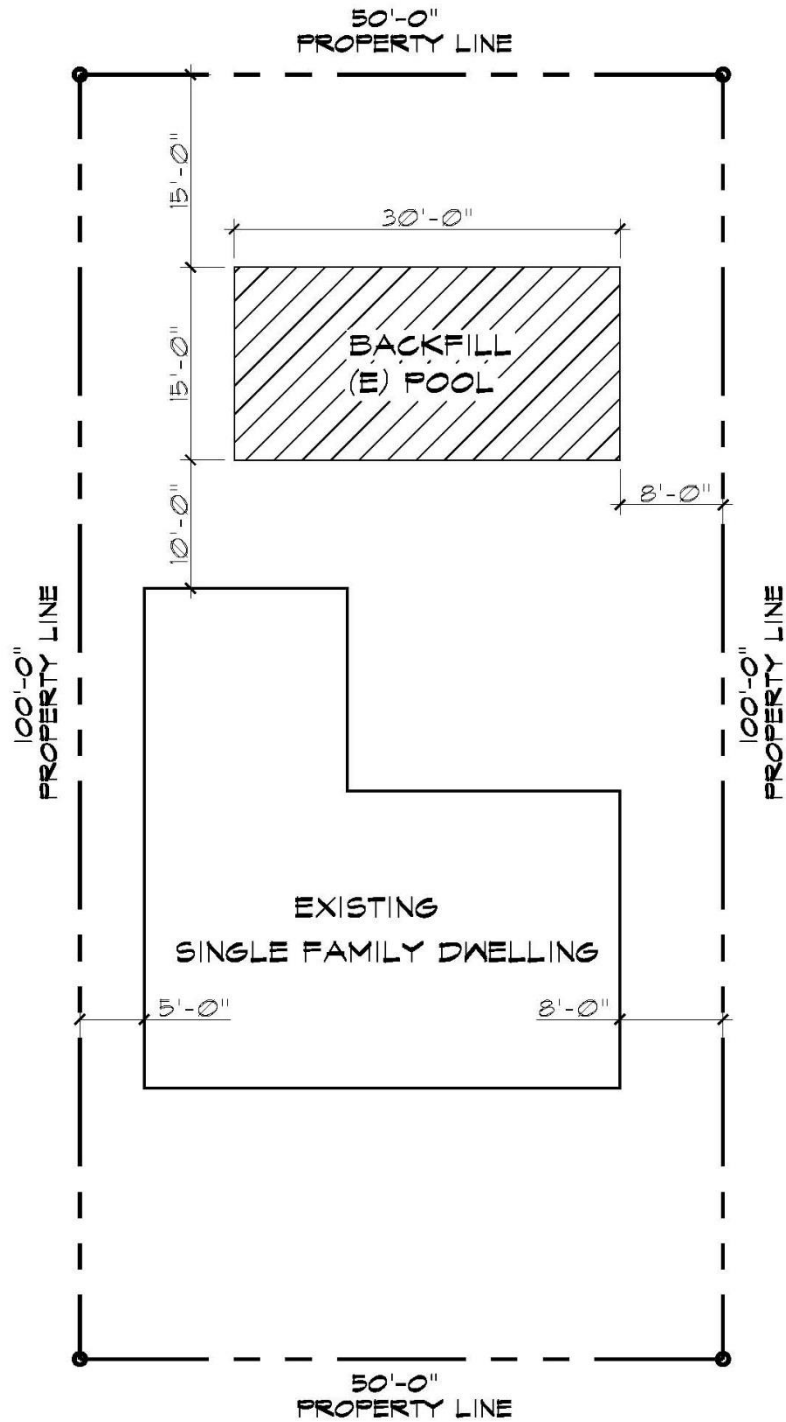


Figure 1- EXAMPLE OF REQUIRED PLOT PLAN