

70.00 PRIVATE SWIMMING POOLS

- 70.00 **PURPOSE.** The purpose of this Chapter is to establish regulations and procedures for the construction and maintenance of swimming pools within the City with the goal of protecting the health, safety, and welfare of the citizens of the City.
- 70.01 **DEFINITIONS.** *Swimming Pool.* Any structure intended for swimming or recreational bathing that contains water over twenty-four (24) inches deep. This includes in-ground, above ground, and on ground-pools, hot tubs, portable and non-portable spas, and fixed in place wading pools.
- 70.02 **CONSTRUCTION & MAINTENANCE.** Construction of a swimming pool may not be started without having the same fully enclosed with a fence, which may be temporary or portable, not less than four (4) feet in height or other method to prevent uncontrolled access (permanent installation will be done within 2 weeks of completion).

An application for a permit to construct a swimming pool shall be accompanied by plans and specifications of sufficient detail to show:

- 1) The proposed location of the pool and its relationship to the property lines and all buildings on the lot;
 - 2) The size of the pool;
 - 3) Fencing and other fixtures existing and proposed on the lot, including utility locations and trees;
 - 4) The location, size, and types of equipment to be used in connection with the pool, including, but not limited to, filter unit, pump, fencing, and the pool itself; and
 - 5) That all requirements of this section will be satisfied with the submission and approval of a site plan.
- 70.03 **SAFEGUARDS REQUIRED.** All swimming pools for which a permit is required under this Ordinance shall be provided with safety features to prevent uncontrolled access thereto. This requirement may be accomplished with fencing or other means of enclosure to reasonably prevent uncontrolled access. If fences are chosen they shall be at least four feet in height and the bottom of the fence shall not be more than four inches from the ground, nor shall there any opening in the fence large enough for a sphere four inches in diameter to pass through unimpeded. Fences shall be constructed of a non-corrosive material, not easily climbable.
- All fence openings or points of entry into the pool area shall be equipped with self-closing and self-latching doors or gates. The locking device shall be located within a minimum of ten inches of the top of the fence.
- Prior to filling the pool, the approved fence (permanent or temporary) or other enclosure must be installed, inspected and approved by the building official. A latchable cover may be used providing it meets approval of the building official and is constructed of a material which cannot be penetrated by toddlers/small children and shall be designed to support loads sufficient enough to prevent entanglement/drowning.
- 70.04 **LOCATION & SETBACKS.** All swimming pools shall meet the required setbacks for an accessory structure that would be located in said zoning district in which they are constructed. Pools shall not be permitted in a front yard, a side yard, within a drainage or utility easement, or in the street right-of-way. A variance may be applied for a pool to be installed in the front or side yard.
- 70.05 **EFFECTIVE DATE.** This ordinance shall be effective after its passage and publication. All pools constructed or altered prior to the effective date of this ordinance shall substantially comply no later than May 1, 2006.

(Adopted: 9/05. Amended: _____)