

ORDINANCE # 673

SWIMMING POOL REGULATIONS

SECTION 31

SWIMMING POOL REGULATIONS

3101 Definitions.

Swimming pool: any artificial basin of water, intended for swimming, recreational bathing or wading.

Portable wading pool: any temporary artificial basin of water intended for recreational bathing or wading that contains water at a depth of eighteen (18) inches to twenty-four (24) inches.

3102 Permit.

No person shall construct, enlarge, alter, or otherwise improve a swimming pool that contains water over 24 inches deep, whether temporary or permanent, without first obtaining a permit as required by the City's Unified Land Development Ordinance, or maintain such pool contrary to the provisions of this Section. Permanent swimming pools shall obtain a one-time permit, unless alterations or modifications occur which shall require the submission for a new permit.

Permit fees, as set by City Council resolution shall be as follows:

- Pools \$30.00
- Portable wading pools (no permit required)

3103 Enclosure.

Enclosure of pools shall be as described below.

An outdoor swimming pool shall have a barrier as described below.

All pools with a depth of eighteen (18) inches or greater, shall be completely surrounded by a barrier, fence or solid structure (house or garage wall) and shall have no opening, other than doors or gates, except as listed in 1 & 2 below.

- Minimum of six (6) foot high barrier, fence or solid structure is required for all pools (In-ground, partially in the ground, or above-ground and all others, capable of holding water greater than forty-two (42) inches).
- Minimum forty-two (42) inches high barrier, fence or solid structure is required for all other pools capable of holding water from eighteen (18) to forty-two (42) inches in depth.

- Such barrier fence, solid structure or wall shall be constructed of sufficiently strong materials and of such structural design as to make the pool inaccessible to small children:
 1. The barrier, fence or other solid structure shall have no openings of more than four (4) inches.
 2. All gates or doors shall:
 - Be equipped with a self-closing, self-latching and lockable door or gate securely closed at all times when not in actual use.
 - Have all latches or locking devices on doors and gates not less than forty-two inches above the adjoining walls, steps, or ground.
 - At all times, when the pool is “unattended”, such gates, doors, steps, ladders, ramp or other vehicles affording access to the pool shall be secured against unauthorized access. “Unattended” means the absence of an adult person in the outdoor swimming pool or within constant eyesight of said pool and no more than twenty (20) feet therefrom.
 3. Barriers may include not only fences, walls, or solid streamline, but may also include decks, the pool structure itself and above-ground fencing that is specifically attached to pools as designed by the manufacturers of pools. However, barriers shall not include items that are unsightly, subject to usually fast wear and tear or otherwise made of materials not designed for use around outdoor swimming pools.

3104 Location and Distance from Property Line.

- No part of a swimming pool, or its related structure shall be constructed within seven (7) feet of a property line, other wall, fence or other structure which can be readily climbed by children.
- Pools shall be located only in rear or side yards and shall not be located in front yards.

3105 Inspection.

Persons maintaining a swimming pool pursuant to this chapter shall be deemed to consent to periodic inspections of same for compliance with this and other chapters in this Code of Ordinances at reasonable times by City employees.

3106 Enforcement.

This requirement shall be applicable to all new swimming pools hereafter constructed, other than indoor pools, and shall apply to all existing pools which have a minimum depth of eighteen (18) inches of water. No person in possession of land within the City, either as owner, purchaser, lessee, tenant or licensee, on which is situated a swimming pool having a having a minimum depth of eighteen (18) inches, shall fail to provide and maintain such barrier fence or wall as provided in this section.

PASSED AND APPROVED July 20, 2020