

## ARTICLE X. SWIMMING POOLS\*

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\*Cross reference(s)--Health and sanitation, Ch. 12.  
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### **Sec. 6-142. Definition.**

A swimming pool within the meaning of this section shall be any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent, and either above or below the ground which contains water of more than twenty-four (24) inches in depth and which is used primarily for the purpose of bathing or swimming.

### **Sec. 6-143. Installation of new pools and compliance of existing pools.**

(a) It shall be unlawful for any person to construct, install or enlarge a swimming pool in the city limits not enclosed in a permanent building with self-closing, self-latching doors, except in accordance with the following regulations.

(b) It shall be unlawful for any person who owns an indoor swimming pool within the city limits on the effective date hereof to maintain such swimming pool without self-closing, self-latching doors leading directly to the pool area after September 1, 1991.

(c) It shall be unlawful for any person who owns an outdoor swimming pool within the city limits on the effective date hereof to maintain such swimming pool without fences as provided in section 6-146 after September 1, 1991.

### **Sec. 6-144. Permit.**

It shall be unlawful for any person to construct, install, enlarge or alter any private swimming pool unless a building permit has first been obtained from the building inspector. The permit fee shall be paid per fee schedule. Application shall be on forms provided by the building inspector and shall be accompanied by plans drawn to scale showing the following:

- (1) Pool dimensions and volume of water in gallons;
- (2) Location and type of waste disposal system;
- (3) Location of pool on lot, distance from lot lines and distance from structure;
- (4) Fencing and landscape plan, or a combination thereof; and
- (5) Specifications on gate latching.

### **Sec. 6-145. Construction requirements.**

(a) No pool shall be located, erected, constructed or maintained closer to any side or rear lot line than allowed by zoning ordinance for permitted accessory building uses, and in no case shall the water line of any pool be less than four (4) feet from any lot line.

(b) Any connection to the city's sewer system shall include a suitable gap or backflow prevention device to prevent contamination of the pool by the sewer.

(c) Gaseous chlorination system shall not be used as a disinfection method for pool waters. The building inspector shall recommend a proper disinfectant.

(d) Any connection to the city's potable water system shall be protected by a suitable air gap or approved backflow prevention device.

**Sec. 6-146. Fence.**

(a) Pools within the scope of this section or not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and shall not be less than four (4) feet in height, so constructed as not to have voids, holes or openings larger than four (4) inches in one dimension. Gates or doors shall be equipped with a self-closing and self-latching childproof device for keeping the gate or door securely closed at all times when not in actual use. Such latch shall be installed at a minimum height of four (4) feet or the top of the fence. Gates or doors may be disabled from use to the satisfaction of the city manager or his designee in lieu of a self-closing and self-latching device. The location of fencing required shall be subject to all other applicable ordinances. No fence shall be located, erected, constructed or maintained closer than three (3) feet to a pool. The wall of the house or building faced to a pool may be incorporated as a portion of such fence.

(b) Aboveground pools with self-provided fencing to prevent unguarded entry will be allowed without separate additional fencing, providing the self-provided fence is of four-foot required height and design as heretofore specified.

(c) Permanent access from grade to aboveground pools having stationary ladders, stairs or ramps shall have not less than equal safeguard fencing and gates.

**Sec. 6-147. Pool covers.**

Pools which have a maximum depth of four (4) feet or less may be covered in lieu of a fence to comply with these requirements.

**Sec. 6-148. Other regulations.**

No pool shall be so operated or maintained as to create a nuisance, a hazard, an eyesore or otherwise to result in a substantial adverse effect on neighboring properties, or to be in any other way detrimental to public health, safety and welfare.

**Sec. 6-149. Maintenance.**

A swimming pool or swimming pools shall be disinfected and maintained in a sanitary manner. The health inspector may inspect or cause to be inspected each private swimming pool maintained in the city.

**Sec. 6-150. Pool safety equipment.**

Each pool shall maintain at least one floating throw-ring and rope and/or one rescue pole per pool. Such equipment shall be maintained in good working order.

**Sec. 6-151. Penalty.**

Any person, firm or corporation violating any provision of this article shall be fined not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.