

Chapter 23
SWIMMING POOLS

Art. I. In General, Sections 01 through 08

ARTICLE I. IN GENERAL

Section 01. Swimming pools deemed structures; building code applicable.

Every swimming pool, whether submerged or elevated, is deemed to be a structure under the Zoning Ordinance of the City and all work must be done in accordance with the building code. (Ord. No. 202, Sec. 1 10/18/71)

Section 02. Compliance with other codes.

The construction, plumbing and electrical work connected with any pool to be constructed shall conform to all applicable codes of the City. (Ord. No.202, Sec. 3,10/18/71)

Section 03. Safety regulations.

(a) No pool shall be located beneath overhead utility lines, nor over underground utility lines, nor within any private or public utility, walkway, drainage or other easement.

(b) All pools shall be designed and constructed in such a manner as not to endanger the health and safety of its users and so as not to unduly interfere with the use and enjoyment of adjacent property. (Ord. No.202, Sec. 2, 10/18/71)

Section 04. Permit required.

A building permit shall be required for all swimming pools as required per Section 1300 of the State Building Code. (Ord. No. 730, Chap. 32, Art. 1, Sec. 4, dated 12-16-02)

Section 05. Contents of permit application.

Each application for a building permit to construct or erect a swimming pool shall be accompanied by plans of sufficient detail to show:

- (a) The proposed location and its relationship to the other principal buildings on the lot;
 - (b) The size of the pool;
 - (c) Fencing and other fixtures existing on the lot, such as utility location and trees;
- and

(d) The location, size and a statement as to the types of equipment to be used in connection with the pool including but not limited to filter unit, pump, wiring, heating unit, back flush and drainage outlet, fencing and the pool itself. (Ord. No.202, Sec. 1, 10/18/71)

Section 06. Safety fencing.

(a) Required:

i) A safety fence shall be installed around all underground swimming pools.

ii) A safety fence shall be installed around all above-ground swimming pools with the exception of single-family dwellings.

iii) When an above-ground swimming pool is accessory to a single-family dwelling, a safety fence is required if the pool is both greater than 24 inches in depth and more than 5,000 gallons.

(b) Height Restrictions:

(i) A safety fence at least five (5) but no more than six (6) feet in height shall be constructed to completely enclose a swimming pool with the exception of properties within the RR2 District.

In recognition of the RR2, Rural Residential 2 District's low-density nature, swimming pool enclosures in the RR2 District shall have a safety fence at least four (4) but no more than six (6) feet in height. (Ord. No. 584, Sec. 2, 10-16-95)

(ii) A fence of at least three (3) feet in height shall be constructed on the top of the sides or the top of the decking of an above-ground swimming pool. The combined height of the fence and the poolsides shall be at least five (5) feet but no greater than six (6) feet in height.

Section 07. Gates or doors.

(a) Any opening between the fence bottom and the ground shall not exceed four (4) inches.

(b) Any opening within the fence shall not exceed four (4) inches.

(c) Pedestrian access gates for pool enclosures shall be self-closing and self-latching hardware. The release mechanism shall be placed no lower than 54" from grade. All other service gates shall have lockable hardware and be locked at all times when not in use.

(d) All such fences shall be constructed so as not to be easily climbable, and generally to prevent children from gaining uncontrolled access. (Ord. No. 202,

Sec. 4, 10/18/71; Ord. No. 493, Sec. 1, 9/16/91; Ord. 730, Chap. 23, Art. 1, Sect. 6 & 7, dated 12-16-02)

Section 08. Applicability of chapter.

This chapter shall apply to all privately owned swimming pools constructed prior to October 18, 1971 in the City, and to all private swimming pools constructed in the future; however, owners of pools constructed prior to October 18, 1971, shall have a reasonable time to comply after notification of the provisions of this chapter. (Ord. No.202, Sec. 5, 10/18/71)