

CHAPTER 15

PRIVATE SWIMMING POOLS

15.01 PRIVATE SWIMMING POOLS

No person shall construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the town except in accordance with the regulations of this chapter.

15.02 DEFINITION

The term "private swimming pool" is defined as a receptacle for water, or an artificial pool of water, having a depth at any point of more than 18 inches, whether above or below the ground, used or intended to be used by the owner thereof, and his family and invited friends, for bathing or swimming, and includes all structures, appurtenances, equipment, appliances, and other facilities appurtenant thereto and intended for the operation and maintenance of a private swimming pool. Temporary pools less than 200 cubic feet in area and less than 18 inches in water depth which are dismantled and removed for the winter are not included in this chapter.

15.03 PERMIT

No person shall construct, install, enlarge, or alter any private swimming pool unless permits have first been obtained from the Building and Electrical Inspectors. The pool building permit fee shall be set by resolution adopted by the Town Board from time to time. The fee shall defer the cost of issuance of the permit and two (2) inspections to be conducted during the course of construction. In the event additional inspections are required, a fee shall be set by resolution adopted by the Town Board from time to time per additional inspection shall be assessed the permit applicant. Electrical fee is based on pool specifications. Application shall be on forms provided by the Building Inspector and shall be accompanied by plans drawn on a survey to scale showing pool dimensions, location of pool on lot an distance from lot lines; fencing based on attached model survey work sheet. The Building Inspector shall refer the application for any pool which he considers to be unsafe to the Plan Commission. The Commission shall have the authority to approve, deny, or impose appropriate changes or safeguards. Its decision shall be based upon the avoidance of a substantial adverse effect upon property values in the neighborhood. Fencing to be approved prior to issuance of the permit.

15.04 CONSTRUCTION OF POOL

A private swimming pool shall be constructed in accordance with the following requirements.

(a) Distance required.

All private swimming pools shall be constructed at the minimum setback and offset requirement for buildings located within the district where such swimming pool is located.

(b) Area

The area of the pool shall not exceed three percent (3%) of the area of the lot.

(c) Location

The pool shall not be nearer than ten (10) feet to any residence.

(d) Sewer Connections.

No direct connection shall be made to the sanitary sewer or septic system.

(e) Disinfection

Provisions shall be made for the disinfection of all pool water, No gaseous chlorination shall be permitted.

(f) Areaways

There shall be an unobstructed areaway at least three (3) feet wide and four (4) feet deep, as measured from the top of the pool, and as measured around the entire width of all above-ground pools. In addition, there shall be a four (4) foot fence or similar restraining device

around all above-ground pools. Railings secured to the top of above-ground pools may serve as a part of the four foot fence or similar restraining device.

(g) Mechanical Equipment

Heating units, pumps, and filter equipment shall in no case be less than 20 feet from any property line. Requirements for heating units shall be equal to those required for residential installation.

(h) Fill valves

Any exterior hose bibs to be used in conjunction with the filling of any swimming pools shall have an anti-siphoning type valve.

15.05 FENCES

- (a) Every private swimming pool shall be completely surrounded by a fence or wall not less than four (4) feet in height, but not to exceed six (6) feet in height, which shall be so constructed as to have openings, holes or gaps which would allow ease of access by unauthorized persons, except for doors or gates. Opening size between vertical rails of fence, gates or doors shall prevent passage of a sphere with a diameter larger than five (5) inches. All fences other than chain link fences to be constructed with vertical rails. No horizontal ladder type fences are allowed. All fences constructed on decks shall be built flush with outside of deck to prevent ledges to crawl, climb or walk on or over. Fence design and location shall be subject to approval by the Building Inspector prior to issuance of a permit. A dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosures shall be a minimum of four (4) feet in height and shall be equipped with an inside self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. The requirement of this paragraph shall be applicable to all private swimming pools, whether constructed before or with six (6) months after the effective of this chapter, other than indoor pools.
- (b) A temporary fence not less than 4 feet in height (snow fence, etc,) adequately supported can be used which said pool is under construction. A permanent fence must be constructed within 30 days after water is in pool.
- (c) Above-ground pools with self-providing fencing to prevent unguarded entry will be allowed without separate additional fencing provided the self-provided fence is of minimum required height and design as heretofore specified in Section 14.05(f) and 15.05. Permanent access from grade to above-ground pools having stationary ladders, stairs, or ramps shall not have less than equal safeguard fencing and gates as are provided the pool proper.

15.06 ELECTRICAL REGULATIONS.

- (a) All electrical installations provided for, installed, and used in conjunction with a private swimming pool shall be in conformance with the national, state, and local codes regulating electric installations.
- (b) No current carrying conductors shall cross private swimming pools, either overhead or underground, or within ten (10) feet of such pools as per Article 680-8 of the National Electrical Code.
- (c) All metal fences, enclosures or railings near or adjacent to swimming pools, which might become electrically alive as a result of broken overhead conductors or from any other cause shall be effectively grounded, as per Article 680-22 of the National Electrical Code.

15.07 LIGHTS

If overhead flood or other artificial lights are used to illuminate a pool at night, such light shall be shielded to direct only light on the pool.

15.08 NUISANCES

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

15.09 SANITATION

A swimming pool and its appurtenant facilities shall be kept clean and in a sanitary condition.

REVISIONS TO MASTER CODE			
SECTION	R&R / CREATED	ORD WHICH UPDATED IT	UPDATED ON DATE
15.03	R&R	04-17	2017-04-03