

Chapter 9

PRIVATE SWIMMING POOLS

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7-9-1: 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 in which water of more than thirty inches (30") in depth is contained and which is used primarily for the purpose of bathing and swimming. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-2: INSTALLATION:

It shall be unlawful for any person to construct, install, or enlarge a residential swimming pool not enclosed in a permanent building in the village except in accordance with the following regulations. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-3: PERMIT REQUIRED, FEE:

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 village clerk. No permit shall be issued for any residential swimming pool unless the following requirements for location (7-9-4), fencing (7-9-5), electrical (7-9-6), and water supply (7-9-7) are met. The permit fee shall be Fifty dollars (\$50.00). Application shall be on forms provided by the village clerk and shall be accompanied by plans drawn to scale showing the following:

A. Pool dimensions and volume of water in gallons.

B. Location and type of waste disposal system.

C. Location of pool on lot, distance from lot lines, and distance from structure.

D. Fencing and landscaping plan, or a combination thereof. (Ord. 2008-10, 10-6-2008, eff. 10-17-2008)

7-9-4: LOCATION:

No portion of a swimming pool outside a building shall be located a distance less than eight feet (8') from any side or rear property line, or building line, and not occupy more than 30% of the total rear yard. Pumps, filters and pool water disinfection equipment installation shall be located at a distance not less than eight feet (8') from any side property line. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-5: FENCE REQUIREMENTS:

- 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 be not less than four feet (4') in height, so constructed as not to have voids, holes or openings larger than four inches (4") in one dimension. Gates or doors shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.
- B. Permanent access from grade to aboveground pools having stationary ladders, stairs or ramps shall have not less than equal safeguard fencing and gates.
- C. No fence shall be located, erected, constructed or maintained closer to a pool than three feet (3').
- D. The wall of a house or building faced to a pool may be incorporated as a portion of such fence.

Residential swimming pools located on any lot or premises in the village on the effective date hereof shall be brought into conformity with this section by July 1, 1990. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-6: ELECTRICAL REQUIREMENTS:

- A. All electrical installations provided for, installed, and used in conjunction with a private swimming pool shall be in conformance with the state laws and village ordinances regulating electric installations.
- B. Distance from all overhead electrical wires and meter base to be a minimum of 10 feet.
- C. If overhead flood or other artificial lights are used to illuminate the pool at night, such lights shall be shielded to direct light only on the pool. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-7: WATER SUPPLY:

Every person in possession of a lot or premises in the village on which a private swimming pool is located shall have such pool conform with the following regulations:

- A. No private swimming pool in excess of two thousand five hundred (2,500) gallons' capacity shall be installed or used without a recirculating and filtering system having a minimum hourly capacity equal to the pool volume divided by eight (8). Sufficient filter area shall be provided to filter the entire pool volume in eighteen (18) hours at a rate not exceeding three (3) gallons per square foot of filter area per minute.

B. No water from any swimming pool shall be discharged directly into any sanitary sewer system. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-8: POOL MAINTENANCE:

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. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-9: ENFORCEMENT, RIGHT TO INSPECT:

A. No more than 24" of water will be allowed in the pool until final inspection is completed satisfactorily.

B. If final inspection is completed unsatisfactorily the pool must be drained immediately.

C. The village health inspector and the village building inspector are hereby charged with the duty of enforcing this chapter. For this purpose, they or their inspectors are hereby authorized to enter any premises within the village and inspect any private swimming pool at any reasonable hour. (Ord. 90-2, 4-2-1990, eff. 4-22-1990)

7-9-10: PENALTY:

Any person violating any provision of this chapter shall be fined not less than fifty dollars (\$50.00) 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. (Ord. 2008-10, 10-6-2008, eff. 10-17-2008)