

CHAPTER 8

PRIVATE SWIMMING POOLS

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9-8-1: DEFINITION:

"Swimming Pool" shall include any enclosure, in ground and above ground on private property having a water surface area exceeding one hundred (100) square feet and a water depth of not less than one and one-half feet ($1\frac{1}{2}'$). (Ord. 81, 7-17-1984)

9-8-2: ENFORCEMENT:

The Building Official or his duly authorized representative shall be charged with the enforcement of this Chapter. (Ord. 81, 7-17-1984)

9-8-3: APPLICABILITY:

This Chapter shall have no application to existing swimming pools, except that existing pools shall be adequately fenced and enclosed to prevent unwanted entry. The fencing may be around the swimming pool, the perimeter of the yard, or some combination of the two (2). Adequate fencing as to existing pools shall be installed no later than May 15, 1985. (Ord. 81, 7-17-1984)

9-8-4: PERMIT REQUIRED:

No swimming pool shall be constructed, excavated, or established in the City without first obtaining a permit therefor. (Ord. 81, 7-17-1984)

9-8-5: APPLICATION FOR PERMIT:

An application for permit shall be submitted to the Building Official which includes the type and size of the pool, together with a site plan containing the following information:

- A. Location of pool;
- B. Location of all structures on the building lot including house, garage, fencing or other improvements;
- C. Location of pumps, filter, wiring, protective fencing, back flush and drainage outlets, grading plans and finish elevation around pool;
- D. Location of existing underground or overhead wiring, utility easements, trees and similar features; and
- E. Location of structures on adjacent lots. (Ord. 81, 7-17-1984)

9-8-6: PERMIT FEES:

Normal building permit fees shall be charged, as now established and as established subsequent hereto, from time to time by resolution of the City Council. (Ord. 81, 7-17-1984)

9-8-7: MINIMUM REQUIREMENTS:

- A. Utility Lines: Pools shall not be located within ten feet (10') (measured horizontally) from underground or overhead utility lines of all types.
- B. Easements: Pools shall not be located within any private or public utility, drainage, walkway or other easement.
- C. Adjacent Property: Construction of pools shall be undertaken so as to avoid hazard, damage, or considerable inconvenience to adjacent property.
- D. Liability For Damages: The lot owner shall be liable for damages to any business or private property caused during pool construction.
- E. Back Flush Or Drainage Water: To the extent feasible, back flush water or water from pool drainage shall be directed onto the owner's property or onto approved public drainage ways, and shall not drain onto adjacent private land. Drainage onto public streets or other public drainage ways shall require permission of the appropriate local City officials.
- F. Lighting: Any pool lighting above ground shall be directed toward the pool and not toward adjacent property.
- G. Fence: The swimming pool shall be enclosed with a fence at least six feet (6') in height to prevent unwanted entry to the pool area, and the fence shall have a gate self-closing and

self-latching with the latch inaccessible to small children and at least four feet (4') from ground level. The fence shall be completely installed before filling pool. In the alternative, the perimeter of the yard may be fenced and enclosed.

H. Code Compliance: All wiring, installation of heating units, grading, installation of pipe, or other construction shall be subject to inspection, and shall conform to the State Building Code.

I. Filling Of Pool: Filling of pools from fire hydrants, or other public facilities shall require the permission of the appropriate local City officials. (Ord. 81, 7-17-1984)

9-8-8: SINGLE FAMILY RESIDENTIAL DISTRICTS:

A. Location Of Pool: Pools shall not be located within eight feet (8') of any rear lot line nor within five feet (5') of any side lot line, nor within six feet (6') of any principal structure or frost footing. Pools shall not be located within any front yard.

B. Mechanical Equipment: The filter unit, pump, heating unit and any other noise making mechanical equipment shall be located at least twenty five feet (25') from any residential structure on adjacent property and not closer than eight feet (8') to any lot line. (Ord. 81, 7-17-1984)

9-8-9: TWO FAMILY RESIDENTIAL OR MULTIPLE FAMILY RESIDENTIAL DISTRICTS:

Private swimming pools intended for and used by occupants and guests of occupants of multiple family dwellings shall adhere to the following regulations:

A. Location Of Pool: No part of the water surface of the swimming pool shall be closer than fifty feet (50') to any lot line.

B. Mechanical Equipment: No pumps, filter, or other apparatus used in connection with the pool shall be located closer than fifty feet (50') to any lot line. (Ord. 81, 7-17-1984)

9-8-10: ACCESSORY BUILDINGS:

Unless included within the swimming pool permit, a separate building permit shall be required for any pump house, filter house, enclosure for the pool or any other structure erected in conjunction with a swimming pool. Such structures shall conform to all provisions of the Building Code. Such structures shall also conform to the setback requirements set forth in Sections 9-8-8 and 9-8-9 above. (Ord. 81, 7-17-1984)

9-8-11: ALTERATIONS:

No changes, alterations or improvements shall be made to swimming pools or accessory structures after the completion of construction without a plan review and approval of the Building Official. Such alterations are subject to inspection and may be subject to an additional permit fee, depending on the value of the improvement. (Ord. 81, 7-17-1984; 1996 Code)

9-8-12: VARIANCES:

Any variance deemed reasonable may be granted by the City Council to avoid unnecessary hardship or unnecessary expense in the compliance with this Chapter. The variance provisions of Title 10 of this Code shall be followed. (Ord. 81, 7-17-1984)

9-8-13: PENALTY:

Any person violating any provisions of this Chapter shall be guilty of a misdemeanor. (Ord. 81, 7-17-1984)