

CHAPTER 148

SWIMMING POOLS

148.01 Definition
148.02 Permit
148.03 Location

148.04 Distance From Property Line
148.05 Access
148.06 Inspection

148.01 DEFINITION. A "swimming pool" is any artificial basin of water which has both a capacity of one hundred (100) gallons and a maximum depth of twenty-seven (27) inches or more, *(Ord. 234 Oct. 07 Supp)*

148.02 PERMIT. No person shall construct, enlarge, alter, or otherwise improve a swimming pool without first obtaining a permit as required by the City's Zoning Ordinance or other ordinances, as applicable, or maintain such pool contrary to the provisions of this chapter.

148.03 LOCATION.

1. Enclosure. Except as provided for in subsection 2 below, every outdoor swimming pool, whether in-ground or above-ground, shall be completely surrounded by a fence or equivalent enclosure at least six feet (6') in height. Such fence or wall shall be non-climbable and shall be constructed of sufficiently strong materials and of such structural design as to make the pool inaccessible to small children. There shall not be a distance greater than ten feet (10') between fence posts and it shall not be possible for small children to go under such fence. Prior to construction of any enclosure, a building permit must be granted by the City.
2. Exemption for Covered Hot Tubs. Hot tubs securely covered with a cover that cannot be opened by children and that will not collapse or fail under the weight of a child are exempt from the enclosure requirement above, following application for such exemption and inspection of the cover. Cover inspections may be performed annually,
3. Location in Front Yard Prohibited. No swimming pools may be located in front yards.

(Ord. 234 Oct. 07 Supp)

148.04 DISTANCE FROM PROPERTY LINE. No part of a swimming pool enclosure shall be constructed within four (4) feet of a property line, other wall, fence or other structure which can be readily climbed by children.

148.05 ACCESS. All gates and doors in the fence or wall shall be self-latching or self-closing. At all times, when the pool is "unattended," such

gates, doors, steps, ladders, ramps or any other device affording access to the pool shall be secured against unauthorized access. "Unattended" means the absence of an adult person in the outdoor swimming pool or within constant eyesight of said pool and no more than twenty (20) feet therefrom.

148.06 INSPECTION. Persons maintaining an outdoor swimming pool pursuant to this chapter shall be deemed to consent to periodic inspections of same for compliance with this and other chapters in this Code of Ordinances at reasonable times by City employees.

[The next page is 675]