

# SWIMMING POOL REGULATIONS

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## 13-4 CONSTRUCTION REGULATIONS.

Unless otherwise provided in the State Uniform Construction Code, the following regulations shall apply. (1991 Code §253-4)

### 13-4.1 Size; Location.

- a. A private swimming pool, wading pool or portable pool shall not be constructed, installed or maintained within fifteen (15) feet of any side yard or rear yard line, nor shall any such pool be constructed, erected, installed or maintained in the front yard of the property. In the case of any lot less than fifty (50) feet in width, it will be permissible to place a pool within ten (10) feet of a side or rear property line.
- b. ~~In the case of a corner lot, a pool shall not be constructed any closer to the side street line than the prevailing setback line on that street or the required setback line for front yards as set forth in the zoning regulations.~~
- c. A private swimming pool or wading pool shall not be constructed or installed on any premises unless a residence building is also located on the premises or unless the premises are part of a residence curtilage.
- d. No private swimming pool or wading pool and its accessory buildings shall cover more than twenty (20%) percent of the rear yard of the lot involved. The rear yard designated is to be as defined in the zoning regulations.  
(1991 Code §253-4A)

### 13-4.2 Pool Barrier Requirements.

- a. *Permanent Pools.*
  1. A residential swimming pool barrier shall comply with the following:
    - (a) The barrier must be at least four (4) feet high on the outside.
    - (b) The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier.
    - (c) The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall, or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this subsection.
    - (d) The barrier must be placed sufficiently away from the water's edge to prevent a young child or medically frail elderly person who may have managed to penetrate the barrier from immediately falling into the water.
  2. The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section. In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section.
  3. Gates that provide access to swimming pools must open outward away from the pool and be self-closing and equipped with a self-latching locking device, the release mechanism of which must be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap.

4. A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide access to the swimming pool.
  5. A barrier may not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing the barrier.
- b. *Portable Pools.* A portable pool, unless enclosed by a fence of the type and dimensions set forth in paragraph a. above, when not in use or unattended shall be either emptied or covered with a suitable, strong protective covering, securely fastened or locked in place.  
(1991 Code § 253-4B; Ord. No. 2011-11)

#### **13-4.3 Lighting.**

No artificial lighting shall be maintained or operated in connection with a private swimming pool, wading pool or portable pool in such a manner as to be a nuisance or an annoyance to neighboring properties. No lighting shall shine directly upon any abutting property. No unshielded lights shall be permitted. (1991 Code § 253-4C)

#### **13-4.4 Accessory Buildings.**

Any accessory buildings that are to be constructed must comply with that portion of the Zoning Chapter pertaining to accessory buildings. Locker rooms, bathhouses, cabanas, shower rooms, toilets, runways and all other physical facilities or equipment incident to the operation of any private swimming pool or wading pool shall be kept in a sanitary condition at all times. (1991 Code § 253-4D)