

Sec. 58-594. Swimming pools.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Private or residential swimming pool means an outdoor structure containing a body of water in a receptacle or other container, having a depth for water at any point greater than 1 1/2 feet located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator, lessee thereof and his family, and by friends invited to use such pool, and includes all structural facilities, appliances and appurtenances, equipment and other items used, and intended to be used, for the operation and maintenance of a private or residential swimming pool.

(b) *Exemptions.* Storable children's swimming or wading pools, with a maximum dimension of 15 feet and a maximum wall height of 15 inches, and which are constructed so that they may be readily disassembled for storage and reassembled to their original integrity, are exempt from the provisions of this section.

(c) *Permit required.* Before work is commenced on the construction or erection of private or residential swimming pools, or any alterations, additions, remodeling or other improvements, an application for a swimming pool building permit to construct, erect, alter, remodel or add to such pools must be submitted in writing to the village administrator. Plans, specifications and pertinent explanatory data should be submitted to the village administrator at the time of the application. No work, or any part thereof, shall be commenced until a written permit for such work is obtained by the applicant. A fee as set by the village board from time to time shall accompany such application.

(d) *Construction requirements.* In addition to such other requirements as may be reasonably imposed by the village administrator, the village administrator shall not issue a permit for construction as provided for in subsection (c) of this section unless the following construction requirements are observed:

- (1) All materials and methods of construction used in the construction, alteration, addition, remodeling or other improvements and pool installation shall be in accordance with all state regulations and code and any and all ordinances.
- (2) All plumbing work shall be in accordance with all applicable ordinances and state codes. Every private or residential swimming pool shall be provided with a suitable draining method and, in no case, shall waters from any pool be drained into the sanitary sewer system, onto lands of other property owners adjacent to the land on which the pool is located, or in the general vicinity.
- (3) All electrical installations, including, but not limited to, lighting and heating, which are provided for, installed and used in conjunction with a private swimming pool, shall be in conformance with law and ordinances regulating electrical installations.

(e) *Setbacks and other requirements.*

- (1) Private swimming pools shall be erected or constructed on rear or side lots only, and only on a lot occupied by a principal building. No swimming pool shall be erected or constructed on an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and such lot is occupied by a principal building.
- (2) No swimming pool shall be located, constructed or maintained closer to any side or rear lot line than is permitted in this chapter for an accessory building, and in no case shall the water line of any pool be less than six feet from any lot line.

(f) *Fences.*

- (1) Pools within the scope of this section which are not enclosed with a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool. Such fence or wall shall not be less than six feet in height, and constructed as not to have voids, holes or openings larger than four inches in one dimension. Gates or doors shall be kept locked while the pool is not in actual use.
- (2) The pool enclosure may be omitted where portable pools are installed above the ground and have a raised deck around the entire pool perimeter, with an attached enclosed railing a minimum of 36 inches high on the top.

(g) *Compliance.* All swimming pools existing at the time of passage of the ordinance from which this section is derived, not satisfactorily fenced, shall comply with the fencing requirements as set forth in subsection (f) of this section, or when water is placed in the pool.

(Code 1988, § 10-1-143)