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SWIMMING POOLS, SPAS, AND HOT TUBS

CHAPTER 4, SECTION:

- 9-4-1: Purpose
- 9-4-2: Definitions
- 9-4-3: Permit And Compliance Required
- 9-4-4: Construction Standards
- 9-4-5: Fence Requirements
- 9-4-6: Violation A Misdemeanor

9-4-1: **PURPOSE:** The purpose of this chapter is to regulate the location of outdoor swimming pools, spas and hot tubs on residentially zoned property and require fencing or barriers to protect the health, safety and general welfare of the public. (Amended Ord. 228, 7-1-1997)

9-4-2: **DEFINITIONS:** For the purpose of this chapter, certain terms, words and phrases are defined as follows:

ABOVEGROUND/ ONGROUND POOL:

See definition of Swimming Pool.

BARRIER:

A fence, wall, building wall, or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB:

See definition of Swimming Pool.

INGROUND POOL:

See definition of Swimming Pool.

SPA:

See definition of Swimming Pool.

SWIMMING POOL:

Any structure intended for swimming or recreational bathing (noncommercial use) that contains water over twenty-four inches (24") deep. This includes in-ground, aboveground and on-ground swimming pools; hot tubs; portable and non-portable spas; and fixed in place wading pools.

SWIMMING POOL, INDOOR:

A swimming pool that is totally contained within a residential structure and surrounded on all four (4) sides by walls of said structure.

SWIMMING POOL, OUTDOOR:

Any swimming pool that is not an indoor pool.
(Amended Ord. 228, 7-1-1997)

9-4-3: **PERMIT AND COMPLIANCE REQUIRED:** No person shall construct, alter or renovate a swimming pool without an approved building permit. Permits are required for swimming pools that exceed two hundred (200) square feet in area. All swimming pools that require a permit shall comply with the fencing requirements as stated in Section 9-4-5 of this chapter. (Amended Ord. 228, 7-1-1997)

9-4-4: **CONSTRUCTION STANDARDS:** All swimming pools are required to meet the following construction standards in addition to all State Building Code requirements: (Amended Ord. 228, 7-1-1997; amd. 2003 Code)

A. Location:

1. Swimming pools shall not be located beneath utility lines nor over underground utility lines of any type.

2. No person, firm or corporation shall build, situate or install a swimming pool within ten feet (10') of any side or rear lot line, nor within six feet (6') of any principal structure, nor closer to the front lot line than the principal structure, except as herein provided. On residential parcels of land of one acre or more, a swimming pool may be constructed closer to the front lot line than the principal structure, however, the minimum distance it may be from the front line shall be two hundred feet (200').

3. No swimming pool shall be located within twenty feet (20') of any part of an on-site sewer system or area designated as an alternate drain field.

B. Fence Required During Construction: While being constructed, the swimming pool must be fenced with a portable fence not less than four feet (4') in height. (Amended Ord. 228, 7-1-1997)

9-4-5: **FENCE REQUIREMENTS:**

A. Outdoor Swimming Pools:

1. All outdoor swimming pools constructed shall be completely enclosed by a fence or wall of the non-climbing type, so as not to be penetrable by toddlers, afford no external handholds or footholds, and be a minimum of four feet (4') in height; except that aboveground pools with a side wall height of at least four feet (4') need not be fenced but shall have removable steps.

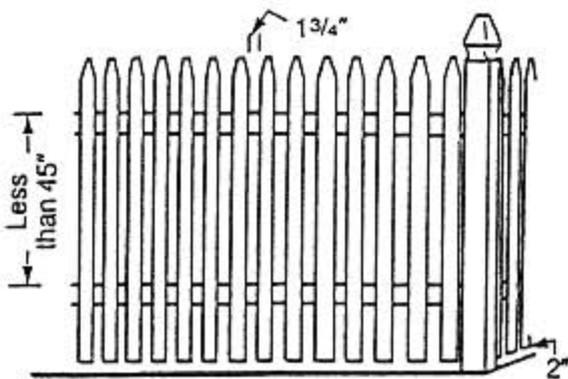
2. All outdoor fence openings or outdoor points of entry into the swimming pool area shall be equipped with self-closing and self-latching devices. The opening between the bottom of the fence and the ground or other surface shall not be more than three inches (3").

B. Outdoor Spas And Hot Tubs: All outdoor spas and hot tubs shall either have a fence as described in this section or a latchable cover. The cover should be constructed of a material not to be penetrable by toddlers and is subject to inspection by the Building Official or designee. (Amended Ord. 228, 7-1-1997)

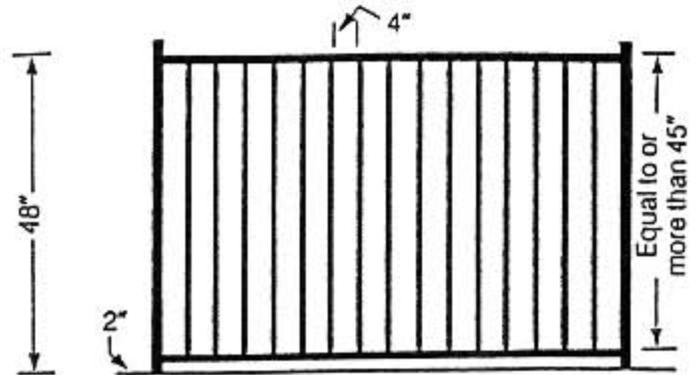
9-4-6: **VIOLATION A MISDEMEANOR:** Any person, firm or corporation violating any provision of this chapter shall be guilty of a misdemeanor as defined by state law. (Amended Ord. 228, 7-1-1997)

Barriers for Swimming Pools, Spas and Hot Tubs

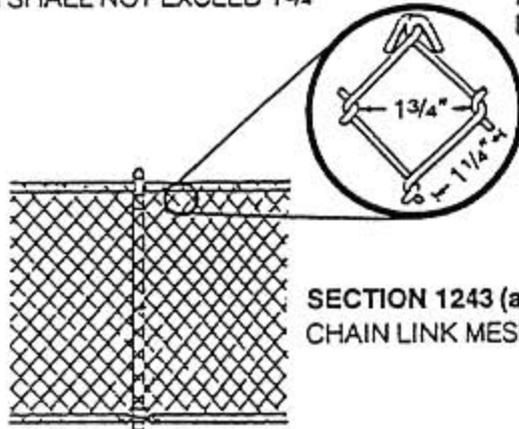
The figures below illustrate various requirements in the proposed code change on barriers for swimming pools, spas and hot tubs (Item 113 in the 1990 Annual Report of the Code Development Committees).



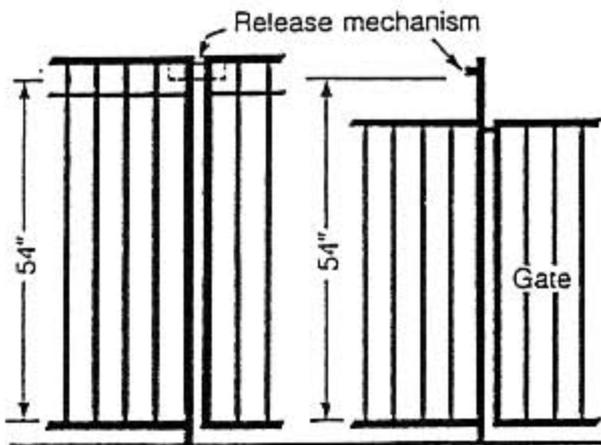
SECTION 1243 (a), ITEM 4: IF HORIZONTAL MEMBERS ARE LESS THAN 45 INCHES APART, VERTICAL SPACING SHALL NOT EXCEED $1\frac{3}{4}$ INCHES.



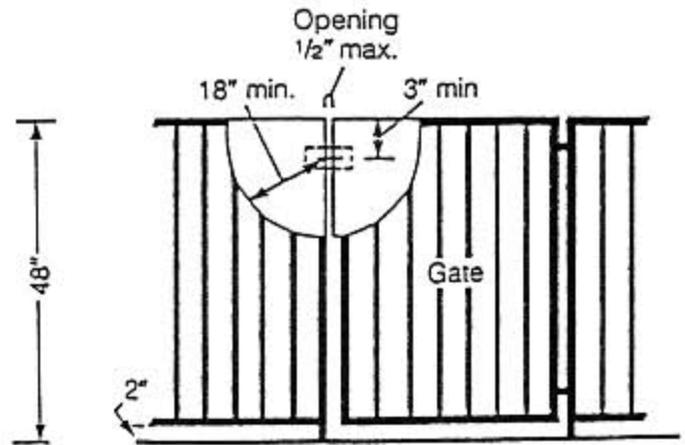
SECTION 1243 (a), ITEM 5: IF HORIZONTAL MEMBERS ARE EQUAL TO OR MORE THAN 45 INCHES APART, VERTICAL SPACING SHALL NOT EXCEED 4 INCHES.



SECTION 1243 (a), ITEM 6: $1\frac{1}{4}$ -INCH SQUARE CHAIN LINK MESH.



THE RELEASE MECHANISM SHALL BE LOCATED AT 54 INCHES OR HIGHER FROM THE BOTTOM OF THE GATE.



THE RELEASE MECHANISM SHALL BE LOCATED LESS THAN 54 INCHES FROM THE BOTTOM OF THE GATE.

SECTION 1243 (a), ITEM 8: LATCH-RELEASE MECHANISM.