

CHAPTER 93: SWIMMING POOLS (Ord. 1086, passed 08/16/2021)

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§ 93.01 COMPLIANCE REQUIRED.

It is unlawful to construct, maintain, install, or enlarge any swimming pool in the City except in compliance with all the provisions of this chapter. (Penalty, see 10.99)

§ 93.02 DEFINITIONS.

SWIMMING POOL – A receptacle for water, or an artificial pool for water having a depth at any point of more than two (2) feet, intended for the purpose of immersion or partial immersion therein of human beings, and including all appurtenant equipment.

PERMANENT SWIMMING POOL – A swimming pool that is left up year-round.

TEMPORARY SWIMMING POOL – A swimming pool that is put up each year and is dismantled and removed each year.

§ 93.03 LOCATION.

No portion of any swimming pool outside a building shall be located at a distance of less than provided by the adopted building codes and all pool construction, installation and use shall be in compliance with the building codes and manufacturer's written recommendations. No pools shall be constructed in any front yard.

§ 93.04 PERMITS REQUIRED.

- A. *Temporary Pools* – It is unlawful to proceed with the construction, installation, enlargement or alteration of any private residential swimming pool and appurtenances therein within the city unless a building permit therefore shall have first been presented to City Hall for approval as to proper location. The pools must be installed and used according to Manufacturer's specifications. A permit is required each year.
- B. *Permanent Pools* - It is unlawful to proceed with the construction, installation, enlargement or alteration of any private residential swimming pool and appurtenances therein within the city unless a building permit therefore shall have first been presented to City Hall for approval as to location. All plans and drawings shall be drawn to a scale of not less than one-eighth of an inch to the foot, on paper or cloth, in ink or by some process that will not fade or obliterate. All distances and dimensions shall be accurately detailed, and drawings shall be explicit and complete showing all the lot lines and including information pertaining to the pool, walk and fence construction, public water supply system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool. Detail plans and vertical elevations shall also be provided in

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accordance with the Building Code.

- C. No building permit shall be issued unless the appropriate fee, as established by the City Commission, is paid at the time of application.
- D. Swimming pools shall be designed and built to withstand the pressure of the earth when the pool is empty.
- E. All private residential swimming pools, appurtenances, public water supply and drainage systems shall be constructed in conformity with the approved plans and manufacturer's specifications.

§ 93.05 RECIRCULATION POOLS.

All swimming pools with a depth two feet or greater shall be of the recirculation type in which circulation of the water is maintained through the pool by pumps, the water drawn from the pool being clarified and disinfected before being returned to the pool. Equipment shall be provided for the disinfection of all pool water.

§ 93.06 BARRIERS (FENCES AND COVERS).

Temporary Pools: Fences and covers are not required by the city for temporary pools. A permit must be obtained for a fence or cover installed by a homeowner or required by the homeowner's insurance.

Permanent Pools: All outdoor permanent swimming pools shall be completely enclosed by a fence or a cover. All fence openings or points of entry into pool enclosure shall be equipped with gates. The fence and gate shall be four feet in height above the grade level and shall be constructed of a minimum number nine-gauge woven wire, mesh corrosion resistant material or non-climbable wooden fence. All gates shall be equipped with self-closing and self-latching devices placed at the top of the gates. The cover shall be able to hold at least 485 lbs; not have an opening large enough to pass an object the size of a 4-inch-diameter sphere through; not allow water to collect on the surface; be labeled with warranty information, appropriate warnings, acknowledge the product is a safety cover, and that it has been manufactured in accordance with the latest ASTM (American Society for Testing and Materials) F1346-91. Proof of installation of the cover shall be provided to the City and the cover must be installed in accordance with manufacturer's specifications. The cover shall be kept up-to-date with regular maintenance. Both fences and covers require a building permit. (Ord. 1103, Passed 10/17/2022)

§ 93.07 OUTLETS.

If pools are equipped with facilities for completely emptying the pool, then the discharge of pool water shall be into the storm sewer. For in-ground pools there shall be an air-break between the pool drain and the service sewer line. Every swimming pool shall have a re-circulating system with an hourly capacity equal to the pool volume divided by eight.

§ 93.08 ELECTRICAL REQUIREMENTS.

All electrical installations provided for, installed, and used in conjunction with private residential swimming pools shall be in conformance with the ordinance regulating electrical installation and pursuant to the provision in compliance with Article 680 of the National Electric Code of 2014 Edition and any amendments thereto.

§ 93.09 COMMERCIAL POOLS.

The design of any commercial pool for public use must be submitted to the State Department of Health for approval. After obtaining written approval from the State Department of Health, an application for permit may be submitted to the city.

§ 93.10 VARIANCE

The owner of real property may apply for a variance regarding the placement of the temporary pool. The City Commission may grant a variance when it is not feasible or reasonable to enforce the specifications or other requirements of this chapter due to special conditions or circumstances regarding the property, and only if, granting the variance would not substantially affect the public or other properties. Any variance previously granted may be revoked or amended by the city commission if the use of the property or circumstances change in any manner.