

**2.14.04 - Swimming pool:** either an above ground or in-ground outdoor structure that contains a body of water in a receptacle or other container having a depth for water at any point greater than 18 inches below the adjacent ground or deck elevation; used or intended to be used solely by the owner, operator, or lessee thereof and his family and invitees; and including all structural facilities, appliances, appurtenances, equipment, and other items intended to be used for the operation and maintenance of the swimming pool. Includes hot tubs, spas and any other structure meeting the above definition. For the purposes of the associated regulations in Section 2.9.04, a swimming pool does not include any pool that is designed to be readily and/or seasonally disassembled, stored, and reassembled to its original integrity, provided that pool wall height does not exceed 48 inches.

#### **Section 2.9.04: Swimming Pools**

- (1) **Applicability.** This section applies to all swimming pools as defined in Section 2.14.04, excluding pools exempted by that definition.
- (2) **Permit Required.** Before work is commenced on the construction or erection of a swimming pool or on any alterations, additions, remodeling, or other improvements, an application for a swimming pool building permit to construct, erect, alter, remodel, or add thereto must be submitted in writing to the Building Inspector. Plans and specifications and pertinent explanatory data shall be submitted to the Building Inspector at the time of application. No work or any part of the work shall be commenced until a written permit for such work is obtained by the applicant. The required fee shall accompany such application.
- (3) **Construction Requirements.** In addition to such other requirements as may be reasonably imposed by the Building Inspector, the Building Inspector shall not issue a permit for construction unless the following construction requirements are observed:
  - (a) **Approved Materials.** All materials and methods of construction in the construction, alteration, addition, remodeling, or other improvements and pool installation shall be in accord with all State regulations and with any and all ordinances of the Village.
  - (b) **Plumbing.** All plumbing work shall be in accordance with all applicable local ordinances and all State codes and requirements. Every swimming pool shall be provided with a suitable draining method, meeting the requirements of subsection (7) below.
  - (c) **Electrical Installations.** All electrical installations, including lighting and heating, but not limited thereto, that are provided for, installed, and used in conjunction with a private swimming pool shall be in conformance with State laws and local ordinances regulating electrical installations.
- (4) **Placement and Setbacks.**
  - (a) Swimming pools shall be erected or constructed in rear or interior side yards only and only on a lot occupied by a principal building, or on an adjacent lot in the same ownership.
  - (b) All swimming pools shall meet the side and rear setback requirements applicable to accessory structures as included and referenced in Figures 2.5.01(2) and 2.5.02(2).
- (5) **Enclosure.**
  - (a) Each swimming pool as defined in Section 2.14.04 shall be completely enclosed by a fence, wall, cover, or other protective device of sufficient strength to prevent access to the pool by a person weighing 250 pounds or less.
  - (b) If a fence or wall is used for the required enclosure, such fence or wall shall not be less than six feet in height and not less than six feet from the pool edge; and not have voids, holes, or openings larger than four inches in one dimension. Gates or doors shall be equipped with self-closing and self-latching devices located at the top of the gate or door on the pool side of the enclosure, except the door of any building that forms a part of the enclosure.
  - (c) If a cover or other protective advice is used for the required enclosure, such cover or other protective device shall have a strength, design, and material that meets the requirements of this Section and is securely fastened in place when the swimming pool is not in use.
- (6) **Compliance.** All swimming pools existing at the time of passage of this Chapter not satisfactorily fenced shall comply with the fencing requirements of this section or when water is placed in the pool.

- (7) **Draining and Approval Thereof.** No swimming pool shall be constructed so as to allow water to drain into any sanitary sewer nor to overflow upon or cause damage to any adjoining property. Draining a swimming pool into public streets, other public property, or the storm sewer system may occur only with the prior approval of the Village's Director of Public Works.
- (8) **Filter System Required.** All swimming pools must have, in connection therewith, some filtration system to ensure proper circulation of the water therein and maintenance of the proper bacterial quality thereof.
- (9) **Dirt Bottoms Prohibited.** All swimming pools shall have the sides and bottom of a smooth finish, and no sand or dirt bottom shall be permitted.