

ORDINANCE NO. 663

AN ORDINANCE OF THE BOROUGH OF CHURCHILL ESTABLISHING  
STANDARDS GOVERNING THE CONSTRUCTION, MAINTENANCE, AND  
USE OF PRIVATE SWIMMING POOLS.

THE BOROUGH OF CHURCHILL HEREBY ORDAINS:

1. Definition. As used this ordinance, SWIMMING POOL or POOL is hereby defined as an outdoor swimming pool used or intended to be used solely by the owner of a residential property, his family, or lessee thereof and his family, and by guests invited to use it without the payment of any fee.

2. Applicability. This ordinance shall apply to all new outdoor swimming pools hereinafter constructed as well as existing swimming pools whether aboveground or in the ground and having a depth of eighteen (18) inches or more at any one point.

3. Construction Permit and Approval. Before any work is commenced on the construction of a swimming pool or on any alteration, addition, remodeling or other improvement to a swimming pool, an application for a permit for construction, together with plans and specifications pertinent to the construction, as well as explanatory data, shall be submitted to the Building Inspector. No part of the work shall be commenced until approval has been granted the applicant by a written permit.

The fee for the Building Permit authorizing the installation, inspection and/or alteration of private swimming pools shall be:

All portable pools and pools less than 26 feet in length shall be \$75.00. For pools 26 feet in length or longer, the fee shall be \$125.00, plus the cost of engineering review.

All plans, including a plot plan, shall bear the name and seal of a registered architect or registered engineer. The plot plan shall show the location of all buildings and the proposed pool on the property, distances on all property lines in the immediate vicinity of the swimming pool and dwelling, and the location of wells, sewage disposal systems and proposed enclosure or fence around the pool.

Standard pools, properly designed by established swimming pool companies and having the approval of a registered engineer or registered architect shall be acceptable when accompanied by suitable plans and specifications, including information as stated herein.

4. Enclosure. Every swimming pool shall be completely surrounded by a fence, wall or similar enclosure not less than four (4) feet in height, which shall be so constructed as to have no openings, holes or gaps larger than two (2) inches in any dimension. If the fence or wall is a picket fence, the horizontal dimensions maintained shall not exceed four (4) inches. A dwelling or accessory building may be used as part of such enclosure.

All gates or door openings through such enclosure shall be equipped with a self-closing, self-latching device on the pool side for keeping the gate or door securely closed at all times when not in use, except that the door of any dwelling or accessory building which forms a part of the enclosure need not be so equipped. The fence shall surround the pool and the deck area. Fences shall be erected around all existing swimming pools prior to filling.

5. Location on the Property. A swimming pool shall be located at the rear of a dwelling or along the side of the dwelling where practical.

There shall be a minimum of three (3) feet of concrete, stone, brick or block sidewalk or other all weather surface around all pools, except portable aboveground pools.

No swimming pool or appurtenances including decks and shelters shall be erected nearer to any property line than a building could be erected in the same use district as set forth in the zoning ordinance.

No swimming pool shall be so located as to interfere with the operation of a well or on-site septic system, or to be located where there is potential danger of a septic system discharging into the pool or onto the adjacent area around the pool.

6. Design and Construction Requirements. No permit to construct new swimming pools (existing pools are excluded from this section) shall be issued unless and until the following design and construction requirements are observed.

1. **Material:** The material used for lining a swimming pool shall be light in color, impervious and shall provide a tight tank with easily cleaned surfaces. Sand or dirt bottoms are prohibited if uncovered.
2. **Walls and Bottom:** All pool walls and bottoms shall be designed to withstand water pressure from within and to resist the pressure of earth and ground water when the pool is empty.

3. Steps, Ladders, Handholds: One or more steps, ladders, stepholes or handholds shall be provided for all pools. The coping of the swimming pool, of not higher than eight (8) inches above the water surface, shall be considered a handhold.
4. Make-up Water: Pools shall be equipped with suitable facilities for adding make-up water as required. There shall be no physical connection between the water supply line and the pool system. When make-up water is added to the pool, the inlet shall be at least six (6) inches above the pool water surface.
5. Drainage Outlet: No pool water shall be drained at the curb, along the gutter line of any street or on the surface of any street. (A pool drainage system may be connected to the public sanitary sewer system upon written approval of the Building Inspector.)
6. Recirculation: Provision shall be made for complete circulation of water throughout the pool. The system shall be designed and constructed so that a turnaround at least once every twelve (12) hour period shall be provided. Recirculation systems shall consist of pumping equipment, hair-and-lint catcher, filters, together with all necessary pipe connections to the pool inlets and outlets, facilities and pipe connections necessary for backwashing or cleaning filters.
7. Safety Equipment: Life preservers, ropes and poles shall be readily available at the pool site.

7. Portable Pools. Aboveground pools are not subject to the design and requirements as set forth herein. However, all such pools having walls less than four (4) feet shall be enclosed in accordance with the provisions of this ordinance.

Portable aboveground pools having walls four (4) feet or greater in height may be excluded from the fencing requirement provided such pools are equipped with access ladders which may be raised and locked in a near vertical position when the pool is unattended. An aboveground pool as described in this paragraph which is served by a ladder or steps which cannot be raised and locked so as to prevent access by small children shall be enclosed in accordance with section 3.

8. Property Rights. No swimming pool shall be so located or maintained as to interfere unduly with the enjoyment of the property rights of others.

9. Shielding Lights. Lights used to illuminate any swimming pool shall be so arranged as to reflect light away from adjoining premises.

10. Unnecessary Noise. It shall be unlawful for any person to make, continue or cause to be made or continued at any swimming pool, any loud, unnecessary or unusual noise which disturbs, injures or endangers the comfort, health, peace or safety of others. The use or operation of any radio, musical instrument, phonograph, recording equipment, or other machine or

device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or at any time with volume louder than is necessary for convenient hearing of persons at the swimming pool site shall be unlawful.

11. Electrical Connections. All electrical installations shall conform to the specifications of the National Electrical Code. No electric wires or conductors shall cross, either overhead or underground, on any part of a swimming pool, nor shall any electric wiring be installed parallel to any pool wall closer than five (5) feet, if underground, unless enclosed in a rigid conduit, or within (5) feet, if overhead.

All underwater lights must be watertight, self-contained units with ground connections running from a waterproof junction box to a proper grounding facility or medium. All underground electric wires supplying current to said lights within a distance of five (5) feet of the pool wall or walls shall be enclosed in rigid conduits.

All metal fences, enclosures or railings, near or adjacent to a swimming pool, which might become electrically charged as a result of contact with broken overhead conductors, or from any other cause, shall be effectively grounded.

12. Penalties. Any person, firm or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than three hundred dollars (\$300.00), and/or to imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

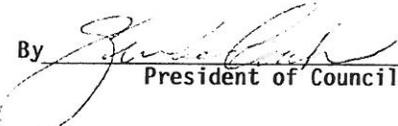
13. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed.

14. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough of Churchill that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

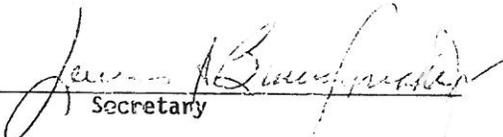
15. Effective Date. This ordinance shall become effective on October 14, 1997.

ORDAINED AND ENACTED into an ordinance this 14th day of October, 1997.

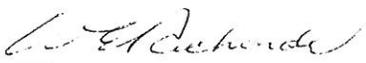
THE BOROUGH OF CHURCHILL

By   
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Secretary

EXAMINED AND APPROVED this 14th day of October, 1997.

  
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Mayor