

## CHAPTER 99: SWIMMING POOLS

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### § 99.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**JUVENILE POOL.** A receptacle for water or an artificial pool of water having a depth of less than two feet, intended for the purpose of immersion or partial immersion therein of human beings.

**PRIVATE RESIDENTIAL SWIMMING POOL.** A swimming pool maintained by an individual primarily for the sole use of his household and guests and not for the purpose of profit or in connection with any business operated for profit.

**PUBLIC SWIMMING POOL.** A swimming pool maintained by individuals for the use of more than one household, maintained by a club for the use of its members, maintained by a business for profit, or maintained by a school, park district, municipality, or other public not-for-profit organizations.

**SWIMMING POOL.** A receptacle for water, or an artificial pool of water having a depth at any point of more than two feet, intended for the purpose of immersion or partial immersion therein of human beings, and including all appurtenant equipment constructed, installed, and maintained in or above the ground inside or outside of a building.

## **§ 99.02 PERMIT REQUIREMENTS.**

(A) It shall be unlawful to proceed with the construction, installation, enlargement, or alteration of any swimming pool unless permits shall have been obtained from the village.

(B) It shall be unlawful to proceed with the construction, installation, enlargement, or alteration of any public swimming pool within the village unless any required permits shall first have also been obtained from the state.

(C) Juvenile pools shall require no permit.

Penalty, see § 10.99

## **§ 99.03 DRAWINGS AND PLANS TO BE SUBMITTED.**

Each application for a swimming pool permit shall be accompanied by a permit fee of \$5 and by a set of plans or drawings which shall be drawn to scale. All distances and dimensions shall be accurately figured, and drawings shall be made explicit and complete, showing the lot lines, distance from the residence, and location of the fence and the pool walk. The application shall contain information pertaining to the swimming pool, walk and fence construction, electrical system, and all relevant appurtenances pertaining to the pool, sufficient to show whether the swimming pool will compliance with this chapter.

## **§ 99.04 LOCATION RESTRICTIONS.**

(A) Private residential swimming pools shall be permitted only in areas zoned single-family residential under the Village Zoning Code. No portion of the pool shall be located less than four feet from a side or rear lot line. Pools and appurtenant equipment shall not be permitted in any front yard.

(B) Public swimming pools shall be permitted in areas zoned residential and business under the Village Zoning Code, except that any public swimming pool operated for the purpose of profit or operated in connection with a business operated for profit shall not be operated in a single-family residential zone. No portion of a public swimming pool or its appurtenant equipment shall be located less than 15 feet from a side or rear lot line. Public swimming pools shall not be located in a front yard.

## **§ 99.05 SWIMMING POOL FENCES.**

(A) A swimming pool shall be completely enclosed by a fence erected along the periphery of the swimming pool and any immediately adjacent walk, deck, or terrace area appurtenant to the swimming pool. The fence shall be at least 36 inches in height and shall be designed and constructed to render the swimming pool inaccessible to children under six years of age. All fence openings shall be equipped with gates and all gates shall be equipped with self-closing devices and shall have latches.

(B) Swimming pools shall be exempt from the requirements of division (A) above if they are above ground level in whole or in part, and if they have a walkway or deck area greater than 30 inches in height with integral guards or rails and a means of egress which can be removed and locked while the swimming pool is not in use. Persons with such exempt pools shall ensure that ladders and other means of ingress or egress are kept removed or locked when the swimming pools are not in use.

#### **§ 99.06 ELECTRICAL REQUIREMENTS.**

Where electrical conductors are adjacent to a swimming pool or juvenile pool, they shall have proper insulation and shall be ground fault protected. No overhead electrical wires shall be permitted within 15 feet of a swimming pool.

#### **§ 99.07 POOLS TO BE KEPT SAFE AND SANITARY.**

Swimming pools and juvenile pools shall be maintained in a clean, safe, and sanitary condition.

#### **§ 99.08 INSPECTION REQUIREMENTS.**

The officer charged under the Village Zoning Code with enforcement may, upon completion of construction of a pool or upon receipt of information that a pool is nonconforming, and with prior notice to the owner, inspect a swimming pool to determine whether it is in compliance with provisions of this chapter.

#### **§ 99.09 NONCONFORMING STRUCTURES.**

Swimming pools erected prior to the effective date of this chapter which do not meet the fence, electrical, or safety requirements of this chapter shall be made to conform to such requirements within 90 days of the effective date of this chapter. No swimming pool existing as of the effective date of this chapter shall be rendered illegal solely because its violation of location or setback provision of this chapter.

#### **§ 99.10 ENFORCEMENT.**

It shall be unlawful to own or operate a swimming pool or juvenile pool in violation of this chapter. The officer charged with administration of the Village Zoning Code is charged with administration of this chapter.

#### **§ 99.11 VARIATIONS.**

Variations under this chapter may be allowed and shall be processed in the same manner as variations under the Zoning Code.