

PART II – GENERAL LEGISLATION

Chapter 225 – Swimming Pools

[Adopted as Ord. of 8-3-65 – Amended and Adopted, December 27, 2012, as Chapter 225 of the Code]

Article I – Private Pools

Sections 225-11 – 225-22

Article I – Private Pools

Section 225-1 – Definition – Swimming pool as used in this article means an artificial body of water or receptacle for water over two (2) feet in depth at any point and used or intended to be used for swimming or bathing and including all appurtenant docks, walks and equipment constructed, installed and maintained in or above the ground outside of the principal structure to which the pool is accessory; and maintained by an individual for the sole use of his household and guests without charge or the purpose of profit and not in connection with any business operated for profit, located as an accessory use on the same lot as his residence. (Ord. of 8-3-65, 3)

Section 225-12 – Applicability of article – The provisions of this article shall not be applicable to municipally and county-owned and operated swimming pools (Ord. of 8-3-65, 2).

Section 225-13 – Enforcement of article – The provisions of this article shall be enforced by the village board of trustees, its employees, agents and servants (Ord. of 8-3-65, 8).

Section 225-14 – Permit requirements

(a) *Application* – No person shall construct or install a swimming pool without first having applied for and been issued a permit therefore from Code Enforcement Officer on such form as may be prescribed by the Board of Trustees. Such application shall be accompanied plans and specifications in sufficient detail to show the following:

- (1) Pool dimensions, depths, volume in gallons, the distance of the pool from all lot lines, existing a proposed structures and septic tanks and their fields if any.
- (2) Pool fencing.

(b) *Issuance* – The Code Enforcement Officer, after finding that the application and plans and specifications comply with the provisions hereof, shall approve the issuance of a permit of the construction or installation of such pool.

Section 225-15 – Maintenance, operation of pool subject to article regulations – A person may maintain and operate a swimming pool as an accessory use on property owned by the person subject to the regulations set forth in this article (Ord. of 8-3-65, 4).

Section 225-16 – Lot coverage – The gross area for swimming pools (to include any decking, maintenance equipment and other appurtenances) shall not exceed fifteen percent (15 %) of the total area of the lot.

Section 225-17 – Location of pools and appurtenances – All swimming pools and the appurtenances thereto shall be constructed and located so as to have a yard not less than five (5) feet in width on all sides except where the pool is attached to or part of a principal structure (Ord. of 8-3-65, 4).

Section 225-18 – Setback for corner lots -All swimming pools constructed on corner lots shall conform to the setback required for a principal residential structure on the secondary or side streets (Ord. of 8-3-65, 4).

Section 225-19 – Fencing requirements

(a) *Generally* – For the protection of the general public, all swimming pools as defined in this article shall be effectively fenced by an artificial enclosure not less than four (4) feet in height, surrounding either the property or the pool area, strong enough to make the pool inaccessible to small children.

(b) *Aboveground pools* – For pools projecting above the ground and which are self-enclosed by the exterior projections thereof, said enclosures shall be construed to satisfy the requirements of this section; provided they are not less than four (4) feet in height above the ground.

(c) *Gates* – Any openings in enclosures affording access to a pool shall be provided with a gate containing an automatic or manual-locking device affixed in such a manner as to exclude small children (Ord. of 8-3-65, 4).

Section 225-20 – Use of artificial lighting – No person may use a floodlight to illuminate a swimming pool if the floodlight casts light directly on adjoining property. No person may use any other kind of light to illuminate a swimming pool if it unreasonably annoys the occupants of adjoining property (Ord. of 8-3-65, 4).

Section 225-21 – Maintenance equipment

(a) *Location* – Pool heating, filtering, disinfecting a re-circulating equipment shall not be located at any point within five (5) feet from adjacent property lines.

(b) *To be screened, enclosed* – All pool maintenance equipment shall be effectively screened and enclosed so as not adversely affect the character of surrounding properties.

(c) *Restrictions* – No equipment shall be permitted, the use of which by reason of the emission of noise, vibrations, dust or odors would be considered obnoxious or dangerous the health and safety of the public (Ord. of 8-3-65, 4).

Section 225-22 – Violations – Penalty

(a) *Generally* – Any person who violates this article shall pay a penalty of not more than one hundred and fifty dollars (\$150.00) for each such offense. Each day that a violation continues may constitute a separate offense punishable by the penalty set forth in this section.

(b) *Injunction* – The village may maintain a suit to enjoin the continuances of a violation.

(c) *Existing remedies* – The remedies provided by this section do not affect any remedy otherwise provided by general law or any special statute (Ord. of 8-3-65, 5, 6, 7).

This page has purposefully been left blank.