

Chapter 156: Swimming Pools

CHAPTER 156: SWIMMING POOLS

Section

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§ 156.01 GENERAL PROVISIONS.

A. Definition: The term “private residential swimming pool means a receptacle for water, or an artificial pool of water having a depth at any point of more than two feet (2’), intended for the immersion or partial immersion therein of human beings, and including all appurtenant equipment, constructed, installed and maintained in the ground, for the sole use of members of dwelling units or guests and not for a fee or in connection with any business, governmental, social or fraternal organization. Private residential swimming pools shall be permitted in residential districts only. Above ground swimming pools are not permitted, except as provided in § 156.06. Inflatable wading pools not more than two feet (2’) in depth are not swimming pools for purposes of this Section. Hot tubs not exceeding eight feet (8’) in diameter and four feet (4’) in depth, built into a deck attached to a residence are not swimming pools for purposes of this Section.

B. Building Permit Required: A building permit is required for the construction, alteration, enlargement or installation of a private residential swimming pool.

C. Approval of Plans: All plans and specifications for the construction, installation, enlargement or alteration of any private residential swimming pool and appurtenances shall be presented to the Building Inspector for examination and approval as to proper location, construction and use.

D. Plans and Specifications: All plans and specifications shall be drawn to scale of not less than one-eighth of an inch to the foot ($1/8'' = 1'$). All distances and dimensions shall be accurately figured and drawings made explicit and complete, showing the lot lines, and including information pertaining to the pool, walk and fence construction, water supply system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool, indicating depth, shall be included.

E. Deviation From Plans: All private residential swimming pools, appurtenances, water supply and drainage systems shall be constructed in conformity with the approved plans.

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F. Setback Area; Maximum Area:

1. Side and Rear Yards: No portion of a private residential pool, or any of its equipment or appurtenances, shall be located at a distance less than thirty feet (30') from any side or rear property line and not less than twenty-five feet (25') from any septic tank or septic field absorption field line. Platforms, decks or walkways constructed at grade level may encroach three feet (3') into the thirty foot (30') side and rear yard setback.
2. Front and Corner Side Yards: No portion of a private residential swimming pool and its appurtenances may encroach into a front yard or a corner side yard.
3. Pool Area: The inside swimming area of a private residential swimming pool shall not exceed twenty-five percent (25%) of the rear yard area.

G. Materials: Private residential swimming pool walls and floor shall be constructed of any impervious material which will provide a tight tank with light colored, easily cleaned surfaces. The floor or bottom surface of the pool shall have a non-slip finish as smooth as possible. The side and the end walls of a pool shall present a smooth finish.

H. Electrical Requirements: All electrical installation provided for, installed and used in conjunction with private residential swimming pools shall be in conformance with the National Electrical Code, State and local laws. No electrical conductors shall cross over or under a pool, nor be within ten feet (10') of the pool, except conductors which are appurtenant to the pool equipment. Any metal fence or other structure adjacent to a pool shall be properly grounded.

I. Structural Design: Pools shall be designed to withstand the water pressure from within, and to resist the pressure of the earth when the pool is empty.

J. Wall Slopes: To a depth up to five feet (5') from the pool top, the wall slope shall not be more than one unit horizontal in five (5) units vertical (1:5).

K. Floor Slopes: The slope of the pool floor on the shallow side of the transition point shall not exceed one unit vertical to seven (7) units horizontal (1:7). The slope of the pool floor on the deep side of the transition point shall not exceed one unit vertical to three (3) units horizontal (1:3). The transition point between shallow and deep water shall not be more than five feet (5') deep.

L. Diving Boards: No diving board shall be more than three (3) meters above the water surface. International Building Code, as amended, shall determine minimum water depths and distances when diving boards are proposed.

M. Walk Areas: Unobstructed walk areas not less than thirty-six inches (36") wide shall be provided to extend entirely around the pool. The walk area shall be constructed of impervious

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material, and the surfaces shall be of such as to be smooth and easily cleaned and of non-slip construction. The slope of the walks shall have a pitch of at least one-fourth inch (1/4") to the foot, designed so as to prevent back drainage from entering the pool.

N. Steps or Ladders: Two (2) or more means of egress in the form of steps or ladders shall be provided. The means of egress shall be located at both the deep end and shallow end of the pool. Treads of steps and ladders shall be constructed of non-slip material and shall have a handrail on both sides.

O. Fences: All swimming pools shall be completely enclosed by a fence which shall enclose either the periphery area of the pool walks or the entire yard where the pool is located, so as to prevent the passage of any object having any dimension in excess of six inches (6"). A fence enclosing only the pool shall be three and one-half feet (3.5') in height above the existing grade. The finished side of all pool fences shall face the abutting properties and all fence openings shall be equipped with gates having self-closing and self-latching devices placed at the top of the gate. A fence enclosing the entire yard where the pool is located shall comply with the regulations in Chapter 151 of this Code. All fencing material shall be approved by the Building Inspector. Plants, shrubs, bushes or any other living screening shall not constitute a fence meeting the requirements of this Chapter.

P. All residential swimming pools shall be of the recirculation type, the water drawn from the pool being clarified and disinfected before being returned to the pool, and shall comply with all applicable regulations of Lake County.

§ 156.02 DRAINAGE.

No direct connection shall be made to the sanitary sewer or septic system and no drainage shall be made into or over a septic system or into a storm ditch or swale or otherwise result in any of the contents flowing onto, or beyond the boundaries of the owner's property. All drainage shall be hauled from the owner's property by an enclosed tanker truck or similarly equipped vehicle.

§ 156.03 LOUD, UNNECESSARY NOISE.

No loud unnecessary or unusual noises shall be permitted in or around a private swimming pool, nor any noise which disturbs the peace, quiet and comfort of neighboring residents. This includes radios, musical instruments, and phonographs, which shall not exceed the volume necessary for convenient hearing of the persons who are on the pool premises.

§ 156.04 POOLS CREATING NUISANCES.

No pool shall be so operated or maintained as to create a nuisance, an eyesore or otherwise to result in a substantial adverse effect on neighboring properties, or to be in any other way detrimental to the public health, safety and welfare. The Building Inspector shall refer any complaints or questions under this section to the Plan Commission, which shall have the authority to issue an appropriate order to terminate the condition about which there is a complaint. The Building Inspector shall refer the application for any pool which he considers to be undesirable in appearance to the Plan

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Commission. The Commission shall have the authority to approve, deny, or impose appropriate changes or safeguards. Its decision shall be based upon the avoidance of a substantial adverse effect upon property values in the neighborhood.

§ 156.05 POOLS TO BE KEPT IN SAMTARY CONDITION.

A swimming pool and its appurtenant facilities shall be kept clean and in a sanitary condition.

§ 156.06 EXISTING ABOVE-GROUND POOLS; AMORTIZATION PERIOD.

Any resident of the Village owning an above-ground pool prior to the effective date of this Ordinance may continue to utilize the pool, or any replacement pool, until September 30, 2014, subject to the following conditions:

A. After the effective date of this Ordinance, no existing above-ground pool may be filled or re-filled until the owner has registered the pool with the Village Building Inspector. Registration shall be required only once for each above-ground pool. No fee shall be required for registration. Proof of ownership of the pool prior to the effective date of this Ordinance shall be required for registration.

B. Registration of an existing above-ground pool shall be valid only as to the owner of the property on the date of registration and is not transferable. If the property is sold, any above-ground pool must be removed and no above-ground pool shall be permitted thereafter.

C. All provisions of this Chapter shall be applicable to above-ground pools, except that no building plans or permits shall be required; no diving boards shall be permitted; and requirements regarding floor slopes and walkways shall not apply.

D. Every registered above-ground pool shall be permanently removed after September 30, 2014 and no above-ground pools shall be permitted thereafter.

(Ord. 78-5, passed 3-20-78)

(Am. Ord. 09-01, passed 12-29-08)