

Swimming Pool Information Checklist (see reverse side for full text of ordinance)

Definition

- ☐ Outdoor structure containing a body of water
- ☐ Depth for water at any point greater than 1 1/2 feet located above or below the surface of ground elevation

Permit required, including the following:

- ☐ Plans and specifications and pertinent explanatory data required
- ☐ Type of pool (above-ground or in-ground)
- ☐ Location on parcel
- ☐ Dimensions

Construction requirements

- ☐ State and town regulations must be followed for construction, electrical and plumbing
- ☐ Suitable draining method required and cannot drain into:
 - A sanitary sewer system
 - Any on-site private sewage system
 - Directly into a navigable body of water
 - Onto lands of other property owners adjacent to that on which the pool is located on in the general vicinity
- ☐ No lighting installed around swimming pools shall throw direct illumination onto adjacent properties.

Setbacks and other requirements

- ☐ Rear or side lots only and only on a lot occupied by a principal building (not allowed on a vacant lot)
- ☐ Swimming pools shall comply with the yard requirements for principal structures in the district in which they are located.
- ☐ Pools must be located a minimum of 10 feet from any roof structure.

Fence

- ☐ Completely enclosed by a fence of sufficient strength to prevent access to the pool
- ☐ Minimum of four feet in height
- ☐ So constructed as not to have voids, holes or openings larger than four inches in one dimension
- ☐ Access to in-ground pools shall be controlled by a self-latching gate, and all such gates shall be kept securely closed and locked when the owner or occupant is not present at the pool
- ☐ The pool enclosure may be omitted where aboveground pools in the following circumstances:
 - A raised deck for access to pool and the remainder of pool meets the forty-two-inch pool height
 - An attached enclosed 36-inch high (or more) railing with openings no wider than four inches and with a self-closing, self-latching gate
 - If the pool enclosure has side walls of at least 42 inches, with a ladder or stairs access that is restricted.

Chapter 380. Zoning

Article X. Accessory Uses and Structures; Fences and Hedges

§ 380-110. Swimming pools.

- A. Definition. A private or residential swimming pool is an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than 1 1/2 feet located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.
- B. Exempt pools. Storable, inflatable children's swimming or wading pools with a maximum dimension of 15 feet in diameter and a maximum wall height of 15 inches and which are so constructed that they may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this section.
- C. Permit required. Before work is commenced on the construction or erection of private or residential swimming pools or on any alterations, additions, remodeling or other improvements, an application for a swimming pool building permit to construct, erect, alter, remodel or add must be submitted in writing to the Building Inspector. Plans and specifications and pertinent explanatory data should 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. A fee as set forth on the schedule of deposits, bonds and fees shall accompany such application.
- D. 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 as provided for in Subsection [C](#) unless the following construction requirements are observed:
- 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 code and with any and all ordinances of the Town now in effect or hereafter enacted.
 - All plumbing work shall be in accordance with all applicable ordinances of the Town and all state codes. Every private or residential swimming pool shall be provided with a suitable draining method, and in no case shall waters from any pool be drained into a sanitary sewer system, into any on-site private sewage system, directly into a navigable body of water or onto lands of other property owners adjacent to that on which the pool is located on in the general vicinity.
 - All electrical installations, including lighting and heating but not limited thereto, which are provided for, installed and used in conjunction with a private swimming pool shall be in conformance with the state laws and Town ordinances regulating electrical installations. Swimming pools shall not be constructed directly over or under electric transmission lines. All electrical connections to a swimming pool shall be properly grounded so that no electrical current can be discharged into any part of the swimming pool or the surrounding fence.
 - No lighting installed around swimming pools shall throw direct illumination onto adjacent properties.
- E. Setbacks and other requirements.
- (1) Private swimming pools shall be erected or constructed on rear or side lots only and only on a lot occupied by a principal building. No swimming pool shall be erected or constructed on an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and said lot is occupied by a principal building.
 - (2) Swimming pools shall comply with the yard requirements for principal structures in the district in which they are located.
 - (3) Pools must be located a minimum of 10 feet from any roof structure.
- F. Fence.
- (1) Pools within the scope of this section which are not enclosed with a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool. Such fence or wall shall be not less than four feet in height and so constructed as not to have voids, holes or openings larger than four inches in one dimension. Access to in-ground pools shall be controlled by a self-latching gate, and all such gates shall be kept securely closed and locked at all times when the owner or occupant is not present at the pool.
 - (2) The pool enclosure may be omitted where aboveground pools are installed above ground and have a raised deck for access to pool and the remainder of pool meets the forty-two-inch pool height. An attached enclosed railing with a minimum of 36 inches high with openings not to exceed four inches with a self-closing, self-latching gate, or if the pool enclosure has side walls of at least 42 inches, with a ladder or stairs access that is restricted.
- G. 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.