

Sec. 54-1. Definitions – Private, residential or family pool.

A swimming pool used or intended to be used solely by the owner, or lessee thereof, and his family, and by his guests, invitees, permittees or friends invited to use it without payment of any fee.

Sec.54-171. Scope of article.

The provisions of this article shall apply to all private, residential or family swimming pools within the jurisdiction of the city.

Sec. 54-172. Construction permit—Required; submission of plans.

Before the initial work is commenced on the construction of a private, residential or family pool, an application for a permit from the DCHD is required. The pool construction plans shall be accompanied by one set of construction drawings, one plot plan and one surveyor certificate for examination and approval in accordance with the provisions of this Code.

Sec. 54-173. Same—Approval of plans and permit.

The construction drawings and permit for a private, residential or family pool shall be approved by the DCHD before the applicable permits shall be issued by the permits and inspections division.

Sec. 54-174. Adoption of rules and regulations.

The DCHD is hereby authorized to promulgate rules and regulations for the operation and maintenance of private, residential or family pools for the protection and promotion of public health and safety.

Sec. 54-175. Water purification turnover cycle.

The pump, filters and chemical feeders, together with all piping and valves, shall be designed to completely treat the entire volume of water in the pool in 18 hours or less.

Sec. 54-176. Setback.

The walls of a private, residential or family swimming pool shall be located at least four feet from any lot line.

Sec. 54-177. Enclosure.

- (a) Every in-ground or below grade outdoor private, residential or family pool shall be completely surrounded by a fence or wall not less than five feet seven inches in height. All fence openings for both in-ground and above ground pools shall not allow passage of 4 inch diameter sphere. Above ground and/or on-ground pools shall have a minimum 48 inch high fence. A dwelling or accessory building may be used as part of such enclosure.
- (b) All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device located at least 45 inches above grade level for keeping the gate or door securely closed at all times
- (c) Where a wall of the house serves as part of the enclosure barrier, either all doors including sliding doors with direct access to the pool shall be equipped with an approved automatically resetting audible alarm, or doors shall be self-closing and self-latching with the release mechanism for the latch installed 54 inches minimum above the threshold, or the pool shall be equipped with an approved power safety cover. This requirement shall be limited to in-ground swimming pools and/or pools set into a deck and that have no other existing barrier and shall be effective for pools installed on or after June 1, 2006.
- (d) The pool structure may be acceptable as a barrier, provided the 48 inch minimum height requirement is met, or if the barrier is mounted and sturdy on top of the pool structure. A removable ladder shall not constitute an acceptable alternative to barrier requirements. When the pool structure qualifies as the barrier, the ladder access area shall be enclosed with an approved minimum 48 inch high fence with self-closing and self-latching gate or door. The self-latching device shall be located at least 45 inches above grade level for keeping the gate or door securely closed at all times.

- (e) The provisions of this section shall be applicable to all family pools, other than indoor pools, which have a minimum depth of 24 inches of water. Depth shall be measured from the pool bottom to the point of overflow of the pool rim. No person in possession of land within the city limits or three miles outside of the city limits, either as owner, purchaser, lessee, tenant or licensee, upon which is situated a family pool having a minimum depth of 24 inches, shall fail to provide and maintain such fence or wall as herein provided.
- (f) Private, residential or family spas shall have a safety cover complying with ASTM F 1346 and shall be covered at all times when not in use.

Sec. 54-178. Safety of bathers.

All reasonable precautions shall be taken to protect the users and bathers in private, residential or family swimming pools from injury or accident. Convenient means of ingress and egress shall be provided and the depth of water and any irregularities of the bottom shall be clearly indicated. Safety appliances such as life buoys, life hooks, ropes and first-aid kits, are recommended and should be readily accessible.

Sec. 54-179. Commercial activities.

The carrying on of any commercial undertakings at a private, residential or family pool entailing sales of food, drinks, novelties or other merchandise is hereby prohibited.