

Ordinance No. 2010-03

**AN ORDINANCE TO AMEND ARTICLE VIII OF THE
CODE OF ORDINANCES FOR THE VILLAGE OF UNION GROVE PERTAINING TO
SWIMMING POOLS**

The Village Board of the Village of Union Grove, Racine County, Wisconsin, ordains as follows:

1. That Article VIII of the Code of Ordinances for the Village of Union Grove be, and hereby is, amended to read as follows:

“ARTICLE VIII. SWIMMING POOLS

Sec. 18-356. Definitions.

- (a) “Approved safety pool cover” means a power-operated safety pool cover that meets all of the most-recent performance standards of the American Society for Testing and Materials (ASTM).
- (b) “Swimming pool” means any artificial body of water used or intended to be used for wading or swimming, having a depth at any point greater than 24 inches or with a surface area exceeding 200 square feet, constructed, installed or maintained in-ground or above-ground, outside or as an accessory to a residential building or private property within the village.
(Ord. of 7-12-99, § 1)

Sec. 18-357. Exempt pools.

Storable children’s swimming or wading pools, with a maximum dimension of 15 feet 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.

Sec. 18-358. Construction and maintenance.

- (a) Every swimming pool shall be so designed and constructed as to facilitate cleaning and shall be maintained and operated in such a manner as to be clean and sanitary at all times.
- (b) Every swimming pool shall be designed, constructed and maintained so that it will not create a hazard to health, safety or the general welfare, and will not be detrimental to the neighborhood or to the residents thereof.
- (c) All buildings or structures to be erected under the provisions of this section shall conform to the requirements of this Code for setbacks and area requirements for accessory structures for the zoning district of the property. Swimming pools shall not be located in the front yard, nor less than five (5) feet from any lot line or building wall.
- (d) Any lights illuminating such swimming pool shall be so erected as to eliminate direct rays and minimize reflected rays of light onto adjoining properties and roadways.
- (e) Except as provided below, a fence with a minimum height of forty eight (48) inches shall completely surround all swimming pools. There shall be no opening in said fence larger than six (6) inches square. All gates or doors opening through such enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device capable of keeping such door or gate securely closed. Such fences shall be erected in such manner that there shall be an apron of level surface at least three feet in width surrounding all sides of the pool and conform to the side yard requirements for accessory buildings of this Code.

- (f) A fence is not required around an above-ground swimming pools where the pool wall is at least forty eight (48) inches in height above grade for the full pool perimeter, and provided that all ladders, steps or other means of access to the pool are removed and/or designed to prevent access when the pool is unattended.
- (g) The Plan Commission may also waive the fencing requirement for any pool with an approved safety pool cover that also complies with any site-specific safety and/or nuisance-related conditions placed upon such approval.
- (h) All swimming pools must be equipped with an adequate self-contained filtration and recirculating system detached from any potable water supply or waste disposal system.
- (i) Pools shall not drain into sanitary sewers, roadside ditches or neighboring properties. Pool waste water may be used for irrigation by surface or subsurface spreading providing no hazard, nuisance or unsanitary condition will occur in the opinion of the health officer, building inspector or the director of public works.
(Ord. of 7-12-99, § 1)

Sec. 18-359. Permit.

All private swimming pools shall require a building permit with the fee as listed on the schedule of building permits fees on file in the village clerk's office. Application for permits shall be accompanied by plans, before construction commences. Plans submitted shall included a plot plan detailing location and easements, dimensions, depths, volume of gallons, type and size of filter system and waste disposal system.
(Ord. of 7-12-99, § 1)

Sec. 18-360. Appeal from inspectors ruling.

Any person feeling himself aggrieved by any order or ruling of the building inspector may appeal in writing to the board of zoning appeals of the village within 30 days of the alleged act or omission of said inspector pursuant to section 62.23, Wis. Stats., and the rules and regulations of the board.
(Ord. of 7-12-99, § 1)

Sec. 18-361. Duty to comply.

Compliance with this section shall be the duty of the person owning, controlling or managing any building or premises wherein or whereon there shall be placed or there exists a swimming pool subject to this section.
(Ord. of 7-12-99, § 1)”

- 2. That this ordinance shall take effect upon adoption and publication as provided by law.

Adopted this 24th day of January, 2011.

VILLAGE OF UNION GROVE

By: _____/s/
Michael Aimone
Village President

Attest: _____/s/
Janice Winget, WCPC, CMTW
Village Clerk/Treasurer

Introduced: 01/24/2011
First Reading: 01/24/2011
Second Reading: Rules Suspended
Third Reading: Rules Suspended
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3345.100 – Section 18 – Swimming Pools (1/24/11)