

CHAPTER 1325  
Swimming Pools

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CROSS REFERENCES

Swimming pools - see OAC Ch. 3701-31  
Application for filling swimming pools - see S.U. & P.S.  
923.07

1325.01 DEFINITIONS.

As used in this chapter:

- (a) "Private swimming pool" means any indoor or outdoor structure, chamber or tank containing a body of water for swimming, diving or bathing located at a dwelling house of no more than three families and used exclusively by the residents and their nonpaying guests.
- (b) "Public swimming pool" means any indoor or outdoor structure, chamber or tank containing a body of water for swimming, diving or bathing that is intended to be used collectively for swimming, diving or bathing and is operated by any person whether as the owner, lessee, operator, licensee or concessionaire, regardless of whether or not a fee is charged for use, but does not mean any public bathing area or private swimming pool.
- (c) "Public bathing area" means an impounding reservoir, basin, lake, pond, creek, river or other similar natural body of water.
- (d) "Limited access ladder" means any ladder with provision for making entry inaccessible when the pool is not in use, i.e., swing-up, slide-up or equivalent.
- (e) "Portable ladder" means any ladder which, by its portable nature, is intended to be physically removed with ease when the pool is not in use.  
(Ord. 77-92. Passed 11-2-92.)

**1325.02 PERMITS REQUIRED.**

No person, firm or corporation shall locate, construct, or install any swimming pool or make any alterations thereto without a permit issued by the Zoning Administrator, and without all other permits required by the County.  
(Ord. 77-92. Passed 11-2-92.)

**1325.03 APPLICATION FOR PERMIT; FEE.**

(a) Application for a permit to locate, construct, install or make alterations to a swimming pool shall be made to and approved by the Zoning Administrator on an application form provided by the Zoning Administrator. Such application shall be accompanied by plans, specifications and calculations in duplicate, and in detail showing the following:

- (1) A plot plan, of the rear yard and the proposed construction, showing existing, principal and accessory buildings, and the location of any exterior utility wiring (electrical and phone service) and any easements.
- (2) Rear yard total area.
- (3) Pool dimensions, and depth profile.
- (4) Pool piping layout and back flow device.
- (5) Location and type of waste disposal system.
- (6) Location of sewer lines, private sewage disposal facilities, water supplies, public utilities, ditches, drains, culverts and watercourses.
- (7) The method employed to clean pool (vacuum, etc.).

(b) Installation, enlarging, reconstructing or reinstalling of a pool shall be in accordance with the application and permit issued thereon. If practical difficulties are encountered during the installation, enlarging, reconstructing or reinstalling, an amended application and permit shall be obtained before proceeding with the pool installation, enlarging, reconstructing or reinstalling in any respects different from that for which an application was filed and a permit issued therefor.

(c) Applications to the Zoning Administrator for a permit shall be accompanied by a nonrefundable fee of twenty-five dollars (\$25.00).  
(Ord. 77-92. Passed 11-2-92.)

**1325.04 FENCING REQUIREMENTS.**

(a) Every outdoor public swimming pool in the City is required to be completely enclosed by fencing not less than six feet in height.

(b) Every outdoor private swimming pool having a water level at or below ground level shall be required to be enclosed by fencing not less than four feet in height.  
(Ord. 77-92. Passed 11-2-92.)

(c) Every outdoor private swimming pool having a water level capacity greater than eighteen inches shall be required to be enclosed by fencing not less than four feet in height. (Ord. 39-2007. Passed 5-7-07.)

(d) Any enclosure under subsections (a), (b) and (c) hereof shall be constructed so that any horizontal stabilizer bars are on the pool side of the enclosure, and vertical support bars shall be spaced no more than two inches apart. A building or existing wall may suffice as part of any required enclosure, provided all other requirements are met. All gates and doors through any enclosure required by this chapter shall be designed to permit locking and shall be locked when the pool is not in actual use or unattended.

(e) This section shall not apply to a spa equipped with a safety cover which complies with ASTM F 1346. (ASTM F-1346 - New Standards Performance Specification for Safety Covers and Labeling Requirements for all Covers for Swimming Pools, Spas and Hot Tubs.) (Ord. 77-92. Passed 11-2-92.)

#### 1325.05 LOCATION AND HEIGHT REQUIREMENTS.

(a) Location. All swimming pools, including the decks, and appurtenances thereto, shall be located no closer to any property line than ten feet plus one foot for each foot or part thereof that the height of the floor of any twenty-one square foot, or more deck of the pool exceeds the average ground grade of the pool site.

(b) Height Limitations. Lights, diving boards, or other accessories except slides shall not project more than ten feet above the average ground grade of the pool site. Slides shall not project more than eleven and one-half feet above the average ground grade of the pool site.

(1) Top rails surrounding horizontal stabilizer bars on an above ground swimming pool shall not exceed four and one-half feet above the average ground grade of the pool.

(2) No floor of any deck shall exceed four and one-half feet above the average ground grade of the pool site. (Ord. 77-92. Passed 11-2-92.)

#### 1325.06 LADDER REQUIREMENTS.

(a) When not in use, a pool with a limited access ladder shall be rendered inaccessible by placing such ladder in a position which prohibits entry to the pool.

(b) When not in use, a pool with a portable ladder shall be rendered inaccessible by removing such ladder from the pool. (Ord. 77-92. Passed 11-2-92.)

**1325.07 UNNECESSARY NOISE PROHIBITED.**

No person, when using a swimming pool shall make, continue or cause to be made or continued any loud, unnecessary or unusual noise, or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of reasonable persons of common sensibilities within the City.

(Ord. 77-92. Passed 11-2-92.)

**1325.08 LIGHTS.**

Lights used to illuminate any swimming pools shall be so arranged and shaded as to reflect light away from adjoining premises and public streets.

(Ord. 77-92. Passed 11-2-92.)

**1325.09 SAVINGS CLAUSE.**

The determination that any part of this chapter is invalid shall not invalidate or impair the force or effect of any other part hereof, except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

(Ord. 77-92. Passed 11-2-92.)

**1325.10 CONFLICT OF LAW.**

In the event of conflict between any provisions of this chapter, including any rules and regulations adopted pursuant to its provisions and any other provisions of the Codified Ordinances, including any rules and regulations adopted pursuant to such Codified Ordinances, the more restrictive provision or provisions shall prevail and control.

(Ord. 77-92. Passed 11-2-92.)

**1325.99 PENALTY.**

Whoever violates any of the provisions of this chapter shall be fined not more than one hundred dollars (\$100.00) for each offense. Each day such violation is committed or permitted to continue constitutes a separate offense and shall be punishable as such hereunder.

(Ord. 77-92. Passed 11-2-92.)