



Village of Fox Lake

Pools

9-1-5-2: **ACCESSORY STRUCTURES:**

- A. Location: Accessory structures shall be located on the same zoning lot of the principal use to which they are accessory, unless otherwise stated. No more than two (2) accessory structures may be erected on any residential zoning lot with a combined total floor area not to exceed eight hundred thirty four (834) square feet. When two (2) accessory structures are erected, one accessory structure shall not exceed one hundred twenty (120) square feet of floor area. No residential detached accessory structure shall exceed fifteen feet (15') in height and no commercial or industrial structure shall exceed fifty feet (50') in height, measured from ground level to its highest point. (Ord. 96-48, 10-21-1996)

Chapter 5

SWIMMING POOLS

SECTION:

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6-5-1: **COMPLIANCE REQUIRED:** It shall be unlawful to construct, maintain, install or enlarge any swimming pool in the Village except in compliance with all the provision of this Chapter. (1975 Code §15.03)

6-5-2 **DEFINITIONS:** The following definitions shall apply in this Chapter.

ABOVE GROUND/ON GROUND POOL: See definition of swimming pools.

BARRIER: A fence, a wall, a building wall or a combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB: See definition of spa.

IN GROUND POOL: See definition of swimming pool.

NATURAL BARRIER: A natural barrier is a non-seasonal lake, pond or stream greater than twenty feet (20') in width.

NEIGHBORING RESIDENCE	A one or two family dwelling or a one-family townhouse not more than three (3) stories in height situated on improved property within five hundred feet (500') of a residential swimming pool.
RESIDENTIAL:	That which is situated on the premises of a detached one or two family dwelling or a one-family townhouse not more than three (3) stories in height.
SPA-PORTABLE, NONPORTABLE HOT TUB:	A nonpermanent structure intended for recreational bathing in which all controls, water-heating and water-circulating equipment are an integral part of the product.
SWIMMING POOL:	Any structure intended for swimming or recreational bathing that contains water over twenty four inches (24") deep. This includes in ground, above ground and on ground swimming pools, hot tubs and spas.
SWIMMING POOL INDOOR:	Any swimming pool which is totally contained within a structure and surrounded on all four (4) sides by walls of said structure.
SWIMMING POOL OUTDOOR:	Any swimming pool which is not an indoor pool. (Ord. 93-28, 10-18-93)

6-5-3: PERMIT REQUIRED: It shall be unlawful to proceed with the construction, installation, enlargement or alteration of any private residential swimming pool and appurtenances within the Village unless permit therefore shall have been obtained from the Building Commissioner.

6-5-4: PLANS:

A. All drawings and plans for the construction, installation, enlargement of alteration of any swimming pool and appurtenances shall first be presented to the Building Commissioner for examination and approval as to proper location and construction.

B. All plans and drawings shall be drawn to a scale of not less than one-eighth of an inch to the foot (1/8"=1'), on paper or cloth, in ink, or by some process that will not fade or obliterate. All distances and dimensions shall be accurately figured and drawings made explicit and complete, showing the lot line, 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. Detail plans and vertical elevations shall also be provided in accordance with the Building Code and a spotted plat of survey shall be filed.

C. All private residential swimming pools, appurtenances, water supply and drainage systems, shall be constructed in conformity with approved plans.

6-5-5: LOCATION: No portion of a swimming pool outside a building shall be located at a distance less than eight feet (8') from any side or rear property line or building line. Pumps, pool filters and pool water disinfection equipment installations, and fences and sidewalks shall be located at a distance not less than eight feet (8') from any side property line.

6-5-6: MINIMUM STANDARDS:

A. Recirculation Pools: All swimming pools shall be of the circulation type in which circulation of the water is maintained through the pool by pumps; the water drawn from the pool being clarified and disinfected before being returned to the pool.

B. Materials: Swimming pool walls and floors shall be constructed of any impervious material which will provide a tight tank with white or light colored finish and easily cleaned surface. The floor or bottom surface of the pool shall have a non-slip finish as smooth as possible. The side and end walls of a pool shall present a smooth finish. (1975 Code §15.03)

C. Fences or Barriers; usage: Generally, in no case shall a swimming pool, hot tub, or spa be put into use until it is in compliance with the following requirements and any applicable building code. An outdoor swimming pool, including an in ground, above ground, or on ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. Barrier: The top of the barrier shall be at least forty eight inches (48") above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and bottom of the barrier shall be four inches (4") measured on the side of the barrier which faces away from the pool. Where the top of the pool structure is above grade, such as an above ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (4").

2. Natural Barrier: The barrier requirements are waived for the portion of the pool, spa, or hot tub facing the natural barrier. On all other sides of the property, the barrier must extend to the legal (where established) or normal water level.

3. Opening in Barrier: Openings in the barrier shall not allow passage of a four inch (4") diameter sphere.

4. Solid Barriers: Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

5. Barrier Horizontal and Vertical Members Less than Forty Five Inches: Where the barrier is composed of horizontal and vertical members and the distance between the tops or the horizontal members is less than forty five inches (45"), spacing between the vertical members shall not exceed one and three fourths inches (1 $\frac{3}{4}$ " in width.
6. Barrier Horizontal and Vertical Members Forty Five Inches or More: Where the barrier is composed of horizontal and vertical members of forty five inches (45') or more, spacing between vertical members shall not exceed four inches (4"). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed one and three fourths inches (1 $\frac{3}{4}$ " in width.
7. Mesh size for Chain Link: Maximum mesh size for chain link fences shall be a one and one fourth inch (1 $\frac{1}{4}$ " square unless fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than one and three fourths inches (1 $\frac{3}{4}$ ").
8. Barrier Diagonal Members: Where the barrier is composed of diagonal members, such as lattice fence, the maximum opening formed by the diagonal members shall be no more than one and three fourths inches (1 $\frac{3}{4}$ ").
9. Access Gates: Access gates shall comply with the requirements of this Sub-section C and shall be equipped to accommodate the locking device. Pedestrian access gates shall open outward, away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device.
10. An Above Ground Pool Structure Used as a Barrier: Where an above ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then a) the ladder or steps shall be capable of being secured, locked or removed to prevent access or b) the ladder or steps shall be surrounded by a barrier which meets the requirements of this Section. When the ladder or steps are secured, locked or removed, an opening created shall not allow the passage of a four inch (4") diameter sphere.
11. Moat Used to Obtain Clearance: Where a moat is used to obtain the forty eight inch (48") clearance from ground surface to the top of the pool, it shall also be forty eight inches (48") from the outside rim of the moat to the top of the barrier (or rim of the pool).
12. Prohibited Locations: Barriers shall be located so as to prohibit permanent structure, equipment or similar objects from being used to climb the barriers.

13. Exemptions:

a. A spa or hot tub with a solid lockable safety cover which complies with ASTM ES 13-89 listed below shall be exempt from the provisions of this Section. Swimming pools with safety covers shall not be exempt.

ASTM ES 13-89: Emergency standard performance specification for safety covers and labeling requirements for covers for spas and hot tubs.

b. Swimming pools, spas and hot tubs located greater than five hundred feet (500') from neighboring residence and that have been in existence prior to the effective date of this Section shall be exempt from all requirements of this Section.

14. It is the intent of this Section 6-5-6 of the Village Code that all swimming pools, spas and hot tubs have an effective barrier to discourage access of youngsters (less than 5 years of age). All residential swimming pools, spas and hot tubs installed after the effective date of this Section 6-5-6 shall conform to all provisions of Title 6 Chapter 5 of the Village Code and that all existing residential swimming pools, spas and hot tubs in the Village be made to conform to all provisions of Title 6 Chapter 5 of the Village code no later than July 1, 1994. (Ord. 93-28, 10-18-93)

D. Steps or Ladder: Two (2) or more means of egress in the form of steps or ladders shall be provided for all swimming pools, At least one such means of egress shall be located on a side of the pool at both the deep end and shallow end of the pool. Treads or steps and ladders shall be constructed of non-slip material and at least three inches (3") wide for their full length. Steps and ladders shall have a handrail on both sides.

E. Electrical Requirements:

1. All electrical installations provided for, installed, and used in conjunction with private residential swimming pools, shall be in conformance with the ordinances regulating electrical installations.

2. No current-carrying electrical conductors shall cross private residential swimming pools, either overhead or underground or within fifteen feet (15') of such pools.

3. All metal fences, enclosures or railing near or adjacent to swimming pools, which might become electrically alive as a result of contact with broken overhead conductors or form any other cause, shall be effectively grounded.

680-6. Receptacles, Lighting Fixtures, Lighting Outlets, Switching Devices, and Ceiling Fans.

(a) Receptacles.

(1) Receptacles on the property shall be located at least 10 ft. (3.05 m) from the inside wall of a pool or fountain.

Exception: A receptacle(s) that provides power for a water-pump motor(s) for a permanently installed pool or fountain, as permitted in Section 680-7, shall be permitted between 5 ft. and 10 ft. (1.52 m and 3.05

m) from the inside walls of the pool or fountain, and, where so located, shall be single and of the locking and grounding types and shall be protected by a ground-fault circuit-interrupter(s).

(2) Where a permanently installed pool is installed at a dwelling unit (s), at least one 125-volt receptacle shall be located a minimum of 10 ft (3.05 m) from and not more than 20 ft (6.08 m) from the inside wall of the pool. This receptacle shall be located not more than 6 ft 6 in (1.98 m) above the floor, platform, or grade level serving the pool.

(3) All 125-volt receptacles located within 20 ft (6.08 m) of the inside walls of a pool or fountain shall be protected by a ground-fault circuit-interrupter.

(FPN): In determining the above dimensions, the distance to be measured is the shortest path the supply cord of an appliance connected to the receptacle would follow without piercing a floor, wall, ceiling, doorway with hinged or sliding door, window opening, or other effective permanent barrier.

F. Safety Precautions: Every swimming pool shall be equipped with one or more throwing ring buoys not more than fifteen inches (15") in diameter and having sixty feet (60') of three-sixteenths inch (3/16") manila line attached, and one or more light but strong poles with blunted ends and not less than twelve feet (12') in length, for making reach assists or rescues.

6-5-7: INSPECTION: The Building Commissioner periodically shall inspect all swimming pools to determine whether or not the provisions of the ordinances regarding health, sanitation and safety applicable thereto are being complied with. (1975 Code §15.03)