

CHAPTER 23
SWIMMING POOLS

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Part 1

Short Title, Purpose, Interpretation and Definitions

§101. Short Title. This Chapter shall be known as the "Lower Oxford Township Swimming Pool and Bathing Facilities Ordinance." (Ord. 1-97, 2/12/1997; §101)

§102. Purpose. The purpose of this Chapter shall be to promote, protect and facilitate the public health and safety when constructing and using public and private bathing facilities such as ponds, swimming pools, hot tubs and spas. (Ord. 1-97, 2/12/1997; §102)

§103. Interpretations. The provisions of this Chapter shall be held to be the minimum requirements to meet the above stated purpose. (Ord. 1-97, 2/12/1997; §103)

§104. Definitions. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Chapter to have the meaning indicated in this Section. The present tense includes the future, the singular number includes the plural, and the plural the singular; the masculine gender indicates the feminine and neuter.

FARM PONDS - a nonmasonry depression in the ground located on a parcel of at least twenty-five (25) acres, either natural or manmade, used by the owner or possessor thereof for the primary purpose of fire safety, water storage or animal stock watering, and primarily not used by any party for recreational purposes.

BATHING FACILITY - a manmade pond or pool, spa or hot tub.

PONDS AND POOLS - a manmade structure located in or above the ground which contains or is capable of containing at least two hundred (200) cubic feet of water at a depth in excess of eighteen (18) inches.

SPAS AND HOT TUBS - a type of exterior pool, located in or above ground, used for recreational or therapeutic use and designed for immersion by the user. A spa or hot tub does not have its contents drained after each use.

UTILITY - a private or commercial telephone, power, sewage, water, TV cable pipe and/or line, or septic system.

WADING POOL - a plastic type pool which when full does not exceed eighteen (18) inches water depth and which is completely emptied when not in use. A wading pool is exempt from the provisions of this Part.

(Ord. 1-97, 2/12/1997; §104)

Part 2
Enclosures

§201. Requirements for Fencing of Ponds and Pools.

1. All pools and ponds, except farm ponds, either permanent or temporary, shall be totally enclosed by a fence a minimum of four (4) feet in height. The height calculation may include a combination of pool wall and fence provided that the combined height equals four (4) or more feet from ground level at any and all locations.

2. All fences shall have, as a minimum, the following safety characteristics:

A. The fence shall be constructed of such material and in such a fashion so that the finished fence cannot be penetrated by either a normal child under the age of six (6) years or an animal weighing more than fifty (50) pounds.

B. Although any fencing material may be used, the material shall be of such quality and thickness as to achieve the standard established in subsection (A), above.

C. All fences must have self-latching gates, and the latch shall be placed at least four (4) feet above the ground.

(Ord. 1-97, 2/12/1997; §201)

§202. Requirements for Enclosure of Spas and Hot Tubs.

1. All spas and hot tubs must be enclosed by either a fence in accordance with §201, above, or an enclosure affixed to the top of the unit.

2. An enclosure affixed to the top of the unit shall be locked when in the closed position. In an open position, the enclosure must be secured so that it does not close upon the user.

(Ord. 1-97, 2/12/1997; §202)

Part 3

Location of Bathing Facilities

§301. General. General bathing facilities, except farm ponds, shall conform with the requirements of accessory uses as outlined in the Lower Oxford Township Zoning [Ordinance], as amended [Chapter 27]. (Ord. 1-97, 2/12/1997, §301)

§302. Exterior Bathing Facilities. All exterior bathing facilities, including associated diving boards and platforms, and other structures, shall be located:

A. At least ten (10) feet, measured horizontally, from any above-grade utility line or the edge of a septic system component.

B. Cannot be located above an underground utility or underneath an above-ground utility.

(Ord. 1-97, 2/12/1997, §302)

§303. Plot Plan. The plot plan submitted shall locate the pool and associated structure in relation to overhead and underground utilities.

(Ord. 1-97, 2/12/1997, §303)

Part 4
Standards

§401. Electrical Devices and Equipment. All electrical devices and equipment, including mechanical equipment, required or used for the operation of the bathing facility, shall have Underwriters Laboratory or similar certification. (Ord. 1-97, 2/12/1997, §401)

§402. Inspection and Certification. All electrical devices and equipment shall be connected to ground fault circuit interruptors, grounded and bonded. All installations shall be inspected and certified by a qualified electrical inspection agency prior to issuance of an occupancy permit. (Ord. 1-97, 2/12/1997, §402)

§403. Construction. An in-ground swimming pool shall be constructed per the BOCA code referenced in Chapter 5, Code Enforcement [Part 1]. (Ord. 1-97, 2/12/1997, §403)

§404. Fence. A fence is required to enclose the excavation of any in-ground bathing facility during its construction. (Ord. 1-97, 2/12/1997, §404)

