

**§ 212-8. Private swimming pools.** [Amended by Ord. No. 21-86; Ord. No. 23-00]

No person shall construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the Village except in accordance with the following regulations:

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

**CHILD OF TENDER YEARS** — Any child who has not obtained the age of 10 years.

**SWIMMING POOL** — Any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent and either above or below the ground, in which water more than 18 inches deep is contained and which is used primarily for the purpose of bathing or swimming, except that temporary pools with an area of 150 square feet or less shall not come within the provision of this section.

B. Permit.

- (1) Required. No person shall construct, install, enlarge or alter any private swimming pool unless a permit therefore has first been obtained from the Building Inspector.
- (2) Application. Application shall be on forms provided by the Building Inspector and shall be accompanied by plans drawn to scale showing the following:
  - (a) Location of pool on lot, distance from lot lines and distance from structure.
  - (b) Location of septic tank, filter bed and sewer lines.
  - (c) Pool dimensions and volume of water in gallons.
  - (d) Existing overhead and underground wiring relative to proposed pool.

C. Construction requirements.

- (1) No pool shall be located, erected, constructed or maintained closer to any side or rear lot line than allowed by Chapter 550, Zoning, of this Code for permitted accessory building uses, and the waterline of any pool shall not be less than five feet from any lot line or building.
- (2) No connection shall be made to the sanitary sewer or septic system.
- (3) All swimming pools within the meaning of this section must have, in connection therewith, some filtration system to assure circulation of the water therein and maintenance of the proper bacterial quality thereof.
- (4) No aboveground pool shall be less than five feet from any septic system.
- (5) Every person, every member of a partnership and every corporation that owns, directly or indirectly, or operates or uses or has custody or control of or has the right to use any swimming pool located in the Village of Plover shall erect and maintain a fence or suitable barrier around such swimming pool of such size and construction as to safeguard a child of tender years to prevent such child from falling into such swimming pool or shall install and maintain a cover or other protective device over such swimming pool of such design and material that the same can be securely fastened in place and, when in place, shall be capable of sustaining a person weighing 250 pounds. Such cover or other protective device shall be securely fastened in place at all times when the swimming pool is not in actual use for bathing or swimming purposes. Pools which have been constructed or erected prior to the date of this section shall be enclosed by such fence, cover, or other protective device on or before June 1, 2001.

D. Electrical requirements.

- (1) To comply with electrical codes. All electrical installations shall require separate permits and shall be governed by the Village or State Electrical Code.
- (2) Pool lights. If overhead flood or other artificial lights are used to illuminate the pool at night, such lights shall be shielded to direct light only on the pool.

E. Use of pool. No pool shall be so operated as to create a nuisance, a hazard or an eyesore or otherwise to result in a substantial adverse effect on neighboring properties.

## **Commentary:**

1. Fence is required 4' high.
2. Fence may enclose some or all of the rear yard around the pool.
3. Pool walls at least 4' above grade will be acceptable protection in lieu of a fence.
4. Pool wall extensions may be installed to maintain the 4' height but the wall extensions shall be of sufficient strength.
5. Pool access ladders shall be removed or otherwise made non accessible when the pool is not in use.
6. Steps to pool decks shall have locked gates or otherwise made non accessible when the pool is not in use.
7. Pool shall not be allowed in the front yard.
8. Pool may be located in the side yard facing a street, but it shall maintain the required setback from the street lot line for the zoning type.
9. Pool greater than 16' diameter requires 8' to side-yard lot line and 15' to rear-yard lot line and 5' from a building.
10. Pool less than 16' diameter requires 6' to side or rear-yard lot line and 5' to a building.
11. Decks around a pool may project into the setback up to 6' but not closer than 3' to any lot line.
12. Pool lights, if used, shall be directed so as not to create a nuisance to others.
13. No pool shall be so installed or operated as to create a nuisance, a hazard or an eyesore or otherwise to result in a substantial adverse effect on neighboring properties.
14. Pool drain water shall remain on the site and shall not be discharged to the sanitary sewer system.
15. A pool is not counted in the maximum 2 accessory building limit or the 900 sq. ft. size limit.

### **ELECTRICAL REQUIREMENTS**

This list doesn't include all requirements. Recommend supervision or installation by a qualified electrician. Storable pools are defined as follows: Constructed on or above the ground and are capable of holding water to a maximum depth of 42" or a pool with nonmetallic, molded, polymeric walls or inflatable fabric walls regardless of dimension. All other pools whether in ground or above ground are considered permanent pools.

### **STORABLE POOL REQUIREMENTS**

1. A filter pump is required and must be UL approved for use with a storage pool.
2. The filter pump is required to be double insulated, and grounding means consisting of an equipment grounding conductor that is an integral part of the flexible cord is required to be provided. The receptacle is required to be GFCI, located at least 10' away from the pool and extension cords are not allowed.
3. All manufactures instructions and listings apply.

### **PERMANENT POOL REQUIREMENTS**

1. A receptacle that supplies power to the pump shall be located between 5' and 10' from the pool walls, and where so located, shall be single and of the locking and grounding type and shall be protected by a GFCI circuit.
2. A general purpose receptacle shall be located a minimum of 10' from and not more than 20' from the pool walls and shall be GFCI protected. This receptacle shall be no more than 6'-6" above the platform, floor, or grade serving the pool.
3. All manufactures instructions and listings apply.

### REQUIREMENT FOR ALL TYPES OF POOLS

1. Other receptacles shall be at least 10' from the pool walls and all receptacles within 20' of the pool walls shall be GFCI protected.
2. Lights installed in or on the pool walls shall be listed and approved for such use.
3. Existing light fixtures and outlets located less than 5' horizontally from the pool walls shall be at least 5' above the surface of the maximum water level, shall be rigidly attached to the existing structure, and shall be GFCI protected.
4. Light fixtures and outlets installed in the area extending between 5' and 10' from the pool walls shall be GFCI protected unless installed 5' above the maximum water level and rigidly attached to the structure adjacent to or enclosing the pool.
5. Switches shall be located at least 5' from the pool walls unless separated from the pool by a solid fence, wall, or other permanent barrier.
6. No wires shall extend over a pool or over the area within 10' of the pool walls unless the clearances are per NEC table 680-8.
7. Underground wires, other than wires supplying the pool pump, shall not be permitted under the pool or within the area extending 5' all around the pool unless installed per NEC table 680-10.
8. A disconnecting means shall be provided and be accessible, located within sight of the pool, and at least 5' away from the pool.

