

SWIMMING POOLS

Chapter 152

SWIMMING POOLS

- § 152-1. Notification required.
- § 152-2. Definitions.
- § 152-3. Construction permit; approval.
- § 152-4. Enclosure.
- § 152-5. Applicability of fencing requirement.
- § 152-6. Modification of fencing requirements.
- § 152-7. Above-grade pools.
- § 152-8. Removal of ladder in above-grade pools.
- § 152-9. Electrical fixtures and wiring.
- § 152-10. Fences.
- § 152-11. Violations and penalties.

[HISTORY: Adopted by the Board of Commissioners of the Township of Wilkins 6-11-1973 as Ord. No. 538. Amendments noted where applicable.]

GENERAL REFERENCES

Zoning – See Ch. 173.

§ 152-1. Notification required.

Any person, firm or corporation that constructs, operates or maintains a family swimming pool, pond or open well on any property in the Township of Wilkins shall notify the Secretary of the Township of Wilkins, in writing, of the design and material of which the same is constructed and the type and character of safeguards permanently constructed around said swimming pool, pond or open well.

§ 152-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FAMILY POOL – A swimming pool used or intended to be used solely by the owner, operator or lessee thereof and his family and by friends invited to use it without the payment of any fee.

§ 152-3. Construction permit; approval.

Before work is commenced on the construction of a family swimming pool, pond or open well or any alteration, addition, remodeling or other improvement to the same, an application for a permit for the construction of the same and the plans and specifications and pertinent explanatory data shall be submitted to the Ordinance Enforcement Officer of the Township of Wilkins for his approval, and no part of the work shall be commenced until the Ordinance Enforcement Officer has granted such approval by a suitable endorsement upon such plans and specifications.

§ 152-4. Enclosure.

- A. Enclosure of family swimming pool, pond or open well. Every outdoor family swimming pool, pond or open well, including those now existing or under construction, shall be surrounded completely by a fence or wall not less than four (4) feet in height nor more than six (6) feet in height, which shall be so constructed as to have no openings, holes or gaps larger than four (4) inches in any dimension except for doors and gates, and if a picket fence is erected or maintained, the horizontal dimension shall not exceed four (4) inches. A dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device on the pool side for keeping the gate or door securely closed at all times when not in use, except that the door of any such dwelling which forms a part of the enclosure need not be so equipped. The fence shall surround the pool and the deck area exclusively. It shall be within twenty (20) feet of the pool structure on two (2) sides and a maximum of twenty-five (25) feet on the other two (2) sides unless the main building provides the enclosure on that side.
- B. When the pool, pond or well is unattended or not in the use by authorized persons, it shall be the responsibility of the owner or operator to securely close and latch the gate or door or cause the same to be done.

§ 152-5. Applicability of fencing requirement.

The fencing requirement shall be applicable to all new family swimming pools, ponds or open wells hereinafter constructed, other than indoor pools or above-grade pools, and shall apply to all existing pools, ponds or open wells which have a depth in excess of twenty-four (24) inches of water. No person in possession of land within the Township of Wilkins either as owner, purchaser, lessee, tenant or licensee upon which is situated a family swimming pool, pond or open well having a depth in excess of twenty-four (24) inches of water shall fail to provide and maintain such fence or well as herein provided.

§ 152-6. Modification of fencing requirements.

The Board of Commissioners of the Township of Wilkins may, on application after public hearing, make modifications in individual cases upon a showing of good cause with respect to the nature or location of the fences, walls, gates or latches or the necessity therefore, provided that the protection as sought hereunder is not reduced thereby.

§ 152-7. Above-grade pools.

Fencing shall not be required for above-grade pools. "Above-grade pools" are defined as pools constructed with a wall not less than four (4) feet in height from all surrounding grades and providing entry only by portable ladder.

§ 152-8. Removal of ladder in above-grade pools.

When not in use by authorized persons, it shall be the responsibility of the owner or operator of above-grade pools to remove or cause to be removed the portable ladder and store the same either inside the pool or in some other structure not open to view.

§ 152-9. Electrical fixtures and wiring.¹

All electrical fixtures, wiring and connections used in or about the pool site shall be installed in conformance to standards of the National Electrical Code, 1970 Edition.

§ 152-10. Fences.

Where required by this chapter, fences shall be erected around existing pools, ponds and open wells within thirty (30) days of the date of the adoption of this chapter.²

§ 152-11. Violations and penalties.³

Any person or persons, including any agent or employee of any corporation, association or organization, who shall violate any of the provisions of this chapter, shall, upon conviction before a District Justice, be sentenced to pay a fine of not more than one thousand dollars (\$1,000.) plus costs of prosecution, and, in default of payment thereof, shall undergo imprisonment for a period not exceeding thirty (30) days. Each day a violation is permitted to exist after notice, in writing, shall constitute a separate offense.

¹ Editor's Note: Amended at time of adoption of Code; See Ch. 1, General Provisions, Art. I.

² Editor's Note: Original Section XI, which dealt with the period for compliance for electrical fixtures and wiring, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

³ Editor's Note: Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.