

## **CHAPTER XI BUILDING AND CONSTRUCTION**

### **11-4 SWIMMING POOLS.\*\***

**\*\*Editor's Note:** Public swimming pools are regulated by N.J.A.C. 8:26-1.1 et seq., Public Recreational Bathing.

#### **11-4.1 Definitions.**

As used in this section:

**Swimming Pool** shall mean either outdoor or indoor, public or private pools which are artificially constructed to provide recreational facilities for swimming, bathing or wading.

**Wading Pool** shall mean artificially constructed pools not designated or used for swimming with a maximum area not exceeding one hundred twenty (120) square feet and a maximum water depth not exceeding twelve (12) inches. (2002 Code § 15.20.010)

#### **11-4.2 Permit Required.**

It is unlawful to establish or construct a swimming **pool** without first obtaining a permit in the manner hereinafter prescribed. No permit shall be required for a wading **pool**. (2002 Code § 15.20.020)

#### **11-4.3 Application; Fee.\***

Application for a permit to construct a swimming **pool** accompanied by four (4) sides of plans and specifications or proper descriptive brochures and an application fee of ten (\$10.00) dollars shall be made to the Construction Official by the owner of the property. The Construction Official shall not pass upon the structural features or durability of the **pool** except, in so far as may be necessary, to assure safe and sound construction in accordance with the generally acceptable principles of safe swimming **pool** construction and for the purpose of insuring compliance with the terms of this section. (2002 Code § 15.20.030)

**\*Editor's Note:** Construction fees may be found in Section 11-1, Uniform Construction Code Enforcing Agency, of this chapter.

#### **11-4.4 Board of Health Approval.**

If the Construction Official is satisfied with respect to the structural features of the proposed **pool**, he shall submit the plans and specifications or brochures to the Board of Health which shall review the same for the purpose of assuring that the health and sanitary features and equipment of the **pool** are in accordance with the terms of this section. If the Board of Health approves the plans and specifications, it shall cause a statement to that effect to be endorsed thereon and return the same to the Construction Official. (2002 Code § 15.20.040)

#### **11-4.5 Material of Construction.**

All material used in the construction of private swimming pools shall be waterproof and easily cleaned. The bottom and sides of the **pool** shall be either white or a light color, except that aluminum paint shall not be used as a finish. Sand or earth bottoms shall not be used. (2002 Code § 15.20.050)

#### **11-4.6 Connection with Water Supply.**

There shall be no physical connection between a potable public or private water supply system and such pools at a point below the maximum flow line of the **pool** or to a recirculating or heating system of a **pool** unless such physical connection is so installed and operated that no **pool** water can be discharged or siphoned into a potable water supply system. (2002 Code § 15.20.060)

#### **11-4.7 Discharge System.**

All private swimming pools hereafter constructed shall be provided will not over one (1) two-inch diameter galvanized iron pipe or equal drain extending from the **pool**. The applicant for a permit shall submit plans and specifications indicating where the water from the proposed swimming **pool** will be emptied together with a certificate satisfactory to the Construction Official that the discharge system will not impair any curbs, gutters and roadways, nor pollute or cause a silting condition in any brook or other natural watercourse. (2002 Code § 15.20.070)

#### **11-4.8 Alternate Drainage Method.**

In the event that it is not practicable to drain a proposed swimming **pool** into a brook or other watercourse or into a storm sewer as hereinabove provided, facilities may be constructed so that such **pool** may be emptied or drained by spraying the water therefrom upon the lawn of the owner, provided, however, that if such facilities and method of drainage are to be employed, no permit for such **pool** shall be issued until the application has been approved by the Construction Official who shall not approve the same unless he is satisfied that such method of drainage and facilities to be provided therefor are practicable, that the owner's lawn is capable of absorbing the water at the rate at which it is proposed to discharge the same thereon and that such discharge of water thereon will not adversely affect any butting property, public or private. The **pool** shall be so situated that normal surface water shall drain away from the **pool**. (2002 Code § 15.20.080)

#### **11-4.9 Disinfection, Filtering and Bacteriological Standards.**

All private swimming pools shall be so constructed, installed and maintained as to provide necessary equipment for chlorination and other disinfection and filtering to comply with approved bacteriological standards as may be promulgated by regulations issued by the Borough of Health. (2002 Code § 15.20.090)

#### **11-4.10 Location.**

No swimming **pool** shall be constructed or installed in any front yard as the term "front yard" is defined in the Borough's Land Use Regulations. In the case of a corner lot as the term "corner lot" is defined in the Borough's Land Use Regulations no swimming **pool** shall be constructed or installed nearer to the side street line than the minimum number of feet required for the width of the side yard of the street side of such lot. In no event shall any swimming **pool** be constructed or installed nearer than ten (10) feet to any property line of the property upon which the **pool** is to be located. No private swimming **pool** or wading **pool** shall be constructed or installed on any lot unless upon the lot shall be located a residence building as permitted in the zoning regulations of the Borough. (2002 Code § 15.20.100)

#### **11-4.11 Lighting.**

No artificial lighting shall be maintained or operated in connection with the **pool** in such a manner as to be a nuisance to or an annoyance to neighboring properties. (2002 Code § 15.20.110)

#### **11-4.12 Fencing.**

All outdoor swimming pools shall be enclosed by a substantial fence not less than forty-eight (48) inches in height, so constructed as to prevent, within reason, any person from gaining access beneath or through the fence and which shall have a similarly substantial gate of the same height as the fence, with facilities for locking the gate when the **pool** is unguarded. The swimming **pool** gate is to be kept closed at all times except when opened for the purpose of ingress or egress. (2002 Code § 15.20.120)

#### **11-4.13 Enforcement.**

Every private swimming **pool** shall at all times comply with the requirements of all health authorities having jurisdiction in the premises and any nuisance or hazard to health which may exist or develop in or in consequence of or in connection with any such swimming **pool** shall forthwith be abated and removed by the person in possession of such **pool** upon receipt of notice from the Health Officer or other designated person so requiring. (2002 Code § 15.20.130)