

ORDINANCE NO. 2009-O-01

AN ORDINANCE REGARDING THE CONSTRUCTION
AND MAINTENANCE OF SWIMMING POOLS

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois, as follows:

Section 1. Installation. It shall be unlawful for any person to construct, install, or enlarge a residential swimming pool not enclosed in a permanent building in a city except in accordance with the following regulations.

Section 2. Definition. A swimming pool within the meaning of this section shall be 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 of more than twenty-four inches (60.96 centimeters) in depth is contained and which is used primarily for the purpose of bathing and swimming.

Section 3. Permit. It shall be unlawful for any person to construct, install, enlarge, or alter any private swimming pool unless a building permit has first been obtained from the Village Clerk. The permit fee shall be \$ 10⁰⁰.

Application shall be on forms provided by the Village Clerk, and shall be accompanied by plans drawn to scale showing the following:

- (a) Pool dimensions and volume of water in gallons (liters).
- (b) Location and type of waste disposal system.
- (c) Location of pool on lot, distance from lot lines, and distance from structure.
- (d) Fencing and landscaping plan, or a combination thereof.

Section 4. Construction Requirements.

(a) No pool shall be located, erected or constructed or maintained close to any side or rear lot line than 8 feet, and in no case shall the water line of any pool be less than 10 feet from any lot line.

(b) No direct connection shall be made to the sanitary sewer or septic sewer.

(c) Gaseous chlorination system shall not be made use of as a disinfection method of pool waters. The Village Clerk shall recommend a proper disinfectant.

Section 5. Fence. Pools within the scope of this section or not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and to the pool and shall be not less than four feet (1.22 meters) in height, so constructed as not to have voids, holes or openings larger than four inches (10 centimeters) in one dimension. Gates or doors shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.

Aboveground pools with self-provided fencing to prevent unguarded entry will be allowed without separate additional fencing, providing the self-provided fence is of a minimum required height and design as heretofore specified.

Permanent access from grade to above ground pools having stationary ladders, stairs or ramps shall not have less than equal safeguard fencing and gates.

Location of fencing required shall be subject to all other applicable ordinances.

No fence shall be located, erected, constructed or maintained closer to the pool than three feet (0.91 meters).

The wall of the house or building faced to a pool may be incorporated as a portion of such fence.

The height, type, and dimensions of fences, gates and doors shall at minimum, comply with all State statutes, rules and regulations, regardless of the provisions of this Ordinance.

Section 6. Electrical requirements. All electrical installations provided for, installed, and used in conjunction with a private swimming pool shall be in conformance with the state laws and city ordinances regulating electric installations.

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.

Section 7 Other regulations. No pool shall be so operated or maintained as to create a nuisance, a hazard, an eyesore, or otherwise to result in a substantial adverse effect on neighboring properties, or to be in any other detrimental to public health, safety, and welfare.

Section 8 Maintenance. A swimming pool or swimming pools shall be maintained in a sanitary manner.

Section 9 Winter care. Each such swimming pool shall be winterized or drained each fall before freezing weather sets in and maintained in such manner until all danger of freezing is over.

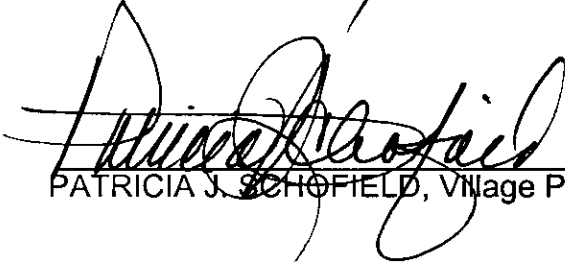
Section 10. Penalty. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than seventy five dollars nor more than seven hundred fifty dollars for each offences; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

This Ordinance shall be in full force in effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted yea:

Upon roll call vote the following Trustees voted nay:

Passed, approved and published in pamphlet form this 7th day of May, 2009.


PATRICIA J. SCHOFIELD, Village President

ATTEST:


FLOYD FULLER, Village Clerk