

CHAPTER 1444
Swimming Pools

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CROSS REFERENCES

Authority to abate nuisances and dangerous structures - see Borough Code §1202(4), (5) (53 P. S. §46202(4), (5))

Recreation places - see Borough Code §§2701 et seq. (53 P. S. §§47701 et seq.)

Water - see S. U. & P. S. Ch. 1040

Building permits; exemptions; commencement of work - see B. & H. 1408.01

Plans and specifications - see B. & H. 1408.02

Building permit fees - see B. & H. 1408.03

1444.01 DEFINITIONS.

As used in this chapter, unless otherwise expressly stated:

- (a) "Artificial fence" means an enclosure that is six feet in height with an aperture not larger than three inches and equipped with a self-closing gate and complete with a key-operated lock. An artificial fence shall not be more than two inches above grade at the bottom of the artificial fence. (See Appendix I following the text of this chapter.) (Ord. 545. Passed 8-12-91.)
- (b) "Front yard" means the area of a lot lying between the street and the residence setback line extending across the full width of the lot and/or the depth of a corner lot.
- (c) "Private swimming pool" means any body of water, tank or receptacle for water, whether artificially constructed or semiartificially constructed, used or intended to be used for swimming or bathing solely by the owner, operator or lessee

thereof and his family and by friends invited to use it without payment of any fee, and constructed, installed, established or maintained outside any building in or above ground upon any premises as an accessory use to the residence. Portable pools under two feet in depth are excluded from this definition.

(Ord. 155. Passed 7-11-60.)

1444.02 PERMIT REQUIRED.

No person shall construct, erect, install, establish or maintain, or alter, remodel, reconstruct or otherwise improve, a private swimming pool, without having obtained a permit therefor as prescribed in Section 1444.03. However, no permit shall be required for a pool of the portable type with a maximum depth of less than two feet.

(Ord. 155. Passed 7-11-60.)

1444.03 PERMIT APPLICATION; PLANS AND SPECIFICATIONS.

Applications for permits required by Section 1444.02 shall be submitted to the Building Inspector, together with two sets of plans and specifications setting forth the details, area and depth of the proposed construction in all of its parts, together with a plot plan showing the location of the buildings on the lot, the fencing, existing and planned, and the height and aperture dimensions thereof, and all open spaces required by this chapter, drawn to scale and dimensioned.

Applications shall be made on forms supplied by the Building Inspector. The fee for the permit shall be as set forth in Section 208.06(k) of the Administration Code. Upon approval of the plans and specifications by the Building Inspector, one set of each so marked will be returned to the applicant and must be kept on the site with the permit and be available at all times to the Building Inspector or other officers of the Borough. No change in the plans and specifications shall be made without prior notification to and the approval of the Building Inspector.

(Ord. 155. Passed 7-11-60.)

1444.04 REVIEW OF PLANS AND SPECIFICATIONS.

The Building Inspector shall review the plans and specifications submitted to determine their compliance with all requirements of this chapter, the Building Code, the Zoning Code and any and all other applicable ordinances of the Borough.

(Ord. 155. Passed 7-11-60.)

1444.05 CONSTRUCTION AND DESIGN.

(a) All swimming pools shall be safely constructed of materials so that they will be structurally sound, waterproof and easily cleaned. Suitable footings, where reasonably necessary, may be required by the Building Inspector. Provisions shall be made for outlets or drains to permit the pool to be completely drained or emptied, in a manner found by the Building Inspector to be in accordance with the public interest, the proper maintenance of the public sanitary sewer and storm sewerage systems and the interest of adjoining property owners. Construction and design shall be such that they may be maintained and operated, and they shall be maintained and operated, as to be clean and sanitary at all times. The owner of every private swimming pool shall be responsible

for the maintenance of such pool in such condition as to prevent breaks in the pool chassis and prevent water from the pool overflowing onto adjacent property. (Ord. 155. Passed 7-11-60.)

(b) Where a wall of a dwelling serves as part of the barrier, all doors with direct access to the pool through the wall shall either:

- (1) Be equipped with an alarm that meets the following requirements:
 - A. The alarm shall produce an audible warning when the door and its screen, if present, are opened;
 - B. The alarm shall sound continuously for a minimum of thirty seconds immediately after the door is opened and be capable of being heard throughout the house;
 - C. The alarm shall automatically reset under all conditions; and
 - D. The alarm shall be equipped with manual means, including, but not limited to, touchpads or switches, to temporarily deactivate the alarm for a single opening from either direction. Such deactivation shall last for no more than fifteen seconds. The deactivation touchpads or switches shall be located at least fifty-four inches above the threshold of the door; or
 - (2) Be equipped with other means of protection, such as self-closing mechanisms and self-latching devices, which are approved by the governing body and are as protective as the alarm described in paragraph (b)(1) hereof.
- (Ord. 545. Passed 8-12-91.)

1444.06 WATER SUPPLY.

There shall be no physical connection between a public or private water supply system and any private swimming pool at a point below the maximum water line of the pool or to a recirculating or heating system of such pool. (Ord. 155. Passed 7-11-60.)

1444.07 DRAINAGE AND DISCHARGE OF WATERS.

(a) No person shall cause or permit water to drain or discharge from any swimming pool onto private property. All water drainage or discharge shall be into a street or a storm sewer, except as allowed by subsection (b) hereof.

(b) The discharge of water from any private swimming pool into the sanitary sewerage system shall be permitted only after a plumbing permit for the same has been issued in accordance with the Plumbing Code and other applicable Borough ordinances, and only with the approval of Council. Approval for such discharge of water into the sanitary sewerage system shall not be given if it is feasible to discharge water from a pool into a storm sewer.

(Ord. 286. Passed 8-11-69.)

1444.08 DISCHARGE INTO SANITARY SEWERAGE SYSTEM.

A permit must be obtained from the Building Inspector for the purpose of discharging water from a private swimming pool into the sanitary sewer system. Any owner, lessee or occupant of any property where such a pool is located must first obtain a permit before water may be discharged. Water can only be discharged at a time designated and allowed by the Building Inspector and endorsed on the permit. (Ord. 545. Passed 8-12-91.)

1444.09 LOCATION.

No private swimming pool shall be located closer than ten feet to a property line or closer than eight feet to a cellar or basement, nor shall it be constructed in the front yard of any property. Accessory buildings, such as locker rooms, bath houses, cabannas, shower rooms, toilets and other physical facilities or equipment incident to the operation of any private swimming pool, shall conform to the requirements of the Building, Zoning and Plumbing Codes.

(Ord. 155. Passed 7-11-60.)

1444.10 ARTIFICIAL FENCING.

Every private swimming pool shall be completely surrounded by an artificial fence which shall comply with the requirements stated in Section 1444.01. Every person maintaining a private swimming pool shall keep the gate closed and securely locked at all times when such pool is not in use by the person maintaining the same, or by his or her family or his or her guests. If an existing artificial fence erected after July 11, 1960, is replaced, the new artificial fence shall be in compliance with Section 1444.01. (Ord. 545. Passed 8-12-91.)

1444.11 LIGHTING.

No artificial lighting shall be maintained or operated in connection with private swimming pools in such location or manner as to be a nuisance or an unreasonable annoyance to neighboring properties. Artificial lighting shall be so arranged and shaded as to reflect light away from adjoining premises.

(Ord. 155. Passed 7-11-60.)

1444.12 HEALTH REQUIREMENTS; AUTHORITY OF BUILDING INSPECTOR OR HEALTH OFFICER; RIGHT OF ENTRY.

Every private swimming pool constructed, installed, established or maintained in the Borough shall at all times comply with all requirements of the local Board of Health. Any nuisance or hazard to health which may exist or develop in, or in consequence of, or in connection with, any such private swimming pool shall be abated and removed by the owner, lessee or occupant of the premises on which the pool is located within ten days of receipt of notice from the Building Inspector or Health Officer of the Borough. It shall be the duty of the Building Inspector and the Health Officer, respectively, to enforce the provisions of this chapter.

The Building Inspector and/or the Health Officer, or any of their assistants or deputies, shall have the right to enter any premises or any building or other structure for the performance of their duties to ascertain compliance with this chapter.

(Ord. 155. Passed 7-11-60.)

1444.13 APPEALS.

Whenever the owner of any swimming pool about to be or in the course of being erected or altered excepts to a decision of the Building Inspector in refusing to approve the issuance of a permit or in refusing to approve the manner of construction or alteration, or to a decision as to its safety or compliance with any of the provisions of this chapter, such owner or his duly authorized attorney or agent may, within ten days after such decision, appeal therefrom to the Zoning Hearing Board. Such an appeal shall be

in writing, shall state the decision of the Building Inspector and the reasons for the exception taken thereto, shall be verified by affidavit and shall be filed with the Borough Secretary. The person appealing shall have the right to appear and to be heard if he states his desire to do so in his written appeal. A prompt decision of such appeal shall be made by the Zoning Hearing Board and shall be duly recorded.

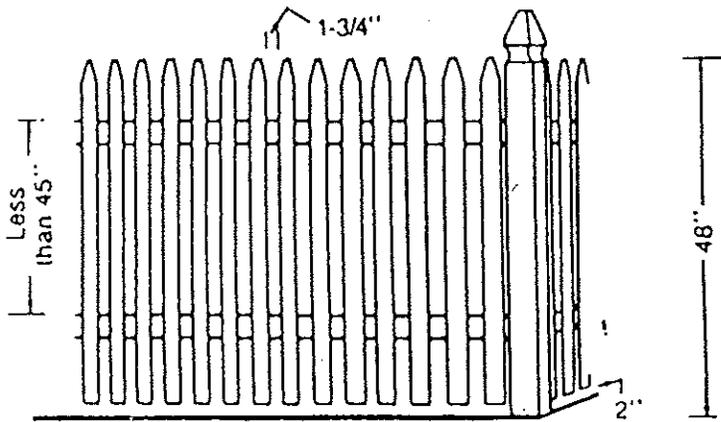
1444.14 VIOLATIONS.

A separate offense shall be deemed committed each day during or on which a violation or noncompliance with any of the provisions of this chapter, including any regulation, order or direction of the Building Inspector or Health Officer, occurs after notification of the violator by the Building Inspector or Health Officer or by service of summons in a prosecution that he, the violator, is committing a violation.
(Ord. 155. Passed 7-11-60.)

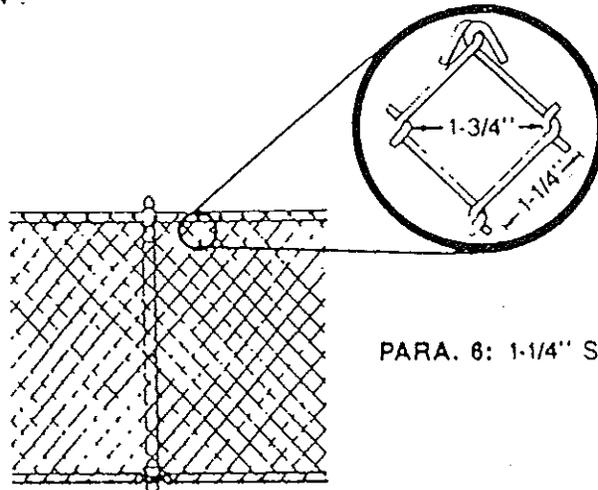
1444.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

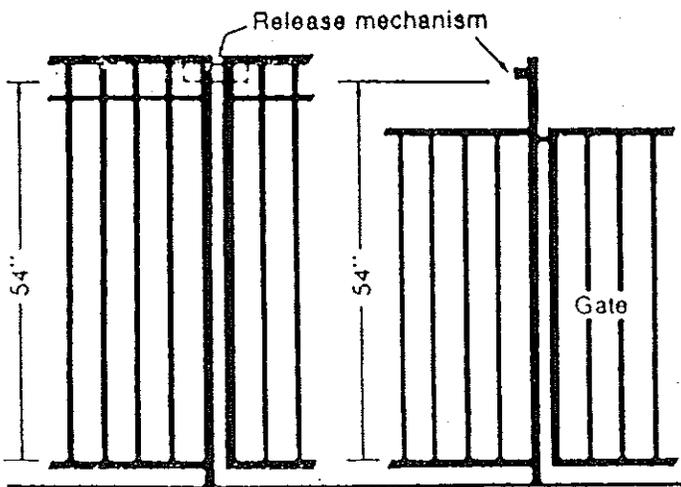
APPENDIX I
ILLUSTRATIONS OF ARTIFICIAL FENCES



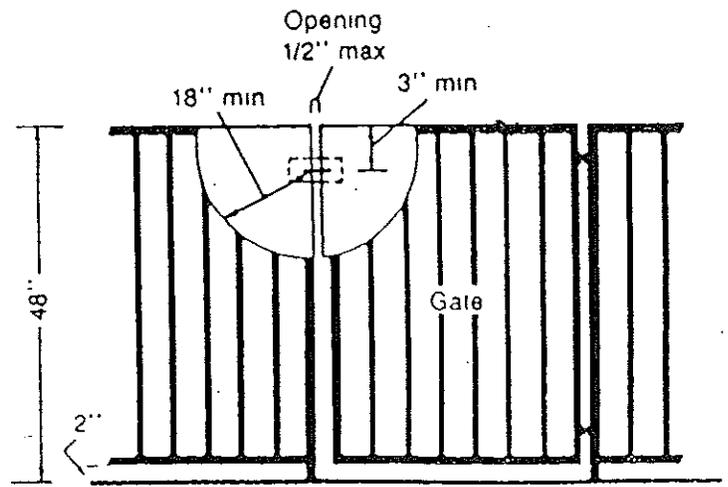
PARA. 4: IF HORIZONTAL MEMBERS ARE LESS THAN 45" APART, VERTICAL SPACING SHALL NOT EXCEED 1-3/4".



PARA. 6: 1-1/4" SQUARE CHAIN LINK MESH.



RELEASE MECHANISM LOCATED AT 54" OR HIGHER FROM THE BOTTOM OF THE GATE.



RELEASE MECHANISM LOCATED LESS THAN 54" FROM THE BOTTOM OF THE GATE.

(Ord. 545. Passed 8-12-91.)
1991 Replacement

PARA. 8: LATCH RELEASE MECHANISM.