

Ordinance 08-06-07-01

An Ordinance Repealing Section 18-26(b)(6) and Sections 14-121 through 14-129 and Creating Section 18-34 of the Village of Fontana on Geneva Lake Municipal Code.

The Village Board of the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, do ordain as follows:

SECTION 1.

Section 18-26(b)(6) and Sections 14-121 through 14-129 of the Municipal Code of Village of Fontana on Geneva Lake are hereby repealed as follows:

~~Section 18-26(b)(6)~~

~~6. *Swimming pools.* In addition to the foregoing, swimming pools shall be subject to the following:~~

~~a. Pumps and filter equipment shall in no case be closer than 20 feet to a property line and shall be adequately housed and muffled.~~

~~b. Surfaced terraces, sun decks, and walks may be permitted no closer than five feet to a lot line where accessory to a private residential pool. In any other case they may be permitted no closer than ten feet to a lot line.~~

~~c. Reasonable precautions shall be taken to ensure the safety of the pool area and to prevent it from becoming an attractive nuisance. Pools other than those classified as private residential shall be completely fenced so as to prevent the unregulated entrance of young children to the pool area.~~

DIVISION 4. SWIMMING POOLS

~~Sec. 14-121. Definitions.~~

~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Public swimming pool* means any swimming pool, other than a residential pool, intended to be used collectively by a number of persons for a swimming pool. Such persons may be residents or occupants of a hotel, motel, apartment or condominium and their guests, or the general public.~~

~~*Residential swimming pool* means any constructed permanent or portable pool which is intended for noncommercial use as a swimming pool in connection with a residence and available only to the family of the residence and their private guests, and having a depth of more than 24 inches and a surface area exceeding 250 square feet or a volume over 3,250 gallons.~~

~~(Code 1989, § 15.09(1))~~

~~**Cross references:** Definitions generally, § 1-2.~~

~~Sec. 14-122. Standards.~~

~~(a) The Minimum Standards for Residential Pools adopted by the National Pool Institute to the latest date prior to making application for a permit are adopted by reference and made a part of this division as if fully set forth in this section.~~

~~(b) Plans and specifications for any public swimming pool must be approved first by the proper state authority; and if no state law or code applies, they must meet the minimum standards of a private pool as provided in section 14-123.~~

~~(Code 1989, § 15.09(2))~~

Sec. 14-123. Permit required.

~~No person shall construct or maintain a private swimming pool unless an application has first been made to the village board incorporating plans and specifications which shall meet the minimum standards for pools adopted by the National Swimming Pool Institute as revised to the latest date available, and which application shall be approved by the village board and referred to the building inspector, approved by the building inspector, and a permit issued.~~

~~(Code 1989, § 15.09(3))~~

Sec. 14-124. Plans and specifications.

~~No person shall begin construction of either a residential or public swimming pool, or substantially alter or reconstruct any such pool without first having submitted plans and specifications to the building inspector for review and without having received a permit from the inspector for such construction or reconstruction. The plans and specifications must include the specifications of the enclosure and shall be submitted in duplicate. The building inspector shall arrange for the review and approval of the plans and specifications by other appropriate departments concerned with such matters as zoning, electrical, structural and plumbing requirements. A permit to construct, alter or renovate shall be issued by the inspector following approval and authorization by him and other departments or concerned officers.~~

~~(Code 1989, § 15.09(4))~~

Sec. 14-125. Enclosure required.

~~Every person owning or occupying land on which there is situated a swimming pool, fish pond or other body of water which constitutes an obvious hazard and contains 24 inches or more in depth at any point, shall erect and maintain an adequate enclosure surrounding the pool area sufficient to make such body of water inaccessible to small children. The enclosure, including the gate, shall conform to the minimum standards as established by the National Pool Institute. This enclosure shall be erected as soon as possible prior to or during construction, and unless special permission is given by the building inspector, before water is placed in the pool.~~

~~(Code 1989, § 15.09(5))~~

Sec. 14-126. Disposal of water.

~~(a) No filter backwash water or pool drainage water shall be fed into the village sanitary sewer system.~~

~~(b) An approved means of draining the pool when necessary shall be provided.~~

~~(Code 1989, § 15.09(6))~~

Sec. 14-127. Lighting.

~~Lighting other than underwater lights shall not be used in a swimming pool area if it disturbs neighboring property owners.~~

~~(Code 1989, § 15.09(7))~~

~~Sec. 14-128. Location on property.~~

~~Swimming pools shall be located on the property in accordance with section 18.0303(f)1.b. of the zoning ordinance relating to permanent accessory structures not classified as buildings.~~

~~(Code 1989, § 15.09(8))~~

~~Sec. 14-129. Permit fee.~~

~~The swimming pool permit fee shall be as determined by the board.~~

~~(Code 1989, § 15.09(9))~~

SECTION II.

Section 18-34 of the Municipal Code of Village of Fontana on Geneva Lake is hereby created as follows:

Sec. 18-34. Swimming pools.

(a) Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public swimming pool means any swimming pool, other than a residential pool, intended to be used collectively by a number of persons for a swimming pool. Such persons may be residents or occupants of a hotel, motel, apartment or condominium and their guests, or the general public.

Residential swimming pool means any constructed permanent or portable pool which is intended for noncommercial use as a swimming pool in connection with a residence and available only to the family of the residence and their private guests, and having a depth of more than 24 inches and a surface area exceeding 250 square feet or a volume over 3,250 gallons.

(b) Standards.

- (1) The Minimum Standards for Residential Pools adopted by the National Pool Institute to the latest date prior to making application for a permit are adopted by reference and made a part of this division as if fully set forth in this section.
- (2) Plans and specifications for any public swimming pool must be approved first by the proper state authority in compliance with State and local codes regarding public swimming pools.

(c) Permit required.

No person shall construct or maintain a private swimming pool unless an application has first been made to the village building inspector incorporating plans and specifications which shall meet the minimum standards for pools, and which application shall be approved by the village building inspector, and a permit issued.

(d) Plans and specifications.

No person shall begin construction of either a residential or public swimming pool, or substantially alter or reconstruct any such pool without first having submitted plans and specifications to the building inspector for review and without having received a permit from the inspector for such construction or reconstruction. The plans and specifications must include the specifications of the enclosure and shall be submitted in duplicate. The building inspector shall arrange for the review and approval of the plans and specifications by other appropriate departments concerned with such matters as zoning, electrical, structural and plumbing requirements. A permit to construct, alter or renovate shall be issued by the inspector following approval and authorization by him and other departments or concerned officers.

(e) Enclosure required.

Every person owning or occupying land on which there is situated a swimming pool, and contains 24 inches or more in depth at any point, shall erect and maintain an adequate enclosure surrounding the pool area sufficient to make such body of water inaccessible to small children. The enclosure, including the gate, shall conform to the minimum standards as established by the National Pool Institute. This enclosure shall be erected as soon as possible prior to or during construction, and unless special permission is given by the building inspector, before water is placed in the pool.

(f) Disposal of water.

- (1) No filter backwash water or pool drainage water shall be fed into the village sanitary sewer system.
- (2) An approved means of draining the pool when necessary shall be provided.

(g) Lighting.

Lighting other than underwater lights shall meet the requirements of the Village of Fontana Municipal Code regarding exterior lighting standards.

(h) Location on property.

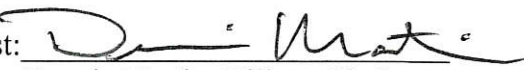
- (1) Swimming pools shall be classified as permanent accessory structures not classified as buildings and located on the property in accordance with the requirements of the zoning district the property is located.
- (2) Pumps and filter equipment shall in no case be closer than 20 feet to a property line and shall be adequately housed and muffled.
- (3) Surfaced terraces, sun decks, and walks may be permitted no closer than five feet to a lot line where accessory to a private residential pool. In any other case they may be permitted no closer than ten feet to a lot line.
- (4) Reasonable precautions shall be taken to ensure the safety of the pool area and to prevent it from becoming an attractive nuisance. Public and private residential swimming pools shall be completely fenced so as to prevent the unregulated entrance of young children to the pool area.

Section III. Effective Date: This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

Approved and Adopted by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin this 6th day of August, 2007.

Village Board of the Village of Fontana-on-Geneva Lake

By: 
Ronald Pollitt, Village President

Attest: 
Dennis Martin, Village Clerk

