

VILLAGE OF EDEN PRIVATE SWIMMING POOL ORDINANCE

The Village Board of the Village of Eden, Fond du Lac County, Wisconsin does ordain as follows:

The Provisions of this ordinance shall be held to be the minimum requirements adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the Village of Eden.

Private Swimming Pools:

A) Definition.

The term "pool" is hereby defined as a non permeable receptacle for water, whether above or below ground, intended for use by the owner, their friends, and invited guests for bathing and or swimming.

B) Exempt Pools.

1. Storable children's swimming or wading pools with a maximum outside dimension of fifteen (15) feet and a maximum wall height of less than two (2) feet, and which are so constructed that they may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this ordinance.
2. Soft Sided pools that are readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this ordinance, provided that the ladder and or steps are removed and the pool is covered with appropriate covering that will withstand approximately 200# when not in use.
3. Hot Tubs shall be exempt from this ordinance if it is shown that the cover for the hot tub can withstand approximately 200# when the cover is placed over the hot tub.

C) Permit Required.

All pools with a water depth of (2)two or more feet and or a capacity of 1000 gallons or more shall require a building permit from the Building Inspector prior to construction or installation except those pools listed in B.

D) SetBacks and Other Requirements.

1. Private swimming pools shall be erected or constructed on rear or side lots only and only on a lot occupied by a principal building. No swimming pool shall be erected or constructed on an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and said lot is occupied by a principal building.
2. No swimming pool shall be located, constructed or maintained closer to any side or rear lot line than is permitted in the Zoning Code for an accessory building.
3. No swimming pool shall cover more than 30% of open space in individual lot.

E) Enclosure.

Every outdoor private or residential swimming pool in the ground or with sides less than 42 inches high at any point, as in the case of above ground pools, shall be completely enclosed by a fence or wall not less than four feet in height but not to exceed six feet in height, which shall be so constructed as not to have openings, holes, or gaps larger than four inches in any dimension, except for doors and gates. A residence or accessory building may be used as part of such enclosure. All gates or doors, opening through such enclosures, shall be equipped with self closing and self latching devices for keeping the gate or door securely locked at all times when not in use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. Above ground pools with sides greater than 42 inches high at any point which are not enclosed by a suitable fence herein described and using a ladder, step, or stairs for ingress and egress shall have a ladder or stairs removed or flipped up when the pool is

not in use, or shall be designed with doors or gates so as to prevent access to the pool when the pool is not in use.

F) Electrical Installations.

1. All electrical wiring associated with swimming pools shall require a permit.
2. All electrical wiring for swimming pools shall comply with the National Electrical Code, (NEC).
3. Lights used to illuminate the pool shall direct light only on the pool.

G) Plans.

The Plan filed with the application of a building permit shall show the pool in relation to all other buildings on the property, lot lines, and electrical power service laterals. Fences and decks built in conjunction with the pool shall also be shown on the plans.

H) Equipment.

Circulating pumps and filters shall be located and operated so as not to create a nuisance or noise problem. If necessary, the equipment shall be shielded or contained behind a protective barrier.

I) Nuisance.

1. All pools shall be maintained in such a way as to not create a nuisance, hazard, eyesore, or be a detriment to public health, safety, or welfare.
2. The drainage of any pool may not be discharged onto adjoining property. The pool may, however, be drained into Village Streets or Gutters which empty into the Village' Storm Sewer.

J) Permit Fees.

1. Building Permit Fees as set by Independent Inspections.
2. Electrical Permit Fees as set by Independent Inspections.
3. Plumbing Permit Fees as set by Independent Inspections.

K) Effective Date.

1. This ordinance shall be in full force and effect following the adoption by a majority of the Board of trustees and upon publication as provided by statute.
2. Any pool erected or constructed within the Village of Eden prior to the date of publication of this ordinance shall be required to be in full compliance with all of the provisions of this ordinance no later than one year following the date of publication.
3. The Village Clerk will notify the property owner's that have previously erected swimming pools and have the building inspector follow up with them to be sure they are in compliance.
4. Any pool erected or constructed within the Village of Eden following the date of publication of this ordinance shall be required to be in full compliance with all provisions of this ordinance before it shall be permitted for use.

Adopted this 17 of April 2008.

_____*Robert J Goebel*
Village President

_____*Sheila M Zook*
Village Clerk/Treasurer