

ORDINANCE NO. 082515-1

AN ORDINANCE AMENDING CHAPTER 165.40(14) CONCERNING THE
DEFINITION, LOCATION AND REGULATION OF SWIMMING POOLS
WITHIN THE CITY OF AKRON, IOWA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AKRON, IOWA:

That Chapter 165.40(14), concerning the definition, location and regulation of swimming pools within the City of Akron, Iowa be amended to read as follows:

CHAPTER 165.40(14)

SWIMMING POOLS

165(14).01 Definition

165(14).04 Permit Required

165(14).02 Location

165(14).03 Requirements

165.01 DEFINITION. A swimming pool shall be any structure intended for swimming, recreational bathing or wading that has the capacity of containing water over 24 inches deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

165.02 LOCATION. All swimming pools located in residential districts shall be located in the rear and side yards in conformity with all setback requirements for accessory uses in the zoning district in which the pool is located. The current setback requirement for side and rear yards is five (5) feet.

165.03 REQUIREMENTS. No person shall maintain or use a swimming pool, unless it conforms to the requirements of this chapter, and in the event that any swimming pool is found not to comply with the terms of this chapter, it shall constitute a nuisance within the definition of Chapter 50 of this Code of Ordinances and the City may invoke remedies and penalties provided in said chapter.

165.04 PERMIT REQUIRED.

1. No person shall construct or make any alteration, addition, remodeling or other improvements to a swimming pool without a permit therefor. Swimming pools shall be maintained in accordance with the provisions of this chapter.

2. A person seeking a permit shall make an application to the Clerk for such permit. The plans and specifications and plot plan, as well as other pertinent explanatory data, shall be submitted with each application.

3. If the plans and specifications and plot plans meet the requirements of this chapter, a permit fee of \$30.00 for any regulated pool shall be paid to the Clerk. Upon approval by the Council, the Clerk shall issue a permit.
4. The materials used in lining swimming pools shall be light in color, impervious to water, and provide a tight tank with smooth and easily cleaned surfaces. Sand or dirt bottoms are prohibited.
5. All cross connections between the City water supply or the sewer system in the plumbing of a swimming pool shall be constructed in accordance with the 2009 International Building Code.
6. Every outdoor swimming pool shall be completely surrounded by a fence or wall not less than four (4) feet in height and at least five (5) feet from each side of the pool. The fence or wall shall be non-climbable and shall be constructed sufficiently strong and of such structural design as to make the pool inaccessible to small children. There shall not be a distance greater than ten (10) feet between fence posts. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure with a maximum vertical clearance between the top of the pool structure and the bottom of the barrier of four (4) inches. **Exception:** A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346.
7. All gates or doors opening to the swimming pool shall be equipped with self-closing and self-latching devices with locking provisions for keeping the gate or door securely closed at all times when not in actual use.
8. All electrical construction shall be installed in accordance with the 2009 International Building Code.
9. This chapter shall apply to all existing and new swimming pools. All existing swimming pools shall comply within sixty (60) days of the effective date of the ordinance codified by this chapter.

Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Severability Clause. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Effective Date. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

