

AN ORDINANCE REGULATING THE CONSTRUCTION AND MAINTENANCE OF PRIVATE SWIMMING POOLS IN THE CITY OF OAK PARK HEIGHTS.

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

1303.01 Definition.

"Private Swimming Pool" shall mean any pool, tank, depression, or excavation in or above ground, or other structure which shall cause retaining of water over a greater depth than eighteen (18) inches and/or having a larger plane surface of water greater than one hundred-fifty (150) square feet and which shall be designed or used for swimming, wading, or immersion purposes by men, women, or children, used or intended to be used solely by the owner, lessee, or tenant thereof and his family, and by friends invited to use it without payment of any fee.

1303.02 Permit Required.

It shall be unlawful hereafter for any person, firm, or corporation to construct, alter, or repair a private swimming pool within the City without first having secured a permit therefor from the Building Inspector. An application for this permit shall be made on such form as may be furnished by the City, and shall be accompanied by complete plans and specifications for the pool, including the type and location thereof with respect to the boundary lines of the land of the applicant. The applicant shall pay fees as established by the City Council from time to time by resolution.

1303.03 Enclosed by Fence.

A. All swimming pools to be constructed, or which are already constructed, shall be completely surrounded by a fence or wall not less than four (4) feet in height, which shall be so constructed as not to have openings, holes or gaps larger than four (4) inches in either vertical or horizontal direction, except for doors and gates. The fence shall be of a type not readily climbed by children. A dwelling house or accessory building may be used as part of such enclosure. An above-ground pool with a wall greater than four (4) feet in height does not require a fence if the wall cannot be readily climbed by children.

B. All gates or doors opening through such enclosure shall be equipped with a self-closing and a self-latching device for keeping the gate or door securely closed at all times when not in actual use, and be provided with hardware for permanent locking devices, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. Pool gates shall be locked when the pool is not in use.

- 1303.04 Life-Saving & Emergency Equipment.  
Life-saving equipment consisting of at least: (1) one ring buoy not more than fifteen (15) inches in diameter, to which shall be attached a rope 3/16" in diameter and of a length at least equal to the greatest dimension of the swimming pool, and (2) one life pole, or shepherd's crook type of pole, at least ten (10) feet long and having blunted ends, shall be provided. Emergency flood lighting shall be provided and electrically connected to a different circuit than used by the pool. The emergency equipment shall be used for emergency purposes only.
- 1303.05 Above-Ground Pools.  
Above-ground pools shall be protected in such a way that access ways, other than those afforded by the dwelling house or accessory buildings, shall be equipped with self-closing and self-latching gates or doors so these gates or doors are kept securely closed at all times when not in actual use.
- 1303.06 Pool Covers.  
Pool covers, whether they can be locked or not, do not alone meet public safety requirements if the cover is of the type that can collect and hold natural water.
- 1303.07 Polluted Water.  
No body of water, whether it be a natural or an artificial body of water in the City, which contains sewage, waste, or other contaminating or polluting ingredients rendering the water hazardous to health, shall be used for swimming or bathing by any person or persons.
- 1303.08 City Water Supply.  
There will be no cross-connections of the City water supply with any other source of water supply for the pool. The line from the City water supply to the pool shall be protected against back flow of polluted water by means of either an air gap, vacuum breaker, or other adequate device to prevent back siphonage.
- 1303.09 Shielding Lights.  
Lights used to illuminate any swimming pool shall be so arranged and shaded as to reflect light away from adjoining premises.
- 1303.10 Unnecessary Noise.  
It shall be unlawful for any person to make, continue or cause to be made or continued at any swimming pool or family pool any loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In the operation of a swimming pool, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound, in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient

hearing of the person or persons who are in the swimming pool premises, shall be unlawful.

1303.11 Outdoor Pool Enclosures.

Outdoor pool enclosures, permanent or inflated, should not exceed eighteen (18) vertical feet above the pool deck and should be of a neutral color designed to blend with existing surroundings. The enclosure requires a special use permit and it must conform to the Uniform Fire Code.

1303.12 Setback Requirements.

Pools for which a permit is required shall not be located within ten (10) feet of any side or rear lot line nor within six (6) feet of any principal structure or frost footing. Pools shall not be located within any required front yard. (Note: specific recommendations on pool construction and dimensional relationships available from the American Public Health Association, 1740 Broadway, New York City, New York, 10019. Title "Suggested Ordinance and Regulations Covering Private Residential Swimming Pools").

1303.13 Lighting, Ventilation and Electrical Requirements.

- A. Where underwater lighting is used, such lights shall be spaced to provide illumination so that all portions of the pool and pool bottom may be readily seen without glare.
- B. All electrical wiring shall conform with the National Electrical Code as administered by the Minnesota State Board of Electricity and shall be approved by the National Underwriters Laboratory and the Minnesota State Board of Electricity.
- C. Each underwater light shall be individually grounded by means of a screwed or bolted connection to the metal junction boxes, which the branch circuit to the individual light precedes. Such junction boxes shall not be located in the pool deck.

1303.14 Overhead Wiring Clearances.

Service drop conductors and any other open overhead wiring shall not be installed above the swimming pool or surrounding area extending ten (10) feet horizontally from the pool edge, or diving structure, observation stands, towers, or platforms.

1303.15 Chemical Storage.

- A. The storage of chemicals should meet the requirements of the International Fire Code.
- B. Recognizing the fact that pool owners intend to maintain a pool that will not endanger the health or safety of their neighbors and family, Sections 1303.16 - 1303.18 provide guidelines for the operation of a private swimming pool.

1303.16 Bacteriological Quality.

A sample of swimming pool water shall be considered satisfactory when the total bacterial count at 35 degrees centigrade does not exceed 200 colonies per milliliter and no organisms of the E. Coli group are present in a ten (10) milliliter portion or one hundred (100) milliliter portion as determined by the membrane filter method. If more than one sample out of seven collected on different dates is unsatisfactory, procedures and interpretations relating to bacteriological quality shall be done in accordance with the Standard Methods for the examination of Water, Sewage and Industrial Wastes, as prescribed within its current edition.

1303.17 Pool Filters.

Every pool shall be equipped with a recirculating system capable of filtering the entire contents of the pool in twelve (12) hours or less.

- A. Filters shall be capable of maintaining the clarity of the water to permit the ready identification, through an eight (8) foot depth of water, of a disc two (2) inches in diameter which is divided into four (4) quadrants in alternate colors of red and white.
- B. Filter capacity shall be such that it need not be cleaned more frequently than once every four (4) days under proper conditions of water and operation.
- C. All pressure filters shall be equipped with influent and effluent pressure gauges to determine the pressure differential and frequency of cleaning. All other filters shall be equipped with at least one pressure vacuum or compound gauge, as applicable, which shall be positioned in such a way as to determine the differential across the filter and the need of cleaning.
- D. All pressure filter systems shall be equipped with air release at the high point in the system.
- E. Operating instructions shall be posted on every filter system. All valves shall be properly designated, indicating their purpose.
- F. When dissimilar metals are used in the construction of the filter, which may set up galvanic currents, then suitable provision shall be made to resist electrolytic corrosion.
- G. Filters shall be so designed and installed that they can be readily disassembled and the filter elements removed.

1303.18 Disinfection and Chemical Conditioning.

- A. Provision shall be made for the introduction into the swimming pool water of accurate and controlled applications of a disinfectant in sufficient quantities to attain and maintain efficient bactericidal action while the pool is in use.
- B. Suitable methods shall be available to maintain a PH of the pool water between 7.2 and 8.2 and to maintain an alkalinity of not less than 50 ppm.
- C. The devices used to apply chlorine, or its equivalent, as a disinfectant shall be of such capacity as to maintain in all areas of the swimming pool, at all times, at least 0.5 ppm of free available residual chlorine or a residual level of another approved disinfectant which shall be of at least a proven equivalent disinfecting strength as 0.5 ppm of free available residual chlorine.

1303.19 Prior Constructions.

The owner of any land upon which a private swimming pool has been constructed prior to the effective date of this Ordinance shall, within sixty (60) days after said effective date, comply with the requirements of this ordinance and, thereafter, it shall be unlawful to maintain any swimming pool which does not meet the requirements of this ordinance.

1303.20 Modifications.

- A. The Building Official for the City of Oak Park Heights may make modifications in individual cases, upon showing of good cause, with respect to the height, nature, or location of the fence or wall, gates or latches, or the necessity therefore, provided the degree of protection is not reduced thereby.
- B. The Building Official for the City of Oak Park Heights may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the fence, gate and latch described herein.
- C. Upon the application of a property owner, the Building Official may grant extension of time for compliance, in individual cases, upon the showing of good cause; such extension of time shall not exceed thirty (30) days at a time.

1303.21 Penalties.

Any individual person, firm, co-partnership, association, or corporation who shall violate any provision or requirement of this ordinance, shall upon conviction thereof, be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) or by imprisonment not exceeding ninety (90) days, or both.

1303.22 Revocation of Permit.

- A. The Building Official may revoke any permit for failure to comply with the regulations of this Ordinance.
- B. Before a permit is revoked, the pool owner shall have notice in writing, listing and describing the instances of failure to comply with this Ordinance.
- C. The permit shall be reissued upon proper application and upon presentation of evidence that the deficiencies causing revocation have been corrected.