

14.20.050 Swimming pools

A. Definition. A "private or residential swimming pool" is an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than 1 1/2 feet located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool. This includes hot tubs, whirlpools and Jacuzzi tubs greater than 12" in depth and less than 42" of wall height.

B. Exempt pools.

1. Storable children's swimming or wading pools, with a maximum dimension of 15 feet and a maximum wall height of 15 inches 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 section.
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 an 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.
4. Drainage ponds, storm water detention ponds, decorative com-

mercial ponds, recreational ponds, municipal and institutional ponds and similar ponds are exempt from this ordinance.

C. Permit required.

All pools with a water depth of 18 inches or more and/or a surface area of 100 sq. feet shall require a building permit from the Building Inspector before commencing construction or erection of the pool, or on any alterations, additions, remodeling or other improvements, except those pools listed under exempt pools above. Plans and specifications and pertinent explanatory data should be submitted to the Building Inspector at the time of application. The minimum building permit fee, pursuant to the current Building Permit Fee Schedule set by the current Building Inspection contract, shall accompany such application.

D. Plans.

The plan filed with the application for a building permit shall show the pool in relation to the following:

- a) Property lines and lot dimensions.
- b) Location of all buildings on the lot and distances to lot lines.
- c) Location of public streets, side walks and alleys.
- d) Fair market value of the installation.
- e) Location of overhead and underground utilities (gas and electric).
- f) Any fences and decks built in conjunction with the pool.

E. Setbacks and other requirements.

1. Private swimming pools shall be erected or constructed in rear or side yards 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, but in no case shall the water line of any pool be less than five feet from any lot line.

F. 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 (4) feet in height but not to exceed six (6) feet in height, which shall be so constructed as not to have openings, holes, or gaps larger than four (4) 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.

G. Construction requirements.

In addition to such other requirements as may be reasonably imposed by the Building Inspector, the Building Inspector shall not issue a permit for construction as provided for in Subsection C unless the following construction requirements are observed:

1. All materials and methods used in the construction, alteration, addi-

tion, remodeling or other improvements and pool installation shall be in accord with all state regulations and codes and with any and all ordinances of the Village now in effect or hereafter enacted.

2. All plumbing work shall be in accordance with all applicable ordinances of the Village and all state codes. Every private or residential swimming pool shall be provided with a suitable draining method, and in no case shall waters from any pool be drained into the sanitary sewer system or onto lands of other property owners adjacent to that on which the pool is located or in the general vicinity.
3. All electrical installations, including lighting and heating but not limited thereto, which are provided for, installed and used in conjunction with a private swimming pool, shall comply with the National Electrical Code, Chapter E 680 of the Wisconsin Administrative Code and Village ordinances regulating electrical installations. Light use to illuminate the pool shall direct light only on the pool.
4. All private swimming pools within the meaning of this chapter must have, in connection therewith, some filtration system to assure proper circulation of the water therein and maintenance of the proper bacterial quality thereof. The 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.

H. Nuisance.

All pools shall be maintained in such a way as to not create a private or public nuisance, hazard, eyesore, or be a detriment to public health, safety or welfare. For purposes of this ordinance, a “public nuisance” shall be defined as set forth in the Village’s Code of Ordinances, Chapter 8.28.

regulation made hereunder shall be subject to a penalty as provided under the Village Zoning Code, Chapter 14.

I. Draining and approval thereof.

No private swimming pool shall be constructed so as to allow water therefrom to drain into any sanitary sewer nor to overflow upon or cause damage to any adjoining property. Provisions may be made for draining the contents of any swimming pool into a storm sewer, but such installation shall be subject to prior approval by the Building Inspector and Public Works Director.

J. Compliance.

All swimming pools existing at the time of passage of this chapter not satisfactorily fenced shall comply with the fencing requirements of this section when water is placed in the pool.

K. Effective Date

1. This ordinance shall be in full force and effect following adoption by a majority of the Village Board and upon publication as provided by statute.

2. Any pool erected or constructed within the Village of Oakfield 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. Any pool erected or constructed within the Village of Oakfield 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.

L. Penalty.

Any person who shall violate any provision of this ordinance or any order, rule or