

1260.04 USES.

(14) Private swimming pools and spas – all private swimming pools and spas shall be considered accessory structures and may be constructed in any rear yard not closer than five feet from any property line or building, excluding zoning districts Conservation and I-2 (Industrial) and must meet the following criteria:

(1) Every person owning land on which there is situated a swimming pool shall erect an adequate enclosure or fence surrounding either the property or pool area, sufficient to make such body of water inaccessible to small children. Such enclosure or fence, including gates therein, shall not be less than four feet above the outside underlying ground and shall be of a type of construction which cannot be easily climbed by small children. All gates shall be self-closing and self-latching with latches placed at least 42 inches above the outside underlying ground or otherwise made inaccessible from the outside to small children. A dwelling structure, garage or accessory building of at least four feet in height may constitute a portion of such enclosure. A natural barrier, hedge, removable ladder or other protective device may be used so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, fence, gate, and latch described herein.

(2) A hot tub or spa secured by means of a rigid and locking cover shall not require a fence.

(3) Any lighting used to illuminate the pool shall be so arranged and shaded as to reflect light away from adjoining properties and public streets.

(4) All swimming pools and spas shall be maintained in good condition so as to prevent the growth of organisms which constitute a health hazard and to prevent the breeding of insects.