

Section 8.35. PRIVATE SWIMMING POOLS. No swimming pool shall be allowed in any residential district unless it complies with the following requirements:

1. The pool is not operated as a business or private club, except when allowed as a permitted home occupation.
2. It shall not be located in any required front or required side yard, and shall not be closer than ten (10) feet to any property line of the property on which it is located. Pump and filter installations for pools shall not be closer than twenty (20) feet to any property line.
 - a. For a below grade swimming pool, the pool or the property upon which said pool is located, shall be enclosed by a fence of a type which effectively controls the entrance by children to the pool area, said fence to be at least six (6) feet in height. Wooden fences with boards placed vertically shall not have any opening wider than four (4) inches per opening and wooden fences with boards placed horizontally shall not have any opening wider than one (1) inch per opening.
 - b. Gates installed for access to the property or pool area shall be equipped with an automatic closing and latching device to protect against uncontrolled access to the property.
 - c. For an above grade swimming pool, the pool shall be equipped with an automatically retractable ladder, a retractable ladder, or a removable ladder or shall be fenced. Said ladder to be removed or retracted when said pool is not being attended.
 - d. If access to the pool is via a deck or porch, then no access from the ground is permitted to the deck area unless the property or the ground access to the deck is fenced.
 - e. It shall be the responsibility of the property owner upon where said pool is located to maintain all fences, gates and closure devices in good operating condition.
 - f. Failure to maintain fences, failure to have gates closed, or failure to either remove or retract the ladder access to the pool shall constitute a violation of the Zoning Ordinance and therefore be subject to the penalties contained therein.
3. Swimming pools shall be considered to be structures for purposes of regulations limiting lot coverage.