

Chapter 23

Swimming Pools

Part 1

Swimming Pools

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Part 1**Swimming Pools****§23-101. Notification in Writing Required.**

Any person, firm or corporation that constructs, operates or maintains a family swimming pool on any property in the Borough of Swissvale shall notify the Secretary of the Borough of Swissvale in writing of the design and material of which same is constructed, and the type and character of safeguards permanently constructed around the said swimming pool.

(*Ord. 74-4, 8/14/1974, §1*)

§23-102. Purpose.

For the purpose of the Part, "family pool" is a swimming pool used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it without the payment of any fee. "Swimming pool" shall be defined as any man-made structure either in or out of the ground constructed for the purposes of holding water to be used for swimming, bathing, other recreation or as a decorative or landscape addition to the owner's property. This definition shall include, but not be limited to, in-ground pools, above ground pools, wading pools, fish ponds, landscape ponds and any other man-made structures capable of retaining water for any purpose.

(*Ord. 74-4, 8/14/1974, §2; as amended by Ord. 91-9, 8/14/1991*)

§23-103. Construction Permit and Approval.

Before work is commenced on the construction of a family swimming pool, or any alteration, addition, remodeling or other improvement to same, an application for a permit for the construction of same and the plans and specifications and pertinent explanatory data shall be submitted to the Building Inspector of the Borough of Swissvale for his approval, and no part of the work shall be commenced until the Building Inspector has granted such approval by a suitable endorsement upon such plans and specifications.

(*Ord. 74-4, 8/14/1974, §3*)

§23-104. Pools Are to Be Surrounded by Fence or Walls.

1. Every outdoor swimming pool, including those now existing or under construction, shall be surrounded completely by a fence or wall not less than 4 feet in height, which shall be so constructed as to have no openings, holes or gaps larger than 4 inches in any dimension except for doors and gates, and if a picket fence is erected or maintained, the horizontal dimension shall not exceed 4 inches. A dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device on the pool side for keeping the gate or door securely closed at all times when not in use, except that the door of any such dwelling which forms a part of the enclosure need not be so equipped. The fence shall surround the pool and the deck area exclusively. It shall be within 5 feet of the pool structure on two sides and a maximum of 20 feet on

the other two sides unless the main building provides the enclosure on that side. Fencing of the entire yard is not considered adequate. If any part of this Section relating to enclosures and fences and setback provisions of the pool structure shall conflict with the provisions of the Zoning Ordinance of the Borough of Swissvale [Chapter 27] then, in that event, the provisions of the Zoning Ordinance [Chapter 27] and its amendments shall control.

2. *Location on Property.* The pool should be located at the rear of the building and never in the front or side of the house. All existing building lines must be observed insofar as side and rear lines are concerned, but in no case shall the pool structure be closer than 15 feet to the side or rear lot line. The pool structure is to be considered as consisting of pool and sidewalk area. There shall be a minimum of 3 feet sidewalk area around all pools, except portable pools set on grade.

3. At the diving board area, the walls shall extent 3 feet from the back edge of diving board. The slope of the walls shall have a pitch of at least $\frac{1}{4}$ inch to the foot, to prevent back drainage from entering the pool.

4. No portion of any permanent pool other than fences, diving boards and similar related equipment, shall project more than 12 inches in height above the surface of the adjacent ground.

5. The Council of the Borough of Swissvale may, on application, make modifications in individual cases, upon a showing of good cause with respect to the height, nature or location of the fences, walls, gates or latches, or the necessity therefore, provided the protection as sought hereunder is not reduced thereby. The building Inspector shall allow a reasonable period within which to comply with the requirements of this section.

(Ord. 74-4, 8/14/1974, §4)

§23-105. Design and Construction Requirements.

1. Plans and specifications submitted for approval must bear the stamp of a registered architect or a registered professional engineer. Standard pools, property designed by established pool companies and having the approval of the Council and the Borough Engineer are acceptable, when accompanied by suitable plans and specifications. The plot plans shall show the location of the pool, walls, property lines and fence location. Details of the fence shall be shown.

2. In addition to such other requirements as may reasonably be imposed by the Borough of Swissvale, a permit shall not be issued to construct or approve the construction of any swimming pool or any alteration, addition, remodeling or other improvement to a swimming pool hereunder unless the following requirements are observed in such construction, and swimming pools shall be constructed and maintained in conformity with the following requirements:

A. *Structural Design.* The pool shall be constructed only of reinforced concrete or steel or aluminum, with suitable reinforcing members to withstand internal and external forces, expected to be encountered. Wood, plastic, gunnite, or cement block pools are excluded.

B. *Inlets and Outlets.* All pools shall be provided with at least one outlet at the deepest point of sufficient size to permit the pool to be completely drained or

emptied. There shall also be a skimmer outlet.

C. *Recirculation.* Provisions shall be made for complete circulation of water through all parts of the pool. The system shall be designed and constructed so that a "turn over" of at least one time in every 12-hour period shall be provided. Recirculation systems shall consist of pumping equipment, hair and lint catcher, filters, together with the necessary pipe connections to the pool inlets and outlets, facilities and pipe connections necessary for backwashing or cleaning filters.

D. *Sterilization.* The owner shall have on hand, in operating condition at all times and capable of using same, a suitable chlorine residual tester. A chlorine residual of 0.5 parts per million must be maintained at all times. No gaseous chlorination system shall be utilized for any private residential swimming pool although it may be utilized in conjunction with commercial or club pools.

E. *Water Supply.* There shall be no physical connection between the drinking water supply and the pool recirculating system. Only water secured from the public supply system is to be used. The inlet must be at least 6 inches above the pool surface.

(Ord. 74-4, 8/14/1974, §5)

§23-106. Sanitation of Premises.

1. The buildings, grounds, dressing rooms and all family swimming pool facilities shall be kept clean and in a sanitary condition and maintained free from garbage, trash and other refuse.

2. Draining of pool shall be into the sanitary sewer system, if available. If sanitary sewer is not available, special arrangements are to be made, so as to avoid flowing over the property of other parties.

(Ord. 74-4, 8/14/1974, §6)

§23-107. Safety Equipment.

The pool must be equipped with a ladder or suitable stairs. Safety equipment consisting of buoys and ropes shall be readily available.

(Ord. 74-4, 8/14/1974, §7)

§23-108. Portable Pools.

1. A portable pool is one that has a possible depth of 24 inches or more. Such a pool must either comply with the above regulations or be emptied after each period of usage, at least daily. Pools having depth of less than 23 inches are not subject to this Section.

2. Portable pools are not subject to the building permit fee or the reinspection fee, not design and construction requirements as set forth in §23-105. All other requirements of this Part, however, pertain to portable pools, as well as permanent pools.

(Ord. 74-4, 8/14/1974, §8)

§23-109. Interference with Enjoyment of Property Rights Prohibited.

No family swimming pool shall be so located, designed or maintained as to

interfere unduly with the enjoyment of the property rights of others.

(*Ord. 74-4, 8/14/1974, §9*)

§23-110. Shielding Lights.

Lights used to illuminate any family swimming pool shall be so arranged in shading as to reflect light away from adjoining premises.

(*Ord. 74-4, 8/14/1974, §10*)

§23-111. Unnecessary Noise.

It shall be unlawful for any person to make, continue or cause to be made or continued at any family swimming 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 family 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 hearings of person or persons who are on the family swimming pool premises shall be unlawful.

(*Ord. 74-4, 8/14/1974, §11*)

§23-112. Commercial Activities.

The carrying on of any commercial undertaking at a family swimming pool entailing the sale of food, drinks, novelties or other merchandise shall be prohibited.

(*Ord. 74-4, 8/14/1974, §12*)

§23-113. Building Permit Fee and Operating Permit Fee.

The cost of a building permit for a swimming pool shall be of an amount as established from time to time by resolution of the Borough Council. The annual operating and reinspection fee shall be of an amount as established from time to time by resolution of the Borough Council.

(*Ord. 74-4, 8/14/1974, §13; as amended by Ord. 05-02, 6/1/2005*)

§23-114. Electrical Connections.

The electrical supply to the motor and lights shall be inaccessible to users of the pool. The recirculating equipment and main power supply shall be housed in a structure that remains locked at all times. There shall be no electrical plugs or wiring (other than lights and motor mentioned above) within 8 feet of the edge of the pool.

(*Ord. 74-4, 8/14/1974, §14*)

§23-115. Violation and Penalty.

1. Any person or persons including any agent or employee of any corporation, association or organization whatsoever who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine not to exceed \$1000 plus costs and, in default of payment of said find and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation is permitted to exist after notice in writing shall

have been served by the Building Inspector shall constitute a separate offense. [*Ord. 05-02*]

2. The remedies provided above are cumulative and in addition to any remedy the Borough may have by way of action at law or an equity to enforce its ordinances as permitted by the statutes of the Commonwealth of Pennsylvania.

(*Ord. 74-4, 8/14/1974, §15; as amended by Ord. 05-02, 6/1/2005*)

