

**AN ORDINANCE AMENDING THE VILLAGE'S SWIMMING
POOL ORDINANCE**

ORDINANCE NO. 20-1

**AN ORDINANCE AMENDING THE MUNICIPAL CODE
OF THE VILLAGE OF WASHBURN, ILLINOIS
BY AMENDING CHAPTER 150: Building Requirements; Construction**

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens; and

WHEREAS, the Village previously adopted an Ordinance regarding the requirements for building and maintaining swimming pools in the municipality; and

WHEREAS, this Ordinance is intended to amend said Ordinance by adding more specific requirements for building, construction and maintenance of swimming pools;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Washburn as follows:

SECTION 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. Adoption of amendments. Chapter 150 of the Municipal Code of the Village of Washburn shall be amended by the addition of the following language that will read as follows:

Washburn – Land Usage

150.01 COMPLIANCE REQUIRED.

It shall be unlawful to construct, maintain, install, or enlarge any swimming pool in the village except in compliance with all the provisions of this subchapter.

(1977 code 4-1-1) Penalty, see 150.99

150.02 PRIVATE POOL.

The term SWIMMING POOL is here by defined as a receptacle for water, or an artificial pool of water having a depth at any point of more that two (2) feet, intended for the purpose of immersion or partial immersion therein of human beings, and including all appurtenant equipment. All pools within the village SHALL be either an ABOVE GROUND Pool purchased from a store, that includes all necessary inlets, outlets, hoses, filters, sanitary equipment, wiring, frame, wall and hardware to assemble or IN GROUND pool constructed, installed by a professional pool instillation company, NO "HOMEMADE" pools shall be allowed inside the village limits.

(1977 Code, 4-1-2)

150.03 LOCATION.

NO portion of a swimming pool outside of a building shall be located at a distance no less than Eight (8) feet from side or rear of property line. Swimming pools are not allowed in FRONT yards within The village. Pumps, filters, and pool water disinfection equipment instillations shall be located at a distance of not less than eight (8) feet from any side or rear property line.

(1977 code 4-1-3) (Ord. 71-2, passed, 6-14-1971)

150.04 BARRIERS FOR SWIMMING POOLS.

(A) *APPLICATION.* The provisions of this section shall control the design of barriers for residential swimming pools. These design controls are intended to provide protection against potential drownings and near-drowning by restricting access to swimming pools.

(B) *DEFINITIONS.* For the Purpose of this section, **Barrier** shall be defined as a fence, wall, building wall, or a combination thereof which completely surrounds a swimming pool and obstructs access to the swimming pool.

(C) *BARRIERS FOR OUTSIDE SWIMMING POOLS.*

An outdoor swimming pool, including an inground, above ground, or on-ground pool, shall be provided with a barrier which shall comply with the following:

1. Severability. *If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.*

2. Effective Date. *This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.*

ADOPTED THIS 13th day of January, 2020

AYES: 6

NAYS: 0

ABSTENTIONS: 0

ABSENT: 0

APPROVED THIS 13th day of January, 2020.



Steve Forney, Village President

ATTEST:



Rebecca Ulrich, Village Clerk