

CHAPTER 23
SWIMMING POOLS

PART 1

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PART 1

GENERAL REGULATIONS

§23-101. Definitions.

Unless otherwise expressly stated, the following words shall, for the purposes of this section, have the meaning herein indicated.

FENCE - an enclosure. Such enclosure shall be at least 4 feet in height, constructed of masonry, wood or metal, with apertures no larger than 3 inches, equipped with a self-closing gate and complete with a key-operated lock.

FOOTING - the spreading at the base of bottom of a wall or other construction.

FRONT YARD - the area of a lot lying between the street and the residence set back line extending across the full width of the lot and/or depth of a corner lot.

PERSON - any person, copartnership, association, firm or corporation.

PRIVATE SWIMMING POOL - any body of water, tank or receptacle for water, whether artificially or semi-artificially constructed or portable, having a depth at any point greater than 3 feet or in excess of 1,500 gallons, used or intended to be used for swimming or bathing solely by the home owner, his family or their invited guests and constructed, installed and established or maintained outside any building in or above the ground upon any premises as an accessory use to the residence. Portable wading pools 18 inches to 3 feet in depth or less than 1,500 gallons are excluded herefrom, provided they are securely covered by a tarpaulin or some similar cover approved by the Building Inspector.

WADING POOL - any artificially constructed pool not designated nor used for swimming, with a maximum depth of less than 15 inches or less than 300 gallons. [Ord. 573]

(Ord. 394, 7/1/1968, Art. 12, §1; as amended by Ord. 573, 10/3/1988, §1(b))

§23-102. Permit Required.

It shall be unlawful for any person to construct, install establish or maintain, or alter, remodel or reconstruct a private swimming pool or wading pool as herein defined, without having obtained a permit therefor as prescribed in §23-103 herein. However, no permit shall be required for a wading pool of the portable type with a maximum depth of less than 3 feet or less than 1,500 gallons.

(Ord. 394, 7/1/1968, Art. 12, §2)

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§23-103. Permits.

Application for permit shall be submitted to the Borough Building Inspector, together with two sets of plans and specifications setting forth the details, area and depth of the proposed construction in all of its parts, together with a plot plan showing the location of the pool on the lot, the location of buildings on the lot, the fencing, existing and planned, and the height and aperture dimensions thereof, and all open spaces required by this Part, drawn to scale and dimensions. Applications shall be made on forms supplied by the Building Inspector. The fee for a yearly license for private swimming pools shall be as established from time to time by resolution of Council. Upon approval of plans and specifications by the Building Inspector, one set of each so marked will be returned to the applicant and must be kept on the site with the permit and be available at all times to the Building Inspector, or other officers of the Borough. No change in the same shall be made without notification to and approval by the Building Inspector.

(*Ord. 394, 7/1/1968, Art. 12, §3; as amended by Ord 523, 6/1/1981; by Ord. 524, 11/9/1981; and by Ord. 568, 10/5/1987*)

§23-104. Plans.

1. **Approval of Plot Plan** - The Building Inspector shall make such determinations of the plans and specifications submitted to assure the compliance with all requirements of this Part, the Building Code and the Zoning Chapter. They shall determine the mode of construction to make sure the contemplated work is structurally sound. Where necessary, they shall require suitable footings.
2. The Plumbing Inspector shall determine that the method or manner of emptying the pool and the connections of such drain to the sanitary sewer, storm sewer, open stream, or upon the land is not contrary to the public interest, nor to the proper maintenance of the public sanitary sewer system or storm sewer system, nor to the other property owners.
3. After investigation, and upon such advice of the Borough Engineers the Building Inspector shall issue the permit.

(*Ord. 394, 7/1/1968, Art. 12, §4*)

§23-105. Construction and Maintenance.

All swimming pools shall be constructed of materials so that they shall be waterproof and easily cleaned. Construction and design shall be such that they may be maintained and operated as to be clean and sanitary at all times and meet minimum requirements of the State Health Code. The owner of every private swimming pool shall be responsible to maintain said pool in such condition as to prevent breaks in the pool chassis or water from the pool overflowing onto adjacent property. Footings shall be provided to adequately carry the proposed structure. If concrete blocks are used in construction, they must be laid with masonry wall reinforcement (Durowall or equal) every second course of blocks. There must be a minimum footing under block walls and

poured concrete walls of 8 inches by 14 inches with two reinforcing rods 3/8 inch diameter.

(*Ord. 384, 7/1/1968, Art. 12, §5*)

§23-106. Water Supply.

There shall be no physical connection between a portable public or private water supply system and any private swimming pool, or wading pool, at a point below the maximum water line of the pool or to a recirculating or heating system of said pool.

(*Ord. 394, 7/1/1968, Art. 12, §6*)

§23-107. Discharge System.

1. The discharge of water from any private swimming pool into the sanitary sewer system shall be permitted only after a plumbing permit for the same has been issued in accordance with the Borough Plumbing Code, and such other applicable Borough ordinances.
2. Approval of an application shall not be given if it is feasible to discharge water from a pool into a storm sewer, stream or to use such water for lawn sprinkling. Discharge of water into sanitary sewer system is permissible only if the discharge is metered and the cost per gallon is established by the Plumbing Inspector; and if the pool capacity and incidence of discharge is readily ascertainable and fixed as to rate by the Plumbing Inspector, then, in such event, a meter will not be required.

(*Ord. 394, 7/1/1968, Art. 12, §7*)

§23-108. Discharge Control.

Where approval is obtained to discharge water from a private swimming pool or wading pool into the sanitary sewage system, the owner, lessee or occupant of said pool may discharge the water only at the time or times designated and allocated by the Plumbing Inspector and endorsed on the permit. The purpose of this requirement is to prevent a strain upon the sewer system by controlling and distributing the discharge of water.

(*Ord. 394, 7/1/1968, Art. 12, §8*)

§23-109. Location.

No private swimming pool shall be constructed/closer than 10 feet to a property line, nor 8 feet to a cellar or basement, nor shall it be constructed in the front yard of any property. Accessory buildings such as locker rooms, bathhouses cabanas, shower rooms, toilets and other physical facilities incident to the operation of any

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private swimming pool shall conform to the requirements of the Borough building, zoning and health provisions.

(*Ord. 394, 7/1/1968, Art. 12, §9*)

§23-110. Fencing.

Every private swimming pool except those defined as a wading pool shall be fenced in and the gate shall be kept closed and securely locked at all times when said pool is not in use by the person maintaining the same, his family or guests. Within 30 days after the effective date of this Part of the Code, any person maintaining a private swimming pool within the limits of Collingdale Borough which has been constructed prior thereto shall erect a fence surrounding said pool. All pools 18 inches to 3 feet in depth shall be covered when not in use, by a tarpin or similar type of covering at all times. All wading pools must be removed from any front yard of any property from October 1st until the following May 1st.

(*Ord. 394, 7/1/1968, Art. 12, §10; as amended by Ord. 573, 10/3/1988, §1(c)*)

§23-111. Lighting.

No artificial lighting shall be maintained or operated in connection with private swimming pools in such a manner as to be a nuisance or an annoyance to neighboring properties.

(*Ord. 394, 7/1/1968, Art. 12, §11*)

§23-112. Enforcement.

1. Every private swimming pool constructed, installed, established or maintained in the Borough of Collingdale, shall at all times comply with the requirements of the local Board of Health. Any nuisance or hazard to health which may exist or develop in or in consequence of, or in connection with any such private swimming pool shall be abated and removed by the owner, lessee or occupant of the premises on which said pool is located within 10 days of receipt from the Building Inspector or Board of Health of the Borough of Collingdale. It shall be the duty of the Building Inspector and the Board of Health respectively to enforce the provisions of this Part.
2. The Building Inspector and/or Board of Health or any of their assistants or deputies, shall have the right to enter any premises or any building or other structure for the performance of their duties at reasonable hours to insure compliance with this Part.

(*Ord. 394, 7/1/1968, Art. 12, §12*)

§23-113. Appeals.

Whenever the owner of any swimming pool about to be or in the course of being erected or altered, shall except to the decision of the Building Inspector in refusing to approve the issuance of a permit, or in refusing to approve the manner of construction, or the kinds of materials to be used in the construction or alteration, or to his decision as to its safety or its compliance with the provisions of this Part, Such owners or their duly authorized attorney, or agent, may within the 10 days after such decision, appeal therefrom to the Committee on Building Regulations of the Borough Council. Such appeal shall be in writing, shall state the decision of the Building Inspector, and the reasons for the exception taken thereto, shall be verified by affidavit, and shall be filed with the Borough Manager. The person appealing shall have the right to appear and to be heard, if he states his desire to do so in his written appeal. A prompt decision of such appeal shall be made by the Borough Council and shall be duly recorded, and the decision shall be final.

(Ord. 394, 7/1/1968, Art. 12, §13)

§23-114. Penalties.

Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300; and/or to imprisonment for a term not to exceed 90 days.

(Ord. 394, 7/1/1968, Art. 14; as amended by Ord. 568, 10/5/1987)

