

CHAPTER 1266
Swimming Pools

1266.01	Private swimming pools.	1266.05	Permit fees.
1266.02	Community or club swimming pools.	1266.06	Ponds.
1266.03	Portable swimming pools.		
1266.04	Fences and walls.		

CROSS REFERENCE

Division of municipal corporations into zones – see Ohio R.C. 713.06
Restriction in location of buildings and structures – see Ohio R.C. 713.07
Restrictions on height and buildings and structures – see Ohio R.C. 713.08
Restrictions on bulk and location of buildings and structures, percentage of lot occupancy and set-back building lines – see Ohio R.C. 713.09
Basis of districting or zoning; classification of buildings and structures – see Ohio R.C. 713.10
Administrative board; powers and duties – see Ohio R.C. 713.11
Notice and hearing on zoning regulations – see Ohio R.C. 713.12
Violations may be enjoined – see Ohio R.C. 713.13

1266.01 PRIVATE SWIMMING POOLS.

(a) As used in this section, “Private swimming pool,” not including farm ponds, mean any pool, lake or open tank not located within a completely enclosed building and containing or normally containing water to a depth at any point greater than one and one-half feet.

(b) No such swimming pool, exclusive of portable swimming pools with a diameter of twelve feet or less and with an area o les than 100 square feet, shall be allowed in any district except as an accessory use and unless it complies with the following conditions and requirements:

(1) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

(2) It may not be located closer than ten feet to any property line of the property on which it is located.

(3) The swimming pool, or the entire property on which it is located, shall be so walled or fenced as to prevent uncontrolled access by children from the street or from adjacent properties. Such fence or wall shall be not less than forty-two inches in height and shall be maintained in good condition, with a gate and lock.

(4) For pools of forty-eight inches or greater in height above ground level, the occupant of the property on which the pool is to be located may appeal to the Planning Commission for permission to delete the construction of a fence, provided that other precautions relating to entry are taken and a study of the installation is made.

1266.02 COMMUNITY OR CLUB SWIMMING POOLS.

(a) As used in this section, "community or club swimming pool" means any pool constructed by an association of property owners, or by a private club, for the use and enjoyment of members of the association or club and their families.

(b) Community and club swimming pools may be permitted in all districts, but shall comply with the following conditions and requirements:

- (1) The pool is intended solely for the enjoyment of the families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
- (2) The pool and accessory structures thereto, including areas used by bathers, shall not be closer than 100 feet to any property line of the property on which such pool is located, except that the front yard may be reduced to fifty feet.
- (3) The swimming pool and areas used by bathers shall be so walled or fenced in as to prevent uncontrolled access by children from the street or adjacent properties. The fence or wall shall be not less than six feet in height and shall be maintained in good condition.

1266.03 PORTABLE SWIMMING POOLS.

(a) Portables swimming pools, normally containing water to a depth at any point greater than one and one-half feet, shall not be erected until a permit is secured from the Zoning Inspector.

(b) Portable swimming pools shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. Such fence or wall shall be not less than forty-two inches in height and shall be maintained in good condition, with a gate and lock. Such fence or wall shall not be located closer than three feet from the edge of such portable pool.

(c) For pools of forty-eight inches or greater in height above the ground level, the occupant of the property on which the pool is to be located may appeal to the Planning

Commission for permission to delete the construction of a fence, provided that other precautions relating to entry are taken and a study of the installation is made.

1266.04 FENCES AND WALLS.

Swimming pool fences and walls as contemplated by this chapter shall be constructed and maintained to prevent uncontrolled access by children from the street or adjacent properties and shall be designed in a manner to prevent small children from climbing up them or drawing underneath them.

1266.05 PERMIT FEES.

- (a) The zoning permit fee for a pool that has any portion in the ground shall be fifteen dollars (\$15.00).
- (b) The zoning permit fee a pool above ground shall be five dollars (\$5.00).
- (c) The building permit fee for a pool that has any portion in the ground shall be fifteen dollars (\$15.00), plus an electric permit if required.
- (d) The building permit fee for a pool that is above ground shall be five dollars (\$5.00).

1266.06 PONDS.

- (a) A permit shall be obtained from the office of the Zoning Inspector for the construction of any pond.
- (b) No pond shall be located within eighty feet of the property line.
- (c) No pond shall be constructed on any parcel in the Village unless such parcel is five acres or more in size.
- (d) All ponds constructed in the Village shall have a minimum surface area size of one-half acre and shall be of a minimum depth, at its deepest point, of nine feet on an annual basis.
- (e) No pond shall be constructed within 100 feet of any septic tank, leech field or existing well.
- (f) All ponds shall be constructed with a side slope of three feet for every one foot in depth.

- (g) No pond shall be located within 100 feet of the centerline of any road, thoroughfare or other highway in the Village.
- (h) All ponds shall be fenced around the entire perimeter on the property which they are located, and the property owner shall prevent uncontrolled access to ponds constructed under this section from adjacent properties. The fence shall be a minimum height of forty-two inches and shall be maintained in good condition and contain a gate entranceway with a lock. Such lock shall be in place and used to prevent unauthorized access.
- (i) A fee of twenty-five dollars (\$25.00) shall be charged for a permit issued for the construction of a pond. A drawing and site plan shall be submitted before commencement of any work on a pond in the Village for the review and approval of the Zoning Inspector. No such construction shall commence without the approval of the Zoning Inspector and the issuance of such permit.