

SWIMMING POOL ORDINANCE

MONITOR TOWNSHIP ORDINANCE NO. 18

An ordinance to regulate the construction and maintenance of private swimming pools within the Township.

The Township of Monitor, Bay County, Michigan ordains:

SEC. 1. PERMIT REQUIRED. No private swimming pool (hereinafter referred to as "pool") shall be constructed, erected, or installed on any lands in the Township unless a Building Permit therefore has first been obtained from the Monitor Township Building Inspector. The application for such a Building Permit shall be accompanied by the fee for said Permit as provided for in the Monitor Township Uniform Building Code and a sketch or diagram of the proposed pool indicating that all requirements of this Ordinance will be complied with in its construction.

SEC. 2. LOCATION OF POOL WALLS. The outside edge of the pool wall shall not be located nearer than eight (8) feet to any lot line; provided, however, that if any part of the pool walls are more than two (2) feet above the surrounding grade level then the outside edge of the pool wall shall not be placed nearer than ten (10) feet from any lot line.

SEC. 3. CONSTRUCTION OF POOL. Any pool constructed of poured concrete shall have a bottom not less than six (6) inches thick and walls not less than eight (8) inches thick, such walls and bottom to be reinforced with metal reinforcing rods. Liner type pools, whether above ground or below ground, may be constructed or installed if

- (1) the liner used is made and finished by a manufacturing concern which, as a part of its business, regularly makes swimming pool liners

out of plastic, rubber, fiberglass, steel or any other such product and (2) the bottom and walls of such liner type pool are constructed in accordance with the specifications of the manufacturer of the liner.

SEC. 4. ENCLOSURE. Each pool shall be enclosed completely by a wall, fence or other protective enclosure. The entire enclosure, including doors and gates, shall be at least five (5) feet high as measured on the outside, shall not provide ready footing for climbing, and shall prevent passage by children through it. The height of an opening under the bottom of the enclosure shall not exceed four (4) inches.

The enclosure shall have at least one (1) entrance. Each entrance shall have a door or gate equipped with a self-closing and self-latching mechanism and a lock. The fence may be placed on or anywhere inside the lot lines of the lot where the pool is situated; provided, however, that no fence or wall may be erected closer to a street than a building may be erected in the zoning district in which the pool is located. If the pool is a permanent above ground type with a wall height of at least four (4) feet above the surrounding ground surface and if the pool is of such construction as not to be readily climbed by children, then the ends of the fence may be attached to the pool structure and the fence need be erected only around the immediate area of the ladder or other means of access to the pool.

SEC. 5. LOCKING OF GATES AND DOORS. All gates and doors which permit access to the pool area shall be locked at all times when no person is present on the lot on which the pool is located.

SEC. 6. MAINTENANCE. The fence or wall and all gates or doors shall be maintained in good repair and in working order. Any fence, wall, door or gate which is found not to be maintained in proper fashion is hereby declared to be a nuisance per se.

SEC. 7. PENALTY. Any person or persons who violate any of the provisions of this ordinance shall be punished by a fine not exceeding One Hundred and no/100 (\$100.00) Dollars or by imprisonment for a period not exceeding thirty (30) days or both such fine and imprisonment at the discretion of the court.

This ordinance shall be effective on the _____ day of _____, 1976, and shall be published in the Bay City Times on _____, 1976.

Adopted this 26 day of April, 1976, by the Township Board of Monitor Township.

Yeas:

Klopf, Arnold, Behmtander, Brandt, Kramer

Nays:

Piel, Verhanovitz

Absent:

None

Signed:

HOWARD J. KLOPF, Monitor Township
Supervisor

Signed:

Elmer J. Arnold
ELMER ARNOLD Monitor Township
Clerk