

**Chapter 237 OF THE CODE OF THE BOROUGH OF LAUREL SPRINGS ENTITLED: SWIMMING POOLS**

[HISTORY: Adopted by the Mayor and Council of the Borough of Laurel Springs 5-24-1971 by Ord. No. 237 (Ch. 73 of the 1973 Code); amended 6-25-1973. Subsequent amendments noted where applicable.]

**GENERAL REFERENCES**

Board of Health -- See Ch. 23.

Uniform construction codes -- See Ch. 101.

Fire prevention -- See Ch. 137.

Sewers -- See Ch. 208.

Zoning -- See Ch. 270.

**§ 237-1. Definitions.**

The words, terms or phrases listed below, for the purpose of this chapter, shall be defined as follows:

**PRIVATE SWIMMING POOL** -- Any pool used and maintained for swimming purposes by an individual or by his household and guests and located on a lot as an accessory use to a residence. This definition shall be further defined to refer to a receptacle for water or an artificial pool of water having a depth of not more than 24 inches. The term includes all appurtenant equipment constructed, installed and maintained in or above the ground for use in connection with such a private swimming pool.

**PRIVATE SWIMMING POOL (TEMPORARY AND REMOVABLE)** -- Any pool which is aboveground and not permanently affixed, and which must not be installed sooner than the first day of May each year and which must be removed on or before the 31st day of October of each year.

**PUBLIC SWIMMING POOL** -- Any pool used and maintained by an individual, firm, corporation, club or association of persons for use by the public or club members and their invitees and guests. This definition extends to those swimming pools used in conjunction with or by any motel, hotel, apartment or community association, including both indoor and outdoor pools.

**WADING POOL** -- A private pool not designed or used for swimming, which is suitable for bathing purposes, with a depth of 24 or less.

**§ 237-2. Permit for construction.**

A. It shall be unlawful to construct, alter or improve any swimming pool unless the person, firm or corporation so constructing or the owner of the property upon which the pool is to be located shall first have obtained a permit therefor pursuant to this section; provided, however, that no permit shall be required for the erection of a wading pool.

B. The person, firm or corporation desiring to construct, alter or improve a swimming pool, or the owner of the ground upon which said pool is to be located, shall make application to the Building Inspector of the Borough of Laurel Springs, setting forth the fact of compliance with this chapter and the standards of construction and design as provided herein. Said applicant shall provide the Building Inspector with the plans and specifications for the proposed pool or alteration thereof and any appurtenant structures, together with a plot plan indicating the property lines of the premises on which the proposed pool is to be constructed or altered, which plot plan shall also show all existing structures on the premises, the specific location and dimension of the pool and appurtenant structures, the distance of the pool from existing structures and the lot lines of the premises.

C. The Building Inspector shall forthwith satisfy himself that the application, plans and specifications and the plot plans for the proposed pool are in accordance with the provisions of applicable ordinances, including the Building Code of the Borough of Laurel Springs.

D. Nothing contained herein shall be deemed to exempt the construction, alteration or modification of any swimming pool from the requirements of the Building Code of this Borough insofar as the said construction relates to the issuance of a building permit and the payment of a fee therefor.

**§ 237-3. Design and construction requirements.**

A. Construction and design of such pools shall be such that same may be maintained and operated so as to be clean and sanitary at all times. The owner of every such pool shall be responsible for maintaining

said pool in such condition as to prevent breaks in the pool chassis or water from the pool overflowing into adjacent public or private property. All bottoms shall be constructed, equipped and maintained in strict conformity with the currently published provisions of the Swimming Pool Code issued by the New Jersey State Department of Health.

B. All swimming pools shall be of permanent, waterproof construction. The bottom and sides of pools shall be either white or a light color, except that aluminum paint shall not be used as a finish. Pool sides and bottoms shall be smooth and free of cracks or open joints.

C. A ladder shall be installed and affixed to each pool.

#### **§ 237-4. Fences.**

A. Every swimming pool hereafter constructed and every such swimming pool heretofore constructed shall be completely surrounded with a fence having a minimum height of 42 inches with no opening in excess of 31 inches wide, unless such openings are provided with blocking devices, with the exception that any aboveground swimming pool that has a depth of at least four feet may have a fence of an additional two feet attached to it, in order that the distance from the ground to the top of the fence is at least six feet.

B. It shall be deemed that there is sufficient compliance with this section when the owner's entire property is completely enclosed by a fence with gates of the type above mentioned.

C. Any Borough ordinance requiring the obtaining of a permit for the erection of a fence, both as to fee and to the physical construction thereof, shall not apply to the fence erected pursuant to the provisions of this chapter except in those instances where a fence is erected along a property line.

D. All fences, except those attached to the swimming pool and those completely surrounding the property, shall be erected not less than five feet from the outer dimensions of the swimming pool.

#### **§ 237-5. Water supply.**

There shall be no direct connection between the potable water supply and the swimming water, whether treated or not treated, and there shall be no direct connection between the swimming pool water and the sanitary sewer. The full pipe of any such swimming pool must be above the overflow level of the pool.

#### **§ 237-6. Zoning requirements.**

A. No pool shall be erected or placed nearer a street property line or nearer a side or rear property line than would be allowed for a building in the respective zoning district as set forth in Chapter 270, Zoning. This subsection does not apply to an aboveground pool that is temporary and removable, as defined hereinabove.

B. Private swimming pools (temporary and removable) may not be installed prior to May 1 of each year and must be removed no later than October 31 of each year.

#### **§ 237-7. Purity of water.**

The physical, chemical and bacterial qualities of the water shall comply with the latest requirements published by the New Jersey State Department of Health.

#### **§ 237-8. Inspection.**

All places and premises upon which there shall be erected swimming pools shall be subject to inspection by the Board of Health, the Building Inspector or the appropriate representative of the Borough of Laurel Springs. It shall be unlawful for any person to hinder, obstruct, delay, resist or prevent said representative from having full access to the premises, as aforesaid.

#### **§ 237-9. Enforcement.**

Whenever a violation of this chapter is found on any premises or place within the Borough, the Board of Health, the Building Inspector or other designated representative shall cause notice in writing to be given to the owner or operator thereof to remove or abate the said violation within 10 days from the date thereof. If such owner or operator cannot be notified personally, said notice shall be left at the place or premises with the tenant or occupant thereof. If the owner or operator of said premises fails to comply with such notice within the time specified therein, the Board of Health, the Building Inspector or other appropriate representative may remove or abate the violation in a summary manner by such means as will be appropriate.

#### **§ 237-10. Violations and penalties.**

- A. The violation of any of the provisions of this chapter shall, upon conviction thereof, be punishable as provided in Chapter 1, § 1-15, in the discretion of the court.
- B. The Board of Health may revoke any construction permit or license issued pursuant to this chapter with respect to any person or operator of a swimming pool who shall be convicted of a violation of the provisions of thi

## **CHAPTER 270 OF THE CODE OF THE BOROUGH OF LAUREL SPRINGS ENTITLED: ZONING**

### **§270-11 Definitions**

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings herein indicated:

**ACCESSORY BUILDING, STRUCTURE OR USE** – A building, structure or use which is customarily associated with and is incidental and subordinate to the principal building, structure or use and which is located on the same lot therewith, including, but not limited to garages, carports, decks, sheds, nonportable swimming pools and all roofed structures. Any accessory building attached to the principal building shall be considered part of the principal building.

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**SWIMMING POOL** – As defined and regulated by the Borough of Laurel Springs, Chapter 237, and any amendment thereto hereafter adopted. "Swimming pool" presently means and includes any private swimming pool, tank, or other device which is artificially constructed to provide outdoor recreational facilities for swimming, bathing or wading, whether of permanent construction or portable in nature, upon any premises for the use of the occupants of said premises and their guests, which has a depth of at any point in excess of 15 inches or a capacity of 300 gallons or more, and whether said pool is below ground, above ground level or partly above and partly below ground level.

### **§270-53 Swimming pools, tennis courts, and private recreational facilities**

Except for portable swimming pools which have a depth at any point of less than 15 inches or capacity of 300 gallons or less, the following regulations shall apply to permanent and portable swimming pools, tennis courts and similar recreational facilities that are accessory to a residential use:

- A. Said use shall be located on the same lot as the principal structure.
- B. Said use shall comply with the minimum yard requirements for principal structures.
- C. Said use shall be appropriately screened and fenced to minimize adverse impact on adjoining properties.
- D. A swimming pool shall be a permitted accessory use, and no swimming pool shall be permitted unless it complies with the requirements of this chapter and Chapter 237, as amended.
- E. No existing or hereafter constructed swimming pool shall be located on a lot unless there is an occupied residence on such lot.
- F. No swimming pool shall be hereafter constructed, installed, relocated, or reconstructed unless the pool itself and any apron, accessory building, structure, and equipment are all located at least 10 feet from all property lines and at least 30 feet from the property line of any street bordering the property in question. Swimming pools are prohibited in front and side yards.

***Additionally – we have been advised that the Uniform Construction Code requires pools be located at least ten feet from the residential structure.***