

CHAPTER XIV
SWIMMING POOLS*

14-1 Definitions.

As used in this chapter:

"Swimming pool" shall mean and include either outdoor or indoor private pools, portable or permanently constructed, above or below ground which are artificially constructed to provide recreational facilities for swimming, bathing or wading, which are intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it without payment of any fee.

"Wading pool" shall mean and include artificially constructed pools not designated or used for swimming with a maximum area not exceeding 120 square feet and a maximum water depth not exceeding 12 inches.

14-2 Permit.

It shall be unlawful to establish or construct a swimming pool without first obtaining a permit in the manner set forth in section 14-11. No permit shall be required for a wading pool.

14-3 Location.

No swimming pool shall be constructed or installed in any front yard as defined in the zoning chapter of this revision. In the case of a corner lot as defined in the zoning chapter, no swimming pool shall be constructed or installed nearer to the side street line than the minimum number of feet required for the width of the side yard of the street side of such lot. In no event shall any swimming pool be constructed or installed nearer than ten feet to any property line of the property upon which the pool is to be located. No private swimming pool or wading pool shall be constructed or installed on any lot unless there is located on the lot a residence building as permitted in the zoning chapter.

The pool shall be so situated that normal surface water shall drain away from the pool.

*Power to regulate swimming pools is an incident of the police power, R.S. 40:45-2.

14-4 BOROUGH OF LITTLE SILVER ORDINANCES

14-4 Material and Construction.

All material used in the construction of private swimming pools shall be watertight and easily cleaned. The bottom and sides of the pool shall be either white or a light color, except that aluminum shall not be used as a finish. Construction shall conform to sound engineering principles.

14-5 Water Supply.

There shall be no physical connection between a potable, public or private water supply system and such pools at a point below the maximum flow line of the pool or to a recirculating or heating system of a pool unless such physical connection is so installed and operated that no pool water can be discharged or siphoned into a potable water supply system.

14-6 Discharge System.

The design and layout of the discharge system for all private swimming pools shall be inspected for approval by the borough engineer, who shall specify whether drainage from the pool should flow into a brook or other natural water course, a storm sewer, or that such pool be emptied or drained by spraying the water therefrom upon the lawn of the owner. The borough engineer shall further specify the size and type of pipe and fittings to be installed for the discharge system. The borough engineer shall receive a fee of ten (\$10.00) dollars for his inspection and approval of the design for the discharge system, prior to approval or disapproval of a permit to construct. In the event a permit is granted, and supervision of installation by the borough engineer is required, he shall receive an additional fee of five (\$5.00) dollars. In the event any public street surface becomes disturbed due to installation of the discharge system, and must be replaced, a fee of ten (\$10.00) dollars for each 100 square feet or fraction thereof of public street replaced, shall be paid to the borough engineer. The cost of the street surface replacement shall be borne by the property owner, and it shall be repaved in accordance with borough ordinances.

14-7 Disinfection, Filtering and Bacteriological Standards.

All private swimming pools shall be so constructed, installed and maintained as to provide necessary equipment for chlorination and other

disinfection and filtering to comply with approved bacteriological standards promulgated by regulations issued by the board of health.

14-8 Lighting.

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

14-9 Fencing.

All outdoor swimming pools shall be enclosed by a substantial fence not less than 40 inches in height, constructed so as to prevent within reason any person from gaining access beneath or through the fence, and which shall have a similarly substantial gate of the same height as the fence, with facilities for locking the gate when the pool is unguarded. The swimming pool gate shall be kept closed at all times except when opened for the purpose of ingress or egress.

14-10 Enforcement.

Every private swimming pool constructed or to be constructed in the borough shall at all times comply with the requirements of all health authorities having jurisdiction in the premises, and the provisions of sections 14-8 and 14-9 shall be enforced by the building inspector. Any nuisance or hazard to health which may exist or develop in or in consequence of or in connection with any such swimming pool shall forthwith be abated and removed by the person in possession of such pool upon receipt of notice from the board of health or the building inspector.

14-11 Permits and Fees.

Application for a permit to construct a swimming pool accompanied by four sets of plans and specifications or proper descriptive brochures and a fee of ten (\$10.00) dollars, payable to the borough engineer shall be presented to the building inspector by the owner of the property. The building inspector shall submit the plans and specifications or brochures to the borough engineer for his endorsement of the specifications pertaining to drainage requirements. Upon obtaining the endorsement from the

14-11 BOROUGH OF LITTLE SILVER ORDINANCES

borough engineer, the plans and specifications or brochures shall be submitted by the building inspector to the board of health for approval of disinfection, filtering and bacteriological standards.

In the event approvals are received from the borough engineer and board of health, the building inspector shall determine that such plans and specifications or brochures comply with the terms of this chapter pertaining to location, materials of construction, water supply, lighting and fencing. If such compliance is acknowledged by the building inspector, he shall issue a permit on receipt of a fee of ten (\$10.00) dollars from the property owner.