CHAPTER 1369  
Swimming Pools

1369.01 Definitions.

1369.02 Construction; permit required; fee.

1369.03 Inspections.

1369.04 Compliance with requirements of State Department of Health; conflict of laws.

1369.05 Safety precautions.

1369.06 Polluted water.

1369.07 Lights and lighting.

1369.08 Peace disturbances; noise.

1369.09 Fences.

1369.10 Zoning districts in which public pools are permitted; off-street parking.

1369.11 Plans for family swimming pools.

1369.12 Design and construction requirements for family swimming pools.

1369.13 Chlorination; water quality; adult supervision.

1369.14 Family wading pools.

1369.99 Penalty.

CROSS REFERENCES

Municipal swimming pool - see S.U. & P.S. Ch. 953

Permit fees - see B. & H. 1335.17(e)

1369.01 DEFINITIONS.

As used in this chapter:

(a) "Board of Health" means the Board of Health of the County or its duly authorized successor, agency or official.

(b) "Director of Buildings" means the Director of Buildings of the City or his or her authorized representative.

(c) "Family swimming pool" means an artificial body of water, either above, below or at ground level, with a controlled water supply, over eighteen inches in depth or 200 square feet in surface area, and used or
intended to be used solely by the owner or lessee thereof and by his or her family and friends invited to use it without payment of any fee.

(d) "Family wading pool" means an artificial body of water with a controlled water supply, not exceeding eighteen inches in depth or 200 square feet in surface area, used collectively by numbers of persons for wading and used or intended to be used solely by the owner or lessee thereof and by his or her family and friends invited to use it without payment of any fee. Such family wading pools are further defined as follows:

(1) "Portable wading pool" means a container which is designed or used for wading purposes and which may be dismantled, stored or moved from one place to another.

(2) "Permanent wading pool" means a container which is designed or used for wading purposes, built either upon or below the level of the ground, and which is not designed or intended to be readily dismantled, stored or moved from one place to another.

(e) "Public swimming pool" means an artificial body of water with a controlled water supply, used collectively by numbers of persons for swimming or recreative bathing, but not including family swimming pools or wading pools.

(f) "Public wading pool" means an artificial body of water with a controlled water supply, not exceeding twenty-four inches in depth, and used collectively by numbers of persons for wading.

(Ord. 1995-12. Passed 3-13-95.)

1369.02 CONSTRUCTION; PERMIT REQUIRED; FEE.

(a) Before work is commenced on the construction of a public swimming pool, family swimming pool, family wading pool or public wading pool, or on any alteration, addition, remodeling or other improvement thereto, an application for a permit to do such work and the plans, specifications and pertinent explanatory data required in this chapter shall be submitted to the Director of Buildings for approval. No part of the work shall be commenced until the Director of Buildings has indicated his or her approval by a suitable endorsement upon the plans and specifications and has granted a permit therefor.

(b) The fee for a permit to construct a swimming pool shall be as provided in Section 1335.17(c). However, no such permit shall be issued for plumbing or electrical work to any contractor who is not licensed by the Ohio Construction Industry Examining Board pursuant to Ohio R.C. Chapter 4740 and as is set forth in Chapter 1335 of this Code.


1369.03 INSPECTIONS.

The County Board of Health shall inspect or cause to be inspected all pools within the City at such times as it may believe necessary to carry out the intent of this chapter. The Board is hereby authorized to enter upon any premises, private or public, to take samples of water from a pool at such times as it may believe necessary and to require the owner, proprietor or operator thereof to comply with this chapter. In the event of failure to comply, after due notice, with any of the provisions of this chapter, the Board may abate or cause a suspension in the use of the pool until such time as it is, in the opinion of the Board, no longer a menace or a hazard to health, safety or morals.

(Ord. 1962-29. Passed 7-9-62.)
1369.04 COMPLIANCE WITH REQUIREMENTS OF STATE DEPARTMENT OF HEALTH; CONFLICT OF LAWS.

In the construction, operation and maintenance of any swimming pool, the laws of the State and the rules, regulations and requirements of the State Department of Health shall be observed. In the event of any conflict between any of the provisions of this chapter and any provision of a State law or a requirement, rule or regulation of the State Department of Health, the provision imposing the higher standard or the more stringent requirement shall be controlling.

(Ord. 1962-29. Passed 7-9-62.)

1369.05 SAFETY PRECAUTIONS.

All reasonable precautions shall be taken to protect the users of public and family swimming pools from injury or accident. Convenient means of ingress and egress shall be provided and the depth of the water and any irregularities of the bottom shall be clearly indicated. Safety appliances and equipment, such as lifebuoys, life hooks, bamboo poles, ropes and first-aid kits, shall be provided and be readily accessible.

(Ord. 1962-29. Passed 7-9-62.)

1369.06 POLLUTED WATER.

No body of water, whether natural or artificial, which contains sewage, waste or other contaminating or polluting ingredients rendering the water hazardous to health, and no body of water which fails to meet the requirements of this chapter, shall be used for swimming or bathing purposes by any person.

(Ord. 1962-29. Passed 7-9-62.)

1369.07 LIGHTS AND LIGHTING.

Lights used to illuminate any pool shall be so arranged and shaded as to reflect light away from adjoining premises and public streets. The use of daylight blue lenses is recommended.

(Ord. 1962-29. Passed 7-9-62.)

1369.08 PEACE DISTURBANCES; NOISE.

No person shall make, continue or cause to be made or continued, at any pool, any loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others. In the operation of a pool, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with a louder volume than is necessary for convenient hearing of the person who is on the pool premises, is prohibited.

(Ord. 1962-29. Passed 7-9-62.)

1369.09 FENCES.
(a) Every outdoor in-ground swimming pool shall be completely surrounded by a fence of not less than 48 inches in height, located not further than 50 feet from the edge of the swimming pool. A building or existing wall may be used as part of such fence. Every outdoor, above-ground swimming pool with a height of 48 inches or greater, measured from the ground upward, and which is not contained in a fenced-in yard, must be:

(1) Equipped with retractable steps which may be locked or otherwise secured in the upright position to prevent ingress; or

(2) Equipped with a self-closing and self-locking gate or fence, 48 inches in height, which encloses the steps; or

(3) Equipped with a fence with a minimum height of two feet around the top perimeter of the pool, with retractable steps which may be locked or otherwise secured in the upright position or which is equipped with a self-closing and self-locking gate, 48 inches in height, which encloses the steps.

(b) Before work is commenced on the construction of the fence, or on any alteration, addition, remodeling or other improvement thereto, an application for a permit to do such work shall be submitted to the Director of Buildings for approval. No part of the work shall be commenced until the Director of Buildings has indicated his or her approval by granting a permit therefor. The fee for a permit to construct a fence around a swimming pool shall be as provided in Section 1335.10 of the Building and Housing Code.

(c) All gates or doors opening through a fence shall be manufactured self-closing and self-locking and shall be kept locked when the pool is not in actual use or when it is left unattended.

(d) No person in possession of land within the City, either as owner, purchaser, lessee, tenant or licensee, where there is a swimming pool required by this chapter to have a fence surrounding it, shall fail to provide and maintain the fence as specified in this section within 90 days from notification of such a violation.


1369.10 ZONING DISTRICTS IN WHICH PUBLIC POOLS ARE PERMITTED; OFF-STREET PARKING.

Public swimming pools and public wading pools are permitted in multiple dwelling use and retail use districts only, as classified in the Zoning Code, if authorized by the City Planning Commission and confirmed by Council. The Commission shall authorize such use only when it is satisfied that noise will not adversely affect the use of surrounding property. Off-street parking of one car space for each fifty square feet of pool area shall be provided.

(Ord. 1972-12. Passed 5-8-72.)

1369.11 PLANS FOR FAMILY SWIMMING POOLS.

Plans, specifications and pertinent explanatory data shall be submitted to the Division of Building, Engineering and Inspection in connection with an application for a permit to construct a family swimming pool or for any alteration, addition, remodeling or other improvements thereto. Plans, specifications and data shall include the following information as well as such other information as may be reasonably requested by the Director of Buildings and shall comply with the following requirements:

(a) No pool shall be constructed, installed or erected in front of any building set-back line, nor shall it occupy an area greater than ten percent of the lot area or be closer than ten feet to any lot side line or rear line. No deck or walk area shall be allowed within three feet of any property line. For purposes of this section, a rear yard means the main yard across the full width of the lot between the rear line of the main building and the rear lot line. The depth of the rear yard is the mean distance between these two lines.
(b) Plans shall be drawn to a scale of not less than one-eighth inch to the foot and shall indicate all materials and methods of construction and all dimensions, including the length, width and depth of the pool and the width of the pool deck.

(c) A profile plan is required to show the same information specified in subsection (b) hereof.

(d) A pool equipment layout is required to show filters, pumps, chlorinators and hair and lint interceptors, their locations and other pertinent information, such as:

(1) The liquid capacity of the pool;

(2) The liquid capacity of an accessory wading pool, if any;

(3) The kind, number and size of filters, including the square footage of the filter area in each unit;

(4) The top capacity in gallons per minute;

(5) The method of chlorination to be used;

(6) The type, design and location of the enclosing fence; and

(7) A description and plan of lighting facilities.


1369.12 DESIGN AND CONSTRUCTION REQUIREMENTS FOR FAMILY SWIMMING POOLS.

The Director of Buildings shall not issue a permit to construct a family swimming pool or for any alteration, addition, remodeling or other improvement thereto, unless the following design and construction requirements are met. Family swimming pools shall be constructed and maintained in conformity with these requirements. For pools already in existence, the Director of Buildings shall furnish the owners with a program of improvements and additions which shall be carried out over a period of not to exceed three years after notice, in order to comply with the requirements of this chapter, except fencing as specified in Section 1369.09, which shall be provided within six months from the effective date of this section (Ordinance 1962-29, passed July 9, 1962).

(a) Material. The water containing surface of artificial pools shall be light in color, impervious and provide a tight tank with smooth and easily cleaned surfaces. Exposed sand or dirt bottoms are prohibited.

(b) Water Supply and Outlets. Each pool shall be equipped with water inlets and outlets of sufficient size and proper location to provide a uniform circulation of water in all parts of the pool. All water inlets shall be located not less than one foot above the flood rim of the pool or shall be provided with a vacuum brake sufficient in size to prevent backflow in the event of lowered pressure in the public water lines. All drainage of the pool shall be into a storm outlet only.

(c) Walkways. The pool shall be completely surrounded by a walkway at least three feet in width which shall be drained away from the pool. Adequate deck drainage shall be provided for surface drainage.

(d) Water in Pools. The water in the pool shall meet the requirements of the Board of Health.

(e) Recirculation. For new pools provision shall be made for complete circulation of water through all parts of the pool. The system shall be equipped with a water recirculating system of sufficient capacity to provide a complete turnover of water at least once in twenty-four hours. The installation of new pools of the "fill and draw" type shall not be permitted.

A satisfactory recirculating system for the pool shall be installed. It shall consist of circulating pumps, a float valve control on water supply, hair and lint catchers, piping connections to inlets and outlets and all
other necessary fixtures and connections.

All equipment shall be readily accessible and every pool shall be provided with necessary equipment for the measurement of acidity or alkalinity and for residual determinations.

(f) **Hair and Lint Catcher.** The pump suction line of the recirculating system shall be provided with a hair and lint catcher.

(g) **Hose.** Hose connections and the hose shall be of ample size and pressure to clean all of the pool area.

(h) **Lighting.** Where a family pool is used during the hours of darkness, illumination of the pool surface and of a distance of ten feet from the edge of the pool shall be maintained between the limits of two and five footcandles of light, approximately one-half watt per square foot of the area required to be illuminated, where lights are placed not over ten feet above and within the limits of the area. All lighting and wiring shall be in accordance with the National Electrical Code and all fixtures and equipment shall be UL approved.


**1369.13 CHLORINATION; WATER QUALITY; ADULT SUPERVISION.**

(a) Chlorination shall be accomplished in such a manner that the amount of excess or residual chlorine in all parts of a pool at all times when the pool is in use shall be not less than four-tenths of one part per million nor more than one part per million.

(b) The bacterial quality of the water in a pool shall be maintained so that no two successive samples nor more than fifteen percent of any number of successive samples shall contain more than 200 bacteria per cubic centimeter, nor show positive confirmed results of coliaerogenes.

(c) The County Board of Health may require samples to be taken and submitted for tests whenever it is considered necessary for the safe operation of any pool.

(d) Each family swimming pool shall be operated under the supervision of a responsible adult who is capable of making field tests such as for residual chlorine and who is thoroughly familiar with the operation of all mechanical appurtenances of the pool. Any such operator shall, upon request, demonstrate his or her ability to perform his or her required duties to the satisfaction of the Director of Buildings.


**1369.14 FAMILY WADING POOLS.**

(a) **Portable Wading Pools.**

(1) **Material.** The water containing surface of a portable wading pool shall be impervious and provide a tight tank with a smooth and easily cleaned surface.

(2) **Water supply.** Water for the pool shall be from the City water supply.

(3) **Cleanliness of pool and environs.** All family wading pools shall be drained after each day of use. Before refilling the pool, it shall be thoroughly cleansed and all sediment and other foreign matter removed.

(b) **Permanent Wading Pools.**

(1) **Material.** The water containing surface of a permanent wading pool shall be light in color, impervious and provide a tight tank with smooth and easily cleaned surfaces. Sand or dirt bottoms are prohibited.
(2) Water supply and outlets. Each permanent wading pool shall be provided with a trapped outlet to the storm drain. Water for the pool shall be from the City water supply.

(Ord. 1962-29. Passed 7-9-62.)

1369.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars ($1,000.00) or imprisoned not more than six months, or both, for each offense. Unless otherwise provided, a separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.