

By Mr. Crabbe

To regulate the construction, maintenance and operation of private swimming pools with a depth in excess of 18 inches and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. Before work is commenced on the construction of a swimming pool or family pool, which pool is to have or does have a depth in excess of 18 inches, an application for a permit shall be submitted to the Bexley Building Department for its approval and such application shall be accompanied by such plans and specifications as may be required by said department. The fee for said permit shall be \$10.00, and it shall be issued by said department when it is satisfied that such construction will comply with all pertinent city ordinances.

Section 2. No permit shall be issued as required in Section 1. hereof unless the pool is located so that all parts thereof, except underground water and drain pipes, are located five (5) feet back of any front setback lines and five (5) feet inside all other building restriction lines provided in the Bexley Zoning Ordinance.

Section 3. No permit shall be issued as required in Section 1. hereof unless the pool is located, constructed and maintained in such a manner that no water from the pool, or from rainfall, will in any way drain or flow onto adjacent property in any additional amount than prior to such pool construction.

Section 4. No permit shall be issued as required in Section 1. hereof unless the pool, or the yard in which it is located, is completely surrounded by a fence not less than four feet in height or more than six feet high which shall be so constructed as not to have openings, holes or gaps larger than 4 inches in any dimension, except for doors and gates; and if a picket fence is erected, the pickets shall not be spread more than 3 inches. A dwelling house, garage or accessory building may be used as part of such enclosure.

All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure not be so equipped.

Section 5. No permit shall be issued as required in Section 1. hereof unless the pool will be constructed to drain into either a storm or sanitary sewer, and if into a sanitary sewer such drainage shall be through a 4 inch trap and the opening from the pool shall not exceed a 1-1/2 inch pipe; and unless the pool will be so constructed as to assure complete drainage of the entire pool with no spots in which stagnant water would accumulate or remain.

Section 6. All such swimming pools or family pools shall be filled with and use city water only.

Section 7. All lights used in connection with such swimming pools or family pools, with a depth in excess of 18 inches, shall be so installed, arranged and shaded so as to prevent any light from shining on the adjoining premises.

Section 8. No such swimming pool or family pool, with a depth in excess of 18 inches, shall be used between the hours of 12 midnight and 7:00 A. M.

Section 9. While using a swimming pool or family pool, with a depth in excess of 18 inches, it shall be unlawful for any person to make or cause to be made any unnecessary or unusual noise which disturbs, annoys, injures or endangers the

comfort, repose, health, peace or safety of others, or to operate any radio, receiving set, television set, musical instrument, record player, phonograph or other machine or device, for the producing or reproducing of sound at any time at a louder volume than is necessary for the convenient hearing of the person or persons who are using the pool.

Section 10. The Building Inspector, or members of the police department, are hereby authorized to make inspections of swimming pools or family pools, having a depth in excess of 18 inches, upon presentation of proper credentials and may remove a sample of the water therein and the owner or occupant shall give them free access for such purpose or purposes.

Section 11. All swimming pools or family pools, with a depth in excess of 18 inches, in existence on the effective date of this Ordinance shall be fenced in accordance with the requirements of Section 4. of this Ordinance on or before June 1, 1959, and thereafter it shall be unlawful to maintain any swimming pool which is not fenced in accordance with the requirements of said Section.

Section 12. If any Section, sub-section, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not effect the validity of remaining portions of the Ordinance. The Council of the City of Bexley hereby declares that it would have passed this Ordinance and each Section, sub-section, sentence, clause or phrase hereof, irrespective of the fact that any one or more of the Sections, sub-sections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

Section 13. Any person who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day during which any violation is committed, continued or permitted and upon conviction, such person shall be punished by a fine not to exceed \$50.00 and shall bear the costs of prosecution.

Section 14. This Ordinance is an emergency measure, necessary for the public peace, health and safety of the residents of the City of Bexley, and said Ordinance shall go into immediate force and effect.

Passed Feb 10, 1959

Arthur B. Frank
President of Council
Per Term.

Attest: R. C. Gusscott
Clerk of Council

Approved Feb 10th, 1959

H. A. Schneider
Mayor

*copy given to Alder Dept
2-20-59*