

5.5.26

Swimming pools.

5.5.26.1

No property owner shall commence construction of any in-ground *swimming pool* or aboveground *swimming pool* with a capacity of over 5,000 gallons on any property before obtaining a permit from the Department of Planning and Development. Said permit application shall be accompanied by plans indicating the width, length and depth of such *swimming pool*. In addition, a survey of the property upon which the *swimming pool* is to be located shall be filed with the application, and said survey shall specifically indicate the location of the proposed *swimming pool*, including all related deck area, fencing, landscaping, lighting and mechanical equipment. The *applicant* may be required to furnish complete plans, data and specifications regarding the pool if necessary to enable the Department of Planning and Development to evaluate the *structure*.

5.5.26.2

No portion of any *swimming pool* permitted by this chapter shall be located closer than five feet to any *lot line* or the minimum *accessory building* setback, whichever is greater. On a *corner lot* or a *double frontage lot*, the *swimming pool* shall comply with the *front yard setback* along all *street frontages*. The Department of Planning and Development may increase the setback requirements for a pool installed to serve a multifamily or nonresidence use.

5.5.26.3

Spill-offs and drainage from any *swimming pool* shall be controlled in a method approved by the Department of Planning and Development. Spill-offs and drainage shall not be permitted to flow onto adjacent property or roadways. Pool water shall be directed to flow into a drainage system designed to prevent erosion and to properly dissipate pool chemicals.

5.5.26.4

Fencing and screening. Adequate *fencing* shall be provided to completely enclose the outer perimeter of any pool or the perimeter of the *yard* in which the pool is situated, in accordance with applicable law. A *building* may serve as part of the *fence* enclosure, provided that such *building* complies with state and Town *swimming pool* enclosure regulations (including, but not necessarily limited to, self-closing, self-latching, lockable devices on any doors providing access to the pool enclosure). The *fencing* shall be located at least five feet from the pool edge, unless attached to any aboveground pool. *Fences* shall be constructed of metal, wood or other similar durable material, and shall contain no openings or projections which would be sufficient for climbing, as determined by the Department of Planning and Development. *Fences* shall be at least four feet but not more six feet above grade, shall be no more than one inch from the ground at the bottom at any location and shall be supported by posts that are no more than eight feet on center. All gates must be equipped with a self-closing, self-latching device located on the inside of the gate or door. Removable and/or hinged lockable ladders may be a sufficient substitute for fencing for aboveground circular pools only.

[Amended 7-22-2003 by L.L. No. 7-2003]

5.5.26.5

Any lights illuminating *swimming pools* shall be directed so as to eliminate direct rays of light on neighboring *streets* and properties. The filter pump and electrical switch, and other mechanical equipment, shall be in a vented enclosure or screened with dense evergreen planting, and shall comply with required setbacks for *accessory buildings* or required pool setback, whichever is greater.