

ORDINANCE NO. 211

AN ORDINANCE OF THE TOWN OF RANCHO VIEJO, TEXAS AMENDING CHAPTER 14 AND CHAPTER 70 OF THE CODE OF ORDINANCES REGARDING POOLS; PROVIDING FOR AN EFFECTIVE DATE; AND PUBLICATION IN CAPTION FORM

WHEREAS, for the health, safety, and welfare of the residents of the Town of Rancho Viejo, Texas, swimming pool regulations are deemed to be in the best interest of the Town of Rancho Viejo, Texas;

NOW, THEREFORE, pursuant to the authority granted by the Constitution, laws of the State of Texas, and Chapter 243 of the Texas Local Government Code, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF RANCHO VIEJO, TEXAS, THAT:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the Town of Rancho Viejo and they are hereby approved and incorporated in the body of this Ordinance as if copied in their entirety.

SECTION 2. Chapter 14 Buildings and Building Regulations, Section 14-197 Definitions- "Pool" shall be amended to read as follows: A "Pool" shall mean either (1) a permanent swimming pool located below ground, filled or empty and at least 18 inches deep if public or semi-public, and at least three feet deep if private; or, (2) a private hot tub or spa located above ground and being at least three feet deep. Above ground swimming pools, portable swimming pools, seasonal swimming pools, or other swimming pools are hereby found to not be consistent with the definition of "Pool" herein.

SECTION 3. Chapter 70, Zoning, Article III Zoning Regulations and Rules, Division 1. Generally Section 70-250 Regulations Applicable to all districts – (k) Swimming pools and spas shall be amended in its entirety, as follows:

"Pools. No Pool, as measured from the edge of the water, or any portion thereof, may be located any closer than ten feet from any waterway (resaca), ten feet from any side or rear property line, and 30 feet from any front property line. In the event that a Pool is located within 25 feet from the edge of a paved street, said Pool shall in all other respects comply with all other codes thereto applicable, if any. No above ground swimming pools, portable swimming pools, seasonal swimming pools, or other swimming pools not consistent with the definition of "Pool" in Section 14-197 are

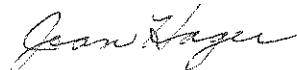
allowed, except for children's swimming pools with a maximum depth of 16 inches and a maximum volume of 168 gallons."

SECTION 4. Any and all ordinance, orders, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of any conflict herewith.


SECTION 5. If any section, subsection, clause, phrase or provision of this Ordinance, or the applications thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases or provisions of this Ordinance, or the application thereof to any person or circumstances, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 6. This Ordinance shall become effective from and after the date of its passage and publication in caption form, and is so ordained.

PASSED, ADOPTED, AND APPROVED, this 11th day of March, 2014.


Jean Hager, Mayor

ATTEST:


Cheryl J. Kretz, Town Secretary