

ORDINANCE NO. 697

**CITY OF CHAMPLIN
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

**AN ORDINANCE ADDING ARTICLE V TO CHAPTER 106
REGARDING PRIVATE SWIMMING POOLS**

The City Council of the City of Champlin does hereby ordain the following amendments:

Sec. 126-381. Accessory buildings and uses.

~~(l) *Swimming pools* . The adopted Residential Building Code shall be utilized as the regulating criteria for private swimming pool fences for the city. Swimming pools shall meet accessory building setbacks as prescribed by the applicable zoning district and shall not be located within a drainage and utility easement.~~

Chapter 106 BUILDINGS AND BUILDING REGULATIONS

ARTICLE V. PRIVATE SWIMMING POOLS

Sec. 106-73. Definitions.

For the purpose of this article, the following definitions shall apply:

Swimming pool means any pool, tank or indoor or outdoor structure capable of retaining water over a greater depth than 24 inches at any point and greater than 150 square feet in surface area intended for swimming, wading or recreational bathing . The structure may be constructed, installed or located inground, partially inground or aboveground and may include permanent or storable swimming pools, hot tubs and spas.

Sec. 106-74. Permits required.

(a) It shall be unlawful for any person to construct a swimming pool within the city without first having secured a permit. An application for this permit shall be accompanied by the following:

(1) Proposed location of swimming pool illustrated on a certificate of survey with respect to the boundary lines of property.

(2) The types of equipment to be used in connection with the pool including, but not limited to, filter unit, pump, heaters or other related equipment.

(3) Pools requiring the excavation or addition of soil shall be required to show the existing and proposed changes to the site's grading and drainage plan. In-ground pools shall include an erosion control plan.

(4) A copy of the manufacturer's installation instructions for the pool and all equipment associated with the pool installation.

(b) The fee for a swimming pool permit is established in Chapter 22 of this Code.

(c) Once a permit is issued, an above-ground swimming pool that is annually disassembled and assembled does not require a new permit.

Sec. 106-75 Compliance with article.

(a) It is unlawful for any person to maintain a swimming pool that does not comply with this article.

(b) The building official may revoke any permit for failure to comply with this article. Before a permit is revoked, the pool owner shall have notice in writing listing and describing the instances of failure to comply with this article.

Sec. 106-76. Design and construction requirements.

(a) All swimming pools and related equipment shall be installed per the manufacturer's printed installation instructions and in compliance with this Article and State Law.

(b) Unobstructed areas of not less than 36 inches wide shall be provided to extend entirely around the swimming pool. The deck shall be designed so as to prevent back drainage into the pool. No deck shall be required for aboveground swimming pools.

Sec. 106-76. Location on lot.

(a) Outdoor swimming pools and associated equipment for which a permit is required under this article shall be setback at least five (5) feet from the interior side or rear lot line, twenty (20) feet from the street side lot line and ten (10) feet from any principal structure or frost footing.

(b) Outdoor swimming pools shall not be located within any required front yard.

(c) Swimming pools shall not be located within a drainage and utility easement or below any overhead electrical line.

Sec. 106-77 Drainage.

Water discharged from any swimming pool shall not be discharged into the sanitary sewer system. Water may be discharged into the storm water system and cannot drain onto or across any adjoining property. Erosion control best management practices shall be followed when draining into the storm water system.

Sec. 106-78. Barriers.

(a) All swimming pools shall be completely surrounded by a fence or wall not less than four (4) feet in height, which shall be so constructed as not to have openings, holes or gaps larger than four (4) inches in vertical or horizontal direction, including doors and gates. A dwelling or accessory building may be used as part of such enclosure.

(b) All gates or doors opening through such enclosure shall be equipped with a latching device for keeping the gate or door securely closed at all times when not in actual use and be provided with hardware for locking devices, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. Pool gates shall be locked when the pool is not in use.

(c) Fences must comply with fence ordinances Section 126-389 of this Code.

(d) The following are exceptions to the requirements set forth in subsection (a) and (b) of this section.

(1) Hot tubs or spas with approved safety covers provided the cover is secured at all times during periods of non-use.

(2) Above-ground swimming pools having at least four-foot high sidewalls as measured from grade, provided sole access is by means of a removable ladder, ramp, or stairs which must be removed when the pool is not in use; or the ladder or steps shall be surrounded by a barrier meeting the requirements in Section 106-78.(a) and (b).

(3) Swimming pools which are wholly enclosed within a building or structure.

(e) Upon completing excavation of an in-ground swimming pool and in the absence of a permanent barrier or fence, a temporary fence (such as snow fence) may be installed with the approval of the building official. The maximum time allowed for a temporary fence shall be thirty (30) days.

Sec. 106-79. Electrical and mechanical requirements.

(a) All mechanical and electrical equipment shall be installed meeting requirements of the manufacturer's printed installation instructions. Separate permits are required for electrical and mechanical installation.

Sec. 106-80. Water regulations.

(a) The filling of any swimming pool from a fire hydrant is prohibited. There shall be no cross-connections of the city water supply with any other source of water supply for the pool. The line from the city water supply to the pool shall be protected against backflow of polluted water by means of either an air gap, vacuum breaker or other adequate device to prevent back siphonage.

(b) No swimming pool containing sewage, waste or other contaminating or polluting ingredients rendering the water hazardous to health shall be permitted.

Sec. 106-81. Chemical storage.

The storage of chemicals shall meet the requirements of the *Uniform Fire Code*.

Sec. 106-82. Shielding lights.

Lights used to illuminate any private swimming pool shall be so arranged and shaded as to reflect light away from adjoining premises.

Sec. 106-83. Unnecessary noise.

It shall be unlawful for any person to make, continue or cause to be made or continue at any private swimming pool or family 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 swimming 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 louder volume than is necessary for convenient hearing of the person or persons who are in the swimming pool premises shall be prohibited.

This ordinance shall become effective following its passage and publication as required by law.

Additions: Add

Deletions: ~~Delete~~

First Reading: April 12, 2010

Second Reading: April 26, 2010

Mark W. Uglem, Mayor

ATTEST:

Roberta Colotti, CMC, City Clerk

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