

#183

AN ORDINANCE TO REPEAL AN ORDINANCE ENTITLED "AN ORDINANCE TO REGULATE THE INSTALLATION, OPERATION, MAINTENANCE AND INSPECTION OF PRIVATE AND PUBLIC SWIMMING POOLS WITHIN THE CORPORATE LIMITS OF PEACHTREE CITY, GEORGIA" AND AN ORDINANCE ENTITLED THE SAME RELATING TO FENCE AMENDMENT PORTION: AND TO ADOPT AN ORDINANCE ENTITLED " AN ORDINANCE TO REGULATE THE INSTALLATION, OPERATION, MAINTENANCE AND INSPECTION OF PRIVATE AND PUBLIC SWIMMING POOLS WITHIN THE CORPORATE LIMITS OF PEACHTREE CITY, GEORGIA, TO PROVIDE A PENALTY FOR VIOLATION THEREOF : AND FOR OTHER PURPOSES:

BE IT ORDAINED BY THE COUNCIL OF PEACHTREE CITY, AND IT IS HEREBY ORDAINED BY AUTHORITY OF THE SAME:

WHEREAS, the governing authority of Peachtree City, Georgia under the inherit police power to promote the safety, health and general welfare of the citizens of Peachtree City, deem it necessary to regulate the operation, maintenance and inspection of swimming pools both private and public;

NOW, THEREFORE, BE IT ORDAINED by the City of Peachtree City, as follows;

SECTION 1. It is determined and declared that the use of public or private swimming pools in the City of Peachtree City without appropriate precautionary safety measures constitutes a hazard to the safety of the residents of the City, particularly children.

SECTION 2. COMPLIANCE REQUIRED. It shall be unlawful to construct, maintain, install or enlarge any swimming pool in Peachtree City except in compliance with all the provisions of this ordinance.

SECTION 3. DEFINITIONS. (a) "Swimming Pool" means and includes any private or public swimming pool, tank, hot tub, or other device which is artificially constructed, other than impoundments, to provide outdoor recreational facilities for swimming, bathing or wading, whether of permanent construction or portable in nature upon any premises, for the use of the occupants of said premises and their guests or general public, which has a depth at any point in excess of 24 inches or a capacity of 300 gallons or more, and whether said pool be below ground level, above ground level, or partly above and partly below ground level. (b) "Person" means and includes an individual, firm, partnership, corporation, or public. (c) "Reconstruction" shall mean the replacement, alteration of, or addition to an existing swimming pool, but not including equipment.

SECTION 4. LOCATION. No portion of a swimming pool, pumping equipment, filters, pool water disinfection equipment installations or any other related swimming pool accessory equipment shall be closer to property lines than the applicable setback or building lines in the zoning district in which the development occurs.

SECTION 5. PERMIT. It shall be unlawful for any person to hereafter construct, install, relocate, or reconstruct, or permit the construction, installation, relocation, or reconstruction of a swimming pool on any premises owned by him, or in his possession or control, without having first obtained a permit therefore as provided by Building Permit Ordinance of Peachtree City.

SECTION 6. ENFORCEMENT. The Building Official, or such other person as may be designated from time to time by Resolution of the City Council, shall enforce the provisions of this ordinance, and to that end shall make periodic inspections of all swimming pools.

SECTION 7. APPROVAL BEFORE USE. No swimming pool constructed, installed, relocated, or reconstructed, pursuant to a permit obtained hereunder, shall have any water put into it or be put in use until the Building Official, or other person charged with enforcement hereof, shall have inspected and approved the same, by appropriate endorsement on a certificate of compliance, as complying herewith.

SECTION 8. WATER SUPPLY. There shall be no physical connection between a potable water supply below the maximum water level of the pool, or to a re-circulating or heating system of a pool, unless such physical connection is so installed and operated that no pool water can be discharged or siphoned into a potable water supply system.

SECTION 9. FENCE. Every swimming pool hereafter constructed or installed shall be completely enclosed by a fence or wall of durable construction using a solid type material offering no hand holds or toe holds so as to inhibit climbing and having no horizontal external parts. Construction may allow vertical openings not more than 1" wide but no horizontal openings. The fence, gates and doors shall be not less than six (6) feet high as measured at all points on the perimeter, and so constructed as to deny any person from gaining access beneath or through other than by use of doors and gates. All gates and doors, opening through such enclosure, shall be equipped with self-closing and self-latching devices at least four (4) feet from ground level, so designed to keep gates and doors securely closed and latched when not in use. No portion of the fence or wall shall be installed less than three (3) feet from the nearest point of the water in the pool. A residence or other permanent building may form part of the enclosure if at least six (6) feet in height. Application for fence construction shall be made in accordance with Building Permit Ordinance.

SECTION 10. INSPECTION. The owner or other person in possession of any swimming pool shall allow any person charged with the enforcement hereof to inspect the same at reasonable times.

SECTION 11. EXISTING POOLS. All pools now permitted and pools which have had certificate of compliance issued shall be considered non-conforming to this ordinance. In the event of relocation, reconstruction or re-assembling this ordinance shall be enforced.

SECTION 12. DRAIN. All swimming pools hereafter constructed, installed, relocated or reconstructed shall be so situated that normal surface water will drain away from the pool. No drain of a swimming pool shall be connected with, or permitted to drain into, the sanitary sewer system; nor shall any such pool be physically connected with any storm drain system, but such latter system shall be used, wherever feasible, to receive the drainage.

SECTION 13. Health Requirements. All existing and hereafter constructed, installed, relocated or reconstructed public swimming pools shall be maintained and operated in such manner as to be clean and sanitary at all times.

SECTION 14. Penalty. Any person violating this ordinance shall be fined in an amount not to exceed \$1000.00 for each offense; to imprisonment for a period of not more than one year for each offense, or other public works of the city for not more than one year for each offense; any one or more of these punishments when the facts of the case shall so justify.

SECTION 15. REPEAL OF PRIOR ORDINANCES. That all ordinances or parts of ordinances on swimming pools and related fencing are hereby repealed as of the effective date of this ordinance.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION, THIS

21st day of August 1929.

Robert E. Tracy
MAYOR

ATTEST:

Frances J. Meaders
City Clerk

(City Seal)