

Chapter 133

SWIMMING POOLS

- | | |
|--------------------------------------|---------------------------------------|
| § 133-1. Title. | § 133-8. Swimming pool enclosures. |
| § 133-2. Purpose. | § 133-9. Electrical work and heating. |
| § 133-3. Definitions and word usage. | § 133-10. Maintenance. |
| § 133-4. Permits. | § 133-11. Reasonable use. |
| § 133-5. Location. | § 133-12. Existing pools. |
| § 133-6. Construction and equipment. | § 133-13. Penalties for offenses. |
| § 133-7. Water supply and drainage. | |

[HISTORY: Adopted by the Board of Trustees of the Village of Camden 2-7-1977 as Ch. 35 of the 1977 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 66.

Zoning — See Ch. 150.

§ 133-1. Title.

This chapter shall be known and may be cited as the “Swimming Pool Law of the Village of Camden.”

§ 133-2. Purpose.

- A. In pursuance of the authority conferred by the Village Law of the State of New York and in order to promote the health, safety and general welfare of the inhabitants of the Village of Camden this chapter is hereby enacted.
- B. All construction and operation referred to in this chapter must be in accordance with federal, state and local laws and codes. All sanitary conditions must comply with the rules and regulations of the applicable state and county agencies.

§ 133-3. Definitions and word usage.

- A. Words and terms. When used in this chapter, certain words and terms shall have the following meanings:

ABOVEGROUND SWIMMING POOL — All swimming pools having all or any section of their exterior wall above the surrounding ground level.

IN-GROUND SWIMMING POOL — All swimming pools having their entire water surface below the level of the surrounding ground.

PERMANENT CONSTRUCTION — The installation of an aboveground or below-ground swimming pool which requires more than one foot excavation for any part of the pool, and/or constructed of concrete, wood, metal or other materials and/or encircled or partly encircled by deck or platform, any part of which cannot be dismantled for storage.

SWIMMING POOL — A structure intended for bathing, swimming or diving purposes made of concrete, masonry, metal or other impervious materials and provided with a circulating and/or controlled water supply.¹

TEMPORARY CONSTRUCTION — The installation of an aboveground swimming pool which requires no excavation for any part of the pool, with no platform encircling or partly encircling part of the pool, other than an entrance platform four feet by four feet maximum size, all of which can be dismantled and stored.²

- B. Construed to be a structure. A swimming pool shall be deemed to be a structure under Chapter 30, Zoning, of the Code of the Village of Camden, and where applicable all work must be done in accordance with the New York State Uniform Fire Prevention and Building Code³ but may be located in a required yard as long as it otherwise meets all zoning requirements.
- C. Residential premises; use as accessory to. A swimming pool may be permitted only as an accessory structure to a principal building used for residential purposes. Said pool shall be for the exclusive use of the occupants of the principal building and their guests.
- D. Procedure when not accessory to residential use. A swimming pool may be permitted when said use is not as an accessory structure to the principal building only upon application to the Board of Appeals in accordance with Chapter 150, Zoning, for obtaining a special use permit. Pools used normally by the public, such as clubs and similar organizations, must comply with the New York State Department of Health regulations.
- E. Building line. The building line of the pool shall be considered to be its inside wall.

§ 133-4. Permits.

- A. Building permit required. Before any swimming pool is moved, placed, erected, assembled or excavated upon a lot or created by damming a stream, a building permit shall be required.
- B. Additions and alterations. A building permit shall be required for any enlargement of an existing pool, for a dressing shelter, a pump house, a filter house, an enclosure for the pool or any other structure erected in conjunction with the swimming pool. Such structures shall conform to all provisions of the New York State Uniform Fire Prevention and Building Code⁴ and this Code and all other rules and regulations of the village and shall not unduly interfere with the use or enjoyment of the adjacent property.

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

² Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

³ Editor's Note: See Ch. 66, Building Construction and Fire Prevention.

⁴ Editor's Note: See Ch. 66, Building Construction and Fire Prevention.

C. Application. Each application for a building permit to erect, construct, dam a stream or excavate a swimming pool or to enlarge an existing pool or to build an ancillary structure must be accompanied by a building permit fee and by plans in sufficient detail to show the following:

- (1) A plot plan of the property on which the swimming pool is to be constructed or placed showing the location of the swimming pool in reference to the side lines, rear lines, grades, basement and other structures on the property and existing electrical service lines and electrical lines.
- (2) The pool dimensions and depths.
- (3) The location and dimensions of the fence and any structures or appurtenances built or that are to be built in conjunction with the swimming pool.
- (4) The estimated cost of the proposed swimming pool.
- (5) The location and type of waste disposal and drainage system of the property.
- (6) The location and source of water supply.
- (7) The location, size and description of all proposed electrical connections, lighting (both above and below the ground) and any pool-heating device.
- (8) These plans, along with structural calculations and details, must be prepared and signed by either the owner of the property or a licensed professional engineer, or a registered architect or a recognized pool contractor who is an accredited member of the National Swimming Pool Institute.

§ 133-5. Location.

The location of a permanent or temporary swimming pool shall conform to all provisions of Chapter 150, Zoning, except yard requirements, but in any case must:

- A. Not be placed in the front yard.
- B. Be at least five feet from any side yard line and/or rear yard line.
- C. Be at least eight feet from any house basement.
- D. Be at least 20 feet from any active well, septic tank, leach bed, etc., unless conditions warrant a lessening or increasing of this distance.
- E. Not endanger the health and/or safety of its user and does not unduly interfere with the use and enjoyment of the adjacent property.

§ 133-6. Construction and equipment.

- A. Design and construction. The swimming pool shall be designed and constructed in such a manner as not to endanger the health and/or safety of its users or nonusers and to not unduly interfere with the use and enjoyment of adjacent property.

- B. Filtering equipment. The swimming pool shall be required to have adequate equipment to properly recirculate, filter, algicide and germicide the water of the pool with provisions and instructions for maintenance of the same.
- C. Ladder or steps. The swimming pool must be equipped with proper safeguards for users of the pool. At least one ladder, not more than two feet from the bottom of the pool, steps or equal, must be provided at a location to facilitate quick exit.
- D. Safety equipment.
 - (1) All swimming pools must have a rescue pole made of aluminum, fiberglass, bamboo or equal material, stored within 15 feet of the swimming pool's interior edge. The rescue pole shall be in length at least $\frac{1}{2}$ of the swimming pool's width, or $\frac{1}{2}$ of the swimming pool's diameter, depending on the type of pool.
 - (2) All swimming pools must have a ring buoy with at least 25 feet of attached rope or cord prominently stored within 10 feet of the pool's interior edge. The type of ring buoy must meet the specifications as set forth by the National Swimming Pool Institute or the American Red Cross.
- E. Referral to Code Enforcement Officer. The Code Enforcement Officer shall pass upon the safety and adequacy of the design, materials, construction and equipment of all swimming pools. In doing so, he may be guided by the minimum standards for residential pools of the National Swimming Pool Institute.
- F. Height. No part of the pool structure, with the exception of deck fencing, shall project more than $4\frac{1}{2}$ feet above the surrounding existing grade, except by special permit from the Board of Appeals.
- G. Plumbing. Where applicable, all plumbing must conform to the plumbing regulations of the New York State Uniform Fire Prevention and Building Code.⁵

§ 133-7. Water supply and drainage.

- A. Water supply. There shall be no fixed or direct connection to any nonpotable water supply.
- B. Drainage.
 - (1) There shall be no drainage connection to a sanitary sewer.
 - (2) It must be possible to drain all pools into a storm sewer or a natural waterway either by gravity, siphon or through the filter pump system.
 - (3) There shall be no drainage over adjoining property without permission or consent of owners.

⁵ Editor's Note: See Ch. 66, Building Construction and Fire Prevention.

§ 133-8. Swimming pool enclosures.¹

Outdoor swimming pools shall be provided with an enclosure which shall comply with the following:

- A. It shall be at least four feet in height and have a maximum vertical clearance to grade of two inches.
- B. Where a picket-type fence is provided, horizontal openings between pickets shall not exceed four inches.
- C. Where a chain link fence is provided, the openings between links shall not exceed 2 $\frac{3}{8}$ inches.
- D. Enclosure shall be constructed so as not to provide footholds.
- E. Pickets and chain link twists shall extend above the upper horizontal bar.
- F. Such enclosure shall have railings and posts within the enclosure which shall be capable of resisting a minimum lateral load of 150 pounds applied midway between posts and at top of posts respectively. Enclosure, fence material or fabric shall be capable of withstanding a concentrated lateral load of 50 pounds applied anywhere between supports on an area 12 inches square, without failure or permanent deformation. Gates provided in the enclosure shall be self-closing and self-latching with the latch handle located within the enclosure and at least 40 inches above grade.
- G. A wall of a dwelling is permitted to serve as part of the enclosure under the following conditions:
 - (1) Windows in the wall shall have a latching device at least 40 inches above the floor.
 - (2) A swinging door in the wall shall be self-closing and self-latching.
 - (3) A sliding door in the wall shall have a self-latching device.
- H. Where an aboveground pool has a deck which abuts or is adjacent to a dwelling and direct access to the deck is through the exterior wall of the dwelling, such access shall be in accordance with Subsection G of this section. For guardrail requirements see § 713.1(f)(3) and Table I-735, Part 735 of the New York State Uniform Fire Prevention and Building Code.²

§ 133-9. Electrical work and heating.

- A. Conformance with New York State Uniform Fire Prevention and Building Code. All lighting and electrical work shall conform to the New York State Uniform Fire Prevention and Building Code and be inspected and approved by the New York State Board of Fire

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

² Editor's Note: See Ch. 66, Building Construction and Fire Prevention.

Underwriters or other qualified inspection agency approved by the village. Also, all underground wiring and lighting shall be of low voltage.³

- B. Disturbance of adjoining owners prohibited. No lighting shall be installed in such a manner that it may be an annoyance to the owners of adjacent property. Under normal circumstances floodlighting, the illumination of adjacent property, among other things, will be sufficient to constitute an annoyance.
- C. Safety restrictions. No pool shall be erected within 10 feet of existing electrical service lines, nor shall electrical lines be strung over the water surface nor within four feet of the outer edge of the pool.

§ 133-10. Maintenance.

Every swimming pool presently constructed or installed, or hereafter constructed or installed, shall be maintained at all times in such manner as never to constitute a public nuisance, a hazard or a menace to health or safety. Any such hazard which may exist, or develop in, or in consequence of, or in connection with any such swimming pool shall be forthwith abated and/or removed by the person in possession, owning or having jurisdiction over such pool, upon receipt of notice from the village.

§ 133-11. Reasonable use.

Use of a swimming pool shall be in a reasonable manner and at reasonable times so as not to cause undue discomfort and/or annoyance to adjacent residents.

§ 133-12. Existing pools.

All sections of this chapter shall apply to existing pools except §§ 133-4A, 133-5, 133-6E, F and G and 133-9.

§ 133-13. Penalties for offenses.⁴

A person who shall violate any provision of this chapter or fails to comply therewith, or who shall violate or fail to comply with any order or regulation made thereunder shall be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty.

³ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

⁴ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).