

Section 415 - Swimming Pools

415.01. General provisions. Private swimming pools are regulated by this section and are defined as follows: Any enclosure, designed or intended or used for the containment of water, whether constructed below ground level or above ground level, having a surface area exceeding 100 square feet and a depth exceeding 18 inches which is designed, intended or used for swimming, wading, or other recreational use by the owner or tenant of the property upon which the pool is constructed, or by their family or invited guests without payment of a fee.

415.03. Permit required. No swimming pool shall be constructed or established and no such pool construction shall be commenced in the city without first obtaining a permit from the building inspector.

415.05. Application for permit. Subdivision 1. Fee. Applications for a swimming pool permit shall be made to the city upon forms provided by the building inspector. A fee, determined by the value of the pool, shall be submitted with the application to cover the costs of inspection. Fees are established by resolution of the city council.

Subd. 2. Contents. The application for the permit shall include without limitation, the following:

- (a) Complete plans and specifications for the construction of the pool;
- (b) A site plan showing the location of structures on the lot, including the house, garage, fences, trees, overhead or underground wiring, utility easements, septic system, and other significant improvements or features;
- (c) The proposed location of pumps, motors, electrical power source if applicable, flushing and drainage outlets, and other operational features; and
- (d) Location and specifications of protective fencing or automatic pool cover. (Amended, Ord. 2008-04, Sec. 1)

415.07. Safety requirements. The safety features, including electrical wiring, fencing and automatic pool cover as set forth in this section shall apply to all swimming pools in the city and all private swimming pools shall comply with this section after July 8, 2008. (Amended, Ord. 2008-04, Sec. 1)

419.09. Construction requirements. Subdivision 1. General. Private swimming pools shall be constructed so as to avoid hazard or damage to the occupants of the subject property or the occupants of adjacent property and shall meet the minimum requirements set forth in subdivision 2.

Subd. 2. Minimum requirements.

- (a) No pool shall be located within ten feet (measured horizontally) from any underground or overhead utility line of any kind.
- (b) No pool may be located within any public or private utility easement, ingress or egress easement, drainage way, marsh, or other location in which it will represent a threat to the natural environment.
- (c) In areas zoned or used for single family residential purposes, pools are prohibited in the front yard and shall not be located within ten feet of any lot line, nor within ten feet of any principal structure, accessory building or frost footing. No mechanical equipment shall be located closer than ten feet to any lot line.
- (d) In areas zoned or used for multiple family residential purposes, pools are prohibited in the front yard and shall not be located within 30 feet of any lot line, nor within 30 feet of any side lot line, nor within 30 feet of any principal structure, accessory building or frost footing. No technical equipment may be located closer than 30 feet to any lot line.

415.11. Safety fence or automatic pool cover required. Subdivision 1. Fence. A safety fence at least four feet high shall completely enclose the pool. Safety fences shall be constructed so as to inhibit the entry or climbing thereof by any person. All openings or points of entry into the pool area shall be equipped with gates or doors. All gates and doors shall have a latch which is no less than four feet above the ground level and which shall be so constructed and so placed as to be inaccessible to small children. All gates and doors shall be locked when the pool is not in use or is unattended by an adult with demonstrated swimming ability. Any opening between the bottom of the fence and the ground level shall not exceed three inches. The wall of any pool constructed above ground level, regardless of the height thereof, shall not qualify as a safety fence. (Amended, Ord. 2002-01, Sec. 1; Ord. 2004-10, Sec. 1; Ord. 2008-04)

Subd. 2. Automatic cover. As an alternative to a safety fence, an automatic pool cover may be utilized if it meets the standards of F1346-91 of ASTM, as such standards may be modified, superseded or replaced by ASTM. (Added, Ord. 2008-04, Sec. 1)

415.13. Miscellaneous requirements. Subdivision 1. Conduct. The conduct of persons and the operation of pools is the responsibility of the owner or the tenant thereof and such conduct of persons and operation of the pool shall be done in such a manner so as to avoid any nuisance or breach of the peace.

Subd. 2. Drainage. All back flushing water or pool drainage water shall be directed on to the property of the owner or onto approved drainage ways. Drainage onto public streets or other public drainage ways requires a permit from the zoning administrator.

Subd. 3. Lighting. Any outdoor lighting of the pool may not spill or shine upon adjacent properties.

Subd. 4. Electrical code. Electrical installations shall meet state requirements.

Subd. 5. Filling. The filling of pools from fire hydrants or other public facilities is prohibited without prior approval of the director of public works.

415.15. Penalties. It is unlawful to make, cause to be made, or continue to make any loud noise which annoys, disturbs or injures the comfort or repose or breaches the peace of the person in lawful possession of adjoining properties.

