

TOWN OF RHINE MUNICIPAL CODE

**CHAPTER 24: SWIMMING POOLS,  
HOT TUBS, and SPAS (09/09/2025)**

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**24.01 PURPOSE**

(1) The intent of this ordinance is to provide for the safe and proper construction and operation of swimming pools, hot tubs, and spas in accordance with best construction practices and applicable codes.

**24.02 DEFINITIONS**

(1) SPA or HOT TUB. A permanent outdoor hydro massage pool or tub for recreational or therapeutic use, designed for immersion of users, which may or may not have a filter, heater, and motor driven blower.

(2) PRIVATE SWIMMING POOL. A temporary or permanent outdoor structure containing a body of water and having a wall height of eighteen (18) inches or more located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private swimming pool.

**24.03 EXEMPT POOLS**

(1) Storable children's swimming or wading pools, with a maximum dimension of fifteen (15) feet in diameter and a maximum wall height of less than eighteen (18) inches and which are so constructed that it may be readily disassembled for storage and reassembled to its original integrity are exempt from the provisions of this Chapter except for the discharge of water pursuant to 24.05 (1)(c).

**24.04 PERMIT REQUIRED**

(1) No work shall be commenced on the construction alteration, addition, or remodeling of any private swimming pool, hot tub, and spa without first obtaining a building permit from the Building Inspector. Building permit fee To Be Determined by Town of Rhine Building Inspector.

(3) A shoreland zoning permit may be required for some properties that are not sewerred and properties in the Shoreland Zone. Property owners are responsible for contacting Sheboygan County Planning and Conservation for a Shoreland Zoning Permit prior to commencement of construction.

**24.05 CONSTRUCTION REQUIREMENTS**

(1) In addition to such other requirements as may be reasonably imposed by the Building Inspector, the Building Inspector shall not issue a permit for construction, unless the following construction requirements are observed:

(a) All materials and methods of construction in the construction, installation, alteration, addition, remodeling or other improvements of any private swimming pool, hot tub, and spa shall be in accord with all state regulations and codes and with any and all ordinances of the Town now in effect or hereafter enacted.

(b) All plumbing work shall be in accordance with all applicable ordinances of the Town and all state codes and regulations.

(c) Every private swimming pool, hot tub, spa and exempt pool shall be provided with a suitable draining method and, in no case, shall waters from any swimming pool, hot tub, spa and exempt pool be drained into the sanitary sewer system, septic system, or onto lands of other property owners adjacent to that on which the swimming pool, hot tub and spa is located. In all cases where a private swimming pool, hot tub and spa is to be constructed on premises served by a private sewage disposal system, approval from the Sheboygan County Planning and Conservation Department shall be necessary before the construction of any such pool may commence.

(d) All electrical installations associated with a private swimming pool, hot tub, and spa shall be made by a licensed electrical contractor and shall meet the requirements of the National Electric Code (NEC) Article 680 and the Wisconsin Electrical Code, Wis. Admin. Ch. SPS 316 and any amendments thereto regulating electrical installations.

(e) Lights used to illuminate any private swimming pool, hot tub, and spa shall direct light only on the swimming pool, hot tub and spa.

(f) All private swimming pools, hot tubs, and spas must have a filtration system to assure proper circulation of the water therein and maintenance of the proper bacterial quality thereof.

(g) All private swimming pools, hot tubs and spas of permanent nature shall have the sides and bottom of a smooth finish, and no sand or dirt bottom shall be permitted.

#### **24.06 SETBACKS AND OTHER REQUIREMENTS**

(1) All private swimming pools, hot tubs, and spas shall be erected or constructed on rear or side lots only and only on a lot occupied by a principal building. No swimming pool, hot tub, and spa shall be erected or constructed on an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and said lot is occupied by a principal building.

(2) No private swimming pool, hot tub, and spa shall be located, constructed or maintained closer to any side or rear lot line than is permitted in the zoning code for an accessory building, and in no case shall the water line of any private swimming pool, hot tub and spa be less than ten (10) feet from any lot line.

**24.07 FENCE**

(1) Private swimming pools, hot tubs, and spas within the scope of this Chapter which are not enclosed with a permanent building shall be completely enclosed by a fence or wall of sufficient strength to prevent unintended access to the swimming pool, hot tub, and spa or shall have a cover or other protective device over such swimming pool, hot tub, and spa of such a design and material that the fence, wall, or cover can be securely fastened in place and when in place shall be capable of sustaining a person weighing two hundred fifty (250) pounds. Such fence shall not be less than four (4) feet in height and so constructed as not to have voids, holes, or openings larger than four (4) inches in any one (1) dimension. Gates or doors shall be kept locked while the private swimming pool, hot tub, and spa is not in actual use by owner or an invited person.

(2) The private swimming pool, hot tub, and spa enclosure may be omitted where private swimming pools, hot tubs, and spas are installed above ground and have a raised deck around the entire private swimming pool, hot tub, and spa perimeter with an attached, enclosed guardrail a minimum of thirty-six (36) inches high.

(3) Above-ground pools with sides greater than forty-eight (48) inches above grade are not required to be enclosed by a suitable fence, and if using a ladder for ingress or egress shall have this ladder removed or flipped up when the pool is not in use.

**24.08 COMPLIANCE**

(1) Any private swimming pool, hot tub, and spa erected or constructed within the Town after 09/09/2025 shall be required to be in full compliance with all of the provisions of this article.