

VILLAGE OF AUGUSTA  
KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. 163

AUGUSTA SWIMMING POOL ORDINANCE

ADOPTED: JAN. 27, 1986

EFFECTIVE: MAR. 20, 1986

An ordinance to establish minimum standards for the installation and operation of swimming pools.

THE VILLAGE OF AUGUSTA,  
KALAMAZOO COUNTY, MICHIGAN,

ORDAINS:

SECTION I

NAME

This ordinance is named the Augusta Swimming Pool Ordinance.

SECTION II

CONSTRUCTION PERMIT

No person, firm, association or corporation shall construct, operate, maintain or use a swimming pool in the first instance, as herein defined, without first having obtained a permit from the Village of Augusta in accordance with the provisions hereof. The application for such permit shall be accompanied by a complete and detailed set of plans and specifications for the swimming pool including the following:

Plot plan; pool dimensions; location and type of waste disposal system; structural calculations and details; fence and gate details. Before any swimming pool shall be used a final inspection shall be made and written approval obtained from the building inspector. A building permit fee of \$ 10.00 shall be paid for the permit. All electrical, plumbing or other permits or fees otherwise imposed by the Village shall be deemed required in addition thereto.

SECTION III

DEFINITIONS

A. "Swimming pool" as used herein is any artificially constructed area capable of containing water and of being used for swimming, wading or bathing having a depth of two feet or more at any point.

B. "Private" shall mean not public or semi-public as provided in current swimming pool regulations established by the Michigan Department of Health.

SECTION IV

PROVISIONS

The provisions of this ordinance shall apply to all pools except where state regulations are more restrictive, they shall apply.

SECTION V

CONSTRUCTION STANDARDS

A. Swimming pools shall conform to setbacks as require for accessory structures by the Augusta Zoning Ordinance.

B. All electrical wiring used on, in or about the premises upon which the pool is located shall conform in all respects with the National Electrical Code adopted by the Village.

C, The drain line for the pool may be connected to the Village sewer system provided the following conditions are met:

1. Pool drain shall be connected to the storm sewer if available.
2. There shall be no direct connection to the sewer unless an approved vaove is provided to control the rate of discharge to the sewer.

D. Pool construction shall be such that all scum, splash and deck water shall not return to the pool except through a filter system.

## SECTION VI

### WATER SUPPLY

A. Swimming pools shall be provided with a potable water supply. The water supply line to the pool shall be protedted against back flow of water by means of a fixed air gap of six inches or more above the highest possible water level, or by an approved vacuum breaker installed as required. All foller pipes shall be located so as to prevent hazards to bathers.

B. Provisions shall be made for adequate recirculation and filtration of pool water.

## SECTION VII

### FENCING

A. All swimming pools now or hereafter constructed outside of a building, except above ground pools, as set out in subparagraph C, shall be enclosed by a fence extending from the ground, to a point at least four feet above any ground, or climbable stationary object within three feet of the fence. Such fence shall be one of the following types:

1. Chain link fences with mesh not exceeding two and one quarter inches.
2. Vertical board or pole fences with board or poles spaced not greater than two inches and all horizontal members shall be on the pool side of the fence.
3. Solid fences having a flush exterior shall be acceptable.

B. Gates shall meet the requirements for fence construction and shall be self-closing, self-latching and equipped with a keyed lock capable of securely holding the gate closed. Service gates not ordinarily used for ingress and egress for swimmers need not be self-closing or self-latching.

C. Above ground pools having a minimum outside verticle height of four feet with the outside of the walls perpendicular to ground level need not be fenced provided there are no climbable stationary objects within three feet of the wall except a stairway to the pool. The stairway shall have sides of at least four feet in height and shall be secured by a gate as specified in 7(B) above so as to prevent entry when the gate is closed. Other methods of stairway and fenced construction may be allowed if approved by the Village Council and if such methods reasonably prevent unauthorized entry.

D. Nonconforming fences existing at the time of adoption of this ordinance shall be allowed to remain providing they meet the following:

1. Height requirements conform with Section 7A.
2. Gates conform with 7B.
3. No openings are large enough for passage of children.

E. All gates shall be kept locked when the pool is not being used by the owners or persons using the pool with the owner's consent. At such time as fence requires replacement, provisions of this ordinance shall be met.

SECTION VIII

## STANDARDS OF OPERATION

A. All the equipment, construction and apparatus before mentioned, shall be maintained, operated and used, as intended, in a safe and sanitary manner, and all reasonable precaution shall be taken to protect all persons in the area from any hazard.

B. All lighting shall be so shielded, arranged and operated as to prevent annoyance to neighboring premises.

C. No persons with infectious or communicable diseases shall be permitted within the pool premises.

D. The pool, its environs and its operation shall be clean and sanitary at all times and the pool shall be kept free of floating material, sediment, scum and debris.

E. Disinfecting agents shall be applied to the pool water and in such a manner to provide adequate germicidal or bacterial protection.

A standard of 0.3 to 1.0 parts per million chloring residual shall be considered acceptable. The PH (Alkalinity and acidity) of the pool shall be maintained between 7.0 and 8.0. Adequate testing devices shall be provided.

SECTION IX

## ENFORCEMENT

A. The County Health Department may inspect all pools for sanitation and may enforce this ordinance on behalf of the Village.

B. The Building and Police Departments shall assist the County Health Department and consult with each other in the enforcement of this ordinance.

C. All enforcing departments, by their authorized agents, shall have the right to enter upon the premises where any pool is located within the Village of Augusta, at any reasonable hour for the purpose of inspecting the pool and surrounding area for ordinance compliance.

SECTION X

## PENALTIES

A. Any person, firm or corporation found violating any of the provisions of this ordinance shall upon conviction, be punished by a fine of not to exceed \$500.00 or by imprisonment of not to exceed 90 days or both such fine and imprisonment at the direction of the court.

B. Each day on which any such violation shall continue shall constitute a separate offense.

C. The standards herein contained for the construction, operation, maintenance or use of swimming pools shall also be enforceable by suit for injunction, damages or other appropriate legal action.

SECTION XI

## INCONSISTENT PROVISIONS

All parts or portions of this ordinance which are inconsistent herewith are hereby repealed. The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason, it shall not affect any part or portion thereof.

SECTION XII

## EFFECTIVE DATE

This ordinance shall take effect March 20, 1986

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Eleanor Baxter, Clerk