

ORDINANCE NO.2016-2

AN ORDINANCE REGULATING THE BUILDING AND CONSTRUCTION OF  
SWIMMING POOLS IN THE CITY OF COTTONWOOD.

Section 1. Definitions.

Subd. (1) Swimming Pools are regulated by this Ordinance 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.

Subd. (2) Storable Swimming Pools are defined as a pool with non-metallic, molded polymeric walls or inflatable fabric walls constructed on or above the ground and is so constructed that it may be readily disassembled for storage and reassembled to its original integrity.

Subd. (3) Font Yard, Rear Yard and Side Yard shall be defined in this Ordinance as they are in the City's Zoning Ordinance.

Section 2. Permit Required. No swimming pool shall be constructed or established, and no such pool construction shall be commenced in the City of Cottonwood without first obtaining a building permit from the City.

Section 3. Application for Permit. Application for a building permit for a swimming pool shall be made on forms as are required for building permits in the City of Cottonwood's Zoning Ordinance.

Section 4. Set-Back Requirements.

Subd. (1) Swimming Pools are accessory structures in all residential districts under the City of Cottonwood's Zoning Ordinance and must meet appropriate setback regulations.

Subd. (2) Swimming pools shall only be constructed in rear yards.

Section 5. Set-Back to Utility Lines. No pool shall be located within ten feet (measured horizontally) of underground or overhead utility lines of all types.

Section 6. Fences and Gates Required.

Subd. (1) All swimming pools shall be constructed with a fence of the non-climbing type or permanent wall, so as to inhibit climbing, at least four feet in height. All openings or

points of entry into the pool area shall be equipped with gates or doors. Retractable stairs, which are self-latching are acceptable substitutes for closing gates. All gates and doors shall have a latch which shall be so constructed and so placed as to be inaccessible to small children. All gates and doors shall be latched when the pool is not in use.

Subd. (2). Storable pools do not require a fence or barrier, provided that all means of access (ladders, etc.) are removed and the pool is covered when not attended. Storable pools do not require a building permit.

Section 7. Lighting. Any outdoor lighting of the pool shall not be permitted to spill or shine upon adjacent properties.

Section 8. Nuisance. The conduct of persons and the operation of pools shall be the responsibility of the owner and the tenant thereof and such conduct of persons and operation of the pool shall be done in a manner so as to avoid any nuisance or breach of the peace, and it shall be unlawful to allow loud noises to go beyond the boundaries of the property upon which the pool is located.

Section 9. Drainage. All back flushing water or pool drainage water shall be directed onto the property of the owner, or onto approved drainage ways. No pool water shall be drained into the City's sanitary sewer. Drainage onto public streets or other public drainage ways shall require the permission of the City.

Section 10. Filling Pools. The filling of pools from fire hydrants or other public facilities is prohibited without approval of authorized City personnel.

Section 11. Penalty. Violation of this Ordinance shall be punished as a misdemeanor under the Laws of the State of Minnesota.

Section 12. Application. The provisions of this Ordinance shall apply to pools constructed after the date of passage of this Ordinance.

Section 13. Repeal. Ordinance No. 1991-3, and entitled "AN ORDINANCE REGULATING THE BUILDING AND CONSTRUCTION OF SWIMMING POOLS AND SPAS IN THE CITY OF COTTONWOOD" adopted October 1st, 1991, along with all other ordinances, resolutions, acts and proceedings of the City and of the Council which are inconsistent with the terms of this ordinance are hereby amended or repealed to the extent necessary to give full force and effect to this ordinance.

Section 14. Effective Date. This Ordinance becomes effective from and after its passage and publication.

Adopted by the City Council this 20th day of September, 2016.

Attest:   
Clerk-Administrator

  
Mayor

SEAL

Summary Ordinance Published in the Tri-County News on Wednesday, September 28th, 2016