

ORDINANCE NO. 145

AN ORDINANCE DIRECTING FENCE REQUIREMENT FOR SWIMMING POOLS AND CALLING FOR PERMITS TO BE ISSUED PRIOR TO INSTALLING SWIMMING POOLS, MAKING IT UNLAWFUL FOR THE CONSTRUCTION OF SWIMMING POOLS WITHOUT FENCING: PROVIDING FOR A PENALTY OF \$200.00 A DAY FOR EACH VIOLATION AND DECLARING AN EMERGENCY. WHEREAS, THERE IS A SAFETY PROBLEM WITH SWIMMING POOLS WHICH HAVE NO FENCE ENCLOSURES IN THE CITY OF WILLOW PARK.

WHEREAS, this condition, if left as is could result in loss of life or serious injury

WHEREAS, it is in the public interest to regulate construction of swimming pools: calling for adequate surrounding fencing; now therefore:

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF WILLOW PARK.

SECTION I.

Every outdoor swimming pool or family pool shall be completely surrounded by a fence or wall not less than four (4) four feet in height, which shall be constructed as not to have openings, holes, or gaps larger than four (4) inches. A dwelling house or accessory building may be used as of such enclosure.

All gates or doors opening through such enclosure shall be equipped with a self-closing and self latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

This requirement shall be applicable to all new swimming pools or family pools hereafter constructed, other than indoor pools, and shall apply to all existing pools which have a minimum depth of 18 Inches of water. No person in possession of land within the city, either as owner, purchaser, lessee, tenant or a licensee, upon which is situated a swimming pool or family pool having a minimum depth of 18 inches shall fail to provide and maintain such fence or wall as herein provided.

SECTION II.

No swimming pool shall be constructed in the city in the future unless a building permit shall be issued by the building inspector. The building inspector shall not issue a building permit for a swimming pool unless the plans shall include a fence or an enclosure which complies with the terms of Section 1

SECTION III.

Any person or company violating this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined an amount not exceeding two hundred dollars (\$200.00), and each day that such violation continues shall be a separate offence. Prosecution of correction under this provision shall never be a bar to any other remedy or relief for violation of this ordinance.

The fact that there now exists inadequate regulations governing swimming pool fencing creates an emergency for the immediate preservation of public safety and general welfare. This ordinance is effective with all swimming pools permits issued from 17 July, 1978 and thereafter.

ATTEST: *Earnest W. McGraw*
E. W. McGraw, City Clerk

APPROVED: *Z. C. Baker*
Z. C. Baker, Mayor