

Chapter 314

SWIMMING POOLS

[HISTORY: Adopted by the Town Board of the Town of Scott 6-29-1998. Amendments noted where applicable.]

GENERAL REFERENCES

Uniform Dwelling Code — See Ch. 35, Art. I.

Water — See Ch. 357.

Zoning — See Ch. 375.

§ 314-1. Title.

This chapter shall be known as, referred to, or cited as the "Private Swimming Pool Ordinance for the Town of Scott, Brown County, Wisconsin."

§ 314-2. Compliance required.

No person shall construct, install, enlarge or alter any private swimming pool in the Town of Scott, Brown County, Wisconsin, except in accordance with the regulations set forth in this chapter.

§ 314-3. Effect on other regulations.

This chapter is not intended to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits previously adopted or issued pursuant to law; whenever this chapter imposes greater restrictions, however, the provisions of this chapter shall govern.

§ 314-4. Applicability.

The requirements set forth in this chapter shall govern the construction, installation and operation of existing and new residential swimming pools in the Town of Scott, Brown County, Wisconsin, 90 days after the approval and posting of this chapter.

§ 314-5. Administration.

The Building Inspector or delegated representative is hereby authorized and directed to administer and enforce all of the provisions of this chapter.

§ 314-6. Definition.

The term "swimming pool" when used in this chapter means a swimming pool constructed appurtenant to a dwelling and used or intended to be used solely by the owner or lessee thereof and his/her family and friends for recreation without financial gain.

§ 314-7. Permits.

Required permits shall be obtained from the Building Inspector prior to the construction, installation, enlargement or alteration of any private swimming pool in the Town of Scott.

§ 314-8. Plans.

Each permit application shall be accompanied by plans showing:

- A. The proposed location of the swimming pool on the lot or parcel.
- B. The distance to lot lines and existing buildings and structures.
- C. The location of any septic tank, drain field, or sewer or water line.
- D. Pool dimensions and proposed water depth.
- E. Type, height and location of proposed fences.
- F. Location of overhead and/or underground wiring and power lines relative to the proposed swimming pool.

§ 314-9. Permit fees. ¹

Permit fees for swimming pools, including fencing, are established and updated by resolution of the Town Board.

§ 314-10. Setbacks.

All private swimming pools shall comply with the setback regulations set forth in Chapter 375, Zoning, of the Code of the Town of Scott, maintaining a minimum of 12 feet from adjoining property, and the water line of all private swimming pools shall be located at least 10 feet from any building or structure. No aboveground private swimming pool shall be located closer than five feet to any septic system.

§ 314-11. Fencing.

All pools shall be encompassed by fencing as provided in this section. A variance to the maximum height may be granted under Article XII of Chapter 375, Zoning. Under no circumstances may the minimum fence height requirements of this section be varied.

- A. The fence must be able to withstand 200 pounds of force in any direction.
- B. The fence shall be so constructed and designed as to prevent penetration of an object greater than six inches in diameter.
- C. Any gate leading from the pool area to any open adjoining property shall be constructed with a latch so as to be capable of being locked and shall be closed and

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

secured so as to prevent unlatching by persons outside the pool area when the pool is not in use.

- D. Permanent in-ground pools shall be encompassed by a freestanding fence not less than 50 inches nor more than 72 inches from ground level. Such fence shall be no less than 36 inches from the pool edge at its nearest point.
- E. An aboveground pool with self-providing fencing is deemed to comply with the provisions of this section, provided that such self-providing fence is a minimum of 60 inches in height, is sufficient to prevent unguarded entry and conforms to all other applicable ordinances of the Town.
- F. Portable pools, spas and hot tubs over 12 inches in depth shall be fenced as specified in this section or shall be drained or covered after each day's use in such a manner as to provide for the safety of the public.

§ 314-12. Public swimming pools.

No person shall operate a public swimming pool (any swimming pool operated for financial gain) on any premises zoned residential or agricultural.

§ 314-13. Electrical regulations.²

"Electrical service or installation" shall mean any act associated with the installation, alteration or maintenance of electrical wiring, equipment or devices which requires the use of tools. No electrical service or installation shall be connected or energized by a power company until such service or installation is inspected for compliance with the Uniform Dwelling Code³ and approved by the Town of Scott Electrical Inspector.

§ 314-14. Plumbing regulations.

No person shall engage in any plumbing work in the Town of Scott unless licensed to do so in accordance with § 145.06, Wis. Stats. All plumbing services or installations of equipment shall be inspected by the Town of Scott Plumbing Inspector for compliance with the Uniform Dwelling Code.⁴

§ 314-15. Violations and penalties.⁵

Any person violating the provisions of this chapter or any rule, regulation, or order made thereunder shall be subject to a penalty of not less than \$50 nor more than \$500. Each day of violation shall constitute a separate offense.

². Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

³. Editor's Note: See Ch. 35, Building Construction, Art. I.

⁴. Editor's Note: See Ch. 35, Building Construction, Art. I.

⁵. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).