

Part 193

193.000

SWIMMING POOL ORDINANCE*

Ord. No. 682

Adopted: September 10, 1968

193.001 Definitions.

Sec. 1. For the purpose of this ordinance certain terms are defined as follows:

- (a) The term "*swimming pool*" shall mean any structure, container, or pool, portable or nonportable, having a depth of three feet or more at any point and designed or used for swimming, wading, or bathing.
- (b) The term "*person*" shall include all individuals, firms, or corporations, and the singular shall include the plural, the masculine and the feminine.

193.002 Permits.

Sec. 2.

- (a) No person shall construct a swimming pool in the Township of Lincoln without first securing a permit from the building inspector of the Township of Lincoln.
- (b) Application for such permit shall be made to the building inspector, shall show the name of the owner, the location, size, depth and capacity of the swimming pool and such other information deemed necessary for the protection of the public health and safety as the building inspector may from time to time require.
- (c) Fees for building permits shall be collected in amounts as provided in the Lincoln Township zoning ordinance from time to time.
- (d) Construction shall be completed within six months from the date the permit is issued and if not so completed the permit shall thereafter be deemed null and void.
- (e) No new swimming pool shall be used until it has been finally inspected and approved by the building inspector.
- (f) Any person receiving a permit shall at the same time receive a copy of this ordinance, which must then be kept readily accessible.

193.003 Safety requirements.

Sec. 3.

- (a) All swimming pools shall be enclosed by a fence of a type not readily climbed by children and at least four feet in height, with a gate that is self-closing and self-latching, and securely locked when the swimming pool is unattended or uncovered.

*Cross references—Outdoor assembly ordinance, Pt. 21; zoning ordinance, Pt. 230.

- (b) Service drop conductors and any other open overhead wiring shall not be installed above the swimming pool or surrounding area extending ten feet horizontally from the pool edge, or diving structure, observation stands, towers or platforms.
 - (c) All electrical wiring, outlets, appliances, or devices, shall be installed, water-proofed and grounded, in accordance with the electrical code in effect in the State of Michigan.
 - (d) All swimming pools shall be constructed or placed not nearer than five feet from the side or rear lot lines or from any house, building or residence, and not less than 50 feet from a front lot line.
 - (e) No person shall maintain an outdoor swimming pool without providing adequate supervision at all times when the swimming pool is in use.
 - (f) All plumbing shall be installed in conformity with applicable ordinances of the Township of Lincoln and the laws of the State of Michigan.
- (Amended: Amend. eff. 5-14-84; Amend. eff. 9-9-97; 11-9-99)

193.004 Sanitary measures.

Sec. 4.

- (a) No swimming pool shall use or contain water which has not been sterilized or treated with chlorine, bromine, or other disinfecting agent approved by the township board of health and/or county health department and installed or injected in a manner approved by the township board of health and/or county health department.
- (b) Water used in all swimming pools shall be obtained only from private wells or municipal water supplies, or any other source of water approved by the township board of health and/or county health department.
- (c) All water used in swimming pools with a surface area of 100 square feet or greater shall be filtered, chlorinated or treated, and recirculated at least every 12 hours.

- (d) Scum drain troughs and line, or adequate skimming devices, shall be in proportion to the size of the pool and shall be vented at the extreme ends. A backwater valve shall be installed in the scum drain before connecting to the sewer, if sewer is available.
- (e) All drains for swimming pools shall be connected to the public sewer, if and when available unless otherwise adequately provided for.
- (f) All water used in swimming pools shall be kept in a pure and safe condition at all times and the township board of health and/or county health department is hereby authorized and directed to take water samples from any pool at reasonable times for the purpose of analyzing the same. All swimming pools shall contain testing devices capable of accurately measuring both the chlorine residual and the pH factor. The acidity-alkalinity residual (pH factor) shall be maintained between 7.2 and 7.6. In the event the township board of health and/or county health department shall determine that the water used in any swimming pool is unsafe, he shall notify the owner or the person in charge that the water is unsafe and impure and if the condition is not corrected within 24 hours after such notice has been given, it shall be deemed a public nuisance and shall be subject to abatement or penalty as set forth in the Lincoln Township Nuisance Ordinance.

193.005 Other requirements.**Sec. 5.**

- (a) All concrete pools shall be painted with a phenolic base paint or equivalent sealer.
- (b) All illuminating lights shall be erected, installed, shielded, arranged and operated as to prevent annoyance to neighboring premises.
- (c) All swimming pools shall be constructed and operated in conformity with the rules and regulations of the Michigan Department of Health, and all applicable laws of the State of Michigan, as well as the provisions herein contained. In the event any rule or law of the State of Michigan shall conflict with the provisions of this ordinance, the law or provisions imposing the higher standard or the more stringent requirement shall control.
- (d) No loud, offensive or unnecessary noise or sounds shall be permitted to emanate from said pool or areas in such a manner as to be contrary to the provisions of the Lincoln Township Anti-Noise Ordinance.

193.006 Penalties.

Sec. 6. Any person, firm, or corporation who shall violate the provisions of this ordinance shall, upon conviction, be punished by a fine not to exceed \$100.00

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or by imprisonment not to exceed 90 days, or by both such fine or imprisonment, at the discretion of the court. Each day that a violation shall continue shall constitute a separate offense. The provisions of this ordinance may also be enforced by suit for injunction, damages, or other appropriate legal action.

193.007 Effective date; repeal.

Sec. 7. This ordinance shall take effect on October 23, 1968. All ordinances or parts of ordinances in conflict herewith are hereby repealed.