

**PARK & RECREATION COMMITTEE MEETING
THURSDAY, SEPTEMBER 12, 2019
4:30 PM, DENMARK VILLAGE HALL**

1. Call to Order/Roll Call
2. Review Ordinance 315-21 Pools and Spas for possible recommendation of modification to the Village Board
3. Adjourn

Accommodation Notice

Any person requiring special accommodation who wishes to attend this meeting should contact the Village Hall 920-863-6400 at least 48 hours in advance.

NOTE: It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above noticed meeting to gather information; no action will be taken by any governmental body at the above noticed meeting other than the governmental body specifically referred to above in this notice.

Chapter 315. Zoning

Article I. Introduction

§ 315-8. Definitions.

Certain words and terms in this chapter are to be interpreted as defined herein:

SWIMMING POOL

Any depression in the ground, either temporary or permanent, or container of water, either temporary or permanent, either above ground or below ground, which is used primarily for the purpose of wading or swimming, which shall cause retaining of water over a depth greater than 18 inches and/or having a larger plane surface of water greater than 150 square feet.

SWIMMING POOL, PORTABLE

A container of water less than 18 inches in depth that can be readily disassembled for storage and assembled to its original integrity.

Chapter 315. Zoning

Article II. General Provisions

§ 315-21. Pools and spas.

All swimming pools or spas as defined by this chapter are accessory structures and shall meet all the following requirements of this section. This includes pools or spas intended as a permanent installation and pools and spas that will be used only for temporary use and are not intended for permanent installation.

- A. No pool or spa intended as a permanent installation shall be constructed unless a permit has been obtained from the Building Inspector. A fee will be required for the permit. An application for this permit shall be made on a form furnished by the Village and shall be accompanied by complete plans and specifications for the pool or spa, including the type and location thereof with respect to the boundary lines of the land of the applicant.
- B. Pools, hot tubs, or spas may not be located in the front yard, corner side yard, and interior side building setbacks of interior lots.
- C. Pools, hot tubs, or spas shall maintain a rear and side yard setback of 10 feet from the adjoining property. In determining the setback for aboveground pools and spas with permanent fencing or decks, any deck or similar structure shall be considered part of the pool or spa.
- D. A fence of not less than four feet in height, measured from grade, shall completely enclose all swimming pools, hot tubs, and spas with the following exceptions:
 - (1) Hot tubs and spas do not need fence protection as long as their covers can be fastened and key locked when unattended.
 - (2) When decks surround or adjoin an aboveground swimming pool, hot tub, or spa, a three-foot minimum height guardrail mounted to and measured from the deck surface to the top of the guardrail will be considered as meeting the fencing requirements as long as the design and construction regulations of this section are complied with and the overall vertical measurement from grade (ground) level to the top of the guardrail is a minimum height of four feet. Sides of stairs and gates leading to a deck shall also comply with this section.
- E. The fence must be constructed and designed so as to prevent penetration of an object greater than four inches in diameter.
- F.

All such fences shall be constructed with a self-latching or -locking door or gate which complies with all other height and structural requirements for required fencing for pools and spas.

- G. Fences shall be able to withstand 200 pounds of force in any direction and shall be properly maintained in a good state of repair and appearance.
- H. The required fence shall not be greater than eight feet in height and shall not be closer than four feet to the pool or spa at its nearest point.
- I. All gates or door openings through a fence enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device designed to keep such gate or door securely closed. All gates or doors shall comply with all other height and structural requirements of this section.
- J. Portable pools do not need fence protection but must be drained or covered in such a manner as to provide public safety when left unattended.

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

National Drowning Prevention Alliance-

1. Never leave a child unattended near water in a pool, tub, bucket or ocean. There is no substitute for adult supervision.
2. Designate a "Water Watcher" to maintain constant watch over children in the pool during gatherings.
3. The home should be isolated from the pool with a fence at least 60" tall, with a self-closing, self-latching gate. The gate should open away from the pool, and should never be propped open.
4. Doors and windows should be alarmed to alert adults when opened. Doors should be self-closing and self-latching.
5. Power-operated pool safety covers are the most convenient and efficient. Solar/floating pool covers are not safety devices.
6. Keep a phone at poolside so that you never have to leave the pool to answer the phone, and can call for help if needed.
7. Learn CPR and rescue breathing.
8. Keep a life-saving ring, shepherd's hook and CPR instructions mounted at poolside.
9. Do not use flotation devices as a substitute for supervision.
10. Never leave water in buckets or wading pools.
11. If a child is missing, always check the pool first. Seconds count.
12. Remove toys from in and around the pool when not in use.
13. Don't use floating chlorine dispensers that look like toys.
14. Instruct babysitters about potential pool hazards, and emphasize the need for constant supervision.
15. Responsibilities of pool ownership include ensuring children in the home learn to swim, and that adults know CPR.
16. Do not consider children "drownproof" because they've had swimming lessons.

American academy of Pediatrics

Automatic pool covers (motorized covers operated by a switch). Pool covers should cover the entire pool so that a child can't slip under them. Make sure there is no standing water on top of the pool cover. Be aware that floating solar covers are not safety covers

Home Pool and Hot Tub Maintenance and Safety

Take Action to Prevent Drowning, Secure your pool or hot tub with barriers such as these:

- Surround the entire pool with a fence or barrier that is at least 4 feet high, has a self-closing and self-latching gate and is designed so that a child cannot climb over, under, around or through it.
- Remove or enclose steps or ladders to prevent access to an above ground pool.
- Mount a lockable structural barrier that fully encloses the top of a hot tub and will not collapse under the weight of a child.

Home pool drowning is a leading cause of death for children younger than 5.

Consider placing a safety cover that meets safety standards over the pool and/or installing alarms on doors or in the pool to detect unauthorized access. Underwater alarms work best.

ALways keep children under active supervision