

# Summary of Swimming Pool Regulations

## CITY OF WADSWORTH

- 1) Installations of above or in ground pools capable of holding more than 24” of water require a Zoning Certificate from the City Planning Department. The zoning application must include the pool dimensions; and the location of the pool and any fencing in relation to the side, rear and front property lines.
- 2) “Kiddie” pools, wading pools and/or other inflatable/portable pools that contain less than 24” of water, shall not be required to obtain a zoning permit, but should nonetheless adhere to setbacks requirements noted above.
- 3) Detached pools are required to be 5 ft. from the rear and side property lines, and 25 to 50 ft. from the front line depending on zoning district. (Corner lots are considered to have two front yards).
- 4) Deck surrounds on above ground pools or patios surrounding in ground pools must also meet 5 ft. setback requirements.
- 5) A 4 ft. high fence, impassable by small children, is required for structures that contain 24” or more of water. Pools whose sides (or attached fencing), are 48” or greater above grade meet this protection requirement, and don’t require additional fencing. All pools/fencing must have a locking gate or removable stairs and must comply with the City of Wadsworth Ordinance §93.09 and §152.036 included on the back of this sheet.
- 6) Electrical wiring installations associated with permanently installed above or below ground pools, hot tubs etc. including
  1. Circulation, filtration & heating equipment; or
  2. Installation of outlet receptacles; or
  3. Installation of lighting- require an electrical permit from the City Building Department and may be obtained by a licensed contractor, or a resident homeowner who performs the work himself. The wiring must be in compliance with the 2011 National Electric Code.

\*Exception: UL approved “cord and plug” circulation systems storable pools - (pools not capable holding more than 42” of water) – or for non-metallic, molded polymeric or inflatable fabric walls regardless of dimension, may be connected to a GFCI outlet *in compliance with the manufacture’s instructions*, without an Electric Permit. (Installation of an outlet receptacle *does* require an electric permit).

- 7) Current Permit Costs for Residential Pools:

Zoning Permit	\$25.00
Electric Permit	\$50.00

Additional information may be obtained from the City of Wadsworth at 330-335-2753.

### **§ 93.09 FENCING REQUIRED AROUND BODIES OF WATER.**

(A) No person being the owner of land containing a swimming pool, or other body of water whose design and location constitutes a drowning hazard to children, shall fail to enclose such swimming pool or other body of water with a fence maintained in such a condition as to prevent the passage of children to fence height of four feet in compliance with the city Building Code. Such fences may contain gates, provided they are kept closed with a locking device except when in actual use by persons entitled to enter the enclosed area. This section does not apply to any swimming pool or other body of water located entirely within a building or owned by any governmental entity.

(B) It shall be an affirmative defense to a charge under division (A) above, that the swimming pool, or open body of water involved was less than 24 inches at the time of the alleged violation.

(C) Whoever violates division (A) above shall be guilty of a minor misdemeanor. Each day of violation shall constitute a separate offense. ('65 Code, § 521.12) (Ord. 107-76, passed 11-16-76; Am. Ord. 02-049, passed 4-23-02)

### **§ 152.036 SWIMMING POOLS.**

Residential swimming pools shall be maintained in good repair, and in a clean, safe and sanitary condition, that is not a nuisance to the general public.

(A) *Enclosures.* Private swimming pools, hot tubs and spas containing or designed to contain, water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level, measured on the side of the barrier away from the pool. The barrier may be the pool structure, or may be mounted on the pool structure. Openings between grade and the barrier, or the top of the pool structure and barrier (when the top of pool is less than 48 inches above grade), shall be no more than 4 inches. Gates and doors in such barriers shall be self-closing and self-latching. Where the self latching device is located less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. No existing pool enclosure shall be removed or replaced in a manner that reduces its effectiveness as a safety barrier.

(1) Exception: Spas or hot tubs with an approved safety cover shall be exempt from the provisions of this section.