

Chapter 23

Swimming Pools

Part 1

Construction and Maintenance

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Part 1**Construction and Maintenance****§23-101. Short Title.**

This Part shall be known and may be cited as the "Swimming Pool Ordinance of the Borough of Shillington."

(*Ord. 380, 4/28/1960, §1*)

§23-102. Definitions.

For the purpose of this Part the following terms, phrases, words, and their derivations shall have the meaning given herein:

Borough - the Borough of Shillington.

Borough Council or Council - the Borough Council of Shillington.

Person - any person, firm, partnership, association, corporation, company, or any organization of any kind.

Family pool - any constructed pool which is used, or intended to be used, as a swimming pool in connection with a single-family residence and available only to the family of the household and his private guests; provided, it shall not include a pool having a depth of less than 18 inches.

Swimming pool - a body of water in an artificial or semi-artificial receptacle or other container whether located indoors or outdoors, used or intended to be used for public, semipublic or private swimming by adults or children, or both adults and children, whether or not any charge or fee is imposed upon such adults or children, operated and maintained by any person as herein defined, whether he be an owner, lessee, operator, licensee or concessionaire, exclusive of a family pool as defined herein, and shall include all structures, appurtenances, equipment, appliances, and other facilities appurtenant to and intended for the operation and maintenance of a swimming pool, and also all swimming pools operated and maintained in conjunction with or by clubs, motels, hotels and community associations. Any municipal swimming pool owned and operated by the Borough of Shillington on Borough property is hereby excepted from the provisions of this Part.

(*Ord. 380, 4/28/1960, §2*)

§23-103. Permit Required.

1. Before work is commenced on the construction of a swimming pool or family pool or any alteration, addition, remodeling or other improvement to such pool, an application for a permit to construct and the plans and specifications and pertinent explanatory data shall be submitted to the Borough Manager for his approval, and no part of the work shall be commenced until the Borough Manager has granted such approval by the issuance of a written permit. The application to the Borough Manager for a permit to construct or remodel such pool shall be submitted in such manner and form as the Borough Manager may require pursuant to any rules and regulations

promulgated hereunder, and further subject to any other pertinent ordinance or rules and regulations of the Borough.

2. No permit to construct or remodel a swimming pool, family pool, wading pool, or portable pool shall be issued to permit installation on any property accessible to the sewer system unless and until said property is connected with the said sewer system. (*Ord. 380, 4/28/1960, §3*)

§23-104. Information to Accompany Application for Permit.

Plans, specifications and pertinent explanatory data required to be submitted in connection with an application for a permit to construct or remodel a swimming pool or family pool shall comply with the following requirements and include the following plans and information as well as such other data as may be reasonably required by the Borough Manager:

A. Plans shall be drawn to scale indicating all dimensions, including the length, width and depth of the pool deck and shall contain a plot plan showing the location of the pool on the lot.

B. A profile view showing the same information shall be provided.

C. A description of the skimmers and/or scum gutters including a cross-section thereof.

D. Piping diagrams showing size of all pipes, inlets, outlets, make-up water lines, vacuum lines, waste and discharge lines, circulation and other piping, excluding therefrom portable pools.

E. The pool equipment room layout, showing filters, their location, pumps, chlorinators, chemical feeders, flow meter gauges, sight glass, strainers, hair and lint interceptors, dimensions of filter room, its location, floor drain, sumps, and other pertinent information.

F. The liquid capacity of the pool.

G. The kind, number, and size of filters, including the square footage of the filter area in each pool.

H. Capacity in gallons per minute of filter.

I. The type, kind and description of chlorinator.

J. A description of the following: chemical feeders for soda ash and alum, gauges and water-flow meter and type and range of testing equipment, including chlorine.

(*Ord. 380, 4/28/1960, §4*)

§23-105. Design and Construction Requirements.

In addition to such other requirements as may be reasonably imposed by the Borough Manager through rules and regulations promulgated hereunder, the Borough Manager shall not issue a permit to construct or remodel a swimming pool or family pool except portable pools unless the following design and construction requirements are observed:

A. *Material.* The material used for lining artificial swimming pools or family pools shall be one which is light in color, is impervious, and will provide a tight

tank with smooth and easily cleaned surfaces. Sand or dirt bottoms therefore are prohibited. In order to prevent collapse in below-surface pools all structural standards shall conform with those set by the respective steel and concrete institutes; in all above-surface pools the structural standards shall conform to the standards of the institutes of applicable materials or Federal specifications relating thereto.

B. *Drainage.* To provide drainage when necessary, all pools shall be available to the owner's sanitary sewer and discharge from the same shall be made to said sanitary sewer in conformity with the provisions of the Borough Plumbing Code [Chapter 5, Part 2]. When available, and if approved by the Borough, the use of the Borough's storm sewer may be used for such purpose.

C. *Walls, Markings and Slope.* Conspicuous markings shall be provided on the walls showing the location and depth of the shallow and deep portions, and the location and depth of the points where the slope of the bottom of the pool changes. Special markings shall be necessary for large or odd-shaped pools as prescribed by the Borough Manager.

D. *Overflow Gutters.* Overflow gutters shall be provided extending completely around the pool, having adequate drainage of overflow water away from the pool.

E. *Inlets and Outlets.* All swimming pools shall be provided with at least two outlets, at the deepest point, of sufficient size to permit the pool to be completely drained or emptied, as prescribed by the Borough Manager. The outlet openings in the floor of the pool shall be located at maximum of 20 feet, center to center, and designed to reduce suction currents and shall be covered with a proper grating sized at least four times the pipe size. Inlets for fresh or re-purified water shall be submerged and located so as to produce as nearly as possible a uniform circulation of water through the entire pool.

F. *Water in Pool.* The water in the pool shall at all times be maintained clean and sanitary. From May through September the water used shall be analyzed, tested and used in accord with the chemical content of water as prescribed by the rules and regulations of the Department of Environmental Protection, Commonwealth of Pennsylvania, (see 25 Pa.Code §§195.29 - 195.31) for the preservation of public health and reports thereof shall be filed with the Borough Manager. The chemical content and quality of water in such pools shall be such as not to be injurious to the health of the users of said pools, and shall at no time be contrary to the rules and regulations of the Department of Environmental Protection, Commonwealth of Pennsylvania, for the regulation of pools. [Ord. 1025]

G. *Recirculation.* Provision shall be made for a complete circulation of water through all parts of the pool except portable pools. The system shall be constructed so that a "turnover" of at least one time in each 6-hour period shall be provided. A satisfactory recirculating system for the swimming pool or family pool shall be installed consisting of circulating pumps, chemical dosing equipment (alum and alkali) or surge tank, float valve control on water supply, hair and lint catcher, chlorinator, indicator, recording and totalizing instrument, flow meters, pressure gauges, and piping connections to inlets and outlets, and all other necessary fixtures and connections.

H. *Shower Baths.* Limited to swimming pools, adequate shower facilities with

hot and cold water and adequate in number for both males and females shall be provided.

I. *Hair and Lint Interceptors.* Limited to swimming pools, hair and lint interceptors shall be installed so that all water drawn from the pool for recirculation shall pass through the hair and lint interceptors before reaching the filter.

J. *Drinking Water and Lavatory.* Lavatory facilities and drinking water supplies shall be adequate in quality and quantity.

K. *Walks.* Walks providing ingress and around the pool must be provided and shall be at least 3 feet in width and satisfactorily drained completely around pool.

L. *Lighting.* Satisfactory lighting must be provided for all accessory and appurtenant facilities.

M. *Hose.* Hose connections and hose must be of ample size and pressure to clean all of the pool area.

N. *Steps.* Steps and ladders must be made of an impervious material, easily cleaned and must be so designed as not to collect water when the water is lowered in the pool.

O. *Disinfecting Equipment.* Disinfecting equipment adequate for the purpose must be provided as an integral part of the pool, except for portable pools.

P. *Accessibility of Equipment.* Limited to swimming pools, all equipment must be readily accessible and every pool shall be provided with necessary equipment for the measurement of acidity or alkalinity and for residual determinations. The equipment room shall be satisfactorily located and adequately drained.

(*Ord. 380, 4/28/1960, §5; as amended by Ord. 1025, 10/14/2004*)

§23-106. Location on Lot.

No pool shall be constructed in the front of any property. The pool may be constructed on the side or rear yards, but in no event shall the pool, including the walkway, be closer than 10 feet from the side or rear lot line or any excavated space under the structure.

(*Ord. 380, 4/28/1960, §6*)

§23-107. Portable Pools.

All portable pools or non-filtered pools shall be limited in size to 150 square feet; in surface water and 18 inches in depth. In emptying and draining portable pools under no circumstances shall the resulting drainage be permitted to flow into or through the drainage gutters of the Borough. These pools shall not be subject to other provisions of this Part relating to recirculation of water.

(*Ord. 380, 4/28/1960, §7*)

§23-108. Enclosure of Pool.

1. Every outdoor swimming pool or family pool shall be completely surrounded by a fence or wall not less than 5 feet in height which shall be so constructed as not to have any openings, holes or gaps larger than 3 inches in any dimension except for doors and gates; and if a picket fence is erected or maintained, the horizontal dimension shall

not exceed 3 inches. A dwelling house or accessory building may be used as part 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.

2. The enclosure 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 maximum depth of more than 18 inches of water. No person in possession of land within the Borough, either as owner, purchaser, lessee, tenant or a licensee, upon which is situated a swimming pool or family pool having a minimum depth of more than 18 inches shall fail to provide and maintain such fence or wall as herein provided.

(*Ord. 380, 4/28/1960, §8*)

§23-109. Safety of Bathers.

All reasonable precautions shall be taken to protect the users of and bathers in swimming pools and family pools from injury or accident. Convenient means of ingress and egress shall be provided and the depth of water and any irregularities of the bottom shall be clearly indicated. Safety appliances such as life buoys, life hooks, bamboo poles, or ropes and equipment including first-aid kits shall be provided and be readily accessible. A sufficient number of attendants shall be on duty when the swimming pool is in use who shall be capable swimmers, competent in lifesaving methods and artificial resuscitation.

(*Ord. 380, 4/28/1960, §9*)

§23-110. Cleaning Pool.

Visible dirt on the bottom of any pool, visible scum or floating matter on the surface thereof shall be removed at least once daily and more often if necessary to maintain sanitary conditions. All swimming pools shall be thoroughly cleansed at least once each week in a manner and by the use of such disinfecting agents or cleansing materials as may be required by the Borough Manager or the Pennsylvania Department of Environmental Protection.

(*Ord. 380, 4/28/1960, §10; as amended by Ord. 1025, 10/14/2004*)

§23-111. Periodical Inspections.

The Borough Manager or Borough Health Officer shall inspect or cause to be inspected all swimming pools and family pools within the Borough at such times as it may deem necessary to carry out the intent of this Part. The Borough Manager and/or Borough Health Officer is hereby authorized to enter upon any premises, private or public for the purpose of such inspection and to take samples of water from such pools at such times as it may deem necessary and to require the owner, proprietor or operator to comply with the rules and regulations pertaining to pools in accordance with this Part. In the event of the failure of compliance, after due notice, with the rules and regulations or the requirements of this Part, the Borough Manager shall have the power to abate or cause a suspension of the use of such pool until such time as the same is, in the opinion of the Borough Manager, no longer a menace or a hazard to

health, safety or morals.

(*Ord. 380, 4/28/1960, §11*)

§23-112. Interference with Enjoyment of Property Rights Prohibited.

No swimming pool or family pool shall be so located, designed, operated or maintained as to interfere unduly with the enjoyment of their property rights by owners or property adjoining the swimming pool or family pool located in the neighborhood.

(*Ord. 380, 4/28/1960, §12*)

§23-113. Shielding Lights.

Lights used to illuminate any swimming pool or family pool shall be so arranged and shaded as to reflect light away from adjoining premises.

(*Ord. 380, 4/28/1960, §13*)

§23-114. Indecent Exposure.

Every person using an outdoor swimming pool or family pool, or an indoor swimming pool where the sexes are mixed, must wear a bathing suit or other suitable garment to protect his person from indecent exposure.

(*Ord. 380, 4/28/1960, §14*)

§23-115. Fees.

The following fees shall be established from time to time by resolution of Borough Council:

1. The fee for a permit to construct a swimming pool or family pool.
2. The fee to construct any additions, improvements, alterations, or for the remodeling of an existing swimming pool or family pool.
3. The annual fee for a license to conduct, operate and maintain a swimming pool.

(*Ord. 380, 4/28/1960, §15; as amended by Ord. 1025, 10/14/2004*)

§23-116. Right of Appeal.

The Borough Manager shall act upon all applications within 30 days from the filing of such application with the Borough Manager. Any person aggrieved by any decision of the Borough Manager in refusing a permit may appeal therefrom within 10 days to the Council of the Borough of Shillington which shall act upon such appeal within 30 days. Any person further aggrieved by the decision of the Borough Council relative to such permit may further appeal therefrom within 20 days to the Court of Common Pleas of Berks County, Pennsylvania.

(*Ord. 380, 4/28/1960, §16*)

§23-117. Polluted Water.

No body of water, whether it be a natural or an artificial body of water in the Borough which contains sewage, waste or other contaminating or polluting ingredients

rendering the water hazardous to health shall be used for swimming or bathing purposes by any person or persons.

(*Ord. 380, 4/28/1960, §17*)

§23-118. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$1,000 and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 380, 4/28/1960, §18; as amended by Ord. 525, 7/17/1970, §1; and by Ord. 1025, 10/14/2004*)

§23-119. Water Source.

All owners of pools must supply water for the pool from their own source of supply through a meter.

(*Ord. 380, 4/28/1960; as added by Res. 4/28/1960*)

