

ORDINANCE NO. 1973 - M- 4

AN ORDINANCE AMENDING CHAPTER 13 OF THE MUNICIPAL CODE OF THE CITY OF ST. CHARLES, REGULATING THE DESIGN, CONSTRUCTION, OF ALL SWIMMING POOLS INCLUDING ALL NECESSARY APPURTENANCES, PROVIDING FOR THE ADOPTION OF REGULATIONS THERETO, WITH THE EXCLUSION OF POOLS THAT HAVE LESS THAN 24 INCHES IN DEPTH AND (a) SURFACE AREA THAT DOES NOT EXCEED 250 SQUARE FEET, OR (b) A VOLUME OF LESS THAN 3,250 GALLONS.

REFER TO:	
MINUTES	7-16-73
PAGE	1077

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS:

SECTION I. SHORT TITLE. This ordinance shall be known as the "SWIMMING POOL ORDINANCE", may be so cited, and will be referred to as this ordinance.

SECTION II. SCOPE:

Article 13.601. Purpose. The provisions of this Ordinance shall apply to all public, semi-public and private residential swimming pools as herein-after defined. The purpose of the Ordinance shall be to provide a guide for the design and construction of such swimming pools so that health and safety hazards will be minimized and satisfactory operation can be achieved.

Article 13.602. Definitions: The following definitions shall apply in the interpretation and enforcement of this Ordinance. The word "shall" as used herein indicates a mandatory requirement.

A. A PUBLIC POOL shall be defined as any pool, other than a residential pool, which is intended to be used collectively by numbers of persons for swimming or bathing and is operated by any person be he owner, lessee, operator, licensee, or concessionaire, regardless of whether a fee is charged for such use. So that we may refer within the standard to various types of public pools they are listed in the following categories:

Any municipal, community, public school, athletic club or swimming club pool or pool for other similar usage and type. Also, pools for motels and apartments, multiple housing units, and hotels, not open to the general public.

Country club and institutional pools, such as for Girl Scouts, Boy Scouts, YMCA, YWCA, Campfire Girls, boys camps, girls camps, and for other similar type usage.

B. For purposes of these standards, a RESIDENTIAL POOL shall be defined as any constructed pool, permanent or portable, which is intended for non-commercial use as a swimming pool by the owner family (ies) and its (their) guests, and which is over twenty-four inches (24") in depth and (a) has a surface area exceeding 250 square feet, or (b) a volume over 3,250 gallons.

Article 13.603. Residential Swimming Pool: Any constructed pool, permanent or portable, which is intended for non-commercial use as a swimming pool by the owner family (ies) and its (their) guests, and which is over twenty-four (24") in depth and (a) has a surface area exceeding 250 square feet, or (b) a volume over 3,250 gallons.

Article 13.604. Public Swimming Pool: Any swimming pool, other than a residential pool intended to be used collectively by numbers of persons for swimming or bathing and operated by any person as defined herein, whether be he owner, lessee, operator, licensee, or concessionaire, regardless of whether a fee is charged for such use, is subject to this Ordinance, all applicable codes and State laws.

Article 13.605. PERSON: Any person, firm, partnership, association, corporation, company, governmental agency, club or organization of any kind.

Article 13.606. Building Department: That department assigned jurisdiction over swimming pool construction.

### SECTION III. SUBMISSION OF PLANS AND SPECIFICATIONS

Article 13.607. No person shall begin construction of a private residential swimming pool or shall substantially alter or reconstruct any such pool without first having submitted plans and specifications to the Building Department for review and approval and without having received a permit from the Building Department for construction. The plans shall be prepared by a registered architect or professional engineer.\* All plans and specifications shall be submitted in duplicate (or additional copies as specified) and the Building Department shall arrange for review and approval of the plans and specifications by other appropriate departments concerned with such matters as zoning, electrical, structural, and plumbing requirements. A permit to construct, alter, or renovate shall be issued by the Building Department following approval of the plans including such approvals as may be required by other departments.

\*The determination as to qualifications shall be based on State laws or regulations.

Article 13.608. The application for permit to construct or remodel a residential or public swimming pool shall be on such forms as may be prescribed, together with any supporting data as may be required for the proper review of the plans by the Building Department.

Article 13.609. The swimming pool and facilities shall be built in accordance with the plans as approved unless approval of changes has been given in writing by the Building Department.

Article 13.610. The owner or his agent shall notify the Building and Health Departments at specific predetermined states of construction and at the time of completion of the swimming pool to permit adequate inspection of the swimming pool and related equipment during and after construction. Such inspection shall be performed on notification and at reasonable hours. The swimming pool shall not be placed in operation until such inspections show compliance with the requirements of this Ordinance.

Article 13.611. The criteria to be followed by the Building Department in the review and approval of plans shall be promulgated as Rules and Regulations as authorized by this Ordinance.

Article 13.612. The plans shall be drawn to scale and accompanied by proper specifications so as to permit a comprehensive engineering review of the plans including the piping and hydraulic details and shall include:

- A. Plan and sectional view with all necessary dimensions of the swimming pool.
- B. A piping diagram showing all appurtenances in sufficient detail as well as pertinent elevation data to permit an hydraulic analysis of the system.
- C. The specifications shall contain details and catalog identification on all treatment equipment used.
- D. Where the permit sought is for the construction, erection, or assembly of a swimming pool in the form of a complete kit or package sold as a unit, whether above, on, or below ground, the above set forth requirements as to the submission of plans and specifications shall be waived if there is on file with the Building Department the plans, specifications, adequate supporting data and the like as may be supplied by the manufacturer or vendor of the kit or package.

#### SECTION IV. DESIGN AND CONSTRUCTION FEATURES

Article 13.613. Design, construction, equipment and material standards for residential swimming pools as promulgated by the State of Illinois, Department of Public Health, Bureau of Environmental Health, BOCA Code and National Electrical Code shall be recognized by the Building Department as the prevailing regulations. No permit to construct, alter, or remodel shall be granted unless the pool conforms with these standards. The standards shall cover but not be limited to the following items:

1. Structural design.
2. Dimensional design.
3. Materials of construction.
4. Deck equipment (steps, ladders, stairs, diving boards and platforms).
5. Fences, enclosures and safety equipment.
6. Electrical requirements.
7. Water Supply.
8. Inlets and outlets.
9. Recirculation system (piping, fittings, filters, skimmers).
10. Skimmers.
11. Filters.
12. Pumps and strainers.
13. Valves.
14. Chemical treatment and disinfection.
15. Chemical feeding equipment.
16. Testing equipment.
17. Wastewater disposal.
18. Lifesaving and emergency equipment

Article 13.613 cont'd.

- 19. Accessibility to telephone
  - a. Posted Emergency
  - b. Service telephone numbers
  - c. Fire
  - d. Police
  - e. Ambulance
  - f. Hospital

SECTION V. REVOCATION OF PERMIT:

Article 13.614. The Building Department may revoke any permit for failure to comply with the duly promulgated regulations referred to in this Ordinance or in cases where the permit has been obtained through non-disclosure, misrepresentation, or misstatements of material facts.

Article 13.615. The permit shall be reissued upon proper application and upon presentation of evidence that the deficiencies causing revocations have been corrected.

SECTION VI. INSPECTION:

Article 13.616. The Building Department is authorized to conduct such inspections as it deems necessary to insure compliance with all provisions of this Ordinance and shall have right of entry at any reasonable hour to the swimming pool for this purpose. Health Department inspections will be made when necessary.

SECTION VII. FEES:

Article 13.617. The fee for a permit to construct or alter a private swimming pool shall be \$20.00 , or based upon cost of construction or alteration.

SECTION VIII. PENALTY:

Article 13.618. Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION IX. UNCONSTITUTIONALITY CLAUSE:

Article 13.619. Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

SECTION X. REPEAL AND DATE OF EFFECT:

Article 13.620. All ordinances, or parts of ordinances, in conflict with this Ordinance are hereby repealed and this Ordinance shall be in full force and effect immediately upon its adoption and publication as provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois  
this 16<sup>th</sup> day of July, 1973.

PASSED by the City Council of the City of St. Charles, Illinois  
this 16<sup>th</sup> day of July, 1973.

APPROVED by the Mayor of the City of St. Charles, Illinois  
this 16<sup>th</sup> day of July, 1973.

ATTES:

*Luella M. Hoffman*  
CITY CLERK

*Edward A. Sprist*  
MAYOR