

# Chapter 20

## Swimming Pools\*

**Art. I In General, §§ 20-1-20-15**

**Art. II Private Swimming Pools, §§ 20-16-20-33**

### ARTICLE I. IN GENERAL

**Secs. 20-1 –20-15. Reserved.**

### ARTICLE II. PRIVATE SWIMMING POOLS

**Sec. 20-16 Definitions.**

For the purposes of this article, certain terms are herewith defined.

*Private.* The term “private” shall mean that it is not open to the public, that it is not publicly owned, or not otherwise regulated by the state either by statute or by rules or regulations of one of its administrative bodies.

*Swimming pool.* The term “swimming pool” shall mean any artificially constructed pool capable of being used for swimming or bathing, having a depth of two (2) feet or more at any point. (Ord. Of 2-25-60, §1)

**Sec. 20-17 Permit.**

Any person desiring to construct or install, or cause to be constructed or installed, any private swimming pool upon property within the corporate limits of the City of Milan shall first apply to the building department for a permit to do so. The application for such permit shall be accompanied by any and all information, including a complete and detailed set of plans and specifications of the swimming pool, required and necessary for

**\*Cross references** – Buildings and building regulations, Ch. 6: fire prevention and protection, Ch.8; garbage, trash and refuse, Ch. 9; health and sanitation, Ch. 10; subdivisions, Ch. 19; water and sewers and sewage disposal, Ch. 24; zoning, App. A.

the determination of whether the construction or installation of the pool will comply with the provisions of this article and with the applicable city ordinances and resolutions of the city council. Before any permit shall be issued under this article, such plans and specifications shall be approved by the building department, and a permit fee shall be paid by the applicant to the city for each permit required by this article. The amount of such fee shall be calculated in the same manner as those specified for “building permits” in the official fee schedule adopted by resolution of the city council. Before any swimming pool shall be used, a final inspection and approval must be obtained from the building department.

(Ord. Of 2-25-60, § 2; Ord. No. C.O. 78-5, § 1, 8-14-78; Ord. No. C.O. 94-5, § 28, 5-9-94)

**Cross reference** – Licenses, Ch. 12.

### **Sec. 20-18. Location.**

Private swimming pools in the city shall not be any nearer than six (6) feet from the side or rear lot lines or from any house, building or residence unless the city inspector shall approve a shorter distance. If there are overhead power lines, a clearance of ten (10) feet is required from a vertical drop of the power line to the swimming pool. In addition, no swimming pool shall be located closer than one (1) foot from any recorded easement or within any easement or right-of-way which has been granted for public utility use.

(Ord. Of 2-25-60, § 3 Ord. No. 2003-01, § 4, 2-24-03)

### **Sec. 20-19. Walls and floors; materials, etc.**

Private residential swimming pool walls and floors shall be constructed of any material which will provide a tight tank and easily cleaned surfaces. The walls shall be of a smooth finish. The floor or bottom surface of the pool shall have a finish as smooth as practicable.

(Ord. Of 2-25-60, § 3)

### **Sec. 20-20. Structural design of walls.**

Nonportable private residential swimming pool walls shall be designed to withstand the water pressure from within and to

resist the pressure of the earth or ground water when the pool is empty to a pressure of twenty-two hundred (2,200) pounds per square foot.  
(Ord. Of 2-25-60, § 3)

**Sec. 20-21. Slope.**

The slope of the bottom of any private swimming pool in the city where the water is less than five (5) feet deep shall not be more than one (1) foot in each six (6), except at the deep end and at such point where the water is more than five (5) feet deep, there shall be securely installed into the walls of coping corrosion resistant fasteners on opposite sides of the pool to which shall be attached a life line with floats which shall not be more than five (5) feet apart.  
(Ord. Of 2-25-60, §3)

**Sec. 20-22. Location of wires; underwater lighting.**

No exposed electric wires shall be nearer than five (5) feet from the water's edge of any private swimming pool in the city. Any exposed and permanently installed electric wire within twenty-five (25) feet from the water's edge of the pool shall not be less than ten (10) feet above the ground. Wires of any kind shall not cross or be over the water surface unless otherwise approved by the city inspector. Any underwater lighting shall be accomplished by the use of methods and materials approved for such purposes.  
(Ord. Of 2-25-60, § 3)

**Sec. 20-22.1. Electrical requirements.**

Private swimming pools in the city shall require #8 solid wire or larger bonding, attached at every upright at the bottom edge of the swimming pool. All electrical installations or wiring in connection with swimming pools shall conform to the provisions of the National Electrical Code and will require an electrical permit be obtained from the building department prior to commencement of work.  
(Ord. No. 2003-01, § 5, 2-24-03)

**Sec. 20-23. Water Supply.**

No source of water other than that secured from the city waterworks distribution system shall be used in private residential swimming pools in the city. The line from the city water supply to the pool shall be protected against backflow of polluted water by means of an air gap and shall discharge at least six (6) inches above the maximum highwater level of the make-up tank or pool.

(Ord. Of 2-25-60, § 3)

**Sec. 20-24. Recirculating system; rate of application of water on filters.**

The entire recirculating system of any private swimming pool in the city shall be capable of filtering and recirculating the entire volume content of the pool during a twelve (12) hour period. The rate of application of pool water on the filters shall no be greater than (3) gallons per minute per square foot of filter area. The health department may approve other rates of recirculation or rates of application of water on the filters.

(Ord. Of 2-25-60, § 3)

**Sec. 20-25. Filter system.**

The construction of any private swimming pool in the city shall be made in such a manner that all scum, splash and deck water shall not return to the pool except through the filter system.

(Ord. Of 2-25-60, § 3)

**Sec. 20-26. To be kept clean.**

Any private swimming pool in the city shall be kept free at all times of floating material, sediment and debris either by an automatic surface skimmer, scum gutter or by some other means approved by the health department.

(Ord. Of 2-25-60, § 3)

**Sec. 20-27. Germicidal or bacterial control.**

A provision shall be made for positive germicidal or bacterial control of any private swimming pool in the city by the use of

chlorine, bromine or other such disinfecting agents as may be approved by the health department. Such disinfecting agents shall be applied to the pool water at a uniform rate. Provisions shall be made for adjusting the application thereof so as to keep the germicidal or bacterial protection of the water in the pool equal to a standard of 0.5 parts per million to 1.0 parts per million chlorine residual. Testing devices capable of accurately measuring such residual shall be provided.

(Ord. Of 2-25-60, § 3)

**Sec. 20-28. Connection of drain line to city sewer system.**

The drain line for any private swimming pool in the city may be connected to the city sewer system if the following provisions are complied with:

- (1) The pool drain shall be connected to the storm sewer if one is available.
- (2) Where a storm sewer is not available, the pool drain may be connected to a sanitary sewer or a combined sewer subject to the approval of the director of public works or his duly authorized representative.

(Ord. Of 2-25-60, § 3)

**Sec. 20-29. To be enclosed by a fence; gates; exception.**

All private swimming pools in the city to be constructed or installed or which are already constructed or installed shall be enclosed by a fence which shall be at least four (4) feet in height and which shall be of a type not readily climbed by children. The gates shall be of a self-closing and latching type with the latch on the inside of the gate, not readily available for children to open; provided, however, that if the entire premises of the residence is enclosed, then this provision may be waived by the city inspector upon inspection and approval of the residence enclosure.

(Ord. Of 2-25-60, § 3)

**Sec. 20-30. Disturbing the peace.**

(a) It shall be unlawful for any person to make, continue or cause to be made or continued at any private swimming pool in the city any loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

(b) In the operation of any private swimming pool in the city, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for the convenient hearing of any person who is in the swimming pool premises shall be unlawful.

(Ord. Of 2-25-60, § 5)

**Sec. 20-31. Inspection.**

The health department and the city inspector shall have the right at any reasonable hour to inspect any private swimming pool in the city for the purpose of determining that all provisions of this article are fulfilled and complied with.

(Ord. Of 2-25-60, § 6)

**Sec. 20-32. Violations; penalties; nuisances and abatement.**

(a) The violation of any provision of this article shall constitute a municipal civil infraction. Upon an admission or determination of responsibility for a municipal infraction referenced in this section, the violator shall be subject to a civil fine and costs in the amounts specified in the Official Municipal Civil Infraction Fines and Costs Schedule adopted by resolution of the city council. Each day that a violation of any provision of this article is permitted to exist shall constitute a separate violation or infraction.

(b) The violation of any provision of this article, including but not limited to any improper or incorrect installation, operation maintenance or use, shall also constitute a nuisance, and the city may, in addition to the civil infraction penalties specified in subsection (a) of this section, obtain abatement of such nuisance through commencement of a civil action or any other procedure available to the city at law or inequity.

(Ord. Of 2-25-60, § 8, Ord. No. C.O. 95-1, § 28, 1-23-95)

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**Sec. 20-33. Article not intended to amend or alter existing ordinances or state statutes.**

This article in no wise is intended to amend or alter any existing city ordinance or state statute, provisions of which are not converted in this article.  
(Ord. Of 2-25-60, § 7)

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