

## **SECTION 646 TOWN OF POMFRET SWIMMING POOL REGULATIONS**

A. Purpose - The primary purpose of this section is to promote the safe installation and maintenance of private swimming pools.

B. Conditions - Private swimming pools shall be required to meet the following conditions:

1. Permits - It shall be unlawful to maintain, construct, erect, install, modify, alter, demolish or change any swimming pool or to permit any such acts, without first obtaining a Zoning Permit and then only as an accessory to a dwelling for the private use of the owners or occupants of such dwelling and their families and guests.

2. Fences - Every permanent private swimming pool, and every portable private swimming pool less than 4 feet high, now existing or hereafter constructed, installed, established, or maintained, the wall or supporting structure of which is not at least 4 feet above ground level, shall be enclosed with a fence of durable construction of a type approved by the Building Inspector of not less than 4 feet in height or by a wall or a building or structure. A fence of similar construction and height erected on the lot lines, which, with additional fencing of any open areas completely encloses the pool area, shall be deemed a sufficient enclosure for the purpose of this section. All pools (in ground and above ground) shall be provided with 1 or more substantial, self-closing and self-latching gates or doors of at least the height of the fence, and said enclosure and gates or doors thereof shall be so designed and constructed as to reasonably prevent any person from gaining access beneath, through or over the same. Every gate or door of such fence shall be kept securely locked at all times when the pool is not in use. Every wading pool shall be enclosed by a durable wall, barrier or fence as described unless such outdoor wading pool is:

a. emptied when not in use or unattended; or

b. covered with a suitable, strong protective covering fastened or locked in place when not in use or unattended.

3. Health Standards - Such pool shall be maintained in a manner sufficient to meet the bacterial standards established by the provisions of the New York State Sanitary Code relating to public swimming pools.

4. Drainage - It shall be insured that provisions for the drainage of such pools are adequate and will not interfere with the public water supply system, or existing sanitary facilities.

5. Noise - Such pool shall be equipped with an integral filtration system and filter pumps or other mechanical devices which shall be so located and constructed as not to interfere with the peace, comfort, and repose of the occupant of any adjoining property.

6. Setback Requirements - Pool shall be installed in accordance with the area requirements of the appropriate district.

C. Preexisting Uses - Pools in existence prior to the enactment of this Law shall, within two months, comply with the following conditions in the previous paragraphs: B2, Fences; B3, Health Standards; and B4, Drainage.