

ARTICLE IV

Title 28

AN ORDINANCE: PROVIDING FOR THE REGULATION OF SWIMMING POOLS  
WITHIN THE LIMITS OF THE TOWN OF FELTON

WHEREAS, The presence of Swimming Pools within the limits of the Town of Felton is directly associated with the health, safety and welfare of the property owners the limits of the Town of Felton and the residents of the Town of Felton; and

WHEREAS, The installation of said Pools could, if improperly installed, cause injury and death to residents of the Town of Felton; and

WHEREAS, The Commissioners of the Town of Felton are vested with the responsibility of providing for the health, safety and welfare of the residents of the Town of Felton;

NOW, THEREFORE, BE IT ORDAINED that from and after the passage of this Ordinance the following regulations shall be in effect regarding the installation and maintenance of Swimming Pools within the limits of the Town of Felton:

Section 1 - All pools which are located in or on property within the limits of the Town of Felton, which are primarily used for swimming, shall comply in all respects with the requirements of the Zoning Ordinance of the Town of Felton so far as side yard set back are required, and so far as rear yard set backs are required, as each side yard or rear yard set back pertains to the particular district in which the Swimming Pool is located.

Section 2 - Any Pools installed or to be installed within the limits of the Town of Felton on which electrical work is to be performed, either on the Pool structure itself or within a

distance of fifteen (15) feet from the outer edge of the said Pool, shall be inspected and installed in compliance with the Electrical Code of the Town of Felton and shall be installed with the approval of the Electrical Inspector of the Town of Felton.

Section 3 - No person, firm, association or corporation shall install any Pool primarily used for swimming, of depth of twenty-four (24) inches or more, or of a square foot area of thirty-two (32) square feet or more, without the installation of a retaining fence at least four (4) feet high; said fence shall either be installed in such a way to encompass the entire yard area where the Pool is located, or shall be installed in the immediate vicinity of the Pool, so that in each instance small children shall not have access to the actual swimming area; and further, that in connection with the installation of said four-foot-high fence any and all gates shall be of a self-locking type or shall latch in such a way as to prohibit access by small children from the outside of such gate.

Section 4 - Any person, firm, association or corporation installing any Pool requiring the installation of the four-foot-high retaining fence shall first obtain a permit from the Building Inspector of the Town of Felton, and the application for such permit shall be accompanied by a detailed explanation and diagram of the type and location of the fence and or any gate providing access to the area where the Pool is to be located.

Section 5 - Any person, firm, association or corporation who desires to install a Pool with a capacity of five hundred (500) gallons or more, shall also provide a means of draining

such Pool directly into the Town Storm Drain System.

Section 6 - Water usage charges for any person, firm, association, or corporation using Town Water for an active swimming pool will be as follows:

(a) Non-metered customers with an active pool may install a water meter. For those customers not installing a meter, the initial filling charge and and draining and refilling charge will be based on pool capacity as follows:

POOL SIZE IN GALLONS	INITIAL CHARGE
500 up to 5,000	\$ 9.00
5,500 up to 10,000	\$13.50
10,000 and over	\$18.00

For customers who do not empty their pool, an annual topping off charge of \$1.00 per thousand gallons pool capacity will be included in the second quarterly billing with a maximum charge of \$10.00.

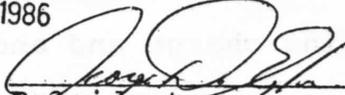
(b) For metered customers, the charge will be included in the normal water usage charge.

(c) The capacity of all pools within the Town Limits of the Town of Felton will be determined by the Building Inspector of the Town of Felton, and in connection therewith, any pool in excess of five hundred (500) gallon capacity and not more than one thousand (1,000) gallon capacity, being installed or located on property within the limits of the Town of Felton, shall obtain from the Building Inspector a permit for said installation, the cost of the said permit to be One (\$1.00) Dollar.

Section 7 - Any person, firm, association or corporation violating the provisions of this Ordinance shall, upon conviction, be fined a sum not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

EFFECTIVE DATE: 23 MAY 1986

This is a true and correct copy of the ordinance duly adopted by the Commissioners on 13 MAY 1986

  
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President

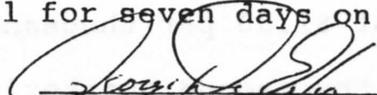
ATTEST:

  
\_\_\_\_\_  
Secretary

Date Adopted: 13 MAY 1986

Date Effective: 23 MAY 1986

Posted at the Felton Town Hall for seven days on 15 MAY 1986

  
\_\_\_\_\_  
President