

ORDINANCE NO. 71

PORTABLE SWIMMING POOLS

Section 1 Legislative Findings and Intent

It is hereby declared and found that the public interest requires the regulation of the use and maintenance of portable swimming pools. By this enactment, the Village Board of the Village of Island Park seeks to remove the danger of injury or drowning arising from the use of unprotected portable swimming pools.

Section 2 Definitions

Portable Swimming Pool – A portable swimming pool shall for the purpose of this ordinance, be construed to mean a body of water greater than eighteen (18) inches in depth and having a plane surface area larger than ninety-nine (99) square feet contained in a wholly or partially above ground level artificial or semi—artificial, collapsible or non—collapsible outdoor receptacle which is temporarily or permanently erected in whole or in part and maintained and used solely by the owner, tenant or lessee of the premises upon which the pool is situated and by his family or friends and guests invited to use it without payment of any fee.

Section 3

No portable family swimming pool shall be assembled, maintained, or used in the front yard of the premises;

(a) A swimming pool cover which encloses the exposed water area of the pool shall be securely fastened whenever the pool is left unattended. Such swimming pool cover shall be constructed of such material and fastened in such manner and be of adequate strength and design to prevent the use of the pool by infants and children when not accompanied by an adult. Adequate strength as used in this section shall mean the ability at all times to support a weight of at least sixty (60) pounds above the level of the water. This subsection shall not apply if adequate and durable fencing, which is at least five feet in height and which has been approved by the Building Department of the Village of Island Park, is erected so as to completely enclose the pool itself.

Such fencing shall have a gate or entranceway locked at all times when no adult is at the pool. Such gate or entranceway shall be equipped so that itself closes and snap locks. Nor shall this subsection apply if the sides of the pool are at least six feet in height and entrance can be gained only by use of a removable ladder which is detached from the pool when no adult is present and is kept locked in a secure place, out of reach of infants and children, or, if such ladder is retractable so that when no adult is present the bottom of the ladder is retractable so that when no adult is present the bottom of the ladder be at least six (6) feet above the ground.

Section 4

The provisions of this ordinance are hereby declared to be severable, and, if any section, sentence, clause or phrase hereof shall, for any reason, be held to be invalid, ineffective, in conflict with the regulations of the Federal Authorities or unconstitutional, such decision shall not affect the validity of the remaining portions hereof, but such portions shall remain in full force and effect.

Section 5

The violation of any provision of this ordinance shall be an offense against the ordinance which shall be punishable by a fine of not more than Fifty (\$50) Dollars, or imprisonment for a period not exceeding Thirty (30) days for each such offense, or by both such fine and imprisonment.

Section 6

This ordinance shall be known and cited as the "Portable Swimming Pools Ordinance of the Village of Island Park.

NOTE: This amendment enacted on August 5, 1965.