

Village of Durand Pool Zoning Permit Application

REQUEST

Name:	Phone:	Date:
Address:		

Call J.U.L.I.E. (1-800-892-0123) or (8-1-1) BEFORE DIGGING.

Will there be a simultaneous filing of a fence permit to enclose this pool? (Y/N): ____

Inspection Fee for Electric Hook-up (Filter/Heater)
Call Winnebago County Bldg. Dept. (815)319-4350
(No extension cords are allowed.)

Type of Pool:

Size ____x____x____ In-Ground 2,500 gallon capacity or more - Water over 24 inches deep
Size ____x____x____ Above Ground 2,500 gallon capacity or more - Water over 24 inches deep

Are **pool** plans and specifications included with application? (Y/N) ____

Are **fence** plans and specifications included with application? (Y/N) ____ (Needed for pools over 2 ft & under 4 ft. deep)

Plans and specifications must show:

- Location of the pool on the lot and distance from lot lines (10' from side lines; 15' from rear lines)
- Location, type, size of fence and gate location(s)
- NORTH orientation arrow
- Is there a septic system on the property?

Who is submitting this application?

Owner: _____

Renter: _____ Name: _____

Will pool be used for instruction or profit? (Y/N): _____ Property Owner Signature: _____

\$25.00 Zoning Permit Payment Received: _____

Property Pin #: _____ **Zoned:** _____

APPROVAL:

Approval Signoff:	Approval Date:
<p>_____ Pool plans and specifications approved by the Zoning Officer. _____ Fence plans and specifications approved by the Zoning Officer.</p>	
Pool Permit Issue Date: _____ Fence Permit Issue Date: _____ (if applicable)_	

DENIAL:

Denial Signoff: _____	Denial Date: _____	Reason: _____

DURAND MUNICIPAL ORDINANCE
Chapter Seven (7-57 to 7-65)

ARTICLE VI. SWIMMING POOLS

Sec. 7-57. Swimming Pool Defined.

A swimming pool shall mean any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground and aboveground swimming pools. Such pools shall be used solely for the enjoyment of the occupants of the premises on which they are located and their guests and not for instruction or profit. Portable wading pools (Kiddie Pools) having a depth of 24 inches or less shall not be considered to be "Swimming Pools" as applies to this Ordinance. **(Ord. 2003-3; 6-23-03)**

Sec. 7-58. Permit Required.

No person shall construct or cause to be constructed a swimming pool with a capacity of two thousand five hundred (2,500) gallons or more on any lot or premises within the Village without first obtaining a permit from the Village of Durand. The cost of the pool permit shall be **(\$25.00)** payable when the application for pool permit is filed. No additional fee shall be charged for the simultaneous filing of an application for a fence permit filed for the construction of a fence to enclose the pool referred to in the pool permit application. **(Ord. 2003-3; 6-23-03)**
(Ord. 2016-7-4; 10/10/16)

Sec. 7-59. Plans; Approval.

A written application for a pool permit shall be signed by an owner of the lot or premises on which the pool is proposed to be constructed, a beneficial owner of the lot or premises if the property is owned by a trust, or by the contractor or installer of the work to be performed and shall be filed with the Village Clerk and shall be accompanied by plans and specifications sufficiently detailed to enable determination of compliance with all requirements of this Article VI and shall include plans and specifications for the existence or construction of an enclosure (barrier) by proper fencing or other means as a safety measure. No swimming pool shall be constructed until the plans and specifications for same have been approved by the Superintendent of Public Works.

No swimming pool shall be constructed closer than ten (10) feet on any side-yard or fifteen (15) feet from any backyard property line. Swimming pools shall not be constructed in any front yard.

Application shall be on form(s) provided by the Village and shall be accompanied by the plans and specifications as hereinabove required and which plans and specifications shall also show the following:

- a. Location of the pool on the lot and distance from lot lines.
- b. Location, type, size of fence and gate location(s).
- c. NORTH orientation arrow.

(Ord. 2003-3; 6-23-03)

Sec. 7-60. Enclosures; (Barriers).

All swimming pools are required to be enclosed by a fence (barrier) or other structure. The following shall also apply:

- (a) The owner(s) of the lot or premises upon which a swimming pool is located or the beneficial owner(s) of the lot or premises if the property is owned by a trust and the tenant(s) of the lot or premises, in the event the lot or premises is occupied by a tenant(s), shall, at all times, maintain on such lot or premises a fence (barrier) or other structure completely surrounding the swimming pool. The fence (barrier) or other structure shall not be less than six (6) feet in height for in-ground pools and four (4) feet in height for aboveground pools that do not have a fence (barrier) mounted on top of the pool structure as herein permitted. The fence (barrier) shall have no gaps or apertures, other than door or gates, with any dimensions greater than four (4) inches.
- (b) Where the top of the pool is above grade by more than two (2) feet, such as an aboveground pool, the fence (barrier) may be a part of or mounted on top of the pool structure. Where the fence (barrier) is mounted in top of the pool structure, and access to the pool is by means of a ladder or steps, the maximum vertical clearance between the top of the pool structure and the bottom of the fence (barrier) shall be four (4) inches. The top of the fence (barrier) shall not be less than four (4) feet in height from the top of the pool structure to the ground immediately adjacent to any part of the pool structure. The ladder or steps shall be

capable of being secured, locked or removed to prevent access. When the ladder or steps are secured, locked or removed, any opening shall not allow the passage of a four (4) inch sphere.

- (c) Openings in the fence (barrier) or other structure shall not allow passage of a four (4) inch sphere.
- (d) Solid barriers such as masonry or stonewall shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
- (e) Chain link fences used as the barrier shall not be less than eleven (11) gauge and have a maximum mesh size of one and three-quarter (1-3/4) inches measured horizontally.
- (f) All gates or doors opening through a fence (barrier) or other structure shall be equipped with self-closing and self-latching devices placed at the top of such gates or doors and made inaccessible to small children. Such devices shall be so designed to be capable of keeping such doors or gates securely closed at all times when not in actual use; provided, however, that the door of any dwelling forming a part of the enclosure need not be so equipped. All gates and doors through which the swimming pool can be accessed must be kept closed and locked when the swimming pool is not in use. The owner(s) of the lot or premises on which a swimming pool is located or the beneficial owner(s) of the lot or premises, in the event the property is owned by a trust, or, in the event the lot or premises is occupied by a tenant(s), the tenant(s) occupying the said premises, shall be the person(s) responsible for keeping the gates and doors through which the swimming pool can be accessed, closed and locked at all times when the swimming pool is not in use. **(Ord. 2003-3; 6-23-03)**

Sec. 7-61. Repealed. (Ord. 2008-6; 9-8-08)

(Electrical Requirements: Electrical requirements shall comply with Winnebago County Building Codess.) Inspection required before use.

Sec. 7-62. Discharge of Pool Water. .

It shall be unlawful for any person to discharge any water from a swimming pool into the sanitary sewer system within the Village of Durand. All water from swimming pools shall be discharged into the storm sewer system within the Village of Durand. **(Ord. 2003-3; 6-23-03)**

Sec. 7-63. Noise.

The owner(s) of the lot or premises on which a swimming pool is located or the beneficial owner(s) of the lot or premises, in the event the property is owned by a trust, or, in the event the premises is occupied by a tenant(s), the tenant(s) occupying the said lot or premises, shall be responsible to limit the number of persons using the pool at any one time, the hours the pool is used and the conduct of the persons using the pool so that the noise, in relation to the time of the day and the proximity of adjacent houses, will be reasonable and the occupants of adjacent properties will not be unreasonably disturbed. **(Ord. 2003-3; 6-23-03)**

Sec. 7-64. Health Safety Responsibilities.

Every swimming pool shall be provided with a water purification or filtration system and the water in all pools shall be sterilized by chlorination or by other means. The owner(s) of the lot or premises on which a swimming is located or the beneficial owner(s) of the lot or premises, in the event the property is owned by a trust, or, in the event the premises is occupied by a tenant(s), the tenant(s) occupying the said premises, shall not allow anyone to swim or bathe in the swimming pool unless adequate public health measures are periodically taken to insure that the use of the pool shall not cause the spread of disease. **(Ord. 2003-3; 6-23-03)**

Sec. 7-65. Penalties.

Construction, operation or maintenance of a swimming pool in violation of any section contained in this Article VI shall be guilty of a misdemeanor. Every day that a violation continues shall be a separate offense. Each offense shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00). **(Ord. 2003-3; 6-23-03)**

Sec. 7-66 - 7-70. Reserved.