

SECTION XXXI – SWIMMING POOLS

- 31.01 A Zoning Permit shall be required for a swimming pool in all districts, except as otherwise noted in this Section. No such swimming pool shall be allowed in any district except as an accessory use. (3/18/1969; Amended/Reworded 1/5/1981 and 4/1/2011)
- 31.02 **ACCESSORY USE TO A PRIVATE DWELLING:** A private swimming pool, including temporary pools and permanent pools, both in-ground and above-ground, may be maintained as an accessory use to a private dwelling for the exclusive use of tenants, occupants and guests, and not operated as a principal use or for specific profit thereof. Such swimming pools shall be at least fifteen (15) feet from any side and ten (10) feet from the rear yard line and eighty (80) feet from the center of the road of the lot upon which it is situated. Private swimming pools shall also conform to the applicable requirements below: (3/18/1969; Amended 4/1/2011)
- A. Temporary Pool, Above-Ground: Temporary pools with a height (4) feet or less, including inflatable type or plastic self-erected structures, shall only be erected on a property, whether containing water or not, from May 1st through September 30th of the same calendar year. A Zoning Permit shall not be required for temporary pools; however, if a temporary pool is left up beyond the aforementioned dates or does not meet the applicable requirements of this section, it will be subject to the regulations for permanent pools set forth in subsection B below. (4/1/2011)
- B. Permanent Pool, Above-Ground or In-Ground:
1. Permanent pools, both in-ground and above-ground, shall be enclosed on the property by a fence, not less than four (4) feet in height, to prevent access to the pool except through a controlled point. A fence enclosure is not required for above-ground pools if the pool has non-climbable vertical sides not less than 4 feet in height, as measured from grade at the base of the wall, and any access steps or ladders are removed when the pool is not in use. The fence requirements are further outlined in Section XXXIV of the Zoning Resolution. A swimming pool cover is not considered to be a suitable alternative to the enclosure requirements set forth herein. (Amended 4/1/2011)
 2. Temporary fencing shall be erected during the installation of an in-ground pool, which shall be not less than 48 inches in height and shall completely enclose the excavation area. Such temporary fencing shall remain in place until completion of the permanent enclosure. (4/1/2011)
 3. No person shall construct or install a permanent swimming pool without first obtaining a zoning permit. (4/1/2011)
- 31.03 **ACCESSORY USE TO MULTI-FAMILY BUILDING(S) OR RESIDENTIAL PROJECT:** A club swimming pool may be maintained as an accessory use to a multi-family building(s) or other residential project in the R-2 or R-3 Districts for the exclusive use of tenants, occupants and guests and not operated as the principal use for specific profit thereof, which shall be located on the same lot as the buildings served. Such swimming pool shall be enclosed within a wall or fence not less than four (4) feet in height to prevent access to the pool except through a controlled point. Club swimming pools shall be at least thirty (30) feet from any side or rear yard line of the lot upon which it is situated and at least thirty (30) feet from any other building or structure. A zoning permit shall be required. (1/13/1986; Amended 6/18/1998 and 4/1/2011)
- 31.04 The property owner(s) of any swimming pool shall be liable to maintain the pool in compliance with the Township Zoning Resolution and all applicable laws and regulations. Every pool is to be kept in a safe and secure condition at all times, and maintained in a condition fit for the intended use. (4/1/2011)