

ORDINANCE NO. 976 AC CMS

AN ORDINANCE REGULATING THE FENCING OF PRIVATE
SWIMMING POOLS IN THE CITY OF OBERLIN, OHIO

WHEREAS, the Council of the City of Oberlin, Ohio desires to regulate the fencing of private swimming pools for the safety and protection of the citizens of the City of Oberlin, Ohio:

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, a majority of all members elected thereto concurring:

SECTION 1. DEFINITION

For the purposes of this ordinance a swimming pool is defined as a body of water of artificial construction used for swimming or recreational bathing, which is over 24 inches in depth at any point and has more than 150 square feet of area on the water surface when filled to capacity, together with the sides and bottom of such pool and the equipment and appurtenances thereof.

SECTION 2. FENCES

Every swimming pool (including existing pools) shall be completely enclosed by a fence of sturdy construction not less than 42 inches in height, measured from the level of the ground where located, which shall be of such design and construction as to effectually prevent a child from crawling or otherwise passing through or under such fence. Each gate in such fence shall be provided with a secure lock and shall be kept locked at all times when the depth of water in the pool exceeds 18 inches, unless said pool is in use or is under the immediate observation of a responsible person. No part of any fence shall be located between the building setback line fixed by the Zoning Ordinance and the street on which the lot or parcel abuts.

The Planning Commission shall have the power to make exceptions to and modifications of the above requirement for fences as to existing pools, in cases in which, in the Commission's opinion, such requirements are not essential to safety and the enforcement thereof would work hardships on the owners.

SECTION 3. PENALTY

Violation of or noncompliance with any provision of this ordinance shall constitute a misdemeanor punishable by a fine or not more than \$100.00.

SECTION 4. This ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: 1st reading - October 1, 1973
2nd reading - October 15, 1973
3rd reading - November 5, 1973

ATTEST:

Eugene L. Hawpe Kim A. Haber (Acting)
CLERK OF COUNCIL CHAIRMAN OF COUNCIL

POSTED: