

REQUESTED BY: CITY MANAGER, BILL KOCHER

DATE OF FIRST READING:

5-4-2021

WAIVE RULES?

YES

NO

FINAL ACTION DATE:

5-18-2021

VOTE:

YES

NO

SUSPENSION OF TWO  
READING RULE:

YES

NO

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DENISE LINGO

JENNIFER MOODY

ROBERT PARSONS

JOE ROETTING

KISHA DOSA

CORDEL GEORGE

CINDY SCHEETS

TOTALS

ADOPTION OF  
ORDINANCE:

YES

NO

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✓  
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ORDINANCE NO. 21-1950

**AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND PERMITTING PROCESS  
FOR THE CONSTRUCTION AND MAINTENANCE OF RESIDENTIAL SWIMMING POOLS  
WITHIN THE CITY OF MT. HEALTHY**

**WHEREAS**, the Mt. Healthy Building and Zoning Department has deemed it necessary to establish rules and regulations regarding swimming pool construction and maintenance within the City of Mt. Healthy, and

**WHEREAS**, the Mt. Healthy Charter, Section 2.05 (G) grants all powers needed for the Mt. Healthy City Council to pass legislation regulating construction within the City of Mt. Healthy.

**NOW THEREFORE**, BE IT ORDAINED BY A MAJORITY OF THE COUNCIL OF THE CITY OF MT. HEALTHY, STATE OF OHIO: \_\_\_\_ members elected thereto concurring, that Chapter 150: *Building Regulations*, of the City of Mt. Healthy, Ohio Code of Ordinances is hereby amended to read and include the following new Subchapter titled: *Swimming Pool Regulations*:

**SWIMMING POOL REGULATIONS**

**DEFINITION.**

Any constructed pool which is used or intended to be used as a swimming pool in connection with a one, two, or three-family residence and available to the families of the household(s) and their private guests shall be classified a "family swimming pool". Such "family swimming pools" shall be in conformity with the requirements of this Chapter.

**EXCEPTIONS.**

These regulations shall not be applicable for any pools less than eighteen inches deep or having a surface area of less than 150 square feet.

**LOCATION ON LOT.**

"Family swimming pools" shall be classified as accessory structures and shall conform to the Zoning Code of Mt. Healthy except that no wall of a pool shall be located less than three feet from any rear or side property line.

**DESIGN AND CONSTRUCTION.**

(a) Structural Design. The pool structure shall be engineered and designed to withstand the expected forces to which it will be subjected and be in conformity with Chapters BB-5, BB-29, BB-31 OBC.

Wall slopes: To a depth up to five feet from the top, the wall slope not to be more than two feet horizontal and five feet vertical.

Floor slopes: The slope of the floor on the shallow side of transition shall not exceed one foot vertical to seven feet horizontal.

**WATER SUPPLY, TREATMENT AND DRAINAGE SYSTEMS.**

(a) Water Supply. Every "family swimming pool" shall be provided with a potable water supply, free of cross-connections with the pool or its equipment.

(b) Water Treatment. Every "family swimming pool" shall be equipped with a recirculating system capable of filtering the entire contents of the pool in eighteen hours.

Owner instructions. The pool owner shall be instructed in proper care and maintenance of the "family swimming pool", by the supplier or contractor, including the use of high test Calcium hypochlorite (dry chlorine) or sodium hypochlorite (liquor chlorine) or equally effective germicide and algicide and the importance of proper PH (alkalinity and acidity) control.

(c) Drainage. Every "family swimming pool" designed to be emptied of water shall be equipped to discharge water to a storm water discharge point, a storm sewer if one is available, to a road-way drainage ditch or street curb if no storm sewer is available or to a natural drainage ditch on the owner's property if neither is available.

**PLUMBING CODE.**

All work shall conform to the applicable provisions of the Ohio Residential Building Code, Chapter 25.

**ELECTRICAL CODE.**

All work shall conform to Ohio Residential Building Code, Chapter 34 and the National Electric Code.

**ENCLOSURE DEVICES.**

Every person owning land on which there is situated a "family swimming pool", which constitutes an obvious hazard and contains eighteen inches in depth at any point, shall erect and maintain thereon an adequate enclosure surrounding the "family swimming pool" area, sufficient to make such a body of water inaccessible to small children. Such enclosure, including, but not limited to, gates therein, must be not less than four feet above the adjacent grade; all gates must be self-latching with latches placed four feet above the grade or otherwise made inaccessible from the outside to small children.

**MINIMUM STANDARDS.**

When items not required by this section are used in construction or operation of "family swimming pools", or when performance is required by this section, the standards to be used in determining compliance to this section shall be those which are established as generally accepted construction and maintenance principles and/or practices for above-ground and inground residential pools.

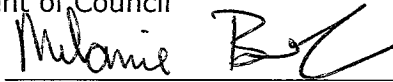
**Section 1.** That the City Clerk shall cause the above new subchapter titled *Swimming Pool Regulations* to be published within Title IX: *General Regulations* of the City of Mt. Healthy,

Ohio Code of Ordinances in all necessary forums including, but not limited to, the American Legal website library where the City's Code of Ordinances is currently published.

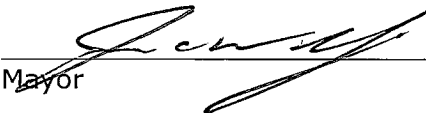
**Section 2.** That Council finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Ordinance were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code. That this Ordinance shall be in full force and effect from and after the first date provided by law.

Passed this 18 day of MAY, 2021.

  
President of Council

Attest:   
Clerk of Council

Approved this 18 day of MAY, 2021.

  
Mayor

Approved as to form:



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Scott A. Sollmann, City Law Director