

Chapter 149

SWIMMING POOLS

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[HISTORY: Adopted by the Borough Council of the Borough of Langhorne Manor 6-22-1971. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 49.
Fence permits — See Ch. 72.

Life safety standards — See Ch. 90.

§ 149-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ARTIFICIAL POOL — Any pool, regardless of design or construction materials and regardless of the permanency of its location, built, erected or used for the purpose of swimming or wading.

SWIMMING POOL — Any pool used and maintained for swimming purposes and located on a lot as an accessory use to a residence. Artificial or partially artificial pools, both above and below ground level, permitting a maximum depth greater than twelve (12) inches shall be included.

WADING POOL — Any artificial or partially artificial pool not designed or used for swimming, installed above or below ground level, permitting a maximum depth greater than twelve (12) inches.

§ 149-2. Permit required; exceptions.

It shall be unlawful to construct or maintain a swimming pool, wading pool or artificial pool as herein defined without having obtained a permit therefor in the manner hereafter described, except no permit shall be required for out-of-the-ground swimming pools and/or wading pools whose entire top edge is less than eighteen (18) inches above the level of the ground immediately surrounding the perimeter of the pool, and in addition thereto, no permit shall be required for out-of-the-ground swimming and/or wading pools whose entire top edge is from eighteen (18) inches to, but not over, thirty-six (36) inches above the level of the ground immediately surrounding the perimeter of the pool, provided that the owners of this last-

mentioned category of pools, while no permit is needed, must register the presence of these type swimming pools and/or wading pools with the Borough Building Inspector. No fee shall be required for said registration.

§ 149-3. Application; plans and specifications; permit fee.

Application for a permit for the construction of a swimming pool or wading pool shall be made to the Building Inspector. Each application shall be accompanied by a duplicate set of plans, specifications and plot plans of the property. The location of the pool on the property and with respect to adjoining property and road lines shall be shown, together with the location, height and type of fencing or walls or protective equipment and accessory buildings. The requirements of §§ 85-5B, C and D and 85-8B, C and D of Chapter 85, Zoning Ordinance of the Borough of Langhorne Manor, enacted January 6, 1936, as amended September 13, 1954, and May 9, 1967, pertaining to setback, side yards and rear yards shall apply to the location of all in-ground swimming pools and all out-of-the-ground swimming pools which permit a maximum depth of eighteen (18) inches or more to the same extent such requirements apply to buildings; however, these location requirements shall not apply to existing swimming pools. No permit shall be issued until the plans and specifications and plot plans have been approved by the Building Inspector and approval has been certified on said plans. In the case of an out-of-the-ground pool, plans only shall be required and the pool must be erected or constructed in accordance with the manufacturer's specifications. The fee to be paid for swimming pool permits shall be as set forth in the ordinance of Langhorne Manor Borough ordained and enacted July 3, 1939, approved July 14, 1939, as amended by the ordinance ordained and enacted July 14, 1970, and approved July 14, 1970.¹

§ 149-4. Annual inspection.

Each swimming pool or wading pool shall be subject to an annual inspection by the Building Inspector to assure compliance with this chapter.

§ 149-5. Construction and design.

The construction and design of all pools shall be such that the same can be maintained and operated so as to be clean and sanitary at all times. The owner of every such pool shall be responsible to maintain said pool in such condition as to prevent breaks in the pool chassis and to prevent water from the pool overflowing into adjacent public or private property. Sand or earth bottoms shall not be used. Swimming pools shall be constructed, equipped and maintained in strict conformity with any applicable provisions of public health codes issued by the Commonwealth of Pennsylvania and the Bucks County Board of Health and other applicable laws and regulations.

¹ Editor's Note: See Ch. 49, Building Construction, especially § 49-7, Fees and charges.

§ 149-6. Protection of pools.

Swimming pools and wading pools shall be protected in accordance with the following:

- A. Any swimming pool of any depth constructed below ground level or which is constructed above ground level and permits a water depth of thirty-six (36) inches or more and is so situated with respect to the surrounding ground that any part of the top edge of the swimming pool is less than thirty-six (36) inches above the ground immediately surrounding the perimeter of the pool must have a permanent protective fence as set forth in Subsection E herein. [Amended 9-9-1975 by Ord. No. 106]
- B. Any pool constructed or maintained out-of-the-ground whose swimming or wading surface is from one (1) to three (3) feet above the surrounding ground must have a permanent protective fence as set forth in Subsection E herein, except as provided in Subsection D herein, or, when not in actual use, must be covered with a plastic or cloth cover which extends beyond all edges of the pool and is of sufficient strength to support a weight of two hundred (200) pounds at its center when secured in position.
- C. Any swimming pool whose top edge at its lowest point is thirty-six (36) inches above the adjacent surrounding ground must have a permanent protective fence, as set forth in Subsection E herein, or shall have a flip-up safety ladder which must be chained and locked in an upright mode when the pool is not in actual use.
- D. In any case where a permanent platform shall have been erected completely around the top edge of an out-of-the-ground pool, there shall be a gate which shall be used to block the entrance to the platform and to the swimming pool, which gate shall be chained and locked when the swimming pool is not in actual use; however, in any such case the combined height of the platform and any fence around the perimeter of the platform shall be at least four (4) feet above the ground immediately below the perimeter of the platform.
- E. Protective fences constructed pursuant to the foregoing provisions must be, when measured from the ground, not less than four (4) feet in height nor more than five (5) feet in height and not of solid construction and shall have appurtenances or openings not larger, in the case of a picket-type fence, than three (3) inches, and in the case of a wire fence, the wire must be at least twelve (12) gauge and shall have appurtenances or openings not more than two and one-half (2½) inches square. No basket-weave-type fence shall be permitted. The height requirements of this Subsection E shall not apply to fences constructed pursuant to Subsection D above. Ingress and egress to and from the enclosure bounded by the fence shall be provided by means of a gate or gates which shall be of a self-latching type and which shall at all times when the swimming or wading pool is not in actual use be securely locked so that there can be no ingress through such gate or gates.

§ 149-7. Artificial lighting.

No artificial lighting shall be installed, maintained or operated in such a manner as to be a nuisance or annoyance to neighboring property.

§ 149-8. Compliance required.

No artificial pool, swimming pool or wading pool shall be constructed, maintained, installed or enlarged except in accordance with this chapter. The owner and/or operator of every swimming pool or wading pool heretofore and hereafter constructed in Langhorne Manor Borough shall at all times comply with the provisions of this chapter and with the requirements of other pertinent borough ordinances relating to construction, location and sanitation. Any nuisance or hazard to health shall be abated or removed forthwith by such owner and/or operator upon receipt of written notice from the Building Inspector or other duly authorized borough authority.

§ 149-9. Violations and penalties; enforcement officer. [Amended 8-13-1974 by Ord. No. 102]

Any person who shall violate any provisions of this chapter shall, upon conviction thereof, be liable to a fine of not more than three hundred dollars (\$300.) or to imprisonment in the county jail for a term of not more than thirty (30) days, or both. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense. The Building Inspector shall be the municipal officer responsible and authorized to enforce the requirements of this chapter.