

**CUSTOMER ASSISTANCE GUIDE
BUILDING PERMIT APPLICATION SUBMITTAL REQUIREMENTS**

**SWIMMING POOLS (IN-GROUND OR ABOVE-GROUND),
SPAS AND HOT TUBS (CONTAINS WATER OVER 24 INCHES DEEP)**

- Please read all of the following information.
- The following is a check list. You must have a "checkmark" in all the sections listed below prior to submitting your application.

_____ "Affidavit of Exemption" (See attached form). If you are hiring a contractor to construct your pool, and they have workers' compensation, have the contractor or their insurance carrier provide us with a "Certificate of Insurance" showing proof of such. If the homeowner or a contractor without workers' compensation is constructing the pool, the attached form must be completed and notarized.

_____ A site plan showing the proposed pool, hot tub or spa location including the distances in feet, to the front, sides and rear property lines.

_____ Three (3) sets of complete construction documents that show in detail code compliance for all of the work proposed to include but not limited to the following information;

_____ Safety barrier – show type for your specific pool installation, (fence, walls, etc.) including height. (Barrier requirements attached).

_____ If installing deck at pool – take submittal requirements for deck also.

_____ Electrical service (pump, filter, receptacles, etc.) show location and type of wiring method. (Electrical requirements attached).

_____ Completed building permit application.

MDIA will review plans submitted to determine code compliance. If the minimum submittal requirements are not met, we will ask the applicant to supply additional information. If the minimum requirements are met, the plans will be marked "approved". A building permit will be issued and the applicant will be notified of the inspection fees and when they can pick-up the permit at the Municipal Building. All fees shall be paid prior to the issuance of the permit. Then use the inspection procedures provided to have all of the required inspections performed.

APPENDIX G

SWIMMING POOLS, SPAS AND HOT TUBS

(The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.)

SECTION AG101 GENERAL

AG101.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the *lot* of a one- or two-family dwelling.

AG101.2 Pools in flood hazard areas. Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools that involve placement of fill, shall comply with Sections AG101.2.1 or AG101.2.2.

Exception: Pools located in riverine flood hazard areas which are outside of designated floodways.

AG101.2.1 Pools located in designated floodways. Where pools are located in designated floodways, documentation shall be submitted to the *building official*, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the *jurisdiction*.

AG101.2.2 Pools located where floodways have not been designated. Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the *jurisdiction*.

SECTION AG102 DEFINITIONS

AG102.1 General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool."

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming pool."

IN-GROUND POOL. See "Swimming pool."

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family *town house* not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool."

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating *equipment* are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or

recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

SECTION AG103 SWIMMING POOLS

AG103.1 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

AG103.2 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

AG103.3 Pools in flood hazard areas. In flood hazard areas established by Table R301.2(1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

SECTION AG104 SPAS AND HOT TUBS

AG104.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

AG104.2 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

SECTION AG105 BARRIER REQUIREMENTS

AG105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure.

Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a 2 1/4 inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1 3/4 inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1 3/4 inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
 - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and
 - 8.2. The gate and barrier shall have no opening larger than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a *dwelling* serves as part of the barrier, one of the following conditions shall be met:
 - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or
 - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in *and labeled* in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

2009 INTERNATIONAL RESIDENTIAL CODE®

Appendix G

- 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved* by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
 - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
 - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

AG105.3 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations. Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

AG105.5 Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

SECTION AG106

ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

AG106.1 General. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

SECTION AG107 ABBREVIATIONS

AG107.1 General.

ANSI-American National Standards Institute
11 West 42nd Street
New York, NY 10036

APSP-Association of Pool and Spa Professionals
NSPI-National Spa and Pool Institute
2111 Eisenhower Avenue
Alexandria, VA 22314

ASCE-American Society of Civil Engineers
1801 Alexander Bell Drive
Reston, VA 98411-0700

ASTM-ASTM International
100 Barr Harbor Drive
West Conshohocken, PA 19428

UL-Underwriters Laboratories, Inc.
333 Pfingsten Road
Northbrook, IL 60062-2096

**SECTION AG108
STANDARDS**

APPENDIX G

AG108.1 General.

ANSI/NSPI

ANSI/NSPI-3-99 Standard for
Permanently Installed Residential Spas.....AG104.1

ANSI/NSPI-4-99 Standard for Above-ground/
On-ground Residential Swimming Pools.....AG103.2

ANSI/NSPI-5-2003 Standard for
Residential In-ground Swimming Pools.....AG103.1

ANSI/NSPI-6-99 Standard for
Residential Portable Spas.....AG104.2

ANSI/APSP

ANSI/APSP-7-06 Standard for Suction Entrapment
Avoidance in Swimming Pools, Wading Pools, Spas,
Hot Tubs and Catch Basins.....AG106.1

ASCE

ASCE/SEI-24-05 Flood Resistant
Design and Construction.....AG103.3

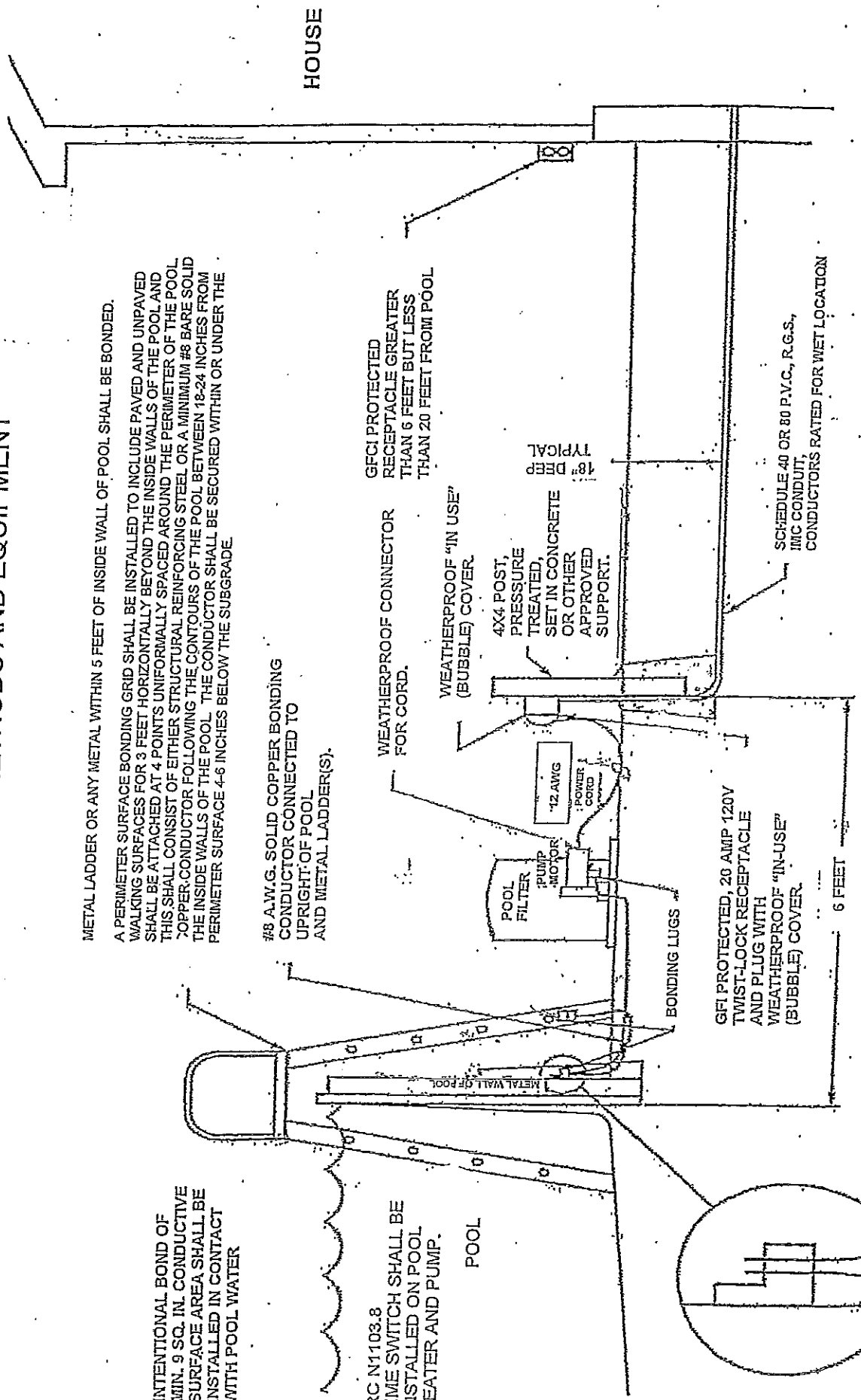
ASTM

ASTM F 1346-91 (2003) Performance
Specification for Safety Covers and Labeling
Requirements for All Covers for Swimming Pools,
Spas and Hot
Tubs.....AG105.2,AG105.5

UL

UL 2017-2000 Standard for General-purpose
Signaling Devices and Systems-with Revisions
Through June 2004.....AG105.2

TYPICAL WIRING DIAGRAM FOR AN ABOVE-GROUND POOL SHOWING CODE REQUIRED METHODS AND EQUIPMENT



METAL LADDER OR ANY METAL WITHIN 5 FEET OF INSIDE WALL OF POOL SHALL BE BONDED.

A PERIMETER SURFACE BONDING GRID SHALL BE INSTALLED TO INCLUDE PAVED AND UNPAVED WALKING SURFACES FOR 3 FEET HORIZONTALLY BEYOND THE INSIDE WALLS OF THE POOL AND SHALL BE ATTACHED AT 4 POINTS UNIFORMLY SPACED AROUND THE PERIMETER OF THE POOL. THIS SHALL CONSIST OF EITHER STRUCTURAL REINFORCING STEEL OR A MINIMUM #8 BARE SOLID COPPER CONDUCTOR FOLLOWING THE CONTOURS OF THE POOL BETWEEN 18-24 INCHES FROM THE INSIDE WALLS OF THE POOL. THE CONDUCTOR SHALL BE SECURED WITHIN OR UNDER THE PERIMETER SURFACE 4-6 INCHES BELOW THE SUBGRADE.

#8 A.W.G. SOLID COPPER BONDING CONDUCTOR CONNECTED TO UPRIGHT OF POOL AND METAL LADDER(S).

INTENTIONAL BOND OF MIN. 9 SQ. IN. CONDUCTIVE SURFACE AREA SHALL BE INSTALLED IN CONTACT WITH POOL WATER

IRC N1103.8 TIME SWITCH SHALL BE INSTALLED ON POOL HEATER AND PUMP.

POOL

GFI PROTECTED RECEPTACLE GREATER THAN 6 FEET BUT LESS THAN 20 FEET FROM POOL

WEATHERPROOF CONNECTOR FOR CORD.

WEATHERPROOF "IN USE" (BUBBLE) COVER.

4X4 POST, PRESSURE TREATED, SET IN CONCRETE OR OTHER APPROVED SUPPORT.

12 AWG POWER CORD

POOL FILTER PUMP MOTOR

BONDING LUGS

GFI PROTECTED, 20 AMP 120V TWIST-LOCK RECEPTACLE AND PLUG WITH WEATHERPROOF "IN-USE" (BUBBLE) COVER.

SCHEDULE 40 OR 80 P.V.C., R.G.S., IMC CONDUIT, CONDUCTORS RATED FOR WET LOCATION

NOTE:

LUG DETAIL

For wiring supplying pool pump motor. Type NM and UF cable is permitted only for use within dwelling.

ZONING/CONSTRUCTION PERMIT APPLICATION
NORTH SEWICKLEY TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA

APPLICATION NO. _____ DATE RECEIVED: _____

1. APPLICANT _____

2. APPLICANT IS OWNER _____ CONTRACTOR OR AGENT _____ OTHER _____

3. NAME/ADDRESS OF OWNER: _____ NAME/ADDRESS OR CONTRACTOR OR OTHER: _____

4. TELEPHONE NO. _____ TELEPHONE NO. _____

5. LOCATION/STREET ADDRESS _____ TAX PARCEL NO. 70- _____

6. SUBDIVISION NAME _____ LOT NO. _____

7. COST OF CONSTRUCTION _____ TOTAL SIZE/ACREAGE OF TRACT _____

8. ZONING DISTRICT IN WHICH LOCATED: _____

Type of Zoning use proposed: _____

9. DESCRIPTION:

Please state or describe generally the nature of proposed building, structure, alteration or addition and/or change in use:

Please check the appropriate designation of building or structure:

Residential _____

____ One Family Dwelling

____ Two Family Dwelling

____ More than Two Family Dwelling

____ Accessory Building/Structure to existing Residential Use

Non-Residential _____

Describe intended non-residential use:

____ Accessory Building/Structure to existing Non-Residential Use

10. ZONING:

Setbacks: Front _____ Left Side _____ Right Side _____ Rear _____

Number of stories _____ Height of Structure _____ Having dimensions of _____

And proposed floor area of _____ square feet Decks only: _____ inches above grade of deck floor]

11. ACCESS: _____ To public road _____ to private road _____ to private right of way _____

If private road/right of way, Owner _____ Parcel No. _____

12. PLOT PLAN ATTACHED: DATED _____ PREPARED BY _____

13. DRAWING ATTACHED: _____ WORKERS' COMPENSATION INSURANCE CERTIFICATE
ATTACHED YES NO

14. WATER SOURCE: Public _____ Well _____ SEWAGE: Public _____ On lot System _____

15. THIS PROJECT INCLUDES: Electrical _____ Plumbing _____ Mechanical _____

READ, UNDERSTAND AND COMPLY WITH THE FOLLOWING NOTICES

NOTICE: In addition to a zoning/construction permit, if the subject property does or will require access to a public road or street, and/or will require improvement/change of existing driveway access to a public road or street. If such public road or street is under the jurisdiction of the Commonwealth of Pennsylvania, you must obtain a Highway Occupancy Permit pursuant to Act no. 428 of 1945, as amended, known as the "State Highway Law", Application for such Highway Occupancy Permit as to a Commonwealth road or street must be made to, with and processed by the Pennsylvania Department of Transportation. If such road or street is under the jurisdiction of North Sewickley Township, you must apply for and obtain a Driveway Permit from the Township.

NOTICE: In addition to a zoning/construction permit, you may need to make other applications and obtain other permits for the development you propose, including but not limited to, depending on location of your premises, for an on-lot sewage permit and/or connection to a public sewer connection permit, water connection permit, and/or Land Development approval, prior to being able to commence construction. Further, following construction and prior to placing into use the proposed structure/building, you will need to procure an Occupancy Permit.

NOTICE: Contractor prohibited by law from employing any individual to perform work pursuant to this building permit unless contractor provides proof of worker's compensation to North Sewickley Township. Contractor also prohibited by law as to building or remodeling under subject Permit from engaging the services of a subcontractor unless subcontractor maintains workers' compensation insurance coverage as to subcontractor's employees. Failure of Contractor and Applicant for this Permit to maintain worker's compensation insurance according to law of Commonwealth of Pennsylvania, and as to said insurance, naming North Sewickley Township as a named insured, coverage requires stoppage of all construction/work under Zoning/Construction Permit issued and a Zoning/Construction Permit may be revoked.

NOTICE: Property owner is responsible for determining if property is subject to private covenants or private plan restrictions and compliance with the restrictions. Private covenants may be more restrictive than zoning/township regulations. Issuance of a building or zoning/construction permit does not constitute compliance with private covenants or restrictions. Permits issued in violation of any private covenants or restrictions are the sole responsibility of the property owner or their authorized representatives.

STATEMENTS AND VERIFICATION BY APPLICANT

I do hereby agree to observe and adhere to any and all provisions of the North Sewickley Township Zoning/UCC Code, and do further agree and understand that my failure to do so shall constitute a violation as to any Permit issued per this Application, which violation shall cause any Permit to become Null and Void, and revocable by North Sewickley Township via its Zoning Officer or other designated agent.

I/We hereby certify that as applicants, owners, contractors, agents or others that I/we completed and read the foregoing Application and that the information and statements in this application and other representations contained in all accompanying plans are made a part of this application and are true and correct to the best of my/our knowledge and belief. This statement and verification are made subject to the penalties of 18 P.A.C.S.A. Section 4904 relating to unsworn falsifications to authorities, which provides that if I/We knowingly make false statements of averments, I/We may be subject to criminal penalties. I/We hereby authorize representatives of the township to make required inspections upon the property to verify that the construction requested under this application complies with the North Sewickley Township Zoning Ordinance and other applicable codes.

If applicant is Contractor or Agent of Owner, he/she hereby certifies that he/she has the authority to act on behalf of the Owner.

OWNER(S) _____ DATE _____
CONTRACTOR OR AGENT _____ DATE _____

RECEIVED OF _____, THE SUM OF \$ _____, FEE FOR THE ABOVE
NUMBERED BUILDING/ZONING PERMIT APPLICATION. DATED: _____, 20____.

AUTHORIZED SIGNATURE

ZONING/CONSTRUCTION PERMIT (ISSUED) (DENIED) ON THE _____ DAY OF _____, 20____

[NOTE IF DENIED, LETTER SETTING FORTH REASONS WILL ACCOMPANY DENIAL NOTICE.]

ZONING OFFICER

UNIFORM CONSTRUCTION CODE PERMIT (ISSUED) (DENIED) ON THE _____ DAY OF _____, 20____

BUILDING CODE OFFICIAL

WORKERS' COMPENSATION INSURANCE COVERAGE INFORMATION

NOTE: THIS FORM MUST BE NOTARIZED

(attach to building permit application)

A. The applicant is:

A contractor within the meaning of the Pennsylvania Workers' Compensation Law

YES

NO

If the answer is "yes", complete Sections B and C below as appropriate

B. Insurance Information

Name of Applicant _____

Federal or State Employer Identification No. _____

Applicant is a qualified self-insurer for workers' compensation.

Certificate attached

Name of Workers' Compensation Insurer _____

Workers' Compensation Insurance Policy No. _____

Certificate attached

Policy Expiration Date _____

C. Exemption

Complete Section C if the applicant is a contractor claiming exemption from providing workers' compensation insurance.

The undersigned swears or affirms that he/she is not required to provide workers' compensation insurance under the provisions of Pennsylvania's Workers' Compensation Law for one of the following reasons, as indicated:

Contractor with no employees. Contractor prohibited by law from employing any individual to perform work pursuant to this building permit unless contractor provides proof of insurance to Township.

Religious exemption under the Workers' Compensation Law. All employees of contractor are exempt from worker: compensation insurance (attach copies of religious exception letters for all employees)

Property owner performing own work. If property owner does hire contractor to perform any work pursuant to building permit, contractor must provide proof of workers' compensation insurance to the municipality. Homeowner assumes liability for contractor compliance with this requirement.

Subscribed and sworn to before me this

_____ day of _____, 20

(signature of Notary Public)

My Commission expires: _____

(SEAL)

Signature of applicant: _____

Address _____

County of _____

Municipality of _____

North Sewickley Township Sewer Authority
1160 Mercer Road - Beaver Falls, PA 15010
Phone 724-846-8502 Fax 724-847-9397

Building Permit Release Form

This notice hereby verifies that the property of:

Name _____

Address _____

Parcel # _____ Township _____

Is within _____ Is not within _____ the boundaries of the public sewer area.

_____ The above named person has paid the required tap-in fee and may acquire a building permit from North Sewickley Township.

_____ The above named person is not required to pay the tap-in fee and may acquire a building permit from the North Sewickley Township.

_____ The above property is within the boundaries of the public sewer area and the owner is not intending to use water or public sewers; however, if illegal use of water & sewers is found, the owner will be subject to penalties relating to illegal tap-in and usage as described in the North Sewickley Township Sewer Authority's Rules & Regulations - Section 1 - 15.

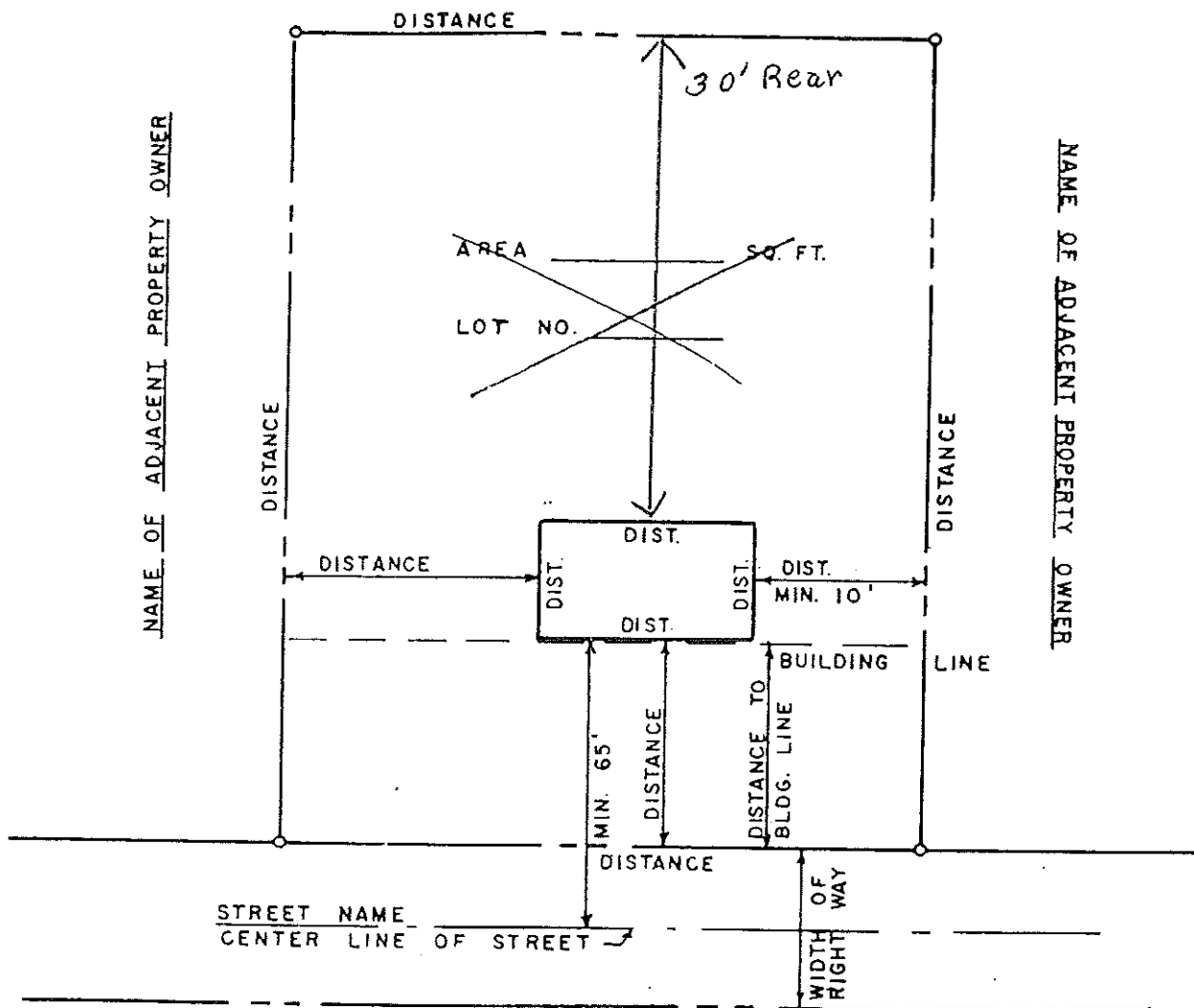
Signed _____ Date _____
North Sewickley Township Sewer Authority

I, as property owner, have read & agree to all parts of this release form issued by the North Sewickley Township Sewer Authority.

Signed _____, property owner

Example

NAME OF ADJACENT PROPERTY OWNER



WATER SUPPLY
 WELL CITY

SEWAGE DISPOSAL
 SEPTIC PUBLIC

NAME OF APPLICANT... _____

DATE... _____

NORTH SEWIC^KLEY TOWNSHIP'S

TYPICAL SKETCH
for
BUILDING PERMIT

APPLICATION FOR
ZONING OCCUPANCY PERMIT

NORTH SEWICKLEY TOWNSHIP
893 MERCER ROAD
BEAVER FALLS, PA 15010

Certificate No. _____

Telephone No. _____

OWNER: _____

ADDRESS: _____

LOT NO. _____ IN THE _____ PLAN OF LOTS

TAX PARCEL NO. _____

PROPOSED USE: _____

BUSINESS NAME: _____

APPROXIMATE DATE OF COMPLETION: _____

DO YOU NOW OR WILL YOU EVER GENERATE; STORE; TRANSPORT;
OR DISPOSE OF ANY HAZARDOUS MATERIALS OR WASTE AS DEFINED BY
THE U.S. ENVIRONMENTAL PROTECTION AT THIS LOCATION:

YES _____ NO _____

IF YES, PLEASE INDICATE MATERIAL (S) AND QUANTITY ON REVERSE

I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION IS TRUE AND
CORRECT AND THAT ALL APPLICABLE PROVISIONS OF THE NORTH
SEWICKLEY TOWNSHIP ORDINANCES HAVE BEEN COMPLIED WITH:

DATE FILED _____

DATE ISSUED _____

SIGNATURE OF OWNER/AGENT

ZONING AND CODES OFFICER

CHAPTER 23 SWIMMING POOLS

History: Ordinance No. 39, August 9, 1977.

Requiring All Swimming Pools to Have Fences

§23-101	<i>Required Fences</i>
§23-102	<i>Exempt</i>
§23-103	<i>Safety</i>
§23-104	<i>No Exception</i>
§23-104	<i>Penalties</i>

PART 1

Requiring All Swimming Pools to Have Fences

§23-101 REQUIRED FENCES

From and after the effective date of this Chapter, it shall be unlawful for any person, firm, association, partnership or corporation to construct, erect or maintain a swimming pool on any property within the Township without first having erected around said swimming pool a fence of a minimum height of four feet (4'). For the purpose of this Chapter, a swimming pool shall be defined as an artificial body of water used for swimming and of such size as to require a filtration system.

§23-102 EXEMPT

Above ground swimming pools having a minimum distance of three feet (3') from the top of the pool to ground level shall not be required to be fenced, provided that all outside ladders or steps are either removed or fitted with a gate when the pool is unattended.

§23-103 SAFETY

The fence required by Section 23-101 hereof shall be so constructed that neither animals nor children shall be able to have easy access to the swimming pool except through gates. All gates shall be so constructed that children shall not have easy access to the pool when the pool is unattended.

§23-104 NO EXCEPTION

Within thirty (30) days after the effective date of this Chapter, the owner of any swimming pool now in existence must erect a fence meeting the requirements of this Chapter.

§23-105 PENALTIES

Any person, firm, association, partnership or corporation violating the terms of this Chapter shall be guilty of a summary offense, and upon conviction before a District Magistrate, shall be required to pay a fine of not more than three hundred dollars (\$300.00), together with the costs of prosecution, and in default of payment thereof, shall be imprisoned in the County Jail for a period of not more than fifteen (15) days.