

**ORDINANCE OF
THE VILLAGE OF WILLIAMSVILLE, ILLINOIS
REGARDING: Amending Ordinance No. 80-6 as Amended
by Ordinance No. 98-05
Re: Residential Swimming Pools**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, ILLINOIS, AS FOLLOWS:

Section 1: That the Village of Willimasville, Illinois Ordinance No. 80-6 as amended by Ordinance No. 98-05 regarding residential swimming pools shall be amended to read as follows:

Section One. Definitions.

(a) A residential swimming pool is any structure that is capable of containing water of 24 inches (610mm) or more in depth which is used or intended to be used for swimming or recreational bathing and which is available only to the family and guests of the householder. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

(b) Barrier shall be defined as a fence, a wall, a building wall or a combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

Section Two. Barrier.

(a) All outdoor residential swimming pools shall be completely enclosed by a barrier and be secure from trespass. Except for as provided in Section Two. Barrier subparagraph (b), said barrier shall comply with the following regulations:

1. The top of the barrier shall be at least 48 inches 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 should be 4 inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structures is above grade, such as an aboveground 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.

2. Openings in the barrier shall not allow passage of 5-inch diameter sphere.
3. Solid barriers, which do not have openings, such as 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, 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 in width. Where there are decorative cutouts, spacing within the cutouts shall not exceed 1 3/4 inches 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 or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts, spacing within the cutouts shall not exceed 1 3/4 inches in width.
6. Maximum mesh size for a chain link fence shall not exceed the standard residential chain link fence as set by industry standards and allowed in the Village of Williamsville as determined from time to time.
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be no more than 2 inches.
8. Access gates to the pool shall be locked or secured to prevent access.
9. Where an aboveground pool structure is used as the barrier (which is an aboveground free standing pool constructed at least Forty-eight inches (48") above grade) or where the barrier is mounted on the top of the pool structure at least forty eight inches (48") above grade and the means of access is a ladder or steps, then (a) the ladder to the pool or steps shall be capable of being secured, locked or removed to prevent access or (b) the ladder or steps shall be surrounded by a barrier which meets the requirements of Section Two: Barrier subparagraph (a)(1) thru (8). When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 5-inch diameter sphere.

(b) Existing Permanent Barriers - The regulations for a barrier required by this Ordinance in Section Two: Barrier subparagraph(a) shall not apply to an existing permanent barrier in place on the effective date of this Ordinance. An existing permanent barrier which is more than 49.0% removed, damaged, destroyed or enlarged shall be installed, enlarged, repaired or constructed pursuant to the regulations contained herein in Section Two Barrier, subparagraph (a).

Section Three. Compliance Required. It shall be unlawful to construct, maintain, install or enlarge any residential swimming pool in the Village except in compliance with the provisions of this Ordinance.

Section Four. Penalty. Any person violating or failing to comply with any of the provisions of this Ordinance shall, upon conviction, be fined a minimum of \$250.00 and a maximum of \$500.00 for each offense, and everyday that such a violation is continued shall constitute a separate and distinct offense.

Section 2: This ordinance shall take effect and be in force from and after its passage and approval as required by law. Any provision of a prior ordinance that is inconsistent with the provisions of this ordinance shall be revoked to the extent of the inconsistencies.

PASSED by the Village Board of Trustees of the Village of Williamsville, and filed in the office of the Village Clerk of Williamsville, Illinois, on the 15th day of April, 2002.



Village Clerk

PASSED and APPROVED this 15th
day of April, 2002.



President of the Board of Trustees
of said Village.