

TOWNSHIP OF CENTRE
BERKS COUNTY, PENNSYLVANIA

ORDINANCE # 125-2010

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, REGULATING THE CONSTRUCTION OF SWIMMING POOLS AND PROVIDING FOR THE ENFORCEMENT THEREOF.

WHEREAS, in the judgment of the Board of Supervisors of the Township of Centre, Berks County, Pennsylvania (the "Township"), it is necessary and desirable to set forth regulations for the construction of swimming pools in the Township.

NOW, THEREFORE, BE IT ENACTED by the Board of Supervisors of the Township of Centre, Berks County, Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. A swimming pool shall be permitted as an accessory to a residential use, provided:

A. Swimming pools, in general:

(1) No person, owner or occupant of land shall install or maintain a swimming pool or other artificial body of water capable of being filled to a depth exceeding eighteen (18") inches at the deepest or lowest point unless a permit is first obtained from the Township and the required plans and information are filed, together with required permit fees. Ornamental pools and wading pools which do not exceed eighteen (18") inches in depth are exempt from these provisions.

(2) With respect to permanent swimming pools, the building area restrictions as set forth for the pertinent zoning districts in this ordinance shall apply and in addition thereto, no such pool or water area shall be permitted between the building setback line and the street line, nor within ten (10') feet of the rear or side lot line, unless a lesser rear or side yard requirement is established by the Township Zoning Ordinance, in which case the yard requirement shall apply.

(3) A building permit and zoning permit, as required by the applicable Township ordinances, Uniform Construction Code, and all state statues and regulations, are required prior to the construction, alteration, remodeling, replacement or additions to a swimming pool or other artificial water areas not specifically exempt from this ordinance. The property owner shall provide Township, within fifteen (15) days of such request, evidence of obtaining such permits if applicable.

(4) No person, owner, or occupant of land shall install or maintain a swimming pool or non-exempt ornamental or wading pool unless a zoning permit is first obtained from the local code enforcement officer and written approval obtained upon inspection and subject to the discretion of the inspecting officer, except as hereinafter provided.

B. Any pool or water area subject thereto shall be suitably designed, located and maintained so as not to become a nuisance or hazard either to adjoining property owners or the public generally. All detachable ladders shall be removed when the pool is not in use.

C. Outdoor lighting, if used, shall be installed in such a way as to be shielded and not to reflect toward or into the interior of adjacent residential properties, and shall comply with Section 521 of the Township Zoning Ordinance as amended August 2006.

D. All electrical work connected with the pool and all equipment incidental thereto shall comply with all underwriters' regulations and must be inspected and certified by an electrical underwriter's inspection agency prior to the issuance of a certificate of compliance. In no event may said pool be used prior to such approval.

E. If pools are connected to any water, sewer, or public utility line, there must be installed a separate valve controlling such line, both as to supply and drainage, and a permit must be obtained prior to installation from the agency furnishing such utility service. A minimum isolation distance of twenty-five (25') feet shall be required between a swimming pool and any sewage disposal system.

F. Filtration systems and circulators as required by the Uniform Construction Code and such other applicable ordinances, statutes, and regulations, must be provided for in all pools including ornamental pools, except for such exempt or non-exempt wading pools that are emptied on a daily basis.

G. All pool installations shall conform to all applicable building codes.

H. In no case shall water in the pool or pool area be permitted to emit an offensive odor or create any unhealthful condition including, but not limited to, creating a breeding ground for mosquitoes and other insects. Further, it shall be a violation of this ordinance to cause or allow drainage onto adjoining land, public or private; provided, however, that the building officer may issue a permit for drainage into storm sewers at his discretion.

I. No pool shall be located under any electric power lines (including service lines), and the pool must be located at least ten (10') feet (measured horizontally) from such power lines.

J. No water shall be placed in the pool until a fence, as required by this ordinance, has been completed.

K. Fencing of Pools:

(1) Permanent swimming pools above or below grade must be completely enclosed with a minimum four (4') foot high chain link, stockade, picket (not exceeding four (4) inch spacing), solid wooden fence, building wall, or such other material as may be acceptable, together with a locking gate, at the discretion of the building inspector, to carry out the intent of this ordinance.

(2) Where swimming pools are of the type having above ground construction, that portion of the pool wall extending above the ground may be included as part of the height of the four (4') feet high fence. Above ground swimming pools shall have a ladder or stairway which can be removed or rendered unusable, and the entrance to the pool shall be capable of being securely closed to a height of four (4) feet.

Section 2. Any person violating any of the provisions of this Ordinance or neglecting to comply with any order or notice issued pursuant hereto for violation of any section hereto, shall upon conviction before any District Justice, be subject to the payment of a fine of not less than three hundred dollars (\$300.00) or more than one thousand dollars (\$1,000.00) and the payment of costs of prosecution for each offense, or shall be subject to imprisonment for a period not exceeding thirty days (30) days. Each day's continuance of any violation of this Ordinance shall constitute a separate offense, punishable by a like fine and imprisonment in default of payment thereof.

Section 3. Should a court of competent jurisdiction declare any section, paragraph, clause or phrase of this Ordinance unconstitutional or invalid, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.

Section 4. All Ordinances or parts of Ordinances inconsistent with the

provisions of this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

ENACTED AND ORDAINED into an Ordinance this 8th day of March, 2010.

TOWNSHIP OF CENTRE

By: 
Supervisor

By: 
Supervisor

By: _____
Supervisor

Attest:  (SEAL)
Secretary