

ORDINANCE NO. 73

AN ORDINANCE REQUIRING THE FENCING OF SWIMMING POOLS AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Board of Supervisors of the Township of Washington, County of Westmoreland and Commonwealth of Pennsylvania, find it desirable for the health and safety of Township residents to require the fencing of swimming pools;

NOW, THEREFORE, BE IT RESOLVED and ORDAINED by the Board of Supervisors of Washington Township, Westmoreland County, Pennsylvania, and it is hereby RESOLVED and ORDAINED by the authority of the same as follows:

SECTION 1: DEFINITIONS:

A. ABOVE GROUND SWIMMING POOL: A swimming pool in which no side wall of the pool is below ground level.

B. IN GROUND SWIMMING POOL: A swimming pool in which any or all of the side walls of the pool are partially or entirely below ground level.

C. SWIMMING POOL: Any manufactured or constructed structure in place either above or below the ground in which more than twenty-four inches (24") of water is or may be contained and which structure is used primarily for the purpose of bathing and swimming.

SECTION 2: REGULATIONS:

A. Every in ground swimming pool and every above ground swimming pool any wall of which is less than four feet (4') above ground at any point shall be completely enclosed and surrounded on all sides by continuous fencing at least

four feet (4') in height placed not less than four feet (4') distant from the pool sides.

B. Any gates in said continuous fencing shall be provided with locking devices that will maintain the gate in a closed position when the pool is unattended.

C. Any above ground swimming pool wherein the height of all pool side walls is four feet (4') or more above ground level at all points shall not require fencing provided that the level of the ground surrounding the pool is the same as the level of the base of the pool for at least four (4) feet outwardly from all pool walls.

D. All above ground swimming pools shall be so constructed that access to said above ground swimming pool is controlled by steps or ladders which must be removed or blocked when the pool is unattended.

### SECTION 3. COMPLIANCE:

A. All existing swimming pools within the Township of Washington shall conform to the provisions of this Ordinance by June 1, 1989 and all swimming pools constructed or installed after the date of passage of this Ordinance shall comply with the provisions of this Ordinance before any water is placed into said newly constructed or installed swimming pool.

### SECTION 4. PENALTIES

A. Any person violating the provisions of this Ordinance shall, upon summary conviction thereof before a District Magistrate, pay a fine of not less than Twenty-five (\$25.00) Dollars nor more than One Thousand (\$1,000.00) Dollars together with costs of prosecution and/or shall be imprisoned for not more than thirty (30) days.

SECTION 5. SEVERABILITY:

A. All sections and parts of this Ordinance are severable and if any section or portion shall be declared invalid, the same will not affect the validity of any and all other sections and portions.

SECTION 6. EFFECTIVE DATE:

A. This Ordinance will become effective five (5) days after enactment.

ORDAINED and ENACTED into law by the Board of Supervisors of Washington Township, Westmoreland County, Pennsylvania, this 9th day of March, 1989.

*Leland T. Fice*

Chairman

*Burl L. Slangerburg*

Vice Chairman

*Herbert J. Coulter*

Member

ATTEST:

*Audrey A. Sopher*

Secretary