

Swimming Pool Information Sheet

17-5.22 Swimming Pools.

- a. *Definition:* For purposes of this subsection, the following definition shall prevail:

Swimming pool shall mean any pool artificially constructed, any part of which is more than eighteen (18) inches in depth designed, used, and maintained for swimming and bathing purposes by an individual for use by members of his or her household and guests located on a lot as an accessory use to a conforming use, as now, or hereafter zoned.

- b. *Regulations.*

1. It shall be unlawful to establish or construct or use a swimming pool within the Borough of Sea Girt without first obtaining a permit from the Zoning Officer and Construction Official in the manner hereinafter prescribed.

2. Permits. An application for a permit to construct a swimming pool shall be accompanied by four (4) sets of plans which shall adhere the following:

- (a) A grading and drainage plan shall be submitted with the permit application which plan shall include:

- (1) A full depth soil boring to the seasonal high groundwater table as prepared by a fully licensed professional engineer.
- (2) Location of existing and proposed grades.
- (3) Groundwater conditions.
- (4) Dimensions and location of the proposed pool, including setback requirements as per the Borough's ordinance.
- (5) Direction of run-off.
- (6) Direction of discharge from pool equipment.
- (7) Location of mechanical equipment.
- (8) Location and height of pool enclosure fencing with self-closing and self-latching gates.

3. All swimming pools shall be located in the rear yard area of the property.

4. Pools shall occupy no more than eight hundred (800) square feet as measured along the surface of the water.

5. Bottom elevation of the pool structure shall not be less than two (2) feet above the seasonal high groundwater elevation, as defined by January 1 through April 1 of each year.

6. No portion of a swimming pool shall be closer than ten (10) feet to a property's building line or any structure located on the premises.

7. Where a pool will be constructed on a corner lot, no swimming pool shall be located closer to the side street property line than the setback requirement for that particular street in accordance with the Borough's ordinance regarding same.

8. Swimming pools may be constructed with underwater lighting systems or exterior lights or both, provided that all exterior lights are located so that the light is directed or shaded in such a manner that no direct rays of light therefrom fall more than three (3) feet upon any adjacent lots, and such light is neither directed nor reflected in such way as to cause a nuisance or annoyance to neighboring properties. All swimming pool lighting shall be in conformance with State Electrical Codes.

9. Swimming pools shall be completely surrounded by protective fencing with a minimum of four (4) feet in height, but no more than six (6) feet in height, which fencing shall include self-closing and self-latching gates. If pool fencing exceeds four (4) feet in height, it shall be set back from the rear lot line at least five (5) feet, and bounded by the side building lines. Such fences shall be suitably landscaped to minimize the visual impact on adjacent residential uses.

10. No sound amplifying systems shall be permitted in connection with a swimming pool.

11. Discharge System. No swimming pool shall be drained into or cause to be overflowed into the municipal sanitary sewer system or into the public streets of the municipality. No pool's filter system shall be connected in any manner with the municipal sanitary sewer system.

12. Swimming pools shall be constructed with an adequate system for surface disposal by absorption upon the property of the owner, without drainage onto any adjoining property. No such system shall be permitted to allow drainage to pump back into the ground by a system through lines other than the source of supply, or connected with the storm sewer system, if an underground system must be constructed on site to control runoff.

13. No swimming pool shall be constructed except as an accessory use to a dwelling on the same lot. The vertical walls of the pool shall not be nearer to any street than that which is permitted by the relevant setback requirements as per the Borough's ordinance. No swimming pool shall be constructed within ten (10) feet of any rear or side property lot line or any existing structure. No pool shall be constructed at an elevation greater than twelve (12) inches higher than the unaltered existing ground elevation.

14. No pool fence shall remain open, unlocked or unlatched, except when said pool is in use.

15. No pool shall remain with water therein or without an adequate and safe cover for a period in excess of thirty (30) days, unless the dwelling house, to which it is an accessory use, is occupied.

16. Construction activities shall be undertaken in accord with all governmental agencies including, but not limited to, the regulatory requirements of the Freehold Soil Conservation District which include, but are not limited to, the following: Stone Tracking

Pad; Perimeter Silt Fence; Hay Bale Inlet Protection; Zero Silt Runoff from Residential Property; No Off-Site Discharge of Construction Dewatering Activities.

17. No Certificate of Occupancy shall be issued by the Construction Officer until endorsed by the Zoning Officer certifying that the completed construction and development complies with the requirements of this chapter. Prior to such endorsement, the Zoning Officer shall have been provided by the owner at the time of inspection, three (3) raised seal "As Built" surveys. These surveys shall clearly show all work done and the Zoning Officer at his discretion may require additional surveys. (Ord. No. 18-2015)

c. *Exemption.* Nothing herein shall be construed to allow the construction of a swimming pool for public use within the Borough of Sea Girt.

d. *Enforcement.*

1. Every private swimming pool constructed, installed, and maintained in the Borough shall, at all times comply with any and all governmental regulations including, but not limited to, all State and local Health Codes. Any nuisance or hazard to health that may exist or develop in or in consequence of or in connection with any such private swimming pool shall be forthwith abated and removed by the owner, lessees or occupant of the premises on which the pool is located, upon receipt of notice from the Code Enforcement Officer of the Borough.

2. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this subsection. All complaints shall be filed with the Code Enforcement Officer.

3. The owner of any swimming pool within the Borough shall allow the Code Enforcement Officer, Construction Official or other authorized municipal official access to any swimming pool and appurtenances thereto for the purpose of inspection to ascertain compliance with this subsection and all other pertinent Borough ordinances, at all reasonable times.

e. *Violations and Penalties.* Any person who shall violate any of the provisions of this subsection shall, upon conviction, be subject to the penalties as provided in Chapter I, Section 1-5 entitled "General Penalty." Each day of violation shall constitute a separate offense. (Ord. #579, A V §15; Ord. #755 §12; Ord. #23-2013; Ord. No. 02-2014; Ord. No. 18-2015)