

**CLYDE TOWNSHIP  
SWIMMING POOL ORDINANCE #26**

An ordinance to establish standards governing the construction, maintenance, operation and use of public and private swimming pools and to provide penalties therefore.

The Township of Clyde Ordains:

Section I.

No person shall construct or install a swimming pool without first obtaining a permit from the Clyde Township Building Inspector. Any person legally entitled to apply for and receive such a permit shall make application therefore on forms provided for that purpose. Such application shall be accompanied by plans in duplicate and in sufficient detail, including plot plans with site grades, dimensioned and drawn to a scale of not less than one-eighth inch per foot, and showing at least the following:

1. Property lines, easements and rights-of-way of record adjacent to the pool area.
2. Existing structures, fencing, retaining walls and other relevant characteristics adjacent to the pool area.
3. Proposed pool shape, dimensioned and located to show setbacks, side yards and clearance from existing structures adjacent to the pool area.
4. Proposed mechanical equipment, pad dimensions and location.
5. Proposed deck work configuration showing its anticipated drainage.
6. Anticipated overall drainage of the pool site.
7. Volume, system flow rate in gallons per minute, and turnover in hours.
8. Type and size of filtration system and means of waste disposal.
9. Type and size of pool heater, if included, including method of venting and provisions for combustion air.
10. Pool piping layout with all sizes shown and types of material to be used, and showing the location of the

main outlet, *surface* skimmers and inlets.

11. The water capacity of the pool pump in gpm at the design head with the size and type of motor indicated and identified as a self-priming or straight centrifugal.
12. Means of adding makeup water.
13. Size, length from source to heater, and routing of gas line.

#### Section II.

All private outdoor swimming pools shall comply with all yard requirements for the zoning district in which they are located. A private outdoor swimming pool shall be considered as an accessory use in any residence district and, in the application of yard requirements, the size of such pool shall be the outside measurements of the walls thereof and shall not include any cement or hard-surfaced areas adjacent to the pool.

#### Section III.

Every pool shall be constructed so as to be watertight and easily cleaned and shall be made of nonabsorbent material and shall be free of cracks, loose joints, and rough protruding edges.

#### Section IV.

1. All electrical wiring installed and provided for, or used in conjunction with, swimming pools shall be in conformity with the National Electrical Code adopted by the Township.
2. No electric wires or conductors shall cross, either overhead or underground, any part of a swimming pool wall closer than five (5) feet, if underground, unless enclosed in rigid conduit, or within ten (10) feet, if overhead.
3. All swimming pool lights must be watertight, self-contained units with their own ground connection running from a waterproof junction box to a proper grounding facility or medium. All underground electric wires supplying current to a light or lights, within a distance of five (5) feet of the pool wall or walls, must be enclosed in rigid conduits.

4. All metal fences, enclosures or railings near or adjacent to swimming pools, which might become electrically alive as a result of contact with broken overhead conductors, or from any other causes, shall be effectively grounded.

#### Section V.

1. All swimming pools now or hereafter constructed outside of a building shall be enclosed by a fence extending from the ground to a point at least four (4) feet above any ground, or at least four (4) feet above any climbable stationary object within three (3) feet of the fence. Such fence shall be one of the following types:

- A. Chain link fences with mesh and exceeding two (2) and one-quarter (1/4) inches.
- B. Vertical board or pole fences with boards or poles spaced not greater than two (2) inches and all horizontal members shall be on the pool side of the fence.
- C. Solid fences having a flush exterior shall be acceptable.

2. Gates shall meet the requirements for fence construction, shall be self-closing, self-latching and equipped with a latch capable of securely holding the gate closed and mounted on the inside of the gate, not readily available for children to open. Service gates not ordinarily used for ingress or egress for swimmers need not be self-closing or self-latching.

3. For the purpose of determining suitable alternate types of fences and gates, the Clyde Township Board, after recommendation by the Township Building Inspector, is granted the authority to make such rulings.

4. Non-conforming fences existing at the time of adoption of the ordinance shall be allowed to remain providing they meet the following:

- A. Height requirements conform with Section 711 (1)
- B. Gates conform with Section 711(2).
- C. No openings are large enough for the passage of children.

5. At such time as fence requires replacement, provisions of this ordinance shall be complied with.
6. The outer vertical wall of an above ground swimming pool may be deemed an adequate enclosure provided that the upper rim of this wall must be not less than four (4) feet. The ladder to the pool shall be a safety ladder. An attached fixed ladder shall be enclosed in accordance with Section V (1)

Section VI.

The provisions of this ordinance shall be supplemental to other codes adopted by the Township and, unless otherwise specifically provided herein, materials and construction shall conform to the requirements of the electrical code and the plumbing code.

Section VII.

1. No swimming pool shall be used, kept, maintained or operated in the township, except in accordance with and in compliance with the provisions of this ordinance, nor shall a pool be used, kept, maintained or operated in such a manner as to occasion a nuisance or be dangerous to life or a threat to health or safety.

2. Pools shall be maintained in a clean, safe and sanitary condition at all times during the swimming season.

Section VIII.

It shall be the responsibility of the owner of a pool to insure that the pool is constructed, maintained and operated in accordance with the provisions of this ordinance and other applicable ordinances of the Township.

Section IX.

Any person, firm, corporation or association who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, punishable by a fine of Five Hundred and no/100 (\$500.00) Dollars or imprisonment in the County Jail for ninety (90) days, or both such fine and imprisonment.

Section X.

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or sub-section is declared void or inoperable for any reason by any court, it shall not affect any other part or portion thereof other than the part declared void or inoperable.

Section XI.

All ordinances in conflict herewith are hereby repealed.  
Section XII.

This ordinance shall take effect upon publication as provided by law.

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 26 duly adopted by the Township Board of the Township of Clyde, County of St. Clair, Michigan, at a regular meeting held on the 15 day of September, 1984, at which all Members were present and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts made available as required by said Act.

I further certify that Member Reilly moved adoption of said Ordinance and that Member Stein supported said motion. I further certify that the following Members voted for adoption of said Ordinance: Simpson, Bearss, Baker, Stein and Reilly and the following members voted against adoption of said Ordinance: None.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Supervisor and Township Clerk.

Vera Bearss, Clerk  
Township of Clyde