

ORDINANCE NO. 94

AN ORDINANCE ESTABLISHING A SWIMMING POOL FENCING
ORDINANCE FOR THE TOWN OF BEASLEY, TEXAS.

WHEREAS, the Town Council of the Town of Beasley, Texas (the "Town") deems it necessary and proper and in the best interests of the citizens of the Town to establish a swimming pool fencing ordinance for the Town of Beasley.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEASLEY, TEXAS AS FOLLOWS:

Section 1 - Installation: It shall be unlawful for any person to construct, install, or enlarge a residential swimming pool not enclosed in a permanent building in the town except in accordance with the following regulations.

Section 2 - Definitions: A swimming pool within the meaning of this section shall be any depression in the ground, either temporary or permanent, and either above or below the ground in which water of more than twenty-four inches (60.96 centimeters) in depth is contained and which is used primarily for the purpose of bathing and swimming.

Section 3 - Permit: It shall be unlawful for any person to construct, install, enlarge, or alter any private swimming pool unless a building permit has first been obtained from the building inspector. The permit fee shall be ten dollars. Application shall be on forms provided by the building inspector, and shall be accompanied by plans drawn to scale showing the following:

- (a) Pool dimensions and volume of water in gallons (liters).
- (b) Location and type of waste disposal system.
- (c) Location of pool on lot, distance from lot lines, and distance from structure.
- (d) Fencing and landscaping plan, or a combination thereof.

Section 4 - Construction Requirements: (a) No pool shall be located, erected, constructed or maintained closer to any side or rear lot line than allowed by restriction or any ordinance for permitted accessory building uses, and in no case shall the water line of any pool be less than four feet (1.22 meters) from any lot line.

(b) No direct connection shall be made to the sanitary sewer or septic system.

(c) Gaseous chlorination system shall not be made use of as a disinfection method for pool waters. The building inspector shall recommend a proper disinfectant.

Section 5 - Fence: Pools within the scope of this section or not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and shall be not less than four feet (1.22 meters) in height, so constructed as not to have voids, holes or openings larger than four inches (10 centimeters) in one dimension. Gates or doors shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.

Aboveground pools with self-provided fencing to prevent unguarded entry will be allowed without separate additional fencing, providing the self-provided fence is of minimum required height and design as heretofore specified.

Permanent access from grade to aboveground pools having stationary ladders, stairs or ramps shall have not less than equal safeguard fencing and gates.

Location or fencing required shall be subject to all other applicable ordinances.

No fence shall be located, erected, constructed or maintained closer to a pool than three feet (0.91 meters).

The wall of the house or building faced to a pool may be incorporated as a portion of such fence.

Section 6 - Electrical Requirements: All electrical installations provided for, installed, and used in conjunction with a private swimming pool shall be in conformance with the state laws and town ordinances regulating electric installations.

If overhead flood or other artificial lights are used to illuminate the pool at night, such lights shall be shielded to direct light only on the pool.

Section 7 - Other Regulations: No pool shall be so operated or maintained as to create a nuisance, a hazard, an eyesore, or otherwise to result in a substantial adverse effect on neighboring properties, or to be in any other way detrimental to public health, safety, and welfare.

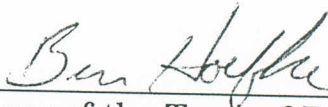
Section 8 - Maintenance: A swimming pool or swimming pools shall be maintained in a sanitary manner.

Section 9 - Penalty: Any person, firm or corporation violating any provision of this ordinance shall be fined not more than two hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 10 - Severability: If any section, subsection, sentence, clause, phrase or word of this ordinance shall for any reason be held void, unconstitutional or invalid, then such shall be deemed severable, and the invalidity thereof shall not affect the validity of the remaining parts of this ordinance.

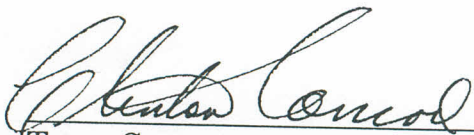
Section 11 - Effective Date: This ordinance shall be effective from and after the date of its passage and approval and the publication of its caption as required by law.

PASSED AND APPROVED this the 19th day of MARCH,
1992.



Mayor of the Town of Beasley

ATTEST:



Town Secretary