

Village of Bonduel
Shawano County
117 W. Green Bay Street
Bonduel, WI 54107

ORDINANCE NO.: 2020-04

SPONSORED BY: PLAN COMMISSION

INTRODUCED BY: RENELL BARTLETT

SECONDED BY: BARBARA WICKMAN

THE VILLAGE BOARD OF THE VILLAGE OF BONDUEL, SHAWANO COUNTY, WISCONSIN, DO ORDAIN THAT THE MUNICIPAL CODE OF BONDUEL, WISCONSIN, CHAPTER 103, BUILDING CODE, §103-13, FENCES AND WALLS, (3) PRIVATE SWIMMING POOL FENCES is hereby repealed and recreated as follows:

Sec. 103-13. – Fences and Walls

(e) *Private swimming pool fences.*

- (1) *Swimming pool defined.* The term "swimming pool" means any depression in the ground, either temporary or permanent, or a permanent container of water, either above or below the ground, in which water more than 24 inches deep is contained and which is used primarily for the purpose of bathing or swimming.
- (2) *Required.* No person shall maintain, construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the village unless a fence is constructed in accordance with this section.
- (3) *Fences.*
 - a. All private swimming pools not enclosed within a permanent building shall be completely enclosed by a fence, which is of sufficient strength to prevent access to the pool. Such fence shall not be less than five feet (5') in height, shall be located no closer than three feet (3') to the pool, and shall be so constructed as not to have voids, holes, or openings larger than four inches (4") in one (1) dimension. Gates or doors in fences shall be so constructed as to be capable of being locked, and shall be closed and locked so as to prevent unlatching by persons outside the pool area at all times when the pool is not in actual use. The wall of a house or building facing a swimming pool may be incorporated as a portion of a required fence. A deck may be incorporated as a portion of a required fence provided the requirements of (a) above are incorporated into the design including any steps provided.

- b. Fencing shall not be required if a structural cover, meeting the ASTM F1346- 91 Safety Standard, is installed. Such covers shall be in place whenever the pool is not in use and/or unsupervised by an adult.
- c. An above ground pools with self-provided fencing or above grade side wall height meeting the fencing requirements is considered complying if all ladders are removed or locked to prevent access

(4) *Exceptions.*

- a. Nonfiltered, storable swimming or wading pools that are so constructed that they may be readily disassembled for storage and reassembled to their original integrity are exempt from the provisions of this section. Decorative pools that are less than 36 inches in depth are exempt from the provisions of this section. Spas and hot tubs with lockable tops are also exempt.

(5) *Compliance.*

- a. All swimming pools existing at the time of adoption of this chapter not satisfactorily fenced shall comply with the fencing requirements of Subsection (3), or when water is placed in the pool. Enclosures on existing pools shall be inspected by the Building Inspector for compliance. Variations in enclosure requirements that do not adversely affect the safety of the public may be approved.

This Ordinance shall take effect upon passage and posting as provided by law.

Adopted: JULY 8,2020

Published: JULY 17, 2020

Russ Gehm
Village President

Attest:

Michelle Maroszek
Village Clerk