

AMENDMENT: Swimming Pool Safety **(DRAFT)**

Purpose:

The purpose of this bylaw is to safeguard children and adults from accidents that may occur in open bodies of water located on private property.

Definitions:

Definitions for the purposes of this bylaw:

Swimming Pools et al: Any body of water **twenty-four (24)** or more inches in depth above or below ground in an artificial or semi-artificial receptacle or container, permanent or temporary, whether located indoors or outdoors, used or intended to be used for swimming by adults and/or children, and includes all structures, equipment, appliances, and all other facilities appurtenant to or intended for the operation and maintenance of a swimming pool. (780 CMR, §R105.2)

Restrictions:

1. All swimming pools when installed in the rear yard shall be placed no less than **fifteen (15) feet** from the rear and/or side lot line.
- 2. No swimming pool shall be placed less than forty feet (40 ft.) from the front lot line.**
3. Pools, inground or above ground, will be enclosed in a barrier at least 4 feet in height. Above ground pools may include the height of the pool and may require an addition on the pool to attain the required height. **In addition to any other protective measures, a fence is still required by Southampton.** Chain link fencing mesh size **shall not exceed 2¼ inches.**
- 4. Pools located on fenced property also require an adequate barrier immediately surrounding the pool.**
5. Pool fencing must have a self-latching gate and swing outward. All gates and doors opening through such enclosures shall be kept locked when the pool is not in actual use or left unattended.
- 6. In compliance with MA Building Code 780 CMR, above-ground pools must be removed when the pool is not in use, if not secured by fencing.**
- 7. Permits for swimming pools can be obtained from the Building Department.**

Exemptions:

Small plastic or inflatable children's pools are exempt as are hot tubs with approved safety covers.

Enforcement:

The Building Commissioner/Inspector will issue notices of violation to property owners for failure to comply with this bylaw. Penalties/fines will be levied per bylaw Ch. 203, Non-Criminal Disposition.