



City of Fairview Park Swimming Pool Permit Information

ABOVE GROUND POOL:

- Plan Review Fee: \$15.00
- 10 day posting period required
- Permit Application must include Site plan showing measurements to all lot lines and distances from power lines per NEC Article 680.
- Permit Fee: 75.00 (Fee includes electrical wiring per NEC Article 680)

IN-GROUND POOL:

- Plan Review: \$15.00
- Grade Deposit: 500.00
- 10 day posting period required
- Site plan must be submitted with application showing measurements to all lot lines and distances from power lines per NEC Article 680.
- A surveyor drawn topography map must also be submitted showing elevations of subject property and all abutting properties for City Engineer Approval
- (§1317.08).
- Permit Fee: 150.00

Chapter 1321 of the Fairview Park Codified Ordinances, governing swimming pools, is provided below in its entirety because it covers both above ground pools and in ground pools.

CHAPTER 1321 Swimming Pools

1321.01 Permit required.

1321.02 Plans required; permit issuance.

1321.03 Building Commissioner to enforce.

1321.04 Location of outdoor pool.

1321.05 Height of dwelling or building.

1321.06 Fence required for outdoor pool.

1321.07 Location of fence.

1321.08 Outdoor pool unobstructed areaway required.

1321.09 Hours of lighting.

1321.10 Underwater lighting requirements.

CROSS REFERENCES

Swimming pools - see Ohio Administrative Code Ch. 3701-31

Residential swimming pools - see P. & Z. 1117.02(b)(6)

Permit fee - see BLDG. 1307.08(d)

1321.01 PERMIT REQUIRED.

No pool seventy-five square feet or more in area shall be constructed or established unless a permit is first obtained from the Building Commissioner. "Pool" means any structure or other device, either permanent or portable, designed or used for swimming or recreational bathing. (Ord. 90-5. Passed 4-2-90.)

1321.02 PLANS REQUIRED; PERMIT ISSUANCE.

Any person desiring to locate, construct or maintain any pool seventy-five square feet or more in area shall first submit to the Building Commissioner plans therefor showing the size, depth and type of construction, a drawing to scale showing the location of the barrier and gates, fence, if required, and location of the pool with reference to any structure or building situated on the lot or parcel of land. If the plans and location of such pool conform to the requirements of this chapter and all other City regulations, the Building Commissioner shall issue a permit upon the payment of the fee provided for in Chapter 1307. Every pool subject to the provisions of this chapter shall have a drainage device so that it can and shall be drained into a City storm sewer. (Ord. 90-5. Passed 4-2-90.) 2011 Replacement

1321.03 BUILDING COMMISSIONER TO ENFORCE.

The Building Commissioner shall enforce the provisions of this chapter. (Ord. 58-86. Passed 8-4-58.)

1321.04 LOCATION OF OUTDOOR POOL.

No permanent or temporary swimming or wading pool, seventy-five square feet or more in area and not enclosed in a permanent building or like structure, shall be located, constructed or maintained as follows:

- (a) Closer than ninety feet from any street on which such lot or parcel fronts. The "street line" means the dividing line between the street and the lot or parcel and shall be the point of origin for measurement of this distance.
- (b) In any front yard which includes the yard across the full width of the lot or parcel extending from the building or front yard line to the street line.
- (c) Closer to any side line than ten feet.
- (d) Closer to any rear lot or parcel line than eight feet.
- (e) Closer to a perpendicular line extending from the ground to the outermost projection of the roof of any dwelling or building, detached garages excluded, than as follows:

Dwelling or Building Height (Ft.)	Minimum Distance (Ft.)
15 or less	13
Over 15 to 30	18
Over 30 to 45	28
Over 45 to 60	48

(Ord. 90-5. Passed 4-2-90.)

1321.05 HEIGHT OF DWELLING OR BUILDING.

The "height of the dwelling or building", for purposes of this chapter, means the vertical distance measured from the finished grade line of such dwelling or building to:

- (a) The highest point of the coping or fascia of flat roofs; or
- (b) The highest point of the eaves line on the side of the building facing the pool for gable, gambrel or hip roofs. (Ord. 58-86. Passed 8-4-58.)

1321.06 FENCE REQUIRED FOR OUTDOOR POOL.

Every permanent or temporary swimming or wading pool, seventy-five square feet or more in area and which is not enclosed in a permanent building or like structure, shall have erected around it a fence of sufficient strength, of permanent and durable materials, of such design and construction so as to prevent access to such pool by small children, of a height not less than five feet, and which shall be fifty percent (50%) or more open to light and air so as to permit a person to see through into the pool. Access to such pool shall be through gates in such fence which gates shall be equipped in such manner as to be securely locked except when in use by the owner or occupant and under the immediate observation of the owner or occupant or when in use with the owner's or occupant's permission and under the immediate observation of a responsible person

designated by the owner or occupant. The provisions of this section shall not apply to a pool with both a five foot or higher sidewall and a locking type ladder which is either removed from the pool when not in use or which is placed in such a position so as to render it incapable of being used.

(Ord. 90-5. Passed 4-2-90.) 2011 Replacement 53 Swimming Pools 1321.10

1321.07 LOCATION OF FENCE.

The fence required in Section 1321.06 shall be subject to any other City ordinances and no fence shall be located, constructed or maintained as follows:

- (a) Closer to the pool than three feet.
- (b) Closer to any dwelling or building, detached garages excluded, than as follows:

follows:

- (1) The rear wall of the dwelling or building may be incorporated as a portion of such fence.
- (2) If the rear wall of the dwelling or building is not incorporated as a portion of such fence, then any fence located, constructed or maintained between the pool and any dwelling or building shall not be closer to a perpendicular line of such dwelling or building than as follows:

Dwelling or Building Height (Ft.) Minimum Distance (Ft.)

15 or less 10

Over 15 to 30 15

Over 30 to 45 25

Over 45 to 60 45

(Ord. 58-86. Passed 8-4-58.)

1321.08 OUTDOOR POOL UNOBSTRUCTED AREAWAY REQUIRED.

Every permanent or temporary swimming or wading pool seventy-five square feet or more in area and which is not enclosed in a permanent building or like structure, shall have an unobstructed areaway around the entire pool of not less than three feet.

(Ord. 90-5. Passed 4-2-90.)

1321.09 HOURS OF LIGHTING.

If overhead flood or other artificial light is used to illuminate the pool at night, such lights shall not be used after 11:00 p.m., if the pool is located within 200 feet of any building used for dwelling purposes. Lights shall at all times be shielded to direct light on the pool only. (Ord. 58-86. Passed 8-4-58.)

1321.10 UNDERWATER LIGHTING REQUIREMENTS.

Any person installing underwater lighting wiring, equipment and/or fixtures in all swimming pools located within the City shall conform to the standards, specifications and requirements of the National Electrical Code as adopted in Chapter 1315.