

ORDINANCE NO. 236

AN ORDINANCE PROVIDING THAT PERSONS AS DEFINED HEREIN WHO SHALL OWN OR OPERATE A SWIMMING POOL WITHIN THE CITY OF ADDISON SHALL ABIDE BY THE FOLLOWING REGULATIONS: (1) POOLS SHALL BE ENCLOSED AS TO ELIMINATE ACCESS OF SMALL CHILDREN (2) ENTRIES TO POOL AREAS SHALL HAVE A SELF CLOSING AND SELF LOCKING DEVISE ATTACHED (3) SUCH LOCKING DEVISE SHALL BE MOUNTED AT SUCH A HEIGHT AS TO ELIMINATE ACCESS BY SMALL CHILDREN (4) SIGNS OR MARKERS SHALL BE MOUNTED ON ALL ENTRIES STATING "KEEP CLOSED AT ALL TIMES" (5) AN ADULT, PARENT OR GUARDIAN SHALL BE REQUIRED TO STAY WITH SMALL CHILDREN AT ALL TIMES; PROVIDING FOR BUILDING PERMIT TO BE WITHHELD; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. Every person in possession of land within the corporate limits of the City, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool shall at all times maintain upon the lot or premises on which the swimming pool is located and completely surrounding the swimming pool, lot or premises, a fence, wall or other solid structure.

The fence, wall or other solid structure required by this Ordinance shall be so designed to prevent small children

from inadvertently wandering into the pool, and shall not be less than three and a half (3 1/2) feet in height with no openings therein other than doors or gates larger than four (4) inches square, measured in any direction except that measurement for a picket fence or picket type fence (one composed primarily of vertical members) shall be measured in a horizontal direction between members. All such doors opening directly into such enclosure shall be equipped with self closing and self latching devices designed to keep and capable of keeping such doors or gates securely closed at all times when not in actual use, such latching device to be attached to the upper quarter of said door or gate; provided, however, that the door of any dwelling occupied by human beings and forming any part of the enclosure herein required need not be so equipped.

Furthermore, on all such doors except the door of any dwelling occupied by human beings and forming any part of the enclosure herein shall be posted a sign or markers of at least five inches by twelve inches (5 x 12) stating "Keep Closed at All Times".

Moreover, all locking devices as herein provided shall be mounted at a height of at least three and a half feet (3 1/2) from the ground or bottom of the enclosure, whichever is greater.

Furthermore, an adult, parent or guardian shall be in attendance or near by in view with any children under the age

of six (6) years at all times while said child or children are inside said enclosure.

SECTION 2. A building permit shall be required for the construction of swimming pools within the limits of the City and plans for each swimming pool shall show compliance with the requirements of this Ordinance, and final inspection of such swimming pool shall be withheld until compliance with the requirements of this Ordinance has been obtained.

SECTION 3. If any section, paragraph, sub-division, clause or phrase of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not effect the validity of this Ordinance as a whole or any part or any provision thereof other than the part so decided to be invalid or unconstitutional.

SECTION 4. Any person, firm or corporation who violates any of the provisions of this Ordinance shall upon conviction be subject to a fine not more than Two Hundred Dollars (\$200.00) for each offense. Every day during which such violation shall continue shall constitute a separate offense.

SECTION 5. The fact that the City of Addison, Texas does not have an Ordinance regulating swimming pools within the City creates an urgency and an emergency and in the preservation of public health, safety and welfare, requires that this Ordinance shall take effect immediately and after its passage and the publication of the caption, as the law

in such cases provides.

DULY PASSED by the City Council of the City of Addison,
Texas on this the 25 day of November, 1975.

APPROVED:


MAYOR

ATTESTED:


CITY SECRETARY

APPROVED AS TO FORM:


ATTORNEY