

WASHINGTON TERRACE CITY
ORDINANCE 15-08

SWIMMING POOLS AMENDED

AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,
UTAH, AMENDING SECTION 17.48.010 RELATED TO
SWIMMING POOLS; SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, the City desires to comply with the ICC 2012 ISPSC (International Swimming Pool and Spa Code), Chapter 3, Section 305 Barrier Requirements which identifies and establishes a barrier or clear zone distance around the pool from the water’s edge;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. Section 17.48.010 is hereby amended to read as follows:

17.48.010 Family Swimming Pools

A family swimming pool shall be permitted in the rear of a dwelling as an accessory use provided the following requirements are met:

~~A. The location of such family swimming pool or accessory machinery shall be not less than thirty five feet (35') from any dwelling on an adjoining lot and not less than ten feet (10') from any interior property line. On corner lots, the distance from such pool to the property line facing on a street shall be not less than the required side yard for an accessory building in that zone.~~

A swimming pool may cover the area within a rear yard and not located within an easement unless the construction of that pool would require the need to vary from existing ordinance. A variance for the pool to be allowed to be constructed on the easement would need to be obtained.

B. The pool or spa may not be closer than five (5) feet to the property line measured at water’s edge.

C. Minimum setback requirements from property lines are as follows:

(a) Front Yard: No pool allowed within a front yard.

(b) Rear Yard: Five feet (5') Min.

(c.) Side Yard: Five feet (5') Min. within the fence line of the property.

(d) Easement: Setbacks shall comply with all easement regulations

D. An outside family swimming pool shall be completely enclosed by a substantial fence not less than five feet (5') in height, and any lights used to illuminate the pool or its accessories shall be so arranged as to reflect the light away from the adjoining premises

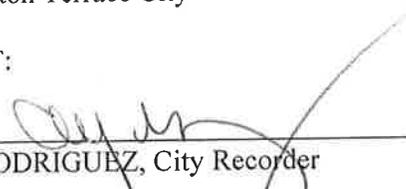
Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this 17 day of NOV., 2015.


MARK C. ALLEN, Mayor,
Washington Terrace City

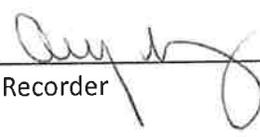
ATTEST:


AMY RODRIGUEZ, City Recorder

RECORDED this 17 day of November, 2015.
PUBLISHED OR POSTED this 14 day of November, 2015.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Washington Terrace City, hereby certify that foregoing Ordinance was duly passed and published, or posted at 1) City website 2) City Hall and 3) City Center on the above referenced dates.


City Recorder DATE: 11-18-15