

## Swimming Pools

### Chapter 52

#### SWIMMING POOLS

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**[History: Adopted by the Attica Village Board 6-6-2000 by L.L. No. 5-2000.  
Amendments noted where applicable.]**

#### General References

Fences – see chapter 20.

Zoning – see chapter 62

**S 52-1. Title.**

This chapter shall be known as the “Swimming Pool Ordinance of the Village of Attica, New York.”

**S 52-2. Purpose; intent.**

The purpose of this chapter is to promote the public health, safety and general welfare by regulating and restricting the location, use and operation of swimming pools and accessory structures, it being recognized that there is a need to regulate such installation and maintenance of swimming pools in the Village of Attica in that private swimming pools have become so common and numerous that they do present a danger to the public health, safety and general welfare if unregulated and uncontrolled.

**S 52-3. Definitions.**

For the purpose of this chapter, the following terms shall have the meanings indicated:

**SWIMMING POOL-** Any body of water or receptacle of water having a depth at any point greater than 32 inches, used or intended to be used for swimming or bathing, and constructed, installed or maintained either above, below or partly above and partly below

ground level, except that a natural body of water such as a lake, quarry or creek will not be considered a swimming pool for the purposes of this chapter.

**S 52-4. Compliance required.**

No swimming pool shall hereafter be erected, constructed or excavated except in compliance with the following regulations and requirements.

**S 52-5. Permit required.**

No swimming pool shall be erected, constructed, excavated or modified without having applied for and obtained a zoning permit from the Village of Attica, and also a building permit may be required.

**S 52-6. Location.**

All swimming pools shall be located to the rear of the front line of the main structure on the premises and shall be at least four feet from the rear and side of the property lines of the premises and at least 15 feet from any neighboring structure. The Board of Trustees of the Village of Attica may vary the requirements of this section after a public hearing held with at least five days' public notice published in the official newspaper of the village, where undue hardship is imposed hereby; provided, however, that all existing swimming pools shall not be required to comply with the terms of this section: however, all such existing swimming pools may not be modified, enlarged or changed in any manner without complying with the provisions of this section.

**S 52-7. Drain Requirements.**

A swimming pool shall be provided with adequate drainage into the storm sewer system of the Village of Attica. Where drainage into the storm sewer is impractical, the swimming pool may be drained onto a lawn or other area, or to a dry well or wells, provided that the water does not overflow onto adjoining property or otherwise provide damage to the adjoining properties or cause inconvenience to the owners or occupants of such adjoining properties.

**S 52-8. Filling operation.**

There shall be no permanent physical connection between a potable public or private water supply system and a swimming pool; when a temporary physical connection is installed, it shall be operated so that no pool water can be discharged or siphoned into a potable supply system.

**S 52-9. Fence with gate required.**

All swimming pools shall be completely surrounded by a fence or similar barrier at least four feet in height. All gates and said fence shall be equipped with a locking device and

all such gates shall be locked when the swimming pool is not in use. The structure adjacent to the swimming pool may serve as a portion of the fence requirement of this section. Walls or other structural components of the swimming pool may also serve as a portion or as all of the fence requirement of this section, provided that the walls or other structural components are at least four feet in height and that any entrance, ladder or other means or structural components equipped with a gate or similar barrier capable of being locked, and which said gate or similar barrier shall be locked when the swimming pool is not in use. Swimming pools which are completely enclosed shall be considered as complying with this section, provided that all entrances to the pool from the exterior are capable of being locked.

**S 52-10. Penalties for offenses.**

Any person who violates the provisions of this chapter or fails to comply with the requirements hereof shall, upon conviction thereof, be punished by a fine of not more than \$250.00 or imprisoned for not more than 15 days, or be subject to both such fine and imprisonment.