

**ORDINANCE 19-1174**

**AN ORDINANCE AMENDING  
VILLAGE OF RUSSELLS POINT CODIFIED ORDINANCES  
TITLE THREE, CHAPTER 1177, SECTION 1177.03 PRIVATE SWIMMING POOLS**

WHEREAS, Title THREE, Chapter 1177, Section 1177.03 of the Village of Russells Point Codified Ordinances defines and regulates Private Swimming Pools to ensure they are safely maintained and operated to, among other things, avoid the creation of an attractive nuisance to children; and

WHEREAS, Council desires to update this code to incorporate language appearing in the Ohio Building Code to use the most current standards regarding swimming pools;

WHEREAS, Council desires to update its existing ordinance to ensure it reflects standards set in the Village's Property Maintenance Code;

WHEREAS, Council desires to take these actions to ensure consistency in its codified ordinances and to protect the health, safety and welfare of its citizens with regard to swimming pools and guarding the public, especially children, from the risks associated.

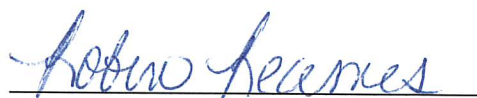
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RUSSELLS POINT, LOGAN COUNTY, OHIO THAT:**

SECTION 1: Council for the Village of Russells Point hereby amends Title THREE, Chapter 1177, Section 1177.03 of the Village of Russells Point Codified Ordinances, as reflected in Exhibit A, attached hereto.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Russells Point which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconstant parts.

Passed by Council this 16 day of September 2019.

  
\_\_\_\_\_  
Robin Reames, Mayor  
Presiding Officer

ATTEST: Jeff Weidner  
Jeff Weidner  
Fiscal Officer  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Lynnette Dinkler  
Village Solicitor

**ORDINANCE 19-1173**  
**EXHIBIT A**

**1177.03 PRIVATE SWIMMING POOLS.**

~~A private swimming pool, not including farm ponds, shall be any pool, lake, or open tank not located within a complete enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half feet. No such swimming pool, exclusive of portable swimming pools with a diameter less than 12 feet or with an area of less than 100 square feet shall be allowed in any commercial or residential district, except as an accessory use and unless it complies with the following conditions and requirements:~~

A private residential swimming pool for purposes of this Chapter means any indoor or outdoor structure, chamber, or tank, containing a body of water for swimming, diving, or bathing located at a dwelling housing no more than three families and used exclusively but the residents and their non-paying guests, including spas. For the purposes of this Chapter, "dwelling" includes an individual room or individual suite of rooms at a hotel, motel, or other establishment providing temporary lodging.

"Structure, chamber or tank" means any container that does not possess both of the following characteristics: The container is easily portable when empty; and the container is not capable of holding more than one hundred fifty gallons of water.

"Spa" means any swimming pool that that is typically operated as a smaller, higher temperature pool for recreational and non medical uses. "Smaller" means less than five thousand gallons in volume. "Higher temperature" means greater than ninety degrees Fahrenheit.

"Bathing" means any activity with a body of water, except for personal cleansing, religious ceremonies, medical purposes under the care of a professional certified by the Ohio state medical board pursuant to division (D)(1) of section 4731.053 of the Revised Code.

No private swimming pool shall be allowed in any commercial or residential district, except as an accessory use and unless it complies with the following conditions and requirements:

- (a) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- (b) It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than 10 feet to any property line of the property on which it is located.
- (c) The swimming pool, or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall be not less than five four feet in height, and maintained in good condition with a gate and lock in accordance with Section 1305.01, Adoption of Property Maintenance Codes, IMPC Section 303.
- (d) Provisions shall be made for drainage of the pool into a public storm sewer, where possible, or sanitary sewer (with permission of Logan County Water Pollution Control District), unless there is a ditch or natural watercourse of sufficient size and gradient adjacent to the pool location to carry off the water satisfactorily, in which case drainage may be put into such ditch or watercourse.

Permission must be obtained from the Zoning Code Enforcement Officer before the pool is drained in whole or in any substantial amount, in order to prevent overloading the sewer or ditch in times of heavy rain. In no case shall the pool be drained, directly or indirectly, into any street, adjacent property, or the lake.

(e) All lights used for illuminating such pool or the surrounding areas shall be so designed, located and installed as to confine the direct beams thereof to the lot or parcel on which the pool is located, and so as not to constitute a nuisance or undue annoyance to occupants of abutting property.

(f) Buildings, grounds, dressing rooms and all other swimming pool or family pool facilities shall be kept clean and in a sanitary condition and maintained free from garbage, trash and other refuse.

(g) Inflatable and portable swimming and wading pools shall be drained and stored in a suitable place from the last day of October until the first day of April of the following calendar year. (Ord. 06-984. Passed 3-20-06.)