



**SWIMMING POOL
PERMIT APPLICATION**

APPLICATION NO. _____ APPROVED BY: _____ DATE: _____

(BELOW TO BE FILLED IN BY APPLICANT)

Applicant: _____ Phone No.: _____

Address: _____ Zip: _____

Location of Proposed Pool (if different than above address): _____

Height of Pool: _____ Area of Pool _____ Residential () Commercial ()

Above Ground () Inground () Existing fence around yard (circle one): Y N

Type of required fence to be installed around pool: _____

I certify that I am the (circle one) (OWNER, LESSEE, or TENTANT) of the property for which this certificate is desired. I understand that I must submit plans, information, sketch and the required **fee of \$25.00**, as required before the application will be accepted for consideration. I also understand that my application must be acted upon within 30 days, unless I consent to an extension of time.

All city utility meters shall be accessible to utility personnel during normal working hours for the purpose of inspection, meter reading, maintenance, or replacement. Gates should be not locked, and animals must be controlled so access for personnel is not declined.

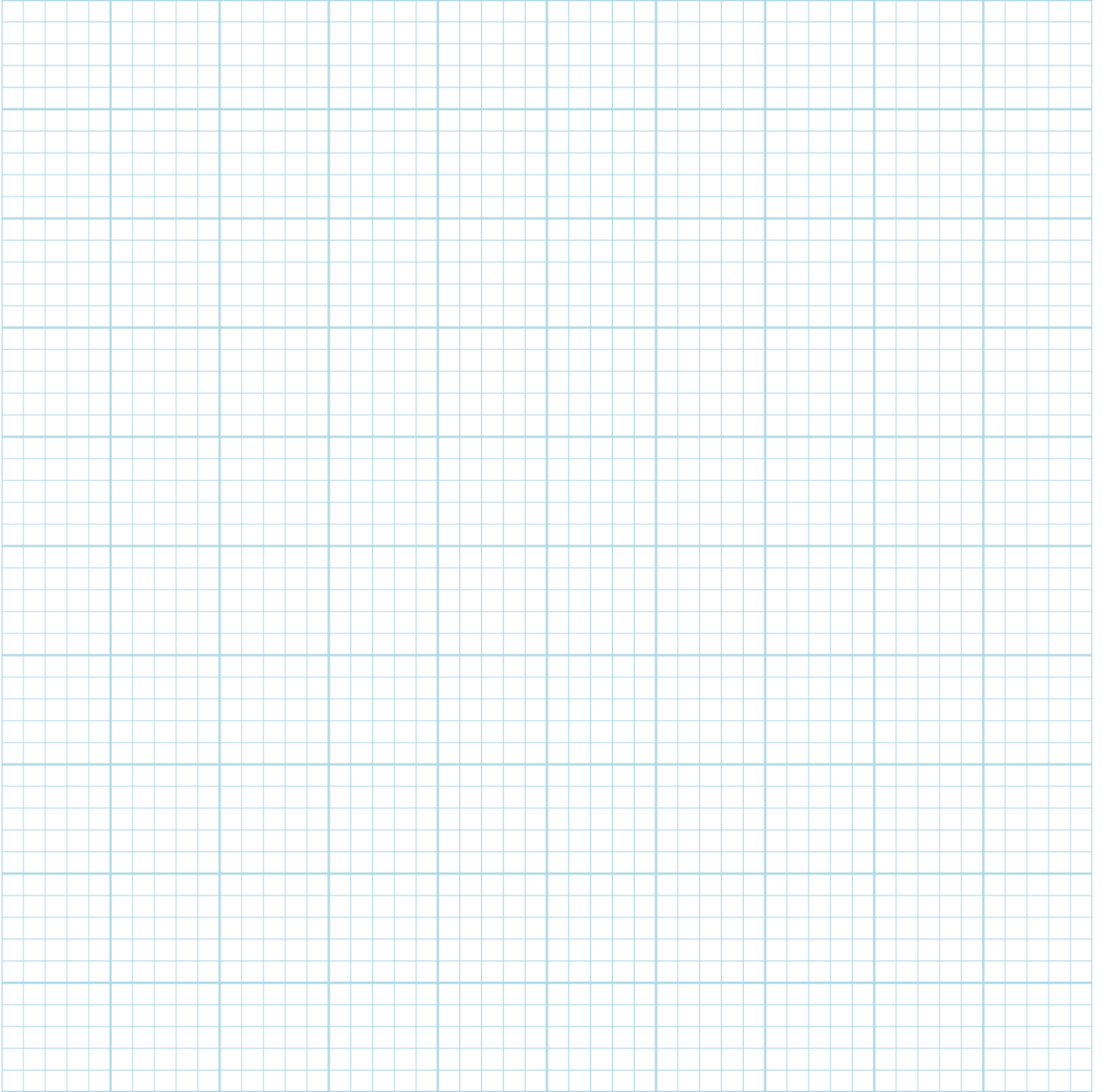
A zoning certificate shall become null and void six (6) months after the date on which it is issued unless such six-month period construction has commenced.

Signature of Applicant: _____

SITE SKETCH AND DIAGRAM OR PICTURE OF POOL NEEDS TO BE ATTACHED WITH APPLICATION, ALONG WITH REQUIRED FENCE LINE AROUND POOL.

***Call before you dig: 1-800-344-7233 (Dig Safe)*

SITE SKETCH



ORDINANCE NO. 3740

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AN ORDINANCE AMENDING ORDINANCE NO. 3059 OF THE CITY OF GARNETT, KANSAS, TO ESTABLISH NEW RULES FOR THE INSTALLATION AND MAINTENANCE OF SWIMMING POOLS, AMENDING ARTICLE 6 (SUPPLEMENTARY DISTRICT REGULATIONS), SUB PART 11 OF THE ZONING REGULATIONS.

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WHEREAS, the Governing Body has received a report of the Planning Commission recommending the amendment of the City of Garnett's Zoning Ordinance governing the installation and maintenance of swimming pools; and,

WHEREAS, said report having been examined and considered, the same is approved.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS:

SECTION 1: Article 6, sub-part 11 of the Zoning Regulations of the City of Garnett, as adopted by Ordinance No. 3059, is hereby amended to read as follows, to-wit:

11. Swimming Pools:

A. Shall be located at least ten (10) feet from any property line.

B. Two (2) feet or greater in depth shall not be installed without first applying for and obtaining a pool/fence building permit.

C. Shall be walled or fenced so as to prevent uncontrolled access by children from the street or any adjacent property. To that end, all gates in such wall or fence shall be self-latching, adjusted and maintained to operate properly, and the latch shall be positioned outside the reach of small children. Such fence or wall shall be located at least five (5) feet from the edge of the pool and shall be at least four (4) feet in height; provided, however, an above-ground pool having a factory type fence or railing that is purchased with the pool and attached to the deck and which has a removable or lockable gate is not required to place another fence around the pool.

D. Shall only be served by electrical supply circuits controlled by a functioning ground fault

circuit interrupter (GFCI). All swimming pool wiring, including power supply cords, shall comply with the applicable provisions of Garnett's fire and electric codes.

E. When not in use:

- (i) In the case of an inflatable or other portable pool, said pool shall be removed from the yard and stored in such a way as not to capture and hold water; and,
- (ii) In the case of any fixed pool, said pool shall either be drained and covered with a tarp (or otherwise maintained so as not to capture and hold water) or shall be chemically treated to prevent the water from becoming contaminated or stagnant.

F. The term "swimming pools" as used in this subsection shall mean any pool, whether above-ground or in-ground, which is capable of containing 24" or more of water, even if the pool is filled to a depth of less than 24". The term shall also include all inflatable pools (sometimes called wading pools) regardless of the depth or water capacity thereof. The term, however, shall not include any landscape water features (which are sometimes called fish ponds).

SECTION 2: The provisions of Article 6, sub-part 11 of the Zoning Regulations of the City of Garnett, as adopted by Ordinance No. 3059 and as presently exist, are hereby repealed.

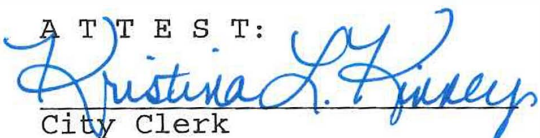
SECTION 3: This ordinance shall take effect and be in force from and after its passage and its publication in an official newspaper of the City of Garnett.

PASSED this 24th day of June, 2008.



Mayor

A T T E S T:



City Clerk