

ORDINANCE NO. 59

ORDINANCE REGULATING THE CONSTRUCTION, OPERATION
AND MAINTENANCE OF BATHING PLACES OR SWIMMING
POOLS, TO BE KNOWN AS THE BATHING AND SWIMMING
POOL ORDINANCE OF EAST NORRITON TOWNSHIP

The Supervisors of East Norriton Township hereby ORDAIN
AND ENACT, as follows:

Section 1. Definitions

(a) "Person" is any person, firm, partnership, association, corporation, company or any organization of any kind.

(b) "Bathing Place" or "Swimming Pool" is any body of water in an artificial or semi-artificial receptacle or other container, whether located indoors or outdoors, used or intended to be used for bathing or swimming purposes by adults or children or both adults and children, whether or not any charge or fee is imposed upon such adults or children and operated and maintained by any person whether he be an owner, lessee, operator, licensee, or concessionaire, and shall include all structures, appurtenances, equipment, appliances and other facilities appurtenant to and intended for the operation and maintenance of such bathing place or swimming pool and shall also include all bathing places or swimming pools operated and maintained in conjunction with or by clubs, motels, hotels and community associations. It shall not include a small portable children's pool with a depth of eighteen inches or less.

Section 2. Any person desiring to construct, add to or modify any bathing place or swimming pool shall, in addition to any other permits required by law, first secure a permit from the Township Zoning Officer of East Norriton Township.

Section 3. Applications for permits shall be made to the Township Zoning Officer on a form to be approved by him and shall include such plans, drawing, specifications, maps or other data as may be required to satisfactorily indicate the location, specific dimensions, area, depth of the pool and the method of fencing, latching, locking and the method and manner of emptying the pool.

Section 4. The application for permit shall be accompanied by a fee as established from time to time by action of the Township Supervisors.

Section 5. No person shall operate or maintain a bathing place or swimming pool until a license therefor shall have been issued by the Zoning Officer, which license shall not be valid for longer than one year from the date of issuance. A new license must be secured on or before May 1st of each year which shall permit operation or maintenance until the

following April 30th. The license shall only be originally issued if the applicant has constructed, added to or modified the same in accordance with the plans and specifications as approved by the Zoning Officer and, on renewal, only if the same has continued to be operated and maintained in accordance with such approved plans and specifications. The annual license fee shall be \$2.00 except that in such instances where the applicant has paid a license fee to the Commonwealth of Pennsylvania to operate a public bathing place, then in such event the license must be obtained but no license fee shall be charged.

Section 6. The location of any outdoor facility shall be subject to a minimum clearance of twenty (20) feet from a cesspool or sub-surface sanitary sewer system and twenty (20) feet from any property line.

Section 7. Every bathing place or swimming pool in which water may collect in excess of a depth of 18 inches shall be entirely surrounded by a substantial fence or wall not less than four (4) feet in height of a non-removable type which shall be so constructed as not to have any openings, holes or gaps larger than four inches in any dimension except for doors and gates. A dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed and locked at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped. All such enclosures must be specifically approved by the Zoning Officer.

Section 8. Within thirty (30) days after the effective date of this Ordinance, any person maintaining a swimming pool which has been constructed prior to the effective date of this Ordinance shall surround such pool with a fence or wall as required in this Ordinance.

Section 9. Every person maintaining a pool shall keep the gate or doors closed and securely locked at all times when said pool is not in use by the person maintaining the same, his agent, his family or his guests.

Section 10. It is the intent of this Ordinance to be supplementary to and not contrary to any laws of the Commonwealth of Pennsylvania or regulations of any of its executive agencies and should any part of this Ordinance be declared invalid because of such conflict or for any other reason the provisions of this Ordinance shall be deemed severable so that the unaffected portions hereof shall be deemed to be and remain in full force and effect.

Section 11. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Section 12. Anyone who violates any of the provisions of this Ordinance, upon conviction before a Justice of the Peace within the magisterial district of which the Township of East Norriton is a part shall be fined not less than Twenty-Five (\$25.00) Dollars and not more than Three Hundred (\$300.00) Dollars for such violation. In default of the payment of any fine, such person shall be liable for imprisonment of not more than ten (10) days in Montgomery County Prison. Whenever any violator shall be notified by a representative of the Township or by service of summons or prosecution or in any other way that such violation has been committed, each day that the violator shall continue in such violation shall constitute a separate offense punishable by fine or penalty.

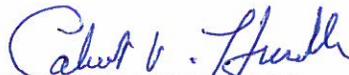
THIS ORDINANCE shall become effective immediately.

ORDAINED AND ENACTED this 19 day of MAY, 1969.

TOWNSHIP OF EAST NORRITON
BOARD OF SUPERVISORS


Chairman

Attest:


Secretary