

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY AMENDING THE
POOL CODE

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105.08: Building Regulations Code, Section 160 is hereby amended by changing the following section (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

105.08.160 Swimming Pools; Generally

- a. *Permits required.* No person, corporation, partnership, or firm shall construct, repair, enlarge, alter, change, remodel, or otherwise significantly improve a swimming pool in the city without first having obtained a permit from the building official or their designee.
- b. *Definitions.* Unless specifically defined in this section, common definitions, words, and phrases used in this section shall be interpreted so as to give them the same meaning as they have in common usage through this Code. Definitions are found in LEC 1.08.
- c. *Land coverage.* The water surface of a pool shall be deemed pervious surface. All other pool features, such as the pool apron and equipment pad, shall be deemed impervious surface.
- d. *Application for permit.* The building official may require plans, specifications, and pertinent explanatory data be submitted with an application for a permit.
 1. An application for a permit which includes a site plan showing:
 - a. The type and size of pool, location of pool, location of house, garage, fencing, and other improvements on the lot;
 - b. The location of structures on all adjacent lots;
 - c. The location of filter unit, pump, and writing indicating the type of the units;
 - d. The location of back-flush and drainage outlets, grading plan, finished elevations, and final treatment (decking, landscaping, and the like) around pool;
 - e. The location of existing overhead or underground wiring, utility easements, trees, and similar features;
 - f. The location of any water heating unit;
 - g. The location of water supply systems, buried sewers, and sewage disposal systems, other utilities and proximate sources of possible contamination of the pool; and
 - h. All dimensions, including the length, width, depth of the pool, the size of the pool deck, and the liquid capacity of the pool; plans shall be drawn to a scale of not smaller than one-fourth inch to one foot;
 2. The application shall be accompanied by the permit fee the council establishes by resolution.

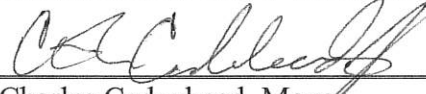
3. Pools shall not be located within 20 feet of any septic tank/drainfield nor within six feet of any principal structure or frost footing. Pools shall not be located within any required front or side yard setbacks.
 4. Pools shall not be located beneath overhead utility lines nor over underground utility lines of any type.
 5. Pools shall not be located within any private or public utility, walkway, drainageway, or other easements.
 6. In the case of underground pools, the necessary precautions shall be taken during the construction to:
 - a. Avoid damage, hazards, or inconvenience to adjacent or nearby property; and
 - b. Ensure that proper care shall be taken in stockpiling excavated material to avoid erosion, dust, or other infringements upon adjacent property.
 7. All access for construction shall be over the owner's land and due care shall be taken to avoid damage to public streets and adjacent private or public property.
 - a. To the extent feasible, back-flush water or water from pool drainage shall be directed onto the owner's property or into approved public drainageways.
 - b. Water shall not drain onto adjacent or nearby private land.
 8. The filter unit, pump, heating unit, and any other noise-making mechanical equipment shall be located at least 50 feet from any adjacent or nearby residential structure and not closer than ten feet to any lot line.
- e. *Pool piping.* Pool piping systems shall be constructed of materials prescribed in the city plumbing code. Installation of the piping, including the pool water supply line, shall be inspected by the building official prior to covering the piping.
 - f. *Main outlets.* Pools shall be equipped with facilities for completely emptying the pool and effecting surface drainage (by gravity, if elevations permit). The drainage system shall be constructed in accordance with the provisions of the city plumbing code.
 - g. *Water supply.* Water supplies serving all swimming pools shall be of a safe sanitary quality and be acceptable to the county health officer. The installation of the pool water supply piping and connection to the source of supply shall be in accordance with the city plumbing code.
 - h. *Electrical requirements.* All electrical installations provided for, installed, and used in conjunction with residential swimming pools shall conform with the state electrical code and shall be inspected and approved by the state electrical inspector. No current-carrying electrical conductors shall cross residential swimming pools, either overhead or underground or within 15 feet of the pools, except as necessary for pool lighting or pool accessories.
 - i. *Heating requirements.* Permits shall be required for all heating units used in conjunction with swimming pools. Installation shall be made in accordance with the city heating building code in effect at the time of installation.
 - j. *Pressure relief valves.* Pools shall be designed and constructed with under-drain systems and pressure relief valves to prevent pool flotation, where the building official determines the same to be necessary.
 - k. *Shield lights.* Lights used to illuminate any swimming pool shall be so arranged and shielded so as to reflect light away from adjoining properties.

- l. *Location.* All swimming pools or appurtenances to swimming pools shall be located in the rear yard and meet the setback requirements of the district in which it is located. Requests for a variance from the provisions of this section shall be referred first to the planning commission for its study and recommendation and then to the council.
- m. *Fences.* All swimming pools shall be completely enclosed by a non-climbable type fence. All fence openings or points of entry into the pool area shall be equipped with gates. The fence and gates shall be at least four feet in height and shall be constructed of a minimum number 11 gauge woven wire mesh corrosion-resistant material or other material approved by the building official. All gates shall be equipped with self-closing and self-latching devices placed at the top of the gate or otherwise be inaccessible to small children. All fence posts shall be decay- or corrosion-resistant and shall be set in concrete bases or other suitable protection. The openings between the bottom of the fence and the ground or other surface shall not be more than four inches.
- n. *Above ground swimming pools.* Ladders or stairs which are attached to or placed against the outside of above ground tank-type swimming pools having a depth of 24 inches or more shall be removed from the outside of the pool when it is not being used by the owner or owner's authorized guests. All other applicable provisions of this section shall apply to above ground pools.
- o. *Public or semi-public swimming pools.* Swimming pools, other than residential pools, shall be constructed and operated in conformance with standards for the installations established by the state board of health. In addition, the person, firm, corporation, or agency proposing the construction of a swimming pool other than residential shall file with the building official, prior to the beginning of any construction, a copy of the report prepared and issued by the state health department showing approval of the plans, and one set of pool plans upon which the approval is indicated by stamp, seal, or other official marking of that agency.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 2022- was adopted on this 7th day of June 2022, by a vote of 5 Ayes and 0 Nays.

LAKE ELMO CITY COUNCIL



Charles Cadenhead, Mayor

ATTEST:



Julie Johnson, City Clerk

This Ordinance 2022- was published on the 10th day of June, 2022.