

ORDINANCE NO. 2022-04

AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 842-3A and 842-3B OF THE VILLAGE OF FOX POINT VILLAGE CODE RELATED TO PROTECTION FOR SWIMMING POOLS

WHEREAS, the Village Building Inspector has closely reviewed the fencing and protection requirements for swimming pools in the Village currently required the Village Code to consider whether the fencing and protection requirements continue to be appropriate and are consistent with the requirements of the Wisconsin Uniform Building Code, Section UBC 30.40(2)(b)1 and 2; and

WHEREAS, the Village Building Inspector has provided his recommendations to the Village Manager in this regard, and the Village Manager has recommended that the Village Code be updated to be consistent with the provisions of the Wisconsin Uniform Building Code to avoid any confusion among Village residents; and

WHEREAS, the Village Board hereby intends to accept Village Staff recommendations and amend the swimming pool regulations as shown herein.

NOW, THEREFORE, the Village Board of the Village of Fox Point, Milwaukee County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 842 of the Village of Fox Point Village Code entitled, "Swimming Pools, Wading Pools and Spas," Sections 842-3 entitled, "Protection for Swimming Pools" is hereby repealed and re-created as follows:

842-3 Protection for swimming pools.

Every person who owns, directly or indirectly, or operates or has custody or control of any swimming pool located in the Village of Fox Point shall protect and guard such swimming pool at all times by one or more of the methods permitted by the Uniform Building Code Section UBC 30.40(2)(b)1 and 2, which currently requires the following as re-stated below, but also including such amendments as may be made to such UBC requirements from time to time. In the event of any such UBC amendments to the provisions that follow, the Uniform Building Code shall control.

- A. A fence or other solid structure of not less than forty-eight (48) inches in height shall completely enclose said premises and/or swimming pool. Openings in the barrier shall not allow passage of a 4 inch diameter sphere. All gates or doors opening through such enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device designed capable of keeping such door or gate securely closed. Latches shall be located at least three (3) feet above the ground, accessible deck or stairs.
- B. A fence is not required around an above ground pool where the pool wall is at least forty-eight (48) inches above grade for the full pool perimeter. The finished grade shall be maintained for a minimum of four (4) feet beyond the outside perimeter of the pool.

SECTION 2: SEVERABILITY

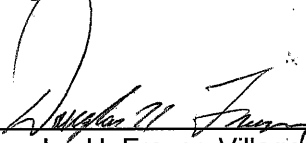
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE

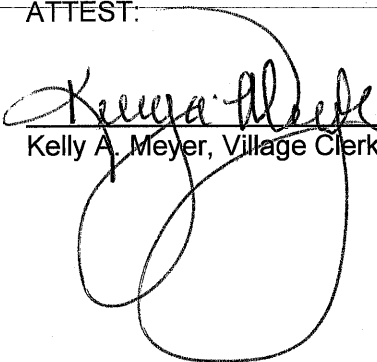
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 9th day of November, 2022.

Village of Fox Point

  
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Douglas H. Frazer, Village President

ATTEST:

  
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Kelly A. Meyer, Village Clerk/Treasurer