

## Ordinance Number 696

### **AN ORDINANCE ADDING TO THE COWETA CITY CODE OF ORDINANCES, PART 8, CHAPTER 8, SECTION 8-801-804: SWIMMING POOLS; REPEALING ALL ORDINANCES TO THE CONTRARY, AND DECLARING AN EMERGENCY.**

**SECTION 1.** Part 8, Chapter 8, Sections 8-801-8-804 of the Coweta Code of Ordinances is hereby added to read as follows:

#### **Section 8-801**

**INTENT:** The intent of the swimming pool barrier requirement is to prevent the uncontrolled access to a pool or spa by children from adjacent properties and from the home.

#### **Section 8-802**

##### **DEFINITIONS:**

**Swimming pool** or pool means any structure intended for swimming or recreational bathing that contains water over 18" deep. Swimming pool includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and non-portable wading pools.

**Enclosure** means a fence, wall, or other barrier that isolates a swimming pool from access to from adjacent properties.

#### **Section 8-803 REQUIRED SAFETY FEATURES:**

The swimming pool must be surrounded by a fence or wall at least four feet high. Chain link fencing or vertical slat fencing with a maximum slat spacing of four inches or masonry meet this requirement. Other enclosures that will prevent access to the pool can be approved provided that no opening other than openings for doors or gates or allow a sphere four inches in diameter to pass through it may be approved.

In the case of an above-ground pool, the pool structure itself can serve as a part of the required barrier, provided that the pool structure is sufficiently rigid to obstruct access to the pool. However, where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then: the ladder or steps shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier

#### **Section 8-804 Exemptions.**--This chapter does not apply to:

- (1) Any system of sumps, irrigation canals, or irrigation flood control or drainage works constructed or operated for the purpose of storing, delivering, distributing, or conveying water.
- (2) Stock ponds, storage tanks, livestock operations, livestock watering troughs, or other structures used in normal agricultural practices.
- (3) Any portable spa with a safety cover that complies with ASTM F1346-91 (Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs).
- (4) Small, temporary pools without motors, which are commonly referred to or known as "kiddy pools."

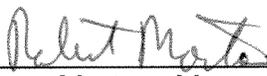
**SECTION II.** Part 8, Chapter 8, Sections 8-801-8-804 of the Coweta Code of Ordinances is hereby added to include intersection visibility triangle requirements as granted by the City Council.

**SECTION III.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

**SECTION IV.** An emergency exists for the preservation of the public, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED, with the emergency clause voted upon separately, at a regular meeting of the City Council of Coweta, Oklahoma, held the 8<sup>th</sup> day of September, 2008.



  
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Robert Morton, Mayor

ATTEST:

  
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Joyce Terry, City Clerk

APPROVED:

  
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David L. Weatherford, City Attorney