

ORDINANCE NO. 2019-23

**AN ORDINANCE AMENDING SECTION 229-8, SWIMMING POOL FENCES,
OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE**

**THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY,
WISCONSIN, DOES ORDAIN THAT SECTION 229-8, SWIMMING POOL FENCES,
BE AMENDED AND/OR CREATED TO READ AS FOLLOWS:**

SECTION 1. Section 229-8D is created as follows:

D. *Exceptions.* The Village encourages multiple layers of protection for the public safety such as the fencing required above and use of any of the following exceptions. It is the homeowner's responsibility to insure the safety of all pools on private property so as to mitigate against the risk of injury or drowning death. Fencing, however, shall not be required if the

(1) Pools, ponds or spas with locking and solid structural covers meet the following criteria:

- a. Upon the submission of the building permit for such locking and solid structural covers, the property owner shall provide signed letters (including name, address and phone) from all property owners within 100' of the property line indicating that they approve of the exception.
- b. Such locking and solid structural covers shall be installed in accordance with all manufacturer's requirements and recommendations.
- c. Such locking and solid structural covers shall be inspected annually by a professional pool company. Evidence of such inspection shall be submitted to the Zoning Department.
- d. Such locking and solid structural covers shall be insured. Evidence of insurance shall be submitted to the Zoning Department upon request.
- e. Such locking and solid structural covers shall be in place and locked whenever the pool, pond or spa is not in use and/or unsupervised by an adult.

(2) Pools, ponds or spas completely enclosed within a building.

(3) As determined by the Zoning Department that the pool, pond or spa does not affect the safety, health, or welfare of the residents or the community and does not annoy, disturb, injure, or endanger the comfort, repose, health, peace or safety of others.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 15th day of October, 2019.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk

DATE OF PUBLICATION:
