



Preserving Yesterday's Heritage for Tomorrow.

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG, WISCONSIN

TOWN OF CEDARBURG ORDINANCE NO. 2015-9

**An Ordinance to Amend Section 320-117 Swimming Pools
Subsections F. Enclosure and H. Compliance,
Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin,
Relating to Pool Covers.**

The Town Board of the Town of Cedarburg, Wisconsin, do ordain as follows:

Section 320-117., Subsections F and H, of the Town of Cedarburg Code of Ordinances are hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 320-117 Swimming pools.

F. Enclosure. Every outdoor private or residential swimming pool in the ground or with sides less than four feet high, as in the case of aboveground pools, shall be completely enclosed by a fence or wall of sufficient strength to prevent access to the pool, or shall have a cover or other protective device over such swimming pool of such a design and material that the same can be securely fastened in place and when in place shall be capable of sustaining a person weighing two hundred fifty (250) pounds. Such cover or protective device shall be securely fastened in place at all times when the swimming pool is not in actual use for swimming or bathing purposes. Such fence or wall shall be not less than four feet in height ~~but~~ and ~~to~~ exceed six feet four inches total, not including a finial or decorative cap; if a swimming pool fence or wall includes a decorative finial or cap, total fence/wall height cannot exceed six feet eight inches total, which shall be so constructed as not to have openings, holes or gaps larger than four inches in any dimension, except for doors and gates. The height of a fence/wall will be measured on the lot on which the fence/wall is located, and shall be measured as the vertical distance from the top of the fence/wall to the legally compliant grade level of the ground. If a fence/wall is constructed on a berm or retaining wall, the allowable vertical height of the fence/wall shall include the height of the berm or retaining wall. A residence or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosures shall be equipped with self-closing and self-latching devices for keeping the gate or door securely 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. Aboveground pools with sides greater than four feet high which are not enclosed by a suitable fence herein described and using a ladder for ingress and egress shall have this ladder removed or flipped up when the pool is not in use.

H. Compliance. All swimming pools existing at the time of passage of this Zoning Code not satisfactorily fenced or covered shall comply with the fencing or covering requirements of this section ~~or~~ when water is placed in the pool.

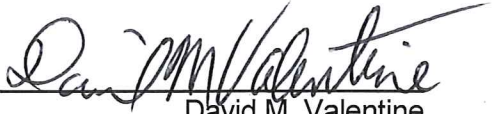
**(The above text modified with a strikethrough shall be deleted).
(The above text modified with an underline shall be added).**

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 2nd day of September, 2015.



Eric Ryer
Asst. Administrator/Town Clerk



David M. Valentine
Town Chairman