

**THE VILLAGE OF OAKS
CLAY COUNTY, MISSOURI**

BILL NO. 222

ORDINANCE NO. 222

**AN ORDINANCE RELATING TO THE REGULATION
OF PRIVATE SWIMMING POOLS**

BE IT ORDAINED AND ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OAKS OF THE COUNTY OF CLAY, THE STATE OF MISSOURI:

Section I. That in order to protect the health, welfare and safety of the residents of the Village of the Oaks, Clay County, Missouri, the following provisions are hereby established by the Board of Trustees of the Village of the Oaks in order to regulate the building of swimming pools and their adjoining and appurtenant structures from the date of this enacted ordinance, and to further regulate the swimming pools that are already in existence in the Village of the Oaks, Clay County, Missouri.

Section II. That private swimming pools which are dug from the ground may be built having a water depth of two feet or more provided the following conditions are met:

1. If located not less than ten (10) feet from any rear or side line, and in the case of corner lots, not less than fifteen (15) feet from a side street line and at least twenty (20) feet from a principal building on an adjoining lot.

2. If located in the side yard, it shall not be less than sixty (60) feet from the front line, and it shall be 15 feet from the side line.

3. Such a swimming pool area shall be entirely enclosed and separated from the remainder of the property by a protective fence or other permanent structure at least five (5) feet in height and designed to prevent small children from inadvertently falling into such pools.

4. Such protective enclosure shall be maintained by locked gates or entrances when the pool is not tended by the owner or another qualified and responsible person.

Section III. Private swimming pools being erected above the ground having a water depth of two feet or more are likewise permitted to be erected provided that the same location restrictions are complied with as set forth in the previous paragraphs, and in addition, provided that said pool shall have a protective fence or other permanent structure at least four (4) feet in height completely surrounding said erected pool, with the four foot height being measured from the edge of the pool area itself. Nothing herein shall be construed to include or govern natural ponds or lakes.

Section IV. All owners of the pools which have been in existence prior to the enactment of this ordinance by the Board of Directors (Trustees) of the Village of Oaks, Clay

County, Missouri shall have one year to comply with the fencing portions of this ordinance or they shall be liable to have their pool either condemned or a fine not exceeding \$100.00 will be levied from week to week until said condition is corrected. The location requirements as previously cited in this ordinance are hereby waived as to pools already in existence prior to the enactment of this ordinance.

Section V. All owners of pools in complying with the fencing ordinances as set forth above must provide fencing of a type and quality to prevent access by children and animals, and the said fencing must be of a type that can be locked and access to the pool area itself denied.

Section VI. All swimming pool owners must agree to meet all county health department and state health department regulations in order to qualify for issuance of a building permit from the Clay County Planning and Zoning Department.

Section VII. That should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

Section VIII. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed in so far as the same affect this ordinance.

Section IX (Listed as **XI** in the original). That this ordinance shall take effect and be in force from and after March 10, 1975. Passed and approved by the Board of Trustees of the Village of Oaks on the 10th day of March, 1975.

Joseph J. Zollman
Chairman, Board of Trustees
Village of the Oaks

ATTEST: Lee Shippee
Clerk
Village of the Oaks