

CITY OF DE PERE

Building Inspection

335 South Broadway, De Pere, WI 54115 | 920-339-4053 | www.deperewi.gov



SWIMMING POOL ACKNOWLEDGEMENT

Address where work is to be performed: _____
Homeowner/Contractor: _____
Daytime Phone: _____

Sec. 54-8 The purpose of this section is to provide for the health, safety and welfare of all individuals. This section shall apply to all new, altered and relocated private swimming pools, hot tubs, spas and ponds. The swimming pool, hot tub, spa or pond shall not be filled with water or occupied until a fence that meets the minimum requirements of 54-8 (7) fence requirements has been permitted and inspected for completion and compliance.

Definitions:

1. **Swimming pool** means any depression in the ground, either temporary (installed for a period of less than seven days) or permanent (installed for a duration of more than seven days), or an above ground or below ground container of water, either temporary or permanent, which is 18 inches or greater in depth used primarily for the purpose of wading or swimming, excluding portable pools.
2. **Portable pool** means a container of water less than 18 inches in depth that can be readily disassembled for storage and reassembled to its original integrity.
3. **Spa or hot tub** means a hydro massage pool or tub for recreational or therapeutic use, designed for immersion of users, which may or may not have a filter, heater and motor driven blower.
4. **Backyard ponds or landscape pond** means any naturally occurring or manmade depression in the ground containing or detaining water, either temporary or permanent which is 18 inches or greater in depth and is used for the purpose of a fish pond or landscape water garden. The definition does not include retention or detention ponds used for a stormwater management plan required by the city as a requirement under chapter 28 of this Code.

Sec. 54-8 f) Fence requirements.

- (1) A fence of not less than four feet in height, measured from grade, shall completely enclose all swimming pools, hot tubs, spas and ponds with the following exceptions:
 - a. Hot tubs and spas do not need fence protection if their covers can be fastened and key locked when unattended and shall be able to withstand 150 pounds.
 - b. Where decks surround or adjoin an aboveground swimming pool, hot tub, spa or pond, a three-foot minimum height guardrail mounted to and measured from the deck surface to the top of the guardrail will be considered as meeting the fencing requirements as long as the design and construction regulations of this section are complied with and the overall vertical measurement from grade (ground) level to the top of the guardrail is a minimum height of four feet. Sides of stairs and gates leading to a deck shall also comply with the requirements of this section. Interior side yard and rear yard setbacks for a detached deck surrounding a swimming pool, hot tub, or spa shall be measured ten feet from the property line.
 - c. Ponds may be exempt from the fence requirements if an approved wire screen, mesh or grate is placed and maintained three to four inches below the waterline of sufficient strength to withstand a weight of 100 pounds.

- (2) Fences shall be located a minimum of four feet beyond the outside perimeter of a swimming pool, hot tub, spa or pond.
- (3) Fences shall be constructed and designed so as to prevent penetration of an object greater than four inches in diameter through or under the fence.
- (4) Fences shall be able to withstand 200 pounds of force in any direction and shall be properly maintained in a good state of repair and appearance.
- (5) Fences with horizontal boards, spaced more than one inch apart, are prohibited.
- (6) All gates or doors opening through a fence enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device designed to keep such gate or door securely closed. All gates or doors shall comply with all other height and structural requirements of this section.
- (7) Portable pools do not need fence protection but must be drained or covered in such a manner as to provide public safety when left unattended.
- (8) To ensure public safety, variances for lesser fence heights than specified in this section shall not be granted.

I hereby attest, affirm, acknowledge, understand and agree to the statements given above:

Owner's Signature

Date

Witness Signature

Date

A SWIMMING POOL, HOT TUB, SPA OR POND MAY NOT BE FILLED OR OCCUPIED UNTIL A FINAL INSPECTION HAS BEEN CONDUCTED AND COMPLIES WITH THE FENCE REQUIREMENTS IN SECTION 54-8 (7).

PLEASE CALL (920) 339-4053 FOR AN INSPECTION