

BOROUGH OF MONROEVILLE

ORDINANCE NO. 135

AN ORDINANCE REGULATING THE CONSTRUCTION, MAINTENANCE AND OPERATION OF SWIMMING POOLS LOCATED ON PRIVATE RESIDENTIAL PREMISES IN THE BOROUGH OF MONROEVILLE AND PROVIDING PENALTIES.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Monroeville in the County of Allegheny, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same.

PREAMBLE: - The widespread construction of swimming pools on Private Residential Properties has created certain problems affecting the health and welfare of the citizens of the several Municipalities and this Ordinance is adopted in an effort to protect the health and welfare of the citizens of the Borough of Monroeville and to that end, the Police Power of the Borough is exercised.

SECTION 1 : From and after the effective date of this Ordinance, no person or corporation shall construct, maintain or operate a swimming pool on his, hers or its private residential premises unless he, she or it shall have secured a building permit to construct such pool.

SECTION 2: Any person or corporation desiring to construct a new swimming pool on his, her or its residential premises and to thereafter maintain and operate the same shall be required to file with the Council of the Borough of Monroeville an application for such a permit. The Council will grant such a permit upon the payment of the sum of Five (\$5.00) Dollars at the time the application is made, provided the following conditions are observed.

A. The application shall be signed by the parties desiring

to construct said swimming pool, together with their addresses and the permit will be granted only to the persons holding the legal title to the residential premises on which the pool is to be constructed.

B. No private swimming pool permit will be granted unless the outlet for the same is into a storm or sanitary sewer of Monroeville and which outlet shall be controlled by a gate-type valve with an opening not to exceed two (2") inches in diameter. Where the outlet for same is into sanitary sewer, a tap fee in the sum of Five Hundred (\$500.00) Dollars shall be paid to the Borough of Monroeville prior to the granting of the permit.

C. The zoning provisions of the Borough of Monroeville shall be strictly observed except the rear yard requirements in said Zoning Ordinance. After the installation of a private swimming pool, the depth of the rear yard, as unaffected by private swimming pools, garage and any other structure shall not be less than twenty (20) feet from rear line of lot.

D. All private swimming pools shall be enclosed by an open type ornamental fence, four (4) feet in height and with a gate in said fence which shall be locked when the pool is not in use by or under the supervision of the owner of the premises upon which it is installed.

E. The application for the permit to install the private swimming pool shall be accompanied by detailed drawings, including a plot plan of the premises affected, which said drawings shall bear the seal of an architect or engineer registered in the Commonwealth of Pennsylvania on which it is certified to by said architect or engineer that the construction of said swimming pool is adequate, giving due

consideration to ground conditions, such as ground support, side hill location, strength of pool structure any any other matter that might affect the structural stability of such private swimming pool in place.

F. Agreement to be signed on said permit wherein the permittee, for himself, his successors and transferees agrees that he, she or it will comply with all of the health regulations of the Federal Government, the Commonwealth of Pennsylvania, the County of Allegheny and the Borough of Monroeville, insofar as they may relate to or affect private swimming pools. They shall further agree to comply with all regulations of the Allegheny County Sanitary Authority and pay all fees, charges or rentals assessed by said Authority by reason of the use of said facilities. They shall further agree that this will apply to future, as well as present, regulations of said governmental units and this Agreement shall be in the nature of a covenant running with the land.

G. The permittee shall sign an Agreement to indemnify and save harmless the Borough of Monroeville from any claim, demand or suit of any kind or nature whatsoever that may arise as a result of the construction, installation, operation or maintenance of a private swimming pool by a permittee of the Borough of Monroeville.

SECTION 3: All of the permits for the construction, installation, maintenance and operation of private Swimming pools shall be renewable each year on or before the 15th day of February of each year, occurring at least twelve (12) months after the date of the original issuance of the permit. Such renewals shall certify that the present owners of the property on which the swimming pool has been installed are familiar with the provisions of this Ordinance and that they

will operate and maintain said pool in strict accordance herewith. Such renewal shall be upon a form furnished by the Borough and shall be accompanied by a renewal fee of One (\$1.00) Dollar.

SECTION 4: All applicants for permits to install private swimming pools are hereby required and directed to procure comprehensive property damage insurance in the amount of Ten Thousand (\$10,000.00) Dollars for damage to property against any loss, injury or damage that may hereafter be caused directly or indirectly by the said swimming pool. All applicants and owners of private swimming pools are also required and directed to procure public liability insurance covering personal injuries in the amount of One Hundred Thousand (\$100,000.00) Dollars. The applicants and owners aforesaid shall furnish to the Building Inspector certificates that such insurance is in effect each year that the private swimming pools are in existence at the time of each renewal.

The Building Inspector is hereby directed to refuse to issue a renewal permit for a private swimming pool in case the applicant fails to procure the above specified insurance. The Building Inspector is directed to order the removal of any swimming pool not insured as hereinabove required. The owners of swimming pools now installed shall be allowed thirty (30) days from the date of the enactment of this Ordinance to comply with the requirements of this Section.

SECTION 5: No private swimming pool shall be the subject of income in any manner whatsoever, and the rental use thereof shall

shall make void any permit granted hereunder.

SECTION 6: Any Ordinance or part of an Ordinance that conflicts with provisions of this Ordinance is hereby repealed.

The provisions of Article III, Section 2, Sub-section 33 of Ordinance No. 1, commonly referred to as the Zoning Ordinance, is hereby amended by the striking out of the word "swimming pool".

ORDAINED AND ENACTED into law this loth day of June, A. D., 1958.

THE BOROUGH OF MONROEVILLE

By William sVastadore
President of Council

ATTEST: "

Audrey D. McCarthy, Secretary

EXAMINED AND APPROVED by me this day of June A. D., 1958.

Anthony J. Martin, Burgess