



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: ORD 18-2408, Version: 2

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**DEVELOPMENT BUSINESS** - *Bryan K. Schafer, Planning and Community Development Director*

### SECOND READING

#### **AMENDING SECTION 18-421 AND SECTION 18-424 OF THE MUNICIPAL CODE OF THE CITY OF BLAINE RELATING TO LOCATION AND SECURITY OF SWIMMING POOLS. CITY OF BLAINE. (CASE FILE NO. 18-0034/BKS)**

City Council (1<sup>st</sup> Reading) 06/07/18

**City Council (2<sup>nd</sup> Reading) 06/21/18**

For many years, the typical way homeowners secured their outdoor swimming pools was to erect a 4-foot high fence with a lockable gate mechanism. With the more recent advent of powered pool covers, the City Council was asked whether the code should be amended to allow these pool covers as an alternative to the 4-foot fence. The national swimming pool code introduced the option a number of years ago and is the standard practice in many states. In early 2016 the City Council agreed and the ordinance was amended in February 2016 to allow that as an option.

Late last fall, a homeowner contacted the City Council and asked that the City once again look at the code to consider removing the covers as an option. Her concern was that a fence with gate was more likely to provide a secure barrier from a neighbor's pool. She lived next door to one of the pools installed with a powered cover versus a fence and was concerned about her own children's safety.

While many in-ground pools have a powered cover, only two (2) of the 14 in-ground pools have made that choice their security requirement. The vast majority of homeowners still are choosing to have fences in place to meet the security requirement.

It was the Council's consensus at the May 3, 2018 City Council workshop to discontinue allowing pool covers as a security/safety option.

The proposed ordinance accomplishes two things:

- Removes the option for pool covers to meet the security/safety requirements of the City. Fences or other barriers will now be required in all cases.
- Clarifies that pools can be placed in the corner side yard of corner lots provided the proper setback (based on zoning district) is met.

Approve the Ordinance.

**THE CITY OF BLAINE DOES ORDAIN:** (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

### **Sec. 18-421. - Location**

(b) Restrictions in all districts in which pools and fences are permitted.

- (1) Pools shall not be located within ten feet of any side or any rear lot line, nor within six feet of any principal structure or frost footing, unless part of the principal structure. Pools shall not be located within ~~[any]~~ the required front yard but are permitted in the corner side yard provided the corner side yard house setback is met.
- (2) All pool deck surrounds, adjacent patios/aprons, or other similar areas used in conjunction with the swimming pool, shall be located not closer than ten feet to any adjacent property owner's lot line.
- (3) The filter unit, pump, heating unit, and other noise-making mechanical equipment shall be located no closer than ten feet to any lot line, and located in the rear yard.

### **Sec. 18-424. - Standards.**

(c) All private residential outdoor swimming pools shall be made inaccessible when not in use by a non-climbable barrier. It must also be positioned far enough away from permanent structures so that they do not provide climbing assistance. Exceptions:

(1) Spas and hot tubs with a lockable safety cover that complies with ASTM F 1346.

~~[(2) Swimming pools with a powered safety cover that complies with ASTM F 1346.]~~

~~[(m) Alternative barrier requirements specified in the latest version of the International Swimming Pool and Spa Code may be considered for approval by the building official.]~~

**INTRODUCED** and read in full the 7<sup>th</sup> day of June, 2018.

**PASSED** by the City Council of the City of Blaine the 21<sup>st</sup> day of June, 2018.