

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~  
~~City~~ of Lyndonville  
~~Town~~  
Village

Local Law No. 3 of the year 19 80

A local law Establishing the Swimming Pool Ordinance of the Village of  
(insert title)  
Lyndonville, New York

Be it enacted by the Board of Trustees of the

~~County~~  
~~City~~ of Lyndonville, New York  
~~Town~~  
Village as follows:

Section 1. This Ordinance shall be known as the Swimming Pool Ordinance of the Village of Lyndonville, New York.

Section 2. The purpose of this Ordinance is to promote the public health, safety and general welfare by regulating and restricting the location, use and operation of swimming pools and accessory structures, it being recognized that there is a need to regulate the installation and maintenance of swimming pools in the Village of Lyndonville, New York, in that private swimming pools have become so common and numerous and in that such pools have and do present a danger to public health and safety if unregulated and uncontrolled.

Section 3. For the purposes of this Ordinance, the words "swimming pool" shall mean any body of water or receptacle of water having a depth at any point greater than 24", used or intended to be used for swimming or bathing, and constructed, installed or maintained either above, below or partly above and partly below ground level, except that natural bodies of water such as lakes, quarries and creeks will not be considered as swimming pools for the purposes of this Ordinance

Section 4. No swimming pool shall hereafter be erected, constructed or excavated except in compliance with the following regulations and requirements, and all existing swimming pools shall, within six (6) months after the effective date of this Ordinance, comply with the following regulations and requirements:

A. SET BACK AND SIDE LINES

All swimming pools shall be located to the rear of the front building line of the main structure on the premises and shall be at least four (4) feet from the rear and side property lines of the premises. The Board of Trustees of the Village of Lyndonville may vary the requirements of this Section after a public hearing held with at least five (5) days public notice published in the official newspaper of the Village of Lyndonville where undue hardship is imposed hereby.

(If additional space is needed, please attach sheets of the same size as this and number each)

## B. DRAINAGE

A request for installation of a pool shall be accompanied by a statement of a proposed method of draining said pool indicating, to the satisfaction of the Building Inspector, that such drainage shall not interfere with the enjoyment of neighboring properties.

## C. FILLING OPERATION

There shall be no physical connection between a potable public or private water supply system and a swimming pool unless such physical connection is so installed and operated that no pool water can be discharged or syphoned into a potable water supply system.

## D. FENCES

All swimming pools shall be completely surrounded by a fence or similar barrier at least four (4) feet in height. All gates in said fence shall be equipped with a locking device and all such gates shall be locked when the swimming pool is not in use. The structure adjacent to the swimming pool may serve as a portion of the fence requirement of this paragraph. Walls or other structural components of a swimming pool may also serve as a portion or as all of the fence requirement of this paragraph, provided that the walls or other structural components are at least four (4) feet in height, and that any entrance, ladder or other means of access to the swimming pool over or through the walls or structural components is equipped with a gate or similar barrier capable of being locked and which said gate or similar barrier shall be locked when the swimming pool is not in use.

## E. BREAKER SYSTEM

A ground fault interruptor or no fault breaker shall be installed within the electrical system to prevent shock or serious injury to persons using the pool.

## F. VIOLATION AND PENALTY

Any person who violates the provisions of this Ordinance or fails to comply with the requirements hereof, shall be guilty of disorderly conduct and upon conviction thereof shall be punished by a fine of not more than \$100.00.

Section 5. Separability. If any section, paragraph or subdivision of this Ordinance shall be determined to be invalid, such invalidity shall apply only to the section, paragraph or subdivision so adjudged invalid and the rest of this Ordinance shall remain valid and effective.

Section 6. Effective Date. This Ordinance shall take effect on January 1, 1981.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

(Final adoption by local legislative body only.)

1. I hereby certify that the local law annexed hereto, designated as local law No. ~~3~~ 3 of 19 80 of the ~~xxxx~~ ~~xxxx~~ of ~~Lyndonville~~ Lyndonville was duly passed by ~~Board of Trustees~~ Board of Trustees Village on ~~November 17~~ 17, 19 80 in accordance with the applicable provisions of law.

(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.)

2. I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the County of the Town of Village on 19 not disapproved and was approved repassed after disapproval by the Elective Chief Executive Officer and was deemed duly adopted on 19, in accordance with the applicable provisions of law.

(Final adoption by referendum.)

3. I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the County of the Town of Village on 19 was duly passed by the Elective Chief Executive Officer on 19 not disapproved and was approved repassed after disapproval by the Elective Chief Executive Officer on 19. Such local law was submitted to the people by reason of a mandatory referendum and received the affirmative vote of a majority of the qualified electors voting thereon at the special election held on 19, in accordance with the applicable provisions of law.

(Subject to permissive referendum and final adoption because no valid petition filed requesting referendum.)

4. I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the County of the Town of Village on 19 was duly passed by the Elective Chief Executive Officer on 19 not disapproved and was approved repassed after disapproval by the Elective Chief Executive Officer on 19. Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on 19, in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or if there be none the chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

