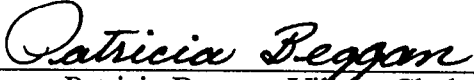


ORDINANCE 98-05-01

AN ORDINANCE ESTABLISHING REGULATIONS FOR PRIVATE RESIDENTIAL
SWIMMING POOLS, HOT TUBS AND SPAS, AND REPLACING ORDINANCE
NO. 97-10-02

Dated this 19th day of May, 1998



Patricia Beggan, Village Clerk

Published in pamphlet form by authority of the Board of Trustees of the Village of Third
Lake, Lake County, Illinois this 19th day of May, 1998.

ORDINANCE NO. 98-05-01

**AN ORDINANCE ESTABLISHING REGULATIONS FOR PRIVATE
RESIDENTIAL SWIMMING POOLS, HOT TUBS AND SPAS,
AND REPEALING ORDINANCE NO. 97-10-02**

BE IT ORDAINED BY the President and Board of Trustees of the Village of Third Lake, Lake County, Illinois, as follows:

SECTION ONE: That private swimming pools, hot tubs or spas with a depth greater than 24 inches are permitted in any residential zone, provided that no private swimming pool, hot tub or spa be operated as a business or as a private club. Temporary wading pools of depth less than 24 inches shall not subject to this Ordinance.

SECTION TWO: That a swimming pool, hot tub or spa or appurtenances thereto shall not be constructed, installed, enlarged or altered until plans have been submitted and a permit has been obtained from the Village. The approval of all local, county, and State authorities having jurisdiction over swimming pools, hot tubs or spas shall be obtained before issuance of a permit. Detail plans of structures, vertical elevations, and sections through the pool showing depth shall be included with any application for permit.

SECTION THREE: That no private swimming pool, hot tub or spa, or part thereof, including but not limited to aprons, walks, and equipment rooms shall encroach on or protrude into any front, side or other required yard.

SECTION FOUR: That every person owning land on which there is situated a swimming pool, hot tub or spa shall erect and maintain thereon an adequate enclosure either surrounding the property or swimming pool, hot tub or spa area, sufficient to make such swimming pool, hot tub or spa inaccessible to small children. Such enclosure may take the following forms:

A. Fence. A fence including self-latching gates, which shall extend not less than 48 inches above the underlying ground and have slats no greater than 4 inches apart. The self-latching devices will be located at the top of the gate so as to be inaccessible to small children.

B. Swimming Pools, Hot Tubs or Spas with Side Walls.

1. When a pool, hot tub, or spa is constructed to a height equal to or greater than 48 inches above ground level and is so constructed that the side walls thereof are an effective barrier to small children, then the requirements for fences and enclosures in this section may be waived. Any ladders used for access to the pool, hot tub or spa shall be removable and locked to a structure apart therefrom so as to prevent the access of small children when the pool is unattended. Decks on such pools, hot tubs or spas constructed 48 inches, or more, above ground level shall have a self-locking gate at the stairway.

2. When a pool, hot tub or spa is constructed to a height of less than 48 inches above ground level, then the fencing requirement of this section shall be adhered to, unless the pool, hot tub or spa is surrounded by a deck. The total height of the sidewalks and deck fencing shall extend not less than 48 inches above ground level. Fencing on the deck shall adhere to the requirements of Section Four A of this Ordinance. Stairways to such decks must be secured by a self-latching access gate. The intent is to provide a barrier to access to a height of not less than 48 inches above ground level.

C. Hot Tub or Spa Covers. A rigid cover applied to an unattended hot tub or spa may satisfy the requirements of this section if the following conditions are met:

1. The cover must be of a rigid construction capable of supporting a weight of not less than 150 pounds.
2. The cover must be locked and secured to the sides or top of the hot tub or spa so as to prevent access by small children.

SECTION FIVE: That any swimming pools, hot tubs or spas, fences or appurtenances not in compliance with the provisions of this Ordinance at the time of its adoption shall be declared a nonconforming use. Upon the dismantling, removal or gross structural repair of a nonconforming use the owner shall bring such nonconforming use into compliance with the provisions of this Ordinance and all provisions of this Ordinance shall be applicable.

SECTION SIX: That the requirements of this Ordinance are in addition to the requirements of the Village's Building Code, as the same may be amended from time to time.

SECTION SEVEN: That any person, firm or corporation found in violation of any section of this Ordinance shall be fined no less than Fifth and No/100ths Dollars (\$50.00) nor more than Seven Hundred Fifty and No/100ths Dollars (\$750.00) for each offense and a separate offense shall be deemed committed on each day during or on which the violation occurs or continues.

SECTION EIGHT: That Ordinance No. 97-10-02 of the Village of Third Lake entitled "An Ordinance Establishing Regulations for Private Residential Swimming Pools" be and the same is hereby repealed.

SECTION NINE: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION TEN: That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

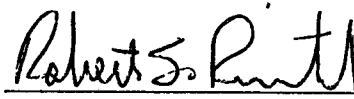
The foregoing ordinance was passed by a roll call vote as follows:

AYES: Rogers, Vogt, Ruwitch, Chiodo

NAYS: None

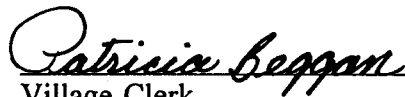
ABSENT/NOT VOTING: McCluskey, Stojak, Matson

APPROVED: May 19, 1998



Village President

ATTEST:



Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, Patrica Beggan, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Third Lake, Lake County, Illinois, and keeper of the records and seal of said Village, and that the attached and foregoing Ordinance is a true and correct copy of said Ordinance entitled:

ORDINANCE 98-05-01

AN ORDINANCE ESTABLISHING REGULATIONS FOR PRIVATE RESIDENTIAL SWIMMING POOLS, HOT TUBS AND SPAS, AND REPLACING ORDINANCE NO. 97-10-02

APPROVED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF THIRD LAKE
this 19th day of May, 1998

In Witness Whereof, I have hereunto set my hand and caused to be affixed the Corporate Seal of the Village of Third Lake, Lake County, Illinois.

Done at Third Lake, Illinois this 19th day of May, A.D. 1998.

(SEAL)



Patricia Beggan
Village Clerk