

Village of Painted Post, Steuben County, New York

Local Law # 2 of 2025

Swimming Pools

A Local Law replacing Chapter 237: Swimming Pools of the Code of the Village of Painted Post.

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF PAINTED POST, STEUBEN COUNTY, NEW YORK, AS FOLLOWS:

Chapter 237

RESIDENTIAL SWIMMING POOLS

237-1. Building permit required.

237-2. Fees.

237-3. Definitions.

237-4. Residential Swimming Pools.

237-5. Penalties for offenses.

237-1. Building permit required.

All private swimming pools in the Village of Painted Post moved, erected, constructed or excavated either above, below or partly above and below grade level shall require a building permit.

237-2. Fees.

A. Each permit shall be accompanied by the required fee.

B. A pump house, filter house or structure erected in connection with any such pool shall require a building permit and shall comply with the Village of Painted Post Building and Zoning Ordinances.

237-3. Definitions

As used in this chapter, the following term shall have the meaning indicated:

SWIMMING POOL – A structure intended for bathing, swimming or diving purposes, made of concrete, masonry, metal, plastic, rubber, or other impervious materials, with a water depth of twenty four (24) inches or greater, regardless of whether or not it has a recirculating and/or controlled water supply.

237-4. Residential Swimming Pools

A Swimming pool shall not be located, constructed, or maintained on any lot or land area except in conformity with the following requirements, to the extent applicable:

- a) A private swimming pool shall be located in a rear yard only.
- b) The portion of the premises upon which any swimming pool is located shall be entirely enclosed with a good quality chain link wire, wooden, or other equivalent fence of not less than four (4) feet nor more than six (6) feet in height. All entrance gates thereof shall be self-closing, self-latching, and capable of being locked. The fence shall be separate and physically detached from the swimming pool itself and shall be a minimum distance of four (4) feet from the water's edge.
- c) An above ground pool with no part of its side wall height less than four (4) feet above ground and so constructed by the manufacturer that the vertical sides are smooth, sheer, and do not provide any means for intermediate foot or handholds may be exempt from the full provisions of the above fence requirement. However, a full-height fence with a self-closing, self-attaching gate capable of being locked shall enclose the ladder area not less than four (4) feet in width and four (4) feet in depth, and the ladder shall remain permanently therein. Aboveground pools provided with foot or handholds (draw-banded) and aboveground pools with less than four-foot sidewall heights above ground are not exempt from the full fencing requirement.
- d) Every gate or other opening in the fence enclosing any swimming pool shall be kept securely closed and locked at all times when pool is not in use.
- e) A swimming pool shall not be less than six (6) feet from side and rear lot lines and not less than six (6) feet from any principal building or structure on the premises.
- f) The water inlet of every swimming pool shall be above the overflow level of said pool. No drains shall be connected with the sanitary sewer system.

- g) Every swimming pool shall be chemically treated in a manner sufficient to maintain the bacteriological standards established by the requirements of the New York State Department of Health.
- h) No permit shall be granted for the installation or construction of any swimming pool unless the plans shall meet the minimum construction requirements of the New York State Uniform Prevention and Building Code as approved by the Code Enforcement Officer.
- i) No loud-speaking or amplifying device shall be permitted that will sound beyond the bounds of the property or lot where any pool is located.
- j) No lighting or spotlighting shall be permitted that will project light rays beyond the bounds of the property or lot where any pool is located.
- k) Swimming pools may be installed in residential districts only as accessory structures for the private uses of the occupants, their families, and guests.
- l) Should the owner abandon the pool, he shall arrange to remove the depression and return the surface of the ground to its original grade and approximately in the same condition as before the pool was constructed, and he shall further notify the Code Enforcement Officer of the abandonment so that an inspection of the site may be made and the records of the permit may be marked accordingly.

237-5. Penalties for offenses.

Any person who violates any provision of this chapter shall be guilty of a violation and shall be subject to a fine not to exceed \$350.00 a day or imprisonment for not more than six (6) months, or both, for each offense. Each week's violation shall constitute a separate and additional violation. Notwithstanding the penalty hereinbefore provided, the Village of Painted Post may enforce obedience of this chapter or any part thereof by injunction to restrain such violation.

Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.