

Part 115

115.000

**BUILDING CODE\***  
**Ord. No. 59**

An ordinance adopting the BOCA Basic National Building Code, 1987 Edition, providing for a schedule of fees, for plan examination, building permits and inspections, providing for insertions where necessary under the code, providing penalties for the violation thereof, and repealing all ordinances in conflict herewith.

THE VILLAGE OF HOPKINS ORDAINS:

**115.001 Code adopted.**

Sec. 1. The BOCA Basic National Building Code, 1987 Edition, as published by the Building Officials Conference of America, Inc., is hereby adopted as the Building Code of the Village of Hopkins for the control of buildings and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms thereof, are hereby referred to, adopted and made a part hereof, as though fully set out in this Ordinance with insertions hereinafter set forth.

**115.002 References in code.**

Sec. 2. References in said Code to the "State" shall mean the State of Michigan; references to "Municipality" shall mean the Village of Hopkins and references to "Building Official" shall mean the Village Council or its representative.

**115.003 Enabling legislation.**

Sec. 3. This ordinance is enacted pursuant to the statutory authority granted by Act 230, Public Acts of 1972 known as the "Michigan State Construction Code Act of 1972."

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\*Cross references--Dangerous buildings, Pt. 100; unfinished buildings or structures, § 77.001(9).

**115.004 Repeal.**

Sec. 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Part 116

116.000

**SWIMMING POOL ORDINANCE  
Ord. No. 64**

An ordinance of the Village of Hopkins to regulate the construction and installation of swimming pools; to provide for the issuance of permits for the construction of swimming pools; to require and regulate fences surrounding swimming pools; and to provide for safety and health standards for swimming pools.

THE VILLAGE OF HOPKINS ORDAINS:

**116.001 Short title.**

Sec. 1. This ordinance shall be known and may be cited as: "The Village of Hopkins Private Outdoor Swimming Pool Ordinance."

**116.002 Definitions.**

Sec. 2. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- a. The term "*swimming pool*" shall mean any artificially constructed, nonportable, outdoor pool, capable of being used for swimming or bathing, having a depth of two (2) feet or more at any point.
- b. The term "*private*" shall mean that the swimming pool is not open to the public; that it is not publicly owned; or not otherwise regulated by the State of Michigan, either by statute or by rules and regulations of one of its administrative bodies.
- c. The term "*swimming pool type 1*" shall mean any swimming pool constructed wholly or partially below the natural or graded surface of the surrounding area.
- d. The term "*swimming pool type 2*" shall mean any swimming pool constructed wholly above the surface of the surrounding terrain.

- e. The term "*wading pool*" shall mean any small pool designed for the use of small children, with a water depth not to exceed two (2) feet, constructed entirely above ground and designed to be portable.

### **116.003 Permits.**

#### Sec. 3.

- a. A permit shall be applied for and issued by the Village Council before construction shall begin on any private swimming pool. The application for the permit shall be accompanied by a complete and detailed set of plans and specifications of said pool. Before any permit shall be issued, such plans and specifications shall be approved by the Village Council, and no such pool shall be used without its having obtained a final inspection and approval by said Council.
- b. All applications for permits shall be accompanied by a permit fee of \$5.00.

### **116.004 Fences, enclosures, safety precautions.**

#### Sec. 4.

- a. All private swimming pools type 1 shall be enclosed by a fence which shall be at least four (4) feet in height above the grade and which shall be of a type not readily climbed by children. Such fence shall be so constructed as not to have any openings, holes, or gaps large enough for a child to use such fence as a ladder, except for doors and gates; and if a picket fence is erected or maintained, the horizontal dimension of the space between pickets shall not exceed four (4) inches. A dwelling house, or other building may be used as part of such enclosure. Each gate or door in said fence, except a door or gate opening directly into a house used as part of the enclosure, shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed

at all times when not in actual use. Swimming pools constructed prior to the adoption of this ordinance shall comply with this Section within sixty (60) days after the effective date hereof.

- b. All swimming pools type 2 above ground shall be so constructed that the ladder, steps, or other means of access to the pool shall be removed or raised and firmly fastened in such a manner as to prevent use by children not under authorized supervision.
- c. Swimming pools type 2, where the sides are less than 48 inches at any given point, above the graded surface of surrounding area, shall be fenced in the same manner as swimming pools type 1, as provided in Section 4a.
- d. *Vacant houses.* When a house has become vacated, the fence shall be securely locked where a swimming pool type 1 exists. The ladder or other means of entrance to the pool shall be securely locked in a safe position on swimming pools type 2. If pools are abandoned and not made safe as provided in this Section, the Village will hereby have the authority to enter the property and make such pool safe. All cost of making such pool safe shall be a lien against the property on which said pool is located.

#### **116.005 Supervision.**

Sec. 5. A skilled swimmer of suitable age and discretion shall be present at all times when private swimming pools are in use.

#### **116.006 Life saving devices.**

Sec. 6. Every private swimming pool shall be equipped with one or more throw ring buoys, not more than eighteen (18) inches in diameter and fitted with a ¼ inch manilla line of equivalent width, sufficient length

and equal to the diagonal distance of the pool as taken from the corners at opposite ends, and at least one (1) light weight strong pole with blunted ends not less than twelve (12) feet in length for making each assists or rescues.

**116.007 Water supply.**

Sec. 7. There shall be no cross connection of the Village water supply with any other source of water supply for the pool. The line from the Village water supply to the pool shall be protected against back flow of polluted waters by means of an air gap and shall discharge at least six (6) inches above the maximum high water level of the makeup tank or the pool.

**116.008 Waste disposal.**

Sec. 8. Any drainage shall be made in an indirect method. Water drained from the pool shall not be discharged into the sewer system during periods of storm, rains or floods.

Cross reference—Sewer use, Pt. 85.

**116.009 Construction standards.**

Sec. 9. Swimming pools shall be constructed in compliance with the applicable provisions of this ordinance.

**116.010 Electrical wiring and fixtures.**

Sec. 10. No electrical wires or conductors shall cross, either overhead or underground, any part of a private swimming pool, nor shall any electric wiring be installed parallel to any pool wall closer than five (5) feet, if underground, unless enclosed in rigid conduit, or within five (5) feet, if overhead.

All underwater lights must be watertight, self-contained units with their own ground connections running from waterproof junction boxes to proper grounding facilities or mediums. All underground electric wires supplying current to said light or lights, within a distance

of five (5) feet of the pool wall or walls, must be enclosed in rigid conduit.

All metal fences, enclosures or railings, near or adjacent to private swimming pools, which might become electrically alive as a result of contact with broken overhead conductors, or from any other cause, shall be effectively grounded.

**116.011 Disinfection.**

Sec. 11. Adequate provision shall be made for positive germicidal or bacterial control by the use of chlorine, bromine or such other disinfecting agents as may be approved by the Health Officer of Allegan County. Such disinfecting agents shall be applied to the pool water at a uniform rate. Provision shall be made for adjusting the application of the water in the pool equal to a standard of 0.5 parts per million to 1.0 parts per million chlorine residual. Testing devices capable of accurately measuring such residual shall be provided.

**116.012 Recirculation system and appurtenances.**

Sec. 12.

- a. Each private swimming pool shall be equipped with a recirculating system which shall consist of pumping equipment, hair and lint catcher, filters, together with the necessary pipe connections necessary for backwashing filters or cleaning them.
- b. The entire recirculation system shall be capable of producing at least an eighteen (18) hour turnover of the entire pool water volume content.
- c. The recirculating system pump shall have sufficient capacity to discharge the volume of water required for an eighteen (18) hour turnover of the pool against the maximum head in a recirculating system.
- d. The pump used in any filtration system shall have sufficient capacity to provide a filter flow and

backwash rate so as to meet the requirements set forth in Subsection e1, e2, e3(a) and e3(b), of this section.

- e. Recirculating systems shall contain a filter capable of meeting the following requirements:
  1. Sufficient filter area to adequately filter the entire contents of the pool in eighteen (18) hours.
  2. To furnish water of such chemical and physical quality that when in the pool the following clarity criterion is met: A black disc, six (6) inches in diameter on a white field, when placed on the bottom of the deepest point, is clearly visible from the side of the pool at all distances up to ten (10) yards measured from a line drawn across the pool through the center line of the disc.
  3. (a) Filters used shall have the following backwash rate:

<i>Type of Filter Media</i>	<i>Flow Rate, Gallons per Minute per Sq. Ft.</i>	<i>Backwash Rate, Gallons per Minute per Sq. Ft.</i>
Rapid sand and gravel	6	10
Diatomite:		
Pressure Type	3	See Sec. 3(b)
Vacuum Type	4	See Sec. 3(b)

- (b) The filter bed shall have an adequate and simple means for cleaning either by backwash, "spray off" or by manually cleaning same. The differential available for dirt collection between a clean and dirty filter to meet turnover rates shall be a minimum of thirty (30)



- feet and provide water to meet the clarity test hereinafter set forth.
- (c) All backwash water and effluents shall be discharged to the sewer through an indirect connection and provide adequate visible inspection.
  - (d) Pressure filters shall be equipped with readily accessible air relief valves, loss of head shown by pressure gauges on the outlet lines and access head or hole large enough to permit inspection, maintenance and repair work.
  - (e) A hair and lint catcher or strainer shall be installed on the suction side of the circulation pump to prevent hair, lint and other extraneous matter from reaching the pump and filters. Hair and lint catcher shall be designed so that it can be easily dismantled for cleaning and inspection and shall be located as to be easily accessible for cleaning. The design features shall be as follows: Water passes through the strainer from the inside, the strainer is to be made of noncorrosive material; the width or diameter of strainer openings is not more than one-eighth ( $\frac{1}{8}$ ) inch; the area of the strainer openings shall be at least five (5) times the cross sectional area of the inlet pipe to the strainer.

### **116.013 Penalties.**

Sec. 13. Any person who violates any provision of this ordinance shall upon conviction be punished by a fine of not more than One Hundred and 00/100ths (\$100.00) Dollars or by imprisonment for not more than ninety (90) days in jail or both such fine and imprisonment in the discretion of the Court. Each day's failure of compliance with any provision of this ordinance shall constitute a separate offense.

Legal proceedings to enjoin the violation of any of the provisions of this ordinance may be brought in any Court of competent jurisdiction in the name of the Village of Hopkins. Such action or injunction relief shall be brought when authorized by the Village Council. The enforcement and administration of the provisions of the ordinance shall otherwise be under and by the Village building Inspector.

**116.014 Severability.**

Sec. 14. If any section, paragraph, sentence, clause, phrase or part of this ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect and to this end, the provisions of this ordinance are hereby declared to be severable.

**116.015 Copies of ordinance to be available.**

Sec. 15. The Village Clerk and the Village Building Inspector shall have at all times available in their respective offices, the Village of Hopkins Private Outdoor Swimming Pool Ordinance herein referred to available for interested parties to examine.

Parts 117—129. Reserved.

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