

ORDINANCE 26-03

**AN ORDINANCE AMENDING TITLE XV: LAND USAGE, CHAPTER 153.068:
GENERAL YARD; LOT AREA, AND BUILDING REGULATIONS, REMOVING
PERMITTING REQUIREMENTS FOR SWIMMING POOLS**

THE CITY COUNCIL OF THE CITY OF DILWORTH HEREBY ORDAINS:

Title XV: Land Usage, Chapter 153.068: General Yard; Lot Area, and Building Regulations, amending section J to the following:

153.065(J) *Swimming pools*. The following regulations shall apply to all swimming pools (inclusive of above-ground, in-ground, or on-ground pools) with a capacity of 5,000 gallons and/or two feet or more depth within municipal limits:

(1) All swimming pools shall be provided with safeguards to prevent children from gaining uncontrolled access. This can be accomplished with fencing, screening, or other forms of enclosure, or any combination thereof, of sufficient density as to be impenetrable. If fences are employed, they shall be at least six feet in height. The bottoms of the fences shall not be more than four inches from the ground. Fences shall be of a noncorrosive material and shall be constructed to reduce a person's ability to climb the fence. All fence openings or points of entry into the pool enclosure shall be equipped with gates or doors. All gates or doors to swimming pools shall be equipped with self-closing and self-latching devices placed at a sufficient height to be inaccessible to small children. All fence posts shall be decay or corrosion-resistant and shall be set in concrete bases or other suitable protection (see § 153.065 for additional information on fencing). For swimming pools without fencing, screening, or other enclosure, an ASTM F1346-91 certified protective covering is required;

(2) Above-ground and below-ground swimming pools are permitted in rear yards only. A minimum setback of five feet must be maintained from the edge of the pool to a side or rear property line; and

This ordinance shall take effect and be in force from and after its passage and publication, and all other ordinances, resolutions, and acts and proceedings of the City and of the Council which are inconsistent with the terms of this ordinance are hereby amended or repealed to the extent necessary to give full force and effect to this ordinance.

ADOPTED by the City of Dilworth the 23rd day of February, 2026.

MAYOR: _____

Chad Olson, Mayor

ATTEST: _____

L. Peyton Mastera, City Administrator