

Swimming pool Requirements

Please reference ordinances below for zoning requirements for the installation of a swimming pool.

18-6.3 f 3. In all residential zones, accessory buildings and structures combined shall occupy **no more than the equivalent of 25% of the area of the rear yard**, and there shall be no more than two accessory buildings permitted, exclusive of a garage.

Ordinance 10-1 regarding swimming pools is amended to include the following:

SECTION 1. SETBACKS:

- A. The edge of the water in the swimming pool shall be **no less than 10 feet** from the nearest point of the house, if the house forms one of the boundaries to the enclosed area around the swimming pool. If the house does not form one of the boundaries of the enclosed area for the pool, this section will not apply.
- B. The water edge of the pool shall be **no less than 15 feet** from any property line.
- C. Any pool equipment shall be **no less than 15 feet** from any property line.
- D. Swimming pools are only permitted in the rear yard. If, however, the property is a corner lot, thereby, by definition, only having front and side yards, pools shall be permitted in either side yard providing they are **15 feet plus** the required front yard setback in the zone from the property line.

SECTION 2. PERMIT REQUIREMENTS FOR INGROUND POOLS:

Ordinance 10-1.2 shall be extended as follows:

- A. Pool permits shall be required for all swimming pools as defined by the Borough's Ordinance. To obtain a pool permit, the applicant must provide (a) a drainage plan; (b) a grading plan; and (c) satisfactory soil boring tests. All these items must be approved by the Borough Engineer before a pool permit is issued.
- B. Prior to a final CO being issued, following construction, the property owner must provide an acceptable as built survey.

SECTION 3. REINSPECTION

The pool permit fee includes the cost of a re-inspection one year after the permit has been issued. The purpose of the re-inspection will be to confirm that the pool and enclosure are compliant with the Borough's Ordinances.

SECTION 4. REPEALER

Any existing Ordinances which have provisions contrary to this Ordinance shall be deemed repealed, to the extent of any inconsistency.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication according to law.

§ 10-1.10 Fences; Height Requirement.
[Ord. #171, S 10; Ord. #0-00-3, S 3; Ord. #0-04-6, SS 1-4]

- A. All outdoor swimming pools shall be enclosed by a substantial fence not less than forty-eight (48") inches in height, so constructed as to prevent, within reason, any person from gaining access beneath or through the fence, and which shall have a similarly substantial gate of the same height as the fence, with facilities for locking the gate when the pool is unguarded. The side of an above-ground pool shall not constitute a fence for purposes of meeting this requirement.
1. No swimming pool shall be filled or partially filled with water until a fence permit has been obtained and permanent fencing has been installed and approved by the Borough.
 2. Temporary Fencing Insufficient. The installation of temporary fencing by a property owner or tenant shall not be deemed "permanent fencing" for purposes of permitting the swimming pool to be filled or partially filled with water, or to be used by the property owner.
 3. Persons Responsible. Any person or entity, including the homeowner, any contractor, or subcontractor of the owner of the owner's contractor, who violates this subsection shall be subject to the penalties set forth herein. It shall be deemed a violation if the pool is filled, partially or fully, with water without the required fence permit, without approval of the pool installation, or without approval of the permanent fencing having been obtained from the proper official in the Borough of West Long Branch.

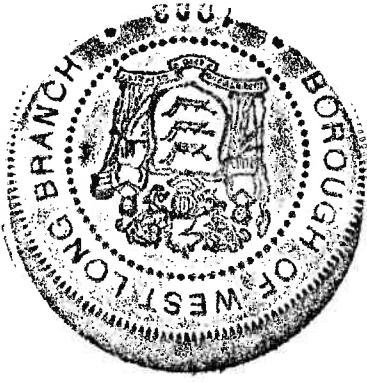
IMPERVIOUS SURFACE:

Shall mean a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water. Impervious surfaces shall include all buildings and accessory buildings, sidewalks, walkways, driveways, patios, swimming pools and other surfaces that cover the surface of the lot including roofed areas and surfaces covered with cement, asphalt, paver blocks and other surfaces that are resistant to infiltration by water.

Maximum allowable impervious coverage for the following zones:

R-10: 40%
R-15: 38%
R-22: 30%

18-7.1 -8., No temporary signs are permitted



ORDINANCE NO. O-22-11

**AN ORDINANCE RESTRICTING SWIMMING POOLS AND
THEIR EQUIPMENT WITHIN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the Borough has existing ordinances regarding the installation of swimming pools, setbacks from their property lines, the effect on impervious surfaces, coverage, and the fencing regarding the same; and

WHEREAS, the Borough has received quite a number of complaints that the existing ordinances are not restrictive enough in providing protection to neighboring property owners with regard to drainage, buffering, and proximity of pools and their surrounding areas; and

WHEREAS, the Council's Ordinance Review Committee has discussed these issues at great length and has recommended several additions and changes to the Borough's ordinances on these subjects;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of West Long Branch as follows:

SECTION 1. SETBACKS

Ordinance 10-1 regarding swimming pools is amended to include the following:

A. The edge of the water in the swimming pool shall be no less than 10 feet from the nearest point of the house, if the house forms one of the boundaries to the enclosed area around the swimming pool. If the house does not form one of the boundaries of the enclosed area for the pool, this section will not apply.

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C. Any pool equipment shall be no less than 15 feet from any property line.

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SECTION 2. PERMIT REQUIREMENTS FOR IN-GROUND POOLS

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A. Pool permits shall be required for all swimming pools as defined by the Borough's ordinance. To obtain a pool permit the applicant must provide (a) a drainage plan; (b) a grading plan; and (c) satisfactory soil boring tests. All these items must be approved by the Borough Engineer before a pool permit is issued.

OFFERED BY:
SECONDED BY:
AYES:
NAYS:
ABSENT:
ABSTAIN:

COUNCILMEMBER MANGO
COUNCILMEMBER NEYHART
BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN
NONE
NONE
NONE
NONE

I hereby certify the foregoing to be a true and exact copy of the original ordinance as adopted by the West Long Branch Borough Council on August 3, 2022.

Caroline D. Santos
ACTING BOROUGH CLERK

B. Prior to a final CO being issued, following construction, the property owner must provide an acceptable as-built survey.

SECTION 3. REINSPECTION

The pool permit fee includes the cost of a re-inspection one year after the permit has been issued. The purpose of the re-inspection will be to confirm that the pool and enclosure are compliant with the Borough's ordinances.


SECTION 4. REPEALER


Any existing ordinances which have provisions contrary to this ordinance shall be deemed repealed, to the extent of any inconsistency.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and publication according to law.

Introduced: July 6, 2022
Passed: August 3, 2022
Adopted: August 3, 2022


MAYOR


ACTING BOROUGH CLERK

**AN ORDINANCE REVISING FEES
FOR SWIMMING POOL CONSTRUCTION PERMITS
IN THE BOROUGH OF WEST LONG BRANCH**

Carolyn A. Santos
ACTING BOROUGH CLERK