

AN ORDINANCE TO ESTABLISH AMOUNT OF INSPECTIONS, PENALTIES, REQUIREMENTS FOR IN-GROUND SWIMMING POOLS AND POOL FENCES TO BE COMPLIED WITH BY HOMEOWNERS, LANDLORDS, CONTRACTORS, SUBCONTRACTORS, TOWN CLERK AND BUILDING INSPECTORS, BEFORE AND DURING CONSTRUCTION IN THE TOWN OF LOMA LINDA, MISSOURI.

NOW, THEREFORE, AGREED AS FOLLOWS:

1. The swimming pool permit fee for new in-ground pools shall be determined by the Architectural Committee and paid, in full, prior to beginning project.
2. The number of inspections for new in-ground pools, made by the Town of Loma Linda Building Inspectors, Missouri, shall be a minimum of six inspections, up to a maximum of nine inspections. There will be additional charges if inspections fail. The Town Clerk of Loma Linda, Missouri shall tally monthly the costs of inspections and shall bill the homeowner for those costs of the inspections that exceed the amount of inspections allotted by the Architectural Committee.
3. Violation of this Ordinance is a misdemeanor and shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) and up to thirty (30) days in jail or any combination thereof plus the Town of Loma Linda, Missouri may seek an injunction against further violations of the building permit or any of the building Ordinances of the Town of Loma Linda, Missouri in the Circuit Court of Newton County, Missouri and may further request the utilities not to provide service to the pool and there shall be no use of the pool by the owner(s), tenant(s) or other parties until the final inspection has been done and approved by the Building Inspector(s) and a certificate of occupancy has been granted for the pool by the Building Inspector(s).
4. Please see Bill No. 05-004, Ordinance No. 01-004 for the Building Inspector(s) notification requirements and compliance powers.
5. All in-ground pools shall comply with the current Loma Linda, Missouri National Electric Code and International Residential Code.
6. Above ground pools that come equipped with a pump and/or filter are not permitted in Loma Linda, Missouri. A children's play pool, whether it is a hard shell or is inflatable are exempt from this Ordinance.
7. The Building Officials and Code Administrators (B.O.C.A.), outline strong safety standards for swimming pool barriers (fences):
  - a. The barrier must be a minimum of 48" tall (or taller, depending on distance between horizontal rails).
  - b. The middle horizontal rail must be at least 45" above the bottom horizontal rail (to prevent using the horizontal rails as a kind of ladder for climbing).

- c. The spacing between pickets must be less than 4".
- d. If space between pickets is less than  $1\frac{3}{4}$ , *rule #2 does not apply and barrier does not have to be taller than 48* (because the tighter picket spacing has made climbing much more difficult).
- e. The space between the bottom horizontal rail and the ground must be less than 2".
- f. The gate(s) must be self-closing and self-latching.
- g. The gate(s) need to open out (away from the pool area).
- h. The operating mechanism of the latch must be at least 54" from the bottom of the gate or it shall be on the pool side of the gate at least 3 inches below the top AND shall not have any opening greater than 1/2 inch within 18 inches of the release mechanism.

Swimming pool barrier (fence) cannot be constructed of chain link. Chain link is only permitted in Loma Linda, Missouri for dog runs. All dog runs must be approved by the Architectural Committee.