

**ORDINANCE NO. 2021-10**

**AN ORDINANCE OF THE TOWNSHIP OF HAMILTONBAN, ADAMS COUNTY,  
PENNSYLVANIA, AMENDING THE HAMILTONBAN TOWNSHIP ZONING  
ORDINANCE**

**BE IT ENACTED, ADOPTED, AND ORDAINED** by the Township of Hamiltonban, Adams County, Pennsylvania, by the Hamiltonban Township Board of Supervisors, and it is hereby **ENACTED, ADOPTED, AND ORDAINED** by the authority of the same as follows:

**SECTION 1: TEXT AMENDMENT**

Section 375-5 shall be amended by adding the following definition.

**SWIMMING POOL**

Any structure intended for swimming or recreational bathing that contains, or is intended to contain, water over twenty-four (24) inches deep. Includes in-ground, above-ground, and inflatable pools.

**SECTION 2: TEXT AMENDMENT**

Section 375-70.A shall be amended to read as follows.

- A. A Zoning Permit shall be required for any of the following types of swimming pools
1. Any swimming pool constructed as a permanent fixture on the property. Such swimming pools include, but are not limited to, in-ground swimming pools and above-ground pools constructed or intended to be constructed as a permanent structure on the property.
  2. Any swimming pool installed or intended to be installed seasonally on the property. Such swimming pools include, but are not limited to, inflatable pools. Plastic or inflatable children's pools, that are emptied or typically emptied after each use, are exempted from the Zoning Permit requirement of this section.

**SECTION 3: TEXT AMENDMENT**

Section 375-70.C shall be amended to read as follows.

- C. Any swimming pool shall be surrounded by a fence, wall, or other barrier of no less than four (4) feet in height above grade. When the side of the swimming pool itself equals to or exceeds four (4) feet in height above grade, the pool itself may be considered to be the barrier.

**SECTION 4: TEXT AMENDMENT**

Section 375-70 shall be amended by adding the following text.

D. Any gate or door through the fence, wall, or other barrier, required in Subsection C above, shall be provided with a self-closing, self-locking mechanism.


E. Building Permit Required – The construction or installation of a swimming pool shall be subject any permitting and inspections with regard to applicable provisions of the Pennsylvania Uniform Construction Code (UCC) in addition to any permitting required to demonstrate compliance with the provisions of this Ordinance. Issuance of any required building permitting shall be listed as a condition of approval for the Zoning Permit required by this Ordinance.

**SECTION 5: EFFECTIVE DATE**

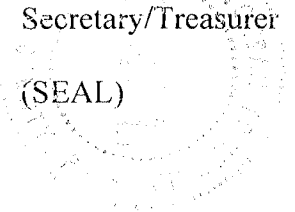
This Ordinance shall be effective on and as of November 16, 2021.

**ENACTED AND ORDAINED** into an Ordinance this 16th day of November, 2021.

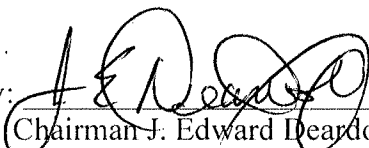
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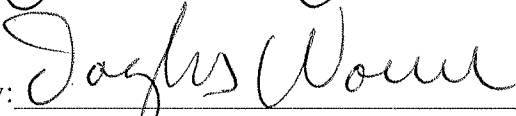
  
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Nina Garretson  
Secretary/Treasurer

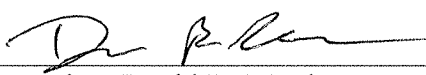
(SEAL)



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