

**ORDINANCE NUMBER: 2015-17**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR  
THE VILLAGE OF CHERRY VALLEY, ILLINOIS  
CHAPTER 22 BUILDINGS AND BUILDING REGULATIONS  
ARTICLE VI. SWIMMING POOLS, SPAS AND HOT TUBS**

WHEREAS, the Board of Trustees for the Village of Cherry Valley, Illinois, in review of the current ordinances believe it is important to amend the Village Code of Ordinances to require the maintenance of swimming pools, spas and hot tubs, and also to state more specifically the types of enclosures required for private swimming pools, spas and hot tubs; and,

WHEREAS, currently, the Code of Ordinances for the Village of Cherry Valley, Illinois, specifically Section 82-7(e)(5)(d) under the Zoning Code, sets forth minimum and maximum height for fencing around private swimming pools; and,

WHEREAS, the Board of Trustees for the Village of Cherry Valley, Illinois, would like to be more specific regarding fencing around swimming pools, spas and hot tubs in private facilities, and therefore is amending Chapter 22 to provide for said regulations.

NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** Chapter 22, Buildings and Building Regulations, shall and hereby is amended to add the following article and sections:

Article VI. Swimming Pools, Spas and hot Tubs. Sections 22-104 and 105.

Section 22-104. Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Section 22-105. Enclosures. Private swimming pools, hot tubs and spas containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**SECTION 2:** This Ordinance shall become in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: STEPHEN APPELL

BY ROLL CALL VOTE THIS 15th DAY OF SEPTEMBER, 2015

AS FOLLOWS:

VOTING "AYE": STEPHEN APPELL, NANCY BELT,  
JEFF FUSTIN AND GARY MAITLAND

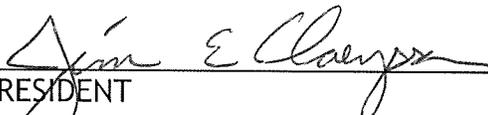
VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER: SALLY HOLLEMBEAK AND DAVID SCHROEDER

APPROVED: SEPTEMBER 15, 2015

ATTEST:

  
\_\_\_\_\_  
CLERK

  
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PRESIDENT