

Ordinance No. 14/15-08 Amendment #1
Amending No. 11/12-03
VILLAGE OF BRADFORD
Stark County, Illinois

AN ORDINANCE Amending the Regulation of Nuisances in the
VILLAGE OF BRADFORD, Stark County, Illinois

WHEREAS, the Board of Trustees of the Village of Bradford has considered in open session amendment of the regulation of nuisances in the Village;

AND, WHEREAS, the Board of Trustees of the Village of Bradford has determined that in order to protect public health and safety, and the property right of citizens, modification of the Nuisance Ordinance is necessary;

NOW THEREFORE, BE IT ORDAINED, By the Board of Trustees of the Village of Bradford, Stark County, Illinois, As Follows:

SECTION ONE. That Title 7, Chapter 1, Section 5 is added to the Village Code to read and shall be as follows:

7-1-5: Swimming Pools.

- (A) It is hereby declared a nuisance to maintain a swimming pool in the Village unless the same shall comply with this Paragraph.
- (B) Every owner, purchaser under contract, lessee, tenant or licensee of land within the Village upon which is situated a private outdoor swimming pool of a depth of three (3) feet or more shall at all times maintain, on the lot or premises upon which such private swimming pool is located, a fence or other structure completely surrounding such pool, not less than four (4) feet in height, with no gaps or apertures, other than doors or gates, with any dimensions greater than one and one-half (1 ½) inches. All gates or doors opening through such fence or enclosure shall be equipped with self-closing and self-latching devices placed at the top of such gates or doors and made inaccessible to small children.
- (C) Such devices shall be so designed as to be capable of keeping such doors or gates securely locked at all times when not in use; however, the door of any dwelling forming a part of the enclosure need not be so equipped.
- (D) The Village may approve modifications in individual cases upon showing of good cause with respect to the heights, nature, or location of the fence, wall, gates, or latches, or the necessity therefor, provided the protection as sought hereunder is not reduced thereby.
- (E) Temporary soft-sided pools less than three (3) feet or under in water depth are exempt from the requirements of this Paragraph.
- (F) An annual fee of \$75.00 shall be assessed for any pool which fits the

requirements of this ordinance as set forth in paragraph (B) above. Said fee is necessary to provide payment to the Village for the costs of annual pool maintenance and filling.

(G) PENALTY shall be as set forth in Title 1, Chapter 4 of this Code.

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION THREE. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

SECTION FOUR. This Ordinance shall be in full force and effect ten days after its passage and publication as provided by law.

Presented, passed and approved on a roll call vote this 25th day of August, 2014.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Board of Trustees:			
Shaun Stiltz	X		
Robin Lindner	X		
Tony Carlton	X		
John Cler	X		
Bob Hermann	X		
Bob Boehm	X		

APPROVED:

By: Henry Waldinger
Henry Waldinger, President

ATTEST:

By: Joanne Holman
Village Clerk