

Chapter 14.65

SWIMMING POOLS

Sections:

14.65.010 Definitions.

14.65.020 Compliance.

14.65.030 Districts.

14.65.040 Location.

14.65.050 Area.

14.65.060 Safety Features And Enclosures.

14.65.070 Compliance--Fencing Requirements.

14.65.080 Permit Required.

14.65.090 Application.

14.65.100 Fee.

14.65.110 Interference With Enjoyment Of Property Rights Prohibited.

14.65.120 Unnecessary Noise.

14.65.130 Electrical Service And Wiring.

14.65.140 Periodic Inspection.

14.65.150 Severability.

14.65.160 Violations.

14.65.010 Definitions.

A. "Swimming pool," as used in this Chapter, means any body of water or an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than two (2) feet located above or below the surface of ground elevation, installed in such a manner that the pool will remain in place as a fixture throughout the full year and will be considered as a permanent or semi-permanent structure on land. The term includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.

B. "Spa or Hot Tub," as used in this Chapter, means any hydro massage pool for recreational or therapeutic use, designed for immersion of user and usually having a filter, heater and motor-driven blower. It may be installed on the ground or supporting structure, or in the ground or supporting structure.

C. "Exempt Pools," as used this Chapter, means any storable children's swimming or wading pools eighteen (18) feet in diameter or smaller which are of temporary use and can and are disassembled for storage and reassembled to its original integrity are exempt from the provision of this Section. (Ord. 2004-8-1(part)).

14.65.020 Compliance.

It is unlawful to construct, install, enlarge, or alter any swimming pool as defined in this Chapter within the Village of Twin Lakes, except in compliance with all of the provisions of this Section. (Ord. 2004-8-1(part)).

14.65.030 Districts.

Swimming pools may be installed in Residential and Agricultural Zoning Districts except floodplain, conservation, wetlands and industrial. Swimming pools may be allowed in Commercial and Multi-family Districts upon issuance of a conditional use permit pursuant to this Code and may be allowed in PUD overlays. (Ord. 2004-8-1(part)).

14.65.040 Location.

No portion of a swimming pool outside a building, including a surrounding deck and top-mounted safety enclosure, shall be located at a distance of less than eight (8) feet from any side or rear property line or

building line. Such pool shall also comply with any and all State and local regulations with respect to the distances from an on-site sewage disposal absorption system and water units. On corner lots, all street yards, setbacks or property lines shall be complied with. Pumps, filters and pool water disinfection equipment installations and all other accessories shall be located at a distance of not less than eight (8) feet from any side property line. Pools shall be at least eight (8) feet from principle structures. Pools may be installed only upon the rear yard of a premises. All state requirements with respect to the Wisconsin Administrative Code, as hereinafter amended or recreated relating to setbacks from an on-site sewage disposal system and wells shall be complied with. Pools shall be constructed only on lots occupied by principal buildings.

(Ord. 2004-8-1 (part)).

14.65.050 Area.

Such pool may be constructed provided, however, it does not occupy more than forty percent (40%) of the usable area of the rear yard excluding all garages or other accessory structures located in such area.

(Ord. 2004-8-1(part)).

14.65.060 Safety Features And Enclosures.

No swimming pool shall be installed or maintained unless:

A. In-ground pools shall have a fence or other barrier type structure not less than four (4) feet in height completely enclosing pool with no openings therein (other than doors and gates). Fences or barriers shall be designed and constructed to prevent the through passage of a sphere with a diameter of four (4) inches or larger. All gates and/or doors opening through the enclosure shall be equipped with self-closing and self-latching device designed to keep and be capable of keeping such door or gate securely locked at all times when not in actual use.

B. Above Ground Pool. An approved barrier shall consist of a solid wall of durable material of which the pool itself is constructed and shall extend directly above the vertical water enclosing wall of the pool. Such walls shall extend at least forty-eight (48) inches above the level of the ground immediately adjacent to the pool. Such a solid pool wall barrier shall not be located within six (6) feet of any other wall, fence or other structure which can be readily climbed by children. Every entrance to a pool, such as a ladder, must be secured or safeguarded to prevent unauthorized entry to pool.

C. Every gate or other opening to the fence enclosing such pool, except an opening to the dwelling or other main building of the premises shall be kept securely closed and locked at all times when the owner or occupant of the premises is not present at such pool. All such gates shall be equipped with self-closing and self-latching devices placed at the top of the gate.

D. In the case of a spa or hot tub, a locked safety cover meeting American Society for Testing Materials Specification may be used, or a spa must be completely enclosed in a structure with locking doors and windows.

E. Lighting. No lighting may be installed in connection with the pool which shall throw any rays beyond such property lines.

F. Draining. No private pool, hot tub, spa, decorative pond or fountain shall be constructed so as to allow water therefrom to drain into any sanitary sewer, lake, stream, wetland nor overflow upon or cause damage or nuisance to any adjoining property. (Ord. 2004-8-1(part)).

14.65.070 Compliance--Fencing Requirements.

All swimming pools existing at the time of passage of this Chapter not satisfactorily fenced shall comply with the fencing requirements of this Section when water is placed in the pool. Enclosures or existing pools shall be inspected by the Building Inspector for compliance. (Ord. 2004-8-1(part)).

14.65.080 Permit Required.

It is unlawful to proceed with the construction, installation, enlargement or alteration of any private residential swimming pool and accessories thereto within the Village unless a Zoning permit and building

permit, when required under the Village of Twin Lakes Building Code, have been first obtained from the Building Inspector. An application for a permit to construct and the pertinent explanatory data and description of the materials to be used shall be submitted on such forms as prescribed by the Village Building Inspector, who shall review such application and pertinent data and determine whether the proposed pool complies with the provisions of this Chapter, and with reasonable standards of swimming pool construction for the protection of the public safety, health and morals, as prescribed in the Rules and Regulations promulgated by the Kenosha Health Department and the Village of Twin Lakes pursuant to this Chapter. (Ord. 2004-8-1(part)).

14.65.090 Application.

All drawings and plans for the construction, installation, enlargement or alteration of any such swimming pool and the accessories thereto shall first be presented to the Building Inspector for examination and approval as to the proper location and construction. All such plans and drawings shall be drawn to scale and shall indicate thereon all distances and dimensions so as to accurately and explicitly show all lot lines, and all information pertaining to the pool, walk, deck, fence construction, water supply system, drainage and water disposal systems, and all accessories pertaining to the swimming pool. Such plans shall also indicate the vertical elevations of the pool. All swimming pools and accessories thereto, water supply and drainage system shall be constructed in conformity with the approved plans. (Ord. 2004-8-1 (part)).

14.65.100 Fee.

The fee required for said permits shall be found in Section 14.64.030(G)--Fee Schedule for Permits. (Ord. 2004-8-1 (part)).

14.65.110 Interference With Enjoyment Of Property Rights Prohibited.

No swimming pool shall be so located, designed, operated or maintained as to interfere unduly with the enjoyment of property rights by owners of property adjoining the swimming pool, nor shall water from the swimming pool be permitted to flow or come upon the property of others, nor to drain into the Village sanitary sewer systems. (Ord. 2004-8-1 (part)).

14.65.120 Unnecessary Noise.

It is unlawful for any person to make, continue or cause to be made or continued at any swimming pool any loud, unnecessary or unusual noise, or any noise or sound which annoys, disturbs, injures or endangers the comfort, health, peace or safety of others. (Ord. 2004-8-1 (part)).

14.65.130 Electrical Service And Wiring.

All electrical wiring shall comply with the provisions of the Wisconsin State Electrical Code and the National Electrical Code, relating to the construction and installation of electrical wiring for equipment in or adjacent to swimming pools. (Ord. 2004-8-1 (part)).

14.65.140 Periodic Inspection.

The inspection department may inspect or cause to be inspected all swimming pools within the Village, at such times as it may deem necessary to carry out the intent of this Chapter. The health department is authorized to enter upon any premises which contains a pool at such times as it may deem necessary, and to require the owner, proprietor or operator to comply with the Rules and Regulations pertaining to swimming pools promulgated by the Village of Twin Lakes and Kenosha Health Department, in accordance with this Chapter. (Ord. 2004-8-1 (part)).

14.65.150 Severability.

If any Section, subsection, paragraph, clause or provision of this Chapter is adjudged invalid, such adjudication shall apply only to the provisions so adjudged, and the rest of this Chapter shall remain valid and effective. (Ord. 2004-8-1 (part)).

14.65.160 Violations.

Each day that a violation of this Chapter is permitted to continue shall constitute a separate offense, and the violator shall, upon conviction, be subject to the penalty as provided in Section 1.12.010 of this Code. The fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the inspection department constitute a defense. (Ord. 2004-8-1 (part)).

Chapter 14.66

INSTALLATION OF SATELLITE EARTH STATION ANTENNAS

Sections:

14.66.010 Definitions.

14.66.020 Permit Required.

14.66.030 Location And Setback Requirements.

14.66.040 Electrical Code Requirements.

14.66.050 Prohibited Installations.

14.66.010 Definitions.

As used in this Chapter, “satellite earth station” or “satellite station” means a dish-shaped antenna designed to receive television signals relayed by microwave signals from earth-orbiting communication satellites.

(Ord. 85-9-3 (part)).

14.66.020 Permit Required.

No person shall install a satellite earth station, as defined in this Chapter, without first obtaining a permit from the Building Inspector and payment of a permit fee of twenty-five dollars (\$25.00). Applications for a permit shall be accompanied by a diagram of the premises and the proposed location of the satellite station, the manufacturer’s specifications, and such other information as the Building Inspector may require to determine that the installation is in conformity with this Chapter. (Ord. 85-9-3 (part)).

14.66.030 Location And Setback Requirements.

Satellite earth stations shall be installed only in rear or side yards, and the installation shall conform to the established setback requirements for the particular zoned district. Satellite stations shall not exceed twelve (12) feet in diameter. A ground-mounted satellite station shall not exceed the height requirement for accessory buildings in the particular zoned district. A satellite station may be attached to the wall or to the roof of a principal or accessory structure only after the Building Inspector has been satisfied that the satellite station and the building to which it is attached are structurally sound. All installations shall meet a minimum wind-load design of a velocity of at least eighty (80) miles per hour. (Ord. 85-9-3 (part)).

14.66.040 Electrical Code Requirements.

Installations shall be in accordance with the National Electrical Code standards, and cables used to conduct electrical energy or transmission signals from the satellite station to television receivers shall be installed underground whenever possible. Satellite stations shall be installed in accordance with Federal Communication standards in such a manner that they shall not cause harmful interference with radio or television reception on adjacent properties. (Ord. 85-9-3 (part)).

14.66.050 Prohibited Installations.

A. No portable or trailer-mounted satellite earth station shall be permitted within the Village, except a temporary installation for on-site testing or demonstration which shall not exceed two (2) days. An application for such temporary installation permit shall be filed with the Building Inspector, stating the time, place and duration of the temporary installation. There shall be no fee for a permit issued by the Building Inspector for a temporary installation.

B. No form of advertising or identification shall be allowed on the framework or the dish of a satellite station, except the customary manufacturer’s identification plates and information normally affixed to such installations.

C. Not more than one (1) satellite earth station shall be installed on a lot or described parcel of land. (Ord. 85-9-3 (part)).

Chapter 14.70

ONE-FAMILY AND TWO-FAMILY DWELLINGS

Sections:

14.70.010 State Uniform Dwelling Code Adopted.

14.70.020 Building Permits.

14.70.030 Building Permit Fees.

14.70.040 Violations And Penalties.

14.70.050 Severability.

14.70.010 State Uniform Dwelling Code Adopted.

A. The Administrative Code provisions describing and defining regulations with respect to one (1) family and two (2) family dwellings in Chapters Ind 20-25 of the Wisconsin Administrative Code, whose effective dates are generally June 1, 1980, are adopted and by reference made a part of this Chapter as if fully set forth in this Chapter. Any act required to be performed or prohibited by an Administrative Code provision incorporated in this Chapter by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Administrative Code provisions incorporated in this Chapter are intended to be made part of this Chapter to secure uniform statewide regulation of one (1) family and two (2) family dwellings in this Village. A copy of these Administrative Code provisions and any future amendments shall be kept on file in the Village Clerk/Treasurer's office.

B. The Building Inspector, as certified by the Department of Industry, Labor and Human Relations, is authorized and directed to administer and enforce all of the provisions of the Wisconsin Uniform Dwelling Code.

C. Any existing Ordinances pertaining to the construction of new dwellings that conflict with the Uniform Dwelling Code are repealed. (Ord. 80-5-1 (part)).

14.70.020 Building Permits.

A. No one (1) family or two (2) family dwelling shall be built, enlarged, altered, or repaired unless a building permit for that work shall first be obtained by the owner, or his agent, from the Building Inspector.

B. No addition, alteration or repair to an existing one (1) family or two (2) family dwelling not deemed minor repair by the Building Inspector shall be undertaken unless a building permit for this work shall first be obtained by the owner, or his agent, from the inspector.

C. The applicant shall submit two (2) sets of plans for all new construction or repairs or additions to existing one (1) family and two (2) family dwellings at the time that the building permit application is filed. (Ord. 80-5-1 (part)).

14.70.030 Building Permit Fees.

The building permit fee or fees shall be as provided by Section 14.64.030 of the Twin Lakes Municipal Code. (Ord. 80-5-1 (part)).

14.70.040 Violations and Penalties.

Any person, firm or corporation failing to comply with the provisions of this Chapter shall be subject to the penalties as provided in Section 1.12.010 of the Twin Lakes Municipal Code, and in addition shall be subject to injunctive or other action as provided by law. (Ord. 80-5-1 (part)).

14.70.050 Severability.

If any Section, clause, provision or portion of this Chapter or of Chapters Ind 20, 21, 22, 23, 24 and 25 of Wisconsin Administrative Code is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected. (Ord. 80-5-1 (part)).

Chapter 14.80

**ENFORCEMENT OF STATE
BUILDING CODE**

Sections:

- 14.80.010 Authority.**
- 14.80.020 Purpose.**
- 14.80.030 Adoption of Codes.**
- 14.80.040 Building Inspector.**
- 14.80.050 Building Permit Required.**
- 14.80.060 Building Permit Fee.**
- 14.80.070 Penalties.**

14.80.010 Authority.

These regulations are adopted under the authority granted by Wisconsin State Statutes, Section 101.12. (Ord. 94-12-2 (part)).

14.80.020 Purpose.

The purpose of this Chapter is to promote the general health, safety and welfare by enforcing the adopted Codes. (Ord. 94-12-2 (part)).

14.80.030 Adoption of Codes.

The following Wisconsin Administrative Codes and subsequent revisions are adopted for Municipal enforcement by the Building Inspector, who shall be commercially certified by DILHR.

Chapters ILHR 50 through 64	Wisconsin Building and Heating, Ventilating and Air Conditioning Code
Chapters IND 160 through 164	Existing Building Code
Chapter ILHR 70	Historic Building Code

Ord. 94-12-2 (part), 1994).

14.80.040 Building Inspector.

The Building Inspector, authorized by the municipality to enforce the adopted Codes, shall be properly certified by the Department of Industry, Labor and Human Relations. (Ord. 94-12-2 (part)).

14.80.050 Building Permit Required.

No person shall build or cause to be built any new public building containing less than fifty thousand (50,000) cubic feet in total volume or alter a public building involving less than one hundred thousand (100,000) cubic feet in total volume, without first submitting plans and specifications to the Building Inspector and obtaining a building permit for such building. (Ord. 94-12-2 (part)).

14.80.060 Building Permit Fee.

Building permit fees shall be determined by Section 14.64.030(G) of this Code. (Ord. 94-12-2 (part)).

14.80.070 Penalties.

Enforcement of this Chapter shall be by means of withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00) for each day of noncompliance. (Ord. 94-12-2 (part)).

Chapter 14.81

FIRE PREVENTION

Sections:

14.81.010 Purpose.

14.81.020 Adoption of Model Fire Code.

14.81.030 Enforcement.

14.81.040 Penalties.

14.81.010 Purpose.

The purpose of this Chapter is to protect the public, employees, firefighters and property from the hazards of fire and explosion by establishing minimum standards for the use, operation and maintenance of buildings, structures and premises. (Ord. 2005-7-2 (part)).

14.81.020 Adoption Of Model Fire Code.

NFPA 1, Fire Prevention Code 2000, subject to the modifications listed in Chapter Comm 14 of the Wisconsin Administrative Code, is adopted for the Village of Twin Lakes as if specifically set out herein. (Ord. 2005-7-2 (part)).

14.81.030 Enforcement.

The provisions of this Chapter shall be enforced by the Fire Inspectors for the Village with assistance and cooperation from the Building Inspector. Any conflict between NFPA I and other Sections of the Village Code shall be decided by the Building Inspector. Determinations made under this Section by the Fire Inspectors or the Building Inspector shall be subject to the appeal provisions in Section 14.12.280 of this Code.

(Ord. 2005-7-2 (part)).

14.81.040 Penalties.

Enforcement of this Chapter shall be by means of withholding of building or other permits, revocation of building or other permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00) for each day of noncompliance. (Ord. 2005-7-2 (part)).