



CHAPTER 407 – SWIMMING POOLS

HISTORY: Adopted by the Common Council of the City of St. Francis 8-7-2007 by Ord. No. 1240 (§ 14.21 of the 1981 Code).
Amendments noted where applicable.

§ 407-1. Permit Required

The following types of pools require a permit:

- A. Aboveground pools (except wading pools having a depth of less than two feet and which are readily movable).
- B. Permanent air-inflatable pools with a side wall height greater than two feet above grade.
- C. In-ground pools.
- D. Public pools. All public pools constructed shall be built and maintained in accordance with the rule of Chapter SPS 390, Wisconsin Administrative Code.
- E. Spas (outdoor).

§ 407-2. General Pool Regulations

A. Location.

1. No person, firm or corporation shall have a swimming pool or spa located in the front yard or side yard setback unless specifically allowed in Chapter [455](#), Zoning, of this Code.
2. Side and rear yard setbacks measured from the edges of the pool shall be a minimum of 10 feet from the property line or as regulated by Chapter [455](#), Zoning.
 - a. Required side yard depth for R-1 & R-2 zoning:
 - (1) North or west side: 10% of lot width or five (5) feet, whichever is less.
 - (2) South or east side: 20% of lot width or 10 feet, whichever is less.
 - b. Required side yard depth for R-3 zoning:
 - (1) North or west side: three (3) feet.
 - (2) South or east side: seven (7) feet.
3. Swimming pools shall not be located closer than four feet to any wall, fence or structure.
4. Swimming pools shall be located away from well and septic systems in accordance with the Wisconsin State Plumbing Code, Chapter SPS 383, and Wisconsin Administrative Code.

B. Access.

1. A fence or other solid structure of not less than 3 1/2 feet in height shall completely enclose the swimming pool. There shall be no opening in said fence or wall larger than four square inches, with the exception of gates or doors, which themselves shall not have an opening larger than four square inches. All gates or doors opening through such enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device designed to be capable of keeping such door or gate securely closed. Latches shall be located at least three feet above the ground, accessible deck or stairs.



CITY OF ST. FRANCIS

3400 EAST HOWARD AVENUE

ST. FRANCIS, WI 53235

PHONE: (414) 481-2300 FAX: (414) 481-6483

2. A fence is not required around an aboveground pool where the pool wall is at least 3 1/2 feet above grade for the full pool perimeter. The finished grade shall be maintained for a minimum of four feet beyond the outside perimeter of the pool.
 3. When not completely fenced, all ladders, steps, pool pump/filter equipment or other means of access to an aboveground pool shall be removed and/or designed to prevent access when the pool is unattended.
 4. Spas shall be made inaccessible by a locking safety cover or other approved safety barrier when not in use.
- C. Swimming pool decks. All decks shall be constructed in accordance with the Uniform Building Code. Decking shall be considered an integral part of the swimming pool and shall comply with the applicable setback dimensions per Chapter [455](#), Zoning.
- D. Drainage. In no case shall any swimming pool be drained onto lands of property owners other than the owner of the swimming pool. Drainage from said lot shall be in accordance with any local zoning ordinance.
- E. Lighting. Lights shall be erected so as to eliminate direct rays and minimize reflected rays of light onto adjoining properties and roadways. Lighting installation shall be done in accordance with the State of Wisconsin Electrical Code.
- F. Electrical. All wiring for pools and spas shall be done in accordance with the Wisconsin Electrical Code and/or local code. **Editor's Note: See Ch. [237](#), Electrical Standards.** Pools and spas shall be separated from overhead and underground electrical wiring and shall be in accordance with the State of Wisconsin Electrical Code and/or local code.

§ 407-3. Application for Permit

The following information is necessary:

- A. Survey or accurate drawing of the property, in duplicate, showing all existing structures, proposed swimming pool or spa location, fencing, if required, and overhead or underground electrical wiring.
 1. Type of pool installation, aboveground or in-ground.
 2. Pool height above highest point of grade if aboveground installation.
 3. Type and height of fence, if proposed.
 4. Type and support of decking, if proposed.
 5. Overall size and locations of the above in regard to existing buildings and lot lines for property survey reference.
 6. Any change in finished grade near the pool.
 7. County Health Department approval for properties using a private septic system, where applicable.
 8. Site inspection letter from a local wiring utility.
- B. Two copies of brochure which shows the type, style, etc., of the pool or spa to be installed.



§ 407-4. Violations and Penalties

Any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided in § [1-4](#) of this Code.

Electrical line Clearances for Pools

WE Energies requirements for:

Overhead electric lines – 25 feet in any direction from pool and 17 feet from pool deck

Underground electric lines – 5 feet from edge of pool or pool equipment.

National Electrical Code 680.8 requirement for:

Overhead conductors and service drop cable require a clearance in any direction of 25 feet in any direction from maximum water level for up to 10 feet horizontal distance from sidewall of a pool and 14.5 feet above pool decks.

Communication cable (phone and coaxial cable) require a clearance of 10 feet above pool and deck.

Diggers Hot Line (800) 242-8511 or 811 for projects that require digging.