

ORDINANCE #2012-06

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE PROPERTY MAINTENANCE CODE OF THE BOROUGH OF ALLENHURST", ADOPTED FEBRUARY 27, 2001.

BE IT ORDAINED, BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST AS FOLLOWS:

SECTION I – ADDITIONS, INSERTIONS AND CHANGES

That the Property Maintenance Code of the Borough of Allenhurst is amended to include the following provisions:

SWIMMING POOLS

- A. No pool shall be constructed at an elevation greater than 12 inches higher than the unaltered existing ground elevation.
- B. Pool equipment shall be located only in the rear yard and shall be located inside the structure of the garage or at least 10 feet to property line and buffered for sound and visual enhancement.
- C. Pool water may not be discharged at the curb or upon the surface of any street or into the storm sewer.
- D. Pool footprint shall not encroach on any existing overhead wires with a minimum of a five foot buffer or more as may be required by utility company.
- E. No construction activity shall begin prior to 8:00 AM and no later than 5:00 PM.
- F. Prior to any construction activities, applicant shall call for utility service markout.
- G. Proposed grading must ensure surface runoff will have no impact on adjacent properties.
- H. Lighting and illumination plan must be submitted. All illumination used in connection with any pool shall be directed and shielded so as to avoid annoyance or nuisance to the occupants of adjacent and neighboring properties, and shall be

subject to the approval of the Zoning Officer and/or the Allenhurst Planning Board.

- I. A good quality fence, which is no less than 50 percent open, shall enclose such pool at least four feet in height. The fence shall be in compliance with the Swimming Pool Code of New Jersey, including being equipped with a gate or gates of the same height as the fence and equipped with a self-locking device.
 - a. A full depth soil boring, soil log, soil analysis and groundwater analysis, including establishment of depth to the seasonal high groundwater table shall be provided with any residential swimming pool permit application. A report on the soil and groundwater conditions shall be prepared by a licensed geotechnical engineer and submitted as part of any proposed pool application, including any recommended construction details.
 - b. Bottom elevation of pool structure shall not be less than two (2') feet above the seasonal high groundwater elevation, as defined by January 1 through April 1 of each year.
 - c. A Request for Authorization must be made to the NJDEP for any construction dewatering. A copy of such request shall be copied to the Borough of Allenhurst and presented with the request for permit.
- J. The following construction activities must be shown on a plot plan:
 - a. Stone tracking pad.
 - b. Perimeter silt fence.
 - c. Hay bale inlet protection.
 - d. Zero Silt runoff from residential property.
 - e. No off-site discharge of construction dewatering activities.
 - f. Curb and sidewalk restoration.
- K. No private swimming pool shall have any connection whatsoever to the sanitary sewer system of the Borough of Allenhurst, and no water shall be discharged from such swimming pool into the sanitary sewer system.
- L. Construction Materials- All material used in the construction of private swimming pools shall be water-proofed and easily cleaned. The bottom and sides of the pool shall be either white or a light color. Sand or earth bottoms shall not be used.

SECTION II - SEVERABILITY

If any section, subsection, clause or phrase of this Ordinance is held unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

SECTION III – REPEALER

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV - EFFECTIVE DATE

This Ordinance shall take effect twenty days after final passage and publication according to law.

APPROVED:
ADOPTED: