

**AN ORDINANCE REPEALING AND RECREATING
TOWN OF JANESVILLE ORDINANCE NO. 46**

INTRODUCTION: Town of Janesville Ordinance No. 46, which was passed in June of 1972, is hereby repealed and recreated as follows:

An Ordinance regulating the construction and maintenance of private swimming pools in the Town of Janesville, Rock County, Wisconsin.

Section I. The Town Board of the Town of Janesville, Rock County, Wisconsin, in the interest of public health and public safety, do hereby ordain and establish as follows:

Section II. No person, firm or corporation shall erect, construct or enlarge any swimming pool without first having obtained a permit therefor, from the Building Inspector, as provided herein.

Section III. Applications for the permits shall be made in writing, showing the location of the proposed swimming pool. A copy of the plans drawn to scale and specifications showing size and drainage, location of fences and gate, shall accompany such application, together with the sum of Forty-five Dollars (\$45.00) as a permit fee. If a required permit is not obtained prior to commencement of construction, the permit fee shall be tripled. Any provisions of the Town of Janesville Building Code relating to the necessity of obtaining a permit and regulation of activities requiring a permit, not inconsistent with the provisions contained in this Ordinance, are applicable.

Section IV. Any private swimming pool shall be constructed, equipped and maintained in such manner to meet the sanitary requirements of the Town of Janesville, and all other applicable regulations of the Town of Janesville.

Section V. Every outdoor swimming pool shall be enclosed with a fence or wall, not less than five feet in height and no further than 25 feet away from the edge of the pool, and of such design and construction that it cannot be climbed over or under or through. Entrance shall be by suitable gate or door of the same height as the enclosure; which gate or door shall be kept closed and securely locked at all times when adequate supervision is not inside or within the enclosure.

Section VI. This Ordinance shall be enforced by the Building Inspector of the Town of Janesville. The Building Inspector shall promptly report all violations of this Ordinance to the Town Board and the Town of Janesville Attorney who may bring an action to enjoin any violation of this Ordinance. In addition to being subject to injunction, the person or entity violating any of the provisions of this Ordinance shall, upon conviction, be subjected to a forfeiture of not less than Five Dollars (\$5.00) nor more than Twenty-five Dollars (\$25.00) and the cost of prosecution for each violation. In default of payment of such forfeiture and costs, the Court where the action is venued shall, in its discretion, be allowed to jail the convicted person or entity until such forfeiture and costs of prosecution are paid. Every day upon which a violation occurs or exists constitutes a separate offense and violation. This section, as opposed to the general penalty section of the Building Code (Sec. 1-17), shall be applicable to the violations of this Ordinance. If there is further amendment of this Ordinance, the penalty provided herein for violations shall also relate to any amendment or addition.

Section VII. This Ordinance shall become effective upon the posting and publication thereof, as provided by law.

By Order of the Town Board of the Town of Janesville, Rock County, Wisconsin.

TOWN OF JANESVILLE

By: ES/
Edward Marshall, Chairman

ATTEST:

ES/
Gloria Brown, Clerk

Date of Public Hearing: 9/11/2000
Date Passed: 9/11/2000
Date Published: _____