

ORDINANCE NO. O-24-18

**AN ORDINANCE AMENDING SUBSECTION §10-1.8
IN CHAPTER 10- SWIMMING POOLS AND
AMENDING SUBSECTIONS §18-5.3 IN CHAPTER 18 – ZONING
IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the borough undertook several ordinance revisions over the past few years, one of which was to codify the setbacks required for swimming pools; and

WHEREAS, when those ordinances were adopted, another borough ordinance (18-5.3) was not corrected and, therefore, is in conflict with the change made in chapter 10; and

WHEREAS, the Borough Planner and Planning Board have requested and recommended that the subject ordinances be amended to resolve this problem, in accordance with the language changes below;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of West Long Branch that revisions to amend subsection §10-1.8 Pool Location and Setbacks in Chapter 10 – Swimming Pools and subsection §18-5.3 Swimming Pool location and setbacks in Chapter 18 - Zoning be amended as follows:

SECTION 1

Chapter 10 – Swimming Pools

§10-1. CONSTRUCTION AND MAINTENANCE.

§10-1.8. Pool Location and Setbacks.

The location of swimming pools and equipment shall be as provided in §18-5.3 Swimming Pool Location and Setbacks of Chapter 18, Zoning, of the Code of “The Revised General Ordinances of the Borough of West Long Branch.”

- ~~a. The edge of the water in the swimming pool shall be no less than 10 feet from the nearest point of the house, if the house forms one of the boundaries to the enclosed area around the swimming pool. If the house does not form one of the boundaries of the enclosed area for the pool, this section will not apply.~~
- ~~b. The water edge of the pool shall be no less than 15 feet from any property line.~~
- ~~c. Any pool equipment shall be no less than 15 feet from any property line.~~
- ~~d. Swimming pools are only permitted in the rear yard. If, however, the property is a corner lot, thereby, by definition, only having front and side yards, pools shall be permitted in either side yard providing they are 15 feet plus the required front yard setback in the zone from the property line.~~

SECTION 2

§18-5.3. Swimming Pool Location and Setbacks.

~~No swimming pool shall be constructed or installed in any front yard as the term "front yard" is defined in the Zoning Ordinance. Corner lots shall be deemed to have two front yards for the purpose of swimming pool location determination. In no event shall any swimming pool be constructed or installed nearer than ten (10') feet to any property line of the property on which the pool is to be located, with such dimension to be measured from the property line to the inside wall of the swimming pool.~~

Swimming pools as defined herein are permitted as an accessory use to residential dwellings in every zone wherein that principal use is permitted subject to the

following:

- a. The edge of the water in the swimming pool shall be no less than 10 feet from the nearest point of the house, if the house forms one of the boundaries to the enclosed area around the swimming pool. If the house does not form one of the boundaries of the enclosed area for the pool, this section will not apply.
- b. The water edge of the pool shall be no less than 15 feet from any property line.
- c. Any pool equipment shall be no less than 15 feet from any property line.
- d. No private swimming pool shall be constructed, erected, installed or maintained in the front yard of any property as defined in the definitions section of the ordinance.
- e. Corner lots shall be deemed to have two front yards for the purpose of swimming pool location determination.

SECTION 3

This Ordinance shall take effect immediately upon passage and publication according to law.

[Any ~~crossed-out~~ language represents existing ordinance language being removed. Any underlined language is being added.]

Introduced: June 5, 2024
Passed: June 19, 2024
Adopted: June 19, 2024

MAYOR

BOROUGH CLERK