

**ORDINANCE NO. 335**

**AN ORDINANCE SETTING REQUIREMENTS FOR SWIMMING POOLS, SPAS AND HOT TUBS WITHIN THE CITY OF CARLISLE.**

WHEREAS, swimming pools (above and in ground) spas and hot tubs can be considered a danger to young children if precautions are not taken by land owners to protect themselves from children who may gain access to such properties even though to do so would be considered a trespass; and

WHEREAS, the expense or inconvenience in remedying the condition would be slight in comparison to the risk of harm to children.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARLISLE, ARKANSAS, THAT IN ORDER TO PROTECT THE HEALTH, AND SAFETY OF CHILDREN REQUIRES ALL SWIMMING POOLS (ABOVE AND IN GROUND), SPAS AND HOT TUBS TO:**

- (1) shall be maintained in a clean and sanitary condition and in good repair.
- (2) Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.
- (3) Anyone having a pool in ground or surface, spas, or hot tubs not in compliance with this Ordinance shall be subject to a fine of \$25 per day for each day not in compliance with this

Ordinance.

(4) All new pools in ground or surface, spa or hot tubs constructed within the City of Carlisle from the date of this Ordinance shall submit a plan of construction prior to the installation of such pool, spa or hot tub. The enclosure must be constructed at the same time the pool, spa or hot tub is being installed.

(5) All existing pools, spa or hot tubs not presently having such structure protecting children from entry shall have thirty days from the date of this Ordinance to be in compliance.

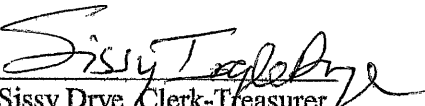
**Emergency Clause:** In order to protect the health and safety of children within the City of Carlisle this Ordinance shall become effective after its passage and publication.

**APPROVED AND ADOPTED** this 14 day of November, 2023.

Approved:

  
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Ray Glover, Mayor

Attest:

  
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Sissy Drye, Clerk-Treasurer

