

**WEST NORRITON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2021-750

**AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY
PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF WEST NORRITON
TOWNSHIP, CHAPTERS 23, “SWIMMING POOLS”, TO RESOLVE
INCONSISTENCIES WITH CHAPTER 27; REPEALING ALL INCONSISTENT
ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE;
AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Pennsylvania First Class Township Code authorizes the Board of Commissioners of West Norriton Township (“BOC”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Township and the maintenance of peace, good government, health, safety, and welfare of the West Norriton Township (“Township”) and its citizens;

WHEREAS, the BOC desires to protect the safety, health, and welfare of the residents of West Norriton by preserving the livability and desirability of its neighborhoods;

WHEREAS, after review of its General Laws, the Township has discovered inconsistencies regarding swimming pool requirements in the Code of Ordinances. Specifically, the ordinance requires a property setback of 10 feet in Chapter 23 and 20 feet in Chapter 27. Also, Chapter 23 references outdated fencing requirements; and

WHEREAS, in order to resolve the inconsistencies, Township staff recommends amending Chapter 23.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the West Norriton Township Board of Commissioners, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION I: Chapter 23, “Swimming Pools” of the Code of Ordinances of West Norriton Township, Sections 103 “Minimum Clearance” and 104 “Fence Required” are hereby deleted entirely and replaced as follows:

§ 103. Minimum Clearance.

1. A swimming pool, including paved surfaces and equipment, shall not be located within the required front yard or forward of the front facade of an existing dwelling and shall be located not less than 20 feet from all property lines.

2. Swimming Pools shall be subject to a minimum clearance of 15 feet from any sub-surface sanitary sewer system.

§ 104. Fence and Construction Requirements.

1. A swimming pool, hot tub and spa which is accessory to a one- or two-family dwelling must comply with the “International Residential Code of 2015”, as amended from time to time, which adopts, by reference, the “International Swimming Pool and Spa Code of 2015.”

2. A swimming pool, hot tub or spa that is not accessory to a one- or two-family dwelling must comply with the Public Bathing Law (35 P.S. § § 672—680d) and the “International Building Code of 2015”, as amended from time to time, which adopts, by reference, the “International Swimming Pool and Spa Code of 2015.” The accessibility provisions contained in Section 307.1.4 (relating to general design requirements) of the “International Swimming Pool and Spa Code of 2018”, as amended from time to time, are also adopted.

SECTION 3: SEVERABILITY.

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, West Norriton Township Board of Commissioners hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION 4: REPEALER.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 5: EFFECTIVE DATE.

This Ordinance and the amendment contained herein shall be effective five (5) days after enactment.

ORDAINED AND ENACTED, by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this 6th day of April, 2021

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS:**

Jason Bobst, Township Manager

By: _____
Martin Miller, President