

**PRIVATE SWIMMING POOLS  
CHARTER TOWNSHIP OF  
BRIDGEPORT, MICHIGAN**  
ord. no. 74-3 eff. September 13, 1974 (as amended)

**44.000PURPOSE:**

AN ORDINANCE FOR THE PROTECTION OF THE HEALTH,  
SAFETY, AND GENERAL WELFARE OF THE RESIDENTS OF THE  
CHARTER TOWNSHIP OF BRIDGEPORT AND TO PROVIDE FOR  
THE USE AND REGULATION OF PRIVATE SWIMMING POOLS  
WITHIN THE CHARTER TOWNSHIP OF BRIDGEPORT.

**THE CHARTER TOWNSHIP OF BRIDGEPORT ORDAINS:**

**44.010**

**SHORT TITLE. Sec. I**

This ordinance shall be known and may be cited as:

**BRIDGEPORT TOWNSHIP PRIVATE SWIMMING POOL ORDINANCE**  
(ord. no. 74-3, eff. Sept. 13, 1974)

**44.020 DEFINITIONS. Sec. II**

Unless the context specifically indicates otherwise, the meaning of the following terms used in this ordinance shall be as follows:

The term "**PRIVATE POOL**" shall mean that the swimming pool is not open to the public; that it is not publicly owned; and not otherwise regulated by the State of Michigan, either by statute or by rules and regulations of one of its administrative bodies.

The term "**SWIMMING POOL**" shall mean any artificially  
constructed, non-portable, outdoor pool capable of being  
used for swimming or bathing, having  
a water depth of two feet or more at any point.

The term "**SWIMMING POOL TYPE 1**" shall mean any swimming pool constructed wholly or partially below the natural or graded surface of the surrounding area.

The term "**SWIMMING POOL TYPE 2**" shall mean any swimming pool constructed wholly above the surface of the surrounding terrain.

The term "**WADING POOL**" shall mean any small pool designed for the use of small children, with a water depth not to exceed two (2) feet, constructed entirely above ground and designed to be portable.

**44.030 PERMITS. Sec. III**

A permit shall be applied for, and must be issued by the Building Inspector before construction shall begin on any swimming pool type 1. (ord. no. 74-3, eff. Sept. 13, 1974)

**44.040 FENCES, ENCLOSURES, SAFETY PRECAUTIONS. Sec. IV**

A. All private swimming pools type 1 shall be enclosed by a fence which shall be at least four (4) feet in height above the grade

and which shall be of a

type not readily climbed by children. Such fence shall be so constructed as not to have any openings, holes, or gaps large enough for a child to use such fence as a ladder, except for doors and gates; and if a picket fence is erected or maintained, the horizontal dimension of the space between pickets shall not exceed four (4) inches. A dwelling house, or other building may be used as part of such enclosure. Each gate or door in said fence, except a door or gate opening directly into a house used as part of the enclosure, shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use. Swimming pools constructed prior to the adoption of this ordinance shall comply with this Section within sixty (60) days after the effective date hereof.

- B. All swimming pools type 2 above ground shall be so constructed that the ladder, steps, or other means of access to the pool shall be removed or raised and firmly fastened in such a manner as to prevent use by children not under authorized supervision.
- C. Swimming pools type 2, where the sides are not four (4) feet above the graded surface of surrounding area, shall be fenced in the same manner as swimming pools type 1, as provided in Section IV-A.
- D. Vacant Houses. When a house has become vacated, the fence shall be securely locked where a swimming pool type 1 exists. The ladder or other means of entrance to the pool shall be securely locked in a safe position on swimming pools type 2. If pools are abandoned and not made safe as provided in this Section, the Township will hereby have the authority to enter the property and make such pool safe. All cost of making such pool safe shall be a lien against the property on which said pool is located.  
(ord. no. 74-3, eff. Sept. 13, 1974)

#### **44.050 LIFE SAVING DEVICES. Sec. V.**

Every private swimming pool shall be equipped with one or more throw-ring buoys, not more than eighteen (18) inches in diameter, and fitted with 1/4 inch manila line or equivalent, with sufficient length and equal to the greatest distance across such private pool and at least one (1) light weight, strong pole with blunted ends, which in length shall be, not less than two thirds (2/3) of the greatest distance across such pool for making reach assists or rescues. (ord. no. 74-3, eff. Sept. 13, 1974)

#### **44.060 WATER SUPPLY. Sec. VI.**

There shall be no cross connection of the Township water supply for any pool. The line from the Township water supply to the pool shall be protected against back flow of polluted waters by means of method approved by the Michigan Department of Public Health. (ord. no. 74-3, eff. Sept. 13, 1974)

#### **44.070 WASTE DISPOSAL. Sec. VII.**

Water drained from any pool shall not be discharged into the sewer system

during periods of storm, rains, floods, or other storm water run off. Pools shall be drained in such a manner as not to cause inconvenience to adjoining property. (ord. no. 74-3, eff. Sept. 13, 1974)

**44.080 CONSTRUCTION STANDARDS. Sec. VIII.**

Swimming pools shall be constructed in compliance with the applicable provisions of this ordinance. (ord. no. 74-3, eff. Sept. 13, 1974)

**44.090 ELECTRICAL WIRING AND FIXTURES. Sec. IX**

All electrical wiring and fixtures shall comply with the National Electrical Code at the time a swimming pool is installed. (ord. no. 74-3, eff. Sept. 13, 1974)

**44.100 ENFORCEMENT. Sec. X.**

Enforcement of this ordinance shall be made by the Building Inspector of the Charter Township of Bridgeport (ord. no. 74-3, eff. Sept. 13, 1974)

The Ordinance Enforcement Officer is authorized to enforce all ordinances all of the Township, whether such ordinances specifically designate a different enforcing official or do not designate any particular enforcing officer. Where a particular Officer is so designated in any ordinance that officer's authority shall continue in full force and effect and shall not be diminished or impaired by the terms of this Ordinance, and the authority of the Ordinance Enforcement Officer shall be in addition and supplementary to the authority granted to such other specific officer. An Ordinance Enforcement Officer shall, in the performance of the officer's duties, be subordinate and responsible to the Township Manager.

(Ordinance 03-08 eff. July 9, 2003)

**44.101**

**REPEAL. Sec. XI.**

All ordinances or parts of ordinances of the Charter Township of Bridgeport inconsistent or in conflict with this ordinance are hereby repealed. (ord. no. 74-3, eff. Sept. 13, 1974)

**44.102 PENALTY. Sec. XII.**

Any person or other entity who violates any of the provision of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule including Sections 2A, 2B and 2C:

Violation #	County	Local	Judgement Fee	Plaintiff Cost	TOTAL
1 <sup>st</sup> Violation within a 3 year period	\$50.00	\$25.00	\$9.00	\$11.00	\$95.00
2 <sup>nd</sup> Violation within a 3 year period	\$83.00	\$41.67	\$9.00	\$11.00	\$145.00
3 <sup>rd</sup> or Subsequent Violation within a 3 year period	* See below	* See below	\$9.00	\$11.00	* See below
Housing & Construction					

Code Violations					
1 <sup>st</sup> Violation within a 3 year period	\$50.00	\$25.00	\$9.00	\$11.00	\$95.00
2 <sup>nd</sup> Violation within a 3 year period	\$83.00	\$41.67	\$9.00	\$11.00	\$145.00
3 <sup>rd</sup> or Subsequent Violation within a 3 year period	* See below	* See below	\$9.00	\$11.00	* See below

\* The Court shall exercise its discretion in setting the appropriate fine, and shall take into consideration, among other relevant factors, the ongoing, flagrant and/or abusive nature of the violation and the potential for harm to the Township's efforts to eliminate blight in light of the repeated nature of the offense. (Amended Ord. 03-07, July 9, 2003)

2A. Each day a violation of this Ordinance continues to exist after the date of the citation shall subject the violation to an additional fine amount of \$5.00 per day. (Amended Ord. 03-07, July 9, 2003)

2B. Additionally, the violator shall be ordered to pay restitution to the Township, which may include all direct and indirect expenses which the Township has incurred in connection with the violation enforcement action for each such citation. In no case, however, shall restitution of less than \$9.00 or more than \$500.00 be ordered each such citation. (Amended Ord. 03-07, July 9, 2003)

2C. A violator of the Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. (Amended Ord. 03-07, July 9, 2003)

**44.103** **INVALIDITY. Sec.**  
**XIII.**

If any section, paragraph, sentence, clause, phrase, or part of this ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared to be severable. (ord. no. 74-3, eff. Sept. 13, 1974)

**44.104 EFFECTIVE DATE. Sec. XV.**

This ordinance shall be effective thirty (30) days from and after the time of publication thereof.

This ordinance is hereby declared to have been adopted by the Charter Township Board of the Charter Township of Bridgeport, County of Saginaw, Michigan, at a regular meeting thereof held on the 7th day of August, 1974, and ordered to be given publication in the manner prescribed by law. (ord. no. 74-3, eff. Sept. 13, 1974)

**Effective:** ~~September 13, 1974~~  
**Amended:** July 9, 2003 (Ord. 03-07 & Ord. 03-08)