

ORDINANCE #21-14

**CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN AMENDMENT TO CHAPTER 105 WHICH IS KNOWN AS THE BUILDINGS AND BUILDING REGULATIONS CHAPTER OF THE CITY CODE AND AN AMENDMENT TO CHAPTER 117 WHICH IS KNOWN AS THE ZONING AND SUBDIVISIONS CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2. AMENDMENT TO CITY CODE SECTION 105-55

The current City Code Section 105-55 is revised as follows (additions indicated by underline, deletions indicated by strikethrough):

Sec. 105-55 – ~~105.81. Reserved.~~ Accessory uses and buildings

(c) Swimming pools and spas.

(1) Setback requirements.

- a. Swimming pools and spas shall be set back a minimum of ten feet from all adjoining lots. For corner lots, swimming pools and spas shall meet the required side yard setback for buildings in the applicable zoning district (section 117-110(d)). Swimming pools and spas may not extend closer to the front lot line of the parcel than the principal structure located on said parcel, except that on residential parcels of one acre or more in size, a swimming pool or spa may be constructed closer to the front lot line than the principal structure, provided that such swimming pool or spa can maintain a 200-foot setback from the property line.
- b. A swimming pool or spa may not be located closer than four feet to the principal structure located on the parcel where the swimming pool or spa is to be constructed.
- c. No swimming pool or spa may be constructed within 20 feet of any portion of an on-site sewer system or any private water well.
- d. No person shall build, construct, locate or install a swimming pool and walkway or spa within any easement.

(2) Fencing.

- a. Temporary fencing. During the construction of any in-ground swimming pool or spa, the construction area must be secured with a portable fence which is not less than four feet in height.
 - 1. Temporary fencing shall be flush with the ground and securely anchored.
 - 2. Supportive posts shall be placed no more than eight feet apart.
- b. Permanent fencing.
 - 1. All aboveground swimming pools that have a minimum side-wall height of four feet need not be fenced, but shall have removable steps, which steps shall be removed when the swimming pool is unattended. In the event that an accessory deck to the swimming pool is constructed, which is adjacent to any part of the swimming pool, said deck shall include, on its entire outside perimeter, a 36-inch-high guard rail. The guard rail shall be constructed so that no open space within it is wider than six inches.
 - 2. All in ground swimming pools shall require that the area be secured by a permanent fence at least four feet in height.
 - 3. All outdoor spas shall have either a fence as described in subsection (c)(2)b.1 of this section, or a secured cover.
 - 4. All permanent fencing shall have self-closing and self-latching gates.

(3) Noise.

- a. The swimming pool or spa shall be designed, constructed and sited in such a way as to limit noise generated by its mechanical equipment, so as not to create a nuisance and/or affect the reasonable use and enjoyment of adjacent property owners.
- b. The swimming pool and/or spa shall be sited on the parcel so that its mechanical equipment, including heating and filtering equipment, is located at least 30 feet from the inhabited portion of neighboring residential structures.

(4) Pool walkway deck and deck drains. Unobstructed deck areas not less than 48 inches wide shall be provided to extend entirely around each in-ground swimming pool. Swimming pool decks shall be constructed above, but not more than nine inches above, the normal water line. The required deck area shall be constructed of impervious material. The deck shall have a pitch of at least one-fourth inch to the foot, designed so as to prevent back drainage into the pool. If deck drains are provided, drain pipe lines shall be at least two inches in diameter; drain openings shall have an open area of at least four times the cross sectional area of the drain pipe. Deck drains shall not be connected to the re-circulation system pipe.

(5) Swimming pool drainage. To the extent feasible, back flush water or water from pool drainage shall be on the owner's property or into approved public drainage ways. Water shall not drain onto adjacent or nearby private land.

(6) Lighting. Lights used in conjunction with a swimming pool and/or spa shall be located and constructed so as to deflect away from adjacent property and in such a manner that they do not create a nuisance or affect the reasonable use and enjoyment of adjacent property.

(7) Administration and permits. Swimming pools or spas that are less than 5,000 gallons shall be allowed without the issuance of a building permit; however, a

zoning permit must be obtained prior to the swimming pool or spa being constructed, installed, or moved onto a property.

- a. Application for a pool/spa permit shall be made on a form supplied by the city, and shall contain all information as stated on the application, including, but not limited to, the following:
 1. Legal description and the fee owner of the parcel on which swimming pool/spa is proposed to be constructed.
 2. Proposed location of swimming pool or spa on the parcel.
 3. Parcel dimensions.
 4. Location of any on-site sewage disposal system and/or location of any private water well.
 5. Side, front and rear yard setbacks.
 6. All easements.
- b. All site plans showing the information listed in subsection (a) of this section shall be drawn to scale, and shall be signed by the parcel's fee owner.

(8) Construction methods. Due precautions shall be taken during the construction of a swimming pool or spa to avoid damage, hazards, or inconvenience to adjacent or nearby property, and to ensure that proper care is taken in stock piling excavated material in order to avoid erosion, dust, or other infringement onto adjacent property.

SECTION 3. AMENDMENT TO CITY CODE SECTION 117-349

The current City Code Section 117-349 is revised as follows (additions indicated by underline, deletions indicated by ~~strikethrough~~):

Sec. 117-349. – ~~Accessory uses and buildings~~ Reserved.

~~(e) Swimming pools and spas.~~

~~(1) Setback requirements.~~

- a. ~~Swimming pools and spas shall be set back a minimum of ten feet from all adjoining lots. For corner lots, swimming pools and spas shall meet the required side yard setback for buildings in the applicable zoning district (section 117-110(d)). Swimming pools and spas may not extend closer to the front lot line of the parcel than the principal structure located on said parcel, except that on residential parcels of one acre or more in size, a swimming pool or spa may be constructed closer to the front lot line than the principal structure, provided that such swimming pool or spa can maintain a 200-foot setback from the property line.~~
- b. ~~A swimming pool or spa may not be located closer than four feet to the principal structure located on the parcel where the swimming pool or spa is to be constructed.~~

~~c. No swimming pool or spa may be constructed within 20 feet of any portion of an on-site sewer system or any private water well.~~

~~d. No person shall build, construct, locate or install a swimming pool and walkway or spa within any easement.~~

~~(2) Fencing.~~

~~b. Temporary fencing. During the construction of any in-ground swimming pool or spa, the construction area must be secured with a portable fence which is not less than four feet in height.~~

~~1. Temporary fencing shall be flush with the ground and securely anchored.~~

~~2. Supportive posts shall be placed no more than eight feet apart.~~

~~b. Permanent fencing.~~

~~1. All aboveground swimming pools that have a minimum side-wall height of four feet need not be fenced, but shall have removable steps, which steps shall be removed when the swimming pool is unattended. In the event that an accessory deck to the swimming pool is constructed, which is adjacent to any part of the swimming pool, said deck shall include, on its entire outside perimeter, a 36-inch high guard rail. The guard rail shall be constructed so that no open space within it is wider than six inches.~~

~~2. All in-ground swimming pools shall require that the area be secured by a permanent fence at least four feet in height.~~

~~3. All outdoor spas shall have either a fence as described in subsection (c)(2)b.1 of this section, or a secured cover.~~

~~4. All permanent fencing shall have self-closing and self-latching gates.~~

~~(3) Noise.~~

~~c. The swimming pool or spa shall be designed, constructed and sited in such a way as to limit noise generated by its mechanical equipment, so as not to create a nuisance and/or affect the reasonable use and enjoyment of adjacent property owners.~~

~~d. The swimming pool and/or spa shall be sited on the parcel so that its mechanical equipment, including heating and filtering equipment, is located at least 30 feet from the inhabited portion of neighboring residential structures.~~

~~(4) Pool walkway deck and deck drains. Unobstructed deck areas not less than 48 inches wide shall be provided to extend entirely around each in-ground swimming pool. Swimming pool decks shall be constructed above, but not more than nine inches above, the normal water line. The required deck area shall be constructed of impervious material. The deck shall have a pitch of at least one-fourth inch to the foot, designed so as to prevent back drainage into the pool. If deck drains are provided, drain pipe lines shall be at least two inches in diameter; drain openings shall have an open area of at least four times the cross-sectional area of the drain pipe. Deck drains shall not be connected to the re-circulation system pipe.~~

~~(5) Swimming pool drainage. To the extent feasible, back flush water or water from pool drainage shall be on the owner's property or into approved public drainage ways. Water shall not drain onto adjacent or nearby private land.~~

- ~~(6) Lighting. Lights used in conjunction with a swimming pool and/or spa shall be located and constructed so as to deflect away from adjacent property and in such a manner that they do not create a nuisance or affect the reasonable use and enjoyment of adjacent property.~~
- ~~(7) Administration and permits. Swimming pools or spas that are less than 5,000 gallons shall be allowed without the issuance of a building permit; however, a zoning permit must be obtained prior to the swimming pool or spa being constructed, installed, or moved onto a property.~~
- ~~c. Application for a pool/spa permit shall be made on a form supplied by the city, and shall contain all information as stated on the application, including, but not limited to, the following:~~
- ~~1. Legal description and the fee owner of the parcel on which swimming pool/spa is proposed to be constructed.~~
 - ~~2. Proposed location of swimming pool or spa on the parcel.~~
 - ~~3. Parcel dimensions.~~
 - ~~4. Location of any on-site sewage disposal system and/or location of any private water well.~~
 - ~~5. Side, front and rear yard setbacks.~~
 - ~~6. All easements.~~
- ~~d. All site plans showing the information listed in subsection (a) of this section shall be drawn to scale, and shall be signed by the parcel's fee owner.~~
- ~~(8) Construction methods. Due precautions shall be taken during the construction of a swimming pool or spa to avoid damage, hazards, or inconvenience to adjacent or nearby property, and to ensure that proper care is taken in stock piling excavated material in order to avoid erosion, dust, or other infringement onto adjacent property.~~

SECTION 4. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

SECTION 5. SUMMARY

The following official summary of Ordinance #21-14 has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #21-14 amends Section 105-55 to add accessory uses and buildings, while eliminating reference to the same standards in Section 117-349. The Ramsey City Code revision contains swimming and building standards in the Building and Building Regulations Chapter.

PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of _____, 2021.

Mayor

ATTEST:

City Administrator

Introduction date:

Posting dates:

Adoption date:

Publication date:

Effective date: