

**CHAPTER XI**  
**SWIMMING POOLS AND**  
**ARTIFICIAL BODIES OF WATER**

**11-1 Standards for Enclosing Pools and Bodies of Water.**

**11-1.1 *Protective Enclosure for Swimming Pools, Etc.*** Every person who shall own or be in the possession of any premises on which there is situated on the effective date of this Ordinance or any time thereafter, a swimming pool, fish pond, wading pool, or any other outside body of water created by artificial means, any of which had a water depth of 18 inches or more in any portion thereof, shall maintain on the lot or premises upon which such swimming pool, fish pond, wading pool, or other artificial body of water is located and completely surrounding such body of water, lot or premises, a fence, wall, or other adequate structure to make such body of water inaccessible to small children. Such fence, wall or other structure must be not less than five feet in height with no openings large enough to admit a child except through doors or gates as hereinafter provided. (Ord. No. 39, §1)

**11-1.2 *Protective Enclosures for Canals and Ditches.*** Any person who shall own, be in possession of, maintain, or have control over any open canal or ditch or any portion thereof, whether artificially created or not, in which there is maintained, either permanently or occasionally, any water, which water is of a depth of 18 inches or more in any portion of said canal or ditch, owned, possessed, controlled or maintained by said person, shall surround said portion of such canal or ditch with a fence, wall, or other adequate structure to make such canal or ditch inaccessible to small children. Such fence, wall, or other structure must be not less than five feet in height with no openings large enough to admit a child except through doors or gates as hereinafter provided. (Ord. No. 39, §2)

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**11-1.3 Doors or Gates.** All doors or gates shall be of such size as to completely fill any opening in the fence, wall, or other structure and shall be equipped with self-closing and self-latching devices on the inside capable of keeping such gate or door located not less than four feet above grade or otherwise be inaccessible from the outside to small children. In lieu of such self-closing and self-latching devices, said doors and gates may be equipped with locks which shall be kept locked at all times when said pool, pond or other body of water is not in actual use; except that in the case of canals and ditches all gates or doors shall be kept locked at all times, unless adequately supervised. (Ord. No. 39, §3)

**11-1.4 Construction Standards.** The following construction standards shall apply to fences or walls created in compliance with this section:

**Wood -** Redwood or pressure treated posts not less than 3'' x 3'', set not more than ten feet apart, embedded at least 18 inches in the ground. Vertical boards at least ½'' thick shall be fastened securely to not less than two horizontal rails at least 2'' x 3'' in dimension.

**Wire -** Galvanized wire mesh, minimum 11 guage, with galvanized pipe posts of at least 1¼'' diameter spaced not more than ten feet apart. Posts shall be set not less than 12 inches in concrete, in post holes six inches in diameter and 18 inches deep.

**Masonry -** Shall have concrete footing at least 12 inches wide and six inches thick, with bottom not less than 12 inches below the ground surface. Any wall reinforcing steel shall be embedded in the footing. (Ord. No. 39, §4)

**11-1.5 Supervision - Cover.** In lieu of maintaining a fence, wall, or other enclosing structure, such person may provide a competent person who shall keep the pool, canal or ditch under observation at all times while water is kept in said pool, canal or ditch. In the event the pool, canal or ditch is not under the observation of a competent person, a cover or other protective device approved by the City Building Inspector of the City may be used to make such water inaccessible to small children. (Ord. No. 39, §5)

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11-1.6 *Time for Compliance.* All persons, maintaining such swimming pools, fish ponds, wading pools, canals, ditches, or other outside bodies of water created by artificial means or otherwise, shall comply with the provisions of this section within 60 days after the effective date thereof. (Ord. No. 39, §6)

11-1.7 *Modifications.* The City Building Inspector may allow slight modifications for good cause shown in individual cases with respect to the height of the fence, wall, or other enclosing structure or the nature or position of the latch or other locking device. The City Building Inspector may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the fence, wall, or other enclosing structure and the gate, door, latch or other locking devices described herein. (Ord. No. 39, §7)

11-1.8 *Extension of Time.* When it shall be determined by the Council that strict compliance with the terms of this section will not materially benefit or safeguard the public and that the work to be done will result in undue hardship to the owners or occupants or persons in possession or in control of said property, compliance shall not be required, or said Council in other cases of undue temporary hardship, may extend the time of compliance, but in no event to exceed 180 days at any one time. (Ord. No. 39, §8)

11-1.9 *"Person" Defined.* PERSON shall mean and include any natural person, corporation, partnership, and other association of any kind or nature or any other group or combination acting as a unit, and the plural as well as the singular member. (Ord. No. 39, §9)

11-1.10 *Enforcement.* The enforcement of the provisions of this section shall be by any officer or employee of the Building Department of the City. (Ord. No. 39, §10)

§ 11-1.11 CITY OF RIDGECREST ORDINANCES

11-1.11 *Penalty for Violations.* Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be liable to the penalty established in Section 1-5. (Ord. No. 39, §8, §9, §10, §11)