

**ORDINANCE 2022-001 OF THE TOWN OF LAWRENCE, WISCONSIN
TO AMEND SECTION 300-23(f) – Fence Requirements for Swimming Pools**

Purpose: The purpose of this Ordinance is to amend the current code regarding fence requirements for swimming pools by effectively removing the current option for a waiver of fence requirement.

The Town Board of Supervisors of the Town of Lawrence do ordain as follows:

Section 1: Town of Lawrence Ordinance Section 300-23(f) is hereby repealed and replaced to read as follows:

F. Fence requirements.

- (1) A fence of not less than four feet in height, measured from grade, shall completely enclose all swimming pools, hot tubs, and spas with the following exceptions:
 - (a) Hot tubs and spas do not need fence protection as long as their covers can be fastened and key locked when unattended and shall be able to withstand 150 pounds.
 - (b) An aboveground pool, hot tub, or spa with side rail height of at least four feet above grade and a removable ladder or compliant gate does not require a fence.
 - (c) Where decks surround or adjoin an aboveground swimming pool, hot tub, or spa, a three-foot minimum height guardrail mounted to and measured from the deck surface to the top of the guardrail will be considered as meeting the fencing requirements as long as the design and construction regulations of this section are complied with and the overall vertical measurement from grade (ground) level to the top of the guardrail is a minimum height of four feet. Sides of stairs and gates leading to a deck shall also comply with the requirements of this section. Interior side yard and rear yard setbacks for a detached deck surrounding a swimming pool, hot tub, or spa shall be measured five feet from the property line.
- (2) Fences shall be located a minimum of four feet beyond the outside perimeter of a swimming pool, hot tub, or spa.
- (3) Fences shall be constructed and designed so as to prevent penetration of an object greater than four inches in diameter through or under the fence.
- (4) Fences shall be able to withstand 200 pounds of force in any direction and shall be properly maintained in a good state of repair and appearance.
- (5) Fences with horizontal boards spaced more than one inch apart are prohibited.
- (6) All gates or doors opening through a fence enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device designed to keep such gate or door securely closed. All gates or doors shall comply with all other height and structural requirements of this section.
- (7) Portable pools do not need fence protection but must be drained or covered in such a manner as to provide public safety when left unattended.
- (8) To ensure public safety, variances for lesser fence heights than specified in this section shall not be granted.
- (9) "Rail sides" do not qualify as a substitute for a fence.

Section 2: Severability

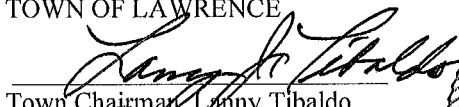
If any provision of this ordinance is found invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 3: This amendment to existing ordinances shall be effective upon passage and publication as provided by Law.

Passed by the Town Board of Supervisors of the Town of Lawrence, Wisconsin on this 15th day of August 2022.

Introduced by: Supervisor Brien
Seconded by: Supervisor Vannieuwenhoven
Vote: 4-ayes, 0-nays

TOWN OF LAWRENCE


Town Chairman, Lanny Tibaldo

Attest:


Town Clerk, Cindy Kocken

