

**CITY OF ELY
LINN COUNTY, IOWA**

ORDINANCE No. 272

AN ORDINANCE TO AMEND FENCE REQUIREMENTS FOR SWIMMING POOLS

SECTION 1. §6-13-8.B Repealed. Section 6-13-8 B of the Ely Code of Ordinances is hereby repealed in its entirety

SECTION 2. §6-13-8.B ADOPTED. The following is hereby adopted as Section 6-13-8.B of the Ely Code of Ordinances:

6-13-8.B. Fenced enclosures shall be provided for those outdoor swimming pools of a permanent nature designed or constructed to remain in place for at least six months and are underground or partially underground with a depth of eighteen (18) inches or more and shall be subject to the following requirements:

1. Fences must be at least four (4) feet in height from ground level but not to exceed seven (7) feet from the top rim of the pool and have no spaces that would allow a four (4) inch sphere to pass through.
2. Fences must have a self-closing and self-latching device on the gate.
3. Fences must be located so no part thereof is within three (3) feet of an alley.
4. Front yard fences may not extend into the area of the front yard between the front lot line and the front yard setback requirement designated in this ordinance.

SECTION 3. REPEALER CLAUSE. Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance is hereby repealed, to the extent of said difference or inconsistency.

SECTION 4. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect from and after final passage, approval, and posting and publication of this ordinance as required by law.

Introduced this 9 of July, 2018, and adopted by the City Council of the City
of Ely, Iowa this 9 of July, 2018.



Eldy Miller, Mayor

Attest:



Denise Hoy, Clerk/Administrator

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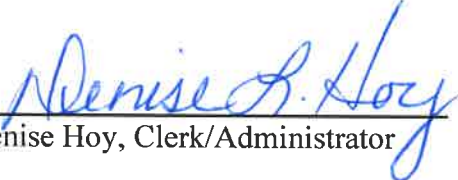
First Reading: 07/09/2018

Second Reading: Waived 07/09/18

Third Reading: Waived 07/09/18

Posted: 07/11/18

I certify the foregoing was posted and published as Ordinance 272 on the 11th day of July, 2018, as required by law.


Denise Hoy, Clerk/Administrator

Seal

AFFIDAVIT OF POSTING

City of Ely, Iowa

Document Posted: 07/11/2018

Ordinance No 272 – Amending Fence Requirements for Swimming Pools

Locations Document Posted at:

Location # 1 - Ely City Hall

Location # 2 – Ely Post Office

Location # 3 – Ely Public Library

Location #4 - Solon State Bank

Attested to on behalf of the City of Ely by:

Denise L Hoy

Printed Name of City Clerk

Denise L. Hoy

Signature of City Clerk

7/11/18

Date

Luanne Miller

Printed Name of Notary Public

Luanne R. Miller

Signature of Notary Public

7/18/18

Date

