

ADOPTED

MAR 11 2025

ORDINANCE NO. 56A-27

**Board of Supervisors
James City County, VA**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 15-28, SWIMMING POOLS IN AREAS ZONED FOR RESIDENTIAL USE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 15, Offenses - Miscellaneous, is hereby amended and reordained by amending Section 15-28, Swimming pools in areas zoned for residential use.

Chapter 15. Offences - Miscellaneous

Sec. 15-28. Swimming pools in areas zoned for residential use.

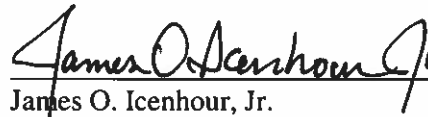
It shall be unlawful for any person in any area zoned for residential use to:

- (a) Construct, maintain, use, possess or control any swimming pool without having ~~completely around such swimming pool~~ in place a fence proper barrier, not to include automatic covers, as hereinafter defined by the currently applicable Building Code; or
- (b) ~~Construct, maintain, use, possess or control any gate in such fence which is not capable of being securely fastened at a height of not less than four feet above ground level; Modify, alter or demolish in any way such swimming pool barrier,~~ and it shall be unlawful for any person using, possessing or controlling any such gate barrier to allow it to remain ~~unfastened unsecured~~ while the pool is not in use.

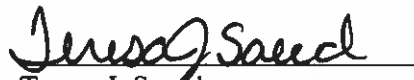
Swimming pool shall include any outdoor man-made structure constructed from material other than natural earth or soil designed or used to hold water for the purposes of providing a swimming or bathing place for any person, or any such structure for the purpose of impounding water therein to a depth of more than two feet.

This definition is intended to encompass in-ground Swimming Pools, not to include the following spa and pool structures: above ground pools, hot tubs and swim spas. Such structures will be held to the applicable barrier requirements of the currently applicable Building Code.

~~Fence shall mean a close type vertical barrier not less than four feet in height above ground surface. A woven steel wire, chain link, picket or solid board type fence or a fence of similar construction which will prevent the smallest of children from getting through shall be construed as within this definition. The fence shall be constructed so as to come within two inches of the ground at the bottom and shall be at least five feet from the edge of the pool at any point. Barrier shall be defined as stated in the currently applicable Building Code and be inspected to fit all required safety measures.~~


James O. Icenhour, Jr.
Chair, Board of Supervisors

ATTEST:


Teresa J. Saeed
Deputy Clerk to the Board

	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
HIPPLE	—	—	—	✓
NULL	✓	—	—	—
MCGLENNON	✓	—	—	—
LARSON	✓	—	—	—
ICENHOUR	✓	—	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of March,
2025.

AmdCCCh15SwimPIs-ord