

CHAPTER 174



MERRIMACK FIRE AND RESCUE DEPARTMENT

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MEMORANDUM

DATE: November 7, 2017
TO: Eileen Cabanel, Town Manager, Paul Micali
FROM: Michael Currier, Fire Chief (A)
SUBJECT: Chapter 174 Swimming Pools

After a full review of the current regulatory requirements for Swimming Pools, Spas and Hot Tubs it has been determined that the current Town Ordinance, Chapter 174 Swimming Pools is no longer necessary by the Town of Merrimack. Most communities within the State of New Hampshire are using the International Residential Code and the International Building Code adopted by the State of New Hampshire Codes (RSA 155:A-1,) in addition, our adoption of these State Codes within The Town of Merrimack NH Building Codes (RSA 674:52) we automatically have a criterion that covers all factions of Swimming Pools, Spas, and Hot Tubs.

It is my recommendation to discontinue the current Swimming Pool Ordinance and note for history the following; [HISTORY: The removal of these provisions of the Town of Merrimack Ordinance Chapter 174 by the Town Council on November 16, 2017 as this ordinance is replaced by State of New Hampshire Regulations and also adopted within the Town of Merrimack NH Building Codes.]

Respectfully Submitted

Chapter 174, SWIMMING POOLS

(HISTORY: Approved 6-23-1969 by the Board of Selectmen; Amended by the Merrimack Town Council 12-3-2009)

§ 174-1. Fence required; height.

Every outdoor swimming pool or family pool shall be completely surrounded by a fence or wall not less than four feet in height.

§ 174-2. Latches on gates and doors.

All gates or doors opening through such enclosures shall be equipped with a latch device to keep such gate or door closed when not in actual use.

§ 174-3. Applicability.

The provisions in this chapter shall not apply to portable swimming pools whose measurements do not exceed 10 linear feet in diameter or are less than one foot of water in depth.

§ 174-4. Violations and penalties.

If any person shall violate this chapter, he shall be fined not more than \$20.

§ 174-5. Portable and aboveground pools.

A portable swimming pool or aboveground pool, whose measurements exceed 10 linear feet in diameter and contain a greater depth of water than one foot, shall be brought up to a height of four feet and shall have a retractable ladder and/or a safety latch on the gate barring entry to the pool.