

TOWNSHIP OF FLORENCE

ORDINANCE NO. 2011-09

**An Ordinance of the Township Of Florence
Amending Chapter 91 to provide for Temporary
Inflatable Pools on Residential Single Family
Properties in the R, RA, RB, RC and AGR Zones**

Whereas, the Township Council has determined that the Township Code should be amended to provide for Temporary Portable Pools (including inflatable pools) as accessory uses in the R, RA, RB, RC and AGR Zones, subject to specific conditions,

Now, Therefore, Be It Ordained by the Township Council of the Township of Florence that:

Section 1. Section 91-3 Definitions of the Code of the Township of Florence is hereby amended to add the following:

A temporary portable pool (including inflatable pools) is defined as those pools that are less than 4' in depth; are non-permanent; contain no support structure; and are installed no earlier than May 1st and removed no later than September 30th of each year.

Section 2. Chapter 91 of the Code of the Township of Florence is hereby amended to add a new section, as follows:

91-181 Temporary Portable Pools (including inflatable pools)

91-181-1 Purpose and Intent: The intent of this section is to permit small portable temporary pools that are not permanent in nature and can be installed, used and removed within a period of a few months over the summer months without any negative impact to the municipal code or property owners.

91-181-2 Permitted in Residential Zones: Portable Temporary Pools shall be permitted as accessory uses to single family residential dwellings in the residential zones, and in the AGR agricultural zone, subject to the specific conditions set forth herein. Temporary portable pools shall be permitted as accessory uses to residential properties in other zones

a. A building permit and zoning permit are required for any new pool that is 24 inches or more in depth. No permit shall be

required under the Uniform Construction Code for any pool that is less than 24 inches in depth.

- b. A homeowner who desires to install a temporary portable temporary pool must obtain an initial permit from the Construction Code Office and Zoning Office. Once the initial permit is issued by the township for the period beginning not before May 1st and ending not later than September 30th, then the property owner may apply for an annual Certificate of Compliance from the Zoning Office each year prior to re-installation of the temporary portable pool. The fee for each Certificate of Compliance will be \$20.00.
- c. In order to obtain a Certificate of Compliance each year it is necessary that the pool is placed in the same location; that it remains temporary in nature; and that the same safety barriers required under the Uniform Construction Code remain in place.
- d. A temporary portable pool or inflatable pool must be installed in a residential zone on a property that has a primary residence. If a residential property is located in a commercial zoning district, then there still must be a primary residence on the same lot as the temporary portable pool.
- e. Impervious surface standards shall not apply for temporary portable pools (including inflatable pools) that are less than 4' in depth and meet the definition contained herein.
- f. A temporary portable pool cannot be installed prior to May 1st and must be removed no later than September 30th of each year. All permits for temporary portable pools (including inflatable pools) shall contain this requirement. Failure to adhere to this regulation will result in enforcement action as a violation of the Code.
- g. A temporary portable pool cannot be located closer than 2' to any side or rear property line.
- h. Temporary portable pools are not permitted in any front yard setback.
- i. In order to provide for the safety of children and residents, no municipal permits will be issued for an inflatable pool unless the property has a proper barrier in place in accordance with the Uniform Construction Code. Barrier requirements address fencing, pool steps, locking gates, etc. A copy of the basic barrier requirements for all pools including temporary inflatable pools is available from the Construction Code Office.

- j. The municipal permit process does not exempt a property owner from receiving approval from their own Homeowners Association (HOA) prior to applying for municipal permits, nor does it override the conditions in any Homeowners Association by-laws.

Section 3. If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 4. All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

DENNIS A. O'HARA
COUNCIL PRESIDENT

JOY M. WEILER, RMC/MMC
TOWNSHIP CLERK

NOTICE

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Amending Chapter 91 to provide for Temporary
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Residential Single Family Properties in the R, RA,
RB, RC and AGR Zones**

Take Notice that the Ordinance identified above amends the Florence Township Code by adding Temporary Portable Pools (including Inflatable Pools) as accessory uses to residential single family properties in the R, RA, RB, RC and AGR zones and adds a new Section establishing the standards applicable to a new Chapter 106 which establishes requirements applicable to Temporary Portable Pools, including permits, safety requirements, locations and inspections. It is the purpose of the ordinance to simplify the process so that variance applications will not be necessary for most temporary pools.

The Ordinance has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on July 20, 2011. It will be considered for final passage after public hearing to be held on August 3, 2011, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Joy M. Weiler, RMC/MMC
Township Clerk