

VILLAGE OF FORSYTH

301 S. Route 51  
Forsyth, IL 62535

Phone: (217) 877-9445 / Fax: (217) 877-9863



**SWIMMING POOL CONSTRUCTION  
PERMIT APPLICATION**

No. \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_, Forsyth IL

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Contractor Name: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

Contractor Phone #: \_\_\_\_\_

Width of Rear Yard: \_\_\_\_\_ Depth of Rear Yard: \_\_\_\_\_

Type of Pool: Above Ground  Below Ground

Size of Pool: \_\_\_\_\_ Depth: \_\_\_\_\_

Volume of Water: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

Fence Permit: Yes  No  Date of Fence Permit Application: \_\_\_\_\_

Date of Fence Installation: \_\_\_\_\_ Self-latching & Self-closing Gate: Yes  No

I hereby apply for a Swimming Pool Construction Permit and I acknowledge that the information above is complete and accurate. In consideration of the issuance of a permit as applied for herein, I hereby agree to construct the above described swimming pool in accordance with the International Residential Code, Illinois Plumbing Code, Village of Forsyth Code of Ordinances, and Village of Forsyth Development Ordinance. I also agree to properly enclose the above described swimming pool in accordance with the appropriate codes listed above.

I understand this is not a permit but only an application for a permit and work is not to start without a permit.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Permit Approved by: \_\_\_\_\_

Date: \_\_\_\_\_



# Village of Forsyth Swimming Pool Regulations:

## 2.2 DEFINITIONS:

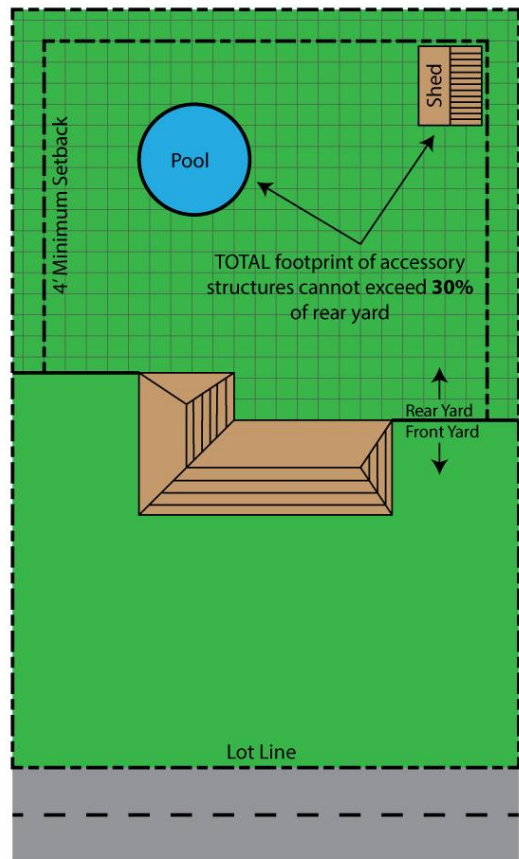
**Swimming Pool:** A structure designed to contain water over twenty-four (24) inches in depth designated for recreation or fitness.

**Above Ground Swimming Pool:** Any swimming pool whose sides rest fully or partially above the surrounding earth.

**In-Ground Swimming Pool:** An artificial basin of water used for swimming or wading which is fully dug into the ground, including any decking or apron.

## 3.5 ACCESSORY STRUCTURES AND USES:

- A. All accessory uses shall comply with the standards of the district in which they are located. No accessory use or structure shall be established or erected prior to the establishment or erection of the principal use to which it is accessory. No existing accessory use may be expanded or extended except in compliance with all of the regulations of this Ordinance.
- B. Where an accessory building is structurally attached to a principal building, it shall be subject to, and must conform to, all regulations of this Ordinance applicable to the principal building.
- C. Permitted accessory uses are listed for each district in Article IV, 4.8 Permitted and Special Use Chart. (Am. Ord. 946, passed 6-1-2015)
- D. No accessory building or structure shall encroach upon that side yard of a corner lot which is adjacent to the street, nor upon the rear yard of a through lot, nor upon the front yard of any lot.
- E. No accessory building or structure shall exceed the height of one (1) story or fifteen (15) feet.
- F. All accessory buildings or structures shall be at least four (4) feet from any property line. However, accessory buildings and structures constructed prior to March 1, 2012, may be within two (2) feet from any property line, except in the OT: Original Town District, where they may be placed at the property line. (Am. Ord. 945, passed 6-1-2015)



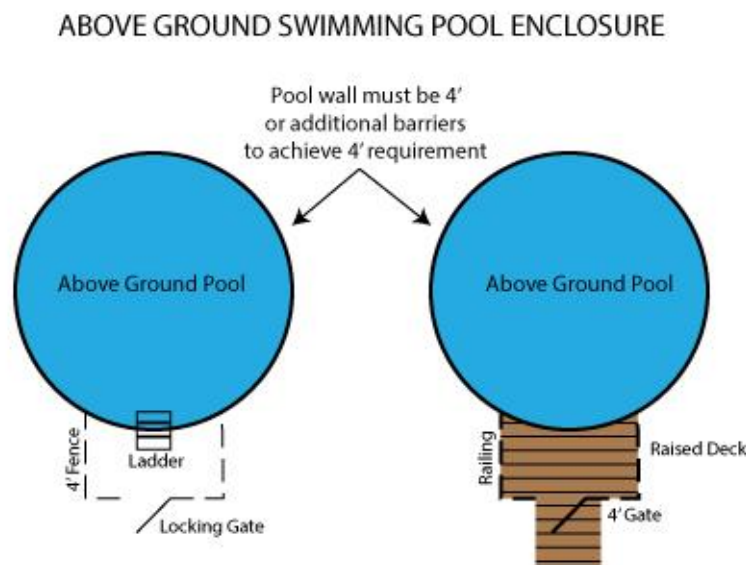
**Accessory Structure Coverage**

- G. Detached garages and carports accessory to single-family dwellings shall not exceed thirty percent (30%) of the rear yard area. All other detached accessory uses except in-ground swimming pools shall not exceed ten percent (10%) of the rear yard area. The total of all accessory buildings (including in-ground swimming pools) shall not exceed thirty percent (30%) of the rear yard area. Exceptions to these standards shall be permitted pursuant to the issuance of a Special Use Permit. (Am. Ord. 946, passed 6-1-2015)
- H. Driveways in residential zoning districts may be located no closer than 3' from a side property line. However, in cul-de-sac locations the Zoning Official may allow for a reduced driveway setback based on the lot, adjacent development, and site layout. (Am. Ord. 946, passed 6-1-2015)

### 3.14 SWIMMING POOLS & HOT TUBS:

No private swimming pool or hot tub shall be allowed in any commercial or residential district, except as an accessory use and unless it complies with all other applicable Village regulations. Private swimming pools or hot tubs shall not be located in a required front yard.

- A. **Enclosure.** Every person owning land within the Village of Forsyth on which there is presently situated an above or below ground swimming pool or hot tub, or who contracts such a swimming pool or hot tub which is designed to contain 24 inches or more of water in depth at any point, shall erect and maintain thereon as adequate enclosure either surrounding the property or pool area, sufficient to make such body of water inaccessible to small children. Such enclosure, including gates therein, shall be not less than 4 feet above the underlying ground. All gates shall be self-closing and self-latching with latches placed 4 feet above the underlying ground and otherwise made inaccessible from the outside to small children. When an above ground pool is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a fixed or removable ladder or steps, the ladder or steps shall be surrounded by a four (4') foot fence with self-latching gate as noted above. A removable ladder shall not constitute an acceptable alternative to enclosure requirements. (65 ILCS 5/11/-30-9 and 2006 International Residential Code).



B. **Substitution.**

- (1) **Swimming Pools.** For swimming pools a natural barrier, hedge, pool cover or other protective device approved by the Zoning Official shall be an acceptable enclosure so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, gate and latch described herein. The substitution with such a natural barrier, hedge, pool cover or other protective device shall be considered an administrative deviation from the provisions of SECTION 3.14 A, hereof and a written request for such deviation shall be submitted to the Zoning Official. (Am. Ord. 946, passed 6-1-2015)
- (2) **Hot Tubs.** A safety cover that complies with ASTM F1346 may be used in lieu of an enclosure per provisions of SECTION 3.14 A above. (Am. Ord. 946, passed 6-1-2015)

C. **Permit Required.** No swimming pool as herein defined shall be constructed after the effective date of this ordinance without first having obtained an approved construction permit from the Village.

## CHAPTER 153: SWIMMING POOL SAFETY DEVICES

### Section

- 153.01 Fence enclosures
- 153.02 Protective devices
- 153.03 Fence specifications
- 153.04 Permit required
- 153.05 Compliance; existing pools

### § 153.01 FENCE ENCLOSURES.

Every person owning land within the Village of Forsyth on which there is presently situated an above or below ground swimming pool or who constructs such a swimming pool after the effective date of this chapter either of which is designed to contain 24 inches or more of water in depth at any point, shall erect and maintain thereon an adequate fence either surrounding the property or pool area, sufficient to make the body of water inaccessible to small children. The fence, including gates therein, shall be not less than 4 feet above the underlying ground. All gates shall be self-closing and self-latching with latches placed 54 inches from the bottom of the gate, if placed on the outside, or a minimum of 3 inches below the top of the gate, if placed on the side facing the pool. The gate and barrier shall have no opening greater than ½-inch within 18 inches of the latch release otherwise made inaccessible from the outside to small children.

(Prior Code, § 153.01) (Am. Ord. 715, passed 6-18-2007) Penalty, see § 10.99

### § 153.02 PROTECTIVE DEVICES.

(A) The pool structure of above ground pools may serve as the enclosure and, if less than 4 feet in height, a barrier mounted on top of the pool in conformance with the specifications provided in § 153.01, shall be added to comply with the minimum 4 feet height requirement.

(B) If the property surrounding the above ground pool is not enclosed as specified herein, the steps or ladder shall be enclosed as shown in Figure 1. below with a fence of minimum height of 4 feet constructed in conformance with the specifications provided in § 153.01.

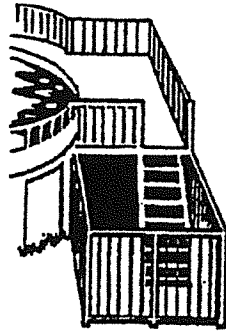


FIGURE 1.

(Prior Code, § 153.02) (Am. Ord. 715, passed 6-18-2007)

**§ 153.03 FENCE SPECIFICATIONS.**

(A) Fences must be 4 feet above ground, measured on the side of the fence which faces away from the pool. Solid fences shall have no indentations or protrusions other than normal construction tolerances and masonry joints. The tops of a fence made of horizontal and vertical members, as shown in Figure 2. below shall be constructed with the following specifications:

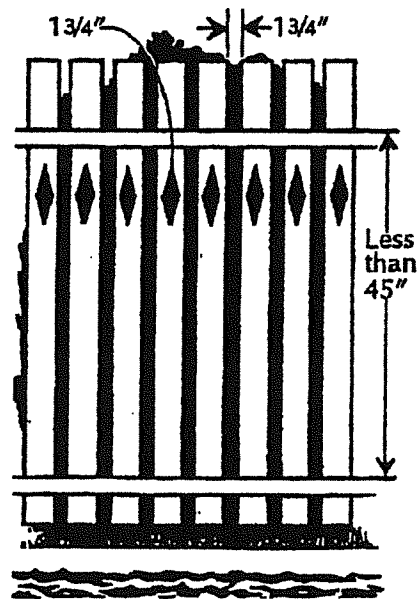


FIGURE 2.

(1) If the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be on the swimming pool side of the fence. The spacing of the vertical members shall not exceed  $1\frac{3}{4}$  inches. If there are any decorative cutouts in the fence, the space within the cutouts shall not exceed  $1\frac{3}{4}$  inches.

(2) If the distance between the tops of the horizontal members is more than 45 inches, the horizontal members may be on the side of the fence facing away from the pool. If the distance is less than 45 inches, the horizontal member shall be placed on the side of the fence facing the pool. The spacing between vertical members shall not exceed 4 inches. If there are any decorative cutouts in the fence, the space within the cutouts shall not exceed  $1\frac{3}{4}$  inches.

(3) For a chain link fence the mesh size shall not exceed  $1\frac{1}{4}$  inches square unless slats, fastened at the top or bottom of the fence, are used to reduce mesh openings to no more than  $1\frac{3}{4}$  inches.

(4) For a fence made up of diagonal members latticework the maximum opening in the lattice shall not exceed  $1\frac{3}{4}$  inches.

(B) Natural barriers such as hedges shall not be considered as an adequate fence enclosure as specified in § 153.01. All fence enclosures shall be of a permanent nature and shall be child proof for children 5 years and younger.  
(Ord. 715, passed 6-18-2007)

**§ 153.04 PERMIT REQUIRED.**

No swimming pool as herein defined shall be constructed after the effective date of this chapter without first having obtained a construction permit therefor on a form provided by the Village Clerk. (Prior Code, § 153.03) (Am. Ord. 715, passed 6-18-2007) Penalty, see § 10.99

**§ 153.05 COMPLIANCE; EXISTING POOLS.**

Owners of land where there is presently situated an above or below ground swimming pool shall have a period of 2 years from the effective date hereof to comply with the terms of this chapter. (ILCS Ch. 65, Act 5, § 11-30-9) (Prior Code, § 153.04) (Ord. 455, passed 10-2-1995; Am. Ord. 715, passed 6-18-2007)