

**CITY OF MADISON LAKE, MINNESOTA  
ZONING ORDINANCE #2013-10**

STATE OF MINNESOTA  
COUNTY OF BLUE EARTH  
CITY OF MADISON LAKE

**An Ordinance Revising Zoning Code Chapter 22, Subd. 13, Residential Pools  
and Spas**

**BE IT ORDAINED** by the City Council of the City of Madison Lake, Minnesota, as follows:

***Residential Pools and Spas.***

**A. Definitions.**

1. Residential swimming pools shall be defined as any constructed pool, permanent or portable, which is intended for non-commercial use as a swimming pool by the owner's family and their guests and which is over twenty-four (24) inches in sidewall height.
2. Spa shall be defined as a unit primarily designed for therapeutic use which is not drained, cleaned or refilled for each individual. It may be included but not limited to hydrojet circulation, hot water, cold water mineral baths, air induction bubbles or any combination thereof. Industry terminology for a spa includes, but is not limited to, therapeutic pool, hydrotherapy pool, whirlpool, hot spa, etc.

**B. Construction.**

1. Utility Lines. Pools and spas shall not be located beneath utility lines or over underground utility lines of any type.
2. Required Setbacks. No person shall build, situate or install a pool or spa within ten (10) feet of any side or rear lot line, nor within six (6) feet of any principal structure nor within any required front yard.
3. Temporary Fence Required during Construction. While being constructed, the pool or spa must be fenced with a portable fence, such as snow fence, of not less than four (4) feet in height.

C. Permanent Fencing Required.

1. Minimum Height. All outdoor pools hereafter constructed shall be completely enclosed by a fence or wall of the non-climbing type so as to be impenetrable by children, afford no external handholds and a minimum of four (4) feet in height.
2. Self Closing. All outdoor fence openings or outdoor points of entry into the pool area shall be equipped with self-closing and self-latching devices. The openings between the bottom of the fence and the ground or other surface shall not be more than three (3) inches.
3. Latchable Cover. All outdoor spas shall have either a fence as described in C(1) and C(2) or a latchable cover. The cover shall be constructed of a material impenetrable by children.

D. Permits.

1. No person shall construct, alter or renovate a pool or spa without a zoning permit.

**Effective Date**

This ordinance shall take effect upon its passage and publication.

**Penalty**

Any person, firm, or corporation who violates any provision of this code shall be guilty of a misdemeanor. See City of Madison Lake Code §10.99.

**Adopted by the City Council of the City of Madison Lake, Minnesota this 5<sup>th</sup> day of August, 2013.**

Dated: \_\_\_\_\_

  
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Kenneth Reichel, Mayor

Dated: 8-5-13

  
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Kelly Steele, City Administrator