

ORDINANCE NO. 39

AN ORDINANCE OF THE CITY OF RIDGECREST
ESTABLISHING STANDARDS FOR ENCLOSING POOLS,
ETC.

The City Council of the City of Ridgecrest does
ordain as follows:

Section 1: Protective enclosure for swimming pools,
etc. Every person who shall own or be in the possession of any
premises on which there is situated on the effective date of this
Ordinance or any time thereafter, a swimming pool, fish pond,
wading pool, or any other outside body of water created by arti-
ficial means, any of which had a water depth of eighteen inches
or more in any portion thereof, shall ~~maintain~~ on the lot or
premises upon which such swimming pool, fish pond, wading pool,
or other artificial body of water is located and completely
surrounding such body of water, lot or premises, a fence, wall,
or other adequate structure to make such body of water inaccessible
to small children. Such fence, wall or other structure must be
not less than five feet in height with no openings large enough
to admit a child except through doors or gates as hereinafter
provided.

Section 2: Protective enclosures for canals and ditches.
Any person who shall own, be in possession of, maintain, or have
control over any open canal or ditch or any portion thereof,
whether artificially created or not, in which there is maintained,
either permanently or occasionally, any water, which water is of
a depth of eighteen inches or more in any portion or said canal or
ditch, owned, possessed, controlled or maintained by said person,
shall surround said portion of such canal or ditch with a fence,
wall, or other adequate structure to make such canal or ditch in-
accessible to small children. Such fence, wall, or other struc-
ture must be not less than five feet in height with no openings
large enough to admit a child except through doors or gates as
hereinafter provided.

Section 3: Doors or gates. All doors or gates shall be
of such size as to completely fill any opening in the fence, wall,
or other structure and shall be equipped with self-closing and
self-latching devices on the inside capable of keeping such gate
or door located not less than four feet above grade or otherwise be
inaccessible from the outside to small children. In lieu of
such self-closing and self-latching devices, said doors and
gates may be equipped with locks which shall be kept locked at

all times when said pool, pond, or other body of water is not in actual use; except that in the case of canals and ditches all gates or doors shall be kept locked at all times, unless adequately supervised.

Section 4: Construction Standards. The following construction standards shall apply to fences or walls created in compliance with this Ordinance:

Wood - Redwood or pressure treated posts not less than 3" x 3", set not more than ten feet apart, embedded at least 18 inches in the ground. Vertical boards at least 1/2" thick shall be fastened securely to not less than two horizontal rails at least 2" x 3" in dimension.

Wire - Galvanized wire mesh, minimum 11 gauge, with galvanized pipe posts of at least 1-1/4" diameter spaced not more than ten feet apart. Posts shall be set not less than 12 inches in concrete, in post holes 6 inches in diameter and 18 inches deep.

Masonry - Shall have concrete footing at least 12 inches wide and 6 inches thick, with bottom not less than 12 inches below the ground surface. Any wall reinforcing steel shall be embedded in the footing.

Section 5: Supervision--Cover. In lieu of maintaining a fence, wall, or other enclosing structure, such person may provide a competent person who shall keep the pool, canal or ditch under observation at all times while water is kept in said pool, canal or ditch. In the event the pool, canal or ditch is not under the observation of a competent person, a cover or other protective device approved by the City Building Inspector of the City of Ridgecrest may be used to make such water inaccessible to small children.

Section 6: Time for Compliance. All persons maintaining such swimming pools, fish ponds, wading pools, canals, ditches, or other outside bodies of water created by artificial means or otherwise, shall comply with the provisions of this Ordinance within Sixty (60) days after the effective date thereof.

Section 7: Modifications. The City Building Inspector may allow slight modifications for good cause shown in individual

cases with respect to the height of the fence, wall, or other enclosing structure or the nature or position of the latch or other locking device. The City Building Inspector may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the fence, wall, or other enclosing structure and the gate, door, latch or other locking devices described herein.

Section 8: Extension of Time. When it shall be determined by the Council that strict compliance with the terms of this Ordinance will not materially benefit or safeguard the public and that the work to be done will result in undue hardship to the owners or occupants or persons in possession or in control of said property, compliance shall not be required, or said Council in other cases of undue temporary hardship, may extend the time of compliance, but in no event to exceed one hundred eighty (180) days at any one time.

Section 9: "Person" defined. The word PERSON as used herein shall include any natural person, corporation, partnership, and other association of any kind or nature or any other group or combination acting as a unit, and the plural as well as the singular member.

Section 10: Enforcement. The enforcement of the provisions of this Ordinance shall be by any officer or employee of the Building Department of the City of Ridgecrest.

Section 11: Penalty for Violations. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and subject to a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the County Jail for not more than six (6) months or by both such fine and imprisonment.

Section 12: Severability. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance, and each section, sub-section, sentence, clause and phrase hereof irrespective of the fact that any one or more of the sections, sub-sections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

Section 13: The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of Ridgecrest this 3rd day of June, 1965 by the following vote:

AYES: MAYOR HUGO, COUNCILMEN GILMER, KRAUS, JULES & WEBB

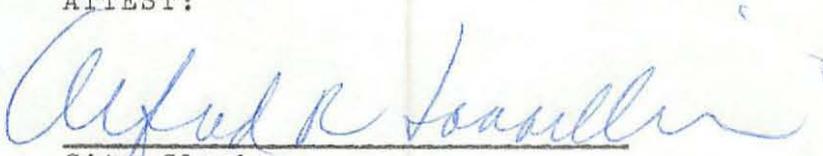
NOES: None

ABSENT: None



Mayor

ATTEST:



City Clerk