

LOCAL LAW NO. 2 OF 2025

BE IT ENACTED BY THE VILLAGE OF GARDEN CITY BOARD OF TRUSTEES
AS FOLLOWS:

Section 1. Section 200-45. Swimming Pools, shall be repealed in its entirety and replaced with a new Section 200-45 to read as follows:

Chapter 200. Zoning

ARTICLE VII. Supplementary Use Regulations

§ 200-45 Swimming Pools

- A. Swimming pools covered herein shall be any outdoor pool exceeding two feet in depth.
- B. A swimming pool is permitted as an accessory use subject to the regulations applicable to accessory uses and subject to the additional regulations set forth in this section. For the purpose of computing the building area, the required yards, and the distances from the lines of the lot, the walls or platform along the side of the pool, and the foundation for the purifying apparatus, if any, shall be included.
- C. All swimming pools shall be designed by a licensed engineer or architect and shall be submitted to the Superintendent of the Building Department for approval.
- D. Each pool shall be provided with permanently installed facilities for the complete draining thereof. Such facilities shall include provisions, approved by the Superintendent of the Building Department, for disposing of the entire contents of the pool by means of diffusion wells or otherwise beneath the surface of the ground within not more than 24 consecutive hours. Such facilities shall be entirely separate from the house drains and house sewer. In no case may the contents of the pool be permitted to discharge directly or indirectly into a street or public drain or catch basin or pond or watercourse, or in, upon or under the lands of another person without his written consent, or in such a way as to adversely affect the functioning of the house drains or house sewer of another property.
- E. No pool shall be constructed on a plot containing less than 12,000 square feet.
- F. There shall be a distance between the pool and each of the side lot lines in a R-6, R-8 or R-12 District of at least 20 feet, in a R-20 District of at least 25 feet, and in a R-40 District of at least 30 feet.
- G. There shall be a distance between the pool and rear yard lot line in a R-6, R-8 or R-12 District of at least 20 feet, in a R-20 District of at least 25 feet and in a R-40 District of at least 35 feet.

H. A pool shall be at least 10 feet distant from any habitable structure on the plot in a R-6, R-8 or R-12 District and at least 15 feet from any habitable structure in a R-20 or R-40 District.

I. A pool shall be constructed only in the rear yard.

J. All pools shall be fully enclosed by a six-foot high fence which shall be shrubbed with evergreens to conceal the view of said fence from adjoining properties and from the street. The location, nature and design of the fence shall be approved before installation and shall be located on a landscaping plan approved by the Zoning Board of Appeals and thereafter maintained in good condition, appearance and health as long as the pool shall remain.

K. Fence gates; openings. Every gate or other opening in the fence surrounding such pool shall be equipped with a self-closing and self-latching device designed to keep, and capable of keeping, such gate or opening securely closed as set forth in the current New York State Uniform Fire Prevention and Building Code. Such gate or opening shall be kept locked at all times the pool is not in actual use.

L. The Pool shall be secured with a cover or other means approved by the Superintendent of the Building Department and designed to protect against entry into the pool at all times when not containing water and not in use.

M. Every swimming pool shall have swimming pool alarms which comply with requirements set forth in the current New York State Uniform Fire Prevention and Building Code.

N. Plumbing shall comply with the applicable provisions of the Plumbing Code of the State of New York.

O. All accessory equipment, including but not limited to purifying equipment, heater, salinization or other mechanical equipment, shall be located in the side yard or any rear yard of any residential property having a setback depth from the adjacent property of not less than the applicable minimum required side yard setback and shall be in a location approved by the Superintendent of the Building Department upon application showing the proposed location of the equipment, approximate distance to the dwelling on adjacent properties, proposed or actual landscape screening.

P. No underwater or overhead lighting shall be permitted in or about said pool.

Q. No loudspeaker device, which can be heard beyond the property lines of the premises on which any swimming pool has been installed, may be operated on the premises.

R. No diving boards, slides or raised platforms will be permitted.

S. Such pool, when maintained and used or intended to be used for swimming, bathing or wading by adults or children, shall be used solely by the owner, tenant or lessee of the premises upon which the pool is situated and by the owner's family or friends and guests invited to use it without payment of any fee.

T. Abandonment. Should an owner abandon a pool, he or she shall arrange to remove any depression and return the surface of the ground to its original grade and approximately the same condition as before the pool was constructed and he shall further notify the Village Clerk of the abandonment so that the inspection of the site may be made, and the records of the permit be marked accordingly.

Section 2. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State in accordance with the Municipal Home Rule Law. However, this Local Law shall not be applicable to any complete application for a swimming pool which has been accepted by the Superintendent of the Building Department prior to May 20, 2025.