

ORDINANCE # 2026-1-1

**AN ORDINANCE AMENDING CHAPTER 14, ARTICLE 5, SECTION 8
SWIMMING POOLS**

WHEREAS, the Board of Trustees of the Village of Aviston deems it appropriate to amend the ordinance pertaining to Swimming Pools.

THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Aviston, Clinton County, Illinois as follows:

Chapter 14, Article 6, Section 8 is hereby amended to read as follows:

14-5-8 SWIMMING POOLS

A swimming pool (to include hot tubs/swim spas) is a body of water in an artificial or semi-artificial receptacle or other container used or intended to be used for public, semi-public, or private swimming by adults and/or children, whether or not any charge or fee is imposed. The requirements of this section shall be applicable to all existing swimming pools.

- (A) No swimming pool shall be located in any front yard, or closer than ten (10) feet to any side or rear lot line.
- (B) Fence and/or Enclosure – All swimming pools, unless the pool is indoors, which can contain twenty-four (24) inches or more of water in depth at any point shall be completely surrounded by, and maintained with a permanent fence and/or 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 a minimum of four (4) feet high and a maximum of six (6) feet high. The fence and/or enclosure shall have no more than a four (4) inch open space at any point, either vertical or horizontal (for example: between the fence and/or enclosure and the ground or between slats.), so that a small child cannot access the pool. All fence and/or enclosure gates shall have a self-closing hinge, self-latching inside device for helping the gate or door to securely close at all times to include when not in use and be provided with suitable hardware as a self-locking device. All fence and/or enclosure gate handles shall be inaccessible by small children from the exterior of the pool area.
- (C) Above Ground Pools – An above ground pool with a wall greater than four (4) feet in height above finished ground elevation does not require a fence and/or enclosure if the wall cannot be readily climbed by a child. An above ground pool which employs the use of a ladder for ingress and egress of the pool shall be retracted or rendered unusable/inaccessible when the pool is not in use. Such

ladder shall be four (4) feet tall or taller. All other requirements of this section shall apply to above ground pools.

- (D) Above ground hot tubs/swim spas must have a cover so as to be in accessible to children while not in use.
- (E) All lights used to illuminate any swimming pool and/or swimming pool area shall be arranged to confine direct light rays within the lot lines to the greatest extent possible. They shall create neither a nuisance to adjacent property nor a traffic hazard.
- (F) These requirements shall be applicable to all exterior swimming pools either as to owner, purchaser, lessee, tenant or licensee, up on who's real estate the swimming pool is situated.

A motion was made by Matt Kohren, second by Gary Rakars to approve this ordinance as presented.

AYES: M. Kohren, K. Peck, M. Netmayer, K. Markus, G. Rakars

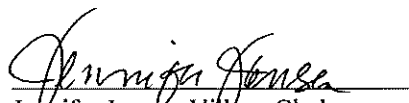
NAYS:

ABSENT: K. Leach

ABSTAIN:

Passed and approved this 5th day of January, 2026.

ATTEST:


Jennifer Jansen, Village Clerk


Mike Kampwerth, Village President