

ORDINANCE NO. 122

AN ORDINANCE OF THE TOWNSHIP OF WHITE
REGULATING ERECTION OF FENCES AROUND
SWIMMING POOLS, DESIGNATED ENCLOSURES,
AND ESTABLISHING REQUIREMENTS AND TO
PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED AND ENACTED by the Board of Township Supervisors of the Township of White, County of Beaver, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same as follows:

SECTION 1. Any and all persons in possession of land within the Township of White, either as owner, lessee or licensee, upon which is situated an outdoor private residential swimming pool or family pool, whether it be permanently constructed or indefinitely constructed, in or above the ground outside of any building, or having a minimum depth of eighteen (18) inches, or a surface area exceeding one hundred (100) square feet, which is intended or used for the total or partial immersion of human beings for recreational purposes shall provide and maintain such wall or fence as herein provided. Pools shall be completely surrounded by a fence or wall not less than four (4) feet in height; said fence or wall shall not have openings, holes or gaps larger than two (2) inches in any dimension, except for doors and gates. If the fence or wall is a picket fence, the horizontal dimensions maintained shall not exceed four (4) inches. If the pool shall be constructed aboveground, and have a minimum four-foot sheer side wall to the pool, the said sheer side wall shall serve as a fence, provided ladders or climbing devices are not in place when the pool is not in use. All gates and doors opening onto such enclosure shall be equipped with a self-containing, self-latching device for keeping the gate or door securely closed at all times when not in actual use; said locking device shall be mounted on the pool side thereof so as to be inaccessible to small children.

SECTION 2. All fences intended to surround, enclose, contain, separate or decorate on or inside properties shall only be erected inside of an established boundary line and shall not exceed four (4) feet in height, and shall not over-hang or infringe on neighboring property.

SECTION 3. A fence shall not be erected for the purpose of completely surrounding a residence to extend across the front of the property eliminating the access to the existing residence (living quarters) on said property, thus creating a safety hazard. A fence may be attached to the front corners of the existing structure and extending to the side boundary lines then continuing to the back boundary line, enclosing three (3) sides of the structure with both side yards and back yard included. Only decorative fences are permitted in front of a residence having proper access to the structure for safety purposes.

SECTION 4. Any fence constructed at the corner of a residential lot or parcel of land, at or near an intersection of an avenue, road, street, alley or highway, said fence shall not be erected or placed in such a position as to interfere or obstruct the view of any motor vehicles of persons approaching the intersection.

SECTION 5. A Building Permit is not issued for construction or erection of fences, but information from the Board of Supervisors is recommended for explanations of requirements and the possibility of applications for a Variance in exceptional situations.

SECTION 6. Any person, firm or corporation violating any provision of this Ordinance shall be guilty of a summary offense, and upon conviction thereof before the proper authorities shall be fined an amount not exceeding the sum of One Hundred (\$100.00) Dollars each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such thereunder.

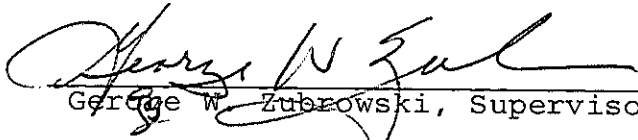
SECTION 7. Any ordinance or part of ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED this 7th day of December, 2004
by the White Township Board of Supervisors, in the County of Beaver,
in the Commonwealth of Pennsylvania.

SIGNED:


Thomas A. Bozic, Chairperson


Therese G. Pamer, Supervisor


George W. Zubrowski, Supervisor

ATTEST:


Deborah L. Kaszer, Secretary