

small children from entering the pool area and drowning. A pond does not have the same fencing requirements (the City Code is silent on the issue of ponds, unless they are large enough to trigger the need for a Land Disturbance Permit, which would be rare on a typical single-family lot landscaping project. See the selected ordinance text below:

Sections 38-177. Land Disturbance Permit (LDP) and Land Disturbance and Erosion Control Plan (LDECP)

(a) *Land Disturbance Permit.*

- (1) *Permit required.* A Land Disturbance Permit (LDP) shall be required before any land disturbing activity occurs in connection with any of the following:
- a. Projects with land disturbance of 10,000 square feet or more in size;
 - b. Any land disturbing activity that changes the existing or natural contour of the land which affects drainage or natural resources, such as slopes, trees or water bodies; and
 - c. Any Alteration of land that changes the elevation by more than five (5) feet from the existing contour of the ground on any contiguous one thousand (1,000) or more square feet of ground

Exemptions

- a. The following shall be exempt from the provisions of this Chapter:
- b. Minimal land disturbing activities such as house gardens and individual home landscaping, repairs, maintenance work and other related activities;
- c. Excavation or grading for agricultural purposes located no closer than three

- hundred feet (300') from any edge or delineated boundary of any water body;
- d. Below finished grade elevations for basements and footings of a building, retaining wall, or other structure authorized by a valid building permit;
- e. Excavations for wells, tunnels or utilities;
- f. Exploratory excavations under direction of soil engineers or engineering geologists;
- g. Individual service connections;
- h. Installation of posts or poles;
- i. Emergency work and emergency repairs;
- j. Land disturbing activities that require approval from the Watershed Management Organization shall not be required to submit a Land Disturbance and Erosion Control Plan or apply for a Land Disturbance Permit.

Staff can respond specifically to your particular project upon reviewing your project plans, but the above information hopefully provides you with guidance on the matter.

If you have any questions or concerns regarding this matter, please contact the Planning, Zoning and Building Department at 763-576-2720.



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POOLS, SPAS, PONDS AND WATER GARDENS

*Guidelines for the
installation of pools, Spas,
ponds, and water gardens*



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Swimming pools are a great way to beat summer heat and area retailers offer a variety of pool options to consumers. Most pools are portable in nature or even inflatable. These pools are great economic alternatives to permanent pools, however, residents need to be aware of the regulations that come with owning a pool.

Definition

City Code defines a swimming pool as any structure, basin, chamber, or tank constructed or designed to contain an artificial body of water for swimming, diving, relaxation, or recreational bathing, and having a depth of **2** ft or more at any point, **and/or** with a surface area exceeding **150** square ft.

Building Code Regulations

A building permit is required before work is commenced on the construction of a swimming pool or spa or before any alteration, addition, remodeling, repair or other improvement is made.

Applications shall be made in writing to the Building Official and shall include two (2) sets of plans and specifications and pertinent explanatory data for approval relative to design, operation, and maintenance insofar as health and safety features are concerned.

The plans will show the general layout of the entire building lot on which the pool or spa is to be located, length, depth, and width of the pool or spa, deck, and appurtenances, distances of the pool or spa from the lot lines, water supply systems, sewer lines, utilities (electric, gas, telephone, etc.), and shall be drawn to

scale of not smaller than one-fourth (1/4"=1') inch equals one (1') foot.

Location and Setback Information

Pools and spas shall not be located beneath utility lines nor over underground utility lines of any type.

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 closer to the front lot line than the principle structure.

Fences

All outdoor pools shall be completely enclosed by a fence or wall of the non-climbing type and equipped with self-closing and self-latching devices, so as to be impenetrable by toddlers, afford no external handholds or footholds and a minimum of four (4') feet in height, except above-ground pools with a side wall height of at least four (4') feet in height need not be fenced but shall have removable steps or ladder.

The opening between the bottom of the fence and the ground or other surface shall not be more than three (3") inches.

No fence shall be erected or substantially altered in the city without securing a permit from the building department.

Spas shall either have a fence as described previously or a latching cover. The cover should be constructed of a material impenetrable by toddlers and subject to inspection by the Building Official. All such permits shall be issued upon a written application which shall set forth the

type of fence to be constructed, the material to be used, height, and exact location of the fence.

A fee as determined by the City Council shall be paid with each application.

Fences shall be maintained in good condition and shall not be allowed to become and remain in a condition which would constitute a public nuisance or a dangerous condition.

Things to remember:

- Most pools will require building permit.
- Pools require a fence 4 ft in height.
- All fences require a permit.
- If a resident has a question about permits/fencing, give us a call!

Building Permits Required

To obtain a building permit for your temporary/permanent swimming pool, contact or stop by the City of Anoka's Building Department located at City Hall or call 763-576-2720.

Ponds and Water Gardens

Staff finds that ponds and water gardens generally will not be considered a swimming pool. In nearly every situation a pond will not be designed to "contain an artificial body of water for swimming, diving, relaxation or recreational bathing." Instead, it is a landscaping amenity or storm water basin.

Swimming pools need to have a four-foot tall fence with self-latching gate if they are designed to hold more than 2 feet of water. This is required as a means of preventing