

NEW HOPE BOROUGH

BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOROUGH OF NEW HOPE, BUCKS COUNTY, PENNSYLVANIA,
AMENDING THE NEW HOPE BOROUGH ZONING ORDINANCE TO AMEND REGULATIONS
PERTAINING TO SWIMMING POOLS AND TO ESTABLISH REGULATIONS FOR HOT TUBS**

WHEREAS, the New Hope Borough Council (“Council”) has enacted the New Hope Borough Zoning Ordinance which does not have regulations regarding the use of hot tubs; and

WHEREAS, Council has determined it is in the best interest of the Borough to amend the regulations for the use of swimming pools and to enact regulations for the use of hot tubs in the Borough: and

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the New Hope Borough Council, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

- I. Chapter 275 – “Zoning”, Section 22 C (4) – is amended to read as follows:
“Swimming pools and hot tubs constructed as stationary or permanent structures or temporarily erected. The following standards shall govern the erection, construction, maintenance and use of an in-ground and above-ground swimming pool and/or hot tub within any zoning district in the Borough, except above-ground plastic or like-material wading pools which are not capable of containing more than 18 inches of water in depth.”
- II. Chapter 275 – “Zoning”, Section 22 C (4) (a) – is amended to read as follows:
“No swimming pool, hot tub and any related improvements or facilities, including, without limitation, filters and mechanical equipment shall be located in the front yard. The water’s edge of any swimming pool or hot tub shall be located a minimum of 20 feet from any property line. The water’s edge of a swimming pool shall be located a minimum of 10 feet from any building wall and the water’s edge of a hot tub shall be located a minimum of 5 feet from any building wall. Related improvements or facilities, including, without limitation, filters and mechanical equipment shall be located a minimum of 20 feet from any property line.”
- III. Chapter 275 – “Zoning”, Section 22 C (4) (b) – is amended to read as follows:
“A dense planting of trees and shrubs shall be established and maintained between the swimming pool or hot tub and all property lines along adjacent residential uses to protect the adjoining properties from noise emitting from mechanical equipment and activities in and around the swimming pool and/or hot tub. If the hot tub is elevated above ground level, a 6 ft. high solid barrier shall be provided between the hot tub and all property lines along adjacent residential uses.”

- IV. Chapter 275 – “Zoning”, Section 22 C (4) (c) – is amended to read as follows:
“Any lighting used in conjunction with the swimming pool and/or hot tub shall be shielded in such a manner as to prevent glare on adjoining properties.”
- V. Chapter 275 – “Zoning”, Section 22 C (4) (d) – is amended to read as follows:
“The swimming pool and/or hot tub shall be completely enclosed by a fence, wall, or other barrier, not less than four feet in height. This requirement shall not apply to a hot tub equipped with a locking cover. All gates or entrances shall be self-closing and equipped with catches and locks.”
- VI. Section 275 – “Zoning”, Section 22 C (4) is amended to add a new subsection (e) as follows:
“No swimming pool or hot tub shall be installed on, or built or recessed into any roof top, elevated deck, terrace, veranda, platform or like-kind elevated structure located above the first floor elevation of the principal building. The wall height of above ground swimming pools shall not exceed 54 inches. The water’s edge of the above ground pool shall be a minimum of 20 feet from all property lines and the accessory decks and stairs shall be no closer to the property lines than the required minimum setback distance for the principal structure.”
- VII. All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the invalidity.
- VIII. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance, the New Hope Borough Zoning Ordinance, or the Code of Ordinances of New Hope Borough.
- IX. This Ordinance shall become effective five (5) days following its legal enactment.

ENACTED and **ORDAINED** this _____ day of _____, 2022.

ATTEST:

NEW HOPE BOROUGH COUNCIL

Peter Gray, Borough Manager

Connie Gering, President