

AN ORDINANCE to amend Article I of Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, by adding thereto a new subsection numbered 35-3.1, and to repeal subsection (f) of Article II of Section 35-14 of said Code; which Chapter 35 relates to SWIMMING POOLS, which Article I relates to GENERAL PROVISIONS, which new subsection 35-3.1 relates to FENCES; UNLAWFUL ACTS, which Article II relates to PUBLIC SWIMMING POOLS, which Section 35-14 relates to POOL AND POOL AREA and which subsection (f) thereof relates to FENCES.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article I, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended by adding thereto a new section numbered 35-3.1 to read as follows:

Sec. 35-3.1. Fences; unlawful acts.

For the purposes of this section the following terms shall have the meanings respectively assigned to them:

Swimming pool shall include any outdoor man-made structure constructed from material other than natural earth or soil designed or used to hold water for the purpose of providing a swimming or bathing place for any person or any such structure for the purpose of impounding water therein to a depth of more than two feet.

Fence shall mean a close type vertical barrier not less than four feet in height above ground surface. A woven steel wire, chain link, picket or solid board type fence or a fence of similar construction which will prevent the smallest of children from getting through shall be construed as within this definition.

It shall be unlawful for any person to construct, maintain, use, possess or control any swimming pool on any property in the city without having completely around such swimming pool a fence as defined in this section. Such fence shall be constructed so as to come within two inches of the ground at the bottom and shall be at least five feet from the edge of the pool at any point. Every gate in such fence shall be capable of being securely fastened at a height of not less than four feet above ground level and it shall be unlawful for any such gate to be allowed to remain unfastened while the pool is not in use.

All swimming pools, as defined in this section, constructed prior to July 15, 1971 shall comply with the provisions of this section not later than July 15, 1972. All swimming pools, as

defined in this section, constructed after July 15, 1971 shall comply with the provisions of this section upon completion of construction.

Section 2. That subsection (f), Section 35-14, Article II, Chapter 35 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is repealed.

Section 3. That this ordinance shall be published in a newspaper of general circulation in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective July 15, 1971.

Charles E. Beatley, Jr.  
Mayor

**FINAL PASSAGE: APRIL 13, 1971**