

## Chapter 149

### SWIMMING POOLS, HOT TUBS AND SPAS [Amended 5-12-2014 ATM, Art. 53]

§ 149-1. **Definitions.**

§ 149-2. **Pools to be enclosed by fence or wall.**

§ 149-3. **Exceptions.**

§ 149-4. **Violations and penalties.**

[**HISTORY: Adopted 5-10-1976 Annual Town Meeting, Art. 30. Amendments noted where applicable.**]

§ 149-1. **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

RESIDENTIAL SWIMMING POOL - A swimming pool used or intended to be used solely for swimming by the owner or tenant thereof and his family and by friends invited to use it without payment or fee.

SWIMMING POOL - A body of water contained in an artificial or semiartificial receptacle, whether in or above the ground, or created by artificial means from a natural watercourse, but not including portable pools incapable of containing a depth of water exceeding twenty-four (24) inches at any point.

§ 149-2. **Pools to be enclosed by fence or wall. [Amended 5-12-2014 ATM, Art. 53]**

Every outdoor residential swimming pool, spa or hot tub shall be completely surrounded at all times, whether or not the same is filled with water, as set out in the Massachusetts State Building Code 780 CMR for “Swimming Pool, Spas and Hot Tubs”.

§ 149-3. **Exceptions. [Amended 5-12-2014 ATM, Art. 53]**  
*deleted prior “§ 149-3. Exceptions”*

§ 149-3. **Violations and penalties. [Amended 5-12-2014 ATM, Art. 53] *renumbered***

Whoever violates the provisions of any of the preceding sections shall be subject to arrest and shall be subject to a fine not exceeding twenty dollars (\$20.). Each day that the violations are maintained is considered a separate offense.