

**TOWNSHIP OF NORTH BRUNSWICK
ORDINANCE 25-11**

**Ordinance to Amend Chapter 427, Swimming Pools, of the Revised General Ordinances of the
Township of North Brunswick, County of Middlesex, State of New Jersey**

NOW THEREFORE BE IT FURTHER ORDAINED by the Township Council of the Township of North Brunswick, Middlesex County, State of New Jersey as follows:

Section 1. Chapter 427, Swimming Pools, of the Revised General Ordinances of the Township of North Brunswick, County of Middlesex, State of New Jersey is amended as follows:

§ 427-1 Definitions.

HOT TUB OR SPA

Any pool having a maximum depth of 48 inches used in conjunction with high velocity water recirculation systems in which mineral or non-mineral water is used and is not emptied after each use. Water temperature is hot, cold, or ambient. The term shall not include hot tubs and spas used solely for aquatic physical therapy, except as covered by N.J.A.C. 8:43H-21.3(e) and other applicable rules.

PRIVATE

A swimming pool which is constructed or installed to provide swimming, bathing or wading facilities for the recreation of the owner or occupant of a house and his family and guests and which is so located as to be an accessory use to a residence. This definition includes all buildings, structures and equipment constructed or used in connection with a private swimming pool.

PUBLIC

A swimming pool/hot tub/wading pool which is constructed or installed to operate as a commercial swimming pool as part of a swim club, hotel, motel, health club, or other commercial facility, or as part of a multifamily housing complex, homeowners' association, condominium association or townhouse association. This definition includes all buildings, structures and equipment constructed or used in connection with a public swimming pool.

SWIMMING POOL

A watertight structure of concrete, masonry, or other approved materials, located either indoors or outdoors, used for bathing, wading, or swimming and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith.

WADING POOL

A swimming pool that ranges in water depth from zero to two feet and is used for wading.

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§ 427-4 Public Hot Tub/Spa

A. Standard code adopted and incorporated herein by reference N.J.A.C. 8:26-4.1 et seq.

B. Permits required.

- 1)** An annual permit shall be required for the operation of a public hot tub/spa and obtained from the Township Clerk. Annual permits shall be effective May 1 of each year and expire April 30 of each year.
- 2)** The fee for the issuance and renewal of an annual permit to operate a public hot tub/spa shall be as listed in **§ 183-5.1**.
- 3)** Permits shall also be secured from the Construction Official as required by the Uniform Construction Code for an annual inspection.

C. Revocation of permit. Permits may be revoked by the Health Official or the Construction Official for failure to comply with this chapter or with the standard code as cited in **§ 427-5A**.

§ 427-5 Public pools

Standard code adopted by reference. Chapter IX, Public Recreational Bathing, of the New Jersey State Sanitary Code (N.J.A.C. 8:26-1.1 et seq.) and Chapter 4A, Public Swimming Pools and Places, of Title 26 of the New Jersey Statutes (N.J.S.A. 26:4A-4 et seq.) are hereby incorporated into this Chapter 427 in their entirety by reference. A copy of the code is annexed to and made part of this chapter without the inclusion of the text herein. The code adopted by this chapter is commonly known as the "New Jersey State Sanitary Code Chapter IX Public Recreational Bathing 2004" and is sometimes referred as the "Swimming Pool Code."

B. Copy on file. A copy of the Swimming Pool Code has been placed on file in the office of the Township Clerk and shall remain on file there for use and examination by the public.

C. Permits required.

- 1)** An annual permit shall be required for the operation of a public pool and obtained from the Township Clerk. Annual permits shall be effective May 1 of each year and expire April 30 of each year.
- 2)** The fee for the issuance and renewal of an annual permit to operate a public swimming pool be as listed in **§ 183-5.1**.
- 3)** Permits shall also be secured from the Construction Official as required by the Uniform Construction Code for an annual pool inspection.

D. Revocation of permit. Permits may be revoked by the Health Official or the Construction Official for failure to comply with this chapter or with the standard code as cited in **§ 427-5A**.

§ 427-7 Fee schedule for public recreational bathing facilities reinspections and initial plan review.

Fees shall be as follows:

- A.** Public recreational bathing facility reinspections fee: \$100.
- B.** Public recreational bathing initial plan review fee: \$125.

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C. Fees are payable to the Township of North Brunswick to the Township Clerk's Office within 10 business days of the reinspection or plan review.

Section 2. Each clause, section or subsection of this Ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the Ordinance shall not be affected.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed as to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately upon adoption and publication according to law.

Justine Progebin
Business Administrator

Ronald H. Gordon, Township Attorney
(Approved as to legal form)