

BOROUGH OF CRESSKILL

ORDINANCE NO. 23-24-1625

AN ORDINANCE TO AMEND CHAPTER 238-4 SWIMMING POOL'S LOCATION PROVISIONS

**WHEREAS**, the Cresskill Building Department, Zoning Division has recommended to the Council that the following amendment be incorporated into the provisions §238-4;

**NOW, THEREFORE, BE IT ORDAINED**, that the Council does hereby amend the Original Ordinance to include amended location provisions as the following:

The pools, hot tubs and all appurtenances (patios, waterfalls, slides and pool equipment) shall be located in the rear portion of the lot, not less than five feet from the rear lot line, not closer than 15 feet from the rear portion of the house and not closer than 15 feet from either side line. Patio and hot tubs are exempt from proximity to the house. Any property owner who is unable to comply with these requirements may apply to the Zoning Board of Adjustment for a variance. It is the intent of this chapter that all pools are to be located, insofar as feasible, as outlined above.

**SEVERABILITY.** If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

**REPEALER.** All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

**EFFECTIVE DATE.** This ordinance shall take effect immediately upon final passage and publication as required by law.

