

**STURGEON City CODE**

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**CHAPTER 12: HEALTH AND SAFETY**

**Article I: Animals**

**Section 12.100      Limitation on Number of Dogs or Cats Kept.**

No person shall, at any time, keep, harbor or own, at one location within the City, more than a total of four dogs or cats over the age of six months. This provision shall not apply to any lawfully operated commercial kennel or a kennel maintained in connection with a small animal hospital or the City Pound.

(Ord. 636, Sec. 2, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

**Section 12.105      Permitting a Dog or Cat to Run at Large.**

1. Every dog and cat owner and every other person responsible for the custody or care of a dog or cat, shall provide an effective means of confinement or control of such animal. Such means shall be sufficient to ensure that the animal does not roam unrestrained beyond the owner's or custodian's premises, or enter unrestrained onto any public sidewalk or public roadway.

2. It shall be a defense to any prosecution for violation of this code, that the dog or cat in question was under effective control by voice, gesture, whistle or other means of command by a responsible custodian, while beyond such premises or on any public sidewalk or public roadway.

3. In any prosecution for violation of this code, the City shall establish a *prima facie* case of violation by establishing that a dog or cat for which the defendant was responsible, was beyond such person's premises, or on a public sidewalk or roadway, and apparently roaming or running at large. Thereafter, the defendant shall have the burden to prove affirmatively that the animal was under effective control by voice, gesture, whistle or other means of command at all relevant times.

(Ord. 636, Sec. 3, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

**Section 12.110      Failure to Confine and Restrain a Vicious Dog**

**Definition**

For the purposes of this code the following words and/or phrases will have the meaning indicated below.

1. The term **vicious dog** shall mean any dog of a cross, dangerous, vicious or ferocious disposition, or which habitually snaps at, bites or manifests a disposition to bite or attack persons or domestic animals or pets.

2. No person responsible for the care or custody of a vicious dog shall permit such animal to roam unrestrained beyond the owner's or custodian's premises, or enter unrestrained onto any public sidewalk or public roadway

3. No person shall own, keep, harbor or allow upon his or her premises any vicious dog, unless such dog is securely confined upon such premises and the following requirements are met:

## STURGEON City CODE

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a. All such dogs shall be securely confined indoors or in a securely enclosed and locked kennel. The kennel shall be a size appropriate to the size of the dog kept therein and shall provide adequate ventilation, shade from the sun and protection from the elements. In the event of a dispute over the appropriate size, the guidelines of the United States Department of Agriculture shall apply. The kennel must have secure sides at least six feet in height that are attached to a secure bottom or floor and attached to a secure top. If there is no secure bottom or floor, the sides of the kennel must be embedded in the ground no less than two feet. The kennel must be locked with a key or combination lock when such animals are within the structure. Any such kennel must be located at least ten feet from any property line and must comply with all zoning and building regulations of the City.

b. When confined indoors, no such dog may be kept on a porch, patio, or in any part of a house, building or structure that would allow the dog to exit such building on its own volition. No such dog may be kept in a house, building or structure when the windows are open or when screen windows or screen porch doors are the only obstacles preventing the dog from exiting the structure.

c. No person shall permit a dog as described in subsection a, above to go outside its kennel or secure structure unless that person has the dog securely leashed on a leash no longer than four feet in length and that person has physical control of the leash. No such dog shall be leashed to inanimate objects such as trees, posts or buildings. Additionally all such dogs on a leash outside the animals kennel or secure structure must be muzzled by a muzzling device sufficient to prevent the dog from biting persons or other animals.

As directed by the Animal Control Officer, a sign or signs shall be conspicuously posted upon the kennel of such dogs with letters at least two inches in height stating the following: "Beware of Dangerous Dog."

d. All owners, keepers and harborers of any vicious dog must present to the Animal Control Officer proof of public liability insurance in single incident amount of fifty thousand dollars for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten day's written notice is first given to the Animal Control Officer.

(Ord. 636, Sec. 4, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

### **Section 12.115 Registration of Dogs and Cats Required - Tags.**

The owner or keeper of any dog or cat of the age of three months or older shall register said dog or cat with the City Clerk on or before January first of each year. The name and address of the owner or keeper of a dog or cat so registered and an accurate description of the dog or cat shall be entered in a book kept for such purposes by the City Clerk, and a certificate of registration and a metal or plastic tag or check bearing identical numbers shall be issued to a collar or other device and worn by the said dog or cat.

(Ord. 636, Sec. 5, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

### **Section 12.120 Certificate of Immunization.**

Before any dog or cat shall be registered or a certificate or tag shall be issued as above provided the owner or keeper of said dog or cat shall present to the said City Clerk a certificate of immunization issued and signed by a

## STURGEON City CODE

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licensed and registered veterinarian stating that said dog or cat has been immunized against rabies for the current year, or that said animal has been permanently immunized against rabies.

(Ord. 636, Sec. 6, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

### **Section 12.125 License Fees.**

1. The annual license tax for each spayed male or female dogs or cats and for all other dog or cats shall be (For current rates see Chapter 25 - Deposits, Fees & Charges, Section 25.420). Any owner or keeper of any dog or cat who shall fail or refuse to pay such tax when payment is demanded shall forthwith surrender such dog or cat to the City Police for the purpose of being destroyed.

2. The City Clerk shall keep a list of the persons paying such tax, noting the date and amount of payment, and upon request, report to the Board of Aldermen the name of all persons who have paid such tax and the amount collected. The tax shall be due and payable on the first day of January each year, provided however, that if any person shall become the owner or keeper of any dog or cat after the month of January in any year, such person shall pay the same tax thereof for the remainder of the year ending December thirty-first following, as if dog or cat has been in the City on the proceeding January, and such dog or cat shall be fully subjected to the provisions of this code. The tax shall be paid by the City Clerk into the City Treasury to the credit of the general fund of the City. It shall be unlawful for any person to attach or suffer to be attached to any dog or cat on which the tax has not been paid for the current year, the metal or plastic tag hereinbefore described or any imitation thereof.

3. This code shall not be construed to include any dog or cat temporarily within the City limits which displays a valid dog or cat license from another political subdivision where rabies inoculation is required for obtaining a license, or in the alternative, a certificate of inoculation by any licensed veterinarian.

(Ord. 636, Sec.7, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

### **Section 12.130 Impoundment of Dogs and Cats not Registered or Running at Large.**

1. The Chief of Police and his delegates shall serve as Animal Control Officers for the City of Sturgeon.

2. Any Animal Control Officer is authorized to take possession of any dog or cat found within the City that is not registered with the City Clerk in accordance with these codes, or running at large. If the City shall, at that time, have and maintain a lawful animal pound, the officer shall initially impound the animal there. Otherwise, the officer shall transport the animal to the nearest Missouri Humane Society for disposition in according to its policies and rules.

3. The Animal Control Officer shall post at the City office a description of any impounded animal for five days. An impounded animal shall not be released to the owner of said impounded animal, until proof of vaccination has been received and said animal has been registered with the City Clerk and all fees incurred have been paid.

4. If an impounded animal shall not have been retrieved by its owner, on the fifth day of its impoundment, the animal shall be delivered to the Central Missouri Humane Society for disposition according to its policies and rules

5. The Animal Control Officer shall house and feed every dog and cat held at the City pound in a humane manner.

## STURGEON City CODE

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(Ord. 636, Sec. 8, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

### **Section 12.135      Impoundment Fees.**

Fees will be taxed to the owner of any dog or cat that is impounded. (For current rates see Chapter 25 - Deposits, Fees & Charges, Section 25.430.)

(Ord. 636, Sec. 9, Approved and Effective March 28, 2005; Ord. 632, Approved and Effective August 23, 2004, Repealed; Ord. 620, Approved and Effective October 27, 2003, Repealed; Ord. 616, Approved and Effective April 28, 2003, Repealed)

## **Article II: Livestock**

### **Section 12.200      Definition.**

For the purposes of this code the following words and/or phrases will have the meaning indicated below.

The term **livestock**, shall mean cattle, horses, mules, asses, llamas, goats, sheep, swine, rabbits and poultry.

(Ord. 529, Sec. 1, Approved and Effective September 26, 1994.)

### **Section 12.210      Confinement of Livestock Required.**

Every person owning, renting or otherwise occupying land within the City upon which livestock is kept, shall confine or restrict such livestock at all times to such property, except while such animals are being carried in a lawful vehicle or trailer in which they are confined during transportation to or from such land or while being lead, driven or ridden. Failure of any owner, tenant or other occupier of land within the City on which livestock is kept to so confine such livestock shall be a misdemeanor.

(Ord. 529, Sec. 2, Approved and Effective September 26, 1994.)

### **Section 12.220      Maintenance of Fences, Corrals, Etc.**

Every person owning, renting or otherwise occupying land within the City upon which livestock is kept, shall provide and maintain fences, corrals, tethers or similar devices to confine or restrict livestock to such property. Whenever it shall be determined by the Chief of Police that the aforementioned devices are lacking, inadequate, or not in good repair, the Chief of Police shall notify the landowner, tenant or other person occupying the land in writing that he is not in compliance with this section and shall order such person to provide, replace, reinforce or repair such devices within ten days. Failure of such person to comply with each order shall be a misdemeanor.

(Ord. 529, Sec. 3, Approved and Effective September 26, 1994.)

### **Section 12.230      Impoundment of Unconfined Livestock, Costs.**

Any livestock found,

1. Upon property of another not owner, co-owned, lawfully occupied or lawfully possessed by the livestock owner or other person in lawful possession or custody of such livestock, or

## STURGEON City CODE

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2. On public property, and, in either event, not under the control of some competent person, may be captured and impounded by the Chief of Police his delegate. The owner of such impounded livestock shall be liable for all reasonable charges for capturing and impounding such livestock, including all charges incident thereto.

(Ord. 529, Sec. 4, Approved and Effective September 26, 1994.)

### **Section 12.240 Sale of Impounded Livestock.**

In the event lawfully impounded livestock is not claimed or charges associated with the impoundment are not paid within fifteen days following impoundment, the Chief of Police may direct that the livestock be sold at public auction, such sale to occur no sooner than ten days after notice of the time, date and place of sale, and a description of the livestock and location of capture has been conspicuously posted in the City offices. In case no bidders appear at such sale, the Chief of Police may sell the livestock at private sale, securing the best available price. From the proceeds of any sale held hereunder, the Chief of Police shall first deduct his charges or expenses and pay the balance into the City Treasury, where it shall be reserved for six months, unless earlier paid to the owner under the following provisions.

(Ord. 529, Sec. 5, Approved and Effective September 26, 1994.)

### **Section 12.250 Return of Livestock to Owner.**

If at any time prior to such sale, the owner of such livestock shall exhibit satisfactory proof of his ownership, he shall be entitled to redeem the livestock upon the payment of all fees and expenses.

(Ord. 529, Sec. 6, Approved and Effective September 26, 1994.)

### **Section 12.260 Return of Proceeds of Sale to Owner.**

If, within six months after the sale of the livestock, as above provided, the owner of any such livestock so sold shall exhibit to the Board of Aldermen satisfactory proof of his ownership, the proceeds coming into the City Treasury from such sale, after deduction of all charges and expenses, shall be paid over to him.

(Ord. 529, Sec. 7, Approved and Effective September 26, 1994.)

### **Section 12.270 Time Limit on Claims by Owners.**

If no claim be made by the owner of such livestock within six months after the sale thereof, any remaining net proceeds of the sale reserved following such sale, shall be transferred into the general revenue of the City and thereafter no claim shall be brought or considered by the Board of Aldermen by anyone claiming to be the owner of such livestock for the recovery of any proceeds of the sale thereof.

(Ord. 529, Sec. 8, Approved and Effective September 26, 1994.)

### **Section 12.280 Owner Liable For Costs, When.**

Should the proceeds of the sale be insufficient to meet the City's expenses in connection with the capture, impoundment, maintenance and sale of such livestock, the owner thereof shall be liable to the City for the unpaid balance.

(Ord. 529, Sec. 9, Approved and Effective September 26, 1994.)

## STURGEON City CODE

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### Article III: Minors

#### Section 12.300 Definitions

For the purposes of this code the following words and/or phrases will have the meaning indicated below.

1. **Curfew Hours** shall mean:
  - a. 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day; and
  - b. 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday.
  - c. 9:00 a.m. until 2:30 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday.
2. **Emergency** shall mean an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
3. **Establishment** shall mean any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.
4. **Guardian** shall mean:
  - a. A person who, under court order, is the guardian of the person of a minor; or
  - b. A public or private agency with whom a minor has been placed by a court.
5. **In Session** shall mean the status of a school during the fall or spring term when students are required to attend the school. A school is not in session during its summer break or during any holiday or other scheduled general student vacation day or part of a day observed by the school.
6. **Minor** shall mean any person under 17 years of age.
7. **Operator** shall mean any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.
8. **Parent** shall mean a person who is:
  - a. A natural parent, adoptive parent, or step-parent of another person; or
  - b. At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.
9. **Public Place** shall mean any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.
10. **Remain** shall mean to:

**STURGEON City CODE**

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- a. Linger or stay; or
- b. Fail to leave premises when requested to do so by a Police Officer or the owner, operator, or other person in control of the premises.

11. **Serious Bodily Injury** shall mean bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(Ord. 701, Sec. 1, Approved and Effective October 26, 2009)

**Section 12.305        Offenses.**

1. A minor commits an offense if he remains in any public place or on the premises of any establishment within the City during curfew hours.

2. A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.

3. The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(Ord. 701, Sec. 2, Approved and Effective October 26, 2009)

**Section 12.310        Defenses.**

1. It is a defense to prosecution under Section 12.305 that the minor was:

- a. Accompanied by the minor's parent or guardian;
- b. On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- c. In a motor vehicle involved in interstate travel;
- d. Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
- e. Involved in an emergency;
- f. On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the Police Department about the minor's presence, except that this defense does not apply to a violation of the curfew hours described in Section 12.300, Subsection 1 (c) of this code.
- g. Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Sturgeon, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Sturgeon, a civic organization, or another similar entity that takes responsibility for the minor;

## STURGEON City CODE

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- h. Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
  - i. Married or had been married or had disabilities of minority removed in accordance with the laws of Missouri or any other of the United States.
2. It is a defense to prosecution under Section 12.305 that the owner, operator, or employee of an establishment promptly notified the Police Department that a minor was present on the premises of the establishment during curfew hours and refused to leave.
3. It is a defense to prosecution under Section 12.305 of this code for a violation of the curfew hours described in Section 12.300, Subsection 1 (c) that:
- a. The school in which the minor was enrolled or otherwise required to attend was not in session;
  - b. The minor was on the premises of the school in which the minor was enrolled or otherwise required to attend;
  - c. The minor was participating in school-approved work study program, or was going to the work study program or returning to home or school from the work-study program without any detour or stop;
  - d. The minor was on a lunch break from a school that permits an open campus lunch and was qualified to participate in the open campus lunch program;
  - e. The minor was on an excused absence from the school in which the minor was enrolled or otherwise required to attend and had permission from a school official, or in the case of a home-schooled minor, from the minor's parent or guardian; or
  - f. The minor was a high school graduate or had received a high school equivalency certificate;

(Ord. 701, Sec. 3, Approved and Effective October 26, 2009)

### **Section 12.315      Enforcement.**

1. Before taking any enforcement action under this code, a Police Officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in Section 12.310 is present.
2. A Police Officer shall not issue a citation to or arrest a parent or guardian of a minor for a violation of Section 12.310 of this code relating to the curfew hours described in Section 12.300 unless the parent or guardian has, within the same calendar year, received at least two prior written warnings from a Police Officer for a violation of Section 12.310 relating to the curfew hours described in Section 12.300. In calculating the number of warnings received by a parent or guardian in a calendar year, all warnings issued to the parent or guardian will be counted, regardless of whether the warnings relate to the same minor.
3. A Police Officer shall not issue a citation to or arrest an owner, operator, or employee of an establishment for a violation of Section 12.310 of this code relating to the curfew hours described in Section 12.300, unless the establishment has, within the same calendar year, received at least two prior written warnings from a Police Officer for



## STURGEON City CODE

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a violation of Section 12.310 relating to the curfew hours described in Section 12.300. In calculating the number of warnings received by an establishment in a calendar year, all warnings issued to any owner, operator, or employee of the establishment will be counted, regardless of whether the warnings relate to the same minor.

(Ord. 701, Sec. 4, Approved and Effective October 26, 2009)

### **Section 12.320      Violations/Penalties.**

1. A person who violates a provision of this code is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine (For current rates see Chapter 25 - Deposits, Fees & Charges, Section 25.440.)

2. When required by the Juvenile Code of the Revised Statutes of Missouri, as amended, the municipal court shall waive original jurisdiction over a minor who violates Section 12.305, Subsection 1 of this code and shall refer the minor to juvenile court.

(Ord. 701, Sec. 5, Approved and Effective October 26, 2009)

## **Article IV: Swimming and Bathing Pools**

### **Section 12.400      Swimming and Bathing Pool Regulations.**

1. General. Pools used for swimming or bathing shall be in conformity with the requirements of this code, provided, however, these regulations shall not be applicable to any such pool less than twenty-four inches (610 mm) deep or having a surface area less than two hundred fifty feet (23.25mm), except when such pools are permanently equipped with water recirculating system or involve structural materials. For purposes of this code, pools are classified as private swimming pools or public swimming pools, as defined in 2, below. Materials and constructions used in swimming pools shall comply with the applicable requirements of this code.

2. Classification of Pools. Any constructed pool which is used, or intended to be used, as a swimming pool in connection with a building of Use Group R-3 and available only to the family of the householder and his private guests shall be classified as a public swimming pool.

3. Plans and Permits. A swimming pool or appurtenances thereto shall not be constructed, installed, enlarged or altered until plans have been submitted and a permit has been obtained from the code official. The approval of all City, County and State authorities having jurisdiction over swimming pools shall be obtained before applying to the code official for a permit. Certified copies of these approvals shall be filed as part of the supporting data for the application for the permit.

4. Plans. Plans shall accurately show dimensions and construction of the pool and appurtenances and properly established distances to lot lines, buildings, walks and fences, as well as details of the water supply system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool. Detailed plans of structures, vertical elevations, and sections through the pool showing depth shall be included.

5. Locations. Private swimming pools shall not encroach on any front or side yard required by this code, or the governing zoning law, except by specific rules of the jurisdiction in which it is located. A wall of a swimming pool shall not be located less than six feet (1,829 mm) from any rear or side property line or ten feet (3,048 mm) from any street property line, except by specific rules of the jurisdiction in which it is located. No exposed electrical wire may be located within twenty feet of any swimming pool.

## STURGEON City CODE

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6. Structural Design. The pool structure shall be engineered and designed to withstand the expected forces to which it will be subjected.

7. Wall Slopes. To a depth of up to two feet nine inches (2'-9") (838 mm) from the top, the wall slope shall not be more than one unit horizontal in five units vertical (1:5).

8. Floor Slopes. The slope of the floor on the shallow side of the transition point shall not exceed one unit vertical to seven units horizontal (1:7). For public pools greater than one thousand two hundred square feet (111.6 m<sup>2</sup>), the slope of the floor on the shallow side of transition point shall not exceed one unit vertical to ten units horizontal (1:10). The transition point between shallow and deep water shall not be more than five feet (1,524 mm.) deep.

9. Surface Cleaning. All swimming pools shall be provided with a recirculating skimming device or overflow gutters to remove scum and foreign matter from the surface of the water. Where skimmers are used for private pools, there shall be at least one skimming device for each one thousand square feet (93 m<sup>2</sup>) of surface area or fraction thereof. For public pools where water skimmers are used, there shall be at least one skimming device for each six, hundred square feet (55.8 m<sup>2</sup>) of surface area or fraction thereof. Where overflow gutters are used, they shall not be less than three inches (76 mm) deep, pitched to a slope of one vertical unit to fortyeight units horizontal (1:48) toward drains, and constructed so they are safe, cleanable and that matter entering the gutters will not be washed out by a sudden surge of entering water.

10. Walkways. All public swimming pools shall have walkways not less than four feet (1,219 mm) in width extending entirely around the pool. Where curbs or sidewalks are used around any swimming pool, they shall have a slip-resistant surface for a width of not less than one foot (305 mm) at the edge of the pool, and shall be so arranged to prevent return of surface water to the pool.

11. Steps and Ladders. At least one means of egress shall be provided from private pools. Public pools shall provide ladders to other means of egress at both sides of the diving section and at least one means of egress at the shallow section, or at least one means of egress in the deep section and the shallow section if diving boards are not provided. Treads of steps and ladders shall have slip-resistant surfaces and handrails on both sides, except that handrails are not required when there are not more than four steps or when they extend the full width of the side or end of the pool.

12. Water Supply. All swimming pools shall be provided with a potable water supply, free of cross- contaminations with the pool or its equipment.

13. Water Treatment. Public swimming pools shall be designed and installed so that there is a pool water turnover at least once every eight hours. Filters shall not filter water at a rate in excess of three gallons per minute, per square foot (0.0020 m<sup>3</sup>/s m<sup>2</sup>) of surface area. The treatment system shall be so designed and installed as to provide in the water, at all times when the pool is in use, excess chlorine of not less than 0.4 parts per million (pp,) or more than 0.6 ppm, or excess chloramine between 0.7 and 1.0 ppm, or disinfection shall be provided by other approved means. Acidity/alkalinity of the pool water shall not be below 7.0 or more than 7.5. All recirculating systems shall be provided with an approved hair and lint strainer installed in the system ahead of the pump.

Private swimming pools shall be designed and installed so that there is a pool water turnover at least once every eighteen hours. Filters shall not filter water at a rate in excess of five gallons per minute per square foot (0.0034 m<sup>3</sup> / x m<sup>2</sup>) of surface area. The pool owner shall be instructed in proper care and maintenance of the pool by the supplier or builder, including the use of high test calcium hypochlorite (dry chlorine) or sodium hypochlorite (liquid chlorine) or equally effective germicide and algicide, and the importance of proper Ph (alkalinity and acidity) control.

## STURGEON City CODE

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14. Drainage Systems. The swimming pool and equipment shall be equipped to be completely emptied of water and the discharged water shall be disposed of in an approved manner that will not create a nuisance to adjoining property.

15. Appurtenant Structures. All appurtenant structures, installations, and equipment, such as showers, dressing rooms, equipment houses or other buildings and structures, including plumbing, heating and air conditioning, amongst others appurtenant to a swimming pool, shall comply with all applicable requirements of this code and the zoning law.

16. Accessories. All swimming pool accessories shall be designed, constructed and installed so as not to be a safety hazard. Installations or structures for diving purposes shall be property anchored to insure stability.

17. Equipment Installations. Pumps, filters and other mechanical and electrical equipment for public swimming pools shall be enclosed in such a manner as to be accessible only to authorized persons and not to bathers. Construction and drainage shall be such as to avoid the entrance and accumulation of water in the vicinity of electrical equipment.

18. Swimming Pool Safety Devices. Every person owning land on which a swimming pool which contains twenty-four inches (610 mm) or more of water in depth at any point is situated shall erect and maintain thereon an adequate enclosure which surrounds either the property or pool area, and which is sufficient to make such body of water inaccessible to small children. Such enclosure, including gates therein, shall be not less than four feet (1,219 mm) above the underlying ground. All gates shall be self-closing and self-latching with latches placed four feet (1,219mm) above the underlying ground and otherwise made inaccessible from the outside to small children. A natural barrier, hedge, pool cover or other protective device approved by the governing body shall be an acceptable enclosure so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, ate and latch described herein.

19. Diving Boards. Minimum water depths and distances for diving hopped for public pools, based on board height above water, shall comply with Table 625 for private pool, Table 625a shown in Ordinance Number 488, Section 19.

Diving boards higher than three meters shall conform to the recommendations of the Rules and Regulations of United States Diving, Inc., which are listed in Appendix A of the B.O.C.A. National Building Code.

The maximum slope permitted between point D2 and the transition point shall not exceed one unit vertical to three units horizontal (1:3) in public pools and one unit vertical to one unit horizontal (1:1) in private pools. D1 is the point directly under the end of the diving boards. D2 is the point at which the floor begins to slope upwards to the transition point. (See Figure 625 on page 122 of the B.O.C.A. National Building Code.)

20. Penalty for Violation. Violation of this code shall constitute a misdemeanor punishable by fine or imprisonment as provided by law.

(Ord. 488, Sec. 1 through Sec. 20, Approved and Effective July 17, 1990.)

### Article V: Geologic Hazard Preparedness

#### Section 12.500 Geological Hazard Preparedness.

New construction and major structural renovation begun after December 31, 1990, within the City of Sturgeon, Missouri, shall comply with the standards for seismic design and construction of the Building Officials and Code Administrator's Code, or of the Uniform Building Code.

## **STURGEON City CODE**

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Violation of this code shall constitute a misdemeanor punishable under the general penalty provisions of the codes of the City.

(Ord. 492, Sec. 1 and Sec. 2, Approved and Effective December 19, 1990.)