**Swimming Pools Bylaw Amendment:**

**To see if the town will vote to amends Section 8.5-4 Swimming Pools, of the zoning bylaws by deleting the sections crossed out and adding the language in *bold italic:***

**8.5-4 Swimming Pools**

A. Pools, General

1. ~~In-ground swimming pools of any depth and above and on-ground swimming pools, as defined in the applicable provisions of the Massachusetts State Building Code governing swimming pools, in effect at the time the application is submitted, shall be enclosed by a fence at least 4 feet in height which meets all the requirements of State Building Code CMR 780 Section 421~~.

***The design and construction of pools and their enclosures must be in compliance with the regulations of the current edition of the International Swimming Pool and Spa Code with MA amendments.***

2. In-ground swimming pools of any depth and above and on-ground swimming pools, as defined in the applicable provisions of the Massachusetts State Building Code governing swimming pools, in effect at the time the application is submitted, shall be enclosed by a fence at least 4 feet in height ***or so as to meet the requirements of the current State Building Code.***

1. Lighting of pools shall comply with the requirements of Section 8.6.
2. In order to minimize noise impacts on neighbors, associated noise-producing pool equipment shall be located as far as possible from abutting properties, and at least the minimum required setback and shall be installed in a sound insulated enclosure.
3. ***Energy Use: If a swimming pool is heated or if a water heating system is added to an existing pool--***
   1. ***applicants are required (amend to read “are encouraged”) to use a fossil fuel-free heating system, such as solar thermal panels or a heat pump pool heater, and are encouraged to use on-site renewable energy generation to power the heating system; and***
   2. ***~~a pool cover shall be installed to retain heat and to serve as a winter safety cover for off-season use.~~ Remove on TM floor, the building code governs.***
4. ***Screening and Landscaping: A screening plan shall consist of native, non-invasive species, and must be perpetually maintained for the life of the pool.***
5. ***~~Fire Protection: An accessible and functional standpipe is required for pools containing more than 10,000 gallons of water with the design, placement and operation to be approved by the West Tisbury Fire Chief~~. Remove on TM floor per the Fire Chief***
6. ***Drainage: The concentration of potentially hazardous chemicals in the water must be significantly reduced and properly tested before any necessary draining of the pool water directly into the ground of the property.***

B. Pools Permitted by Right

1. An on-ground portable pool may be allowed by a permit from the Zoning and Building Inspector provided that it does not exceed 250 sq. feet in area and 4' in height, or involve structural materials or any type of mechanical pool equipment.
2. All such pools must be in compliance with the regulations and requirements of the Massachusetts State Building Code in effect at the time the application is submitted.

C. Pools ***and equipment*** by Special Permit

1. ***Additions of heating systems to existing swimming pools and*** all other on-ground pools and in-ground and above-ground pools, spas and exercise pools meeting the definitions of the Massachusetts State Building Code in effect at the time the application is submitted.