

BEAVER CREEK TOWNSHIP
CRAWFORD COUNTY
ORDINANCE NO. 48
AMENDMENT TO TOWNSHIP ZONING ORDINANCE

To residents and property owners of Beaver Creek Township, Crawford County, Michigan: Please take notice that an Amendment to the Beaver Creek Township Zoning Ordinance, has been adopted by the board on October 13, 2015:

CAMPING:

Add new definitions to Section 2.02 Definitions:

Black Water: Sometimes called "sewer water" or "sewage water". Waste water containing feces or urine from a toilet/bucket/makeshift toilet.

Camper: The term shall include but not limited to items commonly referred to as a camper trailer, travel trailer, motor home, fold down or pop-up trailer, fifth wheel typically used as a sleeping place.

Gray Water: Any water that has been used in sinks, showers, tubs, washers, etc. NOT toilet water.

Tent: A portable shelter typically used as a sleeping place.

Waste Water: See definition for "gray water" and/or "black water".

Remove Section 14.52-Camping on Unimproved Property and replace with the following new paragraph:

Section 14.52 – Camping on Unimproved Properties

Camping in licensed recreational vehicles, (licensed fifth wheels, licensed trailers), tents, and campers) is permitted in AR, RD, LDR, and MDR Districts, subject to the following:

- 1) Camper must be occupied while on site.
 - 2) The camper must comply with Michigan Vehicle Codes for use on public highways to include: valid registration, license, insurance, and be road worthy.
 - 3) The camper must be equipped with self-contained sanitary facilities or have an improved lot with sanitary facilities approved by the health department.
 - 4) The camper must have a valid Township permit. The Township Camping Permit must be obtained by the property owner at the Township Office at no fee. The initial permit is valid for fifty-six (56) days. A camper may obtain two (2) additional thirty (30) day permits (no fee) then must be removed for a minimum of thirty (30) days. Under no circumstances shall camping be permitted if the property is not AT LEAST TWO AND ONE-HALF (2 ½) ACRES IN SIZE. (Ref. Sec. 14.31 – Use of Recreational Vehicles as Temporary Dwellings by Visitors)
- Add to back of zoning book: *SAMPLE OF- TRAVEL TRAILER/RECREATION VEHICLE/TENT PERMIT*

POOLS:

Add new definitions to Section 2.02 Definitions:

Above-Ground/On-Ground Pool: See "Swimming Pool".

Barrier: A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

Hot Tub: See "Swimming Pool".

In-Ground Pool: See "Swimming Pool".

Spa, Nonportable: See "Swimming Pool".

Spa, Portable: A nonpermanent structure intended for recreational bathing in which all controls, water-heating and water-circulating equipment are an integral part of the product.

Swimming Pool: Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

Swimming Pool, Indoor: A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

Swimming Pool, Outdoor: Any swimming pool which is not an indoor pool.

Section 14.20-Swimming Pools; Replace "F" and add G-as follows:

F. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5-03 the American National Standards Institute and National Spa and Pool Institute, respectively.

Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4-99.

Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3.

Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6.

G.Barrier Requirements:

Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings, near-drownings by restricting access to swimming pools, spas, and hot tubs.

Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.
2. Opening in the barrier shall not allow passage of a 4-inch-diameter sphere

- .3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints*
- .4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1-3/4 inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches in width.*
- 5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches in width.*
- 6. Maximum mesh size for chain link fences shall be 2-1/4 inch square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1-3/4 inches.*
- 7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1-3/4 inches.*
- 8. Access gates shall comply with the requirements of Sections 1-7 above, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following.*
- 8.1 The release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate; and*
- 8.2 the gate and barrier shall have no opening larger than 1/2 inch within 18 inches of the release mechanism.*
- 9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met;*
- 9.1 the pool shall be equipped with a powered safety cover in compliance with ASTM F13646; or*
- 9.2 doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within 7 seconds and sound continuously for a minimum of 30 seconds after the door and/or its screen, if present are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touch pad or switch, to temporarily deactivate the alarm for a single opening. Deactivation shall last for not more than 15 seconds. The deactivation switch(s) shall be located at least 54 inches above the threshold of the door; or*
- 9.3 other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.*
- 10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:*
- 10.1 The ladder or steps shall be capable of being secured, locked or removed to prevent access; or*
- 10.2 The ladder or steps shall be surrounded by a barrier which meets the requirements of Section "BARRIER REQUIREMENTS", Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter sphere.*
- Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with Section "BARRIER REQUIREMENTS" Item 9. Prohibited locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them.*
- Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346, shall be exempt from the provisions of this appendix.*

**ANSI stands for American National Standard Institute*

***NSPI stands for National Spa and Pool Institute*

****ASTM stands for American Society for Testing and Materials*

Motion by Little and seconded by Hartman to adopt Ordinance #48. Ayes: 3, nays: 2. Motion carried.

Adopted: 10-13-2015

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