

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, PART 5, "BUILDING REGULATIONS AND CODES," CHAPTER 11, "PROPERTY MAINTENANCE CODE," OF THE LUTHER CODE OF ORDINANCES, ADDING SECTION 5-1103, "SWIMMING POOL, HOT TUB, AND SPA ENCLOSURES," SAID ADDITION TO SPECIFICALLY SET FORTH THE REQUIREMENTS FOR ENCLOSURES AROUND SWIMMING POOLS, HOT TUBS, AND SPAS; REPEALING ALL PRIOR ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, THAT:

SECTION I: Section 5-1103 of the Code of Ordinances of the Town of Luther, Oklahoma, is hereby added to read as follows:

SECTION 5-1103 Swimming Pool, Hot Tub, and Spa Enclosures

Swimming pools, hot tubs and spas, containing water more than twenty-four (24) inches in depth shall be completely surrounded by a fence or barrier consisting of not less than forty-eight (48) inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is not less than fifty-four (54) inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six (6) inches from the gatepost. Openings in the fence or gate shall not exceed four inches (4"). If the fence includes decorative elements or chain link mesh, gaps shall be no wider than 1 3/4 inches. Appropriate materials for fences and gates include metal (aluminum, steel, wrought iron), vinyl, and wood. The maximum vertical clearance from the ground to the bottom of the fence shall not exceed two inches (2"). No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

SECTION II: SEVERABILITY. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

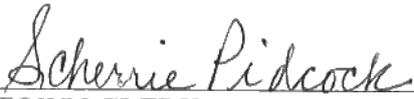
SECTION III. REPEALER. All ordinances in conflict herewith are hereby repealed.

SECTION IV. EMERGENCY CLAUSE. It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the Town of Luther and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED and the Emergency Clause ruled upon separately this 24th day of July, 2025.


MAYOR WM. TERRY ARPS

ATTEST:


TOWN CLERK



Approved as to form and legality:


Town Attorney

