STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO ALLOW FOR A CONDITIONAL USE PERMIT FOR OUTDOOR HOME OCCUPATION FOR THE PROPERTY LOCATED AT 640 WEATHERLY LANE

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on Tuesday, February 19, 2019 at 6:00 p.m. as follows:

SECTION 1. That the Official Zoning Map, incorporated into and part of the City of Sandy Springs Development Code be amended so the property located at 640 Weatherly Lane, consisting of a total of approximately 0.71 acres, be allowed a conditional use permit for an outdoor home occupation pursuant to Sec. 7.8.8 of the Development Code under the RD-27 (Residential Detached, 27,000 square foot minimum lot size) District with conditions, to wit; and

To abide by the Home Occupations Official Policy for Pools prepared and maintained by the City’s Community Development Department, dated February 5, 2019, as may be amended from time to time.

SECTION 2. That the property shall be developed in compliance with the conditions of approval, as attached to this Ordinance. Any conditions hereby approved do not authorize the violation of any district regulations; and

SECTION 3. That all Ordinances or part of Ordinances in conflict with the terms of this Ordinance are hereby repealed; and

SECTION 4. This Ordinance shall become effective upon adoption by the City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 9th day of February, 2019.

Approved:

Russell K. Paul, Mayor

Attest:

Coty Thigpen, City Clerk

(S seal)
EXHIBIT "A" LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 167 of the 17th District of Fulton County, Georgia, being part of Lot 19, Block A, "Kinloch Development Corporation", Plat Book 87, Page 40, and as well as being a part of Lot 23, Block E, Unit Five, "Associated Northside Builders, Inc.", Plat Book 85, Page 67, and being more particularly described as follows:

BEGINNING at a point on the Northerly side of the cul de sac of Weatherly Lane, One Thousand Five Hundred Fifty-Three and Eighty-nine Hundredths (1,553.89) feet Northeasterly, from Westerly Drive, as measured along the Northwesterly side of Weatherly Lane (said point of beginning also being the Southeast corner of Lot 20, Block A, Kinloch Development corporation), running thence Easterly and Southeasterly along the Northerly and Northeasterly side of Weatherly Lane, seventy-five (75) feet to Lot 18, running thence Northeasterly along the Northwesterly side of Lot 18, two hundred forty-two and thirty-four hundredths (242.34) feet to a point; running thence North twenty-nine (29) feet to a point at Lot 23, Block "E", Unit Five, Associated Northside Builders Inc., running thence West along the South side of said Lot 23, one hundred three and four-tenths (103.4) feet to a point; running thence West, seventy-two and forty-five hundredths (72.45) feet to a point; running thence Northwesterly in a line forming an interior angle of 212 degrees 08' with the last preceding course, sixty-eight and eighty-five hundredths (68.85) feet to a point at Lot 20, running thence South along the East side of Lot 20, one hundred ninety-six and two-tenths (196.2) feet to the Northerly side of Weatherly Lane and the point of beginning.

Home Occupations
Official Policy for Pools
Adopted 02/05/2019

A. General Provisions
1. Purpose
This policy is established by the Department of Community Development. The use of private pools for home occupations raises health concerns for the customers of the business and the policy sets requirements to help ensure the public safety. This policy covers the design and operational requirements of such pools and the manner in which they must be inspected.

2. Applicability and Amendments
This policy applies to all pools used for home occupations subject to Sec. 7.8.8. Home Occupation of the Development Code and their operators. It may be amended administratively by the Director of Community Development, from time to time.

The pool operator shall demonstrate compliance with the policy, as amended, at the time of application for a new business occupational tax certificate, or renewal thereof.

3. Enforcement
Failure to comply with this policy may result in revocation of the business occupational tax certificate and/or issuance of a citation by the City of Sandy Springs per Section 54-124.

4. Definitions
a. Pool: Artificial water holding structure with a closed-loop circulation of water through a water treatment system with a return to the structure.

b. Pool Operator: Applicant for a home occupation business occupational tax certificate to operate a home occupation in conjunction with a pool

B. Pool Characteristics
1. Means of entry
a. All pools shall have at least two (2) means of entry/exit located so as to serve opposite ends of the pool. These shall consist of ladders, stairs or recessed treads, or a walking entry and may be used in combination. All treads shall have slip-resistant surfaces.
   i. Where water depths are twenty-four inches (24") or less at the pool wall, such areas shall be considered as providing their own natural mode for entry/exit.
   ii. For pools over thirty feet (30') in width, both sides of the deep portions of the pool shall have entries/exits provided.
   iii. A means of entry/exit shall be provided at a minimum of every seventy-five (75) linear feet of pool wall or fraction thereof.
   iv. Stairs, ladders and recessed treads shall be located to not interfere with racing lanes if applicable.

2. Depth marking
a. Permanent, easily-readable, depth markers shall be provided with minimum four inch high, black numbers and letters with a white background, indicated in feet and, when applicable, in inches (i.e., 5 FT or 5 FEET; 3 FT 6 IN or 3 FEET 6 INCHES).

b. The depth of water shall be indicated on the vertical pool wall at or above the waterline. Depth markers shall indicate the actual pool depth within three inches at normal operating water level when measured three feet from the pool wall. Depth markers on the vertical pool wall shall be positioned to be read from the waterside. Depth markers shall be placed in such a way that they are visible above the waterline.

c. Depth markers shall be installed at the maximum and minimum water depths and at all points of slope change. Depth markers on irregularly-shaped pools shall designate depths at all major deviations in shape.

3. **Entrapment Avoidance**
   a. The pool system must be in compliance with the Virginia Graeme Baker Pool and Spa Safety Act. If the suction outlet system, such as a filtration system, booster system, automatic cleaning system, solar system, etc., has a single suction outlet or multiple suction outlets which can be isolated, each suction outlet shall protect against user entrapment by as many of the following as necessary:
      i. An anti-entrapment device installed immediately upstream of the pump,
      ii. An anti-vortex cover,
      iii. A grate, twelve inches by twelve inches (12"x 12") or larger, and/or
      iv. Other means approved by the Georgia Department of Public Health.

4. **Backflow prevention**
   Backflow prevention must be provided on all potable water lines used as a source for filling the pool.

5. **Chemical storage**
   All pools shall have adequate, safe and secure dedicated storage for pool chemicals.

6. **Test Kits**
   a. Every pool shall be supplied with an accurate and reliable testing kit capable of measuring any agent that is introduced into the water of the pool, including:
      i. pH;
      ii. Free available chlorine (FAC), total available chlorine (TAC) if chlorine is used;
      iii. Bromine or other chemical disinfectant residuals

7. **Lifesaving equipment**
   a. Each pool shall be provided with a shepherd's hook attached to a non-telescoping pole, with a minimum length of 14 feet, with a blunt end.

   b. Each pool shall be provided with a Coast Guard approved lifesaving ring having an outside diameter of 15 to 24 inches, firmly attached to a one-quarter-inch to three-eighths-inch diameter throwing rope that is as long as 1½ times the maximum width of the pool, or 50 feet, whichever is longer.

   c. Additional sets of lifesaving equipment are required for pools longer than 50 feet and shall be provided for each 50 feet of pool length or major fraction thereof.

   d. Lifesaving equipment shall be mounted in a conspicuous place, be readily available for use, and be in good condition.

8. **Telephone**
   a. An operable telephone shall be readily available at all times within the pool enclosure. Directions to telephone locations must be conspicuously posted if the telephone is not readily visible in the pool area.

Policy for Pools Used in Home Occupations 02/2019
9. First aid kit
a. Each pool shall be supplied with a readily available first aid kit equipped to treat at least 5 people and that meets OSHA (Occupational Safety and Health Administration) requirements for that size kit.

b. The container shall be durable and weather-resistant, and shall at all times be kept supplied and ready for use.

c. The first aid kit shall be located in a conspicuous location in the pool area.

C. Pool operation
1. Record keeping
Each pool operator shall maintain and make available upon request by the inspector or the City a daily record of operating information, together with other data as may be required for each pool relative to the operation of the pool. The records shall include readings of disinfectant levels, pH and temperature, and maintenance procedures.

2. Water quality testing
a. Water samples must be taken at least twice daily when the pool is in use, and whenever necessary to affirm that the pool water meets the requirements in the requirements listed below. Samples shall be taken during normal operational hours.

b. A daily record will be kept of all chemical testing and temperatures recorded for all spas and self-inspections performed.

3. Chemical parameters
a. The pool shall be maintained in an alkaline condition at all times with the pH between 7.2 and 7.8.

b. Chlorine disinfection shall be provided on all pools except when other approved disinfection methods are utilized. The free-chlorine residual in all parts of the pool shall be maintained at a concentration of no less than 1.5 parts per million at all times.

c. Where stabilizing agents are used, a free-chlorine residual shall be maintained at a concentration of no less than 3.0 parts per million at all times. The maximum stabilized or unstabilized free chlorine residual shall not exceed 10.0 parts per million except when super-chlorinating or shocking the pool. An N-diethyl-p-phenylenediamine (D.P.D.) test kit, or other reliable method must be used to measure the free chlorine residual.

d. When bromine is utilized, the residual in all parts of the pool shall be maintained at a concentration of no less than 2.0 parts per million and no greater than 10.0 parts per million. A D.P.D. test kit or other reliable method to measure the bromine residual shall be provided and used.

4. Physical parameters
a. All pools shall be kept free from sediment, dirt or debris by frequent brushing and vacuuming of the bottom and sidewalls. Visible scum shall be removed immediately.
b. At all times when a pool is in use, the water shall be of such clarity that the main drains on the bottom of the pool at the deepest point are clearly visible from the deck. The viewer shall be able to clearly distinguish the type, shape and number of openings of the main drain grates or covers.

5. Imminent health or safety hazard
a. When an imminent health or safety hazard is found to exist, corrective actions for pools shall be implemented, and shall include immediate cessation of operation until the facility is determined be in compliance with all provisions of this policy. The following conditions shall be considered as or contributing to an imminent health or safety hazard:
   i. The amount of disinfectant or the pH level in the pool water is outside the healthy range; or
   ii. Inability to clearly see the main drain(s) or the inability to distinguish the type, shape, or number of grate openings in the pool; or
   iii. Missing essential safety equipment, including but not limited to, life ring or Shepherd's hook; or
   iv. Any other condition deemed to be an imminent health or safety hazard including, but not limited to, occurrence of fecal matter, blood or vomitus incident in the pool; other unsanitary condition; exposed electrical wiring in the pool; or other similar health or safety hazards.

6. Fecal and Vomit Incidents
a. The swimming pool must be closed immediately and remain closed until water testing demonstrates safe conditions.

b. Solid matter must be removed immediately upon detection.

c. Incidents shall be logged in the records maintained by the operator at the time the incident is addressed.

D. Inspection
1. Third-party inspections
a. The pool operator is responsible for the selection and hiring of a third-party inspector. Such inspector must be a professional knowledgeable in the design and operation of swimming pools.

b. A third-party inspector shall conduct periodic inspections, at least once per calendar year, to ensure that good operating practice is employed and that standards are maintained in compliance with this policy.

c. The third-party inspector shall order the pool operator to immediately cease operation whenever the inspector determines that the pool, related facilities, and/or appurtenances are not in compliance with this article.

d. Additional inspections of a pool shall be performed as necessary to ensure compliance with this article.

2. Inspection reports
a. Findings made during an inspection shall be recorded on an inspection report form. The inspection report shall also summarize the requirements of this article. The inspector must use the standard form available from the Georgia Department of Public Health (https://dph.georgia.gov/sites/dph.georgia.gov/files/EnvHealth/Pools/EnvHealthPoolInspectionForm.pdf) or any other reporting format that addresses each and every requirement contained in this policy.
b. Copies of the completed inspection report form shall be furnished to the pool operator at the conclusion of the inspection, and to the City of Sandy Springs with any application for issuance or renewal of a business occupational tax certificate.