

I have taken some time to find various surrounding codes concerning Swimming pools. From my perspective the bottom line: each municipality / County establishes their own regulations for swimming pool requirements, setbacks and safety.

I have not found a State of Delaware required regulation for private / residential swimming pools. The State appears to have PUBLIC pool regulations:

**PUBLIC** POOL REGULATIONS:

[https://regulations.delaware.gov/AdminCode/title16/Department%20of%20Health%20and%20Social%20Services/Division%20of%20Public%20Health/Health%20Systems%20Protection%20\(HSP\)/4464.pdf](https://regulations.delaware.gov/AdminCode/title16/Department%20of%20Health%20and%20Social%20Services/Division%20of%20Public%20Health/Health%20Systems%20Protection%20(HSP)/4464.pdf)

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## Bethany Beach Pool code

<https://ecode360.com/11903999>

### § 500-3 Private swimming pools.

**A.**

Swimming pools shall:

**(1)**

Be located on a lot on which is situated a principal residential building.

**(2)**

Be located so that the distance from **the water's edge to the side and rear lot line is not less than the building setback line** as required by Chapter 245, Zoning.

**(3)**

Not be permitted in the front yard or within approved swale or stormwater management systems, as defined in Chapter 245, Zoning.

**B.**

No part of a swimming pool, including but not limited to decks, aprons, mechanical equipment buildings, and bath houses, which is 12 inches or more above grade of the lot shall be located within the yard areas, as defined in Chapter **425**, Zoning.

**C.**

A swimming pool, no part of which is 24 inches or less above the grade of the lot, shall not be considered in calculating lot coverage. For the purpose of this chapter, the "lot grade" shall be that area of the lot on which the pool is situated within 20 feet of the water's edge of the pool.

### § 500-5 Spas.

Spas shall meet the same requirements as private swimming pools.

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## Sussex County

<https://sussexcountyde.gov/sites/default/files/PDFs/Zoning%20Brochure-Web%20View.pdf>

Swimming Pools • Shall be 10 ft. from side property line • Shall be 6 ft. from rear property line • Shall have a 3 ft. walk space between wall of pool and fence or barrier wall • Shall have a 4 ft. safety fence or barrier wall

**§ 115-185 Accessory buildings and structures.** <https://ecode360.com/8884983?highlight=pool,swimming%20pool,swimming%20pools&searchId=21329339401104569#8884983>

**D.**

Accessory swimming pools, open and unenclosed, may occupy a required rear or side yard, provided that they are not located closer than 10 feet to an interior side lot line or six feet to a rear lot line. A walk space at least three feet wide shall be provided between pool walls and protective fences or barrier walls. Every swimming pool shall be protected by a safety fence or barrier at least four feet in height and constructed of chain-link, concrete, stockade-wood or equal

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## Rehoboth Beach

### SWIMMING POOL (POOL)

Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches deep, including in-ground, aboveground and on-ground pools; hot tubs; spas; and fixed-in-place wading pools.

### SWIMMING POOL, PRIVATE (PRIVATE POOL)

A swimming pool used in conjunction with a residential housing unit governed by the International Residential Code (IRC), as amended, and which unit and swimming pool are used solely by the owner, or his/her family, and by guests, invitees, or friends invited to use them without payment of any fee.

### § 206-4 Installation, enclosure and safety requirements.

All installations of pools and related equipment shall meet the requirements of the International Residential Code, 2012, Appendix G, "Swimming Pools, Spas and Hot Tubs," as adopted by the City of Rehoboth Beach.

International Residential Code, **2012**, Appendix G, "Swimming Pools, Spas and Hot Tubs: <https://codes.iccsafe.org/content/IRC2012/appendix-g-swimming-pools-spas-and-hot-tubs>

**STRUCTURE** <https://ecode360.com/7276777?highlight=pool,pools&searchId=21328615412104942#search-highlight-7276706-4>

Anything constructed or erected, including any part thereof, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, house trailers, mobile homes, relocatable homes, signs, **swimming pools, swimming pool pumps**, filters and equipment, porches, balconies, decks, canopies, fences, backstops for tennis courts, pergolas, gazebos, heating, ventilating and cooling devices, compressors or pumps and showers, and excluding driveways and sidewalks.

**SIDEWALK** <https://ecode360.com/7276777?highlight=pool,pools&searchId=21328615412104942#search-highlight-7276706-4>

An impervious surface parallel to a street between a curblineline and a property line, or from a driveway to an entry, or from a front property line to an entry, or between an exterior entry from a primary structure to an accessory structure, intended for use by pedestrians to the exclusion of vehicles. Sidewalks between the curblineline and the adjacent property line parallel to a street or other way shall have a minimum width of five feet and shall have a maximum width coinciding with an adjoining sidewalk, except that where there is no adjoining sidewalk, the maximum width shall be seven feet. All other sidewalks shall have a maximum width of three feet, except that a sidewalk leading to a main entry shall not be more than five feet wide; however, within three feet of the main entry or steps leading to the main entry, it may be as wide as the main entry or the steps leading to the main entry. **All other walkway areas, including, but not limited to, walkways around pools and mazes through gardens, shall be considered structures.**

I have sent an email to Rehoboth requesting additional information about their pool code that I was unable to research further.