

MUNICIPALITY OF DYSART ET AL

BY-LAW NO 80-13

BEING A BY-LAW TO REGULATE FENCES AND GATES AROUND SWIMMING POOLS.

WHEREAS pursuant to paragraph 24 of Subsection 1 of Section 354 of The Municipal Act, a municipality may pass by-laws requiring owners of privately owned swimming pools to erect and maintain fences and gates around such swimming pools and for prescribing the height and description of, and the manner of erecting and maintaining such fences and gates;

AND WHEREAS the Council of the Municipality of Dysart et al deems it desirable to pass such a by-law;

NOW THEREFORE the Council of the Corporation of the Townships of Dysart et al hereby enacts as follows:

OUTDOOR SWIMMING POOLS

1. For the purpose of this by-law, a "swimming pool" shall be deemed, "privately owned" if it is not situated on municipal property or other public property owned by the Municipality, County, Provincial or Federal governments.
2. No privately owned outdoor swimming pool shall be constructed or maintained unless there is erected and maintained entirely around such pool an approved fence, except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of a fence when all doors located in this wall are equipped with locks and self-closing and latching devices located at least four feet above the bottom of the door, and building is continuously occupied or all doors thereto are to be locked when it is not occupied.
3. Every fence enclosing a swimming pool shall be erected no more than two and one half inches above grade level and be at least four feet in height and shall be of a close boarded, chain link with two inch mesh or less, or other approved design such that it will reasonably deter children from climbing it to gain access to the fenced in area. Gates in the aforesaid fence shall provide protection equivalent to the fence and shall be equipped with a self-latching device and lock located at the top and inside of the gate. Every gate shall be locked except when the fenced in area is actually being used and supervised by the owner of the premises or other adult person authorized by the owner to supervise the use of the pool. The use of barbed wire in any manner connected with such fence or any device for projecting electric current through such fence is prohibited.
4. That the provisions of this by-law shall apply to all outdoor swimming pools without the regard to the date of construction or erection of such pool.
5. An outdoor swimming pool shall be constructed only after a building permit for same has been issued by the Chief Building Official of the Municipality of Dysart et al.

INDOOR SWIMMING POOLS

- 6.a) Every indoor swimming pool shall be designed in accordance with Part 4, of the Ontario Building Code, and any other applicable sections or regulations to safely withstand all dead and live loads.
- b) All openings to indoor swimming pools shall be protected with doors or other approved closures having self-closing and latching devices and locks located at least four feet above the bottom of the closure.

PENALTY

7. Any person or persons who contravene any provision of this By-Law, is guilty of an offence and upon Summary Conviction is liable to a fine of not more than \$1000.00 exclusive of costs, recoverable under the provisions of The Summary Convictions Act.

READ A FIRST time and SECOND time this 7th day of April 1980.

READ A THIRD time, passed, signed, and sealed, this 7th day of April, 1980.

W. J. Seanez REEVE

Harold L. Hird CLERK