

TOWNSHIP OF AMARANTH

BY-LAW NUMBER 11-88

BEING A BY-LAW TO REGULATE PRIVATELY OWNED SWIMMING POOLS.

WHEREAS by paragraph 23 of section 210 of The Municipal Act, R.S.O. 1980, chapter 302, as amended, by-laws may be passed to regulate the construction and maintenance of privately-owned outdoor swimming pools.

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF AMARANTH BY THE MUNICIPAL COUNCIL THEREOF ENACTS AS FOLLOWS:

1. In this By-law,
 - (a) "Corporation" means The Corporation of the Township of Amaranth;
 - (b) "Inspector" means a person from time to time holding the office of Inspector under The Ontario Building Code Act, 1974, for the Corporation or for The Corporation of the County of Dufferin;
 - (c) "Owner of lands" means the last registered owners in Part of Lot 32, Concession 1, known as Sylvanwood Estates, East Half of Lot 6, Concession 1, known as Village Green Subdivision, Hamlet of Waldemar, Hamlet of Laurel and Lot 1, Concession 9, disclosed by the records of the Land Registrar for the County of Dufferin (No.7).
2. This by-law shall be administered by the Chief Building Official for The Corporation of the County of Dufferin.
3. Owner of land referred to in Section 1, Clause (c) upon which a privately-owned outdoor swimming pool is situated shall be deemed to be the owner of such privately-owned swimming pool.
4. (1) Every owner of a privately-owned swimming pool shall erect and maintain completely around such swimming pool,
 - (a) a fence constructed pursuant to clause (b) of this subsection, extending, as measured from the ground for a height of not less than 150 centimetres,
 - (b) for all privately-owned outdoor swimming pools other than those referred to in clause (c) of this subsection a fence which shall be constructed of wood or wire, or both, in accordance with this By-law or which shall be constructed of other materials and in such a way as to provide a degree of safety equivalent to or greater than a fence constructed of wood or wire or both in accordance with this By-law and which shall have no rails or other horizontal or diagonal bracing or attachments on the outside that would facilitate climbing, and the bottom of the fence shall be no further from the ground than 2.5 centimetres and,

- (c) where the outside wall of the swimming pool extends from the ground for a height of not less than 90 centimetres a fence extending for a height of not less than 75 centimetres above the height of the outside wall and which provides an equivalent degree of safety to the fence referred to in clause (b) of this subsection.
 - (d) a fence constructed under clause (b) of this subsection if constructed of wire shall
 - (i) be of not greater than 3.75 centimetres diameter mesh;
 - (ii) be constructed of galvanized wire not less than Number 12 gauge diameter; and
 - (iii) be supported on steel posts set in concrete to a depth of not less than 80 centimetres and spaced not more than 2.5 metres apart having a diameter of not less than 3.5 centimetres.
 - (e) a fence constructed under clause (b) of this subsection if constructed of wood shall
 - (i) have vertical boards attached to supporting members arranged in such a manner as not to facilitate climbing from the outside;
 - (ii) be supported on wooden posts set in the ground to a depth of not less than 80 centimetres, spaced not more than 2.5 metres apart and having a minimum size of 10 centimetre tops.
 - (f) if constructed of wood and wire, shall have not greater than 3.75 centimetres diamond mesh supported on wooden stringers between wooden posts set in the ground to a depth of not less than 80 centimetres, spaced not more than 2.5 metres apart and having a minimum size of 10 centimetre tops.
 - (g) shall have no part constructed of barb wire and no materials erected in such a way as to constitute a hazard to persons or animals and any device for projecting an electric current through any fence referred to in this By-law is prohibited.
- (2) Every fence referred to in this section shall be so located that entry to the privately-owned outdoor swimming pool area shall only be possible by means of one or more gates in the enclosing fence.
- (3) Notwithstanding the provisions of this section, a wall of a dwelling unit may be substituted for any fence required by this section and subsection (2) shall not apply to such wall but where a wall of a building is used as a portion of a fence around a privately-owned outdoor swimming pool, any opening located in such wall which provides access to the building shall have a door which is capable of being locked and shall be locked whenever the pool is unattended.

5. Every fence referred to in Section 4 shall have a gate or gates;
- (a) constructed to a height equal to or greater than that required for the fence and of the same material as the fence;
 - (b) be supported by hinges;
 - (c) be self-closing and equipped with a self-latching device placed at the top and on the inside of the gate.
6. Every owner of a privately-owned outdoor swimming pool shall at all times keep locked every gate erected in a fence required by this By-law and every door referred to in Section (3) except when an adult is present and supervising the pool.
7. No person shall place water in a privately-owned outdoor swimming pool or allow water to remain therein unless the fences and gates required by this By-law have been erected and are in proper repair.
8. No person shall excavate for, erect, assemble or place a privately-owned outdoor swimming pool on any lands within the Corporation until plans of all fences and gates required by this By-law have been submitted to the Chief Building Official for the Corporation of the County of Dufferin and a permit has been issued by him certifying the approval of such plans and no permit shall be issued permitting fences or gates that if constructed, installed, assembled or placed will be contrary to the provisions of any By-law of the Corporation or any other applicable law.
9. An Inspector or any assistant shall have the right to visit, enter and inspect from time to time and at all reasonable times, any privately-owned outdoor swimming pool, for the purpose of enforcing the provisions of this By-law.
10. Should any section or subsection of this By-law or any part or parts thereof be found by law to be illegal or beyond the power of Council to enact such section or subsection or part or parts thereof shall be deemed to be severable so that all other sections, subsections or part or parts thereof of this By-law are separate and therefore enacted as such.
11. Any person who contravenes any provisions of this By-law is guilty of an offence and shall, upon conviction thereof, be liable to a fine of not more than \$2,000.00, exclusive of costs, for each offence and every such fine shall be recoverable under The Provincial Offences Act.

By-law read a first and second time this 2nd. day of March ,1988

By-law read a third time and passed this 2nd. day of March ,1988


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CLERK


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HEAD OF COUNCIL

TOWNSHIP OF AMARANTH

BY-LAW NUMBER 43-2001

**BEING A BY-LAW TO AMEND BY-LAW 11-88
FOR THE REGULATION OF PRIVATELY
OWNED SWIMMING POOLS**

WHEREAS the Municipal Act, as amended, permits by-laws to be passed to regulate the construction and maintenance of privately-owned outdoor swimming pools,

AND WHEREAS the Council of the Corporation of the Township of Amaranth deems it expedient to amend By-law Number 11-88,

NOW THEREFORE the Council of the Corporation of the Township of Amaranth by the municipal Council enacts as follows:

1. Section 1 (c) (Owner of Lands) of By-law Number 11-88 be amended by including the following:


“Part of the West Half of Lot 30, Concession 1, known as Devonleigh Subdivision”

so that Section 1(c) now reads as follows:

- (c) **“Owner of lands”** means the last registered owners in part of Lot 32, Concession 1, known as Sylvanwood Estates, East Half Lot 6, Concession 1, known as Village Green Subdivision, Part of the West Half Lot 30, Concession 1, known as Devonleigh Subdivision, Hamlet of Waldemar, Hamlet of Laurel, and Lot 1, Concession 9, disclosed by the records of the Land Registrar for the County of Dufferin (No.7).

By-law read a first and second time this 19th day of September, 2001.

By-law read a third time and passed this 19th day of September, 2001.



CLERK



HEAD OF COUNCIL

TOWNSHIP OF AMARANTH

BY-LAW NUMBER 50-2003

**BEING A BY-LAW TO AMEND BY-LAW 11-88,
AS AMENDED BY BY-LAW 43-2001
FOR THE REGULATION OF PRIVATELY
OWNED SWIMMING POOLS**

WHEREAS the Municipal Act, as amended, permits by-laws to be passed to regulate the construction and maintenance of privately-owned outdoor swimming pools,

AND WHEREAS the Council of the Corporation of the Township of Amaranth deems it expedient to amend By-law Number 11-88, as amended by By-law 43-2001;

NOW THEREFORE the Council of the Corporation of the Township of Amaranth by the municipal Council enacts as follows:

1. Section 1 (c) (Owner of Lands) of By-law Number 11-88 be amended by including the following:

“East Part Lot 32, Concession 2.

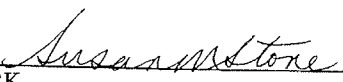
so that Section 1(c) now reads as follows:

- (c) **“Owner of lands”** means the last registered owners in part of Lot 32, Concession 1, known as Sylvanwood Estates, East Half Lot 6, Concession 1, known as Village Green Subdivision, Part of the West Half Lot 30, Concession 1, known as Devonleigh Subdivision, Hamlet of Waldemar, Hamlet of Laurel, and Lot 1, Concession 9, and East Part of Lot 32, Concession 2.

By-law read a first and second time this 1st day of October, 2003.

By-law read a third time and passed this 1st day of October, 2003.

CLERK



HEAD OF COUNCIL

