

THE CORPORATION OF THE TOWNSHIP OF NORWICH

BY-LAW NO 10-98

BEING A BY-LAW TO THE OWNERS OF PRIVATE OUTDOOR SWIMMING POOLS TO ENCLOSE SAME

WHEREAS, it is deemed expedient to require all owners of private outdoor swimming pools to enclose same;

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Norwich enacts as follows:

1. Outdoor swimming pool shall mean any body of water located or to be located outdoors on privately owned property, contained by artificial means and of a depth at any point in excess of two (2) feet, which is intended or used for the purpose of swimming, diving or bathing.
2. No person shall maintain a privately owned outdoor swimming pool in the Township of Norwich unless such pool is located, effectively fenced and/or enclosed in accordance with the following provisions.
 - a) Every fence shall be not less than forty-eight (48) inches in height and the bottom of the fence shall not be more than two (2) inches above the finished grade.
 - b) Every fence shall be so constructed as not to have openings, holes, or gaps larger:
 - i) Two (2) inches in any direction if constructed of chain-link fencing material.
 - ii) Three and one half (3½) inches in the horizontal direction if constructed of material other than chain link fencing. Horizontal members located on the interior of the fence shall not be less than forty-two (42) inches apart.
 - c) Every fence shall be so constructed that all horizontal or diagonal structure members of the fence shall be located on the inside or poolside of the fence. Chain-link fencing shall have both top and bottom rails to support fence between posts.
 - d) Every fence shall be so constructed that it cannot be used in a manner similar to a ladder.
 - e) A dwelling, house, building or accessory building may be utilized to effectively enclose any pool.
 - f) Every fence shall be so constructed so as to have the means of entry by gates or doors:
 - i) All gates or doors shall be equipped with a self-closing device and a self-latching device on the poolside at the top of the gate to the intent that all gates or doors will remain securely closed when not in actual use.
 - ii) All gates shall comply with Sections a), b), c) and d).
 - iii) Part i.) shall not apply to the door of any dwelling house that forms part of the enclosure.
 - g) Every fence enclosing a swimming pool shall be located not closer than four (4) feet to the swimming pool.

- h) A boundary fence which complies with the provisions of this section shall be deemed a sufficient fence.
 - i) If the swimming pool has sides exceeding forty-eight (48) inches around the pool, and is equipped with a lockable ladder system, a fence is not required.
3. The provisions of this By-law shall apply to all privately owned outdoor swimming pools regardless of the date of construction of such swimming pool.
 4. Other fencing alternatives may be permitted subject to the approval of the Chief Building Official. Such approval must be in writing and obtained prior to issuance of building permit for pool.
 5. Any person convicted of a breach of any of the provisions of this By-law shall forfeit any pay at the discretion of the convicting Magistrate, a penalty of not more than \$1,000.00, exclusive of costs, and the same shall be recoverable under the provisions of the Provincial Offences Act.
 6. That all and any previous By-laws, the terms and provisions of which are inconsistent and in conflict with the provisions contained herein, shall be now and are herewith repealed.
 7. This By-law shall take effect from and after the final passing thereof and

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 12TH DAY OF FEBRUARY, 1998

MAYOR – MARK HARRISON

CLERK – MICHAEL RUTTER