

Bylaw No. 4(2007)

A Bylaw Respecting the Construction of Residential Swimming Pools and Prescribing Regulations Governing the Use of Residential Swimming Pools

THE COUNCIL OF THE TOWN OF BIENFAIT IN THE PROVINCE OF SASKATCHEWAN, ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the Swimming Pool Bylaw.

1. Definitions:

- a. "Residential Swimming Pool" shall mean a swimming pool created by artificial means located on private property, under the control of the occupant of the premises, the use of which is limited to swimming or bathing by members of his family or guests, and which has a depth of eighteen (18) inches/ forty-six (46) centimetres or more and / or has a surface area of two hundred (200) square feet/one hundred and seventy (170) square meters or more.
- b. "Enclosure" shall mean a fence, wall or other structure, including doors and gates, surrounding a privately owned residential swimming pool to restrict access thereto.

2. Permits

- a. No person shall construct or erect a residential swimming pool nor make any structural alterations thereto without a permit having been obtained from the Town Office.
- b. All applications for a permit shall be in writing, accompanied by:
 - i. A site plan drawn to scale, showing proposed location of pool and location of buildings situated on the premises;
 - ii. Dimensions of pool;
 - iii. Diagram showing cross section of pool and construction details;
 - iv. Pining layout;
 - v. Heater and filter location;
 - vi. Filter size and capacity;
 - vii. Full details of all fencing required to be erected;
 - viii. Water treatment details;
 - ix. All floodlighting and electrical apparatus proposed to be used in connection with the use or operation of the pool;
 - x. Such further information which the Town may require to enable it to issue the permit;

xi. Permit fees as prescribed in the Building Bylaw.

3. Enclosures

- a. The owner of a privately owned residential swimming pool shall erect and maintain an adequate enclosure surrounding the entire swimming pool area and sufficient to make such body of water not readily accessible to small children.
- b. No person shall fill a residential swimming pool with water or maintain such pool filled with water until an enclosure complying with the requirements of this section has been erected around the swimming pool.
- c. The enclosure, including gates herein, shall extend not more than two (2) inches/ five (5) centimetres above the ground to a height of not less than six (6) feet/ five and one-half (5.5) meters, and shall be measured on the outside of the enclosure.
- d. A wall of a building may be used to form part of the enclosure.
- e. Fences used as part of or the whole of the enclosure shall conform to the following:
 - i. Vertically-boarded wood construction, chain link or other approved type of construction which provides similar degree of safety;
 - ii. Opening in vertically-boarded wood construction shall not exceed one and one-half (1½) inch/ (3.8) centimetre;
 - iii. Chain link construction shall not exceed one and one-half (1½) inch/ (3.8) centimetre diamond mesh;
 - iv. The fence shall be so constructed as to withstand above-normal stresses;
 - v. Supporting structural members, horizontal or diagonal, shall be located on the inside or pool side of the fence so as not to facilitate climbing from the outside;
 - vi. The fence shall not be closer than four (4) feet/(3.69) meters to the swimming pool, and not closer than four (4) feet/ (3.69) meters to any condition on the exterior side of the fence that would facilitate climbing the swimming pool fence;
 - vii. Gates shall be supported on substantial hinges and each gate shall be self closing and equipped with a locking device placed at the top and on the inside of the enclosure;
- f. When a building is being used for the enclosure, any doors providing access directly to an enclosed residential swimming pool area, other than doors located in a dwelling unit, shall each be self-closing and equipped with a locking device and with a self-latching device located not less than five (5) feet/4.62 meters above the bottom of the door.
- g. The owner of every privately owned residential swimming pool shall ensure that every gate and door which is to be equipped with a

locking device shall be kept locked at all times when there is any water in the pool and a responsible person is not present and supervising the pool.

4. Safety

- a. Every residential swimming pool shall be equipped with the following safety devices which shall be readily accessible in the event of an emergency:
 - i. A reaching pole of sufficient length to reach mid-pool;
 - ii. A first aid kit;
 - iii. Buoys and ropes.
- b. The owner of every residential swimming pool shall be in possession of equipment suitable for testing the chlorine content and alkalinity of the water in the pool.
- c.
 - i. where diving boards are installed up to one (1) meter above the water, the depth of the pool shall not be less than eight (8) feet/ seven and one-half (7.5) meters within the diving area;
 - ii. where diving boards are installed over one (1) meter and up to two (2) meters above the water, the depth of water shall not be less than twelve (12) feet / eleven (11) meters within the diving area.
 - iii. Where diving boards are installed in excess of two (2) meters above the water, the depth of water shall not be less than twelve (12) feet/ eleven (11) meters within the diving area.

5. Drainage

- a. Provisions shall be made for draining the pool to a sanitary sewer, and the rate of discharge shall not exceed one hundred (100) imperial gallons/ two hundred and twenty (220) litres per minute. The drainage system shall provide an air break meeting requirements of the plumbing regulations made pursuant to the Public Health Act.
- b. No owner shall allow water from a residential swimming pool to spill or be drained into a street or lane.

6. Operation

Every owner shall equip the residential swimming pool with provisions for water treatment and recirculation equipment adequate to maintain the condition of water and circulation to meet standards as set out in the regulations made pursuant to the provisions of the Public Health Act.

7. **Penalty**

Any person convicted of a breach of any of the provisions of this bylaw shall forfeit and pay at the discretion of the convicting judge, a penalty not less than ten (\$10.00) dollars and not exceeding one hundred (\$100.00) dollars exclusive of costs.

THIS BYLAW shall come into force and have effect from and after the date of the final reading thereof.

Certified a true copy of bylaw
Number 4 (2007) adopted by
resolution on the _____
day of _____ 20____.

Mayor

Administrator