

# **CITY OF TERRACE**

## **BYLAW NO. 1709-2000**

### **“A BYLAW OF THE CITY OF TERRACE TO REGULATE THE FENCING OF PRIVATE SWIMMING POOLS.”**

**WHEREAS** section 694.1.(i) of the Local Government Act provides that Council may by bylaw require the fencing of swimming pools according to specifications.

#### **1.0 INTERPRETATION**

1.1 *In this bylaw, unless the context otherwise requires:*

*“Private Swimming Pool” means any constructed or prefabricated private swimming pool, whether situated above the surrounding ground level or wholly or in part below the surrounding ground level, used or intended to be used for swimming, bathing, or wading, having a surface area exceeding 9 m<sup>2</sup> and a depth of more than 600 mm, which is situated on any privately owned real property, and which does not fall within the jurisdiction of the Provincial Regulations governing public swimming pools under the “Health Act”.*

#### **2.0 FENCING**

2.1 a) *Every private swimming pool shall be enclosed within a fence not less than 1.5 m in height with no openings greater than 100 mm, and shall be designed so that no part, attachment, or opening will facilitate climbing.*

b) *The fence may enclose the private swimming pool itself or any portion of the premises on which the pool is situated.*

c) *When only the private swimming pool area is fenced, the fence shall be constructed so that the pool is visible through it. The fence shall be continuous, except for access points, which shall be equipped with self-closing gates designed to return to a locked position when not in use. Gates shall be secured by spring locks not less than 1,050 mm above grade, which can only be opened from the pool side of the fence, or a spring lock located 1.5 m on the exterior of the fence.*

2.2 *Notwithstanding subsection (2.1), where the fence is attached to a building, the building may, for the purposes of this bylaw only, be considered part of the fence, provided it has an exterior wall at least as high as the fence.*

#### **3.0 GATES**

3.1 *Gates which provide access to any private swimming pool shall be kept in the locked-closed position at all times, and shall only be opened for access to, or egress from, the pool.*

**4.0 BUILDING PERMIT REQUIREMENT**

4.1 *A building permit must be obtained prior to constructing a private swimming pool and the owner or occupier of lands on which a private swimming pool has been constructed shall not fill the pool until all requirements of this bylaw have been met.*

**5.0 PENALTIES**

5.1 *Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who neglects to do or refrains from doing anything required to be done under the provisions of this bylaw, shall be guilty of an offence and liable, upon conviction, to the penalties imposed under the “Offence Act”.*

6.0 *This Bylaw may be cited as “Terrace Private Swimming Pool Regulation Bylaw No. 1709-2000”.*

**READ a first time** this 13th day of November , 2000.

**READ a second time** this 13th day of November, 2000.

**READ a third time** this 13th day of November, 2000.

**ADOPTED** this 27th day of November, 2000.

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**Mayor**

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**Clerk**