

Approved September 9, 1994

CHAPTER 168 SWIMMING POOL BY-LAW

INTRODUCTION

The intent of this by-law is to ensure some measure of public safety and to provide information about requirements pertaining to swimming pools in the town of Bridgewater.

1. DEFINITIONS

- 1) "Enclosure" means a fence, wall or other structure including doors or gates, surrounding a swimming pool to restrict access.
- 2) "Swimming Pool" means a water-filled enclosure, permanently constructed or portable, whether above or in-ground capable of holding water to a depth of more than 600 mm (24"), maintained or used, or which may be used for swimming or bathing; including reflecting pools and other such structures used as part of the landscaping of a property; but excluding existing natural bodies of water or streams.
- 3) "Town" means the town of Bridgewater.

2. ENCLOSURES

- 1) All outdoor swimming pools, or the yard in which a swimming pool is located, shall be completely enclosed so as to prevent uncontrolled access.
- 2) Access to a swimming pool may be controlled by a combination of building(s) and fencing, or by a fence alone; all gates and doors accessing the enclosure shall be equipped with self-closing, self-latching lockable devices placed not less than 1.5 m (5') in height from the surface or grade, and on the inside of the gate, except where access is provided through the dwelling unit.
- 3) An enclosure or other structure (including gates and doors) intended to control access to a swimming pool, shall be a minimum of 1.5 m (5') in height, and shall be so constructed as to prevent easy access through, under, or over it, and in the case of an above-ground type of swimming pool, shall include any construction providing access to the swimming pool.
- 4) An enclosure or other structure, including gates and doors, intended to control access to a swimming pool should have a minimum distance of 1.2 m (4') between horizontal members, a maximum of 100 mm (4") size openings throughout the structure, and all horizontal members located on the pool side of the structure.

- 5) No person shall permit any structures or material to be placed or to remain adjacent to any swimming pool enclosure which would provide a means of access over the top of the enclosure.

3. **BUILDING PERMITS REQUIRED**

- 1) Pursuant to the Building Code Act of Nova Scotia, Section 7(1), a building permit for a swimming pool fence shall be required.
- 2) To obtain a permit, plans and specifications must be submitted to the Building Inspector. If it appears that the plans and specifications are in conformity with the requirements of this by-law, and all other applicable laws, the Building Inspector shall issue a building permit.

4. **EFFECTIVE DATE**

- 1) This by-law shall have effect, with respect to all new swimming pools, on the date it is approved by the Minister of Municipal Affairs.
- 2) This by-law shall have effect, with respect to all existing swimming pools, on the ninetieth (90) day after the date it is approved by the Minister of Municipal Affairs.

5. **INFORMATION**

The Building Inspector shall provide any person applying for a permit to construct, alter or enclose a swimming pool with a copy of this by-law, and with an information sheet respecting applicable conditions, which information sheet may be in the form hereto annexed as Schedule "A", or to the like effect, with such additional detail or altered to meet changes in circumstances or legislation as the Building Inspector may determine.

6. **PENALTIES**

- 1) Pursuant to Section 227 (1) and (2) of the Towns' Act, anyone who violates any of the provisions for fences and gates in this by-law shall, on summary conviction, be liable to a maximum penalty not exceeding one thousand dollars (\$1,000) and in default of payment thereof, do be imprisoned for a maximum period not exceeding ninety (90) days; and a minimum penalty not exceeding one hundred dollars (\$100.00), and in default of payment thereof, to be imprisoned for a minimum period not exceeding ten (10) days.
- 2) Pursuant to the Planning Act and the Provincial Building Code Act, other penalties may apply.