

SWIMMING POOLS

RESORT VILLAGE OF THODE

BYLAW NO 4/15

A BYLAW TO REGULATE AND ENSURE THE SAFE OPERATION OF PRIVATE SWIMMING POOLS

The Council of the Resort Village of Thode in the Province of Saskatchewan enacts as follows:

Short Title

1. This Bylaw may be cited as The Private Swimming Pools Bylaw.

Purpose

2. The purpose of this Bylaw is:
 - (a) to control and regulate the construction, erection, maintenance, repair, and demolition of private swimming pools; and
 - (b) to specify, regulate and enforce the use of safety measures in connection with private swimming pools.

Definitions

3. In this Bylaw,
 - (a) "Municipality" means The Resort Village of Thode";
 - (b) "horizontal structural member" means a main part of a fence to which other parts are attached and which runs parallel to grade;
 - (c) "occupant" includes a person residing at a property upon which a private swimming pool is situated or a person entitled to the property's possession if there is no person residing there and a leaseholder;
 - (d) "owner" means a person who has any right, title, estate or interest in a property upon which a private swimming pool is situated; and
 - (e) "private swimming pool" means an artificially created basin, lined with concrete, fiberglass, vinyl or similar material, intended to contain water for the use of persons for swimming, diving, wading or other similar activity, which is at least 700 millimetres (27 inches) in depth, and includes pools situated on top of the ground.

Application

4. Except as otherwise provided, this Bylaw applies to all private swimming pools, including those in existence prior to the passage of this Bylaw.

Permit

5. (1) A person must obtain a Development permit and Building permit from the municipality prior to the construction, erection or demolition of a private swimming pool.

(2) In order to obtain a development permit and a building permit, a person must file an application in the prescribed forms in writing with the municipality which includes a site plan and pool specifications and pay the required fee as per the Building Bylaw. Proof of liability insurance coverage on the pool will be required.

Enclosure

6. (1) Every private swimming pool must be enclosed in accordance with this Section.

(2) The enclosure must be built prior to the swimming pool being filled with water.

(3) The enclosure must be properly maintained to comply with the Bylaw at all times.

(4) The enclosure must meet the following minimum standards:
 - (a) the enclosure must have a minimum height of 1.83 metres (6 feet) measured on the exterior, or non-pool, side from the top of the enclosure to the nearest platform, deck or grade;
 - (b) the enclosure must not contain any gaps or openings which exceed 20 millimetres measured horizontally from one side of the gap or opening to the other; and
 - (c) notwithstanding subsection 6(4)(b) of this Bylaw, if a fence forms part of an enclosure, the following will apply:
 - (i) parallel horizontal structural members, the tops of which are at least 1100 millimetres (43.31 inches) apart;
 - (ii) parallel horizontal structural members, the tops of which are less than 1100 millimetres (43.31 inches) apart, must be on the inside or pool side of the fence;
 - (iii) gaps of up to 100 millimetres (4 inches) are permitted between vertical fence boards or other vertical structural members if parallel horizontal structural members are spaced at least 1100 millimetres (43.31 inches) apart;
 - (iv) where diagonal structural members are used, they must be on the inside or pool side of the fence and gaps between the vertical members must not exceed 20 millimetres (3/4 inches); and
 - (v) chain link fencing is prohibited.

Gates and Self-Closing Devices

7. (1) A gate which forms part of an enclosure must comply with the following:
 - (a) a gate must comply with the requirements for fences in Section 6(4) of this Bylaw;
 - (b) all gates must be installed to swing outward in the direction away from the swimming pool;
 - (c) all gates must be equipped with a self-closing device designed to return the gate to the closed position after each use, a self-latching device designed to hold the gate in the closed position after each use, and a locking device,
 - (d) the self-closing device, the self-latching device and the locking device must be maintained in working order at all times, and
 - (e) all gates must be anchored to fixed posts or secure structures on both the hinge and latch sides.
- (2) The requirement in Section 7(1)(b) does not apply to swimming pools constructed before the passage of this Bylaw.

Securing of Swimming Pool

8. When a swimming pool is not attended by the owner or occupant, gates, doors and other entrances to the swimming pool area must be locked.

Hot Tubs

9. This Bylaw does not govern hot tubs. The municipality assumes no liability regarding hot tubs. It is the owner's responsibility to ensure that adequate steps are taken for safety and personal liability.

Walkway

10. (1) Within the enclosure, a swimming pool must have a properly maintained access walkway around the swimming pool with a minimum width of 750 millimetres (2.46 feet). The walkway must be within 1200 millimetres (3.94 feet) of the top of the swimming pool.
- (2) The requirement found in Section 10(1) does not apply to swimming pools constructed before June 7, 1971.

Safety Devices

11. The owner or occupant must have the following equipment present at the swimming pool at all times:
- (a) a reaching pole of sufficient length to reach mid-pool;
 - (b) a first aid kit; and
 - (c) a buoy and rope of sufficient length to reach across the swimming pool.
 - (d) steps or ladders shall be provided at the shallow end of the pool if the vertical distance from the bottom of the pool to the deck or walk is over 60 centimeters (1.97 feet). Steps leading into the pool shall be of nonslip design and shall have a minimum tread of 30 centimeters (1 foot) and a maximum rise or height of 25 centimeters (9.84 inches). There shall be no abrupt drop off or submerged projections into the pool, unless guarded by handrails.

Drainage System

12. (1) A swimming pool must have a discharge system which allows the swimming pool to drain into the sanitary sewer of the property upon which the swimming pool is located and which complies with all relevant legislation governing plumbing and drainage. The rate of discharge must not exceed 90 litres a minute.
- (2) No person shall drain the water of a swimming pool into any adjacent public or private property or any street, lane or walkway.

Offenses and Penalties

13. (1) Every person who contravenes a provision of this Bylaw is guilty of an offense and liable on summary conviction to a minimum fine of \$100.00 and a maximum fine of \$1,000.00.
- (2) A conviction for a contravention of any provision of this Bylaw does not relieve the person convicted from complying with this Bylaw, and the convicting judge or justice may, in addition to the fine imposed, order the person to do any act or work, within a specified time, to comply with the Bylaw.

Read a third time and adopted this 25 day of June, 2015.

[SEAL]

Mayor Thomarat

CAO Williams

Certified a true copy
of Bylaw #4/15

CAO