



Proposed Changes to Pool Enclosure Regulations

The City is reviewing Pool Enclosure By-law 2001-259 and is looking for feedback from the public on the proposed changes. The By-law has not been subject of an in-depth review and update since 2001.

What are the issues?

Municipalities establish pool enclosure by-laws primarily to protect young children. Pools present a different hazard than natural water features primarily because pools located in yards of residential properties do not have sloped edges that provide for gradual entry or exit, and are a hazard not anticipated in a location where there is an expectation of security and safety (home). Even if enclosed by a perimeter fence, which prevents children not living at the dwelling to access the pool, children living in, or visiting the dwelling, have direct access to the pool from the building.

Hot tubs, whirlpools and spas are now designed with substantial lockable lids and moulded on the inside with shelves and stairs for ease of entry and egress that mitigate the possible hazard to children. These are located on decks attached or in close proximity to the home, or somewhere in the yard, not necessarily integrated with the pool. The By-law currently applies to ponds that are capable of holding 24 or more inches of water. Ponds with their sloped sides may not present a hazard to children as compared to in-ground or above ground pools.

The City is proposing the following changes:

- All new pool enclosures will be required to be four-sided with a fence between the dwelling and the pool.
- New requirements for fences to inhibit climbing the fence.
- New requirement that all pool enclosure gates be locked when not being used for entry and exit to the pool area.
- New requirement and specifications for temporary pool enclosures that must be installed while a pool and permanent pool enclosure are under construction.
- New requirement to obtain a new pool enclosure permit when an existing enclosure is replaced or substantially rehabilitated to ensure the new enclosure meets the new standards.
- Exemption for hot tubs, whirlpools and spas with permanent substantial, structurally adequate lockable lids, and backyard ponds.
- Unique pool enclosure requirements for above ground pools with walls that are 1.5 m (5') high.
- Administrative improvements that will streamline processes and clarify application submission requirements and standards.

Feedback

The City invites the general public, community and business groups to follow the link to the Discussion document to the left and review the more detailed information on the City's web site and the Ontario Coroner's *Drowning Review* (http://www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office_coroner/PublicationsandReports/Drowning/OCC_report_drowning.html) and provide your **comments** (j.p.mitton@ottawa.ca) on the proposals by February 20, 2012.

Timing

Staff will review the comments and report to Planning Committee in March, 2012. Notice of the Planning Committee meeting will be provided to you if you provide comments or request notice of this public meeting.

Contact

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