

GUIDE TO SWIMMING POOLS & SWIMMING POOL FENCE PERMITS

Is a Permit Required?

A Pool Fence Permit must be obtained prior to installation of a swimming pool. The permit will provide approval for the pool fence enclosure as well as the location of your swimming pool. A permit is required for a fence enclosure for any Swimming Pool as defined in the By-Law. A hot tub with a locking lid does not require a Swimming Pool Fence and therefore does not require a permit.

Swimming Pool Definition from By-Law 56-2011

A swimming pool is defined as an outdoor, or partially outdoor, structure, basin, chamber or tank which:

- Contains or is capable of containing water
- Is designed for or capable of being used for swimming or wading
- Has a depth of more than 18 inches (0.457m) and a surface area of more than 10.8sq.ft (1.0 sq.m)
- Includes temporary or inflatable pools (if depth and size exceed those mentioned above)

Pool Location from Zoning By-law 50-88(4.2.3)

- Pools may be located in any interior side yard or any rear yard
- Pools must be a minimum of 5 feet (1.5m) from any property line
- Any pool deck must be a minimum of 20 inches (0.5m) from a property line

Pool Fence Requirements from By-Law 56-2011

The owner of each privately owned pool shall erect and maintain a swimming pool enclosure on all sides which is designed in accordance with Swimming Pool Fence By-Law 56-2011

- Fence must be a minimum of 48 inches (1.2m) in height above finished grade from the outside of the pool area. Fence maximum height in rear yards is 6'-6" (2.0m) (Zoning By-Law 50-88)
- Fence to be constructed so that the smallest dimension of any opening does not exceed 4 inches (100mm)
- For chain link fencing, the maximum size of the opening of the chain link shall not exceed 1.5 inches (45mm)
- Fence is to be constructed so that any structural member of the fence which could be climbed will be located on the swimming pool side

Pool Gate Requirements from By-Law 56-2011

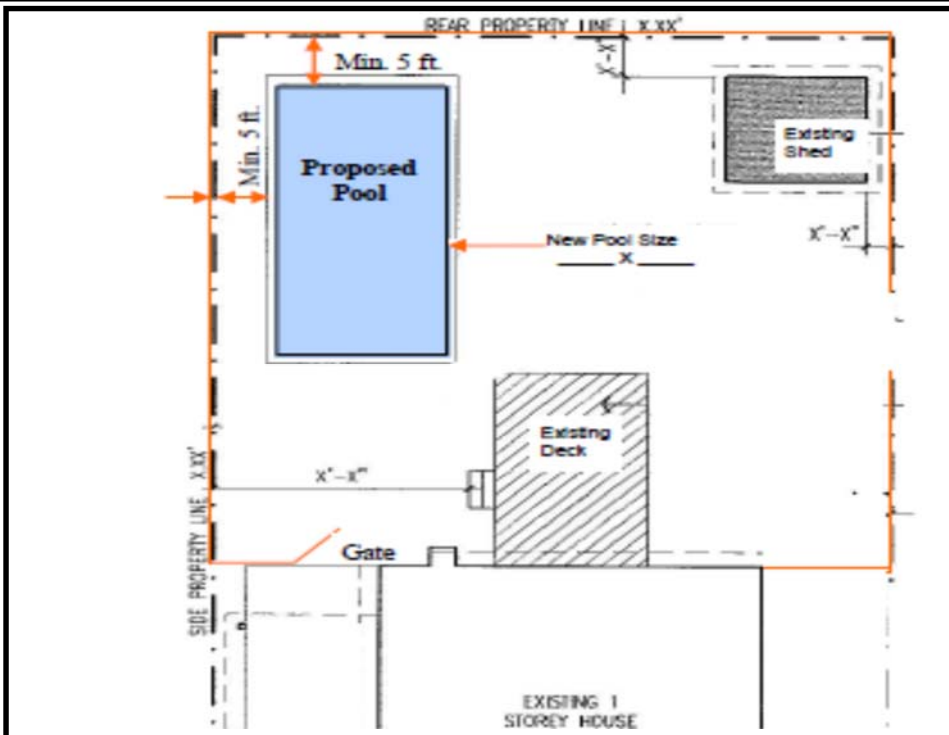
In addition to the fence requirements, any gate accessing the pool area must:

- Be equipped with a Self Closing (often a spring hinge) and a Self Latching Device, so that the gate is capable of pulling itself shut and the latch will close on its own
- The latching device shall be located at the top of the gate on the swimming pool side
- Additional locking devices are at the discretion of the pool owner and do not supersede the requirements noted above.

Site Plan Drawing Required with Completed Application Forms

A site plan is required to show the following:

- The outline of the property and any easements within the property boundaries
- Any existing buildings / structures on the property (ie: shed, deck)
- Location & size of pool, including distance to property line
- Location and type of pool deck, including distance to property line (if a wood deck is proposed a Building Permit may be required)
- Location of any type of walkway around the pool, including distance to property line
- Location of fence & gate, as well as a description of fence type (ie: wood or chain link)
- Ask us for a lot grading plan for your property. We may have one on record which you can use to create your site plan.



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Other Notes

It is the property owner's responsibility to ensure that construction does not negatively affect the drainage, swales, easements or utilities such as communication cables and gas or water services located on the property. No part of any pool or pool deck shall be located on an easement.

The Swimming Pool Fence By-Law applies to all swimming pools, regardless of the date of construction of the pool.

Incomplete drawings and application forms will result in processing delays

Please Note: This pamphlet has been created to summarize the requirements by the City of St. Thomas By-Law 56-2001; a by-law requiring the fencing of privately owned outdoor swimming pools. The entire By-Law is available on the city website.