

**TOWN OF KIPLING
BYLAW No. 6-2008**

SWIMMING POOL BYLAW

Intent

The intent of this bylaw is to ensure some measure of public safety and to provide information about requirements pertaining to swimming pools in the Town of Kipling.

Definitions

(a) "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 twelve inches, maintained or used, or which may be used for swimming for bathing; but excluding existing natural bodies of water or streams or ponds used for landscaping purposes.

(b) "Town" – means the Town of Kipling

Enclosures

1. All swimming pools, or the yard in which a swimming pool is located, shall be completely enclosed so as to prevent uncontrolled access from the street, adjacent properties, or buildings on the same property.
2.
 - (a) A fence erected pursuant to Section 1 of this Bylaw shall not be less than four feet (1.22 m) in height above grade, and the bottom of such fence shall not be more than three inches (7.62 cm) above such grade.
 - (b) A fence erected under this By-Law shall be constructed of wood, brick, stone, metal, plastic or fibreglass.
 - (c) Where such fence is constructed of wood, the pickets or boards shall be upright and shall not have any spaces more than three inches (7.62 cm) in width.
 - (d) Where such fence is constructed of material other than wood, there shall be no opening in such fence more than three square inches (19.35 cm square), other than such entrance or entrances as referred to in paragraph 4 of this Bylaw.

4. Where any fence is erected under this Bylaw, such fence shall have one or more entrances and such entrance shall have a gate of not less than four feet (1.22 m) in height, the bottom of which shall not be more than three inches (7.62 cm) above grade and which the gate shall be equipped with a self closing, self latching mechanism and the gate shall be latched at all times when the pool is not in use.
5. Where a swimming pool has been erected prior to the coming into force of this Bylaw, the owner shall have one year from the passing of this bylaw in which to erect and maintain a fence in accordance with this Bylaw.
6. Any fence erected under this Bylaw shall be maintained in good condition and the appearance of such fence shall not be inferior to the general standards of appearance prevailing in the area where the fence is situated.
7. Infractions under this bylaw shall be subject to penalty under the general penalty bylaw of the Town of Kipling.

Mayor

Administrator