

TOWN OF NEW GLASGOW

SWIMMING POOL BYLAW

1. This bylaw shall be know and may be cited as the "Swimming Pool Bylaw" of the Town of New Glasgow.

2. In this bylaw, unless the context otherwise requires:

(a) "Swimming pool" means a water-filled enclosure, permanently constructed or portable, whether above or in the ground, capable of holding water to a depth of more than 12 inches, maintained or used, or which may be used for swimming or bathing, including reflecting pools or other structures used as part of the landscaping of a property, but excluding existing natural bodies of water or streams.

(b) "Enclosure" means a fence, wall or other structure, including doors or gates, surrounding a swimming pool to restrict access.

(c) "Town" means the Town of New Glasgow.

3. A swimming pool, or the yard in which a swimming pool is located, shall be contained in an enclosure so as to prevent uncontrolled access from the street, adjacent properties, or buildings on the same property.

4. Access to a swimming pool may be controlled by a combination of buildings and fences, or by a fence alone. Any gate or gates in the enclosure shall be equipped with self-closing, self-latching devices placed at the top and on the inside of the gate.

5. An enclosure shall be a minimum of five feet in height from grade and shall be constructed so as to prevent easy access through, under, or over it and, in the case of an above-ground type of swimming pool, may include an extension to the sides of the pool structure and enclosing the step area at grade.

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

7. A building permit shall be required for a swimming pool.

8. To obtain a permit, plans and specifications must be submitted to the building inspector, as defined in the Building Code Act, S.N.S. 1986, c.3. If it appears that the plans and specifications are in conformity with the requirements of this bylaw and all other applicable laws, the building inspector shall issue a building permit for the swimming pool.

9. With respect to all new swimming pools, this bylaw shall have effect on the date approved by the Minister of Municipal Affairs.

10. With respect to all existing swimming pools, this bylaw shall have effect on the sixtieth (60th) day after the date it is approved by the Minister of Municipal Affairs.

11. The building inspector shall provide any person applying for a permit to construct, alter or enclose a swimming pool with a copy of this bylaw and with any other information as the building inspector may determine. Such information may be in the form of Schedule "A" annexed hereto.

12. Every person who contravenes or fails to comply with any provision of this bylaw shall for each offence be liable to a penalty of not less than \$100.00 nor more than \$1,000.00 and in default of payment to imprisonment for a period of not less than 10 days nor more than 90 days.

I, D. MacCallum, Deputy Clerk for the Town of New Glasgow do hereby certify that the foregoing is a true copy of a by-law duly passed at a duly called meeting of the Town Council of the Town of New Glasgow duly convened and held on the 18th day of July, A.D., 1988.

Given under the hand of the Deputy Town Clerk and under the corporate seal of the said Town this 20th day of July, A.D., 1988.

Debbie MacCallum

Debbie MacCallum, Deputy Town Clerk

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister.
<i>Jared W. Wilbert</i> Departmental Solicitor
APPROVED this <i>30th</i> day of <i>September</i> <i>1988</i>
<i>David Wauter</i>

SCHEDULE "A"

Swimming Pools

Swimming pools in the Town of New Glasgow are regulated not only by the Swimming Pool Bylaw but also by the Building Code Act and the Planning Act. Following is a brief overview of the bylaws and regulations:

1. Swimming Pool Bylaw
The Swimming Pool Bylaw requires both new and existing pools to be adequately enclosed.
2. Building Code Act
The Building Code Act and regulations prescribe minimum standards for construction of swimming pools, fences and gates.
3. Planning Act
Land-use bylaws enable municipalities to regulate the location of swimming pools on lots.

Penalties may be imposed for contravention or failure to comply with the provisions of the relevant bylaws and regulations.