

**VILLAGE OF OIL SPRINGS
BY-LAW NO. 693 OF 2015**

**BEING A BY-LAW TO PRESCRIBE THE HEIGHT AND DESCRIPTION OF AND
THE MANNER OF ERECTING AND MAINTAINING FENCES AND GATES
AROUND PRIVATELY OWNED OUTDOOR SWIMMING POOLS**

WHEREAS pursuant to the Municipal Act, R.S.O. 2001, Section 11(2), a municipality may pass a by-law for purposes related to the health, safety and well-being of persons in the municipality;

AND WHEREAS the Corporation of the Village of Oil Springs deems it advisable to pass such a by-law;

NOW THEREFORE the Council of the Corporation of the Village of Oil Springs rescinds By-law No. 90 of 1975 enacts as follows:

Interpretation: A privately owned outdoor swimming pool shall mean any construction of fabricated pool used for swimming, wading, diving, bathing, which could, when filled, contain a depth of 18 inches or more.

1. That every owner of a privately owned outdoor swimming pool shall erect and maintain a chain link fence of not less than 11 gauge with 1.5 inch mesh or less or a vertical board fence, fiber glass, plastic or steel or other such material which is satisfactory to the Building Inspector, and not less than 5 feet in height, adequately supported top and bottom, around such pools.
2. That the use of barbed wire in any manner connected with such fence or any device for projecting electric current through such fence is prohibited. The fence shall have a gate or gates of similar material and height as the fence, and shall be provided with self- closing, self-latching devices placed at the top and at the inside of the gate.
3. That when a responsible person is not present supervising the pool, the gate or gates are to be kept closed and locked. Such fences and gates shall be erected and maintained so that no access to the swimming pool may be made except through the gate or gates provided. Nothing in this by-law shall prevent the use of any existing or proposed wall or walls of a structure located on the same property as one or more sides of the fence, provided, however, that such wall shall be greater strength than the required fence and shall be approved by the Building Inspector.
4. That the provisions of this by-law apply to all outdoor swimming pools constructed from the date of the passing of this by-law.
5. That this by-law shall be enforced by the Building Inspector. It shall be the duty of every owner of private swimming pools to obtain a FINAL from the Building Inspector stating that the fence around such pool has been inspected and has been found satisfactory.
6. That any owner or owners of an outdoor swimming pool who contravenes any of the provisions of this by-law shall upon conviction therefore, forfeit and pay for each such offence, a penalty not exceeding five thousand dollars (\$5,000) exclusive of costs.
7. That By-law No. 467 of 2007 shall impose a building permit fee of \$150 as dictated for the erection of a fence.
8. That this by-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 6th day of October, 2015

Mayor

Clerk