

**THE CORPORATION OF THE TOWN OF PLYMPTON-WYOMING**

**BY-LAW NUMBER 07 OF 2012**

BEING a By-law to amend By-law Number 75 of 2005, 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;

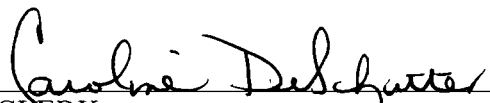
WHEREAS the Council of the Corporation of the Town of Plympton-Wyoming deems it expedient to amend the said bylaw to include a revised Permit Fee for Swimming Pool Fences;

NOW THEREFORE the Council of the Corporation of the Town of Plympton-Wyoming enacts as follows:

1. Section 5 of Bylaw Number 75 of 2005 is hereby replaced with the following:
  5. It shall be the duty of every owner of a private swimming pool to obtain a permit for a fence as outlined above. The permit shall be \$100.00.
2. This by-law shall come into force and take effect upon final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY APPROVED THIS  
23rd DAY OF JANUARY, 2012.

  
MAYOR

  
CLERK

**THE CORPORATION OF THE TOWN OF PLYMPTON-WYOMING**

**BY-LAW NUMBER 75 OF 2005**

**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 AND TO RESCIND BY-LAW NUMBER 35 OF 1993.**

**WHEREAS** pursuant to Section 130 of the Ontario Municipal Act, R.S.O. 2001, as amended, a Municipality may pass a by-law for purposes related to the health, safety and well-being of the inhabitants of the Municipality;

**AND WHEREAS** the Corporation of the Town of Plympton-Wyoming deems it advisable to pass such a by-law requiring owners of privately owned outdoor swimming pools to erect and maintain fences and gates around such swimming pools;

**NOW THEREFORE** the Council of the Corporation of the Town of Plympton-Wyoming rescinds By-law No. 35 of 1993 and 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 36 inches or more of water.

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 2 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 pool.
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 existing or proposed wall or wall of a structure located on the property as one or more sides of the fence, provided, however, that such wall shall be of greater strength than the required fence and shall be approved by the Building Inspector.
4. That the provisions of this by-law shall apply to all outdoor swimming pools constructed from the date of the passing of this by-law. All existing pools which are already adequately fenced and safeguarded shall be allowed subject to the approval of the Building Inspector and when such existing structures deteriorate, they shall be replaced in accordance with the provisions of this by-law.
5. It shall be the duty of every owner of a private swimming pool to obtain a permit for a fence as outlined above. The permit shall be \$50.00.
6. 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 certificate from the Building Inspector stating that the fence around such pool has been inspected and has been found satisfactory before they may place water in such pool.
7. 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 (\$5,000.00) exclusive of costs.

8. This By-law shall come into force and take effect immediately upon the final passing thereof.

READ A FIRST AND SECOND TIME THIS 31<sup>ST</sup> DAY OF AUGUST, 2005

READ A THIRD TIME AND FINALLY PASSED THIS 31<sup>ST</sup> DAY OF AUGUST, 2005

  
MAYOR

  
ADMINISTRATOR-CLERK