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TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

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# **Pool Permit**

## **and Information Package**

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**NOTICE TO APPLICANT**  
**PLEASE NOTE THAT**

**ALL FEES**

**MUST BE PAID IN FULL  
TO THE TOWNSHIP  
PRIOR TO  
PERMIT ISSUING AND  
COMMENCEMENT OF ANY  
CONSTRUCTION  
OR  
INSTALLATION**

**Please note that decks or any other construction requires a separate  
Building Permit**

**‘SCHEDULE A’**

**BY-LAW #2010-070**

Application for Building Permit to construct **outdoor swimming pool**

Fee \$50.00

## **BY-LAW #99-18**

### **THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY**

**BEING** By-Law prescribing the height and description of and the manner of erecting and maintaining fences and gates around privately owned outdoor swimming pools.

**WHEREAS** the Municipal Act, Chapter M. 45, R.S.O. 1990, Section 21 0, paragraph 30, authorizes the passing of a By-Law requiring the owners of privately owned outdoor swimming pools to obtain a permit for the installation of pools and to erect and to maintain fences and gates around such pools;

**AND WHEREAS** the Council of The Corporation of the Township of Drummond/North Elmsley has deemed it expedient to enact such a by-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

#### **1. DEFINITIONS**

- a) "ENCLOSURE" means a fence wall or other structure, including doors and gates surrounding a privately owned outdoor swimming pool to restrict access thereto;
- b) "OWNER" includes a lessee or tenant in possession of property on which a swimming pool is located;
- c) "SWIMMING POOL" means any privately owned outdoor body of water contained by artificial means in which the depth of the water at any point can exceed eighteen (18) inches and is capable of being used for swimming, wading, diving or bathing.

#### **2. REGULATIONS**

- a) The owner of a privately owned outdoor swimming pool shall ensure that an enclosure around such a pool is constructed and maintained to the provisions of the By-Law.
- b) No person shall erect or construct a private swimming pool unless and until the required permit has been issued by the Chief Building Official.
- c) Every private swimming pool shall be secured against entry of the public other than tenants or their guests.
- d) A temporary fence shall be erected during construction of the pool. It is the applicant's responsibility to ensure safety during construction.
- e) No barbed wire nor device for projecting an electric current shall form part of a fence or gate.
- f) Every gate erected in a fence around a privately owned outdoor swimming pool

shall:

- 1) be of construction and height equivalent to that required for the fence;
  - 2) be supported by substantial hinges; and
  - 3) be self-closing and equipped with a self-latching device placed at the top, a minimum distance of three (3) feet six (6) inches above grade.
- g) Where a wall of a building is used as part of the enclosure, all doors located in the wall of the building shall be equipped with self-closing, self-latching and locking devices.
- h) Every swimming pool shall have an enclosure erected in accordance with the following provisions:
- 1) the enclosure shall be a minimum of four (4) feet in height, the lower extremity being not more than two (2) inches from the ground level;
  - 2) of close-boarded, chain link, metal picket or other approved design, to reasonably deter children from climbing it to gain access to the fenced area;
  - 3) have no attachments or bracing on the exterior facing of the fence within a height of four (4) feet of the grade level which might facilitate climbing;
  - 4) to be located not closer than three (3) feet from the edge of any outdoor pool.
- i) Where a swimming pool is erected above grade, it shall be completely enclosed with a fence of the same specifications as in ground pools as set out in this Bylaw, or shall project a minimum of forty-eight (48) inches above grade and have no attachments or bracing on the exterior facing of the pool which may facilitate climbing and shall be secured against entry by a self closing, self latching gate.
- j) A swimming pool and associated decks, pumps, etc. shall be located a minimum of 1.5 m from a side or rear lot line and not closer than the main building to a front lot line, and to comply with Part 8 requirements of the Ontario Building Code. i.e. 1.5 m from a septic tank and 5 m from a leaching bed.

### 3. ISSUANCE OF PERMITS

- a) To obtain a permit for an outdoor swimming pool, the applicant must:
- 1) fill out a Pool Permit Application;
  - 2) pay a fee as set out in Schedule "A" of By-Law #99-18;
  - 3) submit a plot plan describing the location of buildings, pool, enclosure, decks, distances from lot lines, septic system, etc.;

4) submit details of pool and enclosure installation.

b) The Chief Building Official may refuse to grant a permit for the pool or for a fence around a privately owned outdoor pool if the erection of a fence is contrary to the provisions of any By-Law of the Township of Drummond/North Elmsley.

#### 4. PENALTIES

Any person who contravenes any provision of the By-Law is guilty of an offence and shall be liable to a fine not more than one thousand (\$1,000.00) dollars, exclusive of costs.

#### 5. EFFECTIVE DATE

The provisions of this By-Law shall apply to all privately owned outdoor swimming pools constructed or in construction subsequent to the date hereof, and to all such pools which, as of the date of final passing of this By-Law, fail to meet the requirements for such pools as set forth in this By-Law.

By-Law #89-30, North Elmsley Ward pertaining to the Pool By-Law is hereby rescinded,

Read a first, second and third time, and finally passed this 23 day of 6<sup>th</sup> month 1999.

Arthur Code, Reeve

# 'SCHEDULE B' BY-LAW #99-18

Township of Drummond/North Elmsley

This Application Cannot Be Considered Unless All Relevant Questions Are Answered Fully

## For Office Use Only

Permit #:                      Value:                      F ee Paid:

Roll #:

## APPLICATION FOR A POOL PERMIT

Location Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Contractor's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Type of Pool: \_\_\_\_\_ Size of Pool: \_\_\_\_\_

Fence Type: \_\_\_\_\_ Estimated Cost: \_\_\_\_\_

Work to Start: \_\_\_\_\_ Work to be Completed: \_\_\_\_\_

All of the statements and representations contained in the attached documents filed in support of this application shall be deemed part of this application for all purposes. Sufficient information shall be submitted with each application to enable the Chief Building Official to determine whether or not the proposed work will conform with the Building Code Act and regulations thereunder and any other applicable law, By-Law # 99-18 .

**DECLARATION**

I, the undersigned \_\_\_\_\_ am the authorized owner/agent of owner named in the above application and I certify the truth of all the statements or representations contained therein.

I, understand that the issuance of a permit shall not be deemed a waiver of any of the provisions of any by-laws or requirements of the Building Code Act or regulations made thereunder, notwithstanding anything included in or omitted from the plans or other material filed in support of or in connection with the above application.

I, acknowledge that in the event a permit is issued, any departure from plans, specifications or building locations proposed in the above application is prohibited and such could result in the permit being revoked.

I, further acknowledge that in the event the permit is revoked for any cause or irregularity or nonconformity with by-laws or requirements of the Building Code Act, or regulations made thereunder, there shall be no right of claim whatsoever against the municipal corporation or any official thereof and any such claim is hereby expressly waived.

\_\_\_\_\_, Ontario \_\_\_\_\_200\_\_\_\_\_

\_\_\_\_\_  
Witness  
(Employee, Office or Building Inspector)

\_\_\_\_\_  
Signature of Owner or Authorized Agent



# Township of Drummond/North Elmsley

310 Port Elmsley Road  
R.R.#5 Perth, ON K7H 3C7  
Tel.: (613) 267-6500, Fax: (613) 267-2083

## APPLICATION TO PERMIT POOL

\*Form which can be used for required Site/Sketch/Plan\*



**For existing and proposed structures, include** (as appropriate):

- Distances to:  all lot lines  
 septic (tank and tile bed)  
 well

Road location