

The Corporation of the Town of Grimsby

By-law 17-44

A By-law to amend By-law 08-59 respecting fencing of privately owned outdoor swimming pools in the Town of Grimsby

Whereas the Council of the Town of Grimsby deems it expedient to amend By-law 08-59 being a By-law respecting fencing of privately-owned outdoor swimming pools in the Town of Grimsby;

And further it be amended by adding:

And whereas the Municipal Act, 2001 authorizes the Town of Grimsby, amongst other things, to delegate its authority, to impose fees or charges on persons for services or activities provided or done by or on behalf of it, to provide for inspections and inspection orders and to make orders to discontinue activity or to do work as set out in the Fees and Charges By-law;

And further Section (9) be amended by removing:

9. The property owner is responsible for and shall construct or cause to be constructed a swimming pool enclosure in compliance with the plans approved by the Chief Building Official, and otherwise in compliance with this by-law in respect of details that may be shown in plans and specifications.

And replaced with:

9. Every owner shall construct or cause to be constructed a swimming pool enclosure in compliance with the plans approved by the Chief Building Official and otherwise in compliance with this By-law in respect of details that may be shown in plans and specifications.

And further Section (14) be amended by removing:

14. Gates that form a part of the swimming pool enclosure shall:
 - a) be self-closing and self-latching with the latching device at the top of the gate on the pool side of the enclosure;
 - b) operate on hinges sufficient to support the gate either open and unlatched or closed and latched; and
 - c) be of such construction and height that they otherwise comply with the requirements of this by-law for the enclosure.

And replaced with:

14. Every owner shall construct or cause to be constructed a gate that forms part of the swimming pool enclosure that:
 - a) is self-closing and self-latching with the latching device at the top of the gate on the pool side of the enclosure;
 - b) operates on hinges sufficient to support the gate either open and unlatched or closed and latched; and
 - c) is of such construction and height that they otherwise comply with the requirements of this by-law for the enclosure.

And further Section (16) be amended by removing:

16.
 - 1) Any plumbing connections between the outdoor swimming pool or private spa and any potable water supply shall be equipped with back flow prevention in accordance with the Ontario Building Code or any other applicable law.

- 2) No overflow or drainage discharge from an outdoor swimming pool shall be discharged onto abutting properties, open lands, Town property or a sanitary sewer.

And replaced with:

16.

- 1) No owner or occupant shall allow plumbing connections between the outdoor swimming pool or private spa and any potable water supply unless equipped with back flow prevention in accordance with the Ontario Building Code or any other applicable law.
- 2) No owner or occupant shall allow overflow or drainage discharge from an outdoor swimming pool to be discharged onto abutting properties, open lands, Town property or a sanitary sewer.

And further Section (19) be amended by removing:

19.

- 1) An outdoor swimming pool, while under construction, shall be completely enclosed by a temporary enclosure as defined herein, except where the swimming pool enclosure requirements have been satisfied.

And replaced with:

19.

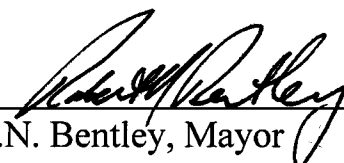
- 1) Every owner or occupant shall ensure an outdoor swimming pool, while under construction, be completely enclosed by a temporary enclosure as defined herein, except where the swimming pool enclosure requirements have been satisfied.

And further that Schedule A of By-law 17-44 form part of By-law 08-59; and

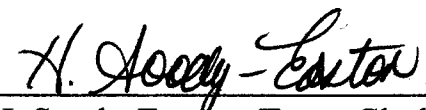
1. That all other sections of By-law 08-59 shall be deemed to remain in force.
2. That this By-law shall come into force and take effect on the date of passage.

Read a first time this 15th day of May 2017

Read a second and third time and finally passed this 15th day of May 2017



R.N. Bentley, Mayor



H. Soady-Easton, Town Clerk

Schedule A to By-law 17-44

To amend By-law 08-59

Being a By-law respecting fencing of privately owned outdoor swimming pools in the Town of Grimsby

Set Fine Offences

Item #	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fine
1.	Cause water to be placed in privately-owned outdoor swimming pool not enclosed.	3(1)	205.00
2.	Permit water to be placed in privately-owned outdoor swimming pool not enclosed.	3(1)	205.00
3.	Cause to excavate or erect privately-owned outdoor swimming pool without valid permit.	4	205.00
4.	Permit to excavate or erect privately-owned outdoor swimming pool without valid permit.	4	205.00
5.	Fail to constructed a swimming pool enclosure approved by Chief Building Official.	9	305.00
6.	Fail to constructed a gate as part of the swimming pool enclosure approved by Chief building Official.	14	205.00
7.	Connection without back flow prevention.	16(1)	205.00
8.	Overflow or drainage discharge allowed.	16(2)	205.00
9.	Cause water to be placed in privately-owned outdoor swimming pool prior to final inspection.	18(1)	205.00
10.	Permit water to be placed in privately-owned outdoor swimming pool prior to final inspection.	18(1)	205.00
11.	Cause water to be placed in privately-owned seasonal outdoor swimming pool prior to final inspection.	18(2)	205.00
12.	Permit water to be placed in privately-owned seasonal outdoor swimming pool prior to final inspection.	18(2)	205.00
13.	Outdoor swimming pool under construction not enclosed.	19(1)	205.00
14.	Outdoor swimming pool enclosure not maintained.	20(1)	305.00
15.	Cause water to be placed in unsecured privately-owned outdoor swimming pool.	20(2)	305.00
16.	Permit water to be placed in unsecured privately-owned outdoor swimming pool.	20(2)	305.00

Note: The general penalty provision for the offences listed above is Section 22 of By-law 08-59 as amended, a certified copy of which has been filed.