

This pamphlet is published by the Corporation of the Municipality of Clarington, Building Branch, as part of a commitment to help you through the process of obtaining a Pool Enclosure Permit.

These pamphlets have no legal status and cannot be used as an official interpretation of the various Codes and Regulations currently in effect. Users are advised to contact the Building Branch for assistance as the Municipality of Clarington accepts no responsibility to persons relying solely on this information.

**MUNICIPALITY OF CLARINGTON
BUILDING BRANCH
40 Temperance Street
BOWMANVILLE, Ontario
L1C 3A6**

PHONE – (905) 623-3379

**OFFICE HOURS – 8:30 am – 4:30 pm
Summer Hours (July 1 – August 31) 8:00 am – 4:00 pm**

Information On Swimming Pool Regulations and Enclosures

Clarington
Leading the Way

What is required before a swimming pool is installed?

You will need to apply for and receive a Pool Enclosure Permit if the depth of your pool is 61 centimeters (24"0) or over, prior to the construction or excavation for an inground or above ground swimming pool.

How much will the Pool Enclosure Permit cost?

There is a fee of \$75 for a Pool Enclosure Permit in the Municipality of Clarington.

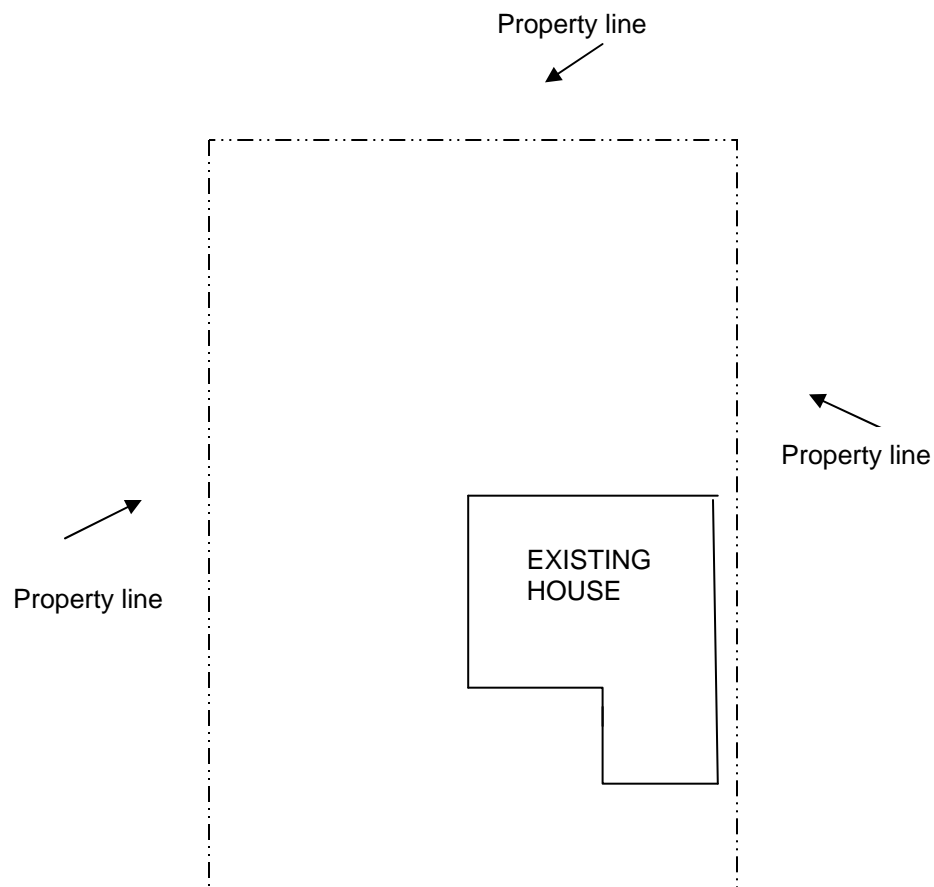
What is required to apply for a Pool Enclosure Permit?

To apply for a Pool Enclosure Permit, submit an application, with two copies of the following information, to the Building Branch located on the third floor of the Municipal Administrative Centre:

A survey or site plan showing the shape, size and proposed location of the swimming pool on your property. The survey/site plan must include all setbacks from the pool to the property line. All easements on your property must be noted.

Details of new fence construction or the existing fence must be shown including the location, type of fence and height of fences on your property.

EXAMPLE SITE PLAN



Street name _____

Please contact the Planning Department to confirm what the required setbacks are for your property. Please note that exterior lot setbacks are greater.

INSPECTIONS:

BUILDING DEPARTMENT

Inspection of the pool enclosure is required and it is the responsibility of the owner to call for inspection prior to filling the pool with water. Please call our answering machine at 623-7876 to book an inspection.

ELECTRICAL SAFETY

Installing a Pool, Spa or related equipment:

Ontario's Electrical Safety Code requires electrical inspection of all new installations and maintenance work on the pools to ensure that they meet provincial standards.

Who is responsible?

The licensed contractor or homeowner (who may be completing the electrical work) is responsible to ensure that all the electrical work is inspected by ESA. An electrical inspection must be filed with ESA within 48 hours after commencing the work. Please call 1-877-ESA-SAFE (372-7233) to arrange for an electrical inspection.

Other approvals that may be required:

Central Lake Ontario Conservation (C.L.O.C.)

100 Whiting Avenue, Oshawa (905-579-0411)

OR

Ganaraska Region Conservation Authority (G.R.C.A.)

P.O. Box 328, Port Hope (905-885-8173)

- ◆ A permit may be required from the Conservation Authority if you are digging or filling in an area under, or adjacent, to their jurisdiction.

Ministry of Transportation of Ontario (M.T.O.)

138 Hope Street, Port Hope (416-885-6381)

- ◆ A permit may be required if your pool is within 150 feet from a King's Highway.

Region of Durham Health Department

101 Consumers Drive, Whitby (905-723-3818)

- ◆ A permit may be required if the location of your pool is within 5m (16'-6") of a septic system and/or well on your property or any adjacent property.

It is your responsibility to apply for permits to these outside agencies. If required, submit their permits or approvals to the Building Division prior to the permit being issued.

POOL REGULATIONS

Where can I put my pool on my property?

Generally, in the case of an interior lot, a private swimming pool must be located a minimum of 1.2 metres (4 feet) from an interior side or rear lot line to the wall of the pool.

Generally, in the case of an exterior (corner) lot, a private swimming pool must be located a minimum of 1.2 metres (4 feet) from the exterior lot line to the wall of the pool. Where a property is zoned Environmental Protection (EP), pools are not permitted inside or within 3.0 metres of an Environmental Protection (EP) zone.

A pool may not be located within a required sight triangle.

Please contact the Planning Department to confirm what the required setbacks are for your property.

Accessory Buildings and Pool Filters:

Generally, in the case of an interior lot, pool filters, diving boards and other accessory buildings and structures must be located a minimum of 1.2 metres (4 feet) from an interior side or rear lot line. Generally, in the case of an exterior (corner) lot, pool filters diving boards and other accessory buildings and structures excluding a detached garage, must be located a minimum of 1.2 metres (4 feet) from the exterior lot line. Where a property is zoned Environmental Protection (EP), accessory buildings and structures are not permitted inside or within 3.0 metres of an Environmental Protection (EP) zone.

Please contact the Planning Department to confirm what the required setbacks are for your property.

Gates:

Every gate shall be a minimum height of 1.2 meters (4'0") and be of the same construction equivalent to that required for the fence. Every gate shall be supported on substantial hinges and shall be equipped with self-closing and self-latching devices placed at the top and on the inside of the gate, providing a degree of safety acceptable to the Building Inspector. Thumb latch is not permitted.

Hot Tub:

A fence around the hot tub is required, unless the hot tub is enclosed by a substantial, structurally adequate cover that is permanently attached to it or its supporting structure. The cover must be securely fastened and locked, to prevent access at all times when not in use or when a responsible person is not present or supervising its use.

Temporary Fence:

A swimming pool enclosure must be erected prior to water being placed in the pool. Since the immediate installation of a permanent fence is often delayed due to the need to complete other work such as concrete decking and landscaping, the use of a temporary fence around the perimeter of the pool is permitted for a period of not more than 30 days (see Section 5.2 (1) of the By-Law). The Building Inspector must approve the construction of the temporary fence.

Wood Fence:

Must use a vertical board not less than 1.9 cm x 8.9 cm (1" x 4" nominal size). A 1.9 cm by 3.8 cm (1" x 2" nominal size) spacer can be used on existing fences.

The maximum distance between an 8.9 cm by 8.9 cm (4"x 4") post is 2.4 m (8'-0") and must be embedded in concrete to a minimum depth of 90 cm (3'-0").

Horizontal top and bottom rail must be a minimum dimension of 3.8 cm by 8.9 cm (2" x 4" nominal).

The climbable distance between the horizontal top and bottom rail must be spaced at a minimum distance of 1.2 m (4'-0") apart. The vertical board spacing cannot be more than 10.16 cm (4") apart. If the climbable distance between the horizontal top and bottom rail is less than 1.2 m (4.0') apart then the vertical board spacing cannot be more than 3.8 cm (1.5") apart on the outside face of the fence.

Metal Picket Fence:

Vertical pickets shall be spaced not more than 3.8 cm (1.5") apart where horizontal rails are less than 1.2 m (4'0") apart and not more than 10.16 cm (4") apart where horizontal rails are spaced at least 1.2 m (4'-0") apart.

Horizontal rails shall be supported on substantial post not more than 2.4 m (8'-0") apart and embedded in concrete to a minimum depth of 90 cm (3'-0") below grade.

Above Ground Pool:

A fence may not be required where the wall of the above ground pool is more than 1.2m (4'-0") above grade and does not facilitate climbing. The access to the pool will

require a gate and enclosure. (See section 5.10 of the By-law)

Further, pool filters, diving boards and other accessory buildings and structures may not be located within a required sight triangle.

Any building or structure over 10 square metres requires a building permit.

Please contact the Planning Department to confirm what the required setbacks are for your property.

Registered Easement:

No construction of pool or accessory buildings is to be located within any registered easement. **It is your responsibility to check your survey or your deed to ensure construction does not occur within an easement on your property.**

Plumbing:

If your pool is connected to a drainage system or to the potable water supply, a building permit will be required for the plumbing.

Grading:

Existing grades along property lines and all existing drainage swales (ditches) must be carefully maintained. If you live in a new subdivision, you must ensure that the grading has been finalized and certified (approved) before installing a pool. Please contact the Municipality's Engineering Department to verify if your lot is certified.

Pool Enclosures:

Swimming pools must be enclosed with a safety fence conforming to By-law 2000-105, amended by By-Law 2003-071.

The swimming pool enclosure must be erected prior to the water being placed in the pool.

Every fence shall be constructed of vertical boarded wood, solid wood, chain link, masonry, plastic, metal or other material and construction providing an equivalent degree of safety and acceptable to the Building Inspector.

Fence height for swimming pool enclosures:

- Minimum height 1.2 metres (4'-0")
- Maximum height 2.17 metres (7'-0") in the rear, interior or exterior side yard and a maximum of 1.2 metres (4'-0") in the front yard.

NOTE: For corner lots and sight triangles, please contact the Planning Department for proper information.

Maximum distance between the finished grade and the bottom of the fence or gate must not exceed 10 centimeters (4").

FENCE DESIGNS

Different fence designs or construction may be acceptable, providing they provide an equivalent degree of protection and structural stability.

Chain Link Fence:

1.2 metre to 1.8 metre (4' to 6') Fence

Must be at least 11 gauge galvanized steel wire or vinyl

coated chain link fabric 9 finished wire gauge with a maximum diamond mesh not exceeding 3.8 centimeters (1.5").

The gate and terminal post shall be a minimum 4.8 centimeters (1.78") diameter spaced no more than 2.4 metres (8'-0") apart and embedded in the ground to a depth of 90 centimeters (36") in 20 centimeter (8 ") diameter of concrete. Intermediate post may be 3.8 centimeters (1.5") diameter. The gate frame must be a minimum of 3.2 centimeters (1.25").

The top rail must be a minimum 3.2 centimeters (1.25") diameter and the bottom wire shall be 9 gauge galvanized wire threaded through the mesh and looped and fastened to each post. The posts must be a maximum distance of 3 metres (10') apart.

1.8 metre to 2.14 metre (6' to 7') Fence

Must be at least 11 gauge galvanized steel wire or vinyl coated chain link fabric 9 finished wire gauge with a maximum diamond of 5.0 centimeters (2").

The gate and terminal post shall be a minimum 6.0 centimeters (2.38") diameter spaced and embedded in the ground to a depth of 90 centimeters (36") in 20 centimeter (8 ") diameter of concrete. Intermediate post may be 4.8 centimeters (1.78") diameter and embedded 1 meter (39") in the ground. The gate frame must be a minimum of 3.2 centimeters (1.25").

The top rail must be a minimum 3.5 centimeters (1.38") diameter and the bottom wire shall be 9 gauge galvanized wire threaded through the mesh and looped and fastened to each post. The posts must be a maximum distance of 3 metres (10') apart.