

## **BY-LAW NO. 31**

### **SWIMMING POOL BY-LAW**

1. In this By-Law, "Swimming Pool" means any construction whether above or below ground which is erected to hold water and which is more than 24 inches in depth.
2. Every owner of a swimming pool in the Town of Yarmouth shall erect and maintain a fence around such swimming pool.
3.
  - (a) A fence erected pursuant to Section 2 of this By-Law shall be not less than four (4) feet in height above grade, and the bottom of such fence shall not be more than three (3) inches above grade.
  - (b) A fence erected under this By-Law shall be constructed of wood, brick, stone, metal, plastic, fibreglass, or such other material as approved by the building inspector of the Town of Yarmouth.
  - (c) Where such fence is constructed of wood, the pickets or boards shall be upright and shall not have any spaces more than 3 inches in width.
  - (d) Where such fence is constructed of material other than wood, there shall be no opening in such fence more than three (3) square inches, other than such entrance or entrances as referred to in paragraph four (4) of this By-Law.
4. Where any fence is erected under this By-Law, such fence shall have one or more entrances and each such entrance shall have a gate of not less than four (4) feet in height, the bottom of which shall not be more than three (3) inches above grade and which gate shall be kept securely fastened when the swimming pool is not in use.
5. Where a swimming pool has been erected prior to the coming into force of

this By-Law, the owner shall have until the 1<sup>st</sup> day of January, A.D., 1984, in which to erect and maintain a fence in accordance with this By-Law.

6. Any fence erected under this By-Law shall be maintained in good condition and the appearance of such fence shall not be inferior to the general standards of appearance prevailing in the area where the fence is situate.