

PREVENTING DROWNING: Safer Pool Fencing Legislation Chart

CANADA

Canadian Municipal By-laws (selected)

Municipality	Requires 4-Sided Fencing	Specifies Self-Closing and Self-Latching Gate	Specifies Minimum Height of 1.22m (4 Feet) (Minimum height exceeding 4 feet ✓✓)	Defines pool as having a water depth of at least 0.6m (2 feet) (pool depth less than 2 feet ✓✓)	Includes in-ground, above-ground and inflatable pools	Specifies Fence Construction that Inhibits Climbing (includes model by-law measurements ✓✓)	Requires Retrofitting of 4-Sided Fencing for Existing Pools
City of Toronto, ON By-law #447-1	✓	✓	✓	✓	✓	✓✓	✗
Municipality	Specifies 4-Sided Fencing	Specifies Self-Closing and Self-Latching Gate	Specifies Minimum Height of 1.22m (4 Feet) (Minimum height exceeding 4 feet ✓✓)	Defines pool as having a water depth of at least 0.6m (2 feet) (pool depth less than 2 feet ✓✓)	Includes in-ground, above-ground and inflatable pools	Specifies Fence Construction that Inhibits Climbing (includes model by-law measurements ✓✓)	Requires Retrofitting of 4-Sided Fencing for Existing Pools
City of Windsor, ON By-law #266-2004	✓*	✓	✓	✓	✓	✓✓	✗
City of Woodstock, ON By-law #722	✓*	✓	✓✓	✗	✗	✓✓	✗
City of Clarence-Rockland, ON By-law #2002-47	✓*	✓	✓✓	✓	✓	✓	✗

Municipality of Port Hope, ON By-law #31/2006	x	✓	✓✓	✓	✓	✓	x
City of Peterborough, ON By-law #591-1991	x	✓	✓	✓✓	x	✓	x
City of Ottawa, ON By-law #2001-259	x	✓	✓✓	✓	✓	✓	x
Town of Hawkesbury, ON By-law #33-95	x	✓	✓	x	✓	x	x
Town of Dryden, ON By-law #1388-78, Chapter 234	x	✓	✓✓	✓	✓	✓✓	✓
City of Cornwall, ON By-law #061-1992	✓*	✓	✓	x	x	✓✓	x
Township of Woolwich, ON By-law #52-2007	✓*	✓	✓✓	x	✓	✓✓	✓
City of Burnaby, BC Pool Enclosure By-law	x	✓	✓✓	✓✓	✓	✓	x
City of Nanaimo, BC By-law #5693	x	✓	✓✓	✓	✓	✓✓	x
City of Vancouver, BC Vancouver Building By-law	✓*	✓	✓	✓✓	✓	✓	x

City of Prince George, BC By-law #5912	x	✓	✓	x	x	✓	x
City of Victoria, BC By-law #93-112	✓*	✓	✓	✓✓	✓	✓	x
Halifax Regional Municipality, NS By-law #S-700	x	✓	✓✓	✓	✓	✓	x
Cape Breton Regional Municipality, NS By-law #S-2	x	✓	✓✓	✓	✓	✓	x
Town of Bridgewater, NS Swimming Pool By-law Chapter 168	x	✓	✓✓	✓	✓	✓	x
City of Corner Brook, NL By-law #Swimming Pool Regulations	x	✓	✓✓	x	✓	✓	x
City of St. John's, NL By-law #1464	x	✓	✓✓	✓	✓	✓	x
City of Charlottetown, PE Zoning and Development By-law	x	x	✓✓	x	x	✓	x
Town of Sussex, NB By-law #1350-04	✓*	✓	✓	✓	✓	✓	x

* These by-laws do not specifically require 4-sided pool fencing. However, depending on how by-law enforcement officers interpret the by-law, these by-laws may in application require 4-sided fencing around private residential swimming pools.

Canadian Provincial Legislation

Province	Specifies 4-Sided Fencing	Specifies Self-Closing and Self-Latching Gate	Specifies Minimum Height of 1.22m (4 Feet) (Minimum height exceeding 4 feet ✓✓)	Defines pool as having a water depth of at least 0.6m (2 feet) (pool depth less than 2 feet ✓✓)	Includes in-ground, above-ground and inflatable pools	Specifies Fence Construction that Inhibits Climbing (includes measurements ✓✓)	Requires Retrofitting of 4-Sided Fencing for Existing Pools
Ontario (Bill 74 proposed - Not passed)	x	x	x	x	x	✓	x
Quebec (Loi sur la sécurité des piscines résidentielles - L.R.Q., c. S-3.1.02, a. 1, 2e al.)	✓	✓	✓	✓	✓	✓	✓
Manitoba (Manitoba Building Code s. 10)	x	✓	✓✓	✓	✓	✓	x
INTERNATIONAL							
Jurisdiction	Specifies 4-Sided Fencing	Specifies Self-Closing and Self-Latching Gate	Specifies Minimum Height of 1.22m (4 Feet) (Minimum height exceeding 4 feet ✓✓)	Defines pool as having a water depth of at least 0.6m (2 feet) (pool depth less than 2 feet ✓✓)	Includes in-ground, above-ground and inflatable pools	Specifies Fence Construction that Inhibits Climbing (includes measurements ✓✓)	Requires Retrofitting of 4-Sided Fencing for Existing Pools
Australia	✓	✓	✓	✓	✓	✓✓	✓
New Zealand	✓	✓	✓	✓	✓	✓✓	✓
France	✓	✓	✓	✓	x	✓	x

Sources:

Provincially, Manitoba has incorporated mandatory pool fencing in the Manitoba Building Code. However, the pool enclosure requirement in the Manitoba Building Code does not currently specify four-sided pool fencing. http://www.firecomm.gov.mb.ca/codes_standards_services_acts_b&mha.html

In Quebec, *Institut national de santé publique du Québec* has made recommendations for mandatory four-sided fencing for all home pools. Institut national de santé publique du Québec www.inspq.qc.ca

In Ontario, MPP Lou Rinaldi has introduced a private members bill on pool fencing. Ontario Legislature www.ontla.on.ca/library/bills/382/74382.htm

Internationally, several countries have established safer pool fencing laws:

Australia: www.poolfencing.qld.gov.au/?id=72

New Zealand: www.aucklandcity.govt.nz/council/services/fencing/compliance.asp#standards

France: www.securiteconso.org/article293.html