

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	✗	✓	✓✓	✓	✓	✓	✗
City of Peterborough, ON By-law #591-1991	✗	✓	✓	✓✓	✗	✓	✗
City of Ottawa, ON By-law #2001-259	✗	✓	✓✓	✓	✓	✓	✗
Town of Hawkesbury, ON By-law #33-95	✗	✓	✓	✗	✓	✗	✗
Town of Dryden, ON By-law #1388-78, Chapter 234	✗	✓	✓✓	✓	✓	✓✓	✓

City of Cornwall, ON By-law #061-1992	✓*	✓	✓	✗	✗	✓✓	✗
Township of Woolwich, ON By-law #52-2007	✓*	✓	✓✓	✗	✓	✓✓	✓
City of Burnaby, BC Pool Enclosure By-law	✗	✓	✓✓	✓✓	✓	✓	✗
City of Nanaimo, BC By-law #5693	✗	✓	✓✓	✓	✓	✓✓	✗
City of Vancouver, BC Vancouver Building By-law	✓*	✓	✓	✓✓	✓	✓	✗
City of Prince George, BC By-law #5912	✗	✓	✓	✗	✗	✓	✗
City of Victoria, BC By-law #93-112	✓*	✓	✓	✓✓	✓	✓	✗
Halifax Regional Municipality, NS By-law #S-700	✗	✓	✓✓	✓	✓	✓	✗
Cape Breton Regional Municipality, NS By-law #S-2	✗	✓	✓✓	✓	✓	✓	✗
Town of Bridgewater, NS Swimming Pool By-law Chapter 168	✗	✓	✓✓	✓	✓	✓	✗
City of Corner Brook, NL By-law #Swimming Pool Regulations	✗	✓	✓✓	✗	✓	✓	✗
City of St. John's, NL By-law #1464	✗	✓	✓✓	✓	✓	✓	✗
City of Charlottetown, PE Zoning and Development By-law	✗	✗	✓✓	✗	✗	✓	✗
Town of Sussex, NB By-law #1350-04	✓*	✓	✓	✓	✓	✓	✗

* 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	Defines pool as having a water depth of at least 0.6m	Includes in-ground, above-ground and inflatable pools	Specifies Fence Construction that Inhibits Climbing (includes	Requires Retrofitting of 4-Sided Fencing for Existing Pools
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			exceeding 4 feet ✓✓)	(2 feet) (pool depth less than 2 feet ✓✓)		measurements ✓✓)	
Ontario (Bill 74 proposed - Not passed)	x	x	x	x	x	✓	x
Quebec (Recommendations only – No proposed legislation to date)	✓	✓	✓	✓	✓	✓	✓
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