

CITY OF SURREY

BY-LAW NO. 4450

As amended by By-laws Nos. 12268, 04/25/94; 16667, 04/20/09

A by-law to require the fencing
of private swimming pools.

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Amended
B/L 12268
04/25/94

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WHEREAS the City Council may, pursuant to Section 714(h) of the "Municipal Act" as amended, require the fencing of private swimming pools:

AND WHEREAS it is deemed expedient to require the fencing of private swimming pools:

NOW, THEREFORE, the City Council of the City of Surrey, in open meeting assembled, enacts as follows:-

1. For the purpose of this by-law the term "Private Swimming Pool" shall include any constructed or prefabricated pool, whether situated above the surrounding ground level or wholly or in part below the surrounding ground level, used or intended to be used for swimming, bathing or wading, having a surface area exceeding one hundred and fifty (150) square feet and a depth of more than eighteen (18) inches, which is situate on any privately owned real property, and which does not fall within the jurisdiction of the Provincial Regulations governing Public Swimming Pools under the Provincial Health Act.

2. (a) Every Private Swimming Pool, whether existing or proposed, shall be enclosed within a sturdy fence not less than four (4) feet in height with no openings greater than four (4) inches in their least dimension; this fence may enclose the pool itself or any portion of the premises on which the pool is situated. Where only the pool area is fenced the fencing shall be such that the pool is open to full view through the fence. The fence shall be continuous except for points of access which shall be equipped with a self closing gate, so designed as to cause the gate to return to a locked position when not in use, and secured by a spring lock located not less than three (3) feet, six (6) inches above grade and which can only be opened from the swimming pool side of the fence.
- (b) Notwithstanding sub-section (a) above, where it is desired to tie the said fence into a building, such building may, for the purposes of this By-law only, be considered part of the fence provided it has an exterior wall at least as high as the fence, and in which all openings are equipped with a self closing door.
3. Every gate in every fence which provides access to every private swimming pool shall be kept in the locked-closed position while any water remains in the said swimming pool, and shall only be opened for the purpose of access to or egress from the said pool during such period.
4. Every fence enclosing every private swimming pool as required by this By-law, shall be maintained, by the owner or the occupier of the real property on which the same is situate, in good order and repair and adequate to perform its intended function, and all sagging gates, loose parts, worn latches and locks, and all broken or binding members shall be promptly and adequately replaced or repaired.

5. Every person who violates any of the provisions of this By-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-law, or who does any act which violates any of the provisions of this By-law shall be guilty of an infraction thereof and upon summary conviction thereof shall be liable to a fine and penalty not exceeding Two Thousand Dollars (\$2000.00), or in default of payment thereof, or in the alternative, to imprisonment for any period of time not exceeding thirty (30) days.

6. This By-law may be cited for all purposes as "Surrey Private Swimming Pool Fencing Regulation By-law, 1975, No. 4450".

PASSED by Municipal Council on the 20th day of January, 1975.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 27th day of January, 1975.

"W. N. VANDER ZALM" MAYOR

"R. N. CHESTER" CLERK