WHITEWATER REGION

Application for a Permit to Construct/Install – POOL

This form is authorized under subsection 8(1.1) of the Building Code Act.

For use by Principal Authority	
Application number:	Permit number (if different):
Date received:	Roll number:

Application submitted to: **Township of Whitewater Region - Building Department**
(Name of municipality, upper-tier municipality, board of health or conservation authority)

A. Project information

Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/other description	
Project value est. $		Area of work (ft ^{2})	

B. Purpose of application

☐ New construction ☐ Addition to an existing building ☐ Alteration/repair ☐ Demolition ☐ Conditional Permit

Proposed use of building	Current use of building

Description of proposed work

☐ Above Ground
☐ In Ground
☐ On Ground

C. Applicant

Applicant is: ☐ Owner or ☐ Authorized agent of owner

Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ( )	Fax ( )	Cell number ( )	

D. Owner (if different from applicant)

Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ( )	Fax ( )	Cell number ( )	

E. Builder (optional)

Last name	First name	Corporation or partnership (if applicable)	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number ( )	Fax ( )	Cell number ( )	

F. Tarion Warranty Corporation (Ontario New Home Warranty Program)

i. Is proposed construction for a new home as defined in the *Ontario New Home Warranties Plan Act*? If no, go to section G.	☐ Yes	☐ No
ii. Is registration required under the *Ontario New Home Warranties Plan Act*?	☐ Yes	☐ No

iii. If yes to (ii) provide registration number(s): _____

G. Required Schedules

i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.

ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.

H. Completeness and compliance with applicable law

i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted).	☐ Yes	☐ No
Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the *Building Code Act, I992*, to be paid when the application is made.	☐ Yes	☐ No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the *Building Code Act, 1992.*	☐ Yes	☐ No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the *Building Code Act, 1992* which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.	☐ Yes	☐ No
iv) The proposed building, construction or demolition will not contravene any applicable law.	☐ Yes	☐ No

I. Declaration of applicant

I _____ declare that:
(print name)

1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.

_____ _____
Date Signature of applicant

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.

WHITEWATER REGION

COPY OF PLOT PLAN

Please complete drawing below – this is your property. Draw existing buildings and proposed pool location as requested on this application. Draw existing septic location (if applicable).

Scale is: _____

←←←←Street is here→→→→

Comment: _____

_____

_____

TOWNSHIP OF WHITEWATER REGION
44 Main Street, PO Box 40
Cobden, ON K0J 1K0
P: (613) 646-2282
F: (613) 646-2283
www.whitewaterregion.ca

Pool Permit Application – Letter of Authorization

To Whom It May Concern:

I, _____ of _____ do hereby permit
(Owner's name) (Owner's Address)

_____ of _____
(Agent's name) (Agent's address)

to act as Authorized Agent in regards to applying for, and receiving of Building Permits for the following project;

_____
(Project Address)

_____
(Owner's signature)

_____
(Agent's signature)

_____
(Date)

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION
BY-LAW 12-08-549

BYLAW TO REGULATE FENCES AND ENCLOSURES AROUND PRIVATELY OWNED SWIMMING POOLS IN THE TOWNSHIP OF WHITEWATER REGION

WHEREAS, the Council of the Corporation of the Township of Whitewater Region deems it advisable and expedient to enact this By-Law;

AND WHEREAS, Paragraph 30 of Section 210 of the Municipal Act, R.S.O., 1990, Chapter 302, as amended, authorized the Municipality to pass By-Laws to require owners of privately owned swimming pools to erect and maintain fences and gates around such swimming pools, for prescribing the height and description of and the manner of erecting and maintaining such fences and gates, for prohibiting persons from placing water in privately owned outdoor swimming pools or allowing water to remain therein until the prescribed fences and gates have been erected, for requiring the production of plans of all such fences and gates, for the issuing of a permit certifying approval of such fences and gates, for the issuing of a permit certifying approval of such plans without which permit no privately owned outdoor swimming pool may be excavated for or erected and for authorizing the refusal of a permit for any such fences or gates that if erected would be contrary to the provisions of any By-Law of the Municipality;

NOW THEREFORE, the Council of the Corporation of the Township of Whitewater Regional enacts as follows:

1.1 TITLE

(1) This By-Law shall be known and may be cited as "THE SECURITY OF PRIVATELY OWNED SWIMMING POOL BY-LAW".

2.1 DEFINITIONS

(a) "CHIEF BUILDING OFFICIAL" shall mean the Chief Building Official
appointed by Council under Section 3 of the Ontario Building Code Act.

(b) "TOWNSHIP" shall mean the Corporation of the Township of Whitewater Region.

(c) "ENCLOSURE" shall mean a fence, wall or other structure, including doors and gates, surrounding a privately owned outdoor swimming pool to restrict access thereto.

(d) "PERSON" shall include a Firm Partnership, Company, Corporation, Contractor of Owner.

(e) "PRIVATELY OWNED SWIMMING POOL" shall mean a privately owned outdoor body of water contained in part or in whole by artificial means, which hold water in excess of eighteen (18) inches in depth.

3.1 ENCLOSURES

(a) No person shall construct a privately owned outdoor swimming pool or erect a fence around same without first acquiring the necessary permit or permits from the Chief Building Official. The application for a permit shall include a plot plan satisfactory to the Chief Building Official.

(b) No person shall have a privately owned outdoor swimming pool in the Township unless the area is completely enclosed by fencing in compliance with the requirements of this By-Law.

(i) Such fencing, including gates therein shall extend from the ground to height of not less than 1.5 metres (5 feet) and

shall fulfill the intent of prohibiting unauthorized trespass into the pool area.

(c) A fence forming part of such enclosure:

(i) Have no rails or other horizontal or diagonal bracing or attachments on the outside face that may facilitate climbing; between 10 millimetres (4 inches) and 1.5 metres (5 feet) from grade.

(ii) Chain-Link - a fence of Chain Link construction shall comprise the following:

A mesh not greater than 38 millimetres (1 and 1/2 inches) consisting of 12 gauge galvanized steel wire, or of 14 gauge steel wire covered with vinyl or other approved plastic which would yield a total thickness equivalent to 12 gauge wire.

Galvanized steel supporting posts spaced at maximum 3.0 metres (10feet) intervals, and extended at least 1.2 metres (4 feet) below grade.

End posts and corner posts of minimum 48 milimetres (1 and 7/8 inches) diameter encased in concrete least 50 millimetres (2 inches) thick all around below grade.

Intermediate posts of minimum 38 millimetres (1 and 1/2 inch) diameter encased in concrete at least 50 millimetres (2 inches) thick all around below grade when more than 15 metres (50 feet) from an end post, a corner post or an intermediate post that is similarly encased.

(iii) Vertical Board - A fence of vertical board construction shall:

Have vertical boarding 25 millimetres (1 inch) thick nominal attached to a top and bottom rail in such a manner as to not facilitate climbing from the outside. Such vertical boards must not be less than 23 millimetres x 100 millimetres (1 inch x 4 inches) nominal and must be spaced not more than 100 millimetres (4 inches) apart.

Be supported by posts at least 100 millimetres x 100 millimetres (4 inches x 4 inches) nominal, spaced not more than 2.4 metres (8 feet) apart. Such posts shall be extend at least 1.2 metres (4 feet) into the ground and be securely embedded therein. The portion below grade shall be treated with an approved wood preservative or be of pressure treated wood.

Have top and bottom rails of at least 50 millimetres x 100 millimetres (2 inches x 4 inches) nominal dimensions.

Have no openings that would allow the passage of a spherical object having a diameter larger than 100 millimetres (4 inches).

(iv) Other Types - Other types of fences including retaining walls and deck guards to serve as pool fences shall be constructed in accordance with the requirements of the Ontario Building Code and shall have no vertical opening greater than 50 millimetres (2 inches).

(v) Temporary Fence - A temporary fence shall consist of 1.2 metres (4 feet) high plastic mesh fence having a mesh not greater than 38 millimetres (1.5 inches), with a steel T-bar post every 3 metres (10 feet) maximum and a 9 gauge galvanized steel wire

located at the top and bottom of such fence. A temporary fence shall be permitted during construction of a pool and must be replaced prior to the pool being used.

(vi) Shall include no part consisting of barbed wire or have no similar dangerous characteristics such as a device for projecting electric current through the fence.

3.2 (a) Despite Section 3.1, where a fence is not installed to enclose a swimming pool, a safety cover certified to meet the requirements of the Safety Cover Performance Specification must be installed and maintained on the swimming pool in accordance with that specification.

(b) Where a fence is not provided in accordance with Section 3.1 and a safety cover is installed in accordance with Subsection 3.2, it is the responsibility of the occupier of the property to have the safety cover properly secured to prevent access to the pool when the pool is not in use and not under the direct supervision of a competent person.

(c) Where a fence is not provided in accordance with Section 3.1, the owner of the property must enter into a covenant with the Township to indemnify the Township against all claims and demands, actions, suits or other proceedings against all loss and costs, which may be caused by or arise out of, or in any way be attributable or incidental to the owner's non-compliance with Section 3.1.

4.1 SECURITY

(a) Gates shall be of the same construction and height to that required for the fence.

(b) Gates shall be supported on substantial hinges.

(c) Gates shall be equipped with self-closing and self-latching devices placed at the top and on the pool side of the gate or equipped with a lock.

(d) The swimming pool area must be secured at all times except when actually used by the owner, his family or persons authorized by the owner to use the pool.

(e) A fence erected on the owner's property which complies with the provisions of the By-Law shall be deemed a sufficient fence, if it completely fences in the yard in which the swimming pool is located, but in no case shall the fence be closer to the nearest inside wetted surface of the swimming pool wall than four (4) feet.

(f) No pool fence shall be located closer than four (4) feet to any condition that facilitates the climbing of the enclosure, unless alternative measures are implemented to provide an equivalent level of safety as set out in this By-Law.

(g) A wall or walls of a building or buildings may form part of such fence provided that all doors affording access from a building directly to an enclosed swimming pool area, other than doors located in a dwelling unit, are equipped with a self closing device and self-latching device located not less than forty-eight (48) inches above the bottom of the door.

(h) The owner of every pool shall ensure that every gate or door providing access to such swimming pool be kept locked at all

times when a responsible person is not present and supervising the pool.

(i) Existing pools which are fenced at the passing of this By-law shall be inspected by the Chief Building Official or his/her designate to determine whether the existing fence and gates are adequate to protect the safety and welfare of children who might otherwise gain access to the pool. The minimum requirements for existing pools are a 1.2 metres (4 feet) high fence with no horizontal members that would facilitate climbing, and an area to provide access for the entire perimeter of the pool. If those requirements cannot be met, such fences and gates shall be made to comply with this By-law.

5.1 ADMINISTRATION AND ENFORCEMENT

(a) The administration and enforcement of the By-Law shall be under the authority of the Building Inspector of the Corporation of the Township of Whitewater Region.

(b) The provisions of this By-Law shall apply to all new installations of privately owned outdoor swimming pools.

6.1 REPEAL

All previous privately owned swimming pool By-Laws are hereby repealed including bylaw #02-06-72

7.1 OFFENCES

(a) any person who contravenes any section of this by-Law is guilty of an offense and liable upon conviction to a fine of not more than $5,000.00 exclusive of costs and such fine shall be recoverable under the provisions of the Provincial Offenses Act.

8.1 EFFECTIVE DATE

This By-Law given its FIRST and SECOND reading this 1st day of August, 2012

.

This By-Law read a THIRD time and finally passed this 1st day of August, 2012.

MAYOR

CAO