

THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY
BY-LAW NUMBER 32-2002

BEING A BY-LAW TO REQUIRE THE FENCING OF PRIVATELY OWNED
OUTDOOR SWIMMING POOLS.

WHEREAS, the Council of the Corporation of the Municipality of Morris-Turnberry deems it necessary to require the fencing of all privately owned outdoor swimming pools;

AND WHEREAS, pursuant to Section 210 p 30 of the Municipal Act R.S.O. 1990 as amended from time to time, By-laws may be enacted by Local Municipal Councils to require owners of private outdoor swimming pools to erect and maintain fences and gates around such swimming pools and for the prescribing of the height, description and manner of erecting such fences and gates.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY ENACTS AS FOLLOWS:

1. SHORT TITLE AND SCOPE

This By-law may be cited as the “Swimming Pool Fence By-law”. The provisions of this By-law shall be applicable to all property in the Municipality of Morris-Turnberry.

2. APPLICATION

This By-law shall be applicable to all privately owned outdoor swimming pools in the Municipality of Morris-Turnberry constructed after the final date of passing of this By-law that are more than twenty four inches (24”) in depth.

3. ADMINISTRATION

This By-law shall be administered and enforced by the Chief Building Official of the Municipality of Morris-Turnberry.

4. INSPECTION

The Chief Building Official of the Municipality of Morris-Turnberry, acting under the direction of the Council of the Corporation, or any peace officer having jurisdiction in the Municipality is hereby authorized to enter, with prior notification between the hours of 8:00 AM and 6:00 PM on any day except Sunday, upon any property or premises or structure for the purpose of discharging his duties under this By-law, or if there is reason to believe that the provisions of this By-law are not being complied with in whole or in part.

5. APPLICATION FOR A PERMIT

No person shall erect or alter any private outdoor swimming pool or part thereof within the limits of the Municipality of Morris-Turnberry, unless a permit has been issued, therefore by the Chief Building Official. Every applicant for a permit for a swimming pool shall file with the application a plan, drawn to scale showing the following:

- 1) The dimensions of the lot to be built on or otherwise used,
- 2) The proposed type, location, and size of pool proposed,
- 3) The proposed type, location, and height of the safety fence and gates,
- 4) The location of all buildings or structures within 400ft.

GENERAL PROVISIONS

6. "Swimming Pool" means any structure, basin, chamber or tank containing any artificial body of water for swimming, diving or recreational bathing:
 - a) has a depth of more than 24 inches at any point, and;
 - b) has a surface area of more than 10.8 square feet, and;
 - c) is not under the jurisdiction of the Building Code, and;
 - d) is not completely inside a building, and;
 - e) is not owned by government or a local board or commission constituted under any statute or by-law, and;
 - f) is not a pond or reservoir to be utilized for farming purposes;
 - g) but excludes hydro massage pools, and;
 - h) excludes storm water management ponds.
7. It is the intent of this By-law to provide for fences that eliminate or deter easy climbing by children or others. Fences that can be used similar to a ladder shall be unacceptable.
8. The owner of every private outdoor swimming pool in the Municipality of Morris-Turnberry shall, prior to the filling of such pool, erect and maintain a fence completely enclosing the pool. The fence shall conform to the following specifications:
 - a) Chain link type of 9 gauge or heavier wire with a maximum opening size of two (2) inches in any direction,
 - b) Solid fences of wood or Metal,
 - c) Vertical picket type fences provided the openings between boards does not exceed two (2) inches,
 - d) Fences of a type approved by the Chief Building Official,
 - e) Every fence shall be not less than sixty (60) inches in height,
 - f) Every fence shall be so constructed that all horizontal or diagonal structural members of the fence shall be located on the inside or pool side of the fence,

PENALTY:

1. Any owner of a private outdoor swimming pool in the Municipality of Morris-Turnberry who neglects or refuses to enclose an outdoor swimming pool in accordance with the terms of this By-law is guilty of an offence and upon conviction thereof, shall be liable to a penalty not to exceed five hundred (\$500.00) exclusive of costs for each day that the contravention continued.
2. Any person who obstructs or interferes with the Chief Building Official the performance of his duties under this By-law is guilty of an offence and upon conviction thereof, is liable to a penalty not to exceed five hundred (\$500.00) exclusive of costs.

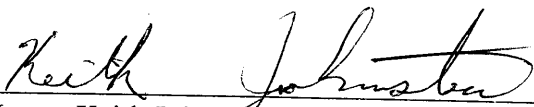
REPEAL:

1. All By-laws previous and inconsistent to this By-law are hereby repealed.


ADOPTION:

1. The Council of the Municipality of Morris-Turnberry hereby enact that this By-law may be cited as the Swimming Pool By-law for the Municipality of Morris-Turnberry.
2. The Mayor and Clerk are hereby empowered to sign and execute this by-law.

THIS BY-LAW IS HEREBY READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9th DAY OF July, 2002



Mayor, Keith Johnston



Clerk, Nancy Michie

CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 33 - 2002

**Engineer's Report
Mills Municipal Drain – 2002 Improvement**

A By-law to provide for a drainage works in the Municipality of Morris-Turnberry in the County of Huron.

Whereas, the requisite numbers of owners have petitioned the council of the Municipality of Morris-Turnberry, in the County of Huron in accordance with the provisions of the Drainage Act, R.S.O. 1990, c.D. 17, Section 78, requesting that the following lands and roads be drained by a drainage works:

Parts of Lots 16 and 17, Concession 10 in the Morris Ward of the Municipality of Morris-Turnberry; and

Serving Parts of Lots 4-6, in the North Part of Concession 14 in the Municipality of Central Huron.

And Whereas, the council of the Municipality of Morris-Turnberry, in the County of Huron has procured a report prepared by Maitland Engineering, A Division of R.J. Burnside & Associates Limited, Wingham, Ontario; and the report is attached hereto and forms part of this by-law.

And Whereas, the estimated total cost of constructing the drainage works is \$ 46,000.00; as shown on the Assessment Schedule attached hereto;

And Whereas, \$ 30,970.00 is the amount to be contributed by the lands and roads in the Municipality of Morris-Turnberry; and \$ 15,030.00 to be contributed by the lands and road in the Municipality of Central Huron ;

And Whereas, the council is of the opinion that the drainage of the area is desirable;

Therefore, the council of the Municipality of Morris-Turnberry pursuant to the Drainage Act, R.S.O. 1990 c.D. 17, enacts as follows:

1/ The report dated June 20, 2002 is hereby adopted and the drainage works as therein indicated and set forth is hereby adopted and shall be completed in accordance therewith;