

# Swimming Pools & Hot Tubs



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All private swimming pools and/or hot tubs capable of containing more than 24 inches (600 mm) of water require a Building Permit and must be inspected by the R.M of Tache Building Inspector. This includes ALL types of above and below ground pools including temporary or seasonal pools. All private pools must be completely enclosed with a fence or other suitable barrier erected in accordance with Part 10 of the Manitoba Building code as follows:

- The fence must have a minimum height of 1.5 meters (5 ft.) including a gate which shall be self-closing and equipped with a lockable latch to prevent unauthorized entry;
- There shall be no openings other than the entry to a building or gate and it shall be constructed so as to prevent a child from crawling under either the fence or the gate;
- Where material other than the chain link is used, the outside surface of the enclosure shall be relatively smooth so as not to provide foot or toe holds;
- The enclosure surrounding an outdoor pool shall be maintained in good repair.

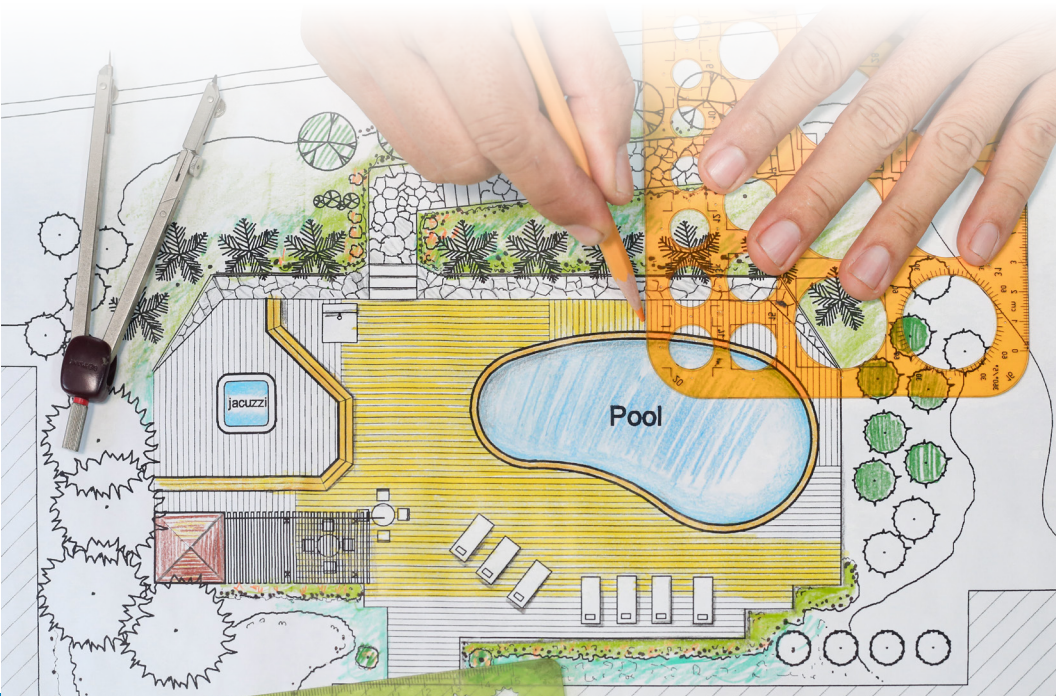
Pool covers of any type, material, manufacture, or strength do not count as a suitable barrier. hot tubs may substitute a lockable cover in place of a fence. However it must be strong enough to support the weight of an adult talking on top of it.

Please refer to the below package for additional information.



# Swimming Pools, Spas & Hot Tubs

Construction requirements for outdoor private  
swimming pools (in-ground and above-  
ground), spas and hot tubs



<b>General Information .....</b>	<b>3</b>
<b>Zoning .....</b>	<b>4</b>
<b>Electrical.....</b>	<b>6</b>
<b>Fencing.....</b>	<b>7</b>
<b>Hardware .....</b>	<b>10</b>
<b>Additional Considerations.....</b>	<b>13</b>

## **Note**

**Strive for Safety!** The primary intent of the regulations concerning pools, spas and hot tubs is to minimize the danger that pools, spas and hot tubs present for small children. When in doubt, please side with caution.

The R.M of Tache Building By-law is primarily an administrative document that adopts the Manitoba Building Code and related standards to provide constructive requirements. Throughout this booklet the Manitoba Building Code will be referred to as the Building Code.

## **Mandatory Inspections**

Inspections require 48 hours notice and can be booked by contacting Tanis Klippenstein at [Tanis@rmtache.ca](mailto:Tanis@rmtache.ca) or by calling 204-878-3321 at the following phases of installation:

- once the bonding of all metal components (including rebar if there is a concrete base) has been completed; and
- before putting more than 600 mm (2'-0") of water in the pool – inspection availability varies and require 48 hours notice. All fencing and gates need to be complete prior to this last inspection.

*Every effort has been made to ensure the accuracy of information contained in this publication. However, in the event of a discrepancy between this publication and the R.M of Tache By-Law, the By-law will take precedence.*

# General Information

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## Permit Requirements

A building permit is required to install a pool, spa, hot tub or any other structure/vessel located outdoors that is capable of containing 600 mm (2'-0") or more of water. These structures/vessels are hereinafter referred to as the **pool**.

Separate permits are also required for associated construction such as decks, change houses, sun-rooms, etc. These permit applications must include sufficient structural information to complete a structural review of these components.

Permits may be applied for by submitting the required information to the R.M of Tache Building & Planning Department at 28007 Mun 52N (on the corner of PR 206 & TCH) or by visiting our website at [www.rmtache.ca](http://www.rmtache.ca).

The following information is required when applying for a pool permit:

- For all swimming pools you will need to provide a copy of a site plan that needs to include lot dimensions, location of all buildings/structures on the property, dimensions (length, width, height or depth) of proposed structure, dimensions of proposed structure in relation to property lines and to other existing structures if applicable).

**NOTE:** In the event that these dimensions are not clear or represent non-compliance with pre-existing structures, the R.M of Tache may require a current Building Location Certificate (BLC) sealed by a registered land surveyor.

- For in-ground pools you will also require a copy of the structural design drawings for the pool. These drawings will need to be sealed and signed by a Professional Engineer registered with the Province of Manitoba.
- For spas/hot tubs being located on existing decks, you will need to provide construction drawings for the deck to verify that the structure is capable of supporting the additional loads imposed by the placement of the tub. You will also need to provide specifications for the tub including dry weight and water capacity.

## Zoning Requirements

Private Swimming Pools are Accessory Uses/Structures that are permitted in all ones *except* the "I" Industrial and "OS" Open Space Zones. Please see *Table 3-5 Accessory Use, Building or Structure Table* from the R.M of Tache Zoning By-law No. 10-2017 below.

TABLE 3-5: ACCESSORY USE, BUILDING OR STRUCTURE TABLE

USE, BUILDING OR STRUCTURE		ZONE									
		AG AL	AII C	RRW RRE	RS RT RMH	RM1 RM2	I	OS	AR	NE	VA
29	Private swimming pool	P	P	P	P	P	-	-	P	P	P

Private Swimming Pools shall adhere to the minimum and maximum yards

(setbacks) and building requirements for **Accessory Uses** within the corresponding zone of the property. See *Table 4-4: Residential Build Use Requirements* for the "RS" Residential Single Unit Zone below as an example.

TABLE 4-4: RESIDENTIAL BULK USE REQUIREMENTS

Residential		Minimum Requirements							Maximum Requirements	
		Site			Yards					
		Site Area (feet²/acres)	Lot Area per Dwelling Unit	Site Width (feet)	Front Yard (feet)	Side Yard (feet)		Rear Yard (feet)	Site Coverage (%)	Building Height (feet / storeys)
						Interior	Corner			
Zone	Use									
RS	Primary	5500 (a)	n/a	50 (a)	20 (b)	5	12	25	45	30
	Accessory	-	-	-	20	5	12	10	10	15

*\*Note: The required Site Coverage maximum for Accessory Uses includes Private Swimming Pools in the site coverage calculation.*

Any decking attaching to a Swimming Pool, e.g. a deck surrounding an above-ground Swimming Pool, is considered part of the overall swimming pool structure and the minimum yard (setback) requirement should be measured from the edge of the deck, not pool, to the property line.

Please see *Tables 4-2, 4-3, 4-4, 4-8 and 5-7* of the R.M of Tache Zoning By-law for individual zone minimum and maximum yard and building requirements.

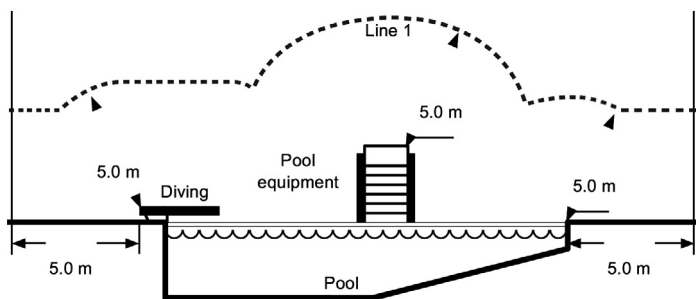
## Electrical Requirements

Overhead power supply, communication and antenna distribution conductors **NOT** exceeding 750 volts crossing a pool cannot be less than 5 m (16'-6") above the swimming pool, diving structure, slide, observation stand, tower or platform. This area applies to the area extending 5 m (16'-6") horizontally from the pool edge. (See **FIGURE 3**)

No conductors are permitted in the area under Line 1 in the diagram below.

For high voltage power supply conductors exceeding 750 volts and specific requirements associated with underground wiring close to pools please refer to Manitoba Hydro.

**FIGURE 3 - OVERHEAD CONDUCTORS LESS THAN 750 VOLTS**



All metal parts of a pool and other non-electrical equipment associated with the pool and its base including piping, reinforcing steel, ladders, diving board supports, etc., must be bonded in accordance with the requirements of Manitoba Hydro.

The bonding conductor shall be continuous #6 AWG copper and run to the panel board supplying pool equipment.

Electrical receptacles cannot be located within 1.5 m (5'-0") of the pool edge. As well, all receptacles located from 1.5 m to 3 m (5'-0" to 10'-0") from the edge of the pool must be protected by a CSA approved ground fault circuit interrupter.

Light fixtures and other electrical equipment located within 3 m (10'-0"), measured both horizontally and vertically from the pool edge, must be protected by a CSA approved ground fault circuit interrupter.

## **Fencing Requirements**

All outdoor pools must be completely enclosed with a fence or other suitable barrier constructed in accordance with the following requirements:

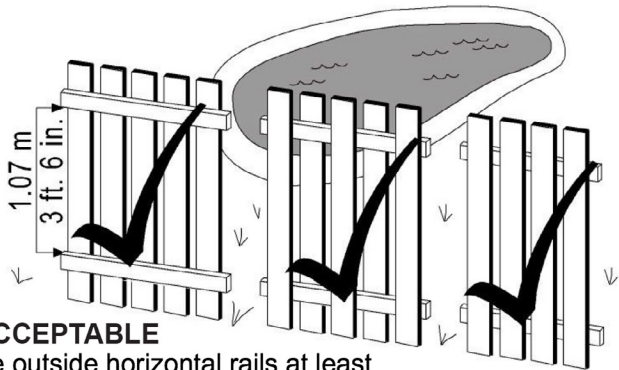
- a) it must have a minimum vertical height of 1.5 m (5'-0") and a maximum vertical height of 2.0 m (6'-6);
- b) it cannot leave more than 100 mm (4") between the bottom of the fence and the ground;
- c) there must be no openings, other than a door to a building or a gate as described in requirement (c) below, and it must not be possible for a child to crawl under either the fence or the gate;
- d) any gate must be self-closing, must be at least 1.5 m (5'-0") in height, and must be equipped with a (self-latching) lockable latch to prevent unauthorized entry;
- e) where chain link is used, the mesh size must not exceed 50 mm (2") and the wire must be at least number 11 gauge;
- f) where other than chain link is used, the outside surface of the fence or gate must be relatively smooth so as not to provide foot or toe holds;
- g) it is not permitted to fill the pool with more than 600 mm (2'-0") of water before the fencing has been completed. Permission may be granted to erect temporary fencing while the permanent fencing is being constructed. Contact the building inspector for more information;
- h) if, in the opinion of the authority having jurisdiction, there is any undesirable feature pertaining to the enclosure, suitable steps must be taken to correct the situation.

The fence shall be maintained in good repair at all times.

The use of vehicle gates as part of the pool enclosure is not recommended. These gates are often too large and too heavy to be automatically closed with most existing hardware. Pairs of gates are also discouraged unless they can be made to close and latch automatically.

The illustrations found on this and the following page are intended as guides in meeting the requirements for construction of pool fences and gates. They are offered as suggestions only. Other alternatives may be used as long as they meet the intent of the Building Code.

## VERTICAL BOARD (PICKET)



### ACCEPTABLE

Place outside horizontal rails at least 1.07 m (3'-6") apart.

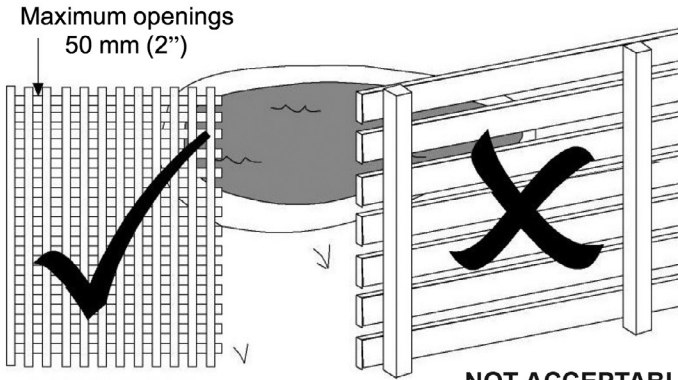
### NOT ACCEPTABLE

- When building this type of fence avoid closely spaced horizontal rails.
- The fence shall not be climbable.





## WOODEN LATTICE AND HORIZONTAL BOARD



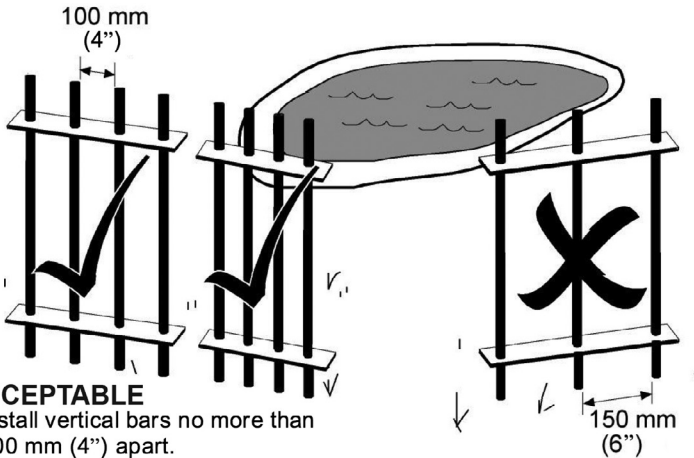
### ACCEPTABLE

- Place horizontal straps on the inside of the fence.

### NOT ACCEPTABLE

- There can be no more than  $\frac{1}{2}$ " space between horizontal boards.

## WROUGHT IRON



### ACCEPTABLE

- Install vertical bars no more than 100 mm (4") apart.
- Avoid the use of any decorative designs or leaf work which could provide foot or toe holds.
- Install the latching in a fashion that it cannot be easily reached through the wrought iron.

### NOT ACCEPTABLE

- Bars too far apart.

## Hardware Requirements for Gates

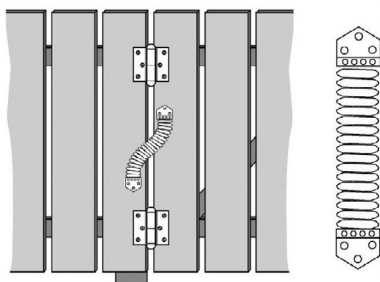
Self-closing devices that will cause the gate to return to a closed position without the aid of a push or pull are required on all gates in a pool fence.

The gates must close automatically to prevent unauthorized entry into the pool area. Self-closing devices must be maintained in good repair and functioning as designed at all times. Illustrated below are three commonly used types of closers designed to close the gate automatically.

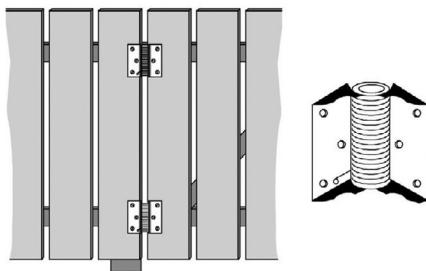
### **REMEMBER**

These requirements are intended to prevent unauthorized entry of those persons too young to understand the dangers of your pool.

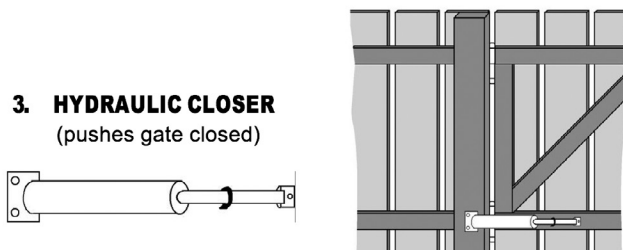
- 1. TORSION SPRING**  
(pushes gate closed)



- 2. SPRING LOADED HINGES**  
(pushes gate closed)

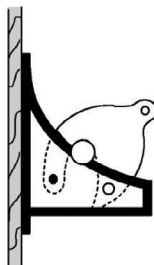
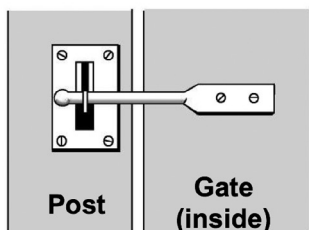


- 3. HYDRAULIC CLOSER**  
(pushes gate closed)



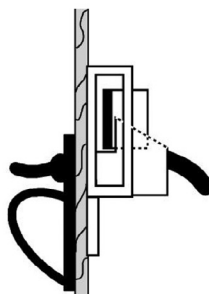
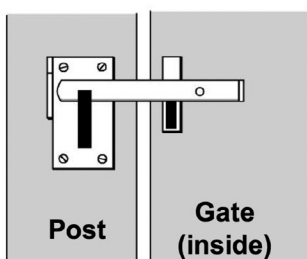
## Automatic Latches

Automatic latches that become secured upon contact with the closing gate are required on all gates in a pool fence. Some commonly used types are illustrated below.



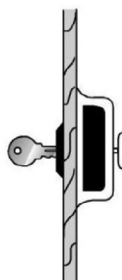
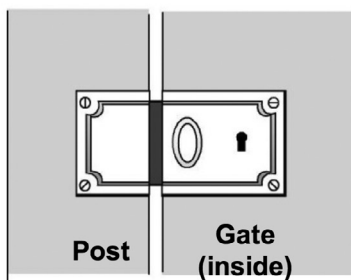
### 1. TONGUE LATCH

Padlocks on gates are recommended when pools are left unattended.



### 2. SLIDING BAR THUMB LATCH

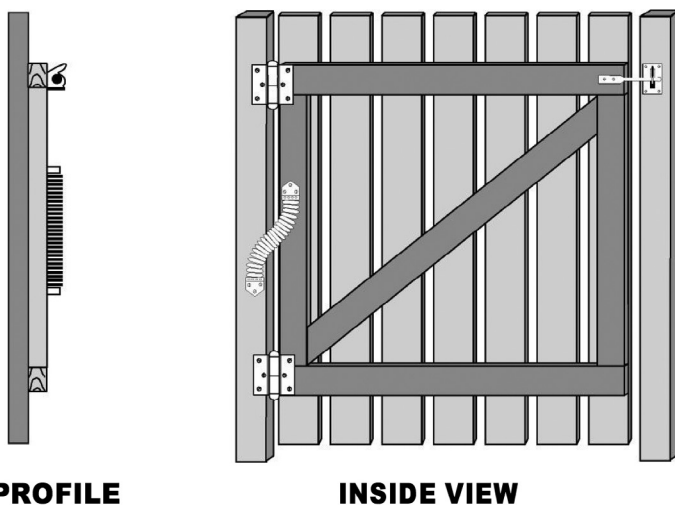
This type of latch is often installed too low. It should be at a height of 1.37 m (4'-6") minimum.



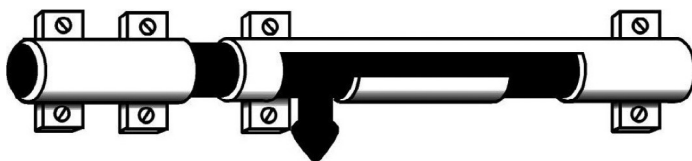
### 3. KEY LATCH

This type of latch is spring loaded.

## Example of a Self-Closing/Automatically Latching Gate:



If a latch cannot be installed on the inside of the gate, install it at a safe height at the top of the gate where it cannot be easily reached by younger persons.



### Unacceptable latch

- This latch has to be manually engaged.
- It could impair the gate from self-closing and securing.

## **Additional Considerations**

### **Drainage**

The R.M of Tache requires that the discharge of water from swimming pools must drain onto your property so it can dissipate naturally. The discharge water must not flow onto neighboring properties. Swimming pool water and/or swimming pool filter backwash water must not be discharged onto any street, lane, lake or drainage ditch.

Swimming pool water may also be discharged by having it removed for disposal by a licensed wastewater hauler, or it can be discharged onto your property if the water remains within the property until it evaporates or soaks into the ground.

### **Owners responsibilities**

It is the responsibility of the property owner to ensure that these regulations are met, in particular that the fencing is in good repair and that the pool area is securely maintained at all times.