

From: Tyler Stuart
Sent: Tuesday, April 12, 2016 10:19 AM
To: Johnson, Brenda
Subject: FW: Proposed changes to Pool Enclosure by-law

Good Morning Brenda,

I am a Hamilton citizen with two small children under 4 years old. My wife and I live in your ward and are very seriously considering in putting in a swim pool and would be directly affected by the proposed changes to the Pool Enclosure By-Law (No. 03-125). I am offering my opinion for consideration.

First, I agree that there is a very real risk of children (particularly those under the age of 5) drowning in residential swimming pools and that that risk needs to be addressed. Even 1 child drowning should be too much for us as a society to live with.

The proposed by-law seems to offer a way to mitigate this risk by creating a complete, secure fence between any openings of the home and the pool. I don't agree that the proposed changes to the by-law represent the most effective solution.

What is the root cause of children drowning in residential swimming pools?
Here is an excerpt from the 2015 Ontario Drowning Report found under the 'Risk Factors' section:

Age

<5

Alone near water (61%)

Supervision absent
or distracted (93%)

5-14

With other minors only (35%)

http://www.lifesavingsociety.com/media/216840/98drowningreport2015ontario_web.pdf

In the above noted risk factors there is no mention of fencing, barriers or gates. *They all mention a lack of adult supervision.* In kids under the age of 5 'Supervision absent or distracted' is a risk factor 93% of the time! I believe it is reasonable to conclude that a significant cause of children drowning in residential pools is *a lack of dedicated adult supervision.*

Given that, is replacing adult supervision with a fence really the best solution? What if your child climbs the fence or the gate doesn't latch properly or your child is old enough to unlatch the gate? Will a fence replace dedicated adult supervision and go help a child who falls in the pool? No. So do the proposed changes to this by-law address the most likely cause of children drowning in residential pools; a lack of dedicated adult

supervision? No. The fence might actually make the probability of a successful rescue worse!

If you own a pool and your children are outside, there is no adequate replacement for dedicated adult supervision. Period.

A few other notes:

- To prevent children from getting out of the house unnoticed and drowning, I would suggest considering less invasive preventative measures such as patio door locks and alarms.
- What about those who don't have children? How is this by-law fair? The current proposed changes offer no reasonable alternatives if you don't have children or for making adjustments years after your children have grown. They also don't address the fact that developers are building houses on smaller parcels of land, leaving less room for the aforementioned fencing without being a complete hindrance to the very lifestyle desired by 'would-be' pool owners.
- What about education, safety training, and yes, devoted adult supervision? Don't those potential solutions have a role to play? Understandably these solutions will not fall under the scope of the Building Division; however they play a role in the big picture.

I appreciate you taking my opinion under consideration for these matters.

Cheers,

Tyler Stuart