



3230 Mainway, Unit 1  
Burlington, ON, L7M 1A5

April 11, 2016

**To: Mayor Fred Eisenberger and City Councilors**

**Re: Planning Committee Resolution on Swimming Pool Fencing Requirements**

We at Pioneer Family Pools want to acknowledge that the items addressed at the City of Hamilton's Planning Committee meeting on April 5th, 2016 need to be met with the highest degree of sensitivity.

While the decision to proceed with mandatory four-sided fencing was in keeping with recommendations from the Drowning Report issued by the Chief Coroner of Ontario in 2011, **we are of the opinion that the decision for new pool installations was ill-founded.**

It is important to note that this issue is every bit as much about human behaviour as it is about the installation of physical barriers. Simply installing four-sided physical barriers provides a false sense of security and takes the onus off parental supervision. The enactment of an imposed singular safeguard in the absence of public education has not proven to be successful. In reality, the ideal solution to child safety concerns is the direct and constant supervision of children around bodies of water, and this requires education.

We strongly encourage the City of Hamilton to approve Alternative "B" as presented to the Planning Committee by Mr. Jorge M. Caetano in the report of the Planning and Economic Development Department. Please consider the attached documentation for further concerns with the Bylaw as well as our recommendations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Harry Martyniuk", is written over a printed name.

Harry Martyniuk

Pioneer Family Pools  
905-335-2335 x1021

# RESOLUTION ON SWIMMING POOL FENCING REQUIREMENTS

The City of Hamilton's Planning Committee met on April 5<sup>th</sup> to address the issue of four-sided fencing around residential swimming pools. The Committee resolved to proceed with mandatory four-sided fencing for new pool installations.



**Pioneer Family Pools believes that the decision was ill-founded based on the following:**

## Existing vs. New Installation

Young families who have recently purchased a pool may be more attuned to water safety than families that move into a house that already has a pool in the backyard.

## Scope

While the four-sided fence is intended to protect toddlers, they are at equal risk around new or existing pools. Introducing a By-law that affects only new installations is not adequate for defending child safety.

## Statistics

The Drowning Report based on the 2010 Life Saving Society study indicated that over the time period, 7 children drowned in pools. 5 out of the 7 drownings (71%) had either 5' walls (Aboveground Pool) or four-sided fencing in place. The numbers suggest that mandatory 4-sided fencing is not helpful in preventing drownings.


## Experience

Proponents of four-sided fencing have made claims that 7 out of 10 drownings could be prevented by the addition of a fence separating the house from the pool. However, these predictions have not met expectations.


## RECOMMENDATIONS

We recommend support of the layered approach to swimming pool safety. Elements include adult supervision, warnings such as access alarms, wave detectors, and immersion alarms, safety equipment, posted signs, and education.


We strongly encourage the City of Hamilton to approve Alternative "B" as presented to the Planning Committee on April 5<sup>th</sup>. We urge the City of Hamilton to consider amending its existing swimming pool enclosure By-law to incorporate elements of "A Model Residential Pool Enclosure By-law for Canadian Municipalities". This would include the following provisions:

 All pools should be required to have fencing on all three sides and a gate that is self-closing, self-latching, and locked when the pool is not in use. (Existing swimming pool enclosure By-law)

1

 Families with children age 6 or younger should be required to select and install one or more of the physical barrier options from "A Model Residential Pool Enclosure By-law for Canadian Municipalities" and deploy safeguards to assure additional protection.

2

 An educational program for water safety should be established.

3

## SUMMARY

Four-sided fencing can be effective in preventing drowning incidents, but ONLY if it is the choice of the homeowner. Giving a homeowner a variety of options has met with greater success, especially in jurisdictions that have invested in public education.

We are prepared to work with the city of Hamilton in establishing a public water safety awareness campaign. Such programs have proven to be extremely effective (e.g., London, Ontario).



[pioneerfamilypools.ca](http://pioneerfamilypools.ca)