

The various options available to prevent access to the pool



- 1. Install a fence around your pool**
equipped with a self-closing and self-latching gate.
- 2. Enclose your backyard deck with a fence**
featuring a self-closing and self-latching gate, and install devices that limit the opening of windows facing the backyard.
- 3. Use your patio door as an enclosure/fence**
equipped with a self-closing mechanism and a latch, along with devices designed to restrict the opening of windows facing the backyard.

The three options listed above are for information purposes only and include additional requirements as explained below.

The Town of Kirkland does not recommend any specific installation type. It is the homeowner's responsibility to choose the option that best suits their needs.

Additional options available for aboveground pools

Any aboveground pool with a wall height of at least 1.22 m from the ground at any point is not required to be surrounded by an enclosure if access to the pool is by:

- 1.** A ladder equipped with a self-closing and self-latching security gate. The gate must be locked or padlocked when not under the direct supervision of an adult.
- 2.** A ladder or platform access to which is protected by a compliant enclosure.
- 3.** A patio attached to the residence and laid out so that the part giving access to the swimming pool is protected by a compliant enclosure.



Figure 1 Example of a ladder equipped with a self-closing and self-latching gate



Figure 2 Example of a platform protected by an enclosure



Figure 3 Example of a patio attached to the residence

Fencing Requirements

If installing a fence as part of the pool enclosure. The pool fence must be:

- Permanently installed and kept in place at all times
- Be securely anchored to the ground
- Prevent the passage of a spherical object 10 cm in diameter
- Be at least 1.22 m in height
- Have no fixture, projection or open parts enabling it to be climbed
- Be made of one or a combination of the following materials:
 - Tempered or laminated glass panel;
 - Wood;
 - Metal or chain link*;
 - PVC or similar composite;
 - Masonry;
 - Heavy duty PVC, polyester, nylon or textilene mesh that meets the ASTM F2286-16

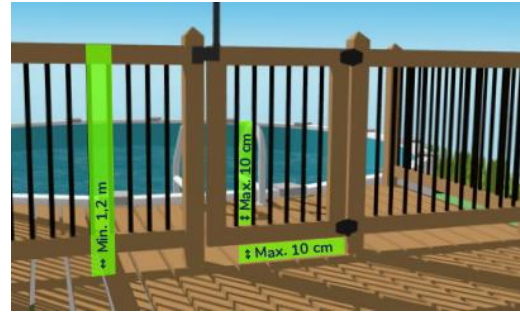


Figure 4 Required dimensions for fences

**When the enclosure is a chain-link fence, the mesh must have a maximum width of 30 mm. When the width is greater than 30mm, slats must be inserted to ensure that a spherical object more than 30 mm in diameter can't pass. This requirement only applies to fences installed after July 2021.*

Chicken wire fencing, snow fencing, temporary flexible construction fencing, or similar materials are prohibited. A hedge or bush also can't constitute an enclosure.

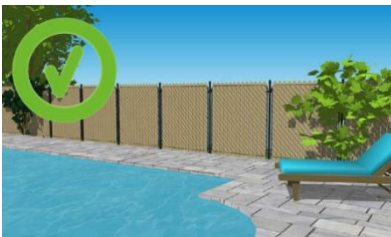


Figure 5 Example of a chain-link fence with privacy slats



Figure 6 Example of horizontal elements that could facilitate climbing



Figure 7 Example of a fence that could facilitate climbing

Doors and Gates of an enclosure

A door forming part of an enclosure must:

- Close automatically;
- Latch automatically, installed either:
 - Inside the enclosure, at the top of the gate, or
 - Outside the enclosure, at a minimum of 1.52m in height

Double doors may be permitted provided that one of the two panels is kept in a closed position (for example, by means of a rod securely anchored in the ground), and cannot be opened manually without the use of a tool. The second panel must close and latch automatically.



Figure 8 Example of a latch installed at 1.52m on the exterior of the enclosure



Figure 9 Example of a latch installed inside the enclosure. The door must also be self-closing.

Perimeter Fencing Requirements

Any yard in which a swimming pool, whirlpool, or hot tub is located must be surrounded by a fence of **a minimum height of 1.52m** installed on or near the property line.

If the perimeter fence is used as part of the pool enclosure, it must also respect the fencing and gate requirements outlined in the previous sections.

For more information on perimeter fencing, contact the Urban Planning Department.

Please note: Chain-link fences must be fitted with slats when the mesh openings exceed 30 mm in width. The addition of slats must ensure that a spherical object more than 30 mm in diameter cannot pass through. This requirement only applies to fences installed or replaced since July 1, 2021.

Window restrictor requirements

A wall forming part of an enclosure must not have any opening enabling to enter the enclosure. A window may be part of the enclosure if,

- It is located at a height of 3 m or more from the ground outside;
- It is restricted so that the maximum opening does not allow the passage of a spherical object more than 10 cm in diameter;
- It is equipped with a permanent screen that requires a tool for removal and does not allow the passage of a spherical object more than 10cm in diameter.

NOTE: The Québec Construction Code permits the installation of such a device on a window intended to serve as an emergency exit, provided that it can be disengaged from the inside without the use of a key, tool, or special knowledge. In this regard, devices compliant with ASTM F2090, "Window Fall Prevention Devices With Emergency Escape (Egress) Release Mechanisms," are particularly appropriate.

NOTE: If a window is at a height of less than 3 m from the ground outside and is located at less than 1m from the pool wall (aboveground pool) or, as the case may be, the pool enclosure, the maximum opening should not allow the passage of a spherical object more than 10cm in diameter.

Exemption:

A window is not considered an opening allowing access to the enclosure if it is located at least 1.2 m above the floor of the room in which it is situated.

However, no fixed structure or equipment (for example, a counter) that could be used to gain access to the window shall be located within 1 m of the window.



Structures and equipment in proximity to the enclosure or pool

Equipment related to the functioning of the pool shall be located more than 1 m away from:

- the pool, in the case of a pool that is not enclosed;
- the enclosure, where such equipment is located outside the enclosure.

The pipes linking the device to the swimming pool must be flexible and not installed in a way that facilitates the climbing of the pool wall or, as the case may be, the enclosure.

However, such equipment may be located less than 1 m away if it is:

- located beneath a structure at least 1.2 m in height that is free of elements that could facilitate climbing and that prevents access to the pool from the equipment;
- enclosed within a barrier that meets the requirements of a compliant enclosure;
- located within a shed.

Other equipment and fixed structures: Shall not be installed within 1 m of the wall of a pool or of the enclosure, as applicable.

Exemptions:

- This requirement applies only to pools and enclosures installed or replaced as of July 1, 2021.
- This requirement does not apply to movable equipment, such as patio furniture, or to trees. However, pool owners should ensure that such items are not left too close to the pool or enclosure.

Diving boards

A pool equipped with a diving board shall be installed in accordance with BNQ Standard 9461-100 in force at the time of installation. This standard specifies the dimensional and geometric characteristics of the minimum water envelope required to provide a safe environment for diving in a residential pool.



Maintenance

Every pool installation intended to allow or prevent access to the swimming pool must be kept in good working order.