

Private pool means an artificially constructed basin, lined with concrete, fibreglass, vinyl or like material, that is capable of containing a water depth greater than 60 cm and that is located on the property of a single-family dwelling.

Part 10

Special Construction Standards

Section 10.1. Private Pools

10.1.1. Scope

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1) This Part applies to *private pools*.

2) Pools other than *private pools* shall conform to the requirements under *The Public Health Act* and regulations under that Act.

10.1.2. Fences and Access

10.1.2.1. Enclosures

1) An outdoor *private pool* shall be enclosed with a fence or other suitable barrier constructed in accordance with the following requirements:

a) a minimum height of 1.5 m,

b) there shall be no openings, other than a door to a *building* or a gate as described in Clause (c), and it shall not be possible for a child to crawl under either the fence or the gate,

c) any gate shall be self-closing, shall be at least 1.5 m in height and shall be equipped with a lockable latch to prevent unauthorized entry,

d) where a chain link fence is used, the outside surface of the fence or gate shall be at least No. 11 gauge,

- e) where other than a chain link fence is used, the outside surface of the fence or gate shall be relatively smooth so as not to provide foot or toe holds,
- f) if, in the opinion of the *authority having jurisdiction*, there is any undesirable feature pertaining to the enclosure, suitable steps shall be taken to correct the situation.

10.1.2.2. Maintenance

- 1) The enclosure surrounding an outdoor *private pool* shall be maintained in good repair.

10.1.2.3. Hot Tub Covers

- 1) In lieu of the enclosures specified under Articles 10.1.2.1. and 10.1.2.3., the fence and gate are not required for a hot tub installed outdoors at a single-family dwelling
 - a) the hot tub does not exceed 2.4 m in diameter or 4.65 m² in total surface area,
 - b) the hot tub has a cover that
 - i) has the structural strength to support the weight of an adult walking across the top of the cover when it is in the closed position, and
 - ii) is capable of being locked in the covered position to prevent access to the water by unauthorized persons, and
 - c) at all times when use is not supervised by an adult, the hot tub is covered by a cover that complies with clause (b), and is locked.
- 2) A hot tub capable of containing water to depth 600 mm or greater shall have installed on it a cover that complies with Clauses (1)(b) and (c) if the hot tub is installed outdoors at a single-family dwelling.

10.1.3. Electrical Wiring

10.1.3.1. General Electrical Requirements

- 1) All electrical installations shall comply with the *Manitoba Electrical Code*.
- 2) All metallic parts of a *private pool*, including reinforcing steel, shall be electrically grounded in accordance with the requirements of the *Manitoba Electrical Code*.

10.1.3.2. Overhead Wiring

- 1) No overhead wiring shall be situated above a *private pool* — including associated structures such as a diving structure, observation stand, tower or platform — or above the area extending 3 m horizontally from the pool edge, and no *private pool* or associated structure shall be placed within 3 m, measured horizontally from the pool edge, of an existing overhead wire.

2) The following overhead wiring may be situated within the area otherwise prohibited by Sentence (1) if, in the opinion of the *authority having jurisdiction*, it is impractical to comply with that Sentence:

- a) insulated communication conductors and neutral supported cables operating at 600 V, providing there is a clearance of at least 4.5 m (measured radially) from the overhead wiring,
- b) conductors operating at not more than 50 kV phase-to-phase, providing there is a clearance of at least 7.5 m (measured radially) from the overhead wiring.

10.1.3.3. **Underground Wiring**

1) No *private pool* shall be placed within 1.5 m of an underground electrical conductor, including a communication conductor, and no underground electrical conductor, including a communication conductor, shall be placed within 1.5 m of the inside walls of the *private pool*.

2) Sentence (1) does not apply to

- a) bonding conductors, and
- b) conductors supplying electrical equipment associated with the pool,

that are protected by a ground fault circuit interrupter.

10.1.4. **Plumbing Requirements**

10.1.4.1. **Backflow Prevention**

1) The water in a *private pool* and its recirculation system shall be separated from the make-up water supply and from the sewer or drainage system by air gaps or other backflow preventers.

10.1.4.2. **Water Disposal**

1) Pool waste-water shall be disposed of into a sanitary sewer system, directly into a storm sewer or be contained within the confines of the *owner's* property.

10.1.5. **Structural Requirements**

10.1.5.1. **Design**

1) The structural design of a *private pool* that is an in-ground swimming pool must bear the seal of a *professional engineer* competent in the structural designing of in-ground swimming pools.