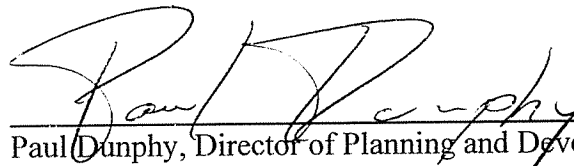
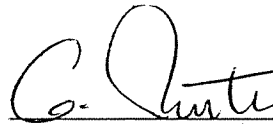


Halifax Regional Council
May 21, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Paul Dunphy, Director of Planning and Development


Gary Porter, Planner

DATE: May 17, 2002

SUBJECT: Swimming Pool By-Law (Project 00372: By-Law Number S-700)

INFORMATION REPORT

ORIGIN

Staff

BACKGROUND

- On January 22, 2002 the harmonized Swimming Pool By-law was adopted by Council.
- The by-law specifies that pool fences be constructed such that "no member shall be constructed to facilitate climbing." Arguably, chain link and lattice fences are both easily climbed and as a result staff prohibited the construction of both as pool enclosures since adoption of the new by-law.
- The pool and fencing industries disagree with this interpretation and feel that such a requirement is an undue hardship.
- A staff report was prepared for the May 14, 2002 meeting of Council in order to clarify Council's intent with respect to this matter. However, due to the length of the agenda, the matter was deferred to the May 21, 2002 meeting.

DISCUSSION

In order to expedite this matter, **staff will be issuing permits for chain link and lattice fences, which comply in all other respects (i.e., height, location, structure, etc.) with the requirements of the Swimming Pool By-law, as pool enclosures commencing May 22, 2002, unless instructed otherwise by Council. If Council concurs with staff's approach on this matter, it would be appropriate for Council to delete this item from its May 21, 2002 agenda.**

BUDGET IMPLICATIONS:

None

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVE

Council may choose to leave this matter on the agenda to be discussed at its meeting if it wishes staff to continue to prohibit chain link and lattice fences as pool enclosures.

ATTACHMENTS

None

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by Gary Porter, Planning Services, 490-4403