

Chatham-Kent Social Housing

Policy Name:	Swimming Pool
Contact Officer:	Chatham-Kent Social Housing, 519-351-8573
Date Effective	May 1 st , 2005
Date Certified:	May 1 st , 2005

Background:

Chatham-Kent Social Housing has a total of 151 family housing units located in Tilbury and Wallaceburg. Units range from single family dwellings, semi-detached, duplex and row housing. Residents may share common yard space or have private yards. Perimeter fencing ranges from non-existent, to partial or full rear yard enclosure. Large portable swimming pools are now available on the retail market at a relatively affordable cost. Some residents of C-K family housing units have purchased the pools for recreational use, setting them up in the yard on the rental premises.

The following concerns have been identified:

- Liability (safety and security)
- C-K Municipal By-law no. 223-2003 (fencing requirements for swimming pools)
- C-K Municipal By-law no. 101-2004 (standing water – breeding ground for mosquitoes)
- Increased costs to C-K Social Housing (extra water usage)
- Property damage (yard area)

Definition of "Outdoor Swimming Pool" (for the purposes of Municipal By-law no. 223-2003):

Means a structure, basin, chamber, or tank containing or capable of containing water and is designed to be used for swimming or wading and which;

- has a depth of more than 60 cm (24 in.) at any point;
- has a surface area of more than 1.0 sq. m (10.8 sq. ft.);
- is not completely inside a building; and
- is not owned by government or a local board or commission constituted under any By-law or statute.

Policy:

C-K Social Housing residents are not permitted to erect a swimming pool (as defined) on the leased premises without prior written approval of the landlord (C-K Social Housing supervisory staff):

- Tenants will be required to arrange for an inspection of the property by contacting the Municipality of Chatham-Kent.
- A copy of the inspection report must be submitted to C-K Social Housing with the tenant's written request for approval. Specifications of the swimming pool will also be required before the request is considered.
- The request will be denied if the inspection report indicates the rental property does not meet the fencing requirements of by-law 223-2003. The landlord will not alter existing fencing for the purposes of meeting the by-law requirements.
- The request will be further considered where the inspection report indicates the fence is in compliance with the provisions of the by-law. Approval would be conditional on there being a written agreement between landlord and tenant to specify that:
- Tenant assumes 100% liability for associated concerns related to the presence of a swimming pool on the leased premises;

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- Tenant must maintain a current insurance policy, with minimum liability coverage of \$2 million, which includes provision for a swimming pool. A copy of insurance policy must be provided to landlord to be retained in tenant file;
- Tenant is responsible for repairing all property damage associated with having a swimming pool on the leased premises. Any unrepaired damage will be done by the landlord with all related costs charged to the tenant; and
- Tenant agrees to pay for a seasonal charge in the amount of \$35.00 (subject to review) for additional costs for excess water consumption attributed to maintaining a swimming pool. Payment will be due upon receipt of Tenant Charge statement issued by the landlord.
- The leased premises must meet municipal by-law requirements at all times while a swimming pool is in use.