

**THE CORPORATION**  
**OF THE**  
**TOWN OF NIAGARA-ON-THE-LAKE**  
**BY-LAW NO. 5155A-21**

**A BY-LAW TO AMEND BY-LAW NO. 5155-19 TO REGULATE  
PRIVATE OUTDOOR SWIMMING POOLS, HOT TUBS AND  
SWIMMING POOL ENCLOSURES IN THE MUNICIPALITY**

**WHEREAS** the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 5155-19 on May 13, 2019;

**AND WHEREAS** the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 5334-21 on June 21, 2021;

**AND WHEREAS** The Town of Niagara-on-the-Lake considers it desirable to have one administrative penalty system for all non-parking related offences;

**NOW THEREFORE** the Municipal Council of The Corporation of the Town of Niagara-on-the-Lake hereby enacts as follows:

1. That By-law No. 5155-19 be amended by deleting Schedule "A" and adding Schedule "A" attached hereto.

2. That By-law No. 5155-19 be amended by adding the following to SECTION 5 ADMINISTRATION AND ENFORCEMENT 5.2 PENALTIES as follows:

*5.2.2 Any person who contravenes this By-law may be issued an administrative penalty in accordance with the AMPS By-law 5334-21 for Non-Parking Offences in accordance with Schedule "A," attached hereto and forming part of this By-law.*

3. That By-law No. 5155-19 be amended by renumbering SECTION 5 ADMINISTRATION AND ENFORCEMENT 5.2 PENALTIES as follows:

**5.2.3** No person shall hinder or obstruct an Officer, from carrying out an inspection of a property for the purpose of confirming compliance with the provisions of this By-law or for compliance with an Order issued for the property.

**5.2.4** No person shall hinder or obstruct an Officer, or their agent or agents, from entering onto lands to carry out remedial action on a property whereby an Order has been issued and compliance has not been achieved by the stipulated compliance date.

4. That this by-law come into force and effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY  
OF AUGUST 2021**

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LORD MAYOR BETTY DISERO

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ACTING TOWN CLERK COLLEEN HUTT

Item	Column 1 - Short Form Wording	Offence	Set Fine
<b>Schedule "A" - Swimming Pool By-law No. 5155-19</b>			
1	Failing to maintain a swimming pool/hot tub in good repair	Section 1.3.3 & 4.5.4	\$250
2	Erect/place/construct/install/permit to be placed/erected/constructed/have installed a swimming pool/hot tub without a permit	Section 1.3.4 & 2.1.1	\$250
3	Placement of water prior to a permit being issued and/or prior to enclosure being approved by an officer	Section 1.3.5 & 2.3.1	\$250
4	Failing to provide backflow prevention device	Section 3.1.1	\$150
5	Draining swimming pool/hot tub water into a sanitary sewer system or directly/indirectly onto any neighbouring property	Section 3.1.2	\$250
6	Failing to drain swimming pool/hot tub into a storm sewer/natural drainage course/or by mechanical means	Section 3.1.3	\$150
7	Failing to direct lighting fixtures/standards in conjunction with a swimming pool/hot tub, downward and deflected away from adjacent properties or abutting highways	Section 3.2.3	\$250
8	Failing to maintain swimming pool enclosure	Section 4.5.1	\$250
9	Failing to install/maintain a proper cover for hot tub	Section 4.2.1	\$250
10	Permit standing water in excess of 3 days	Section 4.5.5	\$150