

# THE CORPORATION OF LOYALIST TOWNSHIP

## BY-LAW 2005-122

Being a by-law to Amend the Township's Fence By-law

WHEREAS subsections 9(3) and 11(1) of the Municipal Act, S.O. 2001, as amended, authorize a municipal Council to pass by-laws with respect to structures, including fences and signs, including by-laws to regulate or prohibit respecting such matter, to require persons to do things, to provide for a systems of permits and to impose conditions as a requirement of obtaining a permit;

AND WHEREAS the Council of The Corporation of Loyalist Township on April 22, 2002 passed By-law 2002-33, the Township's Fence By-law to regulate fences in Loyalist Township;

NOW THEREFORE the Council of The Corporation of Loyalist Township enacts as follows:

1. THAT Section 2 of By-law 2002-33 be amended to add the following clause:  
  
"m) In the case of the installation of a hot tub, whirlpool or spa, a fence is not required where the hot tub, whirlpool or spa is fitted with a lid or cover that complies with the American Society for Testing Materials (ASTM) Standard F1346, clauses 9.1 and 9.2 and 9.4. Every person shall keep the lid or cover locked in place over the opening at all times when the hot tub, whirlpool or spa is not occupied, and no person shall leave a hot tub, whirlpool or spa without first locking the cover in place to prevent access when the structure is not occupied."
2. This by-law comes into force and effect on the day, which it is passed.

ENACTED AND PASSED THIS 14<sup>TH</sup> day of November 2005.

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REEVE

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TOWNSHIP CLERK