

NOTICE OF MOTION

Safer Pool Fencing

Moved by: Councillor Davis

Seconded by: Councillor Perks

SUMMARY:

Drowning is the second leading cause of injury-related death of Canadian children ages 1 to 4. An estimated 58 children, age 14 and under drown each year in Canada, while another 140 are hospitalized for near-drowning.

Since swimming pools are involved in nearly half of all drowning and near-drowning incidents for children under 14 years of age, measures must be taken to reduce drowning in these environments. Many drowning deaths happen in private homes with unfenced or inadequately fenced swimming pools and spas. In most drowning cases, the pools (95%) have inadequate safety gates.

Drowning of young children often occurs when the child is walking or playing near water, not when they are swimming or intending to go in the water. Most happen when the child gets near water during a momentary lapse in adult supervision.

Safer pool fencing can prevent severe disability and death of young children as a result of unintentional drowning. Researchers estimate that safer pool fencing could prevent 7 out of 10 pool drowning incidents for children under five.

The City of Toronto Municipal Code Chapter 447-3 currently requires that every owner of a swimming pool erect and maintain a swimming pool enclosure that completely encloses the area in which the pool is located. However, it does not specifically require four-sided pool fencing around home pools in the City of Toronto. As such, pool owners can erect property (three-sided) fencing, which demarcates property lines, as the fence that also encloses their home pool.

This kind of property fencing does not protect children living in or visiting the home with the pool, as a young child can access the pool area through the back door—this often happens during a momentary lapse in adult supervision.

What is needed is four-sided pool fencing with a self-closing and self-latching gate, which completely encloses the pool, blocking unsupervised access from neighbouring children as well as children living in or visiting the house. When properly installed at all access points, self-closing and self-latching gates will prevent unsupervised access into the pool area by automatically closing and latching after use.

Municipal Code Chapter 447-3 is inadequate for protecting all unsupervised access to home swimming pools in the City of Toronto. The lack of safer pool fencing in the City of Toronto increases the risk of unintentional drowning in home pools, especially for children under the age of five years.

RECOMMENDATION:

1. The Chief Building Official, in consultation with the Executive Director of Municipal Licensing and Standards, report to the Licensing and Standards Committee at its September 11, 2007 meeting on possible amendments to City of Toronto Municipal Code Chapter 447-3 to improve the safety of private swimming pools in the City of Toronto, in particular, the report consider the Safe Kids Canada recommendation to require a minimum 1.2m high, four-sided pool fence with a self-closing and self-latching gate that completely encloses the swimming pool and restricts access to children.

June 19, 2007

According to Chapter 27, Council Procedures:

Fiscal Impact Statement provided	
Should have Fiscal Impact Statement prior to debate Requires two-thirds to waive requirement if Council wishes to debate	*
Should be referred to Licensing and Standards Committee Requires two-thirds vote to consider at this meeting	(v)
Motion Recommendations are Urgent	

* Deputy City Manager and Chief Financial Officer to advise.