

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. 5155A-19**

A BY-LAW TO AMEND BY-LAW 5155-19 BEING A BY-LAW TO  
REGULATE PRIVATE OUTDOOR SWIMMING POOLS, HOT  
TUBS AND SWIMMING POOL ENCLOSURES IN THE  
MUNICIPALITY AND TO RESCIND BY-LAW 803-77

**WHEREAS**, Subsection 11 of the Municipal Act, 2001 S.O. 2006, c.32, as amended provides that the municipality may pass By-laws relating to the health, safety and well-being of the inhabitants of the municipality, and to pass By-laws respecting structures, including fences and to provide for a system of permits.

**WHEREAS** the Council of The Corporation of the Town of Niagara-on-the-Lake adopted By-law 5155-19 being a by-law to regulate private outdoor swimming pools, hot tubs and swimming pool enclosures in the municipality.

**NOW THEREFORE BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE as follows:**

1. That By-law 5155-19, being a by-law to regulate private outdoor swimming pools, hot tubs and swimming pool enclosures in the municipality, by adding Section 5.3.1.1 and Section 5.3.1.2 as follows:
  - 5.3.1.1 Any fence that was in lawful existence prior to the effective date of this By-law shall be deemed to comply with this By-law and may be maintained to the same location, height and dimensions as previously existed; and
  - 5.3.1.2 Where an existing fence is replaced or substantially altered, the replacement and or alteration shall be constructed in accordance with this By-law.
2. That the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 10<sup>th</sup> DAY OF JUNE 2019**

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LORD MAYOR BETTY DISERO

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TOWN CLERK PETER TODD