

Section 38. Regulation Regarding Swimming Pools 14-38

Section 38. Regulation Regarding Swimming Pools 14-38 Every person who owns a residential swimming pool shall provide and maintain adequate safety devices the intent of which is to prevent accidental drowning of small children.

A. Definition: "Swimming Pool": A body of water contained in an artificial receptacle, whether in or above the ground, used or intended to be used for swimming, wading or recreational bathing.

"Residential Swimming Pool": A swimming pool used or intended to be used solely by the owner or tenant thereof and their family, and by friends invited to use it without payment of any fee.

B. Enclosure: Every outdoor residential swimming pool, capable of containing a depth of water exceeding twenty-four inches at one point, shall be completely surrounded by a fence or wall not less than four feet in height. The fence or wall shall be so located as to surround the entire pool, contiguous walks and any diving structure or platform. A building may be used as part of such enclosure. A fence surrounding the entire property shall meet the intent of this section. Each such fence or wall shall be so constructed as not to have openings, holes, or gaps larger than four inches in any dimension except for doors and gates and except for picket fences in which case, however, the gaps between the pickets shall not exceed four inches. All fences shall be constructed of wood, chain link, or other material which meets the intent of this article. Every fence shall be substantially anchored to posts set into the ground. All gates or doors opening through enclosure shall be of not less than the same height as the fence or wall and shall be equipped with a self-closing and self-latching device located not less than four feet above ground for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

Portable swimming pools incapable of containing a depth of water exceeding twenty-four inches at one point must be protected with a safety cover when unattended.

14-38 Inserted under article 38, ATM 1967. 58

C. Building Permit: The owner shall obtain from the building inspector, a permit for the construction of a permanent swimming pool. Existing pools not conforming to the safety requirements of this section shall be modified within three months from the date of enactment of this section.

Independent reference excerpt. Consult the official town PDF for authoritative formatting and subsequent amendments.

Source: <https://www.town.canton.ma.us/DocumentCenter/View/13507/GENERAL-BY-LAWS-2025#page=58>