

Keep It  
*safe!*



# RESIDENTIAL SWIMMING POOLS



## INTRODUCTION

Although the rate of death by drowning and other water-related causes per 100 000 population<sup>1</sup> has decreased significantly in all activities and settings (down by 34% in 2000-2008 compared with 1991-1999), drownings in residential swimming pools are still a major cause for concern.

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<sup>1</sup> Benoit Tremblay, Johane Lafleur, Hélène Mercier-Brûlotte and Sylvie Turner, *Faits saillants sur les noyades et les autres décès liés à l'eau au Québec de 2000 à 2008 — Édition 2010* (Trois-Rivières: Ministère de l'Éducation, du Loisir et du Sport, Direction de la promotion de la sécurité, 2010).

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Despite a 17% decrease during 2000-2008, there are still approximately 10 drownings per year in residential swimming pools. These fatalities involve mainly young children and could easily be avoided through simple preventive measures.

There are about 190 000 above-ground and 93 000 in-ground swimming pools in Québec.<sup>2</sup> Given that these numbers keep rising and that most child drownings occur in swimming pools, it is important to determine the best safety measures to adopt. Looking at the specific circumstances surrounding child drownings in residential pools, we can sum up the situation as follows: most pool drownings involving children occur outside swimming hours when children gain access to a pool from the backyard, house or patio.

## 1. FOCUS ON PASSIVE MEASURES

In light of the above, the most effective preventive measures to take are those that stop young children from gaining access to a pool where there is no supervision. We emphasize that such measures are “passive” rather than “active,” i.e. they require little effort or action on the part of an individual to ensure protection. An example of a passive measure is a permanent mandatory fence that completely surrounds a swimming pool, keeping it separate from the house and yard. The fence must be equipped with a self-closing, self-latching gate.

Such a measure is said to be passive because once in place, it requires little or no effort from users to be effective. Although crucial, child supervision is considered an active measure since it does not allow for any lapse whatsoever, not even for a few minutes.

Prevention measures are rarely entirely active or passive. The use of a pool cover, for example, may seem like a passive measure in the sense that, once installed, it prevents access to the pool. However, it is more of an active measure, since the owner of the pool must first go out and buy one (it is not mandatory) and remember to install it whenever the pool is not in use.

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<sup>2</sup> Pool and Spa Marketing (April 2009, vol. 33, no 3), 14.

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## 2. WHAT CONCRETE STEPS MUST BE TAKEN?

In addition to complying with current regulations, residential pool owners must take numerous measures to ensure children's safety, including supervising children at all times, bringing a cordless phone outside to avoid leaving children unattended and learning how to administer first aid and CPR. Nevertheless, this document focuses on passive measures that address the main cause of drowning accidents—easy access to swimming pools. Studies have shown that 70% of drowning accidents could have been prevented if barriers had been installed to keep children from gaining access to a pool. (Baxter, 1986-1987)

## 3. NEW REGULATIONS IN QUÉBEC

Although swimming pools in Québec fall under municipal jurisdiction, a province-wide regulation has been passed to help control access to pools by young children. Since July 2010, all municipalities in Québec must apply the *Residential Swimming Pool Safety Regulation*, which provides minimum safety standards. Below is an excerpt (sections 3 to 6) outlining the main requirements regarding access to pools:

- 3. Subject to section 6, a swimming pool must be surrounded by an enclosure to restrict access.**
- 4. An enclosure must:**
  - (1) prevent the passage of a spherical object 10 cm in diameter;**
  - (2) be at least 1.2 m in height;**
  - (3) have no fixture, projection or open parts enabling it to be climbed.**

**A wall forming part of an enclosure must not have any opening enabling to enter the enclosure. A hedge or bushes may not constitute an enclosure.**

- 5. Every gate forming part of an enclosure must have the features described in section 4 and be equipped with a self-closing and self-latching passive security device installed on the inside of the enclosure in the upper part of the gate.**
- 6. An aboveground pool with a wall height of at least 1.2 m from the ground at any point or a portable pool with a wall height of 1.4 m or more is not required to be surrounded by an enclosure if access to the pool is by:**
  - (1) a ladder equipped with a self-closing and self-latching safety gate preventing its use by children;**

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- (2) a ladder or a platform access to which is protected by an enclosure having the features described in sections 4 and 5; or**
- (3) a patio attached to the residence and laid out so that the part giving access to the swimming pool is protected by an enclosure having the features described in sections 4 and 5.**

N. B. Certain provisions also apply to the location of filters and other pool operation equipment to prevent children from climbing onto these devices and gaining access to a swimming pool.

## 4. OTHER INFORMATION AND REFERENCES

Although the *Residential Swimming Pool Safety Regulation* applies only to pools purchased after July 21, 2010, it is still essential to check local bylaws since most municipalities are likely to have bylaws governing existing pools in their territory. As stated earlier, the new regulation sets the minimum standard, and municipalities are free to establish more stringent requirements, if they so desire. To read the full regulation, please visit <http://www.canlii.org/en/qc/laws/regu/rrq-c-s-3.1.02-r-1/latest/rrq-c-s-3.1.02-r-1.html>. You may also obtain additional information on residential swimming pool safety by consulting the Web site <http://www.lifesaving.ca/main.php?lang=english&cat=watersafety&sub=backyard>, developed by the Lifesaving Society.

In the end, regardless of whether or not they are required by law, these measures, combined with supervision and knowledge about first aid, are the best way to prevent young children from drowning.

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