

Pool Permits

Installation and security requirements for private pools, ponds and spas

Purpose

To inform contractors and the general public when a permit is required for installing private pools or other water features within the City.

Background

In North America hundreds of people, particularly children, are severely injured or killed due to swimming pool accidents. Lack of proper fence security and supervision is the main factor in drowning instances.

Permits ensure that the placement of the pool limits:

- unsupervised entry,
- nuisances to neighboring properties (placement of pool equipment), and
- risks to structures placed in restricted covenanted areas or sensitive areas such as steep banks.

Implementation

Pool building permits are required for pools, and other water features that are **greater than 600mm (24") in depth**: (This would include hot tubs and spas over 10m² (108ft²), hot tubs and spas without secured covers and ornamental ponds)

Permit applications shall include:

- Site Plan showing location of pool, including setbacks to property lines and existing structures, fencing, decks, pool equipment sheds and retaining features.
- Minimum one cross section.
- Pool specifications, including manufacturer's engineers stamped pool drawing.

"**Private pool**" includes any artificial pool in which the depth of the water could attain at least 600 mm (1.968 ft.) but does not include public pools.

Public pools will require a separate process involving Interior Health. Contact [Interior Health](#) for more information.



Hot tubs and spas less than 10m² with secured covers, and not placed on decks are building permit exempt. However, if a gas appliance is used for heating the hot tub, or for an electrical heated unit, a permit must be obtained through the Technical Safety B.C.

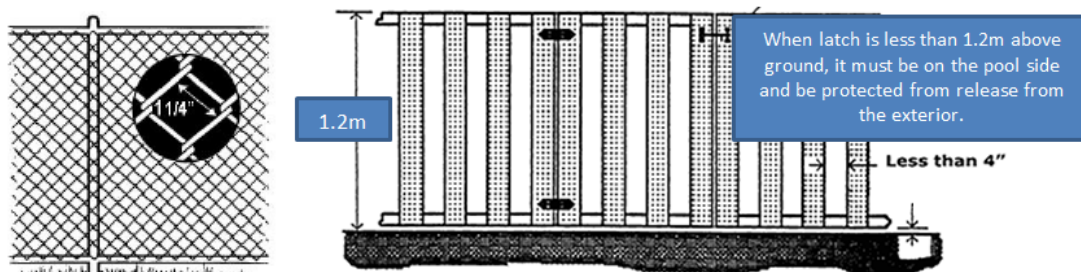
- Hot tubs and spas that are independent, self-contained, non-recessed manufacturer produced and placed on grade shall comply with the setbacks for an accessory building or structure as outlined by section 4.2 Accessory Buildings of the City of Penticton Zoning Bylaw 2024-22.

BUILDING BYLAW - PART 20 POOL PERMIT

- The owner, his agents, contractor, sub-contractor or occupiers of lands on which a private swimming pool is to be constructed shall provide fencing referred to in section 20.4 to 20.6, from the outside grade of not less than 1.22 m (4 feet) in height. Access to said swimming pool shall be equipped with a self-closing and self-latching gate so designed and installed as to cause the gate to return to a locked position when not in use.
- The owner or occupier of lands on which hot tubs and spas when installed outside a building shall be protected by a guard as described within section 20.9 and the B.C. Building Code to prevent access by unauthorized children or to be protected by a cover.
- The owner or occupier of lands on which a private pool has been constructed shall not fill the pool until all requirements of Part 20 have been completed.

Fencing

Please refer to building and zoning bylaw requirements for minimum and maximum limits. It is suggested that fencing used be a design and material that inhibits climbing from the exterior side. Latches should be positioned to not allow persons to reach through or over a fence.



Rural properties surrounded by fencing will require access gates to the property to be self-closing or the local area around the pool will be required to meet fence requirements.

Structural reviews

In ground pools and above ground pools with Geotechnical covenants on title, within close proximity to steep banks, other structures or incorporating infinity edges and retaining walls may require a Structural Engineer. Please confirm with Building Inspector.

(Note that adding a hot tub to an existing deck can impose significant loads that were not originally factored into the design of the deck. A building permit and engineering will be required to support the new hot tub. Please consult with the Building Department prior to installation.)

Pool drainage

Drainage from pools and hot tubs must be contained and disposed of on the same property as the pool is located and discharged to ground where practical to do so.

Filling a pool or hot tub via a hose should have a back flow device to prevent pool water from being siphoned back into the house water system.

Electrical and Gas work

All electrical and gas work shall be completed under permit issued by the Technical Safety BC (1-866-566-7233)

ZONING BYLAW

4.7 Swimming Pools and Hot Tubs

All lots with exterior swimming pools or hot tubs are subject to the following regulations:

- 4.7.1 Swimming pools and hot tubs shall not be located in a required ***front yard***.
- 4.7.2 Above ground swimming pools and hot tubs shall meet the siting requirements of ***accessory buildings***.
- 4.7.3 At grade swimming pools shall be located at a minimum of 1.0 m from ***side*** and ***rear property lines*** and 3.0 m from any ***street***.

Please note that pools will not be permitted to be constructed within:

- Restricted covenanted areas, easement and right-of-way areas as noted on title
- Riparian, environmentally or slope hazards areas.

5.4 Fences and Retaining Walls

5.4.1 Fencing

.1 Subject to corner visibility triangle section 4.3, the following height limitations shall apply to fences, decorative (non-retaining) walls in all zones:

- .a 1.2 m
- .b 1.8 m if situated behind the ***front yard setback***;
- .c 1.8 m if situated within the ***interior, exterior*** and ***rear yard setback***;
- .d 2.4 m if situated ***adjacent*** to a controlled access highway; and
- .e 2.4 m if in an agricultural or industrial ***zone***.

5.4.3 Fences on retaining walls

.1 In the case where a ***fence*** is built on top of a ***retaining wall***, the ***height*** of the ***fence*** and the ***height*** of the ***retaining wall*** shall be measured separately according to their respective regulations.

Permit Process and Enforcement

Building Department staff can assist you in determining if a pool permit is required and guiding you through the application process. Pool permits are treated as an express permit and typically are issued within 5 working days with a substantially completed application and drawings.

Permit applications can be obtained at the Development Services Division located on the main floor at City Hall or online at: [Permit Applications](#)

Failure to obtain the necessary permits prior to installation of a private pool will result in a stop work order being posted and fines levied to the property owner and contractors involved.

Have questions? We're here to help. Please contact the Building Department at 250-490-2571 or buildinginfo@penticton.ca for more information.
