

The Manitoba Building Code (MBC) includes hot tubs in its classification of private pools and requires in Section 10.1.2.1 that an outdoor private pool shall be enclosed with a fence or other suitable barrier constructed in accordance with specific requirements. However, the fencing requirements do not apply when the following MBC items under Section 10.1.2.3 [Hot Tub Covers] have been met:

- a) The hot tub does not exceed 2.4 m in diameter or 4.65 m² in total surface area;
- b) The hot tub has a cover that
 - i) Has the structural strength to support the weight of an adult walking across the top of the cover when it is in the closed position,
 - ii) Is capable of being locked in the covered position to prevent access to the water by unauthorized persons, and
- c) At all times when use is not supervised by an adult, the hot tub is covered by a cover that
 - i) Complies with the above and
 - ii) Is locked.

If the above noted items for hot tub covers are not met an enclosed fence, or other suitable barrier, must be constructed in accordance with section 10.1.2.1. of the MBC. Further more, a building permit is required to ensure that all of the safety requirements of the enclosed fence or barrier have been met.