

**PROPOSED ISPC 2024 CODE V1, DRAFT SUBJECT TO
ADDITIONAL CHANGES**

ARTICLE 14. SWIMMING POOL AND SPA CODE.

§ 25-12-301 INTERNATIONAL SWIMMING POOL AND SPA CODE.

- (A) The International Swimming Pool and Spa Code and Appendices 20~~18~~²⁴ Edition ("20~~18~~²⁴ Swimming Pool and Spa Code"), published by the International Code Council is adopted and incorporated by reference into this section with the deletions in Subsection (B) and amendments in Section 25-12-303 (*Local Amendments to the 20~~18~~²⁴ Swimming Pool and Spa Code*).
- (B) The following sections of the 20~~18~~²⁴ Swimming Pool and Spa Code are deleted:

101.1	102.9	103.1	105.3	105.4
105.6	106.6	305.2.7	105.6	107.4
107.5	305.2.7			

- (C) The title of Section 103 (*Code Compliance Agency*~~Department of Building Safety~~) is amended as set forth in Section 25-12-303 (*Local Amendments to the 20~~18~~²⁴ Swimming Pool and Spa Code*).
- (D) Section 202 (*Definitions*) is amended as set forth in Section 25-12-203 (*Local Amendments to the 20~~18~~²⁴ Swimming Pool and Spa Code*).
- (E) The city clerk shall retain a copy of the 20~~18~~²⁴ Swimming Pool and Spa Code with the official ordinances of the City of Austin.
- (F) References.
- (1) The provisions of the International Plumbing Code and the Plumbing Code apply to this code. The Plumbing Code supersedes the International Plumbing Code to the extent of conflict.
 - (2) The provisions of the International Mechanical Code and the Mechanical Code apply to this code. The Mechanical Code supersedes the International Mechanical Code to the extent of conflict.

§ 25-12-302 CITATIONS TO THE 2018 SWIMMING POOL AND SPA CODE.

In the City Code, "Swimming Pool and Spa Code" means the 20~~18~~²⁴ Swimming Pool and Spa Code adopted and amended by Section 25-12-301 (*International Swimming Pool and Spa Code*) and as amended by Section 25-12-303 (*Local Amendments to the Swimming Pool and Spa Code*). In this article, "this code" means the Swimming Pool and Spa Code.

§ 25-12-303 LOCAL AMENDMENTS TO THE 2018 SWIMMING POOL AND SPA CODE.

The following provisions are local amendments to the 20~~18~~²⁴ Swimming Pool and Spa Code. Each provision of this section is a substitute for any identically numbered provision of the 20~~18~~²⁴ Swimming Pool and Spa Code deleted by Section 25-12-301(B) (*International Swimming Pool and Spa Code*) or is an addition to the 20~~18~~²⁴ Swimming Pool and Spa Code:

101.12.2 Public Swimming Pool Compliance with State Pool and Spa Regulations. A public swimming pool must be constructed, maintained, and operated as required by the Swimming Pool and Spa Code and the State Pool and Spa Regulations.

Commented [JL1]: Change 101.2.2 - Numbering

Commented [HT2R1]: done

102.9 Other Laws.

102.9.1 ~~Except as provided in Section 102.9.2,~~ the provisions of this code shall not be deemed to nullify any provisions of local, ~~state~~, or federal law.

~~102.9.2 The provisions of this code control over City Code Sections 25-12-242, R326.2.1 (Barrier height and clearances).~~

102.9.23 In the City Code, a reference to "Texas Department of Health Standards for Swimming Pools and Spas" now means the State Pool and Spa Regulations.

SECTION 103 AUTHORITY AND ACCOUNTABLE OFFICIAL.

103.1 Authority. The health authority administers, implements, and enforces the requirements in this code that are applicable to a public swimming pool. The building official administers, implements, and enforces the requirements in this code that are applicable to a residential swimming pool.

103.1.1 Accountable Official. The health authority and the building official are, collectively, the accountable official.

~~103.3 Designees. The accountable official may designate employees to carry out their responsibilities as needed. Such employees shall have powers as delegated by the accountable official. The accountable official may authorize approved agencies, registered design professionals, or other qualified individuals to conduct plan review and inspect for compliance with this code.~~

Commented [JL3]: Use model code

Commented [TH4R3]: DONE

105.34.2.1 Construction Documents Plans.

- (A) In this section, director means the director of the Development Services Department.
- (B) A person may not construct or structurally alter a public swimming pool unless the construction plans are approved by the director and the health authority.
- (C) A person must submit construction plans to construct or alter a public swimming pool to the director and health authority.
- (D) Construction plans must comply with the requirements of the Building Criteria Manual and must:
 - (1) propose the design for the public swimming pool;
 - (2) describe the construction materials; and
 - (3) include the mechanical plans, including a description of any equipment makes and models.
- (E) Construction plans are approved if:
 - (1) the director finds that the construction plans comply with Title 25 (*Land Development*); and
 - (2) the health authority finds that the construction plans comply with this code and state regulations.

~~*105.4 Time Limits. City Code Chapter 25-12, Article 13 (Administration of Technical Codes) establishes permit application time limits and requirements applicable to permit expiration and reactivation, including a review fee for expired permits.~~

Commented [JL5]: Check numbering on 105.5.3

Commented [TH6R5]: DONE

105.6 Fees. Fees applicable to this code are set by separate ordinance.

~~105.5.3 Time Limits.~~ City Code Chapter 25-12, Article 13 (Administration of Technical Codes) establishes permit application time limits and requirements applicable to permit expiration and reactivation, including a review fee for expired permits.

Commented [JL7]: Check numbering on 105.5.3

Commented [TH8R7]: DONE

~~105.6.2 Fees.~~ Fees applicable to this code are set by separate ordinance.

~~105.6.3~~ **105.6.3 Fee Refunds.** The Building Criteria Manual establishes applicable standards for a refund of a fee.

~~107.4 Offense and Penalty.~~ A person who violates a provision of this code commits a separate offense for each day the violation continues and is subject to the penalty prescribed by Section 25-1-462 (Criminal Enforcement).

~~107.5 Stop Work Orders.~~ The building official may issue a stop work order in accordance with Section 25-1-441 (Stop Work Order).

SECTION 202 DEFINITIONS

202.1 Supplemental Definition. The definitions in this subsection apply throughout this code and supplement the definitions found in Section 202 (Definitions) of the 202418 Swimming Pool and Spa Code.

Commented [JL9]: Add sub chapter K - Texas Admin Codes

HEALTH AUTHORITY. The definition included in Section 1-1-2 (General Definitions) applies in this code.

STATE POOL AND SPA REGULATIONS. The regulations adopted by the State of Texas applicable to swimming pools and spas. The regulations, as amended from time to time, include:

- (a) Texas Health and Safety Code Chapter 757 (Pool Yard Enclosures);
- (b) Texas Health and Safety Code Sections 341.064 (Swimming Pools and Bathhouses), 341.081 (Authority of Home-Rule Municipalities), 341.082 (Appointment of Environmental Health Officer in Certain Home-Rule Municipalities), 341.091 (Criminal Penalty), 341.092 (Civil Enforcement), and 341.0695 (Interactive Water Features and Fountains);
- (c) Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L (Standards for Public Pools and Spas), Subchapter K (Artificial Swimming Lagoons) and Subchapter M (Public Interactive Water Features and Fountains); and
- (d) Swimming Pool and Spa Code.

~~202.2 Amended Definitions.~~ The definition in this subsection applies throughout this code, including the 2018 Swimming Pool and Spa Code.

~~CODE OFFICIAL.~~ The accountable official charged with the administration and enforcement of this code, or a duly authorized representative.

305.2.7 Chain Link Fence Dimensions and Requirements.

Commented [TH10]: No change from the 2018 ordinance

- (A) The opening formed by a chain link fence may not exceed 1¾ inches (44 mm).
- (B) For a chain link fence with slats to reduce the openings that are fastened at the top and bottom, the opening may not exceed 1¾ inches (44 mm).
- (C) A chain link fence shall be secured to a top rail and a bottom rail or tension wire.
- (D) A tension wire shall be installed in a manner that prevents a sphere with a four-inch diameter from passing under the fence if a 100-pound upward force is applied to the fence's mid-span areas.
- (E) The height of a chain link fence shall be at least 60 inches.
- (F) A chain link fence shall be designed to meet minimum wind speed requirements.