

## ORDINANCE 1915

### AN ORDINANCE CREATING CHAPTER 183 SWIMMING POOL AND SPA CODE, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA, BY ADOPTING THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE WITH AMENDMENTS

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**WHEREAS**, the City Council of the City of Ankeny, Iowa desires to continue to protect life, safety and property through the adoption and enforcement of construction codes, and to establish the minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of swimming pool and spa equipment and systems;

**WHEREAS**, the Council now deems it appropriate to revise the Municipal Code by adopting the latest edition of the International Swimming Pool and Spa Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:**

1. That Chapter 183 of the Municipal Code of the City of Ankeny, Iowa, the Swimming Pool and Spa Code be enacted in the following Chapter;

#### Chapter 183 SWIMMING POOL AND SPA CODE

Section Number	Title	IPC Section
183.01	Short Title	
183.02	Adoption of Swimming Pool and Spa Code	
183.03	Amendments, modification, additions and deletions	
183.04	Deletions	
183.05	Referenced Codes -- Conflicts	
183.06	Title	101.1
183.07	Creation of Enforcement Agency	103.1
183.08	Expiration	105.5.3
183.09	Fee Schedule	105.6.2
183.10	Fee Refunds	105.6.3
183.11	Violation Penalties	107.4
183.12	Stop Work Order	107.5

#### Chapter 183 SWIMMING POOL AND SPA CODE

##### 183.01 SHORT TITLE.

This chapter shall be known as the Ankeny Swimming Pool and Spa Code, and may be cited as such, and may be referred to herein as this chapter

## **183.02 ADOPTION OF SWIMMING POOL AND SPA CODE.**

The International Swimming Pool and Spa Code 2015 Edition; published by the International Code Council, Inc., is adopted in full except for such portions as may be hereinafter deleted, modified or amended. A copy of the International Swimming Pool and Spa Code 2015 Edition, as adopted, and a copy of this chapter are on file in the office of the Code Official.

## **183.03 AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS.**

The International Swimming Pool and Spa Code, 2015 Edition (hereinafter known as the ISPSC), is amended as hereinafter set out in Sections 183.04 through 183.12.

## **183.04 - - DELETIONS.**

The following are deleted from the ISPSC and are of no force or effect in this chapter:

Section 105.5.4 Extensions, Section 108 Means of Appeal

**183.05 REFERENCED CODES - - CONFLICTS.** In the event requirements of this code conflict with applicable State and Federal requirements, the more stringent shall apply.

**183.06 SECTION 101.1 AMENDED - - TITLE.** Section 101.1, Title, of the ISPSC is hereby deleted and there is enacted in lieu thereof the following section:

Section 101.1 Title. These regulations shall be known as the Ankeny Swimming Pool and Spa Code, hereinafter known as “this code.”

**183.07 SECTION 103.1 ADDITION - - CREATION OF ENFORCEMENT AGENCY.** Sections 103.1, Creation of enforcement agency, of the ISPSC, is hereby amended by adding the following paragraph to said section:

Section 103.1 Building and Zoning Administrator The term Code Official is intended to also mean the Building and Zoning Administrator and his or her representatives or designees, who are herewith delegated the same powers, authorities, duties and responsibilities as designated for the Code Official.

**183.08 SECTION 105.5.3 AMENDED - - EXPIRATION.** Section 105.5.3 Expiration, of the ISPSC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 105.5.3 12 Month Expiration Every permit issued under the provisions of this Code shall expire twelve (12) months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule, with approval of the Code Official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit shall have been renewed by the owner or his or her agent and by payment of the renewal fee as established by Resolution of the City Council, and provided no changes have been made in plans or location. Upon approval, permits may be extended for no more than two periods not exceeding 180 days each.

**183.09 SECTION 105.6.2 AMENDED - - FEE SCHEDULE.** Section 105.6.2 Fee schedule, of the ISPSC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 105.6.2 Fee Schedule Permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid to the City of Ankeny. An amended permit or a supplemental permit for additional construction shall not be issued until the permit fee(s) for the additional work has been paid.

**183.10 SECTION 105.6.3 AMENDED- - FEE REFUNDS.** Section 105.6.3, Fee refunds, of the ISPSC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 105.6.3 Fee Refunds The Code Official is authorized to establish a refund policy.

**183.11 SECTION 107.4 AMENDED - - VIOLATION PENALTIES.** Section 107.4, Violation penalties, of the ISPSC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 107.4 Violation Penalties Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs a pool or spa in violation of the approved construction documents or directive of the Code Official, or of a permit issued under the provisions of this code, shall be subject to penalties as prescribed by law.

**183.12 SECTION 107.5 AMENDED - - STOP WORK ORDER.** Section 107.5, Stop Work Orders, of the ISPSC, is hereby amended by deleting the last sentence of said section and inserting in lieu thereof the following:

Section 107.5 Any person who shall continue any work on a pool or spa after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

2. Repeal. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3. Effective date. This ordinance shall be effective July 1, 2017, after its final passage and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Gary Lorenz, Mayor

ATTEST:

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Pamela DeMouth, City Clerk

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**1<sup>st</sup> Con 5/15/17  
2<sup>nd</sup> Con 6/5/17  
3<sup>rd</sup> Con \_\_\_\_\_**

