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ORDINANCE NO.

AN ORDINANCE REPEALING AND REPLACING ARTICLE 14 OF CITY CODE CHAPTER 25-12 (TECHNICAL CODES) TO ADOPT THE 2024 INTERNATIONAL SWIMMING POOL AND SPA CODE AND LOCAL AMENDMENTS; AND CREATING OFFENSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Chapter 25-12 (*Technical Codes*) is amended to repeal Article 14 (*Swimming Pool and Spa Code*) and replace it with a new Article 14 to read as follows:

ARTICLE 14. SWIMMING POOL AND SPA CODE.

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

- (A) The International Swimming Pool and Spa Code, 2024 Edition, published by the International Code Council ("Swimming Pool and Spa Code") is adopted and incorporated by reference into this section with the deletions and amendments in Subsections (B) and the amendments in Section 25-12-303 (*Local Amendments to the 2024 Swimming Pool and Spa Code*).
- (B) The following provisions of the 2024 International Swimming Pool and Spa Code are deleted. A subsection contained within a deleted section or subsection is not deleted, unless specifically listed below:

Section 101.1	102.9	103.1	105.3	105.4
Section 105.6	106.6.3	305.2.7		

- (C) The title of Section 103 (*Code Compliance Agency*) is amended as set forth in Section 25-12-303 (*Local Amendments to the 2024 Swimming Pool and Spa Code*).
- (D) Section 202 (*Definitions*) is amended as set forth in Section 25-12-303 (*Local Amendments to the 2024 Swimming Pool and Spa Code*).
- (E) The city clerk shall retain a copy of the 2024 Swimming Pool and Spa Code with the official ordinances of the City.
- (F) References.

28 (1) The provisions of the International Plumbing Code and the Plumbing
29 Code apply to this code. The Plumbing Code supersedes the
30 International Plumbing Code to the extent of conflict.

31 (2) The provisions of the International Mechanical Code and the
32 Mechanical Code apply to this code. The Mechanical Code supersedes
33 the International Mechanical Code to the extent of conflict.

34 **§ 25-12-302 CITATIONS TO THE SWIMMING POOL AND SPA CODE.**

35 In the City Code, "Swimming Pool and Spa Code" means the 2024 Swimming and
36 Spa Code adopted by Section 25-12-301 (*Swimming and Spa Code*) and as amended by
37 Section 25-12-303 (*Local Amendments to Swimming and Spa Code*). In this article, "this
38 code" means the Swimming and Spa Code.

39 **§ 25-12-303 LOCAL AMENDMENTS TO THE 2024 SWIMMING POOL AND**
40 **SPA CODE.**

41 (A) The following provisions are local amendments to the 2024 Swimming Pool
42 and Spa Code. Each provision in this subsection is a substitute for an
43 identically numbered provision of the 2024 Swimming Pool and Spa Code
44 deleted by Section 25-12-132 (B) or an addition to the 2024 Swimming Pool
45 and Spa Code.

46 **101.1 Public Swimming Pool Compliance with State Pool and Spa Regulations.** A
47 public swimming pool must be constructed, maintained, and operated as required by the
48 Swimming Pool and Spa Code and the State Pool and Spa Regulations.

49 **102.9 Other Laws.**

50 **102.9.1** The provisions of this code shall not be deemed to nullify any provisions of local,
51 state, or federal law.

52 **102.9.2** In the City Code, a reference to "Texas Department of Health Standards for
53 Swimming Pools and Spas" now means the State Pool and Spa Regulations.

54 **103 AUTHORITY AND ACCOUNTABLE OFFICIAL.**

55 **103.1 Authority.** The health authority administers, implements, and enforces the
56 requirements in this code that are applicable to a public swimming pool. The building
57 official administers, implements, and enforces the requirements in this code that are
58 applicable to a residential swimming pool.

59 **103.1.1 Accountable Official.** The health authority and the building official are,
60 collectively, the accountable official.

61 **105.3 Construction Documents.**

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

80 **105.4 Time Limits.** City Code Chapter 25-12, Article 13 (*Administration of Technical*
81 *Codes*) establishes permit application time limits and requirements applicable to permit
82 expiration and reactivation, including a review fee for expired permits.

83 **105.6 Fees.** Fees applicable to this code are set by separate ordinance.

84 **105.6.3 Fee Refunds.** The Building Criteria Manual establishes applicable standards for
85 a refund of a fee.

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88 **SECTION 202 DEFINITIONS**

89 **202.1 Supplemental Definition.** The definitions in this subsection apply throughout this
90 code and supplement the definitions found in Section 202 (*Definitions*) of the 2024
91 Swimming Pool and Spa Code.

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

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

- 97 (A) Texas Health and Safety Code Chapter 757 (*Pool Yard Enclosures*);
- 98 (B) Texas Health and Safety Code Sections 341.064 (*Swimming Pools and*
99 *Bathhouses*), 341.081 (*Authority of Home-Rule Municipalities*), 341.082
100 (*Appointment of Environmental Health Officer in Certain Home-Rule*
101 *Municipalities*), 341.091 (*Criminal Penalty*), 341.092 (*Civil Enforcement*),
102 and 341.0695 (*Interactive Water Features and Fountains*).
- 103 (C) Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter K
104 (*Artificial Swimming Lagoons*), Subchapter L (*Standards for Public Pools*
105 *and Spas*), and Subchapter M (*Public Interactive Water Features and*
106 *Fountains*); and
- 107 (D) Swimming Pool and Spa Code.

108 **305.2.7 Chain Link Fence Dimensions and Requirements.**

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

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(F) A chain link fence shall be designed to meet minimum wind speed requirements.

PART 2. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____, 2025

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Kirk Watson
Mayor

APPROVED: _____
Deborah Thomas
Interim City Attorney

ATTEST: _____
Myrna Rios
City Clerk

