

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS
[Draft]

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 15, “OTHER CODES ADOPTED” ARTICLE 15-11, “SWIMMING POOL AND SPA CODE” TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:

SECTION 1. That Chapter 15 of the Coppel Code of Ordinances be, and the same is, hereby amended by adding Article 15-11, “Swimming Pool and Spa Code”, Sections 15-11-1 and 15-11-2 to provide for the adoption of the International Swimming Pool and Spa Code, 2018 Edition, which shall read as follows:

“CHAPTER 15. OTHER CODES ADOPTED

ARTICLE 15-1.

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ARTICLE 15-11. Swimming Pool and Spa Code

Section 15-11-1.

The 2018 edition of the International Swimming Pool and Spa Code is hereby adopted as the official swimming pool and spa code of the city. The pool and spa code is fully incorporated by reference as though copied into this section in its entirety. The material contained within shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Section 15-11-2.

The swimming pool and spa code adopted in this article shall be subject to the exceptions and amendments to the International Swimming Pool and Spa Code, 2018 edition, as follows:

Section 102.7; Amend to read as follows:

Section 102.7 Referenced codes and standards. The standards that are referenced in this code shall be those that are listed in Chapter 11. The codes that are referenced in this code shall mean the codes adopted in Chapter 15 of the City of Coppell Code of Ordinances. Such codes and standards shall be considered to be a part of the requirements of this code to the prescribed extent of this code. [remainder unchanged]

Section 102.9; Amend to read as follows:

Section 102.9 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, to include but not limited to;

1. Texas Department of State Health Services (TDSHS); *Standards for Public Pools and Spas*; §285.181 through §285.208, (TDSHS rules do not apply to pools serving one- and two family dwellings or townhouses).
2. Texas Department of Licensing and Regulation (TDLR); *2012 Texas Accessibility Standards (TAS)*, TAS provide the scoping and technical requirements for accessibility for Swimming Pool, wading pools and spas and shall comply with *2012 TAS, Section 242*. (TAS rules do not apply to pools serving one- and two family dwellings or townhouses).

Exception: Elements regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this Chapter.

Section 103.1; Amend to read as follows:

Section 103.1 Creation of enforcement agency. The City of Coppell Building Inspection Department is hereby created and the official in charge thereof shall be known as the *code official*. The City of Coppell Environmental Health Department is hereby created and the official in charge thereof shall be known as the *code official* for operation and maintenance of any *public swimming pool* in accordance this code, local and state law.

Section 105.3; Add paragraph to read as follows:

Section 105.3 Construction documents. [Code text unchanged] The plans and specifications shall be submitted under the seal of a registered professional engineer or registered architect with the statement that they meet the requirements of the state standards for public swimming pools and spas.

Section 107.4; Delete, in its entirety
107.5; Amend to read as follows:

107.5 Stop work orders. Upon notice from the code official, work on any system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to

stopping the work. Any person who shall continue any work in or about the structure 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 in violation of this code.

Section 202; DEFINITIONS; insert definition; amend to read as follows:

City of Coppell Environmental Health Department regulates the operation of public pools. Routine inspections on pools and spas open to the public are conducted to document compliance with the standards set forth in State law.

Section 305; Amend to read as follows:

305.1 General.

The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. *In one-and two-family dwellings and townhouses*, where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.

Section 305.2; Amend to read as follows:

305.2 Outdoor swimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7 and in accordance with the Texas Administrative Code, Texas Health and Safety Code 757 for public pools.

Section 305.2.3; Add sentence to read as follows:

305.2.5 [Code text unchanged]... Horizontal fence boards that are staggered or lapped to create indentions and protrusions are not permitted to face the outside of the pool barrier.

Add subsection 305.2.7.1; to read as follows:

305.2.7.1 Chain link fencing prohibited. Chain link fencing is not permitted as a barrier in public pools built after January 1, 1994.

Section 305.3.1 Add subsection 305.3.1 to read as follows:

305.3.1 Vehicular gate as a barrier. In one- and two-family dwellings and townhouses, gates intended for vehicular passage are not permitted as a component of a pool barrier.

Section 305.4 structure wall as a barrier; Amends as follows:

305.4 Structure wall as a barrier. Where a wall of a one and two family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Remainder Unchanged
2. Remainder Unchanged
3. Remainder Unchanged

The wall of a building with windows in accordance with ~~2018~~ *International Building Code, Section 1030* in Group R2 occupancies shall not be used as part of pool enclosure. Other windows that are part of a pool yard enclosure shall be permanently closed and unable to be opened for public pools.

Section 305.6; Amend to read as follows:

305.6 Natural barriers used in a one and two family dwelling or townhouse. In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge a minimum of eighteen (18) inches, a barrier is not required between the natural body of water shoreline and the pool or spa.

Section 307.1.4 Accessibility; Add exception to Section to 307.1.4 as follows:

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

Section 310; Amend to read as follows:

310.1 General. Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 or for public swimming pools in accordance with State of Texas Rules for Public Swimming Pools and Spas, Title 25 TAC Chapter 265 Subchapter L, Rule §265.190.

[Remainder unchanged]

Section 313.7; Amend to read as follows:

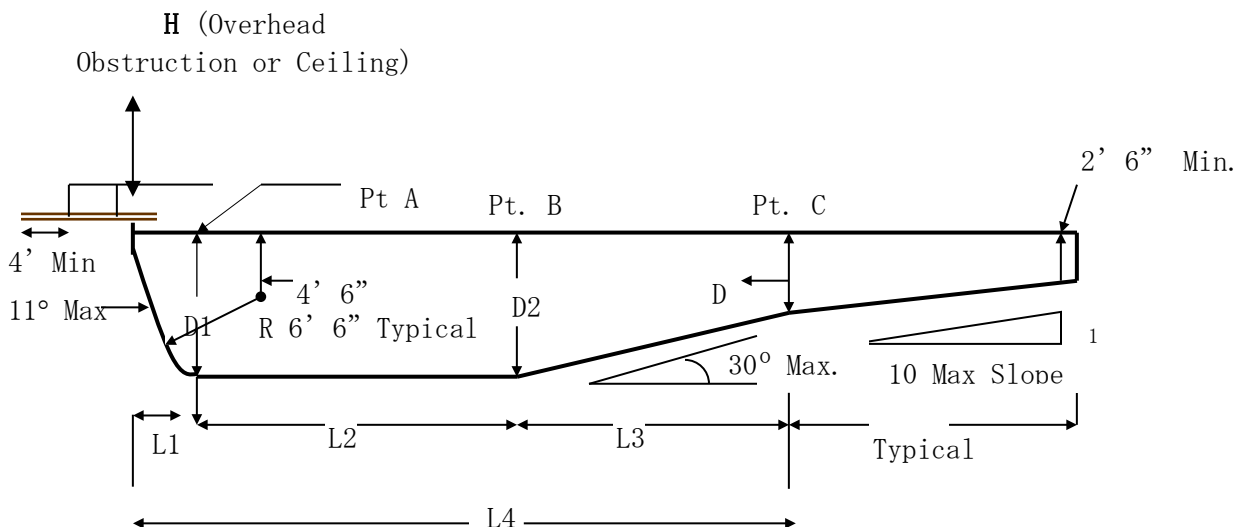
313.7 Emergency shutoff switch for spas and hot tubs. A clearly labeled emergency shutoff or control switch for the purpose of stopping the motor(s) that provide power to the recirculation system and jet system shall be installed at a point readily accessible to the users and not less than 1.5 m (5 ft.) away, adjacent to, and within sight of the spa or hot

tub. This requirement shall not apply to one and two family dwellings and townhouses.

Section 402.12; Amend to read as follows:

402.12 Water envelopes. The minimum diving water envelopes shall be in accordance with Texas department of State Health services, Administrative Code Title 25, Chapter 265, Section 186 (e) and Figure: 25 TAC 256.186 (e) (6). Which are as follows: (Delete Table 402.12 and Figure 402.12)

Maximum Diving Board Height Over Water	$\frac{3}{4}$ Meter	1 Meter	3 Meters
Max. Diving Board Length	12 ft.	16 ft.	16 ft.
Minimum Diving Board Overhang	2 ft. 6 in.	5 ft.	5 ft.
D1 Minimum	8 ft. 6 in.	11 ft. 2 in.	12 ft. 2 in.
D2 Minimum	9 ft.	10 ft. 10 in.	11 ft. 10 in.
D3 Minimum	4 ft.	6 ft.	6 ft.
L1 Minimum	4 ft.	5 ft.	5 ft.
L2 Minimum	12 ft.	16 ft. 5 in.	19 ft. 9 in.
L3 Minimum	14 ft. 10 in.	13 ft. 2 in.	13 ft. 11 in.
L4 Minimum	30 ft. 10 in.	34 ft. 7 in.	38 ft. 8 in.
L5 Minimum	8 ft.	10 ft.	13 ft.
H Minimum	16 ft.	16 ft.	16 ft.
From Plumbet to Pool Wall at Side	9 ft.	10 ft.	11 ft. 6 in.
From Plumbet to Adjacent Plumbet	10 ft.	10 ft.	10 ft.



2. Unchanged
3. Unchanged
4. Unchanged
5. The leading edge shall be visually set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.
6. Unchanged
7. Unchanged

Section 601.3; Add paragraph to read as follows:

601.3 General. [Code text unchanged] The Standards for Public Interactive Water Features and Fountains adopted by the Texas Department of Health Services as Texas Administration Code 265.301 through 265.308, as amended, and as amended in this ordinance, herein adopted as the City of Coppell Public Interactive Water Features and Fountains Construction, Operation, and Maintenance Regulations, shall apply.

Section 603.2; Amend to read as follows:

Class A and B pools: Class A and B pools over 5 feet deep: the transition point of the pool from the shallow area to the deep area of the pool shall be visually set apart with a 4-inch minimum width row of floor tile, a painted line, or similar means using a color contrasting with the bottom; and a rope and float line shall be provided between 1 foot and 2 feet on the shallow side of the 5-foot depth along and parallel to this depth from one side of the pool to the other side. The floats shall be spaced at not greater than 7-foot intervals; and the floats shall be secured so they will not slide or bunch up. The stretched float line shall be of sufficient size and strength to offer a good handhold and support loads normally imposed by users. If the owner or operator of the pool knows or should have known in the exercise of ordinary care that a rope or float is missing, broken, or defective, the problem shall be promptly remedied

Section 610.5.1; Amend to read:

610.5.1 Uniform height of 10 inches. Except for the bottom riser, risers at the centerline shall have a maximum uniform height of 10 inches (254 mm). The bottom riser height shall be permitted to vary from the other risers.

Section 804 Diving Water Envelopes; Amend to read as follows:

Section 804.1 General. The minimum diving water envelopes shall be in accordance with Table 804.1 and Figure 804.1, or the manufacturer's specifications, whichever is greater. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 804.1."

SECTION 2. All provisions of the ordinances of the City of Coppell in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Coppell not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of Coppell, Texas.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. Providing for a penalty for violation of this ordinance not to exceed the sum of five hundred dollars (\$500.00) except however, where a different penalty has been established by law for such offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Coppell, Texas on this the ____ day of September, 2020.

DULY PASSED by the City Council of the City of Coppell, Texas, this the _____ day of _____, 2020.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY