

## Exhibit F - Ordinance 783-25

The following sections, paragraphs, and sentences of the *2021 International Swimming Pool and Spa Code* (ISPSC) are hereby amended as follows: Standard type is text from the ISPSC. Underlined type is text inserted. ~~Lined through type is deleted text from IECC.~~

### **Section 102.9; amend to read as follows:**

**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:**

**103.1 Creation of enforcement agency.** ~~The [NAME OF DEPARTMENT] Town of Bartonville Department of Community Development is hereby created and the official in charge thereof of plan reviews and inspections shall be known as the code official building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.~~

### **Section 113.4; delete in its entirety**

*(Reason: covered by general provisions in the Town's Code of Ordinances.)*

### **Section 114; delete in its entirety and replace with Section 114.1 to read as follows:**

**114.1 Stop work orders.** Upon notice from the code official, work on any systems 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.

*(Reason: covered by general provisions of the Town's Code of Ordinances.)*

### **Section 113.4; amend to read as follows:**

**113.4 Violation penalties.** ~~Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a pool or spa in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be guilty of a [SPECIFY OFFENSE,] punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment may be punishable for each day of the violation set forth by the authority having jurisdiction. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

### **Section 202 "Definitions," insert definition to read as follows:**

## Exhibit F - Ordinance 783-25

The Town of Bartonville 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 305.1; 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 only 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.

*(Reason: to clarify specific Texas statutes which regulate public pools and spas.)*

### **Section 305.2.7; amend by replacing Section to read as follows:**

**305.2.7 Chain link ~~dimensions-fencing prohibited.~~ Chain link fencing is not permitted as a barrier in public pools built before January 1, 1994. ~~The maximum opening formed by a chain link fence shall be not more than 1 3/4 inches (44 mm). Where the fence is provided with slats fastened at the top and bottom tat reduce the openings, such openings shall be not greater than 1 3/4 inches (44 mm).~~**

### **Section 305.4; amend to read as follows:**

**305.4 Structure wall as a barrier.** Where a wall of a dwelling or structure of a one- and two-family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors ~~gates~~ 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.}
4. {Remainder unchanged.}
5. {Remainder unchanged.}
6. {Remainder unchanged.}

The wall of a building with windows in accordance with 2021 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.

*(Reason: to clarify specific Texas Health and Safety Code Chapter 757.007 and 2015 IBC, Section 1030.)*

### **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 ~~not less than a minimum of eighteen (18) inches (457 mm)~~, a barrier is not required between the natural body of water shoreline and the pool or spa.

### **Section 307.1.4; amend to add "Exception," to read as follows:**

**Exhibit F - Ordinance 783-25**

**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 307.2.2; amend to create Section 307.2.2.2 to read as follows:**

**307.2.2.2 Adjacency to structural foundation.** Depth of the swimming pool and spa shall maintain a ratio of 1:1 from the nearest building foundation or footing of a retaining wall.

**Exception:** A sealed engineered design drawing of the proposed new structure shall be submitted for approval.

**Section 310.1; amend to read as follows:**

**310.1 General.** Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 (ANSI/PHTA/ICC 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.

**Exceptions:** [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 provided to disconnect power to recirculation and jet system pumps and air blowers 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. ~~Emergency shutoff switches shall be provided with access; located within sight of the pool or spa; and located not less than 5 feet (1524 mm) horizontally from the inside walls of the pool or spa. This requirement shall not apply to one and two family dwellings and townhouses.~~

**Exception:** Onground storable pools, permanent inground residential swimming pools, residential spas and residential water features.

**Section 402.12; amend to delete figure 402.12 and table 402.12, and to read as follows:**

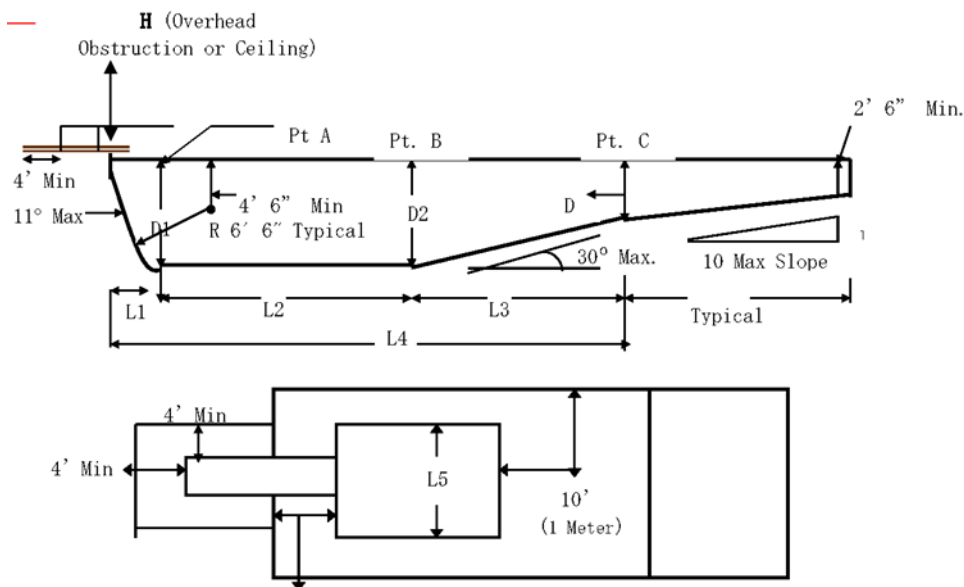
**402.12 Water envelopes.** The minimum diving water envelopes shall be in accordance with Texas Department of State Health Services, Administrative Code Title 25, Chapter 265, Section 186(e) and Figure: 25 TAC 256.186(e)(6).

**Figure: 25 TAC § 265.186(e)(6)**

Maximum Diving Board Height Over Water	¾ 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.

**Exhibit F - Ordinance 783-25**

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.



**Section 402.13; amend to read as follows:**

**402.13 Ladders for diving equipment.** Ladders shall be provided with two grab rails or two handrails. There shall be a uniform distance between ladder treads, with a 7-inch (178 mm) minimum distance and 12 inch (305 mm) maximum distance. Supports, platforms, steps, and ladders for diving equipment shall be designed to carry the anticipated loads. Steps and ladders shall be of corrosion-resistant material, easily cleanable and with slip-resistant tread.

**Exception:** ~~The distance between treads for the top and bottom riser can vary but shall be not less than 7 inches (178 mm) and not greater than 12 inches (305 mm).~~

*(Reason: to avoid conflict with 25 TAC Chapter 265.186(c)(8)(d).)*

**Section 411.2.1; amend to read as follows:**

**411.2.1 Tread dimensions and area.** ~~Treads shall be not less than 24 inches (607 mm) at the leading edge. Treads shall have an minimum unobstructed horizontal depth (i.e., horizontal run) of not less than 10 inches (254 mm) at the centerline, 12 inches and a minimum width of 20 inches.~~

**Section 411.2.2; amend to read as follows:**

**411.2.2 Risers.** ~~Risers except for the bottom riser for steps shall have a maximum uniform height of not greater than 12 inches (305 mm)-10 inches measured at the centerline, with the bottom riser height allowed to taper to zero. The bottom riser height is allowed to vary to the floor.~~

**Section 411.5.1; amend to read as follows:**

**411.5.1 Swimouts.** Swimouts, located in either the deep or shall area of a pool, shall comply with all of the following:

1. [Remainder unchanged.]
2. [Remainder unchanged.]

## Exhibit F - Ordinance 783-25

3. [Remainder unchanged.]
4. The leading edge shall be visibly 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 the persons on the pool deck. The stripe shall be a 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.

### **Section 411.5.2; amend to read as follows:**

**411.5.2 Underwater seats and benches.** Underwater seats and benches, whether used alone or in conjunction with pool stairs, shall comply with all of the following:

1. [Remainder unchanged.]
2. [Remainder unchanged.]
3. [Remainder unchanged.]
4. [Remainder 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 a 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. [Remainder unchanged.]
7. [Remainder unchanged.]

### **Section 603.2; amend to read as follows:**

**603.2 Class ~~D-2~~ A and B pools.** ~~Where a Class D-2 pool has a bather-accessible depth greater than 4 ½ feet (1372 mm), the floor shall have a distinctive marking at the 4 ½ feet (1372 water depth.~~ 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 a 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, broke, or defective, the problem shall be promptly remedied.

### **Section 610.5.1; amend to read as follows:**

**610.5.1 Uniform height of ~~9-10~~ inches.** Except for the bottom riser, risers at the centerline shall have a maximum uniform height of ~~9-10~~ inches ( ~~229-254~~ mm). The bottom riser height shall be permitted to vary from the other risers.

### **Section 804.1; amend to read as follows:**

**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.

**END**