

**ORDINANCE NO. 20-14**

**ORDINANCE CREATING A NEW CHAPTER 172 SWIMMING POOL AND SPA CODE, OF THE CITY OF NORWALK, IOWA, CODE OF ORDINANCES, BY ADOPTING THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE WITH AMENDMENTS**

WHEREAS, the City Council of the City of Norwalk, 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 regulation and controlling the design, construction installation, quality of materials, location, operation and maintenance or use of swimming pool and spa equipment and systems; and

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

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

1. That Chapter 172 of the City of Norwalk, Iowa, Code of Ordinances, be created, and therefore be enacted, in the following chapter;

**CHAPTER 172 SWIMMING POOL AND SPA CODE**

<b>Section Number</b>	<b>Title</b>	<b>IBC Section</b>
<b>172.01</b>	<b>Short Title</b>	
<b>172.02</b>	<b>Adoption of Swimming Pool and Spa Code</b>	
<b>172.03</b>	<b>Amendments, modification, additions and deletions</b>	
<b>172.04</b>	<b>Deletions</b>	
<b>172.05</b>	<b>Referenced Codes - Conflicts</b>	
<b>172.06</b>	<b>Title</b>	<b>101.1</b>
<b>172.07</b>	<b>Expiration</b>	<b>105.5.3</b>
<b>172.08</b>	<b>Retention of Construction Documents</b>	<b>105.5.6</b>
<b>172.09</b>	<b>Work Commencing Before Permit Issue</b>	<b>105.6.1</b>
<b>172.10</b>	<b>Fee Schedule</b>	<b>105.6.2</b>
<b>172.11</b>	<b>Fee Refunds</b>	<b>105.6.3</b>
<b>172.12</b>	<b>Violation Penalties</b>	<b>107.4</b>
<b>172.13</b>	<b>Stop Work Order</b>	<b>107.5</b>

**172.01 SHORT TITLE.** This Chapter shall be known as the Norwalk Swimming Pool and Spa Code, and may be cited as such, and may be referred to herein as this Chapter.

**172.02 ADOPTION OF SWIMMING POOL AND SPA CODE.** The International Swimming Pool and Spa Code, 2018 Edition, as published by the International Code Council, Inc., is adopted in full except for such portions as may be hereinafter deleted, modified, or amended.

**172.03 AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS.** The International Swimming Pool and Spa Code, 2018 Edition (hereinafter known as the ISPSC), is amended as hereinafter set out in Sections 172.04 through 172.13.

**172.04 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.

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

**172.06 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 Norwalk Swimming Pool and Spa Code, hereinafter known as "this code".

**172.07 SECTION 105.5.3 - ADDITION - 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 - Twelve Month Expiration. Every Permit issued under the provisions of this Code shall expire twelve 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/her agent and by payment of the renewal fee as established by 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.

**172.08 SECTION 105.5.6 - AMENDED - RETENTION OF CONSTRUCTION DOCUMENTS.** Section 105.5.6, Retention of Construction Documents, of the ISPSC, is hereby amended by deleting the last sentence of said paragraph.

**172.09 SECTION 105.6.1 - ADDITION - WORK COMMENCING BEFORE PERMIT ISSUANCE.** Section 105.6.1, Work Commencing Before Permit Issuance. Said fee shall be 100 percent of the usual permit fee in addition to the required permit fees, unless permission has been obtained from the Code Official to begin work.

**172.10 SECTION 105.6.2 - AMENDED - FEE SCHEDULE.** Section 105.6.2, 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 in Chapter 177 of this Code of Ordinances, have been paid to the City of Norwalk. 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.

**172.11 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. In the event a construction project is amended subsequent to the issuance of a permit, which amendment would result in a lower permit fee had the final amended project been originally permitted, the City shall issue a refund of the permit fee pursuant to the following guidelines:

1. The request for refund is made by the holder of the permit in writing to the Code Official within ninety days of the issuance of the permit.
2. No work on the project, for which the permit was issued, has commenced.
3. The refunded amount will not exceed eighty percent of the original cost of the permit.

**172.12 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 a Municipal Infraction as prescribed in Chapter 4 of this Code of Ordinances.

**172.13 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 Stop Work Order. 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, by the Code Official, to perform to remove a violation or unsafe condition, shall be subject to a Municipal Infraction as prescribed in Chapter 4 of this Code of Ordinances.

2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
3. Effective Date. This ordinance shall be in full force and effect upon final passage, approval and publication as required by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the 21st day of May, 2020.

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Tom Phillips, Mayor

Attest:

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Lindsey Offenburger, City Clerk

First Reading: May 7, 2020

Second Reading: May 21, 2020

Third Reading: May 21, 2020

Clerk's Certificate

I certify that the foregoing was published as Ordinance No. 20-14 on the 28th day of May, 2020.

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City Clerk