

ORDINANCE NO. 6515

AN ORDINANCE TO AMEND CHAPTER 13.27, UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY RETITLING THE CHAPTER TO INTERNATIONAL SWIMMING POOL AND SPA CODE, AND BY AMENDING SECTION 13.27.010 “ADOPTION”; BY RETITLING AND AMENDING SECTION 13.27.015 “USPSHTC CHAPTER 1 DELETED-ADMINISTRATION”; BY REPEALING AND REPLACING SECTION 13.27.020 “DELETED SECTION 101.3-SCOPE”; SECTION 13.27.030 “DELETED SECTION 106.0-VIOLATION AND PENALTIES”; SECTION 13.27.040 “DELETED SECTION 118.0-BOARD OF APPEALS-MEMBERSHIP”; AND BY REPEALING SECTION 13.27.050 “CHAPTER 5 DELETED-FUEL GAS PIPING”.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 13.27, Uniform Swimming Pool, Spa, and Hot Tub Code of the 2020 Municipal Code of Council Bluffs, Iowa, be and the same is hereby retitled to International Swimming Pool and Spa Code and is amended to read as follows:

Chapter 13.27 - INTERNATIONAL SWIMMING POOL AND SPA CODE

13.27.010 Adoption

13.27.015 ISPSC Chapter 1 Deleted - Administration

13.27.020 Water Service and Drainage

13.27.030 Backflow Protection

13.27.040 Wastewater Discharge

13.27.010 Adoption

That a certain document being marked and designated as the “International Swimming Pool and Spa Code”, 2018 Edition, as approved and published by the International Code Council, as adopted as the International Swimming Pool and Spa Code, also known as the ISPSC of the City of Council Bluffs, Iowa, one copy of which is on file in the office of the building official of Council Bluffs.

This adopted code regulates and governs the erection, installation, alteration, repair, relocation, replacement, addition to, use, and maintenance of swimming pool, spa, and hot tub systems within this jurisdiction.

Each and all of these regulations, provisions, penalties, conditions and terms of this swimming pool, and spa code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, along with certain additions, insertions, deletions, and changes.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

13.27.015 ISPSC Chapter 1 Deleted - Administration

ISPSC Chapter 1 shall be deleted in its entirety and be replaced by CBMC 13.01.

(Ord. No. 6107, § 2, 11-8-2010)

13.27.020 Water Service and Drainage

ISPSC Section 302.2 Piping and fittings used for water service, makeup and drainage piping for pools and spas shall comply with the adopted plumbing code. Fittings shall be approved for installation with the piping installed.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 2, 11-8-2010)

13.27.030 Backflow Protection

Section 302.5. Water supplies for pools and spas shall be protected against backflow in accordance with the adopted plumbing code.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

13.27.040 Wastewater Discharge

Section 302.6. Where wastewater from pools or spas, such as backwash water from filters and water from deck drains discharge to a building drainage system, the connection shall be through an air gap in accordance with the adopted code. Discharge for in-ground pools to the yard or public way must be through a minimum 3" discharge line.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

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

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED

September 12, 2022.



MATTHEW J. WALSH Mayor

Attest: 

ALLISON HEAD Deputy City Clerk

First Consideration: 8-22-22
Second Consideration: 9-12-22
Public Hearing: 9-12-22
Third Consideration: Waived

Proof Of Publication

State of Iowa

Pottawattamie County

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on ordinances amending Title 13-Building and Construction of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Chapter 13.27 "Uniform Swimming Pool, Spa, and Hot Tub Code".

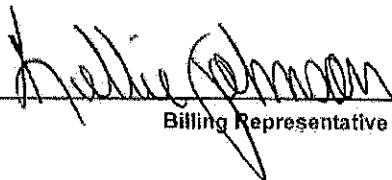
You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 12th day of September, 2022, in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush City Clerk
2022 (9) 4-1 Sunday

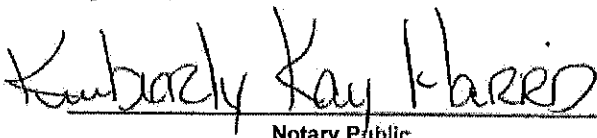
I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 04th day of September, 2022.


Billing Representative

Sworn to and subscribed before me this 4th day
of September, A.D. 2022.


Notary Public

State of Virginia
County of Hanover
My Commission expires

Kimberly Kay Harris
NOTARY PUBLIC
Commonwealth of Virginia
Reg. No. 356753
Commission Exp. Jan. 31, 2025

CITY OF COUNCIL BLUFFS
209 PEARL ST.
COUNCIL BLUFFS, IA 51503

Publication Cost: \$15.90
Customer Number: 1003258
Order Number: 0000325642

E-mail

jquakenbush@councilbluffs-ia.gov

Proof Of Publication

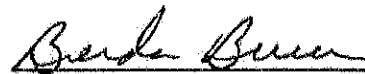
State of Iowa

Pottawattamie County

I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 18th day of September, 2022.



Billing Representative

Sworn to and subscribed before me this 18th day
of September, A.D. 2022.



Notary Public

State of Virginia
County of Hanover
My Commission expires _____

Kimberly Kay Harris
NOTARY PUBLIC
Commonwealth of Virginia
Reg. No. 388753
Commission Exp. Jan. 31, 2025

CITY OF COUNCIL BLUFFS
209 PEARL ST.
COUNCIL BLUFFS, IA 51503

Publication Cost: \$74.41
Customer Number: 1003258
Order Number: 0000329651

E-mail

jquakenbush@councilbluffs-ia.gov

ORDINANCE NO. 6515

AN ORDINANCE TO AMEND CHAPTER 13.27, UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY RETITLING THE CHAPTER TO INTERNATIONAL SWIMMING POOL AND SPA CODE, AND BY AMENDING SECTION 13.27.010 "ADOPTION"; BY RETITLING AND AMENDING SECTION 13.27.015 "USPSHTC CHAPTER 1 DELETED-ADMINISTRATION"; BY REPEALING AND REPLACING SECTION 13.27.020 "DELETED SECTION 101.3-SCOPE"; SECTION 13.27.030 "DELETED SECTION 106.0-VIOLATION AND PENALTIES"; SECTION 13.27.040 "DELETED SECTION 118.0-BOARD OF APPEALS-MEMBERSHIP"; AND BY REPEALING SECTION 13.27.050 "CHAPTER 5 DELETED-FUEL GAS PIPING".

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Chapter 13.27, Uniform Swimming Pool, Spa, and Hot Tub Code of the 2020 Municipal Code of Council Bluffs, Iowa, be and the same is hereby retitled to International Swimming Pool and Spa Code and is amended to read as follows:

Chapter 13.27 - INTERNATIONAL SWIMMING POOL AND SPA CODE

13.27.010 Adoption

13.27.015 ISPS Chapter 1 Deleted - Administration

13.27.020 Water Service and Drainage

13.27.030 Backflow Protection

13.27.040 Wastewater Discharge

13.27.010 Adoption

That a certain document being marked and designated as the "International Swimming Pool and Spa Code", 2018 Edition, as approved and published by the International Code Council, as adopted as the International Swimming Pool and Spa Code, also known as the ISPS of the City of Council Bluffs, Iowa, one copy of which is on file in the office of the building official of Council Bluffs.

This adopted code regulates and governs the erection, installation, alteration, repair, relocation, replacement, addition to, use, and maintenance of swimming pool, spa, and hot tub systems within this jurisdiction.

Each and all of these regulations, provisions, penalties, conditions and terms of this swimming pool, and spa code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, along with certain additions, insertions, deletions, and changes.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

13.27.015 ISPS Chapter 1 Deleted - Administration

ISPS Chapter 1 shall be deleted in its entirety and be replaced by CBMC 13.01.

(Ord. No. 6107, § 2, 11-8-2010)

13.27.020 Water Service and Drainage

ISPS Section 302.2 Piping and fittings used for water service, makeup and drainage piping for pools and spas shall comply with the adopted plumbing code. Fittings shall be approved for installation with the piping installed.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 2, 11-8-2010)

13.27.030 Backflow Protection

Section 302.5. Water supplies for pools and

spas shall be protected against backflow in accordance with the adopted plumbing code.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

11.27.040 Wastewater Discharge

Section 302.6. Where wastewater from pools or spas, such as backwash water from filters and water from deck drains discharge to a building drainage system, the connection shall be through an air gap in accordance with the adopted code. Discharge for in-ground pools to the yard or public way must be through a minimum 3" discharge line.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

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

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED AND APPROVED September
12, 2022.

MATTHEW J. WALSH, Mayor
Attest: ALLISON HEAD, Deputy City Clerk
2022 (9) 18 - 1 Sunday

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Legal on behalf of Jim Sherman in
Bldg.

Ordinance 6515
ITEM 5.A.

Council Action: 9/12/2022

Description

Ordinance to amend Chapter 13.27, Uniform Swimming Pool, Spa, and Hot Tub Code, by retitling the chapter to International Swimming Pool and Spa Code, and by amending Section 13.27.010 "Adoption", by retitling and amending Section 13.27.015 "USPSHTC Chapter 1 Deleted-Administration"; by repealing and replacing Section 13.27.020 "Deleted Section 101.3-Scope"; Section 13.27.030 "Deleted Section 106.0-Violation And Penalties"; Section 13.27.040 "Deleted Section 118.0-Board Of Appeals Membership"; and by repealing Section 13.27.050 "Chapter 5 Deleted-Fuel Gas Piping".

Background/Discussion

The standard used for pool installation and construction has been the Uniform Swimming Pool and Spa code, the 2009 edition. While this document is sufficient for the actual plumbing systems related to pools the Uniform Swimming Pool Code does not address all the ancillary areas related to pool installation including the safety features associated to pool construction whereas the 2018 International Pool Code addresses plumbing along with all the safety features. With concerns over the lack of addressing these safety areas the 2018 International Swimming Pool and Spa Code is proposed to replace the previous 2009 Uniform Swimming Pool Code as the standard used for pool installation and construction. The following are new areas the 2018 International Code will address:

1. Safety barriers around pools are now defined in depth including height and how the barriers are installed. With this, automatic pool covers for in-ground swimming pools will now be permitted in place of a vertical barrier.
2. When the occupied structure is used as part of the barrier to the pool, any opening from the structure into the pool area will have an alarm to signal when the door or window is opened.
3. Suction entrapment is now covered with the 2018 International Swimming Code.
4. The ability to have safety handholds along the pool edge is now addressed.
5. Equipment associated with the pool is now addressed such as filters, pumps, diving boards and steps.
6. A section of the 2018 International Swimming Code now addresses above ground pools with how entry to the above ground pool is achieved safely.

There are other safety elements along with the basic pool plumbing systems addressed with the new 2018 International Swimming Pool and Spa Code that will not only assist the public when installing pools but provide Staff with a more concise document to use.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	8/9/2022
Public Hearing Notice	Notice	8/9/2022
Ordinance 6515	Ordinance	8/16/2022

Chapter 13.27 - ~~UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE~~
INTERNATIONAL SWIMMING POOL AND SPA CODE

13.27.010 Adoption

13.27.015 USPSHTC Chapter 1 Deleted - Administration

13.27.020 Deleted Section 101.3 - Scope

13.27.030 Deleted Section 106.0 - Violation And Penalties

13.27.040 Deleted Section 118.0 - Board Of Appeals Membership

13.27.050 Chapter 5 Deleted - Fuel Gas Piping

13.27.010 Adoption

That a certain document being marked and designated as the "~~Uniform Swimming Pool, Spa, and Hot Tub Code~~", 2009 "International Swimming Pool and Spa Code", 2018 edition, as approved and published by the International Code Council, as adopted as the International Swimming Pool and Spa Code, also known as the ISPS International Association of Plumbing and Mechanical Officials of Ontario, CA, including the recognized code Referenced Standards contained in USPSHTC Chapter 6 all as modified or amended therein; be and the same are adopted as the ~~Uniform Swimming Pool, Spa, and Hot Tub Code~~ of the city of Council Bluffs, Iowa, one copy of which is on file in the office of the building official of Council Bluffs.

This adopted code regulates and governs the erection, installation, alteration, repair, relocation, replacement, addition to, use, and maintenance of swimming pool, spa, and hot tub systems within this jurisdiction.

Each and all of these regulations, provisions, penalties, conditions and terms of this swimming pool, and spa ~~code and hot tub code~~ are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, along with certain additions, insertions, deletions, and changes.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

13.27.015 USPSHTC ISPS Chapter 1 Deleted - Administration

~~USPSHTC~~ ISPS Chapter 1 shall be deleted in its entirety and be replaced by CBMC 13.01.

(Ord. No. 6107, § 2, 11-8-2010)

~~13.27.020 Deleted Section 101.3 - Scope~~ 13.27.020 Water Service and Drainage

~~USPSHTC Section 101.3 is to be deleted in its entirety and be replaced by CBMC 13.01.~~ ISPS Section 302.2 Piping and fittings used for water service, makeup and drainage piping for pools and spas shall comply with the adopted plumbing code. Fittings shall be approved for installation with the piping installed.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 2, 11-8-2010)

~~13.27.030 Deleted Section 106.0 - Violation And Penalties~~ 13.27.030 Backflow Protection

~~USPSHTC Section 106.0 is to be deleted in its entirety and be replaced by CBMC 13.01.~~ Section 302.5. Water supplies for pools and spas shall be protected against backflow in accordance with the adopted plumbing code.

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

~~13.27.040 Deleted Section 118.0 - Board Of Appeals Membership~~ 13.27.040 Wastewater Discharge

~~USPSHTC Section 118.0 is to be deleted in its entirety and be replaced by CBMC 13.01. Section 302.6. Where wastewater from pools or spas, such as backwash water from filters and water from deck drains discharge to a building drainage system, the connection shall be through an air gap in accordance with the adopted code. Discharge for in-ground pools to the yard or public way must be through a minimum 3" discharge line.~~

(Ord. 5583 § 1 (part), 2001; Ord. No. 6107, § 1, 11-8-2010)

~~13.27.050 Chapter 5 Deleted – Fuel Gas Piping~~

~~For fuel gas piping, see the requirements sets out in CBMC 13.12, Plumbing Code.~~

(Ord. 5583 § 1 (part), 2001)



Interoffice Memo

To: City Council, Mayor's Office
From: Courtney Harter, Community Development Director
Cc: Jim Sherman, CBO
Date: September 2, 2022
Re: Code Amendment Relating to Pools and Spas

Staff wishes to provide some clarity regarding the recent communications received relating to the proposed change to the City Code, Chapter 13.27: Swimming Pool, Spa and Hot Tubs.

There are three main organizations that provide model Code language for building standards: (1) International Code Council (ICC); (2) International Association of Plumbing and Mechanical Officials (IAPMO) and a third that is really small and not utilized locally. Each of these agencies employ experts in the Building Code requirements for safety and standards to provide guiding principles for cities to implement. They can be thought of as service providers to municipalities.

Council Bluffs utilizes ICC for all our model Code except plumbing (State of Iowa requires us to utilize IAPMO) and commercial electrical which utilizes the National Fire Protection Association (NFPA).

The Building Division evaluated both ICC Swimming Pool, and Spa Code (ISPSA) and IAPMO model Codes and determined for consistency with our current standards and for clarity with local contractors ICC would be a better fit for Council Bluffs. Both models provide similar language relating to safety standards.

The concerns presented by IAPMO:

1. The ISPSA is designed to promote other ICC documents: This can be seen as a benefit for Council Bluffs because it is the current model Code utilized for everything but plumbing and commercial electrical. It will provide consistency for our contractors.
2. Backflow prevention language is consistent between each model Code provider.
3. The State of Iowa requires the City to follow the IAPMO Plumbing Code. This requirement has not changed and will not impact our plumbing contractors.

After completing a second review of the proposed changes, Staff agrees the move from IAPMO to ICC model Codes for swimming pools, spas and hot tubs will meet all industry standards and provide consistency in referenced Codes for our local contractors.