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P. Hrngs. \_\_\_\_\_  
Pgs. 4  
Filed 10-29-19

Sponsored by: Ollis, Lear and McGull

First Reading: November 4, 2019

Second Reading: November 18, 2019

COUNCIL BILL 2019 - 258

GENERAL ORDINANCE 6562

AN ORDINANCE

1 ADOPTING the 2018 Swimming Pool and Spa Code as Article XVIII of Chapter 36 of  
2 the Springfield City Code, known as the 'Land Development Code.'  
3 (Recommended by Plans and Policies Committee.)  
4  
5

6 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,  
7 MISSOURI, as follows, that:  
8

9 Section 1 – City Council hereby adopts Springfield City Code, Chapter 36, Article  
10 XVIII, 'Swimming Pool and Spa Code,' which reads as follows:  
11

12 (Note: Language to be added is underlined and language being removed is ~~stricken~~.)  
13

14 ARTICLE XVIII – SWIMMING POOL AND SPA CODE

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16 Sec. 36-1801. – Adoption of 2018 Swimming Pool and Spa Code.

17  
18 City Council hereby adopts the 2018 Swimming Pool and Spa Code, as published by  
19 the International Code Council, and all referenced standards therein as if spelled out in  
20 this Ordinance, except such portions thereof as are hereinafter deleted, modified, or  
21 amended. This Code shall be designated as Article XVIII, '2018 Swimming Pool and  
22 Spa Code,' of Chapter 36 of the Springfield City Code, known as the 'Land  
23 Development Code.' One (1) copy of said Code shall remain on file in the office of the  
24 City Clerk, Busch Municipal Building 840 Boonville Avenue, Springfield, Missouri.  
25

26 Sec. 36-1802. – Deletions, modifications, amendments and additions.

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28 The 2018 International Swimming Pool and Spa Code, as adopted, is hereby  
29 amended and changed as follows:  
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31 (a) Chapter 1 is repealed in its entirety because code enforcement is covered in  
32 Springfield City Code Chapter 36, Land Development Code, Article I,

33 Administration and Enforcement of Codes and Article X, Uniform  
34 Enforcement Procedures.

- 35  
36  
37 (b) Because Chapter 1 is repealed in its entirety, any cross references to  
38 Chapter 1 in subsequent chapters are replaced by the provisions in Article I  
39 that correspond, in content, to such cross references.  
40  
41 (c) All adopted chapters and appendices shall include all errata hereafter  
42 published by the International Code Council after the date of the first printing  
43 of the 2018 International Swimming Pool and Spa Code.  
44

45 Sec. 36-1803. – Penalty clause.


46  
47 Any person convicted of: violating this article; failing to comply with any order  
48 issued under it; or, erecting, constructing, altering, or repairing a building, structure, or  
49 system in violation of an approved plan or directive of the code official or of a permit or  
50 certificate issued under these codes shall be punished as provided in section 1-7 of the  
51 City Code. A fine must be at least \$200.00 for the first offense, \$400.00 for the second  
52 offense, and \$500.00 for every offense thereafter. Notice under section 36-166 is not  
53 necessary to prosecute a violation of any provision of this article or these codes, unless  
54 the violation involves failure to comply with an order. Each day a violation continues is a  
55 separate offense.  
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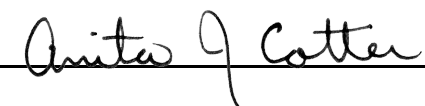
57 Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to  
58 affect any suit or proceeding now pending in any court or any rights acquired, or liability  
59 incurred nor any cause or causes of action accrued or existing, under any act or  
60 ordinance repealed hereby, or shall any right or remedy of any character be lost,  
61 impaired, or affected by this Ordinance.  
62

63 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or  
64 phrase of this Ordinance is for any reason held to be invalid, such decision shall not  
65 affect the validity of the remaining portions of this Ordinance. Council hereby declares  
66 that it would have adopted the ordinance and each section, subsection, sentence,  
67 clause, or phrase thereof, irrespective of the fact that any one or more sections,  
68 subsections, sentences, clauses or phrases be declared invalid.  
69

70 Section 4 – This Ordinance shall be in full force and effect 90 days from and after  
71 passage by City Council.  
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73 Passed at meeting: November 18, 2019

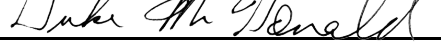
74  
75   
76 \_\_\_\_\_  
77 Mayor

77  
78 Attest:  \_\_\_\_\_, City Clerk

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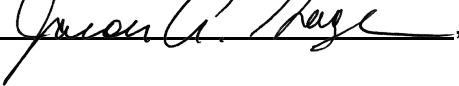
80 Filed as Ordinance: November 18, 2019

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82 Approved as to form: , Assistant City Attorney

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85 Approved for Council action: , City Manager

**EXPLANATION TO COUNCIL BILL 2019- 258**

FILED: 10-29-19

ORIGINATING DEPARTMENT: Building Development Services

PURPOSE: Adopting the 2018 Swimming Pool and Spa Code as Article XVIII of Chapter 36 of the Springfield City Code, known as the 'Land Development Code. (Recommended by Plans and Policies Committee.)

BACKGROUND AND REMARKS: The current swimming pool and spa code enforced by the City is the 2012 International Swimming Pool and Spa Code. By adopting the 2018 International Swimming Pool and Spa Code, the City will be adopting the most up-to-date, nationally-recognized, swimming pool and spa code. The provisions contained within this Ordinance do not excessively and unnecessarily increase construction costs; do not restrict the use of new materials, productions, or methods of construction; and, do not give preferential treatment to particular types or classes of materials, products, or methods of construction.


The proposed Ordinance was presented to the Plans and Policies Committee on October 17, 2019, and approved by Councilman Ollis, Councilman Lear and Councilman McGull.

The Building Development Services Department ("BDS") has met with representatives of the local design and construction industry over the course of the past several months to discuss the ramifications of adopting this new code. Comments were requested from designers, electricians, plumbers, building contractors, gas fitters, general contractors, developers, and others that may be affected by the adoption of this code. The language of this Ordinance was placed on the City website for review by the members of the Home Builders Association, Springfield Contractors Association, Missouri Society of Professional Engineers, and the local chapter of the American Institute of Architects.

Submitted by:

  
\_\_\_\_\_  
Harlan Hill, Director  
Building Development Services

Approved by:

  
\_\_\_\_\_  
Jason Gage,  
City Manager