



City of Rowlett

Official Copy

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

Ordinance: ORD-017-21

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF ROWLETT, BY AMENDING DIVISION 5 (“UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE”) OF ARTICLE II (“BUILDING REGULATIONS”) OF CHAPTER 78 (“BUILDINGS AND BUILDING REGULATIONS”) TO AMEND SECTION 78-111 PROVIDING FOR THE ADOPTION OF THE 2018 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that the Council has previously adopted the provisions of the 1997 edition of the Uniform Swimming Pool, Hot Tub, and Spa Code, to provide regulations regarding the construction, installation and operation of swimming pools and spas and finds that the adoption of a more recent edition will provide greater uniformity in the enforcement of and compliance with the code, and is in the best interest of the public health, safety and welfare of the citizens of the City.

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

SECTION 1: That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending section 78-111 of Division 5 (“Uniform Swimming Pool, Spa, and Hot Tub Code”) of Article II (“Building Regulations”) of Chapter 78 (“Buildings and Building Regulations”) to rename Division 5 to the International Swimming Pool and Spa Code, and to repeal and replace section 78-111 in its entirety, such that the title to Division 5 and section 78-111 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE II. BUILDING REGULATIONS

...

DIVISION 5. International Swimming Pool and Spa Code

Sec. 78-111. Adopted.

There is hereby adopted, the 2018 edition of the International Swimming Pool and Spa Code, as the swimming pool, spa and hot tub code for the city for the purpose of regulating and governing the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance, of swimming pools, spas and hot tubs within the City of Rowlett, and the same are incorporated by reference herein as if fully copied. One copy of each such code, together with the exceptions and amendments thereto, shall be kept at all times in the office of the city secretary and building official.”

SECTION 2: That all references in the Code adopted herein to boards of appeal shall refer to the board of adjustment of the City of Rowlett, Texas, which shall be and is hereby authorized to act and preside as a board of appeals under each of the codes adopted by this ordinance.

SECTION 3: That all ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of the ordinance shall remain in full force and effect.

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 and ordinances of the City, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5: That should any section, paragraph, sentence, subdivision, clause, phrase or provision 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 hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the Code of Ordinances of the City.

SECTION 6: That any person, firm or corporation violating any of the provisions or terms of this ordinance or the codes adopted hereby, as same may be amended, shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7: That this ordinance shall take effect immediately upon its passage and adoption and the publication of the caption as the law and charter in such cases provide.

At a meeting of the City Council on March 16, 2021 this Resolution be adopted. The motion carried by the following vote:

Ayes: 6 Mayor Dana-Bashian, Deputy Mayor Pro Tem Bell, Councilmember Margolis, Councilmember Sherrill, Councilmember Laning and Councilmember Brown

Absent: 1 Mayor Pro Tem Grubisich

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Approved by Tommy Davis - Bassman Date March 16, 2021
Mayor

Approved to form by [Signature] Date March 16, 2021
City Attorney

Certified by Laura Holmark Date March 16, 2021
City Secretary

