

## ARTICLE 12

## SUPPLEMENTARY BUILDING CODES

## Section

9-1201. International Swimming Pool and Spa Code; adoption and incorporation by reference.

9-1202. Swimming Pool and Spa Code; definitions.

9-1203. Swimming Pool and Spa Code; amendments.

**9-1201 International Swimming Pool and Spa Code; adoption and incorporation by reference; jurisdiction; amendments and conflicting provisions.**

- (1) The 2018 edition of the International Swimming Pool and Spa Code, including any appendices or attachments thereto, as published by the International Code Council, Inc. is hereby adopted as the Swimming Pool and Spa Code of the City of Crete, Nebraska. Each and all of the regulations, provisions, penalties, conditions, and terms found therein are hereby incorporated by reference and made a part of the Crete City Code as though printed in full therein and insofar as such regulations, provisions, penalties, conditions, and terms do not conflict with any laws of the State of Nebraska or the City of Crete.
- (2) The provisions of the Swimming Pool and Spa Code shall be controlling throughout the City and its extraterritorial zoning jurisdiction, and at least one physical copy of the Swimming Pool and Spa Code shall be on file in City Hall and available for public inspection at any reasonable time.
- (3) The City Council may amend, modify, supplement, or delete any portion of the International Swimming Pool and Spa Code or impose additional restrictions not contained therein in order to increase building safety, durability, or efficiency, establish best building or construction practices, or address special local conditions or concerns. In the event of a direct conflict between any provision of the International Swimming Pool and Spa Code, as incorporated by reference, and any other provision of the Crete City Code, the Crete City Code shall overrule and supersede the International Swimming Pool and Spa Code.
- (4) Any other code or standard listed in the International Swimming Pool and Spa Code and adopted by reference therein shall be considered part of the requirements of the Swimming Pool and Spa Code unless the City has specifically adopted a different uniform or standard code that substantially encompasses the same subject or subjects.

**Source:** Ord. 2106, § 2 (2020).

**Cross References**

**2018 International Pool and Spa Code**, see International Code Council, Inc., 2018 International Pool and Spa Code (2017).

**9-1202 Swimming Pool and Spa Code; definitions.**

For purposes of the Swimming Pool and Spa Code, unless the context otherwise requires, the definitions found in the incorporated International Swimming Pool and Spa Code shall apply.

**Source:** Ord. 2106, § 3 (2020).

**9-1203 Swimming Pool and Spa Code; amendments.**

- (1) Section 101.1 shall be amended to read as follows: These regulations shall be known as the Swimming Pool and Spa Code of the City of Crete, hereinafter referred to as “this code”.

- (2) Section 103 shall be deleted in full.
- (3) Section 104.1 shall be amended to read as follows: The code official is hereby authorized and directed to enforce the provisions of this code.
- (4) Section 104.8 shall be deleted in full.
- (5) Section 105.6.2 shall be amended to read as follows: The fees for work shall be as determined by the City Council.
- (6) Section 105.6.3 shall be amended to read as follows: The code official shall authorize the refunding of fees on a sliding scale based on the amount of City review that has been provided. The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.
- (7) Section 107.4 shall be amended to read as follows: 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 an infraction punishable by a fine of not more than five hundred dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (8) Section 107.5 shall be amended to read as follows: Upon notice from the code official, work on any system that is being performed 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 authorized agent, or to the person performing 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 guilty of an infraction punishable by a fine of not more than five hundred dollars. Each day that a violation continues shall be deemed a separate offense.
- (9) Section 108 shall be deleted in full.
- (10) Section 305.1 shall be amended to read as follows: The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346, the areas where those spas or hot tubs are located shall not be required to comply with Sections 305.2 through 305.7.
- (11) Section 305.6 shall be amended to read as follows: 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 to a water depth of not less than 6 inches, a barrier is not required between the natural body of water shoreline and the pool or spa area.

**Source:** Ord. 2106, § 4 (2020).