

City of San Luis – Amendments to: 2018 International Swimming Pool and Spa Code.

The following amendments, additions, and deletions are hereby made to the 2018 International Swimming Pool and Spa Code, as adopted by this subchapter. Paragraph, section numbers refer to the 2018 International Swimming Pool and Spa Code edition number system. Code reference not amended in this section shall be enforced as published in the reference document.

(A) **Section [A] 101.1 Title.** Amend to read, “These regulations shall be known as the Swimming Pool and Spa Code of the City of San Luis, hereinafter referred to as ‘this code.’”

(B.) **Section [A] 103.1 Creation of enforcement agency.** Amend to read, “The Planning and Zoning Department, Building Safety Division is hereby created and the official in charge thereof shall be known as the building official. Amend all sections of this code that reference the *code official* by replacing to read the ‘building official’”

(C.) Create new section, “**105.1.1 Work exempt from permit.** Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in a manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

1. Replacement of existing pool pumps and filters.
2. Re-plaster of existing pools.
3. Replacement of existing pool decks.”

Section [A] 105.6.2 Fee schedule. Amend by adding Building Permit Fee **in accordance with City of San Luis Building Permits Fees on Resolution # 875.**

(D.) **Section [A] 105.6.3 Fee refunds.** Amend to read, “The building official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee or applicant not later than 180 days after the date of fee payment.”

Create new section, “**105.6.4 Work commencing before permit issuance.** “Any person who commences work requiring a *permit* on a pool or spa before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority that shall be in addition to the required *permit* fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be determined by the *building official*, based on the circumstances, nature, and severity of the infraction. The minimum

investigation fee shall be \$50.00 and the maximum shall be an amount up to the same as the fee set forth **in accordance with City of San Luis Building Permits Fees on Resolution # 875.**

(E.) Create new section, “**106.20 Construction Debris.** Construction sites shall be kept reasonably clean of construction debris during the course of construction. Construction debris shall be removed or retained on the lot and not be at risk to be displaced from the lot by wind. Debris shall not be allowed to transfer to adjacent lots or City rights of way.

If the building official determines that the construction site is not in compliance with this section or the debris presents a safety hazard for inspection personnel, inspections shall not be performed until the construction site is cleaned.”

(F.) **Section [A] 107.4 Violation penalties.** Amend to read, “Any person who violates 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 building official, or of a *permit* or certificate issued under the provisions of this code, shall be subject to the penalty and fine described in this ordinance.”

(G.) **Section [A] 107.5 Stop work orders.** Amend last sentence to read, “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 subject to the penalty and fine described in this ordinance.”

(H.) **Section [A] 108.2 Membership of the board.** Amend to read, “The membership of the Residential Advisory Board, as prescribed in Section 150-175 of the San Luis City Code, will be the Board of Appeals for Residential appeals (one-and two-family dwellings). The membership of the Building Advisory Board, as prescribed in Section (150-008) of the San Luis City Code, will be the Board of Appeals for Commercial appeals.”

(I.) Delete the following sections in their entirety:

Section [A] 108.2.1 Qualifications

Section [A] 108.2.2 Alternate members

Section [A] 108.2.3 Chairman

Section [A] 108.2.4 Disqualification of member

Section [A] 111.2.5 Secretary

Section [A] 111.2.6 Compensation of members

Section [A] 108.3 Notice of meeting Section [A]

108.4 Open hearing

Section [A] 108.4.1 Procedure

Section [A] 108.5 Postponed hearing

Section [A] 108.6 Board decision

Section [A] 108.6.1 Resolution

Section [A] 108.6.2 Administration

(J) Section 303.1.3 Covers. Add 2nd exception to section:

“2. Where multi-speed or variable speed pumps are installed, covers or other vapor-retardant means shall not be required.”

(K) Section [BS] 304.2 Determination of impacts based on location. Delete section in its entirety in favor of adopted City floodplain ordinances.

(L) Section 305.2.1 Barrier height and clearances. Amend items 1 and 2 and add exception as follows:

“1. The top of the barrier shall be not less than 60 inches (1524 mm) above grade for Residential Pools and Type C Semi-Public Pools, and shall be 72 inches (1829 mm) above grade for all other pools. Heights shall be measured on the side of the barrier that faces away from the pool or spa. Such heights shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.

Exception: Barriers used between a pool and the primary dwelling or structure shall be not less than 48 inches (1219 mm) above grade.

2. The barrier shall include a concrete ribbon curb or other approved material around the entire perimeter.”

(M) Section 305.4 Structure wall as barrier. Add item 4 to section as follows:

“4. In one- and two-family dwellings and townhouses, openable windows shall have a latch at minimum 54 inch (1372 mm) height above the finished floor.”

(N) Section 410.1 Toilet facilities. Amend to read, “Class A and B and C pools shall be provided with toilet facilities having the number of plumbing fixtures in accordance with the International Building Code or the International Plumbing Code or Arizona Department of Environmental Quality Statutes and Rules.”

(O) Section 811 Safety features. Delete section in its entirety.