

ORDINANCE NO. 32197

An ordinance adding Chapter 62, “Dallas Swimming Pool and Spa Code,” to the Dallas City Code, as amended; adopting with certain changes the 2021 Edition of the International Swimming Pool and Spa Code of the International Code Council, Inc.; regulating and governing the construction, alteration, movement, renovation, replacement, repair, and maintenance of aquatic facilities, pools, and spas; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the 87th Texas Legislature met in regular session between January 12, 2021 and May 31, 2021; and

WHEREAS, H.B. 2205 was filed on February 24, 2021; and

WHEREAS, H.B. 2205 adopted the International Swimming Pool and Spa Code as it existed on May 1, 2019 as the municipal swimming pool and spa code in the State of Texas; and

WHEREAS, H.B.2205 allows a municipality to adopt a more recent version of the International Swimming Pool and Spa Code; and

WHEREAS, H.B. 2205 was approved by both chambers of the Texas Legislature; and

WHEREAS, H.B. 2205 was filed without the governor’s signature on June 18, 2021 and took effect on September 1, 2021; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Chapter 62, “Dallas Swimming Pool and Spa Code,” of the Dallas City Code, as amended, is created by adopting the 2021 Edition of the International Swimming Pool and Spa Code of the International Code Council, Inc. (which is attached as Exhibit A and made a part of this ordinance), with the following amendments:

1. Subsection [A]101.1, “Title,” of Section 101, “General,” of Part 1, “Scope and Application,” of Chapter 1, “Scope and Administration,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“[A] **101.1 Title.** These regulations shall be known as the Dallas Swimming Pool and Spa Code [of ~~[NAME OF JURISDICTION]]~~, hereinafter referred to as “this code.” Except as otherwise specified in this chapter, all provisions of Chapter 52, ‘Administrative Procedures for the Construction Codes,’ of the *Dallas City Code* apply to this code.

101.1.1 General. The provisions of this code and the provisions of Chapter 43A, “Swimming Pools,” of the *Dallas City Code* shall control the design and construction of swimming pools, spas and hot tubs. To the extent of any conflict between Chapter 62, “*Dallas Swimming Pool and Spa Code*,” of the *Dallas City Code*, hereafter referred to as “this code”; and other city ordinances, this code shall prevail.

101.1.2 Location of pool adjacent to structural footings. The provisions of Section 1808.7 of Chapter 53, “*Dallas Building Code*,” of the *Dallas City Code*, and Section R403.1.7 of Chapter 57, “*Dallas One- and Two-Family Dwelling Code*,” of the *Dallas City Code*, shall control the location of pools adjacent to buildings and other structural footings.”

2. Subsection [A]102.5, “Historic Buildings,” of Section 102, “Applicability,” of Part 1, “Scope and Application,” of Chapter 1, “Scope and Administration,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“[A] **102.5 Historic buildings.** The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of pools, spas, or systems shall not be mandatory for existing pools, spas or systems identified and classified by federal,~~[the]~~ state or local jurisdictions as part of a historic structure where such pools, spas or systems are judged by the *code official* to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of such pool or spa.”

3. Subsection [A]102.9, “Other Laws,” of Section 102, “Applicability,” of Part 1, “Scope and Application,” of Chapter 1, “Scope and Administration,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

[A]**102.9 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, including, but not limited to:

1. Texas Department of State Health Services (TDSHS); Standards for Public Pools and Spas; §285.181 through §285.208, (TDSHS rules do not apply to pools serving one- and two-family dwellings or townhomes).
2. Texas Department of Licensing and Regulation (TDLR); Texas Accessibility Standards (TAS), provides the scoping and technical requirements for accessibility for swimming pools, wading pools and spas and shall comply with the current edition of TAS, Section 242. (TAS rules do not apply to pools serving one- and two-family dwellings or townhomes).

Exception: Elements regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this chapter.”

4. Part 2, “Administration and Enforcement,” of Chapter 1, “Scope and Administration,” of the 2021 International Swimming Pool and Spa Code is deleted.

5. Subsection 201.3, “Terms Defined in Other Codes,” of Section 201, “General,” of Chapter 2, “Definitions,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the Dallas [International] Building Code, Dallas [International] Energy Conservation Code, Dallas [International] Fire Code, Dallas [International] Fuel Gas Code, Dallas [International] Mechanical Code, Dallas [International] Plumbing Code, Dallas Electrical Code, Dallas Existing Building Code, Dallas Green Construction Code, [ø] Dallas One-and Two-Family Dwelling [International-Residential] Code, or the Administrative Procedures for the Construction Codes, such terms shall have the meanings ascribed to them as in those codes.”

6. Section 202, “Definitions,” of Chapter 2, “Definitions,” of the 2021 International Swimming Pool and Spa Code is amended by amending or adding the following defined terms in alphabetical order to read as follows:

DALLAS HEALTH DEPARTMENT. Regulates the operation of public pools. Routine inspections on pools and spas open to the public are conducted to document compliance with the standards set forth in state law.

FRENCH DOORS. Double doors, sometimes called double-hinged patio doors, that provide access from a dwelling interior to the exterior in which each of the two doors are hinged and closable so that the edge of one door closes immediately adjacent to the edge of the other door with no partition between the doors. A French door is either one of the two doors.

KEYED DEAD BOLT. A door lock that is not in the doorknob, that locks by a bolt in the doorjamb, that has a bolt with at least a 1-inch throw if installed after September 1, 1993, and that is operated from the exterior by a key, card or combination and operated from the interior by a knob or lever without a key, card or combination. The term includes a doorknob lock that contains a bolt with at least a 1-inch throw.

KEYLESS DEAD BOLT. A door lock not in the doorknob that locks:

1. with a bolt with a 1 inch throw into a strike plate screwed into the portion of the doorjamb surface that faces the edge of the door when the door is closed or into a metal doorjamb that serves as the strike plate, operable only by knob or lever from the door's interior and not in any manner from the door's exterior, and that is commonly known as a keyless dead bolt;
2. by a drop bolt system operated by placing a central metal plate over a metal doorjamb restraint which protrudes from the doorjamb and which is affixed to the doorjamb frame by means of three case-hardened screws at least 3 inches in length. One half of the central plate must overlap the interior surface of the door and the other half of the central plate must overlap the doorjamb when the plate is placed over the doorjamb restraint. The drop bolt system must prevent the door from being opened unless the central plate is lifted off the doorjamb restraint by a person who is on the interior side of the door; or
3. by a metal bar or metal tube that is placed across the entire interior side of the door and secured in place at each end of the bar or tube by heavy-duty metal screw hooks. The screw hooks must be at least 3 inches in length and must be screwed into the door frame stud or wall stud on each side of the door. The bar or tube must be capable of being secured to both of the screw hooks and must be permanently attached in some way to the door frame stud or wall stud. When secured to the screw hooks, the bar or tube must prevent the door from being opened unless the bar or tube is removed by a person who is on the interior side of the door. The term does not include a chain latch, flip latch, surface-mounted slide bolt, mortise door bolt, surface-mounted barrel bolt, surface-mounted swing bar door guard, spring-loaded night latch, foot bolt or other lock or latch.

PUBLIC SWIMMING POOL (Public Pool). Any man made permanently installed or non-portable structure, basin, chamber or tank containing an artificial body of water that is used for swimming, diving, aquatic sports or other aquatic activity, [A-poo] other than a residential pool, that is intended to be used for swimming or bathing and is operated by an owner, lessee, operator, licensee or concessionaire, regardless of whether a fee is charged for use. The pool may be publicly or privately owned. Public pools shall be further classified and defined as follows:

Class A competition pool. A pool intended for use for accredited competitive aquatic events such as Federation Internationale De Natation (FINA), USA Swimming, USA Diving, USA Synchronized Swimming, USA Water Polo, National Collegiate Athletic Association (NCAA), or the National Federation of State High School Associations (NFHS). A class A pool may also be used for recreation.

Class B public pool. A pool intended for public recreational use that is not identified in the other classifications of public pools.

Class C semi-public pool. Any [A] pool operated [solely] for and in conjunction with:

1. lodgings such as hotels, motels, apartments, [or] condominiums, or mobile home parks;[-]
2. property owners associations, private organizations or clubs; or
3. a school, college, or university while being operated for academic or continuing education classes.

The use of such a pool would be open to occupants, members or students and their guests, but not open to the general public. The term does not include a spa or a decorative fountain that is not used as a pool or pools with depths of 18 inches or less.

Class D pool. A wading pool with a maximum water depth of 24 inches at any point.

Class D-1 wave action pool. A pool designed to simulate breaking or cyclic waves for purposes of general play or surfing.

Class D-2 activity pool. A pool designed for casual water play ranging from simple splashing activity to the use of attractions placed in the pool for recreation.

Class D-3 catch pool. A body of water located at the termination of a manufactured waterslide attraction. The body of water is provided for the purpose of terminating the slide action and providing a means for exit to a deck or walkway area.

Class D-4 leisure river. A manufactured stream of water of near-constant depth in which the water is moved by pumps or other means of propulsion to provide a river-like flow that transports bathers over a defined path that may include water features and play devices.

Class D-5 vortex pool. A circular pool equipped with a method of transporting water in the pool for the purpose of propelling riders at speeds dictated by the velocity of the moving stream of water.

Class D-6 interactive play attraction. A manufactured water play device or a combination of water-based play devices in which water flow volumes, pressures or patterns can be varied by the bather without negatively influencing the hydraulic conditions for other connected devices. These attractions incorporate devices or activities such as slides, climbing and crawling structures, visual effects, user-actuated mechanical devices and other elements of bather-driven and bather-controlled play.

Class E. Pools used for instruction, play or therapy and with temperatures above 86°F (30°C).

Class F. Class F pools are wading pools and are covered within the scope of this code as set forth in Section 405.

Public pools are either a diving or nondiving type. Diving types of public pools are classified into types as an indication of the suitability of a pool for use with diving equipment.

Type O. A nondiving public pool.

Types VI–IX. Public pools suitable for the installation of diving equipment by type.

POOL YARD OR SPA YARD. An area that has a *pool or spa yard enclosure* and that contains a *pool or spa*.

POOL YARD OR SPA YARD ENCLOSURE. A fence, wall or combination of fences, *walls*, gates, windows or doors that completely surround a pool or spa.

POOLS, STATE LAW. Refers to *25 Texas Administrative Code*, Chapter 265, Subchapter L, “Standards for Swimming Pools and Spas,” which went into effect on September 1, 2004 (except Section 265.190, “Suction Outlets and Return Inlets at Post-10/01/99 and Pre-10/01/99 Pools and Spas,” which had an effective date of January 1, 2005).

PREMISES. A lot or unplatted tract of land that is reflected in the plat books of the building inspection division of the city or other source approved by the building official. Refer to Section 51-4.601 or Section 51A-4.601 of the *Dallas Development Code*.

RESIDENTIAL. For purposes of this code, *residential* applies to detached one- and two-family dwellings and townhomes [~~townhouses~~] not more than three stories in height.

RESIDENTIAL SWIMMING POOL (Residential Pool). A pool that is located on private property under the control of the property owner or the owner’s tenant and that is intended for use by not more than two resident families or their guests. It includes a pool serving only a single-family home or a duplex [~~intended for use that is accessory to a residential setting and available only to the household and its guests~~]. Other pools shall be considered to be public pools for purposes of this code.

Type O. A nondiving *residential* pool.

Types I–V. *Residential* pools suitable for the installation of diving equipment by type.

SPA. A product intended for the immersion of persons in temperature-controlled water circulated in a closed system, and not intended to be drained and refilled after [~~filled with~~] each use. A spa usually includes a filter, an electric, solar or gas heater, a pump or pumps, and a control, and can include other equipment, such as lights, blowers, and water-sanitizing equipment. A spa is constructed as a permanent or portable structure that is 2 feet or more in depth and that has a surface area of 250 square feet or less or a volume of 3,250 gallons or less and that is intended to be used for bathing or other recreational uses. It may include, but is not limited to, hydro jet circulation, hot water, cold water, mineral baths, air induction bubbles or any combination thereof. A spa as referred to in this code is not a business establishment such as a day spa or health spa.

Industry terminology for a spa includes, but is not limited to, “hydrotherapy pool,” “whirlpool,” “hot spa,” hot tub,” etc.

Nonselved-contained spa. A factory-built *spa* in which the water heating and circulating equipment is not an integral part of the product. Nonselved-contained spas may employ separate components such as an individual filter, pump, heater and controls, or they can employ assembled combinations of various components.

Permanent residential spa. A spa, that is located on private property under the control of the property owner or the owner’s tenant and that is intended for use by not more than two resident families or their guests [intended for use that is accessory to a residential setting and available to the household and its guests] and where the water heating and water-circulating equipment is not an integral part of the product. The spa is intended as a permanent plumbing fixture and not intended to be moved. It includes a *spa* serving only a single-family home or a duplex.

Portable residential spa. A spa that is located on private property under the control of the property owner or the owner’s tenant and that is intended for use by not more than two resident families or their guests [intended for use that is accessory to a residential setting and available to the household and its guests] and where it is either self- contained oronselved-contained. It includes a *spa* serving only a single-family home or a duplex.

Public spa. A spa other than a permanent *residential spa* or portable *residential spa* that is intended to be used for bathing and is operated by an owner, licensee or concessionaire, regardless of whether a fee is charged for use.

Self-contained spa. A factory-built spa in which all control, water heating and water-circulating equipment is an integral part of the product. Self-contained spas may be permanently wired or cord connected.”

7. Subsection 305.1, “General,” of Section 305, “Barrier Requirements,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“**305.1 General.** The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. In one- and two-family dwellings and townhomes, ~~w~~^Where spas or hot tubs are equipped with a lockable *safety cover* complying with ASTM F1346 and swimming pools are equipped with a powered *safety cover* that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 305.2 through 305.7.”

8. Subsection 305.2, “Outdoor Swimming Pools and Spas,” of Section 305, “Barrier Requirements,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“305.2 [Outdoor] S[s]wimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.9 and in accordance with the Texas Administrative Code and Chapter 757 of the Texas Health and Safety Code for public pools [305.7].

305.2.1 Barrier height and clearances. Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height 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.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

305.2.2 Openings. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

305.2.3 Solid barrier surfaces. Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

305.2.4 Mesh fence as a barrier. Mesh fences, other than chain link fences in accordance with Section 305.2.7, shall be installed in accordance with the manufacturer’s instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.

3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and solid surface shall not be greater than 4 inches (102 mm) from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices shall include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of onground *residential* pools.

305.2.4.1 Setback for mesh fences. The inside of a mesh fence shall not be closer than 20 inches (508 mm) to the nearest edge of the water of a pool or spa.

305.2.5 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ inches (44 mm) in width.

305.2.6 Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 1¾ inches (44 mm).

305.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than 1¾ inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than 1¾ inches (44 mm).

305.2.7.1 Chain link fencing prohibited. Chain link fencing is not permitted as a barrier in public pools built after January 1, 1994.

305.2.8 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall not be greater than 1¾ inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

305.2.9 Clear zone. Where equipment, including pool equipment such as pumps, filters and heaters, is on the same lot as a pool or spa and such equipment is located outside of the barrier protecting the pool or spa, such equipment shall be located not less than 36 inches (914 mm) from the outside of the barrier.”

9. Subsection 305.4, “Structure Wall As A Barrier,” of Section 305, “Barrier Requirements,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

305.4 Structure wall as a barrier in one- and two-family dwellings, townhomes, and similar developments. Where a wall of a dwelling or structure serves as part of the barrier and where doors, gates or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor, doors and gates shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be *listed* and labeled as a water hazard entrance alarm in accordance with UL 2017.
2. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor.
3. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
4. In structures other than dwellings, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1220 mm) above the finished floor.
5. A *safety cover* that is *listed* and *labeled* in accordance with ASTM F1346 is installed for the pools and spas.
6. An *approved* means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

305.4.1 Structure wall as a barrier in apartments, property owner associations and similar residential developments. The wall of a building with openings for emergency escape and rescue shall be as provided in Section 305.9.2 of this code. Other windows that are part of a pool yard enclosure shall be permanently closed and unable to be opened for public pools.”

10. Subsection 305.6, “Natural Barriers,” of Section 305, “Barrier Requirements,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“305.6 Natural barriers used in one- and two-family dwellings, townhomes, and similar developments. 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 not less than 18 inches (457 mm), a barrier is not required between the natural body of water shoreline and the pool or spa.”

11. Section 305, “Barrier Requirements,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code is amended by adding a new Subsection 305.9, “Additional Requirements for Swimming Pools and Spas,” to read as follows:

“305.9 Additional requirements for swimming pools and spas. Swimming pools and spas shall comply with the requirements of Sections 305.9 through 305.10.4 and other applicable sections of this code. This section does not preempt state law. Compliance with this section is not a safe harbor for compliance with state law. Refer to Chapter 43A, Swimming Pools, of the Dallas CityCode for additional provisions on pools as enforced by the Dallas Health Department.

305.9.1 Fence required. Every owner, purchaser under contract, lessee, tenant, licensee or other person in possession of a tract, lot or premises on which a swimming pool or spa is situated shall at all times maintain a fence, wall or barrier that completely surrounds the swimming pool or spa.

305.9.2 Swimming pool and spa filling. A swimming pool or spa must be provided with a barrier that must be installed, inspected and *approved* prior to plastering or filling the swimming pool or spa with water.”

12. Section 305, “Barrier Requirements,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code,” is amended by adding a new Subsection 305.10, “Enclosures for Public Swimming Pools and Spas,” to read as follows:

“305.10 Enclosures for public swimming pools and spas. Public swimming pools and spas shall be completely enclosed in accordance with Sections 305.10.1 through 305.10.4.

305.10.1 Enclosures for Class A and B pools and spas. Class A and B pools and spas shall be enclosed by a barrier consisting of the following, or its equivalent: a fence, portion of a building, wall or other durable enclosure.

1. A building that serves as part of the enclosure shall have doors or gates that open into the pool yard only if:
 - 1.1. any doors or gates between the building and the pool yard are for entry into a storage room, restroom, shower room, dressing room or mechanical room adjacent to the pool;
 - 1.2. the room does not have any door or gate openings to the outside of the pool yard enclosure; and
 - 1.3. the room does not contain any gas chlorine containers.
2. The enclosure, including doors and gates, shall:
 - 2.1. have a minimum effective perpendicular height of at least 6 feet as measured from the ground surface on the outside of the fence;
 - 2.2. have no opening in the enclosure through or under which a 4-inch diameter sphere can pass;
 - 2.3. be designed and constructed so that it cannot be readily climbed; and
 - 2.4. have all doors, gates and windows in the enclosure directly and continuously supervised by staff at the pool during hours of operation, or locked to prevent unauthorized entry.

305.10.2 Enclosures for Class C pools and spas and Class D pools at a Class C facility (such as apartment, property owner associations and similar residential developments). *Pool yards* and *spa yards* of apartments, property owner associations and similar residential developments must have an enclosure that meets the following requirements in addition to the requirements of Sections 305.2 through 305.8:

1. The height of the *pool yard* enclosure must be at least 48 inches measured from the ground on the side away from the pool.
2. Openings under the *pool yard* enclosure may not allow a sphere of 4 inches in diameter to pass under the *pool yard* enclosure.
3. If the *pool yard* enclosure is constructed with horizontal and vertical members and the distance between the tops of the horizontal members is at least 45 inches, the openings may not allow a sphere 4 inches in diameter to pass through the enclosure.
4. If the *pool yard* enclosure is constructed with horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the openings may not allow a sphere 1¾ inches in diameter to pass through the enclosure.

5. The use of chain link fencing materials is prohibited entirely for a new *pool yard* enclosure that is constructed after January 1, 1994. The use of diagonal fencing members that are lower than 49 inches above the ground is prohibited for a new *pool yard* enclosure that is constructed after January 1, 1994.
6. Decorative designs or cutouts on or in the *pool yard* enclosure may not contain any openings greater than 1 $\frac{3}{4}$ inches in any direction.
7. Indentations or protrusions in a solid *pool yard* enclosure without any openings may not be greater than normal construction tolerances and tooled masonry joints on the side away from the pool.
8. Permanent equipment or structures may not be constructed or placed in a manner that makes them readily available for climbing over the *pool yard* enclosure.
9. The wall of a building may be part of the *pool yard* enclosure only if the doors and windows of the wall comply with Section 305.10.2.3 and 305.10.2.4.

305.10.2.1 Gates for Class C pools and spas and Class D pools at a Class C facility.

Gates of the enclosures into *pool yards* and *spa yards* of apartments, property owner associations and similar residential developments must meet the following requirements:

1. Except as provided in Section 305.10.2.2, a gate in a fence or wall enclosing a *pool yard* as required by Section 305.10.2 must:
 - 1.1. have a self-closing and self-latching device;
 - 1.2. have hardware enabling it to be locked at the option of whoever controls the gate by a padlock or a built-in lock operated by key, card or combination; and
 - 1.3. open outward away from the *pool yard*.
2. Except as provided in Item 3 and Section 305.10.2.2, a gate latch must be installed so that it is at least 60 inches above the ground, except that it may be installed lower if:
 - 2.1. the latch is installed on the *pool yard* side of the gate only and is at least 3 inches below the top of the gate; and
 - 2.2. the gate or enclosure has no opening greater than $\frac{1}{2}$ inch in any direction within 18 inches from the latch, including the space between the gate and the gate post to which the gate latches.
3. A gate latch may be located 42 inches or higher above the ground if the gate cannot be opened by key, card or combination on both sides of the gate.

305.10.2.2 Existing pool yard enclosures. Existing enclosures into *pool yards* and *spa yards* of apartments, property owner associations and similar residential developments must meet the following requirements:

1. If a *pool yard* enclosure is constructed or modified before January 1, 1994, and no municipal ordinance containing standards for *pool yard* enclosures were applicable at the time of construction or modification, the enclosure must comply with the requirements of Sections 305.9.2 and 305.9.2.1, except that:
 - 1.1. if the enclosure is constructed with chain link metal fencing material, the openings in the enclosure may not allow a sphere 2¼ inches in diameter to pass through the enclosure; or
 - 1.2. if the enclosure is constructed with horizontal and vertical members and the distance between the tops of the horizontal members is at least 36 inches, the openings in the enclosure may not allow a sphere 4 inches in diameter to pass through the enclosure.
2. If a *pool yard* enclosure is constructed or modified before January 1, 1994, and if the enclosure is in compliance with applicable municipal ordinances existing on January 1, 1994, and containing standards for *pool yard* enclosures, Sections 305.10.2, 305.10.2.1(1) and 305.10.2.1(2) do not apply to the enclosure.

305.10.2.3 Doors for Class C pools and spas and Class D pools at a Class C facility. Doors of the enclosure into *pool yards* and *spa yards* of apartments, property owner associations and similar residential developments must meet the following requirements:

1. A door, sliding glass door or *French door* may not open directly into a *pool yard* if the date of electrical service for initial construction of the building or pool is on or after January 1, 1994.
2. A door, sliding glass door or *French door* may open directly into a *pool yard* if the date of electrical service for initial construction of the building or pool is before January 1, 1994 and the *pool yard* enclosure complies with Items 3, 4 or 5, as applicable.
3. If a door of a building, other than a sliding glass door or screen door opens into a *pool yard*, the door must have a:
 - 3.1. latch that automatically engages when the door is closed;
 - 3.2. spring-loaded door-hinge pin, automatic door closer or similar device to cause the door to close automatically; and

- 3.3. keyless bolting device that is installed not less than 36 inches or more than 48 inches above the interior floor.
4. If *French doors* of a building open to the *pool yard*, one of the *French doors* must comply with Item 3.1 above and the other door must have:
 - 4.1. a *keyed dead bolt* or keyless bolting device capable of insertion into the doorjamb above the door, and a keyless bolting device capable of insertion into the floor or threshold; or
 - 4.2. a bolt with at least a $\frac{3}{4}$ -inch throw installed inside the door and operated from the edge of the door that is capable of insertion into the doorjamb above the door and another bolt with at least a $\frac{3}{4}$ -inch throw installed inside the door and operated from the edge of the door that is capable of insertion into the floor or threshold.
5. If a sliding glass door of a building opens into the *pool yard*, the sliding glass door must have:
 - 5.1. a sliding door handle latch or sliding door security bar that is installed no more than 48 inches above the interior floor; and
 - 5.2. a sliding door pin lock that is installed not more than 48 inches above the interior floor.
6. A door, sliding glass door or *French door* that opens into a *pool yard* from an area of a building that is not used by residents and that has no access to an area outside the *pool yard* is not required to have a lock, latch, dead bolt or keyless bolting device.
7. A *keyed dead bolt*, keyless bolting device, sliding door pin lock or sliding door security bar installed before September 1, 1993 may be installed not more than 54 inches from the floor.
8. A *keyed dead bolt* or *keyless dead bolt*, as described by Section 202, installed in a dwelling on or after September 1, 1993, must have a bolt with a throw of not less than 1 inch.

305.10.2.4 Windows and window screens for Class C pools and spas and Class D pools at a Class C facility. Windows and window screens into *pool yards* and *spa yards* of apartments, property owner associations and similar residential developments must meet the following requirements:

1. A wall of a building constructed before January 1, 1994 may not be used as part of a *pool yard* enclosure unless each window in the wall has a latch and unless each window screen on a window in the wall is affixed by a window screen latch, screws or similar means. This does not require the installation of window screens.

2. A wall of a building constructed on or after January 1, 1994 may not be used as part of a *pool yard* enclosure unless each ground floor window in the wall is permanently closed and unable to be opened.

305.10.2.5 Building located in pool yard for Class C pools and spas and Class D pools at a Class C facility. Each door, sliding glass door, window and window screen of each dwelling unit in a residential building located in the enclosed *pool yard* must comply with Sections 305.10.2.3 and 305.10.2.4.

305.10.3 Enclosures for all other Class C pools and spas and Class D pools at Class C facilities (such as hotels, motels, RV parks, etc.). A Class C pool or spa or a Class D pool at a Class C facility that is not subject to Section 305.9.2 must have a *pool yard* or *spa yard* enclosure in compliance with this section.

1. The *pool yard* or *spa yard* enclosure for a pool or spa subject to this section must consist of one or a combination of a fence, portion of a building, wall or other durable enclosure. The enclosure must comply with the following:
 - 1.1. The enclosure must have a minimum perpendicular height of at least 48 inches as measured from the ground surface on the outside of the fence.
 - 1.2. Openings in or under the enclosure must not allow the passage of a 4-inch diameter sphere.
 - 1.3. Planters or other structures that might allow small children to climb over the enclosure are not permitted within 36 inches, measured horizontally, from the outside of the enclosure.
 - 1.4. Chain link fencing may be used for the enclosure of a pool or spa installed on or before October 1, 1999 if the chain link fencing was installed on or before September 1, 2004. Chain link fencing cannot be used for an enclosure of a pool or spa installed after September 1, 2004.
 - 1.5. Doors, gates or windows that open into a building are allowed as part of the enclosure of a pool or spa installed on or before October 1, 1999. Windows that are capable of being opened are not allowed as part of an enclosure for a pool or spa erected after October 1, 1999. Doors or gates of a building that are capable of being opened are not allowed as part of an enclosure for a pool or spa installed after October 1, 1999 unless:
 - 1.5.1. the doors or gates between the building and the *pool yard* or *spa yard* are for entry into a storage room, restroom, shower room, dressing room or mechanical room adjacent to the pool;
 - 1.5.2. the room does not have any door or gate openings to the outside of the *pool yard* or *spa yard* enclosure; and

- 1.5.3. the room does not contain any gas chlorine containers.
2. Gates and doors for *pool yard* or *spa yard* enclosures for pools and spas subject to this section must:
- 2.1. be equipped with self-closing and self-latching devices and be latched when the pool or spa is not in use; the self-closing device must be designed to keep the gate or door securely closed and the self-latching device must latch when the gate is allowed to close within its range of operation, which is from its fully open position to 6 inches from the fully closed position;
 - 2.2. open outward away from the pool or spa except for gates constructed before October 1, 1999 in compliance with applicable city ordinances;
 - 2.3. have hand activated door or gate opening hardware located at least 3½ feet above the deck or hallway;
 - 2.4. be capable of being locked;
 - 2.5. be locked if it is for entry into a Class A or B pool or a spa and the pool or spa is not open for use; and
 - 2.6. be locked if it is for entry into a Class C pool or a spa or a Class D pool at a Class C facility and the pool or spa needs to be closed because of repairs, hazards or other conditions.
3. *Pool yard* and *spa yard* enclosures for pools and spas installed after October 1, 1999 must be constructed so that all persons are required to pass through an enclosure gate or door in order to gain access to the pool or spa. All gates and doors exiting a *pool yard* or *spa yard* of a pool installed after October 1, 1999 or a spa must open into a public area or walkway accessible to all users of the pool or spa.

305.10.4 Propping open gates prohibited. The owner of a pool or spa, or the employee or agent of the owner of a pool or spa shall not knowingly allow a gate in a *pool yard* or *spa yard* enclosure to be propped open or remain propped open. A person shall not prop open a gate to a *pool yard* or *spa yard* unless an agent, employee or contractor of the owner is present and doing construction, maintenance or repair work in the *pool yard* or *spa yard* or on its enclosure that reasonably requires the gate to be propped open.”

13. Paragraph 307.1.4, “Accessibility,” of Subsection 307.1, “General Design Requirements,” of Section 307, “General Design,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“307.1.4 Accessibility. An accessible route to public pools and spas shall be provided in accordance with the Dallas [International] Building Code. Accessibility within public pools and spas shall be provided as required by the accessible recreational facilities provisions of the Dallas [International] Building Code. Pool and spa lifts providing an accessible means of entry into the water shall be *listed* and labeled in accordance with UL 60335-2-1000 and be installed in accordance with ICC A117.1 and NFPA 70.

Exception: Components of projects regulated by and registered with the Architectural Barriers Division of the Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.”

14. Subsection 310.1, “General,” of Section 310, “Suction Entrapment Avoidance,” of Chapter 3, “General Compliance,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“310.1 General. Suction entrapment avoidance for residential pools and spas shall be provided in accordance with APSP 7 or for public swimming pools in accordance with Section 265.190 of the Texas Administrative Code.

Exceptions:

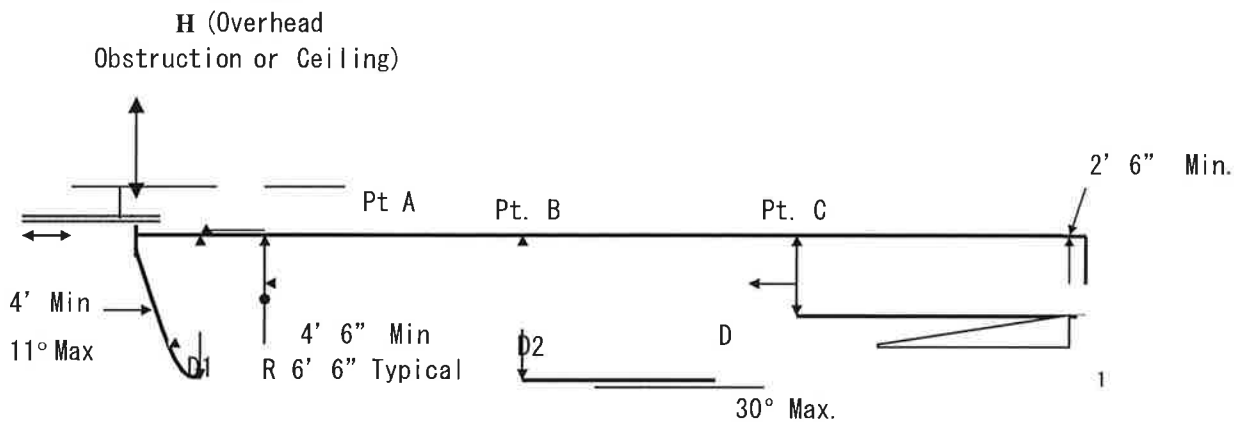
1. Portable spas and portable exercise spas *listed* and *labeled* in accordance with UL 1563 or CSA C22.2 No. 218.1.
2. Suction entrapment avoidance for wading pools shall be provided in accordance with Section 405.”

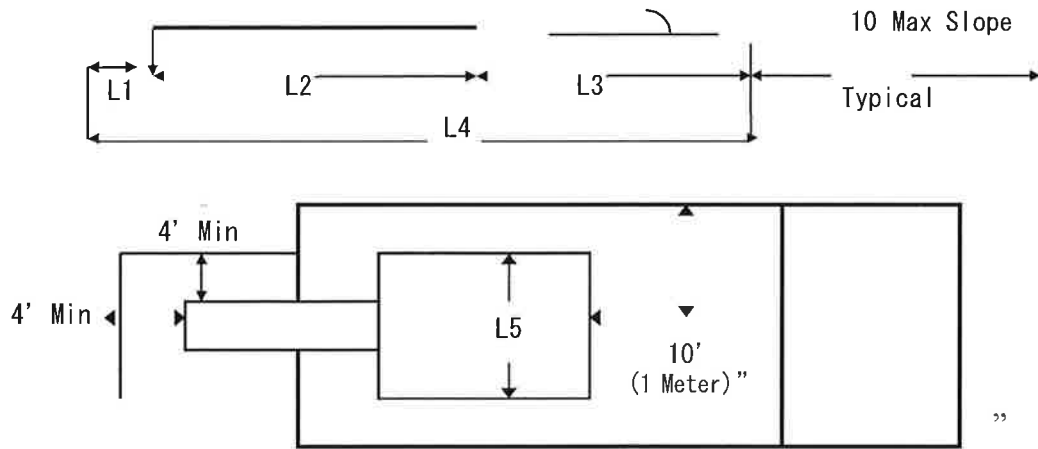
15. Subsection 402.12, “Water Envelopes,” of Section 402, “Diving,” of Chapter 4, “Public Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“402.12 Water envelopes. The minimum diving water envelopes shall be in accordance with Section 256.186(c) and Figure 265.186(e)(6) of the Texas Administrative Code [Table 402.12].

Figure: 25 TAC §265.186 (e) (6)

Maximum Diving Board Height Over Water	¾ Meter	1 Meter	3 Meters
Max. Diving Board Length	12 ft.	16 ft.	16 ft.
Minimum Diving Board Overhang	2 ft. 6 in.	5 ft.	5 ft.
D1 Minimum	8 ft. 6 in.	11 ft. 2 in.	12 ft. 2 in.
D2 Minimum	9 ft.	10 ft. 10 in.	11 ft. 10 in.
D3 Minimum	4 ft.	6 ft.	6 ft.
L1 Minimum	4 ft.	5 ft.	5 ft.
L2 Minimum	12 ft.	16 ft. 5 in.	19 ft. 9 in.
L3 Minimum	14 ft. 10 in.	13 ft. 2 in.	13 ft. 11 in.
L4 Minimum	30 ft. 10 in.	34 ft. 7 in.	38 ft. 8 in.
L5 Minimum	8 ft.	10 ft.	13 ft.
H Minimum	16 ft.	16 ft.	16 ft.
From Plummet to Pool Wall at Side	9 ft.	10 ft.	11 ft. 6 in.
From Plummet to Adjacent Plummet	10 ft.	10 ft.	10 ft.





16. Table 402.12, “Minimum Diving Water Envelopes,” of Section 402, “Diving,” of Chapter 4, “Public Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is deleted.

17. Figure 402.12, “(Minimum Diving Water Envelopes) Construction Dimensions for Water Envelopes for Class B and Class C Pools,” of Section 402, “Diving,” of Chapter 4, “Public Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is deleted.

18. Subsection 402.13, “Ladders for Diving Equipment,” of Section 402, “Diving,” of Chapter 4, “Public Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

402.13 Ladders for diving equipment. Ladders shall be provided with two grab rails or two handrails. There shall be a uniform distance between ladder treads, with a 7-inch (178 mm) minimum distance and 12 inch (305 mm) maximum distance. Supports, platforms, steps and ladders for diving equipment shall be designed to carry the anticipated loads. Steps and ladders shall be of corrosion-resistant material, easily cleanable and with slip-resistant tread.

~~[**Exception:** The distance between treads for the top and bottom riser can vary but shall be not less than 7 inches (178 mm) and not greater than 12 inches (305 mm).]~~

19. Paragraph 411.2.1, “Tread Dimensions and Area,” of Subsection 411.2, “Pool Stairs,” of Section 411, “Special Features,” of Chapter 4, “Public Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“411.2.1 Tread dimensions and area. Treads shall have a minimum unobstructed horizontal depth (i.e., horizontal run) of 12 inches and a minimum width of 20 inches [not be less than 24 inches (607mm) at the leading edge. Treads shall have an unobstructed surface area of not less than 240 square inches (0.154 m²) and an unobstructed horizontal depth of not less than 10 inches (254 mm) at the centerline].”

20. Paragraph 411.2.2, “Risers,” of Subsection 411.2, “Pool Stairs,” of Section 411, “Special Features,” of Chapter 4, “Public Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“411.2.2 Risers. Risers for steps shall have a maximum uniform height of 10 inches, with the bottom riser height allowed to taper to zero [;except for the bottom riser, shall have a uniform height of not greater than 12 inches (305 mm) measured at the centerline. The bottom riser height is allowed to vary to the floor].”

21. Subsection 411.5, “Underwater Seats, Benches, and Swimouts,” of Section 411, “Special Features,” of Chapter 4, “Public Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“411.5 Underwater seats, benches, and swimouts. The design and construction of underwater seats, benches, and swimouts shall comply with Sections 411.5.1 and 411.5.2.

411.5.1 Swimouts. Swimouts, located in either the deep or shallow area of a pool, shall comply with all of the following:

1. The horizontal surface shall be not greater than 20 inches (508 mm) below the waterline.
2. An unobstructed surface shall be provided that is equal to or greater than that required for the top tread of the pool stairs in accordance with Section 411.2.
3. Where used as an entry and exit access, swimouts shall be provided with steps that comply with the pool stair requirements of Section 411.2.
4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least one inch wide on the top surface along the front leading edge of each step. This strip shall be plainly visible to persons on the pool deck. The strip shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

411.5.2 Underwater seats and benches. Underwater seats and benches, whether used alone or in conjunction with pool stairs, shall comply with all of the following:

1. The horizontal surface shall be not greater than 20 inches (508 mm) below the waterline.
2. An unobstructed surface shall be provided that is not less than 10 inches (254 mm) in depth and not less than 24 inches (607 mm) in width.
3. Underwater seats and benches shall not be used as the required entry and exit access.
4. Where underwater seats are located in the deep area of the pool where manufactured or constructed diving equipment is installed, such seats shall be located outside of the minimum diving water envelope for diving equipment.
5. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least one inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.
6. The horizontal surface shall be at or below the waterline.
7. A tanning ledge or sun shelf used as the required entry and exit access shall be located not greater than 12 inches (305 mm) below the waterline.”

22. Subsection 603.2, “Class D-2 Pools,” of Section 603, “Markings and Indicators,” of Chapter 6, “Aquatic Recreation Facilities,” of the 2021 International Swimming Pool and Spa Code is amended by adding a new Paragraph 603.2.1, “Class A and B Pools,” to read as follows:

“603.2.1 Class A and B pools. Class A and B pools over five feet deep: the transition point of the pool from the shallow area to the deep area of the pool shall be visually set apart with a four-inch minimum width row of floor tile, a painted line or similar means using a color contrasting with the bottom; and a rope and float line shall be provided between one foot and two feet on the shallow side of the five-foot depth along and parallel to this depth from one side of the pool to the other side. The floats shall be spaced at not greater than seven-foot intervals; and the floats shall be secured so they will not slide or bunch up. The stretched float line shall be of sufficient size and strength to offer a good handhold and support loads normally imposed by users. If the owner or operator of the pool knows or should have known in the

exercise of ordinary care that a rope or float is missing, broken or defective, the problem shall be promptly remedied.”

23. Paragraph 610.5.1, “Uniform Height of 9 Inches,” of Subsection 610.5, “Pool Steps,” of Section 610, “Special Features,” of Chapter 6, “Aquatic Recreation Facilities,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“610.5.1 Uniform height of 10 [9] inches. Except for the bottom riser, risers at the centerline shall have a maximum uniform height of 10 [9] inches (254 [229]mm). The bottom riser height shall be permitted to vary from the other risers.”

24. Subsection 804.1, “General,” of Section 804, “Diving Water Envelopes,” of Chapter 8, “Permanent Inground Residential Swimming Pools,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“804.1 General. The minimum diving water envelopes shall be in accordance with Table 804.1 and Figure 804.1, or the manufacturer’s specifications, whichever is greater. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 804.1.”

25. The use note to Chapter 11, “Referenced Standards,” of the 2021 International Swimming Pool and Spa Code is amended to read as follows:

“User note:

About this chapter: This code contains numerous references to standards promulgated by other organizations that are used to provide requirements for materials and methods of construction. Chapter 11 contains a comprehensive list of all standards that are referenced in this code. These standards, in essence, are part of this code to the extent of the reference to the standard.

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 101.4 of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code [102.7].

The referenced standards are applicable only with the associated edition of the International Codes referenced herein as amended.

The referenced edition of the 2015 International Codes are applicable until superceded by the adoption of the 2021 edition of the International Codes.”

26. The ICC Standards in Chapter 11, “Referenced Standards,” of the 2021

International Swimming Pool and Spa Code are amended to read as follows:

“ICC

International Code Council, Inc.
500 New Jersey Avenue, NW 6th Floor
Washington, DC 20001

IBC—15: International Building Code®

IBC—21: International Building Code®

201.3, 304.2, 306.1, 307.2, 410.1

ICC 901/SRCC 100—2020: Solar Thermal Collector Standard

316.6.2

ICC 902/APSP/SRCC 400—2020: Solar Pool and Spa Heating System Standard

Table 3016.2(2)

ICC A117.1—2017: Accessible and Usable Buildings and Facilities

307.1.4

IECC—15: International Energy Conservation Code®

IECC—21: International Energy Conservation Code®

201.3, 316.4

IFC—15: International Fire Code®

IFC—21: International Fire Code®

201.3

IFGC—15: International Fuel Gas Code®

IFGC—21: International Fuel Gas Code®

201.3, 316.4

IMC—15: International Mechanical Code®

IMC—21: International Mechanical Code®

201.3, 316.4

IPC—15: International Plumbing Code®

IPC—21: International Plumbing Code®

201.3, 302.2, 302.5, 302.6, 306.8, 318.2, 410.1

IRC—15: International Residential Code®**IRC—21: International Residential Code®**

102.7.1, 201.3, 302.1, 302.5, 302.6, 304.2, 306.1, 306.3, 306.8, 307.2, 316.4, 318.2, 321.2.1, 321.4, 703.1, 802.1, 802.2”

27. Appendix A of the 2021 International Swimming Pool and Spa Code is not adopted.

28. All chapters of the 2021 International Swimming Pool and Spa Code adopted by this ordinance are subchapters of Chapter 62 of the Dallas City Code, as amended.

29. All references in the 2021 International Swimming Pool and Spa Code to the fire code, building code, plumbing code, mechanical code, electrical code, residential code, existing building code, energy conservation code, fuel gas code, and green construction code, refer, respectively, to Chapters 16, 53, 54, 55, 56, 57, 58, 59, 60, and 61 of the Dallas City Code.

SECTION 2. Any errata corrections of the 2021 International Swimming Pool and Spa Code published by the International Code Council are considered as part of this code.

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the effective date of this ordinance will be discharged or affected by this ordinance. Prosecutions and suits for such offenses, liabilities, penalties, and forfeitures may be instituted, and causes of action pending on the effective date of this ordinance may proceed, as if the former laws applicable at the time the offense, liability, penalty, or forfeiture was committed or incurred had not been amended, repealed, reenacted, or superseded, and all former laws will continue in effect for these purposes.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

32197

220747

SECTION 5. That this ordinance will take effect on June 13, 2022, and it is accordingly so ordained.

APPROVED AS TO FORM

CHRISTOPHER J. CASO, City Attorney

BY 
Assistant City Attorney

Passed MAY 11 2022



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL MAY 11 2022

ORDINANCE NUMBER 32197

DATE PUBLISHED MAY 14 2022

ATTESTED BY:

2021 International Swimming Pool and Spa Code®

Date of First Publication: October 30, 2020

First Printing: October 2020

ISBN: 978-1-60983-973-4 (soft-cover edition)

COPYRIGHT © 2020
by
INTERNATIONAL CODE COUNCIL, INC.

ALL RIGHTS RESERVED. This 2021 *International Swimming Pool and Spa Code*® is a copyrighted work owned by the International Code Council, Inc. (“ICC”). Without advance written permission from the ICC, no part of this book may be reproduced, distributed or transmitted in any form or by any means, including, without limitation, electronic, optical or mechanical means (by way of example, and not limitation, photocopying or recording by or in an information storage retrieval system). For information on use rights and permissions, please contact: ICC Publications, 4051 Flossmoor Road, Country Club Hills, IL 60478. Phone 1-888-ICC-SAFE (422-7233).

Trademarks: “International Code Council,” the “International Code Council” logo, “ICC,” the “ICC” logo, “International Swimming Pool and Spa Code,” “ISPSC” and other names and trademarks appearing in this book are trademarks of the International Code Council, Inc., and/or its licensors (as applicable), and may not be used without permission.

PREFACE

Introduction

The *International Swimming Pool and Spa Code*® (ISPSC®) establishes minimum requirements for the design, construction, alteration, repair and maintenance of swimming pools, spas, hot tubs and aquatic facilities. This 2021 edition is fully compatible with all of the International Codes® (I-Codes®) published by the International Code Council (ICC®), including the *International Building Code*® (IBC®), *International Energy Conservation Code*® (IECC®), *International Existing Building Code*® (IEBC®), *International Fire Code*® (IFC®), *International Fuel Gas Code*® (IFGC®), *International Green Construction Code*® (IgCC®), *International Mechanical Code*® (IMC®), *International Plumbing Code*® (IPC®), *International Private Sewage Disposal Code*® (IPSDC®), *International Property Maintenance Code*® (IPMC®), *International Residential Code*® (IRC®), *International Wildland-Urban Interface Code*® (IWUIC®), *International Zoning Code*® (IZC®), *International Code Council Performance Code*® (ICCPC®).

The I-Codes, including this ISPSC, are used in a variety of ways in both the public and private sectors. Most industry professionals are familiar with the I-Codes as the basis of laws and regulations in communities across the US and in other countries. However, the impact of the codes extends well beyond the regulatory arena, as they are used in a variety of nonregulatory settings, including:

- Voluntary compliance programs such as those promoting sustainability, energy efficiency and disaster resistance.
- The insurance industry, to estimate and manage risk, and as a tool in underwriting and rate decisions.
- Certification and credentialing of individuals involved in the fields of building design, construction and safety.
- Certification of building and construction-related products.
- US federal agencies, to guide construction in an array of government-owned properties.
- Facilities management.
- “Best practices” benchmarks for designers and builders, including those who are engaged in projects in jurisdictions that do not have a formal regulatory system or a governmental enforcement mechanism.
- College, university and professional school textbooks and curricula.
- Reference works related to building design and construction.

In addition to the codes themselves, the code development process brings together building professionals on a regular basis. It provides an international forum for discussion and deliberation about building design, construction methods, safety, performance requirements, technological advances and innovative products.

Development

This 2021 edition presents the code as originally issued, with changes as reflected in the 2015 and 2018 editions and further changes approved by the ICC Code Development Process through 2019. A new edition such as this is promulgated every 3 years.

This code is founded on principles intended to establish provisions consistent with the scope of a swimming pool and spa code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Maintenance

The ISPSC is kept up to date through the review of proposed changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The ICC Code Development Process reflects principles of openness, transparency, balance, due process and consensus, the principles embodied in OMB Circular A-119, which governs the federal government's use of private-sector standards. The ICC process is open to anyone; there is no cost to participate, and people can participate without travel cost through the ICC's cloud-based app, cdpAccess®. A broad cross section of interests are represented in the ICC Code Development Process. The codes, which are updated regularly, include safeguards that allow for emergency action when required for health and safety reasons.

In order to ensure that organizations with a direct and material interest in the codes have a voice in the process, the ICC has developed partnerships with key industry segments that support the ICC's important public safety mission. Some code development committee members were nominated by the following industry partners and approved by the ICC Board:

- Pool and Hot Tub Alliance (PHTA) [formerly The Association of Pool and Spa Professionals (APSP)]
- American Institute of Architects (AIA)

The code development committees evaluate and make recommendations regarding proposed changes to the codes. Their recommendations are then subject to public comment and council-wide votes. The ICC's governmental members—public safety officials who have no financial or business interest in the outcome—cast the final votes on proposed changes.

The contents of this work are subject to change through the code development cycles and by any governmental entity that enacts the code into law. For more information regarding the code development process, contact the Codes and Standards Development Department of the ICC.

While the I-Code development procedure is thorough and comprehensive, the ICC, its members and those participating in the development of this code disclaim any liability resulting from the publication or use of the I-Codes, or from compliance or noncompliance with their provisions. The ICC does not have the power or authority to police or enforce compliance with the contents of this code.

Code Development Committee Responsibilities (Letter Designations in Front of Section Numbers)

In each code development cycle, code change proposals to this code are considered at the Committee Action Hearing by the International Swimming Pool and Spa Code Development Committee, whose action constitutes a recommendation to the voting membership for final action on the proposed change. Code change proposals to sections of the code that are preceded by a bracketed letter designation, such as [A], will be considered by a committee other than the Swimming Pool and Spa Code Development Committee. For example, proposed changes to Section [A] 102.1 will be considered by the Administrative Code Development Committee during the Committee Action Hearings in the 2022 (Group B) code development cycle.

The bracketed letter designations for committees responsible for portions of this code are as follows:

[A] = Administrative Code Development Committee; and

[BS] = IBC—Structural Code Development Committee

For the development of the 2024 edition of the I-Codes, there will be two groups of code development committees and they will meet in separate years, as shown in the following Code Development Hearings Table. Note that these are tentative groupings.

Code change proposals submitted for code sections that have a letter designation in front of them will be heard by the respective committee responsible for such code sections. Because different com-

committees hold Committee Action Hearings in different years, proposals for this code will be heard by committees in both the 2021 (Group A) and the 2022 (Group B) code development cycles.

Note that every section of Chapter 1 of this code is designated as the responsibility of the Administrative Code Development Committee, and that committee is part of the Group B portion of the code hearings. This committee will hold its code development hearings in 2022 to consider all code change proposals for Chapter 1 of this code and proposals for Chapter 1 of all I-Codes except the IECC, IRC and IgCC. Therefore, any proposals received for Chapter 1 of this code will be assigned to the Administrative Code Development Committee for consideration in 2022.

It is very important that anyone submitting code change proposals understand which code development committee is responsible for the section of the code that is the subject of the code change proposal. For further information on the code development committee responsibilities, please visit the ICC website at www.iccsafe.org/current-code-development-cycle.

CODE DEVELOPMENT HEARINGS

Group A Codes (Heard in 2021, Code Change Proposals Deadline: January 11, 2021)	Group B Codes (Heard in 2022, Code Change Proposals Deadline: January 10, 2022)
International Building Code – Egress (Chapters 10, 11, Appendix E) – Fire Safety (Chapters 7, 8, 9, 14, 26) – General (Chapters 2–6, 12, 27–33, Appendices A, B, C, D, K, N)	Administrative Provisions (Chapter 1 of all codes except IECC, IRC and IgCC; IBC Appendix O; the appendices titled “Board of Appeals” for all codes except IECC, IRC, IgCC, ICCPC and IZC; administrative updates to currently referenced standards; and designated definitions)
International Fire Code	International Building Code – Structural (Chapters 15–25, Appendices F, G, H, I, J, L, M)
International Fuel Gas Code	International Existing Building Code
International Mechanical Code	International Energy Conservation Code—Commercial
International Plumbing Code	International Energy Conservation Code—Residential – IECC—Residential – IRC—Energy (Chapter 11)
International Property Maintenance Code	International Green Construction Code (Chapter 1)
International Private Sewage Disposal Code	International Residential Code – IRC—Building (Chapters 1–10, Appendices AE, AF, AH, AJ, AK, AL, AM, AO, AQ, AR, AS, AT, AU, AV, AW)
International Residential Code – IRC—Mechanical (Chapters 12–23) – IRC—Plumbing (Chapters 25–33, Appendices AG, AI, AN, AP)	
International Swimming Pool and Spa Code	
International Wildland-Urban Interface Code	
International Zoning Code	

Note: Proposed changes to the ICCPC will be heard by the code development committee noted in brackets [] in the text of the ICCPC.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2018 edition. Deletion indicators in the form of an arrow (➡) are provided in the margin where an entire section, exception or table has been deleted or an item in a list of items or row of a table has been deleted.

A single asterisk [*] placed in the margin indicates that text or a table has been relocated within the code. A double asterisk [**] placed in the margin indicates that the text or table immediately following it has been relocated there from elsewhere in the code. The following table indicates such relocations in the 2021 edition of the ISPC.

RELOCATIONS

2021 LOCATION	2018 LOCATION
104.8	103.4
104.8.1	103.4.1
106.2	105.5.6
108.1	105.6
108.4	105.6.1
107.1	106.17
107.2	106.17.2
109.2	106.18
109.1	106.19
110.1 - 110.16	106.1 - 106.16
113	107
111.2	108.1
A101.3 - A101.3.2	108.2 - 108.2.2
A101.3.4	108.2.3
A101.3.6	108.2.4
A101.3.5	108.2.5
A101.3.7	108.2.6
A101.5	108.3
A101.5.1	108.4
A101.4	108.4.1
A101.5.3	108.5

Coordination of the International Codes

The coordination of technical provisions is one of the strengths of the ICC family of model codes. The codes can be used as a complete set of complementary documents, which will provide users with full integration and coordination of technical provisions. Individual codes can also be used in subsets or as stand-alone documents. To make sure that each individual code is as complete as possible, some technical provisions that are relevant to more than one subject area are duplicated in some of the model codes. This allows users maximum flexibility in their application of the I-Codes.

Italicized Terms

Terms italicized in code text, other than document titles, are defined in Chapter 2. The terms selected to be italicized have definitions that the user should read carefully to better understand the code. Where italicized, the Chapter 2 definition applies. If not italicized, common-use definitions apply.

Adoption

The ICC maintains a copyright in all of its codes and standards. Maintaining copyright allows ICC to fund its mission through sales of books, in both print and electronic formats. The ICC welcomes adoption of its codes by jurisdictions that recognize and acknowledge the ICC's copyright in the code, and further acknowledge the substantial shared value of the public/private partnership for code development between jurisdictions and the ICC.

The ICC also recognizes the need for jurisdictions to make laws available to the public. All I-Codes and I-Standards, along with the laws of many jurisdictions, are available for free in a nondownloadable form on the ICC's website. Jurisdictions should contact the ICC at adoptions@iccsafe.org to learn how to adopt and distribute laws based on the ISPSC in a manner that provides necessary access, while maintaining the ICC's copyright.

To facilitate adoption, several sections of this code contain blanks for fill-in information that needs to be supplied by the adopting jurisdiction as part of the adoption legislation. For this code, please see:

Section 101.1. Insert: **[NAME OF JURISDICTION]**

Section 103.1. Insert: **[INSERT NAME OF DEPARTMENT]**

Section 113.4. Insert: **[SPECIFY OFFENSE], [AMOUNT], and [NUMBER OF DAYS]**

Effective Use of the International Swimming Pool and Spa Code

The ISPSC is a model code that regulates the minimum requirements for the design, construction, alteration, repair and maintenance of swimming pools, spas, hot tubs and aquatic facilities. This includes public swimming pools, public spas, public exercise spas, aquatic recreation facilities, onground storable residential pools, permanent inground residential pools, permanent residential spas, permanent residential exercise spas, portable residential spas and portable residential exercise spas.

In many jurisdictions, in addition to code officials having the responsibility for reviewing plans and inspecting the construction of pools and spas, environmental health officials also have a responsibility for oversight of the operation of pools and spas. In order to prevent disease and injuries, environmental health officials conduct operational evaluations (inspections). This may include water chemistry, credentials and training of pool operators and lifeguards, proper water circulation, facility staff's preparedness to respond to injuries and accidents, and proper sanitation and safety of the facility.

Code officials and environmental health officials commonly work closely in the plan review and inspection of pools and spas. This collaboration between departments to jointly review plans and inspect pools and spas is critical in order to achieve a safe and healthy environment for all that utilize these facilities.

The Pool and Hot Tub Alliance (PHTA) [formerly The Association of Pool & Spa Professionals (APSP)], a cooperating sponsor with ICC in the development and update of the ISPSC, further notes: "While it is recognized that proper construction and installation are essential, safe use of pools and spas requires common sense, including constant adult supervision of children and proper operation and maintenance. It is assumed and intended that pool users will exercise appropriate personal judgment and responsibility and that owners and operators of public and residential pools and spas will create and enforce rules and warning appropriate for their facilities."

ARRANGEMENT AND FORMAT OF THE 2021 ISPSC

The format of the ISPSC allows each chapter to be devoted to a particular subject with the exception of Chapter 3, which contains general compliance subject matter that is coordinated with the provisions for each type of pool and spa regulated in Chapters 4–10.

The following table shows how the ISPSC is divided. The ensuing chapter-by-chapter synopsis details the scope and intent of the provisions of the ISPSC.

Chapter Topics	
Chapters	Subjects
1	Scope and Administration
2	Definitions
3	General Compliance
4	Public Swimming Pools
5	Public Spas and Public Exercise Spas
6	Aquatic Recreation Facilities
7	Onground Storable Residential Swimming Pools
8	Permanent Inground Residential Swimming Pools
9	Permanent Residential Spas and Permanent Residential Exercise Spas
10	Portable Residential Spas and Portable Residential Exercise Spas
11	Referenced Standards
Appendix A	Board of Appeals

Chapter 1 Scope and Administration

This chapter contains provisions for the application, enforcement and administration of subsequent requirements of the code. Chapter 1 identifies which swimming pools and spas come under its purview. It is largely concerned with maintaining “due process of law” in enforcing the design and construction criteria contained in the body of the code. Only through careful observation of the administrative provisions can the code official reasonably expect to demonstrate that “equal protection under the law” has been provided.

Chapter 2 Definitions

Terms that are defined in the code are listed alphabetically in Chapter 2. While a defined term may be used in one chapter or another, the meaning provided in Chapter 2 is applicable throughout the code.

Where understanding of a term’s definition is especially key to or necessary for the understanding of a particular code provision, the term is shown in italics wherever it appears in the code. This is true only for those terms that have a meaning that is unique to the code. In other words, the generally understood meaning of a term or phrase might not be sufficient or consistent with the meaning prescribed by the code; therefore, it is essential that the code-defined meaning be known.

Guidance regarding tense, gender and plurality of defined terms as well as guidance regarding terms not defined in this code is provided.

Chapter 3 General Compliance

Chapter 3 is broad in scope. It includes a variety of requirements for pools and spas. This chapter provides requirements that are intended to maintain a minimum level of safety and sanitation for both the general public and the users of pools or spas. Chapter 3 provides specific criteria for electrical, plumbing, mechanical and fuel gas requirements; energy savings requirements; construction in flood hazard areas; barrier requirements; decks around pools and spas; general design; dimensional design; equipment; suction entrapment avoidance; circulation systems; filters; pumps and motors; return and suction fittings; skimmers; heaters; air blowers and air induction systems; water supply; sanitizing equipment; wastewater disposal; lighting; ladders and recessed treads; and safety. It is important to note that Chapter 3 is intended to provide general requirements not found in Chapters 4–10. Chapters 4–10 specifically reference Chapter 3 in order to coordinate the general provisions with the specific provisions based on the type of pool or spa.

Chapter 4 Public Swimming Pools

The purpose of Chapter 4 is to set forth specific requirements in the code for public swimming pools with regard to diving equipment, bather load limitations, rest ledges, wading pools, decks, deck equipment, filters, dressing and sanitary facilities, special features and signage. The term “public swimming pool” is defined in Chapter 2 and includes the different classes of pools (Class A – Class F).

Chapter 5 Public Spas and Public Exercise Spas

Chapter 5 establishes the specific criteria for public spas and public exercise spas with regard to materials, structure and design, pumps and motors, return and suction fittings, heater and temperature requirements, water supply, sanitation, oxidation equipment and chemical feeders, and safety features. The term “spa” is defined in Chapter 2.

Chapter 6 Aquatic Recreation Facilities

The purpose of Chapter 6 is to establish specific requirements for aquatic recreation facilities with regard to floors, markings and indications, circulation systems, handholds and ropes, depths, barriers, number of occupants, toilet rooms and bathrooms, special features and signage. The term “aquatic recreation facility” is defined in Chapter 2 and includes wave pools, leisure rivers, inner tube rides and body slides, to name a few.

Chapter 7 Onground Storable Residential Swimming Pools

The purpose of Chapter 7 is to establish specific requirements for onground storable residential swimming pools with regard to ladders and stairs, decks and circulation systems. The term “onground storable pool” is defined in Chapter 2. This chapter applies to what has been commonly referred to in past standards and codes as onground or above-ground pools. The application of the provisions for onground residential pools is limited to pools associated with detached one- and two-family dwellings and townhouses not more than three stories high in accordance with the definition of the term “residential” in Chapter 2.

Chapter 8 Permanent Inground Residential Swimming Pools

The purpose of Chapter 8 is to establish specific requirements for permanent inground residential swimming pools with regard to design, construction tolerances, diving water envelopes, walls, offset ledges, pool floors, diving equipment, special features, circulation systems and safety features. The application of the provisions for inground residential pools is limited to pools associated with detached one- and two-family dwellings and townhouses not more than three stories high in accordance with the definition of the term “residential” in Chapter 2.

Chapter 9 Permanent Residential Spas and Permanent Residential Exercise Spas

The purpose of Chapter 9 is to establish specific requirements for permanent residential spas and permanent residential exercise spas with regard to safety features. The application of the provisions for residential spas (“spa” is defined in Chapter 2) is limited to spas associated with detached one- and two-family dwellings and townhouses not more than three stories high in accordance with the definition of the term “residential” in Chapter 2.

Chapter 10 Portable Residential Spas and Portable Residential Exercise Spas

The purpose of Chapter 10 is to establish specific requirements for portable residential spas and portable residential exercise spas with regard to standards that the equipment must meet. The application of the provisions for residential spas (“spa” is defined in Chapter 2) is limited to spas associated with detached one- and two-family dwellings and townhouses not more than three stories high in accordance with the definition of the term “residential” in Chapter 2.

Chapter 11 Referenced Standards

The code contains numerous references to standards that are used to regulate materials and methods of construction. Chapter 11 contains a comprehensive list of all standards that are referenced in the code. The standards are part of the code to the extent of the reference to the standard. Compliance with the referenced standard is necessary for compliance with this code. By providing specifically adopted standards, the construction and installation requirements necessary for compliance with the code can be readily determined. The basis for code compliance is, therefore, established and available on an equal basis to the code official, contractor, designer and owner.

Chapter 11 is organized in a manner that makes it easy to locate specific standards. It lists all of the referenced standards, alphabetically, by acronym of the promulgating agency of the standard. Each agency’s standards are then listed in either alphabetical or numeric order based on the standard identification. The list also contains the title of the standard; the edition (date) of the standard referenced; any addenda included as part of the ICC adoption; and the section or sections of this code that reference the standard.

Appendix A Board of Appeals

Section 111 of Chapter 1 requires the establishment of a board of appeals to hear appeals regarding determinations made by the code official. Appendix A provides qualification standards for members of the board as well as operational procedures of such board.

TABLE OF CONTENTS

CHAPTER 1 SCOPE AND ADMINISTRATION .. 1-1

PART 1—SCOPE AND APPLICATION..... 1-1

Section

101 Scope and General Requirements..... 1-1
 102 Applicability..... 1-1

PART 2—ADMINISTRATION AND ENFORCEMENT..... 1-2

Section

103 Code Compliance Agency 1-2
 104 Duties and Powers of the Code Official..... 1-2
 105 Permits 1-3
 106 Construction Documents 1-4
 107 Notice of Approval..... 1-4
 108 Fees..... 1-5
 109 Service Utilities 1-5
 110 Inspections 1-5
 111 Means of Appeal 1-6
 112 Board of Appeals 1-6
 113 Violations..... 1-6
 114 Stop Work Order 1-7

CHAPTER 2 DEFINITIONS 2-1

Section

201 General 2-1
 202 Definitions 2-1

CHAPTER 3 GENERAL COMPLIANCE 3-1

Section

301 General 3-1
 302 Electrical, Plumbing, Mechanical
 and Fuel Gas Requirements 3-1
 303 Energy 3-1
 304 Flood Hazard Areas 3-2
 305 Barrier Requirements 3-2
 306 Decks 3-4
 307 General Design..... 3-5
 308 Dimensional Design..... 3-6
 309 Equipment 3-7
 310 Suction Entrapment Avoidance 3-7
 311 Circulation Systems 3-7

312 Filters 3-8
 313 Pumps and Motors 3-8
 314 Return and Suction Fittings..... 3-9
 315 Skimmers 3-9
 316 Heaters 3-10
 317 Air Blower and Air Induction System 3-10
 318 Water Supply 3-11
 319 Sanitizing Equipment..... 3-11
 320 Wastewater Disposal 3-11
 321 Lighting 3-11
 322 Ladders and Recessed Treads 3-12
 323 Safety 3-12
 324 Equipment Rooms 3-13
 325 Indoor Air Quality 3-16

CHAPTER 4 PUBLIC SWIMMING POOLS..... 4-1

Section

401 General..... 4-1
 402 Diving 4-1
 403 Bather Load 4-3
 404 Rest Ledges 4-3
 405 Wading Pools..... 4-3
 406 Decks and Deck Equipment..... 4-3
 407 Circulation Systems..... 4-4
 408 Filters 4-4
 409 Specific Safety Features..... 4-5
 410 Sanitary Facilities..... 4-5
 411 Special Features 4-5
 412 Signage..... 4-6

CHAPTER 5 PUBLIC SPAS AND PUBLIC EXERCISE SPAS..... 5-1

Section

501 General..... 5-1
 502 Materials 5-1
 503 Structure and Design 5-1
 504 Pumps and Motors 5-1
 505 Return and Suction Fittings..... 5-1
 506 Heater and Temperature Requirements 5-1
 507 Water Supply 5-2
 508 Sanitizing, Oxidation Equipment
 and Chemical Feeders 5-2

TABLE OF CONTENTS

509 Safety Features 5-2

CHAPTER 6 AQUATIC RECREATION FACILITIES 6-1

Section

601 General 6-1

602 Floors 6-1

603 Markings and Indicators 6-1

604 Circulation Systems 6-1

605 Handholds and Ropes 6-2

606 Depths 6-2

607 Barriers 6-2

608 Number of Occupants 6-2

609 Dressing and Sanitary Facilities 6-3

610 Special Features 6-3

611 Signage 6-4

612 Interactive Water Play Features 6-5

CHAPTER 7 ONGROUND STORABLE RESIDENTIAL SWIMMING POOLS 7-1

Section

701 General 7-1

702 Ladders and Stairs 7-1

703 Decks 7-3

704 Circulation System 7-4

705 Safety Signs 7-5

CHAPTER 8 PERMANENT INGROUND RESIDENTIAL SWIMMING POOLS 8-1

801 General 8-1

802 Design 8-1

803 Construction Tolerances 8-1

804 Diving Water Envelopes 8-1

805 Walls 8-1

806 Offset Ledges 8-3

807 Pool Floors 8-3

808 Diving Equipment 8-3

809 Special Features 8-4

810 Circulation Systems 8-4

811 Safety Features 8-4

CHAPTER 9 PERMANENT RESIDENTIAL SPAS AND PERMANENT RESIDENTIAL EXERCISE SPAS 9-1

901 General 9-1

902 Safety Features 9-1

CHAPTER 10 PORTABLE RESIDENTIAL SPAS AND PORTABLE RESIDENTIAL EXERCISE SPAS 10-1

1001 General 10-1

CHAPTER 11 REFERENCED STANDARDS 11-1

APPENDIX A BOARD OF APPEALS A-1

INDEX INDEX-1