

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**ORDINANCE**

**AMENDING CHAPTER 10 OF THE CITY CODE OF SAN ANTONIO,  
TEXAS, ENTITLED “BUILDING-RELATED CODES OF THE CITY OF  
SAN ANTONIO”, BY ADOPTING THE 2018 EDITION OF THE  
INTERNATIONAL CODE COUNCIL, INC., INTERNATIONAL  
SWIMMING POOL AND SPA CODE, PROVIDING FOR LOCAL  
AMENDMENTS TO SAID CODE, AND PROVIDING FOR PENALTIES,  
PUBLICATION AND AN EFFECTIVE DATE.**

**\* \* \* \* \***

**WHEREAS**, in 2019 the Texas State Legislature passed HB 2858, codified in Section 214.103 of the Texas Local Government Code, which sets a model code for swimming pool and spa construction and allowing for local amendments; and

**WHEREAS**, the Building-Related and Fire Codes Appeals and Advisory Board is charged with reviewing and making recommendations on nationally recognized building-related codes following publication upon request by the Building Official or Fire Chief; and

**WHEREAS**, the Building-Related and Fire Codes Appeals and Advisory Board and city staff have conducted public meetings regarding the adoption of the 2018 International Swimming Pool and Spa Code (ISPSC) and local amendments thereto; and

**WHEREAS**, the Building-Related and Fire Codes Appeals and Advisory Board recommended approval and adoption of the 2018 ISPSC with its local amendments; and

**WHEREAS**, all prerequisites required by state statute and the City Charter for adoption of this code and its' amendments have been satisfied; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 10, “Building-Related Codes of the City of San Antonio” is hereby amended to reflect adoption of the 2018 edition of the ICC International Swimming Pool and Spa Code and the local amendments to said code. Three copies of this code and local amendments are filed in the office of the City Clerk, pursuant to Section 17 of the Charter for permanent record and inspection. Alterations to reflect the local amendment additions are shown as underlined text and deletions shown as ~~strikethroughs~~.

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\* \* \*

### **Art. XIV      Swimming Pool and Spa Code      §§ 10-131**

\* \* \*

### **ARTICLE XIV.- SWIMMING POOL AND SPA CODE**

#### **Sec. 10-131. - Adoption of *International Pool and Spa Code 2018***

The 2018 edition of the *International Pool and Spa Code*, promulgated by the International Code Council, hereby adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-132. Provisions of this article are in addition to the provisions of the *International Pool and Spa Code*. The following provisions coinciding with the provisions of the *International Pool and Spa Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Pool and Spa Code*.

All references within the model code to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in articles II through XIII of this chapter.

#### **Sec. 10-132. - Amendments to the adopted chapters of the *International Swimming Pool and Spa Code 2018*.**

Additions to the *International Swimming Pool and Spa Code* are shown as underlined text. Deletions to the *International Swimming Pool and Spa Code* are shown as ~~strikethroughs~~.

## CHAPTER 1 SCOPE AND ADMINISTRATION

\* \* \*

*Section 102.7 Referenced codes and standards, is amended to read as follows:*

**Section 102.7 Referenced codes and standards.**

The codes and standards referenced in this code shall be those that are listed in Chapter 11 and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each. References to any model codes shall be construed to be a reference to the respective model codes adopted by reference in articles II through X of Chapter 10 of the City Code. Where differences...

\* \* \*

*Section 102.9 Other laws, is amended to read as follows:*

### **Section 102.9 Other laws.**

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, to include 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 townhouses).

2. Texas Department of Licensing and Regulation ( TDLR); 2012 Texas Accessibility Standards ( TAS), TAS provide the scoping and technical requirements for accessibility for Swimming Pool, wading pools and spas and shall comply with 2012 TAS, Section 242. TAS rules do not apply to pools serving one- and two-family dwellings or townhouses).

3. City of San Antonio City Code Section 34-273(11), *Pool construction requirements on or after May 1, 2013.*

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.

\* \* \*

*PART 2- ADMINISTRATION AND ENFORCEMENT, is deleted in its entirety.*

PART 2- ADMINISTRATION AND ENFORCEMENT, including Sections 103, 104, 105, 106 107 and 108, is deleted in its entirety.

\* \* \*

## CHAPTER 2 DEFINITIONS

\* \* \*

*Section 202 Definitions, is amended by adding the definition for the San Antonio Metropolitan Health District.*

**SAN ANTONIO METROPOLITAN HEALTH DISTRICT** 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.

\* \* \*

## CHAPTER 3 GENERAL COMPLIANCE

\* \* \*

*Section 305 Barrier Requirements, is amended as follows:*

### **Section 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 townhouses, 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.

### **Section 305.2 Outdoor swimming 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 305.7 and in accordance with the Texas Administrative Code, Texas Health and Safety Code 757 for public pools.

\* \* \*

*Section 305.2.7.1 Chain link fencing prohibited, is added as follows:*

**Section 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.

\* \* \*

*Section 305.4 Structure wall as a barrier, is amended as follows:*

**Section 305.4 Structure wall as a barrier. (Pending additional discussion with BRFCAAB)**

Where a wall of a dwelling or structure of a one- and two-family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

\* \* \*

The wall of a building with windows in accordance with 2018 International Building Code, Section 1030 in Group R2 occupancies shall not be used as part of pool enclosure. Other windows that are part of a pool yard enclosure shall be permanently closed and unable to be opened for public pools.

\* \* \*

*Section 305.6 Natural barriers, is amended as follows:*

**Section 305.6 Natural barriers used in a one- and two-family dwelling or townhouse.**

In the case where the pool or spa area abuts...

\* \* \*

*Section 307.1.4 Accessibility, is amended by adding the following:*

**Section 307.1.4 Accessibility.**

An accessible route to public pools and spas shall be provided in accordance with the International Building Code. Accessibility within public pools and spas shall be provided as required by the accessible recreational facilities provisions of the International Building Code. **Exception:** Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

*Section 310.1 General, is amended by adding the following:*

**Section 310.1 General.**

Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 or for public swimming pools in accordance with State of Texas Rules for Public Swimming Pools and Spas, Title 25 TAC Chapter 265 Subchapter L, Rule §265.190.

\* \* \*

*Section 320.1 Backwash water or draining water, is amended as follows:*

**Section 320.1 Backwash water or draining water.**

For public pools, backwash water and draining water shall be discharged to the sanitary or storm sewer, or into an approved disposal system...

\* \* \*

**CHAPTER 4  
DIVING**

\* \* \*

*Section 402.12 Water envelopes, is amended as follows:*

**Section 402.12 Water envelopes.**

The minimum diving water envelopes shall be in accordance with Table 402.12 Texas Department of State Health Services, Administrative Code Title 25, Chapter 265, Section 186 (e) and Figure: 25 TAC 256.186 (e) (6).

(Delete Table 402.12 and Figure 402.12)

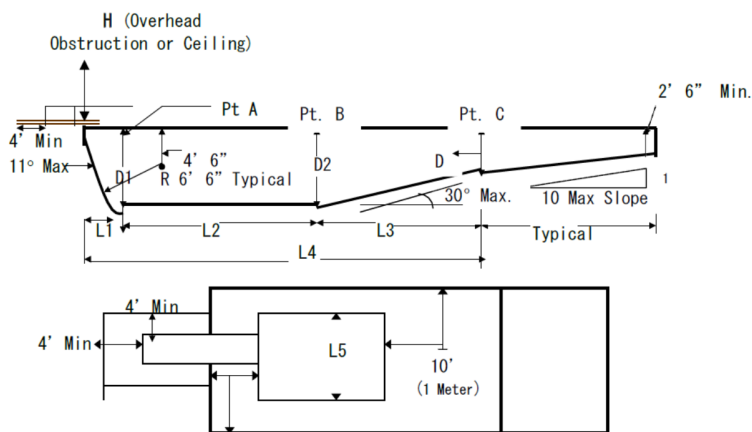
**TABLE 402.12  
MINIMUM DIVING WATER ENVELOPES  
SEE FIGURE 402.12**

**FIGURE 402.12**  
**(MINIMUM WATER DIVING WATER ENVELOPES)**  
**CONSTRUCTION DIMENSIONS FOR WATER**  
**ENVELOPES FOR CLASS B AND CLASS C POOLS**

Add Figure 25 TAC 265.186(e)(6):

ADD: Figure: 25 TAC §265.186 (e) (6)

Maximum Diving Board Height Over Water	$\frac{3}{4}$ 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 Plummets to Pool Wall at Side	9 ft.	10 ft.	11 ft. 6 in.
From Plummets to Adjacent Plummets	10 ft.	10 ft.	10 ft.



Section 402.13 Ladders for diving equipment, is amended 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

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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).~~

\* \* \*

*Section 411.2.1 Tread dimensions and area, is amended as follow:*

#### **Section 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 (154838mm<sup>2</sup>) and an unobstructed horizontal depth of not less than 10 inches (254 mm) at the center line.~~

*Section 411.2.2 Risers, is amended as follow:*

#### **Section 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 center line. The bottom riser height is allowed to vary to the floor.~~

\* \* \*

*Section 411.5.1 Swimouts, is amended as follow:*

#### **Section 411.5.1 Swimouts.**

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

\* \* \*

4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 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.



*Section 411.5.2 Underwater seats and benches, is amended as follow:*

**Section 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:

\* \* \*

5. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 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.

\* \* \*

**CHAPTER 6  
AQUATIC RECREATION FACILITIES**

\* \* \*

*Section 603.2 Class D-2 pools, is amended as follow:*

**Section 603.2 Class D-2 pools.**

~~Where a Class D-2 pool has a bather accessible depth greater than 4 1/2 feet (1372 mm), the floor shall have a distinctive marking at the 4 1/2 feet (1372 mm) water depth.~~

**Section 603.2 Class A and B pools.**

Class A and B pools over 5 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 4-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 1 foot and 2 feet on the shallow side of the 5-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 7-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.

*Section 610.5.1 Uniform height, is amended as follow:*

**Section 610.5.1 Uniform height of 910 inches.**

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

\* \* \*

**CHAPTER 8  
PERMANENT INGROUND RESIDENTIAL SWIMMING POOLS**

\* \* \*

*Section 804.1 General, is amended as follow:*

**Section 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.

\* \* \* \* \*

**SECTION 2.** All other provisions of Chapter 10 of the City Code of San Antonio, Texas, shall remain in full force and effect.

**SECTION 3.** Violations occurring after the effective date of this ordinance shall be punished as provided in the revised City Code of San Antonio. Violations prior to the effective date shall be punished under the former applicable sections which shall remain in effect for that purpose.

**SECTION 4.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision in this ordinance be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

**SECTION 5.** (Financial Language To Be Determined).

**SECTION 6.** The City Clerk for the City of San Antonio is directed to publish notice of this Ordinance in a newspaper published in the City of San Antonio, Texas, as required by Article 2, Section 17 of the City Charter of San Antonio, Texas.

**SECTION 7.** The publishers of the City Code of San Antonio are authorized to amend said Code to reflect the changes adopted in this Ordinance, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 8.** This ordinance shall become effective on September 1, 2020.

**PASSED AND APPROVED** this      day of      , 2020.

**M      A      Y      O      R**

Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tina Flores, Acting City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney