



City of San Antonio

Agenda Memorandum

File Number:20-4679

Agenda Item Number: 11.

Agenda Date: 9/3/2020

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Discussion and possible action on amending Chapter 10 of the City Code of San Antonio, Texas, by adopting the 2018 Edition of the International Swimming Pool and Spa Code (ISPSC) with amendments.

SUMMARY:

In 2019, the Texas State Legislature passed HB 2858, which sets a model code for the construction of swimming pools and spas for the state and all municipalities, with an allowance for local governments to adopt amendments. This requirement is effective on September 1, 2020. In order to comply with the new state law, Development Services Department (DSD) reviewed the 2018 International Swimming Pool and Spa Code (ISPSC) and determined what impact it would have on the regulation of the construction of swimming pools and spas by DSD through the plan review and inspections processes. The 2018 ISPSC was reviewed by the Building-Related and Fire Codes Appeals and Advisory Board (BRFCAAB) and amendments to the code were proposed. Multiple stakeholder organizations were made aware of the code adoption, invited to attend all meetings, and updated throughout the process.

BACKGROUND INFORMATION:

The ISPSC has not previously been adopted by the City of San Antonio, and the regulation of the construction of swimming pools and spas has focused on the safety features around the pool and not the safety features of the pool itself. DSD reviewed the 2018 ISPSC, discussed the additional regulations with stakeholders, and researched amendments adopted by other municipalities in Texas. Based on this research, staff developed proposed amendments to the code based on those adopted by the Cities of Ft. Worth, South Lake, Carrollton, and other cities that have adopted the code in response to the Texas HB. The amendments focus on language that will guarantee the adoption of the 2018 ISPSC will not reduce the safety requirements currently enforced by other State and Local codes and standards, to include Texas Department of State Health Services (TDSHS),

Texas Department of Licensing and Regulation (TDLR), and Texas Administrative Code (TAC).

The BRFCAAB created a committee to review the 2018 ISPSC and proposed amendments prior to the amendments being presented to the full board. Two committee meetings were held on July 21 & 28, 2020. The amendments were then presented to the full board on August 6, 2020 for review and comment. The full board voted to approve the amendments on August 6th.

Stakeholder groups, specifically Building Owners and Managers Association, San Antonio Apartment Association, Greater San Antonio Builders Association, Associated Builders and Contractors, Inc., American Institute of Architects, Pool and Hot Tube Alliance, and contractors who obtained pool permits over the past two fiscal years, were invited to each meeting and provided the proposed amendments for review with no suggested changes.

ISSUE:

The proposed adoption of the 2018 ISPSC with amendments will update the City's building requirements for the construction of swimming pools and spas and help make key safety features in the designs of pools uniform for all projects. The proposed adoption will require that all new and modified swimming pools and spas are designed and built to the regulation of the 2018 ISPSC as amended by the city. The new requirement will go into effect on September 1, 2020.

ALTERNATIVES:

City Council could choose to not take any action on the adoption of the 2018 ISPSC with proposed amendments. The State requirement of the 2018 ISPSC as the model code for the construction of all swimming pools and spas will go into effect on September 1, 2020.

FISCAL IMPACT:

There is no fiscal impact. This memo is for briefing purposes only.

RECOMMENDATION:

Staff recommends approval of the adoption of the 2018 ISPSC with proposed amendments that will require that all new and modified swimming pools and spas are designed and built to the regulation of this code. This will align our local swimming pool and spa code with the new state law.