

**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 007-026**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18, ARTICLE XII, OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, TEXAS AND ADOPTING AMENDED VERSION OF STANDARDS FOR PUBLIC POOLS AND SPAS ADOPTED BY THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES AT 25 TEXAS ADMINISTRATIVE CODE 265.181 – 265.208 TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, PROPERTY, AND PUBLIC WELFARE BY REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF SWIMMING POOLS AND SPAS. PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**SECTION 1.** That the Code of Ordinances of the Town of Addison be amended by rewriting Chapter 18, Article XII, to read as follows:

**ARTICLE XII. SWIMMING POOLS AND SPAS**

**DIVISION 1. GENERALLY.**

**Sec. 18-681. Adopted.**

For the purpose of providing minimum standards to safe guarding life and limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all public and semipublic pools and spas within the city and certain equipment specifically regulated herein, the Texas Department of State Health Services Standards for Public Swimming Pool and Spa (a copy of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, is on file in

the city secretary's office), is hereby adopted as the swimming pool and spa code of the city as fully as if copied at length in this article, but with the changes and additions thereto to provided in this article.

**Sec. 18-682. Deletions, amendments, and additions generally.**

The Texas Department of State Health Services Standards for Public Swimming Pool and Spa as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

**Sec. 18-683. Definitions.**

The Texas Department of Health Standards for Public Swimming Pool and Spa is amended by adding the following definitions to Section 265.182:

(70.1) Inspector- A representative of the development services department authorized to make pool inspections.

(108.1) Public pool- A swimming pool or spa to which the general public has access.

(118.1) Semipublic pool- A swimming pool that is privately owned and only open to an identifiable class of persons, including, but not limited to, hotel guests, apartment residents and club members.

(136.1) Swimming pool or pool- A structure that is used for swimming, bathing or water play, including all equipment and appurtenant facilities.

**SECTION 2.** All other ordinances and parts of ordinances in conflict with this ordinance shall be, and the same is hereby repealed, but the repeal of such ordinances or parts of ordinances shall not affect any right, property or claim which was or is vested in the Town of Addison, Texas, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this ordinance shall take effect, nor shall said repeals, amendments or changes effect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this ordinance shall take effect under any of the ordinances or sections thereof repealed.


**SECTION 3.** In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or the Texas Department of State Services Health Standards for Public Swimming Pool and Spa, or revisions thereof, adopted herein shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance or of the Texas Department of State Health Services Standards for Public Swimming Pool and

Spa, or revisions thereof as a whole or any part of provision other than the part so decided to be invalid or unconstitutional.

**SECTION 4.** Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed five hundred dollars (\$500.00), and each and every day that the prohibited condition remains shall constitute a separate offense.

**SECTION 5.** That this ordinance shall become effective from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 28<sup>th</sup> day of August, 2007.

  
JOE CHOW, MAYOR

ATTEST:

  
MARIO CANIZARES, CITY SECRETARY

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