

CITY OF LYNNWOOD

ORDINANCE NO. 1504

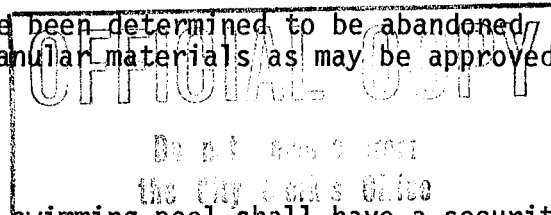
AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH, WELFARE AND SAFETY BY PRESCRIBING MINIMUM STANDARDS FOR THE DESIGN, CONSTRUCTION OR INSTALLATION, REPAIR OR ALTERATIONS OF SWIMMING POOLS, SPAS AND HOT TUBS, PUBLIC OR PRIVATE, AND EQUIPMENT RELATED THERETO; REQUIRING A PERMIT AND INSPECTION THEREFOR; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE STANDARDS SET FORTH HEREIN; AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND REPEALING ORDINANCES 640, 688 AND 704 IN THEIR ENTIRETY AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

Section 1. That Chapter 16.24 of the Lynnwood Municipal Code be and is hereby amended and updated by the repeal of Ordinance Nos. 640, 688, and 704 and by the adoption of the Uniform Swimming Pool, Spa and Hot Tub Code, 1985 Edition, by the International Association of Plumbing and Mechanical Officials, one copy of which is on file in the office of the City Clerk of the City of Lynnwood and that said document, as amended, added to and modified by the provisions as numbered therein shall constitute the same numbers, titles, and classifications of this ordinance.

Section 2. Abandoned Swimming Pools:

Swimming pool installations which have been determined to be abandoned shall be filled with sand or other granular materials, as may be approved by the Administrative Authority.



Section 3. Safety Devices:

- A. The entire area surrounding the swimming pool shall have a security fence or other barrier conforming to the height and openings as required for fences.
- B. Fences shall be constructed of wood, masonry, concrete, or other substantial materials acceptable to the Building Department, not less than five (5) feet in height, with no opening, other than doors and gates, such that a sphere 4 in. in diameter cannot pass through.
- C. All gates or doors opening through such enclosure shall be equipped with a self-closing and a self-latching device designed to keep such gates or doors securely closed and latched at all times when not in actual use; all latches shall be placed at least four and one-half (4-1/2) feet above the ground; provided, however, that the door to any dwelling occupied by human beings and forming any part of the enclosure herein above required need not be so equipped.
- D. Such fencing and latches shall be installed prior to the filling of the pool with water for use.

Section 4. That Section 1.7 of the Uniform Swimming Pool, Spa, and Hot Tub Code, 1985 Edition, as herein adopted, be and is hereby amended by deleting:

"1.7 Violation and Penalties

Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \_\_\_\_\_ or by imprisonment in the \_\_\_\_\_ Jail for not to exceed \_\_\_\_\_ months, or both fine and imprisonment. Each separate day or any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorized is lawful.

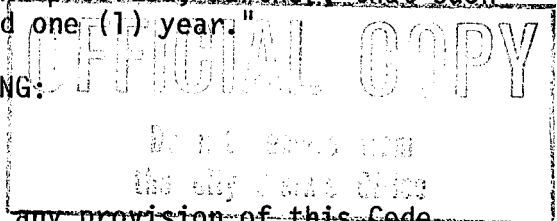
The issuance of or granting of a permit or approval of plans shall not prevent the Administrative Authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code or of any other ordinance or from revoking any certificate of approval when issued in error.

Every permit issued by the Administrative Authority under the provisions of this Code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within one-hundred twenty (120) days from date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one-hundred twenty (120) days. Before such work can be recommenced, a new permit shall be first obtained, and the fee shall be one-half the amount required for a new permit for such work, provided no changes have been made, or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one (1) year."

AND INSERTING IN ITS PLACE THE FOLLOWING WORDING:

"1.7 Violation and Penalties

Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed \$500.00 or by imprisonment in the Lynnwood City Jail for not to exceed ninety (90) days, or both fine and imprisonment. Each separate day or any portion thereof during which any violation of this Code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to



be a permit for, or an approval of, any violation of any of the provisions of this Code. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorized is lawful.

The issuance or granting of a permit or approval of plans shall not prevent the Administrative Authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code or of any other ordinance or from revoking any certificate of approval when issued in error.

Every permit issued by the Administrative Authority under the provisions of this Code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within sixty (60) days from date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one-hundred twenty (120) days or at the expiration of 18 months from date of issuance of the permit. Before such work can be recommenced, a new permit shall be first obtained, and the fee shall be one-half the amount required for a new permit for such work, provided no changes have been made, or will be made in the original plans and specifications for such work and provided further that such suspension or abandonment has not exceeded 18 months."

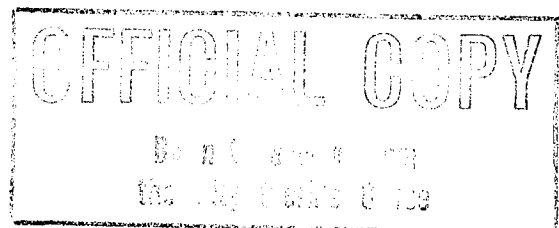
Section 5. That Section 1.11 of the Uniform Swimming Pool, Spa and Hot Tub Code, 1985 Edition, as herein adopted, be and is hereby amended by deleting:

"Section 1.11 - Cost of Permit

Every applicant for a permit to install, alter or repair a swimming pool, spa or hot tub system or part thereof, shall state in writing on the application form provided for that purpose, the character of work proposed to be done and the amount and kind in connection therewith, together with such information pertinent thereto as may be required.

Such applicant shall pay for each permit at the time of making application, a fee in accordance with the following schedule, and at a rate provided for each classification shown therein.

Any person who shall commence any swimming pool, spa or hot tub work for which a permit is required by this Code without having obtained a permit therefore shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by the section for such work, provided, however, that this provision shall not apply to emergency work when it shall be demonstrated to the satisfaction of the Administrative Authority that such work was urgently necessary and that it was not practical to obtain a permit therefor, before the commencement of the work. In all such cases a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.



SCHEDULE OF FEES

For each swimming pool:

Public pool .....	\$30.00
Private pool .....	20.00
Pool filling system, including back-flow prevention, each .....	2.00
Each water heater and/or vent .....	2.00
Gas piping system, each .....	2.00
Replacing of filter .....	3.00
Replacing of piping .....	3.00
Miscellaneous replacements .....	3.00
Backwash receptor .....	2.00

Extra inspections:

When extra inspections are necessary by reason of deficient or defective work, or otherwise through fault or error on the part of the holder of the permit or on the part of his employees, only one such extra inspection shall be made under the regular fees as herein prescribed; and for each and every further visit or inspection for which the holder of the permit or his employee is entirely responsible a fee of \$10.00

Whenever it shall be necessary to make any additional inspection due to the failure or neglect of the applicant to give the correct address or location of the work specified in the permit when applying therefor, for each addition inspection a fee of \$10.00."

AND INSERTING IN ITS PLACE THE FOLLOWING WORDING:

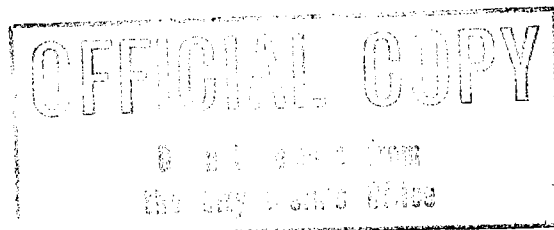
"Section 1.11 - Permit Fees.

A swimming pool, spa or hot tub permit fee shall be paid in accordance with the schedule established by Table No. 3-A--Building Permit Fees as modified in the adopting ordinance of the Uniform Building Code, 1985 Edition. The plan review fee shall be 65% of the swimming pool, spa or hot tub permit fee."

Section 6. Setbacks. All swimming pools, portable or permanent, shall be placed so as to observe the minimum setbacks for structures.

Section 7. Chapter 5, Fuel Gas Piping, of the Uniform Swimming Pool, Spa and Hot Tub Code, 1985 Edition, shall be deleted in its entirety.

Section 8. That if any section, sentence, clause, or phrase of this ordinance be held to be invalid or unconstitutional, the invalidity or unconstitutionality of any section, sentence, clause, or phrase of this Ordinance, the same shall not affect the validity or constitutionality of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

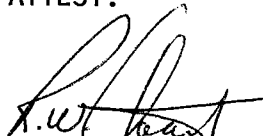


Section 9. This ordinance shall be in full force and effect five (5) days after its passage, approval and legal publication.


PASSED this 25th day of March, 86 and signed in authentication of its passage this 26th day of March, 1986.

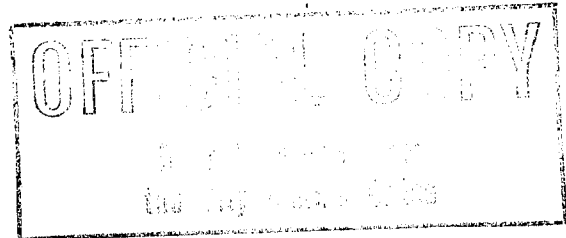
  
M. J. HRDLICKA, Mayor

ATTEST:

  
R. W. NOACK, City Clerk

APPROVED AS TO FORM:

  
PATRICK M. CURRAN, Asst. City Attorney



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