LEGISLATION FOR ADOPTION OF

THE INTERNATIONAL SWIMMING POOL AND SPA CODE

ORDINANCE NO. 533

An ORDINANCE of the Town of Yacolt adopting the 2012 edition of the International Swimming Pool and Spa Code, regulating and governing the design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment in the Town of Yacolt; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 454, and No. 450 of Town of Yacolt and all other ordinances or parts of laws in conflict therewith.

The Town Council of the Town of Yacolt does ordain as follows:

Section 1. That a certain document, one (1) copy of which are on file in the office of the City Clerk of Town of Yacolt, being marked and designated as the International Swimming Pool and Spa Code, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Pool and Spa Code of the Town of Yacolt, in the State of Washington regulating and governing the design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Swimming Pool and Spa Code on file in the office of the Town of Yacolt are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Revised:
101.1 Title. *These regulations shall be known as the International Swimming Pool and Spa Code of Town of Yacolt, hereinafter referred to as "this code."*

Section 105.6.2. Revised: Yacolt Swimming Pool and Spa Fee Schedule
105.6.2 Fee schedule. *The fees for all work shall be as indicated in the following schedule:* (Exibit "A") Yacolt Swimming Pool and Spa Fee Schedule

Section 105.6.3. Revised:
105.6.3 Fee refunds. *The mayor shall authorize or deny the refunding of fees up to 25% upon written request with-in 30 days of filing.*

Section 107.4. Revised:

107.4 Violation penalties. *Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair an aquatic vessel in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation punishable by a fine of not more than $1,000.00 dollars Each day that a violation continues after due notice has been served shall be deemed a separate offense.*

Section 107.5. Revised:

107.5 Stop work orders. *Upon notice from the code official, work on any system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $250.00 dollars or more than $1,000.00 dollars.*

Section 3. That Ordinance No. 454 and Ordinance No. 440 of Town of Yacolt and also the Interlocal Agreegment entered into under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW, between Clark County, a polititcal subdivision of the State of Washington, ("County") and the Town of Yacolt, ("Town) since 1973 for the purpose of the administration and enforcement of the Washington State Building Code for structures within the corporate limits of the Town of Yacolt and subject to the interlocal agreement provisions thereof mutually agree that the County shall no longer act as the Town of Yacolt agent in and for the administration and enforcement of the Washington State Building Codes, as amended; and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Yacolt hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the International Swimming Pool and Spa Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing,

under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Town of Yacolt's, City Clerk is hereby ordered and directed to cause this legislation to be published in a newspaper in general circulation.

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from January 28, 2015 and after the date of its final passage and adoption.

Section 8 – Severability.
If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portion of this Ordinance shall remain in full force and effect.

Section 9 - Effective Date.
This Ordinance shall take effect on January 28, 2015, following publication of the following summary, according to law.

Town of Yacolt - Summary of Ordinance #533

The Town Council of the Town of Yacolt adopted Ordinance #533 at its regularly scheduled Town Council meeting held on January 20, 2015. The content of the Ordinance is summarized in its title as follows:

AN ORDINANCE ADOPTING THE INTERNATIONAL SWIMMING POOL AND SPA CODE 2012 EDITION.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 28th day of January, 2015.
Cindy Marbut, Town Clerk/Treasurer

PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 20th day of January, 2015.

TOWN OF YACOLT

Jeff Carothers, Mayor

Attest:

Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

David W. Ridenour, Town Attorney

Ayes: Gerhardt, Hancock, Urias
Nays:
Absent: Karl-Myers
Abstain: