

FIRST READING: November 1, 2022

SECOND READING: November 15, 2022

ORDINANCE NO. 6592

**AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.54 OF THE
LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE
INTERNATIONAL SWIMMING POOL AND SPA CODE, 2021 EDITION**

WHEREAS, pursuant to Section 4-12 of the Charter of the City of Loveland, the City Council is authorized to adopt, by ordinance, any code by reference in accordance with the procedures established by state law; and

WHEREAS, the Construction Advisory Board has recommended that City Council adopt the 2021 Edition of the International Swimming Pool and Spa Code (the “2021 ISPSC”), and amendments thereto; and

WHEREAS, the City Council has conducted a public hearing pursuant to C.R.S. §31-16-203 concerning the adoption of the 2021 ISPSC by reference and finds and determines that it is necessary to the health, safety and general welfare of the public that the City regulate conditions hazardous to life and property by the adoption of the 2021 ISPSC, and certain amendments and modifications thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. Chapter 15.54 of the City of Loveland Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

15.54.010 – International Swimming Pool and Spa Code, 2021 Edition – Adopted.

The International Swimming Pool and Spa Code, 2021 Edition (the “2021 ISPSC”), issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the swimming pool and spa code of the City of Loveland as if fully set forth herein, with the modifications, if any, set forth in Section 15.54.020 below. This code is a complete code to safeguard public health, safety and welfare by regulating and governing the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of swimming pools and spas, and providing for issuance of permits and collection of fees therefore. At least one (1) copy of the 2021 ISPSC, which has been certified by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected during regular business hours.

15.54.020 - Modifications to International Swimming Pool and Spa Code, 2021 Edition.

The International Swimming Pool and Spa Code, 2021 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 – Title - is amended to read as follows:

These regulations shall be known as the Swimming Pool and Spa Code of the City of Loveland, hereinafter referred to as “this code” or “swimming pool and spa code.”

B. Section 103 – Department of building safety – is deleted in its entirety.

C. Section 104 – Duties and powers of the code official – is deleted in its entirety.

D. Section 105.4 – Time limit of application – is deleted in its entirety.

E. Section 105.5 – Permit issuance – is deleted in its entirety.

F. Section 105.6 – Fees – is deleted in its entirety.

G. Section 107 – Violations – is deleted in its entirety.

H. Section 108 – Means of appeal – is deleted in its entirety.

15.54.030 – Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or use any system in the City of Loveland or cause the same to be done contrary to or in violation of any of the provisions of this code, as adopted and modified by the City of Loveland. Any person, firm or corporation violating any of the provisions of this code, as adopted and modified by the City of Loveland, shall be deemed guilty of a misdemeanor and subject to penalties as set forth in Section 1.12.010 of the City of Loveland Municipal Code.

Section 2. That if any section, subsection, or portion of this ordinance is, for any reason, held to be unconstitutional or invalid for any reason, such decision shall not affect that validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance, and each section, subsection, and portion hereof, regardless of whether any one or more sections, subsections, or portions may be declared unconstitutional or invalid.

Section 3. That nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, liability incurred, or cause of action acquired or existing under any ordinance hereby repealed, nor shall any legal right or remedy of any character be impaired by this ordinance.

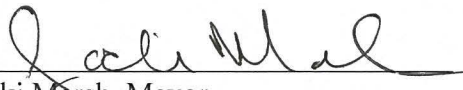
Section 4. That the City Clerk shall cause to be published twice in a newspaper of general circulation within the City of Loveland, once at least fifteen (15) days preceding the public hearing, and once at least eight (8) days preceding the public hearing, the following notice:

Public notice is hereby given that at 6:00 p.m. on _____ in the City Council Chambers, City Hall, 500 East Third Street, Loveland, Colorado, the Loveland City Council will consider on second reading an Ordinance Amending Chapter 15.54 of the City of Loveland Municipal Code and Adopting by Reference the International

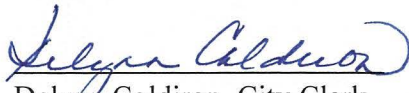
Swimming Pool and Spa Code, 2021 Edition. A public hearing shall be held prior to said consideration. Copies of the above-referenced International Swimming Pool and Spa Code, 2021 Edition and any codes adopted by reference within the code are on file with the Loveland City Clerk and are open to public inspection.

Section 5. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect June 1, 2023, consistent with City Charter Section 4-8(b).

CITY OF LOVELAND, COLORADO:

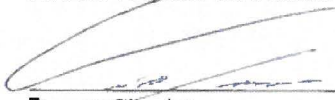

Jacki Marsh, Mayor

ATTEST:


Delynn Coldiron, City Clerk




APPROVED AS TO FORM:


Deputy City Attorney

AN ORDINANCE REPEALING AND REENACTING CHAPTER 15.54 OF THE LOVELAND MUNICIPAL CODE AND ADOPTING BY REFERENCE THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2021 EDITION

Ordinance 6592

I, Delynn Coldiron, City Clerk of the City of Loveland, Colorado, hereby certify that the above and foregoing Ordinance was introduced at a regular (or special) meeting of the City Council, held on November 1, 2022 and was initially published in the Loveland Daily Reporter-Herald, a newspaper published within the city limits, in full on November 5, 2022 and by title except for parts thereof which were amended after such initial publication which parts were published in full in said newspaper on November 19, 2022.


Delynn Coldiron, City Clerk

Effective Date: June 1, 2023

