

## EXCERPT FROM THE CODE OF THE CITY OF JACKSON

### Sec. 11-9. - Swimming pool and spa code.

(a) That a certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Jackson, being marked and designated as the International Swimming Pool and Spa Code, 2015 Edition, as published by the International Code Council, be and is hereby adopted as the Swimming Pool and Spa Code of the City of Jackson in the State of Missouri for 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 City of Jackson; 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 City of Jackson are hereby referred to, adopted and made a part hereof as if fully set out herein unless otherwise amended by chapter 41 of the Code of Ordinances of the City of Jackson, Missouri.

(b) The following sections of the 2015 Swimming Pool and Spa Code are hereby revised as follows:

(1) *Section 101.1. Title.* Section 101.1 is hereby revised by inserting as 'NAME OF JURISDICTION' the 'City of Jackson, Missouri.'

(2) *Section 105.5.1. Approved construction documents.* Section 105.5.1 is hereby revised to read as follows:

*105.5.1. Approved construction documents.* When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped 'ACCEPTED.' Such accepted construction documents shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents.

(3) *Section 105.5.3. Expiration.* Section 105.5.3 is hereby revised to read as follows:

*105.5.3. Expiration.* Every permit issued by the code official 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 180 days from the date of such permit. All permits shall expire one year from the date of issuance. The code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(4) *Section 105.5.4. Extensions.* Section 105.5.4 is hereby deleted in its entirety.

(5) *Section 105.6.2. Fee schedule.* Section 105.6.2 is hereby revised to read as follows:

*105.6.2. Fee schedule.* The fees for all work shall be as indicated in Chapter 11, Article II, Division 3, of the Code of Ordinances of the City of Jackson, Missouri.

(6) *Section 105.6.3. Fee refunds.* Section 105.6.3 is hereby revised by deleting the following numbered items in their entirety.

2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

(7) *Section 107.4. Violation penalties.* Section 107.4 is hereby revised to read as follows:

*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 a pool or spa 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 misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.*

(8) Section 107.5. Stop work orders. Section 107.5 is hereby revised to read as follows:

*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 one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment.*

(9) Section 108. Means of Appeal. Section 108 of the International Swimming Pool and Spa Code is amended by replacing said section in its entirety and replacing said Section 108 with the following:

#### **SECTION 108. MEANS OF APPEAL**

*108.1. Appeal. Any person shall have the right to appeal a decision or interpretation of the building or code official to the Zoning Board of Adjustment and may do so in the same manner as provided by Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.*

(c) That all references to the board of appeal set out in the International Swimming Pool and Spa Code 2015 shall mean the zoning board of adjustment of the city.

(d) That all references in the International Swimming Pool and Spa Code to the ICC Electric Code shall mean the National Electrical Code (NEC) 2014.

( [Ord. No. 17-80](#), § 1, 12-18-17)