

1 16.28.030. - Section 101.1 amended—Title.

2 Section 101.1 of the International Swimming Pool and Spa Code is
3 amended by insertion of “the City of Longmont” in the brackets.

4 16.28.040. - Section 105.5.1 amended—Approved construction documents.

5 Section 105.5.1 of the International Swimming Pool and Spa Code is
6 amended by replacing the first sentence with the following:

7 When the building official issues a permit, the construction documents
8 shall be approved in writing or by a stamp which states “APPROVED AS
9 NOTED.” One set of construction documents so reviewed shall be retained by the
10 building official. The other set shall be returned to the applicant, shall be kept at
11 the site of the work and shall be open to inspection by the building official or his
12 or her authorized representative.

13 16.28.050. - Section 105.6.2 amended—Fee schedule.

14 Section 105.6.2 of the International Swimming Pool and Spa Code is
15 amended by the addition of the following:

16 The fee for any permit required by this code shall be established from time
17 to time by resolution of the city council.

18 16.28.060. - Section 105.6.3 replace—Fee refunds.

19 Section 105.6.3 of the International Swimming Pool and Spa Code is
20 deleted in its entirety and replaced with the following:

21 The building official shall refund any fee paid hereunder which was
22 erroneously paid or collected. Where no work has been done under a permit, the
23 permittee may forfeit the permit and receive a refund of 80 percent of the permit
24 fee paid. Where an applicant has paid a plan review fee for a permit under this
25 chapter, and then withdrawn or canceled the application before plan review
26 concluded, the building official shall refund the applicant 80 percent of the plan
27 review fee paid, less any City expenses for plan review by an outside consultant.
28 The building official shall not authorize refunding of any fee paid except on
29 written application filed by the original permittee not later than 180 days after the
30 date of the fee payment.

31

1 16.28.070. - Section 107 replaced—Violations.

2 Sections 107.1 through 107.4 of the International Swimming Pool and Spa
3 Code are deleted and replaced with the following:

4 107.1 Unlawful acts. It is unlawful for any person to erect, install, alter,
5 repair, relocate, add to, replace, demolish, use, occupy or maintain any building or
6 structure, or cause or permit the same to be done, in violation of this code.

7 107.2 Notice of violation. Any person committing or permitting a
8 violation of this code commits a separate offense for each day or part of a day
9 during which the violation exists. Offenses are punishable according to Chapter
10 1.12 of the Longmont Municipal Code.

11 107.3 Prosecution of violation. In addition to any other penalties, any
12 violation of this code is a public nuisance and shall be enjoined by a court of
13 competent jurisdiction. Nothing in this code shall prevent the city attorney from
14 seeking appropriate legal or equitable relief from any court of competent
15 jurisdiction.

16 107.4 Violation, penalties. Imposition of one penalty for any violation
17 shall not excuse the violation nor permit it to continue, and all such persons shall
18 correct or remedy such violations or defect within a reasonable time.

19 16.28.080. - Section 108 replaced—Means of appeal.

20 Section 108 of the International Swimming Pool and Spa Code is deleted
21 in its entirety and replaced with the following:

22 108.1 Application for appeal. For provisions relating to the board of
23 appeals, see chapter 16.30 of the Longmont Municipal Code.

24 16.28.090. - Section 301.1.3. amended—Covers.

25 Section 301.1.3 of the International Swimming Pool and Spa Code is
26 amended by deleting sentence one and inserting the following:

27 Outdoor heated pools and outdoor spas heated to 90 degrees Fahrenheit or
28 higher shall be provided with a vapor-retardant cover.

29 16.28.100. - Section 304.1 replaced—General.

30 Section R304.1 of the International Swimming Pool and Spa Code is
31 deleted in its entirety and replaced with the following:

1 See chapter 20 of the Longmont Municipal Code for provisions regarding
2 flood hazard areas.

3 16.28.110. - Section 306.4 replaced—Deck steps handrail required.

4 Section R306.4 of the International Swimming Pool and Spa Code is
5 deleted in its entirety and replaced with the following:

6 See the International Building Code or International Residential Code for
7 handrail and guardrail requirements.

8 Section 2. Validity.

9 To the extent only that they conflict with this ordinance, the council repeals any
10 conflicting ordinances or parts of ordinances. The provisions of this ordinance are severable, and
11 invalidity of any part shall not affect the validity or effectiveness of the rest of this ordinance.
12 Neither the adoption of this ordinance nor its action repealing or amending any other ordinance
13 of the City of Longmont shall in any manner affect prosecution for violations of ordinances
14 committed before the effective date of this ordinance. This ordinance shall not waive any
15 license, fee or penalty due and unpaid under pre-existing ordinances on its effective date. This
16 ordinance shall not affect any pre-existing ordinances on the collection of any license, fee or
17 penalty, or the penal provisions applicable to any violation thereof. This ordinance shall not
18 affect the validity of any bond or cash deposit required under any ordinance. All rights and
19 obligations under such security shall continue in full force and effect.

20 Section 3. Effective Date.

21 This ordinance shall be effective beginning on January 1, 2016.

22 Introduced this _____ day of _____, 2015.

23 Passed and adopted this _____ day of _____, 2016.

24
25
26
27 _____
28 MAYOR

29
30 ATTEST:

31
32
33 _____
34 CITY CLERK

1 NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
2 7:00 P.M. ON THE _____ DAY OF _____, 2016, IN THE
3 LONGMONT COUNCIL CHAMBERS.
4

5

6 APPROVED AS TO FORM:

7
8

9 _____
10 ASSISTANT CITY ATTORNEY DATE

11
12
13

14 PROOFREAD DATE

15
16

17 APPROVED AS TO FORM AND SUBSTANCE:

18
19

20 _____
21 ORIGINATING DEPARTMENT DATE

22
23

CA File: 9866