

ORDINANCE NO. 3952



AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, REPEALING IN ITS ENTIRETY CITY OF FARMERS BRANCH ORDINANCE NO. 3613, CODIFIED AS CHAPTER 22 (BUILDINGS AND BUILDING REGULATIONS) ARTICLE V (SWIMMING POOLS); AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, WITH CERTAIN ADDITIONS, DELETIONS, AND AMENDMENTS, AS THE SWIMMING POOL AND SPA CODE OF THE CITY OF FARMERS BRANCH; PROVIDING A REPEALER CLAUSE, SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes, including the International Swimming Pool and Spa Code; and

WHEREAS, since the 1970s, the City of Farmers Branch has been involved throughout the development process of the ICC, specifically the International Swimming Pool and Spa Code, in conjunction with the North Texas Chapter of the International Code Council, Regional Codes Coordinating Committee of North Central Texas Council of Governments (NCTCOG), and the International Conference of Building Officials (ICBO); and

WHEREAS, on December 12, 2019, by Ordinance No. 3613, the City Council for the City of Farmers Branch established a Swimming Pool and Spa Code to reflect and provided regulations thereunder, and such Ordinances were codified as Chapter 22 (Buildings and Building Regulations) Article V (Swimming Pools) of the City's Code of Ordinances; and

WHEREAS, the 2024 International Swimming Pool and Spa Code, a publication of the ICC, has been reviewed by city staff and the NCTCOG for necessary updates and amendments; and

WHEREAS, the City Council of the City of Farmers Branch has determined that it is in the best interest of the citizens of the City of Farmers Branch to adopt the 2024 Edition of the International Swimming Pool and Spa Code, and the additions, deletions, and amendments thereto, as the minimum standards for the design, construction, enlargement, alteration, repair, and maintenance of swimming pools, spas, hot tubs and aquatic facilities within the City limits, as set forth herein, and to adopt the Swimming Pool and Spa Code in order to account for unique local practices and /or conditions relating to the same within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. Ordinance No. 3613 duly passed and approved by the City Council of the City of Farmers Branch on December 12, 2019, is hereby repealed in its entirety.

SECTION 2. A new Chapter 22 (Buildings and Building Regulations) Article V (Swimming Pools) is hereby adopted and shall read in its entirety as follows:

ARTICLE V. SWIMMING POOL AND SPA STANDARDS

Sec. 22 -156. Adoption of International Swimming Pool and Spa Code; purpose.

The 2024 Edition of the International Swimming Pool and Spa Code, as published by the International Code Council and as amended pursuant to Sec. 22-157 is hereby adopted. Copies of the Pool Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The city manager or designee is hereby authorized and directed to enforce all provisions of the Pool Code. For purposes of this Article, the phrase “Pool Code” means collectively (i) the 2024 Edition international Swimming Pool and Spa Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 22-157.

Sec 22-157. Local Amendments to the International Swimming Pool and Spa Code: For purposes of enforcement of the provisions of the Pool Code within the incorporated limits of the City, the following deletions, additions, and amendments to the 2024 Edition of the International Swimming Pool and Spa Code are hereby approved and amended as follows:

Section 102.9; Change to read as follows:

Section 102.9 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, including but not limited to:

- 1.** Texas Department of State Health Services (TDSHS); Standards for Public Pools and Spas; §265.181 through §265.198, (TDSHS rules do not apply to pools serving one- and two-family dwellings or townhouses).
- 2.** Texas Department of Licensing and Regulation (TDLR); 2012 Texas Accessibility Standards (TAS), TAS provide the scoping and technical requirements for accessibility for Swimming Pool, wading pools and spas and shall comply with 2012 TAS, Section 242. (TAS rules do not apply to pools serving one- and two-family dwellings or townhouses).

Exception: Elements regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this Chapter.

Section 113.4 Violation penalties; Changed to read as follows:

113.4 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 may be punishable for each day of the violation set forth by the authority having jurisdiction.

Section 305; Change to read as follows:

305.1 General.

The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. In only one- and two-family dwellings and townhouses, where spas or hot tubs are equipped with a lockable safety cover complying with [ASTM F1346](#) and swimming pools are equipped with a powered safety cover that complies with [ASTM F1346](#), the areas where those spas, hot tubs or pools are located shall not be required to comply with [Sections 305.2](#) through [305.7](#).

Add subsection 305.2.8.1; to read as follows:

305.2.8.1 Chain link fencing prohibited. Chain link fencing is not permitted as a barrier in public pools built after January 1, 1994.

Section 305.4 structure wall as a barrier; Changes as follows:

305.4 Structure wall as a barrier. Where a wall of a dwelling or structure of a one- and two-family dwelling or townhouse or its accessory structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Remainder Unchanged
2. Remainder Unchanged
3. Remainder Unchanged
4. Remainder unchanged
5. Remainder unchanged
6. Remainder unchanged

Section 305.6; Change to read as follows:

305.6 Natural barriers used in a one- and two-family dwelling or townhouse.

In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge a minimum of eighteen (18) inches, a barrier is not required between the natural body of water shoreline and the pool or spa.

Section 307.1.5 Accessibility; Add exception to Section to 307.1.5 as follows:

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

Section 307.2.2.2; add to read as follows:

Section 307.2.2.2. Adjacency to Structural Foundation. Depth of the swimming pool and spa shall maintain a ratio of 1:1 from the nearest building foundation or footing of a retaining wall.

Exception: A sealed engineered design drawing of the proposed new structure shall be submitted for approval.

Section 310; Change to read as follows:

310.1 General. Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7 (ANSI/PHTA/ICC 7) or for public swimming pools in accordance with State of Texas Rules for Public Swimming Pools and Spas, Title 25 TAC Chapter 265 Subchapter L, Rule §265.190.

[Remainder unchanged]

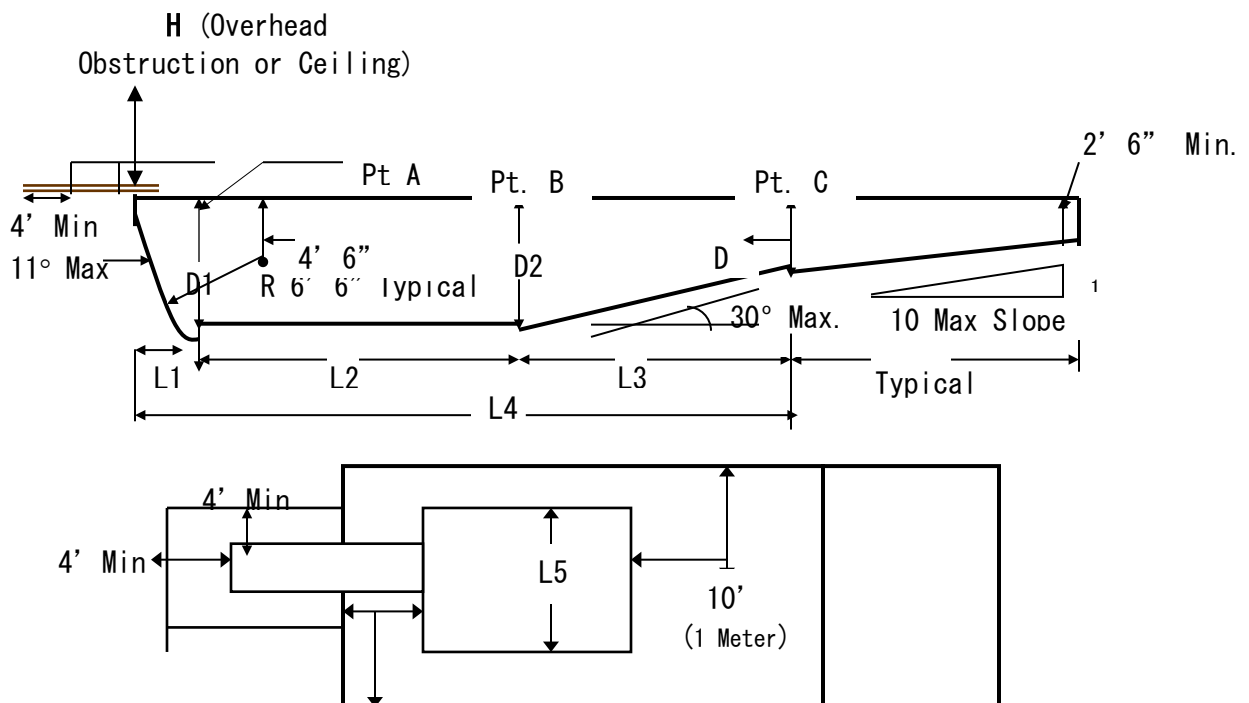
Section 402.12; Change to read as follows:

402.12 Water envelopes. The minimum diving water envelopes shall be in accordance with Texas Department of State Health Services, Administrative Code Title 25, Chapter 265, Section 186 (e) and Figure: 25 TAC 256.186 (e) (6). (Delete Table 402.12 and Figure 402.12)

ADD: Figure: 25 TAC §265.186 (e) (6)

Maximum Diving Board Height Over Water	$\frac{3}{4}$ Meter	1 Meter	3 Meters
Max. Diving Board Length	12 ft.	16 ft.	16 ft.
Minimum Diving Board Overhang	2 ft. 6 in.	5 ft.	5 ft.
D1 Minimum	8 ft. 6 in.	11 ft. 2 in.	12 ft. 2 in.
D2 Minimum	9 ft.	10 ft. 10 in.	11 ft. 10 in.
D3 Minimum	4 ft.	6 ft.	6 ft.
L1 Minimum	4 ft.	5 ft.	5 ft.
L2 Minimum	12 ft.	16 ft. 5 in.	19 ft. 9 in.

L3 Minimum	14 ft. 10 in.	13 ft. 2 in.	13 ft. 11 in.
L4 Minimum	30 ft. 10 in.	34 ft. 7 in.	38 ft. 8 in.
L5 Minimum	8 ft.	10 ft.	13 ft.
H Minimum	16 ft.	16 ft.	16 ft.
From Plumbet to Pool Wall at Side	9 ft.	10 ft.	11 ft. 6 in.
From Plumbet to Adjacent Plumbet	10 ft.	10 ft.	10 ft.



Section 411.2.1 & 411.2.2; Change to read as follows:

411.2.1 Tread dimensions and area. Treads shall have a minimum unobstructed horizontal depth (i.e., horizontal run) of 12 inches and a minimum width of 20 inches.

411.2.2 Risers. Risers for steps shall have a maximum uniform height of 10 inches, with the bottom riser height allowed to taper to.

Section 411.5.1 & 411.5.2; Change to read as follows:

411.5.1 Swimouts. Swimouts, located in either the deep or shallow area of a pool, shall comply with all of the following:

1. Unchanged

2. Unchanged
3. Unchanged
4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

411.5.2 Underwater seats and benches. Underwater seats and benches, whether used alone or in conjunction with pool stairs, shall comply with all of the following:

1. Unchanged
2. Unchanged
3. Unchanged
4. Unchanged
5. The leading edge shall be visually set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.
6. Unchanged
7. Unchanged

Section 610.5.1; Change to read:

610.5.1 Uniform height of 10 inches. Except for the bottom riser, risers at the centerline shall have a maximum uniform height of 10 inches (254 mm). The bottom riser height shall be permitted to vary from the other risers.

Section 804 Diving Water Envelopes; Change to read as follows:

Section 804.1 General. The minimum diving water envelopes shall be in accordance with Table 804.1 and Figure 804.1, or the manufacturer's specifications, whichever is greater. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 804.1.

SECTION 3. All provisions of the Code of Ordinances of the City of Farmers Branch in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Farmers Branch, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 4. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision, or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

SECTION 5. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

SECTION 6. Any violation of the provisions or terms of this ordinance shall be subject to the same penalty as provided in the Code of Ordinances of the City of Farmers Branch as heretofore amended and, upon conviction, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00). Every day a violation continues shall constitute a separate offense.

SECTION 7. This Ordinance shall take effect on October 1, 2025, following the passage of this Ordinance, the publication of the caption hereof as the law and charter in such case provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 19th DAY OF AUGUST, 2025.

ATTEST:

APPROVED:

Erin Flores, City Secretary

Terry Lynne, Mayor

APPROVED AS TO FORM:

Nicole Corr, City Attorney
[vf.07.20.25]