

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	June 13, 2011
	Agenda Item No. 48 Roll Call No. <u>11-1024</u> Communication No. <u>11-390</u> Submitted by: Phillip Delafield, Community Development Director	

AGENDA HEADING:

Recommend adopting International Code swimming pool provisions to replace Municipal Code Chapter 26 swimming pool regulations.

SYNOPSIS:

Approval of this action amends Chapter 26 of the Municipal Ordinance by adopting swimming pool provisions from the 2009 International Building Code and International Residential Code.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

The City of Des Moines Building & Fire Board of Appeals has reviewed Municipal Code swimming pool regulations and recommends replacing those with swimming pool provisions from the 2009 International Code. Adoption of these codes assures the City’s swimming pool codes remain current and up-to-date with nationally recognized safety standards.

Des Moines area swimming pool contractors and each of the City’s neighborhood associations were sent a letter explaining the proposed code changes and the significant differences from current requirements. Stakeholders were asked to provide public comment via email or by attending a public hearing on May 12, 2011. Two neighborhood associations submitted email correspondence supporting the proposed code adoption.

The proposed code language will drop the minimum pool fence enclosure height from five feet to four feet, but will require additional protection for doors and gates that open into the pool enclosure. The metro area lacks consistency in the minimum required height of pool enclosures, which vary from four feet to six feet. Other jurisdictions with a four foot high requirement include Ankeny, Grimes and the State of Iowa. Given the lack of consistency across the metro area, the Building and Fire Code Board of Appeals recognizes the importance of adopting swimming pool provisions that are developed and recognized on a national level.

PREVIOUS COUNCIL ACTION(S):

Date: December 20, 2010

Roll Call Number: 10-2100

Action: [Amending](#) Chapter 26 of the Municipal Code to adopt the 2009 editions of the International Building Code; International Residential Code; International Existing Building Code; International Mechanical Code; International Fuel Gas Code; International Energy Conservation Code and Uniform Plumbing Code – as amended by changing Section 26-328 and 26-329 to address concerns raised by local homebuilders. ([Council Communication No. 10-764](#)) **Moved by Hensley that this ordinance do now pass, #14,981. Motion Carried 7-0.**

BOARD/COMMISSION ACTION(S):

Date: May 12, 2011

Board: Building and Fire Code Board of Appeals

Action: These recommended changes to the Municipal Code of the City of Des Moines were unanimously approved.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

New editions of the codes are published every three years. The Community Development Department anticipates adoption of codes with swimming pool provisions to occur on a three-year cycle.

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