

ORDINANCE NO. 15,023

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing paragraph (a) of Section 26-300, Section 26-310, and Sections 26-380 through 26-384, inclusive, thereof and enacting a new paragraph (a) of Section 26-300, Section 26-310 and by adding and enacting a new Section 26-333, regarding the design and enclosure of swimming pools, spas and hot tubs.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as amended by Ordinance No. 14,981 passed December 20, 2010, be and is hereby amended by repealing paragraph (a) of Section 26-300, Section 26-310, and Sections 26-380 through 26-384, inclusive, thereof and enacting a new paragraph (a) of Section 26-300 and Section 26-310 and by adding and enacting a new Section 26-333, regarding the design and enclosure of swimming pools, spas and hot tubs as follows:

**Sec. 26-300. Adoption of international codes.**

(a) This article shall consist of the International Building Code (“IBC”), the International Existing Building Code (“IEBC”), the International Energy Conservation Code (“IECC”) and Parts I, II, III, V, VI and appendix chapters G, H & J of the International Residential Code (“IRC”) all 2009 editions published by the International Code Council, which volumes are incorporated by this reference in their entirety, except as otherwise indicated in this article.

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**Sec. 26-310. Deletions.**

The following are deleted from the building code and are of no force or effect in this article:

- (1) Sections 103, 113, 116; and,
- (2) Subsections 101.4 104.8, 105.2, 105.5, 109.3, and 110.3.5 of the International Building Code.
- (3) Sections R103, R112; and,
- (4) Subsections R104.8, R105.2, R105.5, R108.3, G2420.5.3, exception 4 in G2422.1.2.3; and,
- (5) Table R403.1 of the International Residential Code.
- (6) Section 103, 112, 115; and,
- (7) Subsections 104.8, 105.2, 105.5, 108.3, 109.3.5, of the International Existing Building Code.

(8) Section 109 of the International Energy Conservation Code.

**Sec. 26-333. Swimming pools, spas and hot tubs.**

The exception under IBC section 3109.4 is hereby amended by deleting such exception and replacing it with the following:

**Exception:** Spas or hot tubs with a safety cover which complies with ASTM F 1346 shall be exempt from the provisions of these sections.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

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T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 11-1025), passed by the City Council of said City at a meeting held June 13, 2011 signed by the Mayor on June 13, 2011 and published as provided by law in the Business Record on July 1, 2011. Authorized by Publication Order No. 7484.

Diane Rauh, City Clerk

