BILL NO. 8-6-13-5

SUMMARY - An ordinance to amend Title 22 by deleting Chapter 22.20 in its entirety; adopting a new Chapter 22.20 entitled the Swimming Pool and Spa Code of Clark County; adopting by reference the International Swimming Pool and Spa Code, 2012 edition and the Southern Nevada Amendments to the 2012 International Swimming Pool and Spa Code; and other matters properly relating thereto.

ORDINANCE NO.

AN ORDINANCE TO AMEND TITLE 22 BY DELETING CHAPTER 22.20 IN ITS ENTIRETY; ADOPTING A NEW CHAPTER 22.20 ENTITLED THE SWIMMING POOL AND SPA CODE OF CLARK COUNTY; ADOPTING BY REFERENCE THE INTERNATIONAL SWIMMING POOL AND SPA CODE AND THE SOUTHERN NEVADA AMENDMENTS TO THE 2012 INTERNATIONAL SWIMMING POOL AND SPA CODE; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 22, Chapter 22.20, of the Clark County Code is deleted in its entirety.

SECTION 2. Title 22, Chapter 22.20 is adopted to read as follows:

22.20.010 Adoption. (A) That certain document, three copies of which are on file in the office of the County Clerk of Clark County, being marked and designated as the "International Swimming Pool and Spa Code, 2012 Edition" (referenced herein as the ISPSC) published by the International Code Council, together with all tables of contents, definitions, articles, tables, indexes, examples and appendices, is hereby adopted and made a part of this chapter, the same as if it were fully set forth herein, except as amended by the Southern Nevada Amendments to the 2012 International Swimming Pool and Spa Code and by this chapter.

That certain document, three copies of which are on file in the office of the County Clerk of Clark County, being marked and designated as the Southern Nevada Amendments to the 2012
International Swimming Pool and Spa Code, together with all tables of contents, definitions, articles, tables, indexes, examples and appendices, is hereby adopted and made a part of this chapter, the same as if it were fully set forth herein, except as amended by this chapter.

(B) Name. The Southern Nevada Amendments to the 2012 International Swimming Pool and Spa Code, as adopted and amended by this chapter, is known as the Swimming Pool and Spa Code of Clark County. It is reference herein as “this code”.

(C) Conflict. In the event there is a conflict between this chapter and the International Swimming Pool and Spa Code, or a substantive difference in the meanings of wording included in a topic or subject area common to all three documents, the wording of this chapter shall supersede the International Swimming Pool and Spa Code and the Southern Nevada Amendments to the 2012 International Residential Code and govern.

In the event there is a conflict between the Southern Nevada Amendments to the 2012 International Swimming Pool and Spa Code and the International Swimming Pool and Spa Code, or a substantive difference in the meanings of wording included in a topic or subject area common to both documents, the wording of the Southern Nevada Amendments to the 2012 International Residential Code shall supersede the ISFSC and govern.

22.20.020 Administrative Provisions. The provisions of Chapter 22.02 known as the “Building Administrative Code of Clark County” shall serve as the governing rules and regulations for the administration, organization and enforcement of the Swimming Pool and Spa Code of Clark County.

22.20.030 Violation and Penalties. It is unlawful for any person to erect, install, alter, repair, relocate, add to, replace, use, or maintain swimming pools, spas, or water features in this jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of this code. Maintenance of any swimming pool, spa, or water which was unlawful at the time it was installed and which would be unlawful under this code if installed after the effective date of this code constitutes a continuing violation of this code.

Any person violating any of the provisions of this code shall be deemed guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. Upon conviction for any such violation such person shall be punishable by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment in the county jail for not more than 6 months, or by both such fine and imprisonment. Whenever in this chapter any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, the doing of any such required act constitutes a violation of this chapter. Any day of any violation of this ordinance constitutes a separate offense.
SECTION 3. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the other sections of this ordinance shall remain valid.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in the Code of Clark County in conflict with this ordinance are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after the date set forth below, after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 6th day of August, 2013

PROPOSED BY Steve Sisolak

PASSED on the ___ day of ______________, 2013

AYES: ________________________________

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______________________________

NAYES: ________________________________

______________________________

ABSTAINING: ________________________________
ABSENT: 

BOARD OF COUNTY COMMISSIONERS 
CLARK COUNTY, NEVADA 

BY ____________________________ 
CHAIR 

ATTEST: 

DIANA ALBA, County Clerk 

This ordinance shall be in force and effect from and after the 5th day of July, 2014.