

**Recommended Amendments to the  
2021 International Swimming Pool and Spa Code  
City of Denton, Texas**

The following sections, paragraphs, and sentences of the *2021 International Swimming Pool and Spa Code* are hereby amended as follows: Standard type is text from the ISPSC. Underlined type is text inserted. ~~Lined through type is deleted text from ISPSC.~~ A double asterisk (\*\*) at the beginning of a section identifies an amendment carried over from the 2012 edition of the code and a triple asterisk (\*\*\*) identifies a new or revised amendment with the 2021 ISPSC code.

**\*\*\*Section 101.1; Change to read as follows:**

**Section 101.1 Title.** These regulations shall be known as the Swimming Pool and Spa Code of ~~[NAME OF JURISDICTION]~~, City of Denton, hereinafter referred to as “this code.”

*(Reason: Standard insertion point: [insert] to assist with local adoption.)*

**\*\*\*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, to include but not limited to:

1. Texas Department of State Health Services (TDSHS); Standards for Public Pools and Spas; §285.181 through §285.208, (TDSHS rules do not apply to pools serving one- and two family dwellings).
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).

**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.

*(Reason: To clarify specific Texas statutes which regulate public pools and spas.)*

**\*\*\*Section 103.1; Change to read as follows:**

**Section 103.1 Creation of enforcement agency.** The Department of Building Safety is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code. The Division of Health and Food Safety is hereby created and the official in charge thereof shall be known as the code official for operation and maintenance of any public or semi-public swimming pool in accordance this code, local and state law.

*(Reason: The operation of public pools is enforced through the City of Denton Health and Food Safety Division procedures.)*

**\*\*\*Section 105.4.4; Change to read as follows:**

**Section 105.4.4 Extensions.** *Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to*

be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. ~~The fee for an extension shall be one-half the amount required for a new permit for such work.~~

(Reason: Addressed in Municipal Fee Schedule.)

**\*\*\*108.2; Change to read as follows:**

**109.2 Schedule of permit fees.** Where work requires a permit, a fee for each permit shall be paid as required in accordance with the schedule as established by ~~the applicable governing authority.~~ Chapter 28-1 of the Denton Municipal Code.

(Reason: Standard insertion point: [insert] to assist with local adoption.)

**Section 108.3 Permit valuations delete in its entirety.**

(Reason: Not required, no change.)

**\*\*\*Section 111; Delete section; change to read as follows:**

**111.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official, code official, or fire marshal relative to the application and interpretation of the requirements of this Code and all other applicable codes of the City of Denton, there shall be a health and building standards commission; see ARTICLE X, Chapter 2-260, 2-261, and 2-262 of the Denton Municipal Code.

(Reason: The City of Denton has established Construction Advisory and Appeals Board procedures.)

**Section 112 Board of Appeals delete in its entirety.**

(Reason: The City of Denton has established Construction Advisory and Appeals Board procedures.)

**\*\*\*Section 202; DEFINITIONS; insert definition; change to read as follows:**

**HEALTH AND FOOD SAFETY:** Health and Food Safety Division regulates the operation of public pools. Routine inspections on public and semi-public pools and spas. Routine inspections are conducted to document compliance with the standards set forth in State law in accordance with Chapter XX-XX of the Municipal Code.

(Reason: The operation of public pools is enforced through the City of Denton Consumer Health Division procedures.)

**\*\*\*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. 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 all aquatic vessels.

These design controls are intended to provide protection against the potential drowning and near drowning by restricting access to such vessels. These requirements provide an integrated level of protection against potential drowning through the use of physical barriers and warning devices.

**Exceptions:** One- and two-family dwellings provided with the following:

1. Spas and hot tubs with a lockable safety cover that complies with ASTM F 1346.
2. Swimming pools with a *powered safety cover* that complies with ASTM F 1346.

*(Reason: To clarify specific Texas statutes which regulate public pools and spas.)*

**\*\*\*Section 305.2; Change to read as follows:**

**305.2 Outdoor swimming pools and spas.** Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7 and in accordance with the Texas Administrative Code, Texas Health and Safety Code 757 for public pools.

*(Reason: To clarify specific Texas statutes which regulate public pools and spas.)*

**\*\*\*Section 305.2.1; Change to read as follows:**

### **305.2.1 Barrier height and clearances.**

Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall not be less than ~~48~~ 60 inches above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.

(remainder remains unchanged)

*(Reason: No change.)*

**\*\*\*Section 305.2.7: Add subsection: Change to read as follows:**

**305.2.7 Chain link dimensions.** The maximum opening formed by a chain link fence shall be not more than 1 ¼ inches (44 mm). Where the fence is provided with slats fastened at the top and bottom which reduces the openings, such openings shall be not more than 1 ¾ inches (44mm).

**305.2.7.1 Chain link fencing prohibited.** Chain link fencing is not permitted as a barrier in public pools built after October 1, 2004.

**Exception:** Class B public pool.

*(Reason: To clarify specific Texas statutes which regulate public pools and spas)*

**\*\*\*Section 305.6: Change to read as follows:**

**305.6 Natural barriers used in a one and two-family dwelling.** 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 ~~not less than~~ a minimum of eighteen (18) inches, a barrier is not required between the natural body of water shoreline and pool or spa.

*(Reason: Specific Texas statutes do not allow the use of natural barriers in lieu of fencing for public pools.)*

**\*\*\*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. Suction entrapment avoidance for public swimming pools will be in accordance with State of Texas Rules for Public Swimming Pools and Spas, 25 TAC Chapter 265 Subchapter L, Rule §265.190

**Exception:** Portable residential spas and portable residential exercise spas listed and labeled in accordance with UL 1563 or CSA C22.2 No. 218.1.

*(Reason: To clarify specific Texas statutes which regulate public pools and spas)*

**\*\*\*Section 313.7: Change to read as follows:**

**313.7 Emergency shutoff switch for spas and hot tubs.** ~~An emergency shutoff switch shall be provided to disconnect all power to recirculation and jet system pumps and air blowers. Emergency shutoff switches shall be provided with access; located within sight of the pool or spa and located not less than 5 feet (5')~~ horizontally from the inside walls of the pool or spa. A clearly labeled emergency shutoff or control switch for the purpose of stopping the motor(s) that provide power to the recirculation system and jet system shall be installed at a point readily accessible to the users and not less than 1.5 m (5 ft) away, adjacent to, and within sight of the spa or hot tub. This requirement shall not apply to single-family dwellings.

**Exception:** ~~Onground storable and permanent inground residential swimming pools.~~

*(Reason: Language is from 2020 NEC Article 680.41.)*

**\*\*\* Section 402.12; Change to read as follows:**

**402.12 water envelopes.** The minimum diving water envelopes shall be in accordance with Table 402.12.

**Table 402.12  
MINIMUM DIVING WATER ENVELOPES  
(See Figure 402.12)**

| Pool Type | Minimum dimensions |         |       |       |        |         |       |        | Minimum width of pool at: |        |        |
|-----------|--------------------|---------|-------|-------|--------|---------|-------|--------|---------------------------|--------|--------|
|           | D1                 | D2      | R-D3  | L1    | L2     | L3      | L4    | L5     | Pt. A                     | Pt. B  | Pt. C  |
| VI        | 7'-0"              | 8'-6"   | 5'-6" | 2'-6" | 8'-0"  | 40'-6"  | 7'-0" | 28'-0" | 16'-0"                    | 18'-0" | 18'-0" |
|           | 8'-6"              | 9'-0"   | 4'-0" | 4'-0" | 12'-0" | 14'-0"  | 4'-0" | 34'-0" |                           |        |        |
| VII       | 7'-6"              | 9'-0"   | 6'-0" | 3'-0" | 9'-0"  | 42'-0"  | 4'-0" | 28'-0" | 18'-0"                    | 20'-0" | 20'-0" |
|           | 11' 2"             | 10' 10" |       | 5'-0" | 16'-5" | 13'-2"  |       | 38'-7" |                           |        |        |
| VIII      | 8'-6"              | 40'-0"  | 7'-0" | 4'-0" | 40'-0" | 45'-0"  | 2'-0" | 34'-0" | 20'-0"                    | 22'-0" | 22'-0" |
|           | 12'-2"             | 11'-10" | 6'-0" | 6'-0" | 19'-9" | 13'-11' |       | 41'-8" |                           |        |        |
| IX        | 44'-0"             | 42'-0"  | 8'-6" | 6'-0" | 40'-6" | 21'-0"  | 0     | 37'-6" | 22'-0"                    | 24'-0" | 24'-0" |

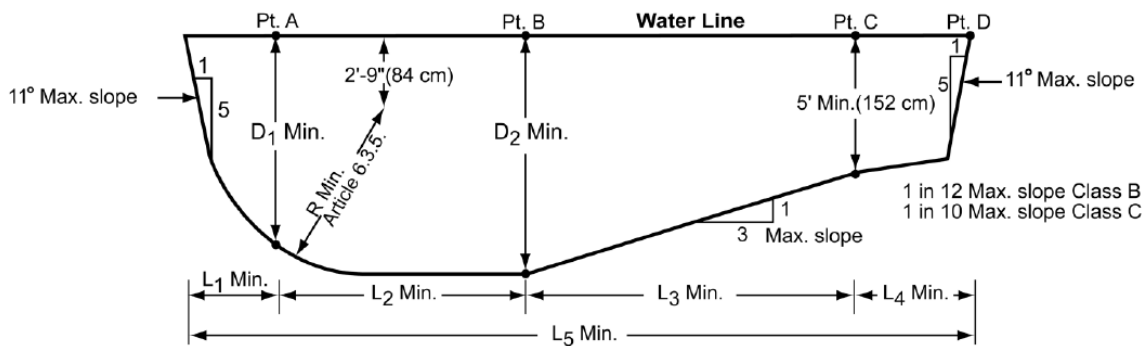


Figure 402.12 Minimum Diving water envelopes  
**CONSTRUCTION DIMENSIONS FOR WATER ENVELOPES FOR CLASS B AND CLASS C POOLS**

*(Reason: To avoid conflict with 25 TAC Chapter 265)*

**\*\*\*SECTION 402.13: Change to read as follows:**

**402.13 Ladders for diving equipment.** Ladders shall be provided with two grabrails or two handrails. There shall be a uniform distance between ladder treads, with a 7-inch (178 mm minimum) distance and 12 inch (305 mm) maximum distance. Supports, platforms, steps, and ladders for diving equipment shall be designed to carry the anticipated loads. Steps and ladders shall be of corrosion-resistant material, easily cleanable and with slip-resistant tread;

**Exception:** The distance between treads for the top and bottom riser can vary.

*(Reason: To avoid conflict with 25 TAC Chapter 265)*

**\*\*\*SECTION 411.2: Change to read as follows:**

**411.2 Pool stairs.** The design and construction of stairs extending into the pool in either shallow or deep water, including recessed pool stairs, shall comply with Sections 411.2.1 through 411.2.4.

**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, not be less than 24 inches (607mm) at the leading edge. Treads shall have an unobstructed surface area of not less than 240 square inches (154838mm<sup>2</sup>) and an unobstructed horizontal depth of not less than 10 inches (254 mm) at the center line.

**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 zero except for the bottom riser, shall have a uniform height of not greater than 12 inches (305 mm) measured at the center line. The bottom riser height is allowed to vary to the floor.

*(Reason: To avoid conflict with 25 TAC Chapter 265)*

**SECTION 411.5: 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. The horizontal surface shall be not greater than 20 inches (508mm) below water line.
2. An unobstructed surface shall be provided that is equal to or greater than that required for the top tread of the pool stairs in accordance with Section 411.2
3. Where used as an entry and exit access, swimouts shall be provided with steps that comply with the pool stair requirements of Section 411.2
4. The leading edge shall be ~~visibly set apart~~ 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. The horizontal surface shall be not greater than 20 inches (508mm) below the water line.
2. An unobstructed surface shall be provided that is a not less than of 10 inches (254 mm) in depth and not less than 24 inches (607mm) in width.
3. Underwater seats and benches shall not be used as the required entry and exit access.
4. Where underwater seats are located in the deep area of the pool where manufactured or constructed diving equipment is installed, such seats shall be located outside of the minimum water envelope for diving equipment.
5. The leading edge shall be ~~visually set apart~~ 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. The horizontal surface shall be at or below the water line.
7. A tanning ledge or sun shelf used as the required entry and exit access shall be located not greater than 12 inches below the water line.

*(Reason: To avoid conflict with 25 TAC Chapter 265)*

**\*\*\*Section 603.2: Change to read as follows:**

**603.2 Class A and B pools:** Class A and B pools over 5 feet deep: the transition point of the pool from the shallow area to the deep area of the pool shall be visually set apart with a 4-inch minimum width row of floor tile, a painted line, or similar means using a color contrasting with the bottom; and a rope and float line shall be provided between 1 foot and 2 feet on the shallow side of the 5-foot depth along and parallel to this depth from one side of the pool to the other side. The floats shall be spaced at not greater than 7-foot intervals; and the floats shall be secured so they will not slide or bunch up. The stretched float line shall be of sufficient size and strength to offer a good handhold and support loads normally imposed by users. If the owner or operator of the pool knows or should have known in the exercise of ordinary care that a rope or float is missing, broken, or defective, the problem shall be promptly remedied. ~~**Class D-2 pools.** Where a Class D-2 pool has a bather-~~

accessible depth greater than 4 1/2 feet (1372 mm), the floor shall have a distinctive marking at the 4 1/2 feet (1372 mm) water depth.

*(Reason: To avoid conflict with 25 TAC Chapter 265)*

**\*\*\*Section 610.5.1: Change to read as follows:**

**610.5.1 Uniform height of 9 10 inches.** Except for the bottom riser, risers at the centerline shall have a maximum uniform height of 9 10 inches (~~229-254~~ mm). The bottom riser height shall be permitted to vary from the other risers.

*(Reason: To avoid conflict with 25 TAC Chapter 265)*

**END**