

ORDINANCE NO. (O)13-13

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA AMENDING CHAPTER 6, SECTION 6-5-1 ENTITLED "SWIMMING POOL CODE" OTHERWISE KNOWN AS THE "2012 TOWN OF ORO VALLEY POOL AND SPA CODE"; AND REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; AND PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, pursuant to ARS § 41-1346, this Ordinance is a public record with three copies of "Swimming Pool Code", otherwise known as the "2012 Town of Oro Valley Pool and Spa Code" on file in the office of the Town Clerk; and

WHEREAS, on December 6, 1995, the Town Council approved Ordinance No. (O) 95-85, which adopted that certain document entitled, "Oro Valley Town Code, Chapter 6, "Building" as the sixth chapter of the official Town Code; and

WHEREAS, Chapter 6, Swimming Pool Code, Section 6-5-1 is the Town of Oro Valley's Swimming Pool Code; and

WHEREAS, on May 1, 2013, the Town Council adopted Resolution No. (R)13-27, making that certain document entitled the "Swimming Pool Code" otherwise known as the "2012 Town of Oro Valley Pool and Spa Code" a public record; and

WHEREAS, changes made to the Swimming Pool Code were primarily due to life and safety issues, conformity with current editions of companion building codes adopted by the Town, construction technology, local community issues, and errors in printed codes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Council of the Town of Oro Valley, Arizona that the certain document, known as "Swimming Pool Code" otherwise known as the "2012 Town of Oro Valley Pool and Spa Code" is hereby adopted.

NOW THEREFORE, BE IT FURTHER ORDAINED by the Mayor and Council of the Town of Oro Valley as follows:

Section 1. Oro Valley Town Code Section 6-5-1 is hereby amended with deletions in ~~striketrough~~ and additions in all CAPS as follows:

6-5-1 Swimming Pool Code

The Town of Oro Valley's adopted swimming pool code is the ~~2008 Town of Oro Valley Pool and Spa Code~~ 2012 TOWN OF ORO VALLEY POOL AND SPA CODE, three (3) copies of which are on file in the office of the Town Clerk of the Town of Oro Valley, Arizona.

Section 2. The Town of Oro Valley Pool and Spa Code 2012 is hereby amended with deletions in ~~strike through~~ and additions in all CAPS as follows:

Chapter 1 Administration

104.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

1. Repairs which involve only the replacement of component parts of existing work with similar materials ~~and which do not aggregate over one thousand dollars (\$1,000.00) in value, excluding labor, in a twelve (12) month period~~ and do not affect any structural, electrical, mechanical or plumbing installation.
2. Prefabricated swimming pools accessory to a Group R-3 occupancies that are less than 24 inches (610 mm) deep, and do not exceed 2,500 gallons (18,925 L) capacity.


Section 3. Adopts by reference the 2012 Town of Oro Valley Pool and Spa Code is made a public record by Resolution No. (R)13-33.

Section 4. All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions, or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.


PASSED AND ADOPTED by Mayor and Town Council, the Town of Oro Valley, Arizona, this 15th day of May, 2013.

TOWN OF ORO VALLEY




Dr. Satish I. Hiremath, Mayor

ATTEST:



Julie K. Bower, Town Clerk

APPROVED AS TO FORM:



Tobin Sidles, Interim Town Attorney

Date: 5/17/13

Date: 5/15/13