

## ORDINANCE NO. 2236

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO BUILDING REGULATIONS; TO AMEND SECTION 9-1203 OF THE CRETE MUNICIPAL CODE; ALLOWING FOR POOLS .**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:**

**Section 1.** That Chapter 9, Article 12, Section 9-1203 of the Crete Municipal Code be amended as follows:

### **9-1203 Swimming Pool And Spa Code; Amendments**

- (1) Section 101.1 shall be amended to read as follows: These regulations shall be known as the Swimming Pool and Spa Code of the City of Crete, hereinafter referred to as “this code”.
- (2) Section 103 shall be deleted in full.
- (3) Section 104.1 shall be amended to read as follows: The code official is hereby authorized and directed to enforce the provisions of this code.
- (4) Section 104.8 shall be deleted in full.
- (5) Section 105.6.2 shall be amended to read as follows: The fees for work shall be as determined by the City Council.
- (6) Section 105.6.3 shall be amended to read as follows: The code official shall authorize the refunding of fees on a sliding scale based on the amount of City review that has been provided. The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.
- (7) Section 107.4 shall be amended to read as follows: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair a pool or spa in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an infraction punishable by a fine of not more than five hundred dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (8) Section 107.5 shall be amended to read as follows: Upon notice from the code official, work on any system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists. The code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of an infraction punishable by a fine of not more than five hundred dollars. Each day that a violation continues shall be deemed a separate offense.
- (9) Section 108 shall be deleted in full.
- (10) Section 305.1 shall be amended to read as follows: 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 where pools are equipped with a powered lockable safety cover complying with ASTM F1346, the areas where those pools, spas, or hot tubs are located shall not be required to comply with Sections 305.2 through 305.7.
- (11) Section 305.6 shall be amended to read as follows: 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 waters edge to a water depth of not less than 6 inches, a barrier is not required between the natural body of water shoreline and the pool or spa area.

**Section 2.** That the changes specified in the above section shall be codified as part of the Crete Municipal Code as stated herein.

**Section 3.** All ordinances and parts of ordinances in conflict herewith are hereby repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

**Section 4.** That if any section, part, or provision of this ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other section, part, or provision of this ordinance.

**Section 5.** This ordinance shall be published in pamphlet, book, or electronic form and shall take effect and be in full force and effect from and after its passage, approval and publication, as provided by law.

PASSED AND ENACTED the \_\_\_\_ day of March 2025.

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Mayor

ATTEST:

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City Clerk

Seal