

## ORDINANCE NO.

### AN ORDINANCE AMENDING CITY CODE CHAPTER 10-7 (POOLS AND SPAS) REGARDING PUBLIC INTERACTIVE WATER FEATURES AND FOUNTAINS.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Section 10-7-2 (*Definitions*) is amended to read as follows:

#### **§ 10-7-2 DEFINITIONS.**

(A) In this chapter:

- (1) PRIVATE FACILITY means a pool or spa that serves not more than two dwellings.
- (2) PUBLIC FACILITY means a public interactive water feature or fountain, pool, or spa that is governed by the state pool and spa regulations.
- (3) STATE POOL AND SPA REGULATIONS means the regulations adopted by the state of Texas to regulate public pools and spas, and includes the following, as amended from time to time:
  - (a) Health and Safety Code Section 341.064 (Swimming Pools And Bathhouses), Section 341.081 (Authority Of Home-Rule Municipalities), Section 341.082 (Appointment Of Environmental Health Officer In Certain Home-Rule Municipalities), Section 341.091 (Criminal Penalty), ~~and~~ Section 341.092~~;~~ (Civil Enforcement), and Section 341.0695 (Interactive Water Features and Fountains);
  - (b) Health and Safety Code Chapter 757 (Pool Yard Enclosures); and
  - (c) Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter L (Standards For Public Pools And Spas) ~~-, and~~ Subchapter M (Public Interactive Water Features and Fountains).

- (B) A term used in this chapter that is defined in the state pool and spa regulations has the meaning assigned to it by the state pool and spa regulations.

**PART 2.** This ordinance takes effect on \_\_\_\_\_, 2013.

**PASSED AND APPROVED**

\_\_\_\_\_, 2013

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Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_

Karen M. Kennard  
City Attorney

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk