

ORDINANCE 2018-23, AS AMENDED

TO BE ENTITLED: “AN ORDINANCE TO AMEND TITLE 12, CHAPTER 7 OF THE FRANKLIN MUNICIPAL CODE TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION.”

WHEREAS, for the purpose of promoting the public health, safety, comfort, convenience, and general welfare of the people of Franklin, the Board of Mayor and Aldermen of the City of Franklin is authorized to prescribe regulations and standards for the design, construction, and repair to buildings and structures within the City; and

WHEREAS, Tennessee Code Annotated Title 6, Chapter 54, Part 5 allows municipalities to adopt building codes by reference; and

WHEREAS, adoption of the International Swimming Pool and Spa Code is not required by the State of Tennessee, it is recommended by the Building Official as the minimum code for commercial swimming pool installations; and

WHEREAS, in its legislative judgment the Board of Mayor and Aldermen has found that building regulations and standards must be dynamic and modified from time to time to reflect changes in model codes, construction materials, recognized construction methods, and safety standards necessary to preserve and promote the private and public interest; and

WHEREAS, many of the surrounding communities, have adopted or will adopt the 2018 International Code Council series of codes which allows builders, designers, and developers to reference one version of code books in the Middle Tennessee area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKLIN BOARD OF MAYOR AND ALDERMEN, AS FOLLOWS:

SECTION I. That Title 12, Chapter 7, Section 12-701 of the City of Franklin Municipal Code is hereby amended to delete section 12-701 in its entirety and is approved to read as follows:

12-101. Swimming pool code adopted. (1) Pursuant to authority granted by §§ 6-54-501 et seq. of the Tennessee Code Annotated and for the protection of the public health, welfare, and safety by prescribing minimum standards for the design, construction or installation, repair or alterations of swimming pools, public or private and equipment related thereto, the International Swimming Pool and Spa Code, 2018 edition, as prepared by the International Code Council, is hereby adopted and incorporated by reference as a part of this Code and is hereinafter referred to as the Swimming Pool code.

SECTION II. That Title 12, Chapter 7, Section 12-702 of the City of Franklin Municipal Code is hereby deleted in its entirety.

SECTION III. Severability. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION IV. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the City of Franklin prior to the effective date of this ordinance.

SECTION V: BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this ordinance shall be in full force and in effect for any permit application received by the Building and Neighborhood Services Department on or after **January 1, 2019**, the health, safety, and welfare of the citizens of Franklin, Tennessee, requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric S. Stuckey
City Administrator/Recorder

By: _____
Dr. Ken Moore
Mayor of Franklin

Approved as to Form:

Shauna R. Billingsley
City Attorney

PASSED FIRST READING, AS
AMENDED

_____ 09/11/2018 _____

PASSED SECOND READING
