

**AN ORDINANCE** amending Article VII, Swimming Pools, of Chapter 62, Health and Sanitation, of the Joplin City Code by repealing and enacting a new Article VII, Swimming Pools in lieu thereof; adopting a new Swimming Pool Design and Operations Code for the City of Joplin; and setting a date when this ordinance shall become effective.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That City of Joplin “Design and Operation Standards Code”, a true and accurate copy of the same being attached hereto as Exhibit “A” be hereby adopted and approved.

Section 2. That Article VII, Swimming Pools, of Chapter 62, Health and Sanitation, of the Joplin City Code be repealed and a new Article VII enacted in lieu thereof to read as follows:

**‘ARTICLE VII. SWIMMING POOLS**

**Sec. 62-241. Swimming Pool code adopted.**

The City of Joplin Swimming Pool Design and Operations Standards Code, is hereby adopted for regulating the design, construction, management, and operation of public and semi-public swimming pools.

**Sec 62-242. Classification of pools.**

a) Private pools. Any pool, which is used or intended to be used as a swimming pool in connection with a single-family residence and available only to the family of the householder and his private guests, shall be classified as a private swimming pool. See also the prevailing Building Code for other qualifications.

b) Public pools. Any swimming pool that is open to use by the general public for which a fee may or may not be required for daily usage and where no membership is required.

c) Semipublic pools. Any swimming pool not classified as public or private including but not limited to: pools serving communities, subdivisions, apartment complexes, condominiums, clubs, camps, schools, institutions, manufactured home parks, hotels, motels.

**Sec. 62-243. Pool Inspections and Sampling.**

a) The Director of Health and Welfare or his representative is authorized to enter upon the premises where any semi-public or public pool is located within the city at a reasonable time, for the inspection of swimming pools, and to secure water samples, and

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require the owner, the proprietor or the operator of the swimming pool to comply with the ordinances of the city.

b) The water in any public or semipublic swimming pool shall be sampled and analyzed at a frequency set by the Director of Health and Welfare.

c) Safety inspections shall occur at a minimum frequency of once per year or more frequent as determined by the Director of Health and Welfare. Any swimming pool with conditions stated under Part 2 section 5.1 of the Code shall constitute sufficient grounds to order the swimming pool immediately closed. The pool shall remain closed until the corrections are complete and inspected by the Regulatory Authority.

Sec. 62-244 Notice of Violation; correction of violations.

Written notice of any violation of the Swimming Pool code shall be given to the owner and/or responsible party. Failure to correct the violation(s) within a reasonable length of time, not greater than ten days or less if a serious risk to health or safety, shall commence prosecution of the owner and/or responsible party for the violation(s). Violations deemed not of an immediate health or safety risk by the Regulatory Authority may be authorized an extended time period for correction.

Sec. 62-245. Penalty.

Any violation of this article not corrected within the time authorized by this article shall subject the violator to prosecution in the municipal court, subject to the rules of the court, and upon conviction subject such party to a penalty as provided in Section 1-5 of the City Code of Ordinances.

Sec. 62-246. Fees.

Permits and fees shall be imposed on such pool establishments pursuant to the provisions of Chapter 30 of this Code.'

Section 3. That this ordinance shall be in full force and effect from and after February 1, 2008.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 17th day of December, 2007.

Jon Tupper, Mayor

ATTEST:

Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

Brian W. Head, City Attorney